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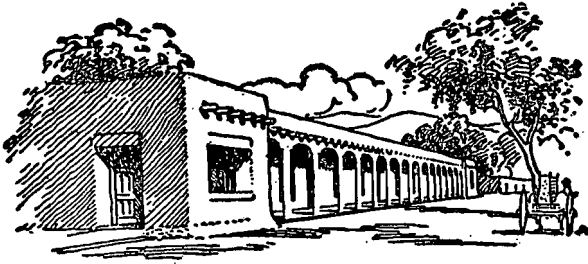
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Editors

FRANK D. REEVE

PAUL A. F. WALTER

Associates

PERCY M. BALDWIN

GEORGE P. HAMMOND

FRANCE V. SHOLES

ELEANOR B. ADAMS

ARTHUR J. O. ANDERSON

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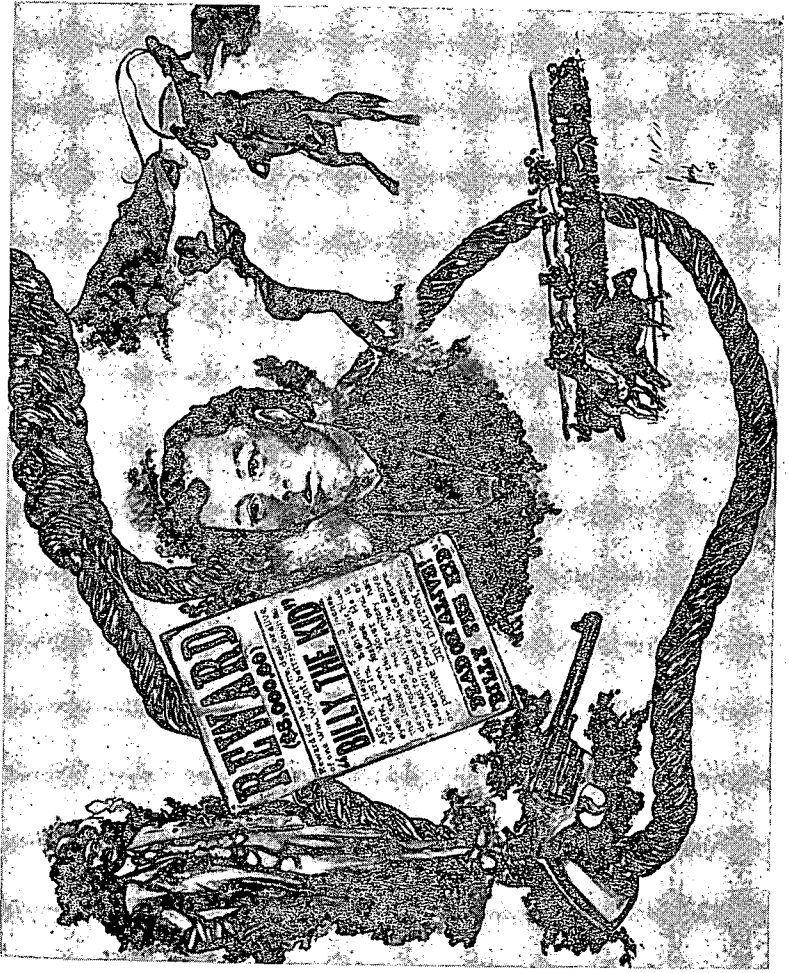
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Business communications should be addressed to Mr. P. A. F. Walter, State Museum, Santa Fe, N. M.; manuscripts and editorial correspondence should be addressed to Prof. Frank D. Reeve, University of New Mexico, Albuquerque, N. M.

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NEW MEXICO HISTORICAL REVIEW

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A NEW MEXICO PIONEER OF THE 1880's

By LILLIE GERHARDT ANDERSON *

MY FATHER, Frederick Gerhardt, became a New Mexico pioneer in April of 1882. And, as other New Mexico pioneers, who in their strivings for a livelihood, contributed to the building of our glorious State, so my father also contributed his bit.

He was born in Friesenheim, Baden, Germany on November 11, 1835, the youngest of twenty children—ten half brothers, seven real brothers, and two sisters.

It was inevitable that in such a large family some of the members would scarcely know one another, but the amazing fact was, that of his seventeen brothers, his oldest half-brother, George Gerhardt, was the brother whom he knew best.

George also made his home in Friesenheim, where he held an important office in the Dukedom of Baden; and the youngest of his three sons, Alfried, was my father's pal and University classmate.

Becoming dissatisfied with the many government restrictions of his native land, Frederick decided to embark for the "Land of the Free" and landed in New York City in 1852.

Educated at the University of Karlsruhe, Germany, where he had studied the supplementary languages French and Latin, he was now in the United States unable to speak his new country's language. His knowledge of Latin, how-

* Mrs. Anderson resides at 413 South First Street, Tucumcari, New Mexico.

ever, proved of great value to him in this dire dilemma. He had brought with him a Latin Bible, so he now procured an English copy and, by comparing the two, made his initial venture into the intricacies of the English tongue.

After gaining sufficient mastery of the new language to enable him to obtain employment, he got work in a silk factory; later he went to Massachusetts, and then to New Jersey, continuing all the while to work in textile factories.

When wanderlust again seized him, it carried him to Texas. This was about the year 1860. And it was while clerking in a store in San Antonio, that he first met his future wife, Sophie Louisa Duelm, also a native of Germany, and the youngest of eight children, who had come with her family from Hagen, Waldeck, Germany when she was but nine years old. The family had landed in Galveston, Texas in 1855, and had settled in San Antonio.

Soon Civil War clouds began to loom ominously in the sky. Frederick's sympathies were with the Union, but he was rejected as a soldier on account of an eye injury to his right eye, sustained when he was but three years old while he and another small boy, having found some live caps, were innocently exploding them by striking them with stones.

Rejected for the army, Frederick decided to remain in the South. In making this decision, he did not foresee that he would eventually be conscripted by the Confederacy and forced to drive supply teams, bringing supplies from Mexico.

Later, he traveled with General Robert E. Lee's army, cooking for the General and his staff officers.

This close association with General Lee developed into a warm friendship, so that when four decades later he was requested to suggest a name for a new grandson, he replied without hesitation, "Lee." Thus it came about that the grandson of a loyal hearted Northerner bears the name of a famous Southern general.

Immediately following the close of the Civil War, Frederick Gerhardt was united in marriage with Sophie Louisa Duelm in San Antonio, Texas, on March 4, 1865. Destiny

had performed her miracle of bringing these two across oceans from their native country, to meet and unite in their adopted land.

For many years after his marriage, father held various city and county offices. He taught school in a German settlement for two years, and for a time owned and operated a farm.

In the spring of 1882, he came with his family to New Mexico, after learning from his mother, Mary, in Germany that his brother John was living out here. (His mother's lovely German letters came but once a year, as the postage on a single letter was 50 cents).

At that time the nearest railroad from Texas came around through Kansas City, and terminated at Las Vegas, from which city the family traveled by wagon to the Pecos River, about twenty miles northwest of Fort Sumner.

