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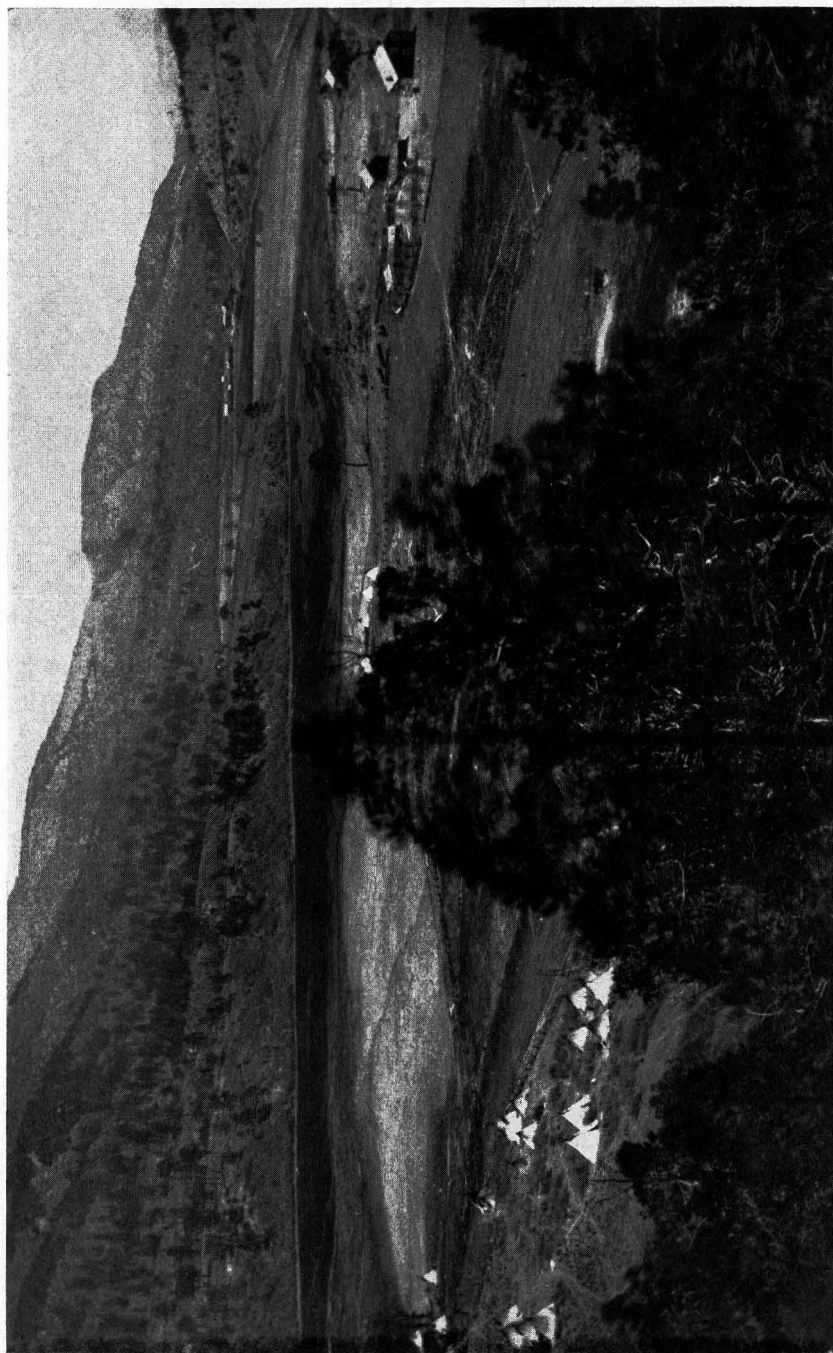
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Mescalero Indian Agency, 1880

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MESCALERO APACHE HISTORY IN THE SOUTHWEST

By MORRIS EDWARD OPLER AND CATHERINE H. OPLER*

THE early history of the Mescalero Apache Indians of the American Southwest is most obscure.¹ The Vaqueiros, mentioned by Castaño de Sosa in 1590, are thought by some to be buffalo-hunting Apache of the region which is now eastern New Mexico and western Texas and may have included the Mescalero.² Benavides, in his report to the king in 1630, said that as yet the various Apache tribes known as Apaches de Xila, Apaches de Navajo, and Apaches Vaqueiros had caused no trouble.³ The group called Apaches del Perillo, which occupied during the 16th and 17th centuries the region of the Jornada del Muerto near the Rio Grande, may have been partly composed of bands later identified as Mescalero Apache.⁴

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The picture of the Mescalero Agency came to the Editor by courtesy of Senator Clinton P. Anderson.

1. There has been a good deal of speculation as to whether such tribes as the Qerechos encountered by Coronado and the "Apaches" seen by Oñate between 1540 and 1600 in the Southwest region included Mescalero bands. See Edward S. Curtis, ed., *The North American Indian*, 3 (University Press, Cambridge, 1907); Frederick Webb Hodge, "Early Navaho and Apache," *American Anthropologist*, VIII, 234 (1906); Hodge, ed., *Handbook of American Indians*, I, 63 (Bureau of American Ethnology Bulletin 30, Smithsonian Institution, Washington, D. C., 1907); A. F. Bandelier "Final Report of Investigations among Indians of the Southwest United States," *Papers of the Archaeological Institute of America*, American Series III, Part I, 173-79 (University Press, Cambridge, 1890); Herbert Eugene Bolton, *Spanish Exploration in the Southwest, 1542-1706*, 217-18, 252 (Charles Scribner's Sons, New York, 1916).

2. Ralph Emerson Twitchell, *The Leading Facts of New Mexican History*, III, 190-91 (The Torch Press, Cedar Rapids, Iowa, 1917); Hodge, *Handbook* . . . , I, 63.

3. Hubert Howe Bancroft, *History of the Pacific States of North America*, XII, 162 (The History Co., San Francisco, 1838).

4. Hodge, *op. cit.*, 67.

In the account of the Mendoza-Lopez expedition to the Jumanos of 1683-84, the Mescales are listed as one of the tribes represented at an assembly of Indians at Sacatsol.⁵ That the Apache were already horsemen we learn from this same account. It is recorded that the "hostile Apaches stole nine animals" and that these animals "joined those of the Indians."⁶ The Mescales are again mentioned, this time as one of five nations joined together, in the account of the De Leon-Massanet expeditions, 1689-90.⁷

The Mescalero were first spoken of by that name in the middle of the 18th century. They were thus called because of their custom of eating baked mescal (*Agave americana*). Their territory extended on the east through the mountains on both sides of the Pecos, on the west to the Rio Grande, south through the region now known as Coahuila and Chihuahua, Mexico, to the desert Bolson de Mapimí, and to the White Mountains of the present state of New Mexico in the north.⁸

The Mescalero were from early times hunters and raiders. They were reported to have made frequent attacks on the villages of the Aztecs along the Rio Grande long before the coming of the Spaniards.⁹ It was inevitable that so fearless and venturesome a people should clash later with the Spanish colonists. In 1776 all the northern provinces of Spain were placed under a commandant-general with the capital at Chihuahua. A campaign against the Apache was proposed but was not carried out at that time.¹⁰ However, because of demands from the frontier provinces and at the advice of the viceroy, the crown authorized a relentless war on the wild tribes in 1788-89. The Spanish then waged constant war upon the Lipan Apache and the Mescalero Apache

5. Bolton, *op. cit.*, 356.

6. *Ibid.*, 335.

7. *Ibid.*, 389.

8. Whipple, Ewbank, and Turner, *Pacific Railroad Reports*, III, 119 (Washington, D. C., 1856); Pliny Earle Goddard, *Indians of the Southwest*, 141-42 (American Museum of Natural History, Handbook Series No. 2, 3rd ed., New York, 1927). Twitchell, *op. cit.*, 190-91.

9. Dudley G. Wooten, *A Comprehensive History of Texas, 1685-1897*, I, 740 (William G. Scarff, Dallas, 1898, 2 vols.).

10. Walter Prescott Webb, *The Great Plains*, 137 (Houghton Mifflin Co., Boston and New York, 1936).

until they were subdued.¹¹ The ensuing peace lasted from 1790 until the end of Spanish rule.¹²

In 1821 Mexico gained her independence from Spain. Like her predecessor, she encountered difficulty with the Mescalero. The valley of the Rio Grande, the highway known as the Jornada del Muerto, and the settlements around Socorro were often raided. It was difficult for the Mexicans to keep the route between El Paso and Valverde open so that travelers could journey in safety from New Mexico to Chihuahua. The Apache would attack unprotected wagon trains and return quickly to their mountain hide-outs with their booty. The Mexicans found it exceedingly difficult to overtake them or to engage them in battle.¹³ The raid, regarded by the Apache as a daring economic venture which added stock and supplies to their meager resources and supplemented hunting, gathering, and very limited agricultural pursuits, appeared treacherous and savage to the Mexicans who understood warfare in terms of large-scale battles leading to the conquest of peoples and lands. The raiding Mescalero often carried off and adopted Mexican children. The Spaniards and the Mexicans also took captives, and the settlements had many Apache and Navaho slaves.¹⁴ During this period of hostilities with the Mexicans, the Mescalero were also fighting with the Comanche for the buffalo range.¹⁵

Though it is doubtful that the Mescalero paid much attention to the dissensions of a political nature among those who had settled on their lands, still such happenings were to affect them profoundly in the future. In 1835 Texas declared itself a republic but was not recognized as such by Mexico.¹⁶ During the next few years the Texas Rangers equipped themselves with Colt revolving pistols,¹⁷ the six-shooters which figure largely from that time on in Mescalero as well as American accounts of wars and feuds.