Here adjoining his brother's ranch, father filed his homestead of 160 acres—all the government land allowed at that time. His claim had a natural spring, providing water for house use, and river front with public domain for raising stock.

To make an immediate beginning in the sheep industry, he took a flock on shares from his brother, John, thereby earning at the end of a year a certain percentage of the sheep in payment for their care.

John had come to America with Frederick in 1852, but they had separated in New York City, and had not in the thirty years elapsed seen or heard of each other.

Two other brothers had come to America during the intervening years, but both had remained in the East: Jacob in New York, and Joseph in Massachusetts.

Another brother bore the name Ludwig; but there were three brothers whose names I do not know. The sisters were Carolina and Anna Mari. (As all brothers do, father spoke oftener of his sisters than of his brothers).

It was Anna Mari who, when their mother became too feeble to write, wrote the yearly German letter to father. Father had saved all the letters from his mother and sister,

but years later, while his desk was in storage, vandals broke in and scattered his papers and letters. When the depredation was discovered, only three letters were legible. These were from his sister, and had not been written in consecutive years.

About the middle 1880's, some of father's friends living in Las Vegas re-visited Germany, and went to see father's half-brother, George, who was then in his 90th year. After he was well past 91 years, a letter came for father, informing him of George's passing.

John had enlisted in the United States Army in New York, and had been sent to New Mexico in 1860, during the Indian conflict. Subsequently, he served as a male nurse, with the Army Medical Corps, for the duration of the Civil War, in New Mexico.

John's home stood about a mile distant from father's new home. His land had many good springs, and he grew a nice fruit orchard, and always raised a good vegetable garden, of which he was proud. He enjoyed his home, which he had named Cedar Springs, for the natural springs, and the dwarf cedar trees that dotted his land. At this time he had a family of six children. He was engaged in the sheep industry, and also had a small herd of cattle.

(The ranch has now long been owned and operated by strangers. Of the large family, only two are living in New Mexico).

A short distance up the Pecos River, Pablo (Paul) Beaubien, son of the famous Carlos Beaubien of frontier days, and land grant fame, was operating John's irrigated farm, and raising sheep. He later moved to Fort Sumner.

About four miles to the southeast, on the Alamogordo (stout Cottonwood) Creek, Captain J. C. Clancy, a retired English sea captain, was engaged in sheep raising. He had come to New Mexico about 1870. His first sheep had been the long haired Old Mexico breed, which he had not liked, and which he finally drove to California and traded there for sheep-with-good-wool; these he again drove back, consuming two years in the long journey to and from California.

His home, patterned after an old English castle, and which visitors to the Territory marveled about, and some mistook for an Indian fortress on account of its towers, was not built until 1886. (My father knew when the captain had it built. Before this time he had, as many other pioneers, lived in a dugout). Until the 1880's it had been almost impossible to obtain building materials.

Captain Clancy was a most delightful conversationalist. While captain of his ship, he had touched at almost every important world seaport. This enabled him to bring information of the wide world to the early settlers.

A few miles north of the Clancy ranch, lived the Jasper De Graftenried family, with their three sons and two daughters. They raised both cattle and sheep. Their strange cattle brand X, was named for its counterpart, Camp Stool.

Yes, there was a little schoolhouse—not red, but of gray sandstone—in which a certain Mrs. Mitchell held despotic sway.

In father's family, an older sister held daily school for the younger children. She taught German, reading and writing, along with the English lessons.

After living for seven years on the Pecos River, father moved with his family in 1889 to the Las Truchas Creek, about twenty miles northeast of Fort Sumner. Here he filed what at that time was known as pre-emption.

In that day of free grazing land, the large cattle companies dug wells and erected windmills at strategic watering places for their stock. The Fort Sumner Cattle Company had such a well, mill, and a one-roomed adobe building to house a maintenance man where my father filed his claim.

The Cattle Company had not owned the land, and had relinquished the improvements, which were very convenient for use by the two Gerhardt sons, Herman and Carl, in building the new home. Until it was ready for occupancy, the other members of the family stayed in the home of the only close neighbor, Joe De Oliveira, who lived three miles north in the same valley.

With Spanish helpers, who understood the making of

adobes, a Spanish-Indian styled house soon took form. Herman did all necessary carpenter work.

This home stood near the center of an ample valley, traversed from northeast to southwest by the Las Truchas (trout) Creek, and rimmed on the north and east by the breaks of the Plains.

The family learned, soon after moving to the creek, that "Truchas" was a misnomer. After several weeks of observation, the supposed trout were discovered growing legs, feet and tails. Their bodies were slender; they were not tadpoles, but were salamanders in their aquatic larval state. Soon after they began to disappear from the water, black, yellow-spotted adult salamanders were found in the damp soil of shady places. Evidently the creek had been named by explorers who had not remained long enough to observe the development of their trout.

Neighbors were fewer here, and lived at greater distances, than they had on the Pecos. There was no school house, either red or gray. Sister Paulina continued her daily classes in our home. I was still too small for studies, but enjoyed slipping into the schoolroom to observe the others at their lessons. If a lesson in geography happened to be in progress, for my benefit I'd soon hear, "Name the capital of Arkansas." My hand would "go up" and I'd answer delightedly, "Little Rock." Then, having exhausted the extent of my knowledge, I'd slip out again to play.

On the new ranch, with the help of his two sons, father continued in the sheep raising industry. The vast Llano Estacado (Staked Plains) afforded lush summer grazing for the sheep, while their foothills and canyons provided good winter shelter. Grass grew two feet high. In the valley, it was harvested in the fall for winter hay for the horses and the milk cows, but on the plains it sometimes produced devastating prairie fires, from a carelessly tossed burning match. These fires could be seen from a distance of a hundred miles. The terrible grass fire of December, 1894, which started on the New Mexico plains, and raced with the wind into the

Texas Panhandle, where it burned the southern half of the vast XIT Ranch, was an awesome and frightening spectacle.

In dealing with Spanish sheep herders, father had found it necessary to add Spanish to his list of acquired languages. Both sons, also, learned to speak Spanish, and the older girls acquired enough of the tongue to understand what supplies were needed when the camp cook came in to replenish his larder, or to receive the freight brought by Spanish freighters when father and the boys happened to be away from home.

The wool and pelts from the sheep were sent by freight wagons to Las Vegas, where they were sold to the large wholesale stores, Gross, Blackwell, and Ilfeld, and supplies loaded for the ranch, for the return trip of 120 miles, which often required two weeks, as most of the Spanish freighters drove burro teams, or poorly fed horses.

The sheep for market were sold on the premises to sheep buyers who, after acquiring a large herd, drove them to Dodge City, or Wichita, Kansas, from which points they were shipped to Kansas City.

Through the years, father had continued his subscription to his Texas newspaper. Each issue carried, in addition to the news, several chapters of a serial German love story, which father read aloud to mother in the evenings while she was occupied in hand sewing for the family. It was for the heroine of one of these novels that I was named. To this incident, I have always attributed my romantic nature.

Father and mother always spoke German at home when there were no English speaking visitors present.