11. Bancroft, *History of the Pacific States*, VI, 466.

12. *Ibid.*, *History of the Pacific States*, XII, 401.

13. Twitchell, *op. cit.*, II, 35, 36.

14. *Ibid.*, 36.

15. Lansing B. Bloom, "New Mexico under Mexican Administration," *Old Santa Fe*, I, 352 (April, 1914).

16. Webb, *op. cit.*, 165-67.

17. *Ibid.*, 171-72.

In 1846 El Paso was occupied by the Americans, and in 1848 the Territory of New Mexico was ceded to the United States. This event brought a large part of the country over which the Mescalero ranged into American control. The Apache continued in their usual pursuits. They kept watch on the highway through Mexico from Chihuahua to El Paso and descended from the mountains to plunder the wagon trains which passed there. They were known for their daring. Once they attacked an armed party of fifty Americans on the Chihuahua road, killing thirty-five of them. Near the Pecos, in Texas, a group from the Guadalupe Mountains killed another party of Americans.¹⁸

Policies and procedures for dealing with Indian tribes had, of course, been worked out long before the Mescalero found themselves under American domination. The United States had adopted the policy of the British Crown of treating with Indian tribes as sovereign states. The Federal government alone was empowered to make treaties with them. Therefore a curious situation arose; sovereign nations existed within the bounds of the United States.¹⁹ A Bureau of Indian Affairs had been established in 1824 in the War Department, and in 1832 Congress authorized the appointment of a Commissioner of Indian Affairs. In 1849 the Bureau of Indian Affairs was transferred to the newly-created, civilian-manned Department of the Interior. Indian policies and administration were, however, little affected by this change.²⁰

James S. Calhoun was appointed to the Santa Fe Indian Agency April 7, 1849. Trouble arose not only with the Mescalero but also with other Apache groups and with the Navaho and Comanche. All were looked upon by the white settlers as thieving bands.²¹ To protect the people of the Rio Grande Valley from the Mescalero and other Apache groups, a mili-

18. Wooten, *op. cit.*, II, 740.

19. William Christie Macleod, *The American Indian Frontier*, 533 (Alfred A. Knopf, New York, 1928).

20. Laurence F. Schmeckebier, *The Office of Indian Affairs: Its History, Activities, and Organization*, 26, 27, 43 (Institute for Government Research: Service Monographs of the United States Government, No. 48, Johns Hopkins Press, Baltimore, 1927).

21. Alban W. Hoopes, *Indian Affairs and their Administration, 1849-1860*, 161 (University of Pennsylvania Press, Philadelphia, 1932).

tary force was kept at Doña Ana during the military occupation and prior to New Mexico's acquisition of territorial status.²² Calhoun's suggested solution to the Indian problem was one that was unfortunately to become popular. "The Comanches and Apaches, with all the adjacent fragments of other tribes must be penned up," he wrote, and thought the Apaches, Comanches, Navahos, and Utes should be put in four districts, a hundred miles apart.²³

When New Mexico became a Territory in 1850, Calhoun became territorial governor, an office which carried with it the superintendency of Indian affairs. His attitude toward the Apache was probably not softened by the news that a member of the Santa Fe Legislature had been killed and scalped while crossing the Jornada del Muerto.²⁴

In 1851 Fort Fillmore was built near Las Cruces, and the residents of Doña Ana petitioned the government not to remove the military forces from their settlement.²⁵

John Greiner, acting superintendent of Indian affairs, sent runners that summer through Mescalero country to bring in the chiefs for a council. Thirty leaders came to Santa Fe, and on July 1 a treaty of "perpetual peace and amity" was negotiated with the Mescalero by Colonel E. V. Sumner and Greiner.²⁶ William Carr Lane, the next governor and superintendent of Indian affairs, who arrived in September, 1852, made treaties with the Apaches in the southwest and northeast in which he agreed to give them rations for five years, believing this to be a more effective curb than force. He spent about twenty thousand dollars in carrying out his policy, but his treaties were not approved by the government. Governor David Meriwether, who assumed his duties on August 8, 1853, found himself unable, because of insufficient funds, to feed the needy Indians. He himself believed in controlling the Indians by force.²⁷

In the same month that Meriwether took office, Agent

22. Twitchell, *op. cit.*, III, 442.

23. Hoopes, *op. cit.*, 164, 165.

24. Twitchell, *op. cit.*, II, 292.

25. Twitchell, *op. cit.*, III, 442, 443.

26. Hoopes, *op. cit.*, 167-68.

27. Twitchell, *op. cit.*, II, 295, 298.

Steck reported that the Mescalero had killed two Mexican residents of Doña Ana, had attacked a party of settlers, and had stolen 150 head of stock.²⁸ In December Brevet Lieutenant-Colonel D. T. Chandler was directed to reconnoiter the White Mountains, to interview the head men of the Mescalero, and to demand the restitution of stolen property and the surrender of "murderers." He was to attack the Mescalero if they failed to comply with his orders.²⁹

By the terms of the Gadsden Purchase of 1853, the United States not only acquired a great amount of land but was also released from the responsibility (provided for under the treaty of 1848) for outrages committed in Mexican territory by Indians living in the United States. At this time claims on account of ravages by Apache and Comanche Indians amounting to millions of dollars had been presented by Mexico.³⁰

The year 1854 brought further trouble from the Jicarilla Apache, whose rations had been cut off, and many Mescalero individuals were said to have made common cause with them. Both groups were accused of carrying on a brisk trade in stolen property. The comparative scarcity of game in their territory was given as one of the reasons for the Mescalero plundering of horses and stock from the people of New Mexico, Texas, and Chihuahua. At this time there were about 750 Mescalero Apache, claiming the country east of the Rio Grande on both sides of the Pecos north to about the 34th parallel.³¹

The establishment of Fort Thorn on the west bank of the Rio Grande, of Fort Bliss at El Paso, and of Fort Craig on the Rio Grande just south of the 34th parallel, guarding the entrance to the Jornada del Muerto, brought much of the western part of the lands claimed by the Mescalero under closer American military supervision.³²

General Garland, who had sent Lieutenant Bell against

28. Hoopes, *op. cit.*, 172.

29. Bender, "Frontier Defense in the Territory of New Mexico, 1853-61," *NEW MEXICO HISTORICAL REVIEW*, IX, 347 (October, 1934).

30. Twitchell, *op. cit.*, II, 311.

31. *Report of the Commissioner of Indian Affairs*, 171 (Washington, D. C., 1854).

32. Bender, *op. cit.*, 347-48.

the Jicarilla, had a hundred and eighty men in the field against the Mescalero in June of 1854 with Chandler as commander. Their mission was to put an end to the raids of the Mescalero on travelers along the San Antonio-El Paso highway. General Garland spoke of the Apache as "infesting" the road and committing murders and robberies.³³

In February of the next year, Captain R. S. Ewell, First Dragoons, conducted a campaign against the Mescalero and defeated them. Lieutenant Samuel D. Sturgis routed another band.³⁴ Colonel Dixon S. Miles with about 300 men set out on a three-months' campaign through the White Mountains, the Sacramento range, and the Guadalupe Mountains. However, he did not engage in any battles, for the Mescalero were ready to sue for peace. With Dr. Michael Steck, their agent, pleading their cause, the Mescalero promised to surrender stolen property and to deliver hostages.³⁵

But it was felt that more military posts were needed, and in May, 1855, Fort Stanton was established on the Bonito River, some twenty miles east of the White Mountains, on the site near which Captain H. W. Stanton had lost his life in an encounter in January with the Mescalero warriors.³⁶

The military campaign against the various Indian tribes within the Territory of New Mexico having been successfully concluded, Governor Meriwether negotiated a series of treaties during the summer of 1855. The first of these, in June at Fort Thorn, involved the Mimbres, a division of the Eastern Chiricahua Apache band, and the Mescalero Apache. In his report of this event, Governor Meriwether wrote: "I found these Indians in the most destitute condition imaginable. I relieved their immediate wants, and directed Agent Steck to issue to them a limited amount of provisions, from time to time, as they might apply for relief and their necessities seem to require it."³⁷ By the terms of

33. F. T. Cheetham, "El Camino Militar," *NEW MEXICO HISTORICAL REVIEW*, XV, 5 (January, 1940).

34. Bender, *op. cit.*, 350; Twitchell, *op. cit.*, II, 302; *Report of the Commissioner of Indian Affairs, 186-87 (1855)*; J. P. Dunn, Jr., *Massacres of the Mountains: A History of the Indian Wars of the Far West*, 378 (Harper & Brothers, New York, 1886).

35. Bender, *op. cit.*, 351.

36. *Ibid.*, Twitchell, *op. cit.*, II, 302.