We had few German visitors. Some of the early storekeepers at Fort Sumner were Germans, and sometimes visited in our home. And I always delighted in hearing Mr. Albert Strauss speaking German with mother. He was the founder of the © (called Circle S) Ranch, about thirty miles southwest of the present town of Tucumcari, and was the brother of the elder Mrs. Kohn, early New Mexico pioneer. He was an interesting talker, and as he traveled a great deal

over the state, could give us news of some of our other friends.

Ours was a reading family. In those early days, the *Ladies' Home Journal* was a masterpiece of information and inspiration. Before I was four years old, sister Paulina read aloud to us from its inspirational columns. I recall vividly, thinking to myself, "Oh! If I could only write like that!"

There was usually one of Ella Wheeler Wilcox's beautiful poems in each copy, which our sister also read to us. In addition, the boys read *The Youth's Companion*.

When I was about seven years old, this precious sister read aloud to us in the evenings from Charles Dickens' works. I enjoyed his stories immensely, and wept for dear little Oliver Twist.

This custom of reading aloud was continued during our summer vacations at home, even after we began going away to school. At least three of us would change about reading several chapters from a good book during the afternoon rest hour. In this way we read Cervantes' *Don Quixote*. It was triple fun with three to laugh about his idiotical adventures.

In the winter of 1895, father and mother re-visited their old home in Texas, where mother's relatives, and many former friends of both, welcomed them. Before this time, the Fort Worth and Denver railroad had built through Amarillo, Texas, enabling them to board the train there, and giving them a much more direct route than when they came to New Mexico, thirteen years earlier.

Politically, father was a staunch Republican, as were most of the early day ranchers, who realized the necessity of a firm tariff on wool, pelts, and hides, if they were to survive in business. The chief political issues of that day were a high tariff, or free trade.

The sheepmen suffered real hardships during Grover Cleveland's free trade administration in the early 90's, when the country became flooded with cheap Australian wool, and the home product dropped to 3 cts. a lb. This caused a great drop in the price of sheep, also.

Father had been a member of the Lutheran Church in Germany where, with his trained tenor voice, he sang in the church choir. In Texas, he again affiliated with the Lutheran Church, where mother was also a member.

After coming to New Mexico, on the few occasions when he was in Las Vegas over a Sunday, his clear voice, to the delight of his friends, would be heard coming from a back pew of the First Presbyterian Church, singing Martin Luther's *Ein Feste Burg* (Fortress) and other hymns in German.

By the middle 90's, the elder son Herman had married Emma Whitmore, daughter of the very early (1849) New Mexico pioneer, James Whitmore, and had started his own sheep ranch in the lower part of the valley.

In 1898, father purchased a herd of good grade cattle, and his son, Carl, assisted him in managing the ranch, gradually selling the sheep and buying more cattle; thus finally changing the valley into a cattle ranch.

Father's first cattle brand was TK (called TK bar). Later he had this brand cancelled and used XTK.

Many people have been deeply impressed by the marvel of our country's "Four Corners" where four of our states join at their corners; but we experienced no less a marvel in our Las Truchas, New Mexico, home, where we lived in four counties without moving; first in San Miguel County, then Guadalupe, then Leonard Wood, and lastly in Quay.

Leonard Wood County was short-lived. It had been created to get the court house and county seat for Santa Rosa from Puerto de Luna, where they had been before Santa Rosa came into existence. This accomplished, the name was again changed to Guadalupe.

With the completion of the Santa Fe Railroad's "Belen Cut-off" in 1907, and the consequent flocking in of dry land farmers, who filed every available 160 acres of land, a "death blow" was dealt to free grazing and stock raising as it had existed up to that time.

When my father told the first comers that they couldn't possibly make a living on one fourth section of land, and that

many of them wouldn't be able to get wells of drinking water on their dry claims, they still felt that they could do both. They said to him, "Since the country has just been opened for settlement, we want a piece of free land too."

They couldn't believe my father when he told them that the country had been open for settlement for fifty years. They were so firmly convinced in their belief that they began re-naming hills and valleys that had been named for decades. Our Lone Mesa became Mt. Alice, for Alice Roosevelt, Teddy Roosevelt's daughter, and the Las Truchas Valley became Gerhardt Valley. The mesa reverted to its earlier name, after drought forced most of the new settlers to abandon their claims, but the valley retained the new name, because the Gerhardt family had lived there for so many years. It is now recognized over most of the State as Gerhardt Valley.

Father's prophecy of a dearth of water proved true. When the new settlers came to live on their homesteads, they soon began coming in wagons loaded with empty barrels to haul drinking water from our well.

We had a good well, but the added drain was too great. Soon there was not enough water for our cattle and garden. Scarcity of water and the limited grazing room soon forced Carl to lease pasture near Santa Rosa for the cattle.

The family continued to live on the ranch, where father now spent most of his time raising a good garden.

Carl finally sold the cattle and bought irrigated land at Fort Sumner, which he developed into alfalfa farms and a nice fruit orchard.

Herman had read the "Handwriting on the Wall," so when the first locaters began to bring people from the railroad, at Taiban and Fort Sumner, to locate claims for them, he sold his sheep and moved to Tucumcari, where he went into the abstract business, in the fall of 1908.

For a time he served as County Road Superintendent. Eventually, he was elected County Treasurer for Quay County for four years. He also served for a number of years as City Treasurer of Tucumcari.

By the time the Federal Government in Washington,

D. C., came to a realization of the plight of the dry farmers trying to eke out a living on their pocket-handkerchief sized parcels of land, and passed the 320 acre homestead law, most of the farmers were gone.

The few who remained were those who had been able to get water wells. The families stayed on the land, with a milk cow, chickens, and a small garden plot, while the husbands, or sons went away to earn wages. These now filed abandoned claims, adjoining their original filing, or bought relinquishments. In time they acquired sufficient land to become stockmen-farmers, and now own modern homes and cars.

Carl had not used his filing right, nor had sister Clara, who had been teaching school, so both now filed 320 acres of abandoned and relinquished land adjoining the home ranch. Eventually, Carl fenced all the family owned land, and leased it for pasture.

By 1909, we were receiving our mail addressed to Harris, New Mexico. A combination Post Office and country store had been established about two miles northeast of our home. The mail service came overland from Tucumcari, servicing several country Post Offices on the Plains.

A pavilion, with a cedar brush covering, had been erected midway between Harris and our home, where Sunday School and Church services were held. The pavilion was also used for group singing.

By the middle of June 1914, the family began getting mail at Taft, four miles west of our home, where in addition to a Post Office and store a school house had been erected. The Harris Post Office was discontinued.

After a few terms of school, buses began taking the children to school in Fort Sumner, and the new school building was left vacant. The Post Office too was discontinued after a few years. The sparse settlers, now owning cars, drove to Fort Sumner for their mail.

The many members of father's large family, although they occasionally visited other states, made their permanent homes in New Mexico. The eldest daughter moved to California, when the youngest of her family begged her to make

a home for her in Los Angeles while she attended the University. She remained in California for a few years after her daughter's graduation, but eventually returned to New Mexico, and again made her home in Tucumcari; so that her stay in California became merely an interlude.

Some of the grandchildren are scattered far from the home state, while many still reside in the Land of Enchantment.

The grandchildren of the Gerhardt name—Herman's children—are represented by Alvin W., a mining engineer in Arizona, Earl A., part owner and manager of a silk hose factory in Virginia, Herbert J., architect, and Herman F., automobile salesman, both of California, and Emma Gerhardt Rorick, a former high school commercial teacher, a Lieut. Wave in World War II, and now a Government worker at China Lake, California.

Carl was married in 1917 to Nettie Catherine Brown, of Fort Sumner, daughter of a Methodist minister. They had one child, Nettie Bernice Gerhardt, a former Tucumcari junior high school teacher, now Mrs. Neal C. Koll, who owns and operates the home ranch in Gerhardt Valley.

The other grandchildren, all successful in their respective work, live in Tucumcari, Clovis, ranch near Taiban, Albuquerque, Santa Rosa, Topeka, Kansas, and in Amarillo and El Paso, Texas.

One grandson (our son, T/Sgt. Felix Lorin) was sent to Hahn, Germany, with a Bomber Group last August. That is not far from my father's old home. He works in a supply department now, and is overseas for a three year term. His wife and little son went to Germany by ship from New York City to join him in November.

This is our son's second stay in Germany. In World War II, he was an aerial gunner on a B-24 Liberator Bomber, which was shot down near Bordeaux, France. Seconds before the bomber crashed in flames, the ten crew members parachuted, but seven of them had been wounded. Except for a tiny splinter of shrapnel that penetrated his eyelid and blinded his eye for a week, Felix was unhurt, but his para-

chute landed him in a tree from which he could not extricate himself. Frenchmen, alert for our flyers, watched him parachute, and came to his rescue. They also gave him clothes. His electrified flying suit was in shreds.

In trying to get back to his Base in England, Felix was captured by the Nazis and held for sixteen months in six different prison camps. He spent the first winter in Stalag Luft VI., built on the narrow neck of East Prussia, on the Baltic Sea. When he was liberated by Patton's 3d Army, on April 29, 1945, he was in a prisoner of war camp near Munich. He got home on July 12, 1945. In spite of months of hospitalization, and more months in prisoner of war camps (with the unceasing prayers of their families at home), all of Felix's fellow crewmen, except one, returned after the war.

Felix was stationed for eight months on Okinawa in 1947, and in 1950 he spent eight months on an Air Base in England. He saw most of the United States while in training, before being sent overseas on a bomber in the fall of 1943.

With the newer, faster transportation facilities, the grandchildren have traveled widely in the United States, and some have seen parts of Canada, Mexico, and Cuba. Thus they have shown their heritage of father's adventurous spirit.

Father was a kindly man who brought friendliness and melody to the silent prairies. He sang as he drove about the ranch, usually in the company of some of the children. Mother was sometimes along too.

At Christmas time, father lead the family in singing beautiful German hymns, as they gathered about the Christmas tree—always a huge cedar that almost touched the ceiling. He also lead in appropriate hymns at Easter, and at Thanksgiving time.

He had a deep appreciation of Nature, and was especially awed by the magnificent star constellations. He would pour forth his admiration in song on lovely starlit nights.

He delighted in Halley's Comet, when it made its reappearance in 1910, and watched it every night as long as it

was visible. It had been seen while he was a baby, and he'd been told about it.

He sang his farewell to Earth in the beautiful German hymn *Die Heimat Der Seele* (The Home of the Soul) two days before his death, which occurred on October 21, 1914, at the age of 79 years, at his ranch home, where he lies at rest in the family cemetery.

REVOLT OF THE NAVAHO, 1913

By DAVIDSON B. MCKIBBIN*

AUTUMN in New Mexico of 1913 began in its usual inauspicious manner. The summer rains had stopped; there were not the deluges of rain from the heavy clouds, with quick run-offs, immediate sunshine, followed by almost instant evaporation. The citizens of San Juan County, located in the northwestern part of the state, had started to get ready for winter. Aside from the hard manual labor involved in harvesting their limited crops, they scanned the newspapers with interest to find out what might be happening to their neighbor in the south. The continuing Mexican Revolution and the ousting of General Victoriano Huerta from the Presidency of Mexico was at that moment of primary importance, if not interest, to all readers in the United States. The Carranza-Villa forces were attacking and beating the *federales* of Huerta; Ciudad Juárez was seized by Villa's irregulars with a ringside view of the battle visible to spectators from the American side of the frontier; and the United States Army had thousands of soldiers guarding the Mexican border.

Other sections noted the bloodletting in Mexico but also read about the general strike in Indianapolis that tied up all transportation. In Berlin it was reported that the Kaiser had given his *ex cathedra* opinion on the tango and the turkey trot, barring it from Germany as being unsuitable to the dignified Teutonic race, and at the same time keeping one eye on the European chancelleries. In the American press editorials were being written for and against the possibility that the same tango and turkey trot might be danced at the White House. Some sensational murders were reported, especially well covered by the Hearst press, and a complete though seasonal fanfare was devoted to football wins and losses. Russia made its contribution to the news with a spectacular trial of a Jew accused of murdering a Russian Christian. The accused was later acquitted. New York policemen

* Dr. McKibbin is Special Collections Librarian, University of New Mexico Library.

were in the headlines for accepting graft, and resignations by the wholesale were being accepted. The main emphasis, the front page news in the American press, was, however, devoted to the Mexican situation.

However, the abstract discussion of current affairs on worldly problems changed almost overnight in northwest New Mexico. In early November the state newspapers began their coverage of an event that was to unfold and embrace and touch numerous governmental agencies, ranchers, church missions, soldiers, and the Navaho Indians. The initial report began with an account of a threatened revolt of the Navahos at Shiprock, New Mexico, with the blame being placed on plural wives, liquor, and medicine men.¹

It might be noted, however, that this early report by the press had its background years before in the subjugation of the Navahos in 1905. A chain of events involving a localized Navaho incident that had been settled was magnified to such proportions that troops were employed to overawe seven Indians who were subsequently sent to the federal penitentiary at Alcatraz. Two years later another Superintendent, W. T. Shelton, enlisted the aid of federal troops to capture for arrest one Byalille, who had effectively resisted the advances of the white men to change the Indian customs. Resistance by the Indian ultimately resulted in the shooting and death of two Navahos. The name of Superintendent Shelton, as a protector of the Indians, did not improve.²

In 1913 Shelton was involved in still another episode

1. *Santa Fe New Mexican*, L (November 7, 1913), p. 1.

2. Robert L. Wilken, O.F.M., "Father Anselm Weber, O.F.M., Missionary to the Navajo, 1898-1921," Ph.D. Dissertation, Department of History, University of New Mexico, 1953, pp. 256-257. The Byalille affair, as portrayed by Wilken, presents a one-sided story of Weber's participation in, and opinion of, the matter. A subsequent investigation which, according to Wilken, was a mere whitewash for government officials does not indicate that Wilken was entirely correct. For example, one of the main antagonists to Shelton and the army was the Reverend Howard R. Antes, missionary at Aneth, Utah (incorrectly named Andrew [sic] Antes by Wilken), who later according to official records retracted his accusations and apologized. For the official government investigation of the Byalille incident, see: U. S. Congress, Senate, *Report on Employment of United States soldiers in arresting By-a-lille and other Navajo Indians*, Senate Report 5269, Doc. #517, 60th Cong., 1st Sess., May 22, 1908. (Washington: Government Printing Office, 1908), pp. 1-41; U. S. Congress, Senate, *Testimony Regarding Trouble on Navajo Reservation*, Senate Report 5409, Doc. #757, 60th Cong., 2d Sess., February 19, 1909. (Washington: Government Printing Office, 1909), pp. 1-56.

which reacted unfavorably against the Indians at the time, but eventually placed the Superintendent in a very uncomfortable position.