37. *Report of the Commissioner of Indian Affairs, 187 (1855)*.

the treaty of 1855, a reservation for the Mescalero was designated near Fort Stanton. Although the treaty was not approved, an agency was maintained at the fort, and some of the Mescalero received goods from it, remained at peace, and farmed in the vicinity.³⁸

The first year after the treaty, Superintendent of Indian Affairs Meriwether and Agent Steck differed concerning the behavior of the Mescalero. Mr. Meriwether saw little improvement in them and said they were forced to continue their thieving to keep from starving when Agent Steck refused them any more provisions unless they returned the property they had stolen.³⁹ In support of these charges, there is a record of at least one skirmish between the Mescalero and the military.⁴⁰ But Agent Steck gave a glowing account of their good conduct. He reports that a good many horses were brought in and returned to their former owners; rations and clothing were distributed to the Indians; a head man named Cadete, son of a deceased friendly head man called Baranquito, promised his support to the agent; and thirty-five heads of families began farming on a stream at Alamogordo about seventy miles southwest of Fort Stanton.⁴¹

The idea of reservations as a solution to the Indian problem in New Mexico now gained support on all sides. In 1856 the Territorial legislature requested reservations for the 30,000 uncivilized Indians roaming with little restraint in the Territory;⁴² the Appropriation Acts of 1856-57 contemplated the establishment of reservations in New Mexico;⁴³ and the *Report of the Commissioner of Indian Affairs* for 1856 advised that there was little chance of changing the ways of the Mescalero "without the advantages of a permanent home."⁴⁴ Two years later, Superintendent Collins pro-

38. Twitchell, *op. cit.*, II, 302.

39. *Report of the Commissioner of Indian Affairs*, 181 (1856).

40. Twitchell, *op. cit.*, II, 301-2.

41. Frank D. Reeve, "The Federal Indian Policy in New Mexico, 1858-80," *NEW MEXICO HISTORICAL REVIEW*, XIII, 261 (July, 1938); *Report of the Commissioner of Indian Affairs*, 287-88, (1857).

42. Bender, *op. cit.*, 354.

43. Hoopes, *op. cit.*, 177.

44. P. 15.

posed uniting all the Southern Apache on the Gila River away from white settlements.⁴⁵

If talk of such a "permanent home" reached the Mescalero people, they must have heard it with some bitterness and amazement, for they were attempting to live, against great odds, in the place that had been their permanent home for as long a time as any of them knew anything about. But, as Dunn has pointed out, there were no Indian lands in the eyes of the Americans. The Mexicans had treated the Indian title as extinct, we had taken the Mexican title, and our legislators consequently assumed that the Indians who held the land had no title to it.⁴⁶

Cadete and his followers continued to farm at Alamo-gordo. Another group known as the Agua Nuevo band under Mateo and Verancia stayed in the vicinity of Dog Canyon in the Sacramento Mountains and presumably followed the old ways of hunt and raid, since they were considered "troublesome."⁴⁷ An infantry company engaged in a brief encounter with an Apache group at Carrizozo.⁴⁸ Still another band under the chief known as Marcus roamed in the Guadalupe Mountains and, by the New Mexico authorities, were considered to be in country belonging properly to the Department of Texas. This band wished to join the White Mountain band, but their request was refused. They were reported to have committed frequent "depredations" on the San Antonio road and in the settlement near El Paso.⁴⁹

But in this particular year, the Mescalero were themselves the victims of two affrays which might well come under the heading "depredations." In February a party of Mexicans from Mesilla, known as the "Mesilla Guard," attacked a peaceful Mescalero camp near Doña Ana, killing several persons and taking one child captive. At daybreak on April 17, the Mexicans charged the Mescalero camp at Fort Thorn, ruthlessly slaying men, women, and children. The

45. Reeve, *op. cit.*, 261.

46. Dunn, *op. cit.*, 380.

47. Reeve, *ibid.*

48. Twitchell, *op. cit.*, II, 301-2.

49. *Report of the Commissioner of Indian Affairs* (1858).

American military pursued the Mexicans and captured thirty-five of the band, including their leader. General Garland, incensed by this attack on Indians he knew had been living in peace, determined to withdraw his troops and leave the residents of the area to face the Indians alone. Protests and requests for protection arose from the settlers, with the result that General Garland left two companies to protect innocent settlers but informed the others that they had "no claims to the protection of the military."⁵⁰

In February of the next year, Lieutenant H. M. Lazelle, in retaliation for a raid on San Elizario south of El Paso, invaded the Sacramento Mountains and was defeated by the Dog Canyon Mescalero.⁵¹

Although the country of the Mescalero still seemed remote, vast, and empty, the center of population in the United States was moving steadily westward. By 1859 nearly one hundred thousand miners had crossed the prairies and settled in Colorado and the surrounding mineral-producing regions. Without waiting for the Federal government to liquidate Indian title to the lands, they laid out towns and roads and went ahead with mining and farming operations. Their activities began to frighten off the buffalo herds, thus bringing further hardship to the native population.⁵²

An attempt was made in 1860 to start some of the Mescalero planting on the Peñasco River south of Fort Stanton. They were given rations of beef and corn, the corn ground into meal so that they could not use it to make the mild corn beer that was popular among them.⁵³ By now the attitude of the white men toward the Mescalero was clearly defined. The Mescalero must be actually exterminated; or they must be got rid of in another sense, made over into hard-working farmers who should never frighten or shock the most timid soul again. The Mescalero, of course, resisted both kinds of extinction in stubborn and manly fashion.

The outbreak of the Civil War produced violent repercussions in Mescalero country. Lieutenant-Colonel Critten-

50. Dunn, *op. cit.*, 378-79; Bender, *op. cit.*, 366-67.

51. Reeve, *op. cit.*, 261; Twitchell, *op. cit.*, 301-2.

52. Macleod, *op. cit.*, 490.

53. Reeve, *op. cit.*, 262.

den, assembling a force at Fort Stanton, led an expedition against the Mescalero, but apparently he did not encounter any Apache in his march toward the Texas border. According to one account, he confessed in a drunken moment that his hope was to lead the men from Stanton and various other forts to Texas where he could deliver them to the Confederate States.⁵⁴

In 1861, General H. H. Sibley, who had been a captain in the United States Army before he resigned and offered his services to the Confederacy, was authorized to raise a brigade for the occupation of New Mexico. Sibley's brigade proceeded by detachments from San Antonio to Fort Thorn. Along the way they were frequently attacked by Indians who had no interest in the Civil War but who were greatly attracted by the stock and provisions of the Southern forces.⁵⁵ Undoubtedly some Mescalero raiders were involved in these swift forays.

The invasion of the Texans caused the abandonment of Fort Stanton by the government troops. The Mescalero themselves became involved in a fight with the Texans, and several were killed on both sides.⁵⁶ Confederates under Colonel John R. Baylor had now taken Fort Bliss near El Paso, and the Mesilla Valley was in Confederate hands, with many New Mexicans aiding the invaders.⁵⁷

The withdrawal of government troops left the settlements exposed to Indian raids. Kit Carson's biographer says it is alleged that the Mescaleros were aroused to violence against their white neighbors by the outrages of the Indian-hating Texans who had invaded their country.⁵⁸ Ranchers lost their stock and were themselves killed, miners were driven from their camps. In the neighborhood of Fort Stanton the ranches were entirely abandoned.⁵⁹

Meanwhile the combined forces of General Sibley and Colonel Baylor, the Army of New Mexico, as it was called,

54. Twitchell, *op. cit.*, III, 410.

55. Wooten, *op. cit.*, II, 695, 697.

56. *Report of the Commissioner of Indian Affairs*, 122 (1861).

57. Sabin, *Kit Carson Days*, II, 682.

58. *Ibid.*, 702.

59. Twitchell, *op. cit.*, II, 428.

advanced to a site ten miles below Fort Craig where they met in battle the Union forces, including a regiment of New Mexico Volunteers under Kit Carson. This Battle of Valverde resulted in a victory for the Texans, who then proceeded to Socorro, Albuquerque, and Santa Fe. They were defeated by Federal troops in Glorieta Pass, east of Santa Fe, and were forced to retreat. Suffering great hardship, they made their way back to Fort Fillmore and prepared to evacuate the Territory of New Mexico. By the first of August, the Confederates had departed from New Mexico and from Fort Bliss in Texas.⁶⁰

In that summer of 1862 it may have appeared to the Mescalero that they were reconquering their lands and that the white men were to be driven from their midst. But any such hope was destined to be shortlived indeed. General James H. Carleton, leading his "California Column" of 3,000 men, now advanced toward New Mexico by way of Fort Yuma. At Apache Pass the Chiricahua Apache under Mangas Colorado and Cochise offered resistance but were defeated. Carleton arrived at the Rio Grande settlements and relieved Colonel Canby as Commander of the Department of New Mexico on September 18. Immediately he planned a ruthless campaign against the Mescalero.⁶¹

General Carleton had spent more than twenty years in the army, and during most of those years he had been either stationed near Indian tribes or engaged in campaigns against them. As will be seen, he was a man of narrow and firmly held convictions, self-righteous, and extremely brutal in the execution of the policies to which he adhered. Now he felt that he must "punish and control" the Mescalero.