According to Shelton, who had been appointed Superintendent of the Shiprock Agency in 1903, an Indian reported on August 26, 1913, that his wife had been killed by a medicine man. This accusation, Shelton declared, was false, and was based on superstition. There was no proof that the medicine man had injured the Indian woman, but during the investigation it was discovered that another Navaho had brought whiskey onto the reservation and that he was living with three wives. These charges were common to the times, but Shelton felt that he should have a talk with the man and his wives. Ordering an agency policeman, a Navaho, to bring in the four for questioning, he found himself with three wives but no husband. The policeman couldn't locate the husband, but the man's father came into Shiprock and told Shelton that he would bring in his son for questioning.³

The morning of September 17th, while Shelton was in Durango, Colorado, on a horse-stealing case involving Indians of his reservation, eleven Indians, including the husband of the three wives, rode into the agency armed with revolvers and rifles. They threatened the Indian policemen, located the wives, thrust aside school employees who tried to talk to them and drew their weapons in a threatening manner, frightening women and children. One Indian policeman was hit on the head with a quirt. They then galloped to a nearby trading post, where the white traders talked them out of further violence. After hanging around the post throughout the night they departed and headed for the mountains.⁴

In his letter to Burkhart Shelton insists that the other peaceful Indians of the reservation wanted an example made

3. *Records of the Bureau of Indian Affairs*, Record Group 75, Classified Files, Doc. nos. 120395-13-121, 146247-13-123. San Juan. Letter, W. T. Shelton to Somers Burkhart [U. S. District Attorney], September 20, 1913, pp. 1-2. (Unless otherwise identified all letters, telegrams, memoranda, and reports hereinafter cited will be understood to have come from Record Group 75, Doc. nos. 120395-13-121, 146247-13-123, National Archives, Washington, D. C.)

4. *Ibid.*, p. 3. Shelton's original statement to Burkhart is naturally prejudiced in his favor. He has pictured the Indians as desperados, violent men, and totally incapable of reason.

of the unruly ones. Shelton himself wanted immediate arrest and punishment. He meticulously listed those Navahos involved in the action and included the names of four who would serve as witnesses against them. He requested that warrants be sworn out for their arrest and asked Burkhart to send the summons for the witnesses to him as he could then contact them and accompany them to Santa Fe. He mentioned that it would be impossible to appear in the capital city before the seventh of the month as the Indian fair would occupy his time between the first and fourth (of October).⁵

Such was the first official correspondence on the affair of the purported Navaho Indian revolt. Two weeks later he wrote to the Commissioner of Indian Affairs, in which he enclosed a copy of his original letter to Burkhart. To Commissioner Cato Sells he mentioned that the Indians were armed and would not submit to arrest. He re-emphasized his earlier opinion that other reservation Indians were not in accord with the steps taken by the rebellious Navahos, and passed on the rumor that the Indians had reported to him that the eleven had stolen horses from them. Shelton had received subpoenas from the United States clerk at Santa Fe for himself and five witnesses to appear before the grand jury on the eighth of October. The Superintendent reported that he would keep the Commissioner posted as to the action taken by the grand jury.⁶

The Commissioner of Indian Affairs was sufficiently concerned to wire the agent regarding action taken and Shelton's recommendations for the future. The Shiprock agent wired back the same day with the information requested. He reported that the U. S. Attorney had prepared warrants for twelve men: eleven for riot, two for horse stealing, two for deadly assault, one for stealing a government revolver, and one for flourishing fire arms in the settlement. Two had already surrendered, but the other nine threatened to fight and he (Shelton) requested that a U. S. Marshal be sent to arrest

5. *Ibid.*, pp. 5-6.

6. Letter, Shelton to Cato Sells [Commissioner of Indian Affairs], October 4, 1913.

the Indians. Shelton doubted that they would surrender without force being used to take them.⁷

Through channels the red-tape began to unravel itself. Assistant Secretary of Indian Affairs, Lewis C. Laylin, wrote a letter to the Attorney General requesting that the Justice Department, under its jurisdiction and control, have a U. S. Marshal serve warrants on the Indians. Correspondence between Shelton and Burkhart was enclosed.⁸

On October 16, Commissioner Sells wired Shelton of his request for the Department of Justice to send a U. S. Marshal to make the necessary arrests. He warned his representative to "proceed with care and good judgment. . . , to use sufficient force but to avoid unnecessary violence."⁹ From the telegram it was obvious that the Commissioner did not wish the matter to get out of hand.

From Gallup, New Mexico, near to the scene of the disorder, Supervisor of Indian Affairs, William R. Rosenkrans, wired Sells that he expected the accused Indians to be at St. Michaels on Saturday and at Ft. Defiance on Sunday for a conference. Rosenkrans hoped that the Indians would give themselves up to the U. S. Marshal.¹⁰

On the 29th of October Rosenkrans wrote a two page letter to the Commissioner of Indian Affairs expressing his opinion in a frank manner. He stated that the Indians had not appeared because they had heard that both Shelton and Hudspeth (U. S. Marshal) would be there. The Indians wanted to discuss the matter with Father Weber. Rosenkrans felt that both Paquette, who was Superintendent at Ft. Defiance, and Shelton, did not appreciate the efforts being made by a field man (Rosenkrans), but in spite of their dislike for his presence felt that Shelton was doing his best to draw the matter to a successful conclusion "with credit to the service." Having disposed of the immediate evasion of the Indians he

7. Telegram, Sells to Shelton; telegram, Shelton to Sells, October 14, 1913.

8. Letter, Laylin to Attorney General [James C. McReynolds], October 15, 1913.

9. Telegram, Sells to Shelton, October 16, 1913.

10. Telegram, William R. Rosenkrans [Supervisor, U. S. Indian Service] to Indian Office, October 24, 1913.

dealt with the cause of Indian unrest. "In the matter of cause . . .," he wrote, "I must make it a matter of record that, . . . I question the propriety of the arrest of the three women." Notwithstanding the initial failure to cope with the situation Rosenkrans felt that the Indians should not have used force to secure their women.¹¹

Meanwhile Shelton continued his dispatches to Commissioner Sells. From Farmington he sent a telegram dated November 3rd advising Sells that although the U. S. Marshal had been there a week and had worked through prominent Indians and traders, and through Superintendent Paquette, the Indians had failed to appear or surrender. However, Shelton hoped that the Indians would surrender on the 12th and Hudspeth (U. S. Marshal) or his deputy would be back on that date. The agent was optimistic and believed that all of the remaining Indians would be brought to trial without force.¹²