To accomplish this end he planned a campaign in which the Mescalero were to be attacked from the north, the west, and the southwest by three separate forces. The several commands were to be independent of each other, and secrecy was advised so that the Indians might not be forewarned by the Mexicans of the coming attacks. Each expedition was to establish a depot well out in Mescalero country.

60 Wooten, *op. cit.*, II, 700-706.

61. Dunn, *op. cit.*, 382-83; Twitchell, *op. cit.*, II, 428-29.

Colonel Christopher Carson with five companies of his New Mexico Volunteers was ordered to reoccupy Fort Stanton, from which he was to operate against the Mescalero and any Navaho in that region. Carson was directed to send one mounted company southwest to the junction of the Rio Hondo and the Pecos to see that no forces advanced up the Pecos from the direction of Fort Lancaster, Texas.

Captain McCleave, with two companies of California Volunteers, was to enter Mescalero country from the southwest by way of Dog Canyon and operate eastward and south-eastward. His force was to include "twenty good Mexican spies and guides." His instructions were to start on November 15 and be absent until the thirty-first of December.

The third expedition, under the command of Captain Roberts, was to start from Franklin, Texas, on November 15 and proceed by way of the Wacco Tanks northwest into Mescalero country. This force consisted of two companies of Californians and was authorized to employ twenty Pueblo Indians and Mexicans from Isleta, Socorro [Texas] and San Elizario. This force was to be absent until December 31.

All three expeditions were to keep a careful guard against the Texans and to annoy and harass them to the utmost of their ability.⁶²

But their main objective was the complete subjection of the Mescalero Apache. General Carleton's instructions to Colonel Carson, dated October 12, 1862, read:

"All Indian men of that tribe are to be killed whenever and wherever you can find them. The women and children will not be harmed, but you will take them prisoners, and feed them at Fort Stanton until you receive other instructions about them. If the Indians send in a flag and desire to treat for peace, say to the bearer that when the people of New Mexico were attacked by the Texans, the Mescaleros broke their treaty of peace, and murdered innocent people, and ran off their stock; that now our hands are untied, and you have been sent to punish them for their treachery and

62. Estelle Bennett Burton, "Volunteer Soldiers of New Mexico and Their Conflicts with Indians in 1862 and 1863," *Old Santa Fe*, 1, 391-93 (October, 1914); Dunn, *op. cit.*, 383-84; Amsden, "The Navaho Exile at Bosque Redondo," *NEW MEXICO HISTORICAL REVIEW*, VIII, 37 (January, 1933).

their crimes; that you have no power to make peace; that you are there to kill them wherever you can find them; that if they beg for peace, their chiefs and twenty of their principal men must come to Santa Fé to have a talk here; but tell them fairly and frankly that you will keep after their people and slay them until you receive orders to desist from these headquarters; that this making of treaties for them to break whenever they have an interest in breaking them will not be done any more; that that time has passed by; that we have no faith in their promises; that we believe if we kill some of their men in fair, open war, they will be apt to remember that it will be better for them to remain at peace than to be at war. I trust that this severity, in the long run, will be the most humane course that could be pursued toward these Indians."⁶³

At the end of October, some of Colonel Carson's troops under Captain James Graydon, while on a scout, encountered Manuelito, an old Mescalero chief, and his band. The Indians signed for peace and a talk, but Captain Graydon fired on them, killing Manuelito, José Largo, several other men, and one woman. He then went off with seventeen horses and mules. Later it was discovered that old Manuelito had, in fact, been on the way to Santa Fé to beg for peace. At the end of November we find General Carleton writing to Colonel Carson, "If you are satisfied that Graydon's attack on Manuelita and his people was not fair and open, see that all the horses and mules, including two said to be in the hands of one Mr. Beach [a trader] of Monzana are returned to the survivors of Manuelita's band."⁶⁴

In November, Captain McCleave and his troops encountered about five hundred Mescalero at the Gateway Pass of Dog Canyon and defeated them. Their leaders now started for Fort Stanton to ask for peace.⁶⁵

Late in November, Colonel Carson sent several Mescalero chiefs with an escort and accompanied by their agent, Lorenzo Labadie, to Santa Fe to entreat peace. There they met

63. Amsden, *op. cit.*, 38; Reeve, *op. cit.*, 263.

64. Sabin, *op. cit.*, II, 703-4; 848.

65. Sabin, *Ibid.*, 704; Dunn, *op. cit.*, 383-384.

with General Carleton, the Governor, the Superintendent of Indian Affairs, and others. General Carleton's terms were harsh indeed. He told them that the Mescalero who desired peace must come out of their own country, so that they would not be mistaken for hostiles, and must go to the Bosque Redondo, a reservation set aside for them on the Pecos River at Fort Sumner. They were told that they and their families would be fed and protected at this reservation until those who were still at war were punished and defeated. At the end of hostilities all Mescalero were to return to a reservation in their own country.

Cadete (also known as Gian-nah-tah and the Volunteer) acted as spokesman for the Mescalero. According to Dunn, he replied: "You are stronger than we. We have fought you so long as we had rifles and powder; but your weapons are better than ours. Give us like weapons and turn us loose, we will fight you again; but we are worn out; we have no more heart; we have no provisions, no means to live; your troops are everywhere; our springs and water holes are either occupied or overlooked by your young men. You have driven us from our last and best stronghold, and we have no more heart. Do with us as may seem good to you, but do not forget we are men and braves." ⁶⁶

The Bosque Redondo Reserve, an area forty miles square with an estimated 6,000 acres of arable land, was not actually recommended to and approved by President Lincoln as "a reservation for Apache Indians" until January 15, 1864. In Commissioner William P. Dole's letter concerning the necessity for designating this area as an Apache Reserve, the following points are most interesting in view of later developments: (1) Superintendent Steck advised that the Bosque Redondo was suitable for "a limited number of Indians;" (2) he estimated that there were about 3,000 Apache to be sent there; (3) the real purpose of the reserve seems to have been to control the Apache "and isolate them as far as possible from the whites." ⁶⁷

66. Dunn, *op. cit.*, 383-84.

67. Charles J. Kappler, *Indian Affairs, Laws and Treaties*, II, 870 (Government Printing Office, Washington, 1904).

The passage of the Federal Homestead Law of 1862⁶⁸ must have made such isolation seem all the more desirable to many an official in the west.

Shortly after the Santa Fe meeting with the Mescalero leaders, Colonel Carson received instructions to send the Mescalero of the "peace party" to Fort Sumner by wagon train. Such a train was soon expected with stores from Fort Union. It would be filled upon its return with Mescalero men, women, and children and their few belongings. Other groups were to be sent as they surrendered. The commanding officer at Fort Sumner was instructed to feed them and to keep them encamped sufficiently near his garrison so that they could not escape to their own country. He was further advised by General Carleton, "These Indians are to be fed by your commissary; are to be treated kindly; are not to be annoyed by soldiers visiting their camp at improper times."

By February, 1863, General Carleton considered that the Mescalero were completely subdued. There were over 350 at Fort Sumner or on the way there. About a hundred were known to have fled to Mexico. Some were believed to have joined the Western Apache of the Gila River region.⁶⁹

With the Mescalero out of the way, General Carleton's forces were able to attack Mangas Colorado's group and defeated them in January, 1863.⁷⁰ The Navaho, who were to be the next tribe to feel General Carleton's might, were at this time raiding down to the lower Rio Grande and across Mescalero country. They even stampeded stock from the Bosque Redondo.⁷¹

In the spring of 1863, the Mescalero planted 200 acres. Meanwhile there were difficulties about food. The flour sent them was found to be adulterated. At the end of May the military passed the responsibility of feeding the Mescalero to the civil authorities. By the end of October, funds for this purpose had run low, and Steck, who was now Superintendent of Indian Affairs in New Mexico, requested General

68. Webb, *op. cit.*, 230.

69. Burton, *op. cit.*, 394-95.

70. Dunn, *op. cit.*, 384.

71. Sabin, *op. cit.*, II, 708.

Carleton to let the Indians return for the winter to the mountains to hunt, on their promise to return in the spring and plant again. This request Carleton did not approve. Instead, the military again issued rations.⁷² From this plea and from his report to the Commissioner in 1863, one can see that Superintendent Steck had a good deal of confidence in the Mescalero. He pointed out in his report that the Mescalero had formerly lived at peace under Spanish rule, that from 1854 to 1860, when they were supplied with food, they farmed and were quiet, and that but for the influx of miners upon the discovery of gold in their vicinity and the Texan invasion, they would still, in all likelihood, be at peace.⁷³

General Carleton had now begun extensive operations against the Navaho, and his plans for the Bosque Redondo and for the Mescalero were considerably altered. To return the Mescalero to their former home did not fit well with his plans for opening the Territory to white farmers and miners, and he therefore decided to keep these Apache permanently at Fort Sumner.⁷⁴ Furthermore, he now decided to send the Navaho to the same reservation as fast as they could be overcome. This plan met with the opposition of Superintendent Steck, who went to Washington and endeavored, without success, to have the Navaho kept on a reservation in their own country. To Steck's proposal that council be held with the Navaho, Carleton's angry rejoinder was, "It is mockery to hold councils with a people who are in our hands and have only to await our decisions."⁷⁵ In September, General Carleton sent fifty-one Navaho men, women, and children to the Bosque Redondo. He seemed to think that, because they spoke related languages, the two tribes should live together on the best of terms. Here, he said, the young could be trained and the old ways, which he thought of as murderous and thieving, would be forgotten.⁷⁶

Since the Mescalero were in that very year helping to fight the Navaho, General Carleton should have realized that

72. Reeve, *op. cit.*, 265.

73. *Report of the Commissioner of Indian Affairs* (1863).

74. Reeve, *op. cit.*, 264.

75. Twitchell, *op. cit.*, III, 369-70.

76. *Report of the Commissioner of Indian Affairs*, 112, 113 (1863).

his hopes for the future were over-optimistic. Some Navaho were engaged by a few members of a troop of cavalry at a place about thirty-five miles from Fort Sumner. Assisting the troops were thirty Apache warriors from the Bosque Redondo. In this foray several Navaho were killed, and a good deal of stock was recovered from them which they had seized in Mora County. Chiefs Cadete and Blanco especially distinguished themselves. The Mescalero had volunteered for this service and had fought without hope of reward.⁷⁷

But not all the Mescalero were occupied in enterprises so helpful to the Americans. A Mexican wagon train from Socorro, Texas, was attacked in March by a party of Indians who escaped into the Sacramento Mountains. A company of New Mexico Volunteers and a party of Mexicans from Tularosa pursued them in vain. The arrows found on the scene were said to be of Apache manufacture. A Ruidoso rancher was killed in May by a party of Indians, and a fight between some citizens and an Apache band occurred in the San Andres that same month.⁷⁸ The mail express between Fort Stanton and Santa Fe was attacked, and other similar episodes occurred, so that a company which had been assigned to the Navaho campaign had to be kept at Fort Stanton instead.⁷⁹

With the arrival of more and more Navaho prisoners, the situation at the Bosque Redondo became increasingly intolerable. Pests, hail, and drought ruined the crops; adequate tools, seeds, blankets, and clothing were not supplied by the Indian superintendency; diseases, communicated by the whites, killed many Indians. There were now over nine thousand Navaho and about five hundred Mescalero on the reserve of 40 square miles which Steck had said was adequate for only a limited number of Apache. Carleton's campaigns continued, and eventually even a few Western Apache were sent to Fort Sumner. There was little wood, and the alkaline water was considered to be very poor. The Mescalero corn was purloined by the Navaho, and the reserva-

77. Twitchell, *op. cit.*, III, 421.

78. Burton, *op. cit.*, 402, 403.

79. Sabin, *op. cit.*, II, 709-10.

tion was twice raided by roving Navaho bands. Intertribal battles occurred. There were no houses, and holes were ordered dug, so that the Indians might be sheltered from the wind.⁸⁰ General Carleton's contribution in this situation of mass misery was a good deal of advice to the effect that the Indians should be too proud to murmur at what could not be helped. He protested that hail, frost, and crop failure could not be foreseen, and that hard work in the future could remedy the present evil. Dunn has best expressed the answer to General Carleton's professed good intentions in a brief sentence: "When a man is restrained of his liberty, or deprived of any right, for the purpose of benefiting him, there is no extenuation except he be in fact benefited, or, at least not injured."⁸¹ Sabin remarks that what had been planned as a reservation community where Indians might benefit by the white man's culture "turned out to be only a concentration camp of prisoners."⁸²

A proposal that some of the prisoners go out with the soldiers against the Kiowa and Comanche, who were accused of having robbed the supply trains carrying goods to the Bosque Redondo, aroused little interest among the Mescalero and the Navaho.⁸³

In 1865 worms again destroyed the crops. General Carleton's admonition that the Indians must understand what a dreadful year it was and that they must save as much as possible to keep from starvation fell on the ears of men who knew how to look after themselves if they were given any chance to do so. Now they began to take that chance. Since midwinter a few Apache had been slipping away from time to time. In July a large party under Ganado Blanco broke away. They were pursued and driven back. In August, the Western Apache left.⁸⁴ Then, in November, all but nine of the Mescalero departed from the reservation and returned to their former territory.⁸⁵

80. Sabin, *op. cit.*, II, 726-27; Dunn, *op. cit.*, 386, 465-68.

81. Dunn, *op. cit.*, 468-69, 470.

82. Sabin, *op. cit.*, II, 726.

83. *Ibid.*, 730.

84. Dunn, *op. cit.*, 470.

85. Reeve, *op. cit.*, 266; *Report of the Commissioner of Indian Affairs*, 145, 149 (1866).

In this year, Felipe Delgado, who agreed with General Carleton's ideas and policies, succeeded Steck as superintendent of Indian affairs.⁸⁶ In answer to President Andrew Johnson's order of June 9, 1865, recommending the suppression of Indian slavery in New Mexico, Delgado protested that captives had been purchased from various Indian tribes because of Christian piety on the part of whites who wished to educate them in the ways of civilization.⁸⁷

Lack of funds to finance a campaign against them left the Mescalero free to roam through their old territory for the next three or four years.⁸⁸ Their agent, Lorenzo Labadie, reminded the Washington office that the Mescalero had been peaceful their first year at the Bosque Redondo and had begged to be separated from the Navaho after the latter had arrived. He recommended putting the Jicarilla Apache and the Mescalero together at Fort Stanton.⁸⁹

The year 1868 saw the final failure of the Bosque Redondo scheme, with the removal of the Navaho to their former territory.⁹⁰ This same year the Chiricahua Apache were settled on the Ojo Caliente Reservation in the present Grant County, where they stayed until 1877.⁹¹

The Mescalero had returned to their former ways of life and were reported to be on good terms with the Lipan Apache whom they often met on buffalo hunts. Both tribes acted together against the Comanche and other tribes.⁹² Now and then the Mescalero accomplished a rather spectacular raid, as on the occasion when they seized 1,165 head of cattle from John Chisum, one of the first cowmen in New Mexico. The herd had been destined for Fort Sumner, but was driven by the Apache to the Guadalupe Mountains.⁹³

Unknown to the Mescalero, new forces were at work

86. *Report of the Commissioner of Indian Affairs*, 162 (1865); Dunn, *op. cit.*, 470.

87. *Report of the Commissioner of Indian Affairs*, 165 (1865).

88. Reeve, *op. cit.*, 266.

89. *Report of the Commissioner of Indian Affairs*, 140 (1866).

90. Dunn, *op. cit.*, 471.

91. Twitchell, *op. cit.*, II, 438.

92. John C. Cremony, *Life Among the Apache*, 21 (A. Roman & Co., New York, 1868).

93. Twitchell, *op. cit.*, V, 281.

which would soon alter their lives profoundly. Not only were cattle kings entering the Southwest, but treaties of 1867-68 were opening the way across the continent for the railroads.⁹⁴

In 1869, control of the Indians of New Mexico was transferred to the army.⁹⁵ Lieutenant A. G. Hennisee was stationed at Fort Stanton, but the Mescalero avoided the fort and the soldiers. Apparently the only members of the tribe encountered at all were four or five Indians seen by accident by some troops who went as far as Fort Bliss. Labadie, at Agua Negra, New Mexico, also reported that no Mescalero had visited that agency.⁹⁶

When Grant became President in 1869, he adopted a new policy in Indian affairs, delegating the nomination of Indian agents to the various religious organizations interested in Indian missions. Members of the Society of Friends and army officers were chosen for many posts.⁹⁷ He also authorized the organization of a Board of Indian Commissioners. Under an Act of Congress of 1868, two million dollars had been appropriated to enable the President to maintain peace among the various Indian tribes; to promote the civilization of the Indians; to bring them, when practicable, upon reservations; and to relieve their necessities and encourage them to become self-supporting. The Board of Indian Commissioners, consisting of not more than ten eminent men to serve without pecuniary compensation, was to exercise joint control with the Secretary of the Interior over the disbursement of the fund.⁹⁸

Vincent Colyer, the member of the Commission who visited the Southwest, pointed out that the Apache had formerly been at peace with the Americans and that in 1858 and 1859 they had been making rapid progress in the "arts of civilization." He blamed the later trouble and wars on the adoption of what he termed "the Mexican theory of exter-

94. Nevins, *The Emergence of Modern America, 1865-1878*, 110 (Macmillan Co., New York, 1927).

95. Reeve, *op. cit.*, 267.

96. *Report of the Commissioner of Indian Affairs*, 244, 246 (1869).