Four days later the Farmington *Enterprise* published the first account of the trouble and the headline was quickly picked up by the various news services throughout the country. The *Santa Fe New Mexican* placed its account of the matter on page one with a banner headline "Indians at Shiprock Threaten Revolt." The press denied that the National Guard would be necessary but indicated that the regular army might be necessary as there were 30,000 Indians on the reservation.¹³ Shelton himself, although trying to be calm and accurate in his reporting, aided in the confusion. He described a message he had received from Superintendent Paquette of Fort Defiance who had passed on a rumor that the leader of the Navahos, one Be-sho-she, was on his way to Shiprock to ask for a complete pardon from the Commissioner. If no pardon was to be granted, Shelton wired, the Indians would injure the Superintendent. Shelton then asked that he be permitted to employ sufficient force to hold the situation.¹⁴

11. Letter, Rosenkrans to Commissioner of Indian Affairs, October 29, 1913.

12. Telegram, Shelton to Commissioner of Indian Affairs, November-3, 1913.-

13. L (November 7, 1913), p. 1.

14. Telegram, Shelton to Commissioner of Indian Affairs, November 7, 1913.

The *Albuquerque Morning Journal* picked up that report and featured it as "Navajos Threaten Raid on Shiprock Indian Agency." The daily embellished the original headline with the statement that the eleven outlaws threatened to kill all the agency force unless the offenders were pardoned.¹⁵ The same day found the *Santa Fe New Mexican* preparing the people of northwestern New Mexico for the worst. The *New Mexican* announced that "San Juan farmers sound the call to arms against hostile Indians." According to their report there had been no word from Agent Shelton for some time although he had been given instructions to use force for self protection only if his life depended upon it. Also noted was the announcement that a Major McLaughlin, veteran inspector for the Indian Service, would be sent to Shiprock to use his personal services to ease the tension.¹⁶ In a Washington, D. C., newspaper of the same day, with its dispatch dated Albuquerque, November 7th, the paper wrote of threatened massacre of the entire agency and stated that there had already been raids against settlers, some homes had been burned, pillaging had taken place with stock being driven off, and white women and children abused.¹⁷ In a telegram sent from Farmington, Shelton kept his superior informed of the current situation. There was no improvement, but three had surrendered. The others were expected to fight to the finish.¹⁸

The myriad communications to and from the government agencies on November 8th left no doubt as to the intent to nullify any Indian attempt at open rebellion. Secretary of the Interior Franklin Knight Lane ordered McLaughlin to Shiprock.¹⁹ Cato Sells wired Superintendent Paquette of the Ft. Defiance Agency to keep in touch with Shelton and to aid him. Paquette was also advised to inform the home office of

15. CXXXX (November 8, 1913), p. 1.

16. L (November 8, 1913), p. 1.

17. *Washington Herald*, (November 8, 1913), n. p.

18. Telegram, Shelton to Commissioner of Indian Affairs, November 9, 1913.

19. Telegram, Lane [Secretary of the Interior] to Giegoldt, November 8, 1913. John F. Giegoldt was Superintendent of the Leech Lake Indian Reservation at Walker, Minnesota, where Major McLaughlin had been stationed. James McLaughlin had been prominent in Indian affairs since 1871, mostly with the Sioux, and was generally stationed in the Dakotas and in Missouri.

the location of the Indians.²⁰ Shelton was authorized via telegram from Sells to employ force for protection until a U. S. Marshal arrived. The Commissioner also told Shelton to expect McLaughlin as the department's personal representative and warned him again to be extremely careful in the use of force.²¹ Preparing for any eventuality, an unsigned memo from the Office of Indian Affairs the same day described the routes to reach the Indians from El Paso with the decision to travel via Gallup rather than Farmington.²² The War Department informed the Commissioner of Indian Affairs that it had three troops of cavalry and a battery of field artillery in El Paso for use against the Indians if necessary.²³ McLaughlin wired the Secretary of the Interior that he had received his orders and was on his way to Shiprock.²⁴

The one calming counter-proposal to the chain reaction of hysteria came from Father Anselm Weber of St. Michaels. Father Weber had lived in the Navaho region for fifteen years and was sympathetic toward the Indians and their problems. The Franciscan padre wired the Reverend William Ketcham from Gallup telling him that it was untrue that the Indians were threatening to raid the agency. He asked Ketcham to contact the Indian Department and then have them wire Shelton and the Justice Department to hold off the U. S. Marshal for the present. Weber said that he was to see both Shelton and the Indians on the following day.²⁵ However, the sobering effect of the on-the-spot missionary, Father Weber, was continually offset by the action taken by the government and the newspapers. With a dateline of

20. Telegram, Sells to Peter Paquette [Superintendent of Ft. Defiance Agency] November 8, 1913.

21. Telegram, Sells to Shelton, November 8, 1913.

22. Memorandum, Office of Indian Affairs, November 8, 1913.

23. Memorandum, Acting Secretary of War [Henry Breckenridge] to Commissioner of Indian Affairs, November 8, 1913.

24. Telegram, McLaughlin to Secretary of the Interior, November 8, 1913.

25. Telegram, Weber to Ketcham, November 8, 1913. The Rev. William Ketcham was the Director of the Bureau of Catholic Indian Missions, and also served as a member of the Board of Indian Commissioners for the Department of the Interior. Cf. Memorandum, Sells to the Auditor for the Interior Department, August 29, 1914, pp. 1-2. Sells noted that he had requested Ketcham to ask Weber to serve because ". . . from experience and ability he would be best able to handle the situation." Sells also wrote that Father Weber was ". . . well known and respected by them [Navahos]."

Santa Fe, the *Albuquerque Morning Journal* left its readers more confused than previously. The emphasis of the daily ran along the same lines: Hudspeth and his deputy Galusha anticipate trouble as the Indians are in an ugly mood, stern measures should be taken to repress the Indians, posses in Aztec and Farmington awaiting call from Shelton, and Chief Black Horse Be-sho-she and his band of renegades insisted that they would not submit to arrest, but that they would fight.²⁶ The facts as related by Father Weber do not appear to bear out the inaccurate reporting of the newspapers, nor for that matter, the multitude of dispatches sent by Shelton to his superiors. The agelong fear of the Indians played upon the imaginations of the old time settlers. They envisioned raids, scalplings, the running off of livestock, homes burned—all the old fears of past times were relived in the present. But to explain the events exactly as they happened, without glossing over or placing improper emphasis on trivial details, was a task for which Father Weber was ably qualified. He had resided in the Navaho area for years and, most important, the Indians trusted him. His version of the events as they unfolded is therefore of major importance.

According to Weber, the Indians admitted going to Shiprock and taking back the wives that had been "stolen" from them. They even admitted roughing up one of the Indian policemen who tried to stop them. Disliking Shelton intensely they did not feel that they should go to Santa Fe to stand trial, as it would cost them money in fines. Besides, they had done nothing wrong. They had merely taken back the wives that belonged to them. They were willing to talk the matter over with Weber and other trusted whites, but not with Shelton or any U. S. Marshal. And they would never surrender to Shelton.²⁷

From Farmington Shelton continued his deluge of telegrams to Cato Sells. He informed the Commissioner that the situation had eased off a bit, but that the Indians still refused to surrender. There was, he noted at that time, no danger of

26. CXXXX (November 9, 1913), p. 2.

27. Wilken, *op. cit.*, p. 261.

personal violence. In a later telegram dated the same day (November 10th) he informed Sells that three Indians had been arrested and that Father Weber and two traders were still trying to get the others to surrender.²⁸ Shelton's second telegram for the day implied that action had been taken to arrest the three Navahos who, in fact, had come in and given themselves up.