97. Schmeckebier, *The Office of Indian Affairs*, 54 56-57.

98. *Report of the Commissioner of Indian Affairs*, 4 (1869).

mination" and charged that the Americans had made the Apache their foes by "acts of inhuman treachery and cruelty."⁹⁹

In 1870, the Mescalero and Southern Apache agencies were consolidated. Lieutenant Hennisee was trying to make contacts with the Mescalero and reported that fifty-one of the tribe had come in. He hoped to use them to communicate with the others and so finally to settle them all on a reservation. But no chiefs had arrived as yet, and Hennisee thought the suspicious Mescalero were sending only a few persons to test his sincerity and to observe what treatment they received. The attractions at the agency do not seem to have been very great, however, for there was little shelter or clothing to offer the Indians and such scanty rations that they felt they must raid to live.¹⁰⁰

Military control was brought to an end in this same year, and A. J. Curtis, a protégé of the American Unitarian Association, was appointed to the Mescalero agency in 1871.¹⁰¹

At Fort Stanton, Curtis found only twenty-seven members of the tribe, José La Paz and his band. This group had been pursued and brought in after two soldiers had been killed the preceding winter. Now they were sent out to bring back the rest of the tribe, some of whom they said were in Comanche country. Cadetta (obviously another spelling of the name of the chief mentioned before in these pages) agreed to come in with his group. A treaty was drawn up with him, promising protection, a school, and land for cultivation, if the Mescalero would remain at peace on a reservation. They were to be allowed to keep any stock they had. There were now 325 Mescalero at Fort Stanton, and a party was sent to Comanche country to find others. Two Jicarilla leaders even arrived to confer about the possibility of joining the Mescalero on their reservation.¹⁰²

Though the agreement with Cadetta is spoken of in the *Report of the Commissioner of Indian Affairs* as a treaty, 1871 marked the end of the treaty-making period. There-

99. Twitchell, *op. cit.*, II, 434.

100. *Report of the Commissioner of Indian Affairs*, 159-60 (1870).

101. Reeve, *op. cit.*, XIII, 267.

102. *Report of the Commissioner of Indian Affairs*, 400-04 (1871).

after no tribe was to be recognized as an independent nation with whom the United States might contract by treaty. The Indians were declared thenceforth to be "wards" of the United States, to be dealt with by Congressional enactment.¹⁰³

Though all was now comparatively peaceful in Mescalero territory, it was in this year that General Crook was assigned to the Command of the Department of Arizona and began his campaign against the Chiricahua Apache under Cochise.¹⁰⁴ In the ensuing operations, General Crook employed friendly Indians as scouts, and in this capacity they were of great assistance to the regular troops.¹⁰⁵ Later, Mescalero scouts joined these forces.

Various groups had been coming in to Fort Stanton for about a year now, many of them from Comanche territory. The agent reported in 1872 that there were included at the Fort Stanton Agency, 830 Mescalero, 440 Aguas Nuevos, 350 Lipan, and 310 Southern Apache (Eastern Chiricahua Apache) whose proper home was the Tularosa Reservation. He adds that the presence of the latter was disagreeable to the Mescalero, and that there was trouble between the two groups.¹⁰⁶ Cadete, the leader who had helped gather the Mescalero at Fort Stanton, was mysteriously murdered in La Luz Canyon in November on his way home from Mesilla. It was believed that he had been killed by Mexicans against whom he had testified when they were tried for selling whiskey to the Indians.¹⁰⁷

In the winter, a first attempt at defining the reservation boundary was made. An executive order, dated May 29, 1873, designated a reservation along the eastern slopes of the White and Sacramento Mountains for the Mescalero Apache.¹⁰⁸

At this time, the Fort Stanton region was under the

103. Macleod, *op. cit.*, 536.

104. Martin F. Schmitt, ed., *General George Crook: His Autobiography*, 159-60
175 (University of Oklahoma Press, Norman, 1946).

105. *Report of the Commissioner of Indian Affairs*, 263 (1873).

106. *Ibid.*, 53-54, 298.

107. *Report of the Commissioner of Indian Affairs*, 1873, 263.

108. Reeve, *op. cit.*, 268; Kappler, *op. cit.*, I, 870-71.

domination of Murphy and Company, the firm which acted as post traders. Curtis was completely in their power. The company profited greatly by exaggerating the number of rations issued to Indians. In 1871, about 400 Indians were receiving supplies; by spring, 1873, the number on paper had risen to 2,679,—an increase which astonished the new agent, Samuel B. Bushnell, who set about to break the hold of the trading company.¹⁰⁹

Complaints were coming in from settlers that the Mescalero were stealing their stock. The officials felt that the Indians were not yet familiar with the boundaries of their new reservation and should not be treated too harshly in this matter, especially since it was evident that the Mescalero felt that the country was theirs and that the settlers should pay them tribute. However, Major W. R. Rice, commander of troops in southern New Mexico, decided to take immediate action. He arrested Santa Ana, brother of the chief, Roman, and held him as hostage for the return of the stolen horses. The result of this action was that all but about two hundred of the Mescaleros left the reservation.¹¹⁰ A pass system must have been in operation, for there is a record of passes issued to six men at the request of Roman to go out and hunt for the Apache belonging to, but absent from, the reservation.¹¹¹

By the following year, the next agent, W. D. Crothers, was able to report that most of the Indians had returned and that there were now 600 in or near the reservation. With the reserve itself, the Mescalero expressed some dissatisfaction which resulted in a new executive order dated February 2, 1874, increasing the arable land east of the mountains and adding to the hunting grounds on the west slope of the Sacramentos.¹¹² The Southern Apache were now removed from Tularosa to a reservation on the site of their former home at Hot Springs.¹¹³

In the preceding year, it had been the Mescalero who

109. Reeve, *op. cit.*, 270-71.

110. *Report of the Commissioner of Indian Affairs*, 263-64 (1873).

111. Twitchell, *op. cit.*, III, 439.

112. Kappler, *op. cit.*, I, 871-72; Reeve, *op. cit.*, 268-69.

113. *Report of the Commissioner of Indian Affairs*, 134 (1874).

were accused of "depredations;" this year the situation was reversed, and it was the white settlers who raided the Indians. A band of citizens not only stole Mescalero horses, but attacked a Mescalero encampment on the Pecos and killed men, women, and children. According to the agency reports, this affray occurred within hearing of the military who excused their noninterference by saying they thought the Indians were fighting among themselves. The Mescalero, in terror, fled to the mountains. Their flight was construed by the citizens as "taking to the war path." The military now pursued the Mescalero, who fled before them, abandoning their camps, clothing, and provisions. Another raid on the Apache occurred in January, 1875, and this time the white citizens bragged that they had taken three scalps. More Apache fled to the mountains with the military in pursuit. Such a state of general lawlessness existed that Crothers, the Mescalero agent, armed his employees and a few other citizens who wanted to preserve order on the reservation. Meanwhile he made every attempt to find the Indians and bring them in. An employee, two citizens, and an Indian guide finally found them, starving and in need of clothing.¹¹⁴

During these troubled months, Murphy tried to get rid of Crothers through trumped-up charges, but the district attorney dropped the case. But Crothers found himself under censure from the Secretary of War who charged him with dereliction of duty in the matter of the killing of Indians on the reservation by the raiders. A special investigation followed. Though the evidence seemed to favor the agent, he later resigned.¹¹⁵

By now the vast, impersonal forces of white civilization were making themselves felt even in the far west and were bringing changes that made more impossible each day such flights and retreats to old Apache ways as had just occurred. More and more easterners were taking up homesteads in the west. The Desert Land Act of 1877 would throw open

114. Colonel Martin L. Crimmins, "Colonel Buell's Expedition into Mexico in 1880," *NEW MEXICO HISTORICAL REVIEW*, X, 133 (April, 1935); Reeve, *op. cit.*, 272-73; *Report of the Commissioner of Indian Affairs*, 39, 329-30 (1875).

115. Reeve, *op. cit.*, 273.

to settlement New Mexico Territory, Arizona Territory, Utah Territory, and Colorado Territory. In 1874, the first barbed wire went on sale. Now the huge buffalo herds, divided by the completion of the Union Pacific Railroad, were nearing their end. Although buffalo hunting had been one of the chief industries of the southwestern plains from 1870 to 1874, the southern herd had passed out of existence by 1875. The opening of the Northern Pacific Railroad was to cause the extermination of the northern herd by 1880.¹¹⁶ With terrifying suddenness, the economic basis of Mescalero society was being destroyed. With the extinction of the buffalo herds and the coming of fenced cattle ranches, the old life of wild game hunting and wild plant gathering was no longer possible.

An executive order of October 20, 1875, once again re-defined the reservation boundaries, including this time certain grasslands in the White Mountains.¹¹⁷ F. C. Godfroy, who had succeeded Crothers as agent, found the Mescalero "courageous" yet "tractable" and "susceptible of kindness." He noted that they nearly all spoke Spanish in addition to their native tongue and that several chiefs, "fully alive to the importance of the subject," had requested that a school be opened.¹¹⁸

Trouble with the surrounding citizens continued, and the Mescalero lost more horses, some of which were recovered from a band of horse thieves at Puerta de Luna.¹¹⁹ Some feuds with the Chiricahua Apache at Hot Springs also took place.¹²⁰

In August, a band of Mescalero arrived from Mexico and brought word of another group which had left the agency in June. From later reports, it seems likely that the bands which had deserted the agency were those of Natsile and Pinoli. A new method to assure their return was tried. One, J. A. Lucero, was to be paid \$1.50 per man and \$1.00 per woman or child to bring them back to the agency. Lucero

116. Webb, *op. cit.*, 230, 413; Nevins, *op. cit.*, 113-14.

117. Kappler, *op. cit.*, I, 872; Reeve, *op. cit.*, 269.

118. *Report of the Commissioner of Indian Affairs*, 106, 107 (1876).

119. *Ibid.*, 108-9.

120. Bancroft, XII, 743.

was quite successful on this mission and brought in 147 persons, many of whom were in a destitute condition.¹²¹

In January, 1877, a school was started at the Mescalero Agency, now located at South Fork, New Mexico. A small-pox epidemic greatly reduced the number of pupils during the next three months and caused much suffering.

Though the Indians were now staying quietly on the reservation and were engaging in more agricultural activities than in times past, they were not to be left to follow such pursuits undisturbed. A band of invaders, described as "Texans" in the agency report, raided the Indian camps in July and again in August, stealing horses each time. The military pursued them without success.¹²²

Peaceful life on the reserve was further menaced by the outbreak in 1878 of the Lincoln County War between two factions of settlers. The agent was favorable to the faction headed by Murphy and Dolan and, after many accusations, was discharged. His successor was so much alarmed by the stories of conditions in Lincoln County that he never got nearer the agency than Santa Fe, and S. A. Russell was sent to take over the post. That the danger of working at the Mescalero Agency had not been greatly exaggerated was soon evident. The agency clerk, Bernstein, attempting to keep the Indians' stock from being stolen, was killed by Billy the Kid, who belonged to one of the warring factions.¹²³

The Jicarilla Apache had agreed to join the Mescalero at Fort Stanton, but only thirty-two arrived. The rest were too much alarmed by news of the war in Lincoln County to venture into that part of the country. Their objections seemed so reasonable that no effort was made to force them to go there. Indeed, the Mescalero themselves felt far from safe on their reserve, and many fled to the mountains. Estrella's and Peso's bands visited the agency only when they were very hungry and needy.¹²⁴

121. *Report of the Commissioner of Indian Affairs*, 155-56 (1877); 238 (1900); Twitchell, *op. cit.*, III, 439; Reeve, *op. cit.*, 274.

122. *Report of the Commissioner of Indian Affairs*, 156-57 (1877).

123. Reeve, *op. cit.*, 274, 276; George P. Hammond and Thomas C. Donnelly, *The Story of New Mexico*, 125-26 (University of New Mexico Press, Albuquerque, 1936); Twitchell, *op. cit.*, II, 423.

124. *Report of the Commissioner of Indian Affairs*, xl-xli, 107 (1878).

Attempts had been made in the past two years to abolish the reservation that had been set aside for the Chiricahua bands and to remove the Indians living upon them to San Carlos, Arizona. These forced removals met with great resistance, and the Indians who refused to cooperate were termed renegades. Pursued by the military, they would be captured and taken to San Carlos only to break out and flee again to the mountains. It was finally decided to remove one of these renegade bands under Victorio to the Mescalero reserve, but Victorio was not willing to come.

However, in June of 1879, Victorio and his men did come to the reservation and began arranging to have their wives and children brought from San Carlos. In July, Victorio was indicted for horse stealing and murder. When, a few days later, a judge and a prosecuting attorney visited the reservation, presumably on a hunting trip, Victorio believed that he and his band would shortly be arrested. Accordingly, the band left the reservation immediately. During the next few months, they were successful in a good many skirmishes with the troops who had been sent after them. Russell reported that by April of 1880 two hundred or more Mescalero had joined Victorio and added that the fifty or sixty men involved "were of course of the worst Indians belonging to this agency."¹²⁵

Now, to the great alarm of the Mescalero, who thought that perhaps they too were to be sent to San Carlos, Colonel Hatch arrived with 1,000 troops and Indian scouts. The Indians were induced to come together, and Colonel Hatch had a talk with Chief Natsile on the evening of April 12, 1880. Afterward, he informed the agent that he intended to disarm the Mescalero and seize their stock. Since the Indians had assembled in good faith, Russell protested, but Colonel Hatch was acting under orders from General Pope and was not to be dissuaded.

The next morning, over two hundred horses belonging to the Mescalero were seized, and men, women, and children, after being searched, were confined in a corral where the

125. *Report of the Commissioner of Indian Affairs*, xxxviii-xl (1878); 114 (1879); 129 (1880).

old manure was three to five inches deep. In all, fourteen persons were shot and of those who were killed, one was the father of Natsile. These events were doubly tragic in that they occurred after the agent "had repeatedly assured them that those who remained faithful and did as requested would be well treated, and their horses put in my hands." For the next four months the Mescalero were under guard and were treated as prisoners. During that time, they constantly questioned their agent as to why they were held, how long they would be confined, and whether they would be paid for their horses.¹²⁶

Meanwhile, Victorio's band had been further reinforced by about one hundred renegade Comanche and was making raids throughout the southern part of New Mexico. It is interesting to note that General Pope, himself, considered that the sole cause of this outbreak was the determination of the Department of the Interior to remove the band to San Carlos. He pointed out that they had given no trouble so long as they were allowed to live at the Warm Springs Agency. Dunn quotes Pope as follows: "Both Victorio and his band are resolved to die rather than go to the San Carlos Agency, and there is no doubt, it will be necessary to kill or capture the whole tribe before present military operations can be closed successfully. The capture is not very probable, but the killing (cruel as it will be) can, I suppose, be done in time. I am trying to separate the Mescaleros from Victorio, and yet hope to do so, but there is not the slightest prospect that Victorio or his band will ever surrender under any circumstances."¹²⁷

Apparently, nothing came of General Pope's efforts to disentangle the Mescalero elements from Victorio's band. But it was the Mexican troops who finally defeated Victorio in 1883, in the Tres Costillos Mountains. Victorio and eighty-six of his warriors were killed; Chief Nana and some fifty warriors escaped; eighty-nine women and children were

126. *Report of the Commissioner of Indian Affairs*, 130 (1880); 289 (1900); Reeve, *op. cit.*, 278; Twitchell, *op. cit.*, III, 440.

127. *Op. cit.*, 741-42.

captured and were later exhibited in Mexico City, where most of them died.¹²⁸

The three hundred or so Mescalero who were confined as prisoners of war on their reservation were allowed, in September, 1880, freedom of movement within a radius of eight miles of the agency. Others were brought in through military pressure and through promises that they would be protected and would be given arms for hunting and stock. Individuals who objected too strongly to these plans were threatened with confinement at Leavenworth.¹²⁹

In spite of the strict surveillance kept over the Mescalero, violent episodes occurred from time to time. In one instance, in revenge for the murder of one of their number, some Mescalero burned a wagon train belonging to a Mexican.¹³⁰

In 1881, Major H. H. Llewellyn came as agent to the Mescalero. He reported that Chief Roman Tcikito, who was friendly to the government, had been falsely accused by the Santa Fe newspapers of being out with a war party. In this year, an Indian police force was organized, consisting of fifteen members.¹³¹

Though conditions were far from quiet in Lincoln County, which was still over-run with outlaws and mining prospectors, other influences were at work in the Territory. In January of 1881, the Albuquerque Indian School was opened, "intended especially for Pueblos and Mescalero Apaches." A few children were sent to this school from the Mescalero Reservation the next year. Since these were the first Mescalero children ever to leave the tribe to be sent away to school, it was with some difficulty that the agent persuaded the chiefs to let them go.¹³²

Again in 1882, the reservation boundaries were somewhat changed, an area on the north and west being thrown open and an area added on the east. According to Llewellyn, this change was made to satisfy the white population of the

128. Crimmins, *op. cit.*, 142; Twitchell, *op. cit.*, II, 439-40.

129. Reeve, *op. cit.*, 278.

130. Twitchell, *op. cit.*, III, 439.

131. *Report of the Commissioner of Indian Affairs*, 136 (1881).

132. Lillie G. McKinney, "History of the Albuquerque Indian School," *NEW MEXICO HISTORICAL REVIEW*, XX, 120 (April, 1945); *Report of the Commissioner of Indian Affairs*, 124 (1882).

Nogal mining district where gold had been discovered. In this year also, the Mescalero and Jicarilla agencies were consolidated with headquarters at Mescalero, a plan to remove the Mescalero to the Jicarilla Reservation having been considered, but rejected.¹³³

The new Indian police force proved its value when a small group of renegades arrived with stolen stock. In attempting to arrest them, the police killed three of the party and saved the lives of the agent, the physician, and the clerk by their prompt action. Llewellyn was wounded twice in the arm, in this affair.

As the presence of the agency physician indicates, the Mescalero were now not entirely dependent upon their own ceremonies and cures for medical care. The diseases reported to be prevalent among them were measles, digestive ailments, tuberculosis, other pulmonary ailments, and some malaria. Five hundred and eighty were vaccinated against smallpox.¹³⁴

An executive order of March 24, 1883, made some further changes in the boundary of the reservation.¹³⁵ Now the Jicarilla Apache arrived after traveling a distance of 502 miles in forty-seven days from Amargo. Their trip had been saddened by the loss of six persons who died of smallpox on the way. The two Apache groups seemed to be on good terms, but the Three Rivers band of Mescalero had to be restrained from forcibly evicting some white settlers from their lands. The next year, it was decided that the Indians were entitled to these lands.¹³⁶

Fifty of the Apache, including the chief San Juan, went to Santa Fe in July to attend the tertio-millennial celebration. There, San Juan is said to have made a speech complaining of the treatment accorded the Mescalero by the government. But the helpful white man who claimed to know Apache and offered to interpret for San Juan, instead of translating

133. *Report of the Commissioner of Indian Affairs*, lxvii, 123 (1882); Kappler, *op. cit.*, 872-73.