However, the newspapers did not allow the people to forget that less than a dozen Navahos were still holding out. The possibility of bloodshed was always in the background. Such words and phrases as "bloodshed," "local citizens ready," "Indians buying ammunition," "number of *guilty* increases,"—all these journalistic cliches kept the reading public so alarmed and upset to permit them to view the circumstances dispassionately.²⁹

By the middle of November the authorities appeared to have enough Indian "experts" on hand to advise them from the scene of trouble. Major McLaughlin wired on the fifteenth that Hudspeth had left with three Navahos for Santa Fe, but that the others were encamped thirty-five miles south of Shiprock. The inspector agreed with Shelton that bloodshed was to be avoided at all costs, but recommended "sufficient force to overawe" the Indians.³⁰ The same day Shelton notified Commissioner Sells that Weber had arrived at Farmington and that the Franciscan and McLaughlin had talked to the Indians with, as the Superintendent opined, "no results."³¹

Secretary of the Interior Lane, finally certain of his source of information because his trusted inspector Major James McLaughlin was near the Navahos, sent him a telegram asking specific questions. Lane wanted to know whether the Indians might be surrounded and starved out;

28. Telegram, Shelton to Commissioner of Indian Affairs, November 10, 1913.

29. *Albuquerque Morning Journal*, CXXXX (November 11, 1913), p. 1; *Santa Fe New Mexican*, L (November 11, 1913), pp. 1-2.

30. Telegram, McLaughlin to Secretary of the Interior, November 15, 1913. Interesting to note is the omission in McLaughlin's book of any reference to his participation in the trouble at Shiprock in 1913. See, James McLaughlin, *My Friend the Indian* (Cambridge:—Houghton—Mifflin—Co., 1926).—This book was published after McLaughlin's death in 1923.

31. Telegram, Shelton to Commissioner of Indian Affairs, November 15, 1913.

he wanted no fighting and regretted that he might be forced to employ troops to dislodge them, but suggested that no citizens posses, or enthusiastic deputies be used. He felt strongly that this type of aroused citizenry would not react favorably to discipline and due to chance carelessness the situation might quickly get out of hand. He asked for McLaughlin's comments to his questions.³²

McLaughlin's reply answered all of his questions explicitly. He wired that the Indians had been out of hand since September 17th, and that repeated talks with them by influential Indians, traders, and Father Weber, were to no avail. The Navahos were camped in their usual winter quarters. They had plenty of food, livestock, and water. It would take at least five hundred men to surround them, and the Indians had plenty of modern firearms and ammunition. McLaughlin suggested that one battalion of troops might be sufficient, and the government might possibly employ citizens or deputy marshals, but in no case should friendly Indians be used.³³

This stalemate between the stubborn Navahos and the government was taken up by the newspapers, which, with a curious and perverted sense of civic responsibility, played a part in inflaming the populace and distorting the news. Not that the numerous newspapers throughout the country had any other choice. They received their information from sources close to the government. One of their key leads came from either Farmington or Shiprock, usually indirectly through Superintendent Shelton. Their other point of information was Gallup, but again, the side of the Indians was not given. Father Weber did not seem to be available to the correspondents; he was often off in the interior talking with the Navahos. On the 18th of the month one newspaper reported in its headline that fifteen hundred Navahos were defying the government. The following story gave the usual one-sided picture of the events to that date, but did break the news that it was expected that troops from the Mexican border would soon be on the way.³⁴ The *New Mexican* gave what

32. Telegram, Lane to McLaughlin, November 16, 1913.

33. Telegram, McLaughlin to Lane, November 17, 1913.

34. *Albuquerque Morning Journal*, CXXXX (November 18, 1913), p. 1.

it considered more authentic and up-to-date coverage of the troop movement. It stated that the troops, total number not mentioned, would be sent out by Brigadier-General Tasker H. Bliss, Commander of the Border Patrol, with Headquarters in San Antonio, Texas. They failed to give the source of their latest information.³⁵ The *New York Times* picked up the item from its Washington bureau and stated that Major General Carter of the Border Patrol had been asked for troops to quell the rioting. Previously, as early as November 9th, the *Times* had run a brief account of rumored Indian troubles in New Mexico, but the report of the 18th was their first recognition that the government was unable to cope with the situation without the use of troops.³⁶ In the midwest, the *Indianapolis News*, with a dateline Santa Fe, reported that the medicine men were working fifteen hundred Indians into a frenzy.³⁷

The contagion spread slowly through at least two governmental offices in Washington, resulting in a letter being sent from Lane to the Secretary of War requesting that "sufficiently large forces" be sent to New Mexico to avoid bloodshed. He advised the War Department that Major McLaughlin would remain in the vicinity to aid the troops. Lane also notified McLaughlin of his request for troops and told him to stay and advise and aid the military authorities.³⁸ Upon receipt of Lane's wire the Major replied that the troops should be sent via Gallup, and that he would await them either at Noel's Store or at another trading post run by Wilson.³⁹

Agent Shelton then contributed his share to the already confused Indian situation. He wired Cato Sells that the negotiations had taken a turn for the worse, that the Indians wouldn't surrender, and that one Navaho had gone back to the "outlaws." The matter had become so serious, Shelton noted, that some of the Indians were arming themselves for

35. L (November 18, 1913), p. 1.

36. LXIII (November 18, 1913), p. 10. Cf. *Ibid.*, (November 9, 1913), p. 5.

37. XLIV (November 18, 1913), p. 1.

38. Letter, Lane to Secretary of War [Lindley M. Garrison], November 18, 1913; telegram, Lane to McLaughlin, November 18, 1913.

39. Telegram, McLaughlin to Lane, November 18, 1913.

protection of their families and livestock.⁴⁰ Later the same day he again wired the Commissioner and informed Sells that he (Shelton) had ordered nearby sawmill employees to come into Farmington for protection, and for trader Wilson to close up his post and gather together residing whites and get them off the reservation. He said he hadn't taken any action to close down Noel's Store as he felt it might arouse suspicion among the outlaw Navahos. Shelton then asked permission to employ extra night guards to protect life and property. Sells promptly cabled back his authorization for the employment of extra guards.⁴¹

On November 19th it was announced from Washington that the War Department had ordered Brigadier-General Hugh L. Scott to proceed from Ft. Bliss to Gallup to aid in the discussions with the Navahos. General Scott was the Commanding Officer of the 2nd Cavalry Brigade, and had been at El Paso since April 30, 1913.⁴² At the same time official word was released to the effect that no troops would be released from the Mexican border, but instead the 12th Cavalry, in compliance with Special Order No. 113, Fort Robinson, November 19, 1913, would march to Nelson's Store, New Mexico.⁴³ The *New Mexican* reported that the Bliss orders had been "countermanded," when in reality there had never been any official word that troops would be sent

40. Telegram, Shelton to Commissioner of Indian Affairs, November 18, 1913.

41. Telegram, Shelton to Commissioner of Indian Affairs, November 18, 1913. In Sells' immediate answer to Shelton's request, the Commissioner granted the permission by wire, then ordered the Superintendent to "Submit request on regular form immediately." Telegram, Sells to Shelton, November 19, 1913; memorandum, Sells to Finance [Interior Department], November 20, 1913.