134. *Report of the Commissioner of Indian Affairs*, 124, 125-26 (1882).

135. Kappler, *op. cit.*, I, 873; *Report of the Commissioner of Indian Affairs*, LXIV (1883).

136. *Ibid.*, LXV, 116 (1883); 132 (1884).

the chief's remarks, delivered an address he had himself prepared. However, San Juan must have found other interpreters, for President Ladd of the University of New Mexico, who was interested in the Indian Industrial School Department of the university, attributed the specific impulse to found such a school to a plea made by San Juan at this same celebration.¹³⁷

The day school on the reservation was still operating, and there were plans for a boarding school to accommodate thirty pupils. The boarding school opened in the following year with 15 students, 1 teacher, a matron, and a cook. Now white influence penetrated further with the arrival of the first missionary. Padre Sombrano of Lincoln County visited the agency and baptised 173 of the Indians.¹³⁸

Apache beliefs were not, however, weakening, and one of the agent's problems was to keep his wards from burning those accused of witchcraft. Llewellyn kept his head quite well in these situations. He was a man with some sense of history and remarked wryly in his reports that the Indians were only a little over a century behind the Puritans in this matter, so that it should not seem too strange a custom.¹³⁹

In 1885, a court of Indian Offenses was functioning on the reservation with two Mescalero and one Jicarilla conducting the hearings. It is, perhaps, surprising that the numbers should not have been reversed, since there were 721 Jicarilla and only 462 Mescalero residents on the reserve.¹⁴⁰

By now, as we have seen, the Mescalero were completely subdued. Their warfare with the Americans, their raids, their attempts to return to the old life, were over. However, this was not true of the Chiricahua Apache, for this was the period when Geronimo and his followers were being pursued first by General Crook and later by General Nelson A. Miles. A few of the Mescalero became involved in these dis-

137. *Ibid.*, 116 (1883); Henry O. Flipper, "Early History of El Paso," *Old Santa Fe*, II, 95 (1914); Frank D. Reeve, "The Old University of New Mexico," *NEW MEXICO HISTORICAL REVIEW*, VIII, 206 (July, 1933).

138. *Report of the Commissioner of Indian Affairs*, 117 (1883); 133 (1884).

139. *Ibid.*, 118 (1883).

140. *Ibid.*, 149, 152 (1885).

turbances, some with Geronimo, but many more as scouts helping the army to bring him in.¹⁴¹

Upon the surrender of Geronimo, General Miles treated all concerned with a harshness and injustice which have to this day never been forgotten nor forgiven by the Chiricahua and the Mescalero Apache. He not only sent Geronimo and his followers to captivity in Florida, but in addition, he rounded up all the Chiricahua men, women, and children who had remained at peace and sent them also to Florida as prisoners. Included with these blameless ones were the Chiricahua and Mescalero scouts who had done more than anyone else to capture and bring in Geronimo and his band of hostiles. The men who had enlisted as scouts and who had so recently undergone the hardships of desert warfare side by side with American soldiers, found themselves prisoners of war at Fort Marion, St. Augustine, Florida. In 1888, renegades, peaceful Apache, and scouts were all removed to Mount Vernon Barracks near Mobile, Alabama, still as prisoners of war.¹⁴²

The relatives, at Mescalero, New Mexico, of the scouts who were thus unjustly held, did what they could to get them released. In 1888, four or five of these men with their families were allowed to return. In 1889, the agent reported that about fourteen Mescalero were still held in confinement in Alabama and urged their release.¹⁴³ Over the years they returned, a few at a time, to the reservation.

In 1887, the Jicarilla Apache, who had never become completely adjusted to living with the Mescalero, began to leave the reserve in groups. About two hundred of them camped in a starving condition near San Ildefonso Pueblo. Since there was fear of serious trouble if any attempt was made to return them to the Mescalero Reservation, a reservation was set aside for them in the northern part of New Mexico. The Mescalero expressed no regret at their de-

141. *Ibid.*, 40 (1886) ; 289 (1900).

142. Schmitt, *op. cit.*, 265-91.

143. *Report of the Commissioner of Indian Affairs*, 255 (1889).

parture but entertained some fear that they might sometime be, themselves, removed.¹⁴⁴

Whether the attitude of the new agent toward the Indians had anything to do with the decision of the Jicarilla to leave cannot be said for sure, but his handling of the school situation certainly antagonized the Mescalero. Finding that the boarding school was not well attended, and being unable to persuade the chiefs to send in any more children, Agent Cowart sent detachments of the police to visit the camps unexpectedly and seize children of school age. He thus describes the results of this policy: "The unusual proceeding created quite an outcry. The men were sullen and muttering, the women loud in their lamentations, and the children almost out of their wits with fright." Feeling that the "civilization" of the Indian, "like that of the Negro and the other inferior races," could be kept up only by constant contact with Caucasians, he disapproved of allowing the children to return to their camps even in the summer.¹⁴⁵

The next agent was a good deal more lenient and did not appear to be infected with his predecessor's notions of superior and inferior races. He showed some trust in the people, allowing them to have iron buckets which had been denied them formerly for fear they might use them to make corn beer.¹⁴⁶

And so things were to go on for many years, with some agents forcing what they considered to be "civilization" upon the Mescalero, others trusting the Mescalero to make their own adjustments, but all of them steadily trying to destroy the culture of the Mescalero and to replace it by customs and modes known and approved in white American society. The most determined of the "civilizers" was undoubtedly V. E. Stottler, who forced the men to cut their hair and clothe themselves like white men, repressed the making of corn beer, allowed no Indian dances to be held, abolished the Court of Indian Offenses, and kept the children in the boarding school over the summers where they were

144. *Report of the Commissioner of Indian Affairs*, lxxii-lxxiii, 167 (1887); Kappeler, *op. cit.*, I, 875.

145. *Report of the Commissioner of Indian Affairs*, 199-200 (1886).

146. *Ibid.*, 254 (1889).

"put at industrial work." He got the men working at a sawmill and encouraged the building of wooden houses. He gave the job of hauling supplies from Las Cruces to the Indians and was satisfied with their performance. He kept the police busy herding cattle, returning run-away school pupils, clearing ditches, working at the sawmill, and acting in general as examples of industry and order. At this time, the Mescalero population was 450, and they had 500 acres of fenced land under cultivation. Stottler urged the government to extinguish the claims of certain settlers who had managed to get land within the reserve, so that 400 more acres might be added. Five thousand sheep were purchased and issued, and Stottler even brought in a few expert Navaho blanket weavers to instruct the Mescalero in carding, spinning, dyeing, and weaving.¹⁴⁷

During this long and trying period, the peyote cult, which had diffused northward from the Indians of Mexico, flourished among the Mescalero, and the fears, frustrations, and aggressions of individuals flared in charges of witchcraft and power theft revealed in the visions induced by peyote.¹⁴⁸

In 1899, the Mescalero became self-sustaining to the point where rations and annuities were cut off except to old or incapacitated persons. Marriages and divorces were handled and recorded by the agency office. School attendance was compulsory for children, and a number of adults were even reported to have attended a night school. The baseball nine had won several games. An attempt was made to substitute picnics and Fourth of July, Thanksgiving, and Christmas celebrations for Indian dances.¹⁴⁹ But this is not the bright picture that it may have seemed in the eyes of ambitious agents of the government. It must be remembered that all of this was achieved against great resistance, under duress, and without any faith or confidence on the part of the harassed Mescalero population. The new way of life was not, as yet, flourishing enough to give hope. The first field matron

147. *Report of the Commissioner of Indian Affairs*, 209-12 (1896); 193 (1897).

148. Macleod, *op. cit.*, 529; Morris Edward Opler, "The Influence of Aboriginal Pattern and White Contact on a Recently Introduced Ceremony, the Mescalero Peyote Rite," *Journal of American Folklore* (1936).

149. *Report of the Commissioner of Indian Affairs*, 291 (1900); 281-83 (1901).

to visit the Mescalero found them "miserably poor," living with few rations on tiny farms and preserving themselves from starvation by the sale of curios.¹⁵⁰ In addition, tuberculosis was prevalent, and the mortality rate from this cause was unusually high.¹⁵¹

The Chiricahua Apache had been removed from Alabama to Fort Sill, Oklahoma. In 1913, with the approval of the Mescalero, the Chiricahua were transferred from Oklahoma to the Mescalero Reservation. The Mescalero felt that the addition of over two hundred Apache would help them to hold their entire reserve and prevent it from being opened to settlers.¹⁵²

The major events in the history of the Mescalero Apache since that date have roughly paralleled modern American history. Their men went with our men to the first World War. As a people, they suffered in the ensuing influenza epidemic. They were overwhelmed by the depression of the 30's and worked under the relief programs that were set up. Their young men fought beside our other young men in World War II. The first experimental atomic bomb was exploded in the desert not far from their homes. They have lived their past bravely and will meet the years to come with a philosophy often differing from that of white Americans, but with its own profundities and resources.

150. *Ibid.*, 283 (1901).

151. *Ibid.*, 253 (1902); 216 (1903).

152. *Annual Report*, Board of Directors, Indian Rights Association, 19-20 (1918).