42. *New York Times*, LXIII (November 19, 1913), p. 1; *Albuquerque Morning Journal*, CXXXX (November 19, 1913), p. 1; *Santa Fe New Mexican*, L (November 19, 1913), p. 1; "Report of the Southern Department," *War Department Annual Reports* (1913), III, (Washington: Government Printing Office, 1914), p. 37; Hugh Lennox Scott, *Some Memories of a Soldier* (New York: The Century Company, 1928), p. 437. General Scott related that he was actually at Ft. Huachuca, Arizona, when he received his orders to go to Gallup and there meet the 12th Cavalry.

43. Richard G. Wood [Chief, Army Section, General Services Administration, National Archives and Records Service, Washington, D. C.] to D. B. McKibbin, October 12, 1953. Wood wrote: "A search of the records of the War Department in the National Archives show that Troops A, B, C, and D left Fort Robinson, Nebraska on November 19, 1913 in compliance with Special Order No. 113, Fort Robinson, November 19, 1913 and marched to Nelson's Store, N. M."

from the Mexican frontier.⁴⁴ The cavalry unit, composed of four troops, totaling well over three hundred enlisted men and officers,⁴⁵ departed from Ft. Robinson on the 19th, via the Chicago and Northwestern Railroad to Denver, where they were to change to the Santa Fe Railway as far as Gallup. It was estimated that the trip would take about seventy-two hours. Also noted, even though incorrect, was an item dealing with General Scott's proficiency with the Navaho language. All the news services picked up the idea that Scott was a linguist and that in his parleys with the Navahos he would be able to resort to direct negotiation and not be required to employ an interpreter.⁴⁶

Between the 19th of November when Scott and the 12th Cavalry were ordered to Gallup, and the 27th, which was Thanksgiving Day and the first time that Scott actually talked with the recalcitrant Navahos, both the Indians and the government forces slowly drew toward a showdown. Scott was expected to be in Gallup the 20th, but was still in Albuquerque the 21st. The troops encountered no difficulties, but did delay in Denver for one day to rest their mounts. In Albuquerque one car of the train broke down on the 23rd, and on the 24th the soldiers were still in town, although they left in time to detrain in Gallup the same day. Scott so in-

44. L (November 19, 1913), p. 1.

45. Estimates as to the true number of cavalymen involved in the pacification of the Navahos vary greatly depending upon the source. Wilken, *op. cit.*, fails to mention the unit composition of the troops; three New Mexican newspapers give two different totals (324 officers and men in two cases, and 380 in another); and a copy of the Interior Department's *Annual Report* (1913) from R. G. 75, Doc. #Ed.-Law & Order, 120395-13, FRA, dated July 11, 1914, states that one squadron of the 12th Cavalry was called. According to the *U. S. Statutes at Large*, the composition and breakdown of a cavalry regiment, squadron, and troop, was as follows. One squadron composed of four troops, was, according to the T. O. [Table of Organization], made up of two hundred and seventy-two officers and men. The other additions were possibly made up of auxiliaries from Quartermaster, Ordnance, and Veterinarians. *Santa Fe New Mexican*, L (November 19, 1913), p. 1; *El Eco del Norte* (Mora), VI (December 1, 1913), p. 3; *Albuquerque Morning Journal*, CXXXX (November 24, 1913), p. 8; and *U. S. Statutes at Large*, XXX (1899), ch. 352, sec. 2, p. 977. See also *Santa Fe New Mexican*, L (November 22, 1913), p. 1; *Albuquerque Morning Journal*, CXXXX (November 29, 1913), p. 6 for further details on officers of the 12th Cavalry Regiment, and *Albuquerque Morning Journal*, CXXXX (November 28, 1913), p. 1 for reference to an additional Troop "F."

46. *Santa Fe New Mexican*, L (November 19, 1913), p. 1; Wilken, *op. cit.*, p. 265; Scott, *op. cit.*, pp. 492-494, makes no mention of his talking Navaho. He wrote that he used Chee Dodge during the conference.

formed the War Department that the troops had arrived and were unloading in Gallup in the mud. He explained that the situation was still serious and promised to use "patience to utmost" to get them to surrender without bloodshed.⁴⁷

On Scott's arrival in Gallup, well ahead of the troops, he immediately set up headquarters in a local hotel, where he was soon contacted by numerous parties interested in localizing the incident. The superintendent of Ft. Wingate, Peter Paquette; Chee Dodge, prominent Indian mediator; and the two Franciscan friars from St. Michaels, Fathers Weber and Gottbrath, all spoke to the general of the importance of using tact and patience. They warned him of a possible outbreak of hostilities if the cavalry were used improperly, but General Scott on his part informed them that the troops would be employed merely to point out to the Navahos the intent of the government. Scott intended no trouble, but wanted the Indians who had refused to surrender to note that the government meant business. Scott was certain that once the Indians saw the seriousness of the problem that they would back down and surrender to the proper authorities.⁴⁸

Scott also asked that Chee Dodge, who was much respected by the Navahos, and Father Weber contact the Indians hiding out and ask them to meet with the general at Noel's Post. The two men agreed to do what they could to arrange a meeting.⁴⁹

The newspapers, usually a day behind the actual happenings, kept the public well informed of the government's part in the campaign. Father Weber, through his contacts with the Bureau of Catholic Indian Missions, and a member of the Board of Indian Commissioners, William Ketcham, prob-

47. Telegram, Scott to War Department (copy to Secretary of the Interior to Staffwar), November 24, 1913.

48. Wilken, *op. cit.*, pp. 263-264; Scott, relying on his memory, has noted that he spoke in Gallup to Weber and Chee Dodge, but fails to mention the others. Scott, *op. cit.*, pp. 488-489.

49. Scott, *op. cit.*, perhaps depending upon his memory, is extremely hazy about the details of getting the Navahos in for a conference. He failed to mention asking Weber and Chee Dodge to contact the Indians, but noted in an off-hand fashion that "A courier was sent out to the hostiles the next day for them to come in to the store for a conference." p. 491. Wilken, on the other hand, depending almost wholly on Weber's notes on the episode, gives, with some notable omissions, the best picture of the situation at the time.

ably presented the only picture of the Indian side of the matter. Ketcham, in turn, relayed his information to the Commissioner of Indian Affairs, Cato Sells.⁵⁰

However, the die had been cast as far as the government was concerned. The initial letter to U. S. Attorney Somers Burkhart from Shelton had released a chain of events that could not be stopped, even by a representative of the Roman Catholic Church. The machinery of the governmental agencies ground out the telegrams, orders, memorandums, and minutiae in such large quantities that the individuals caught in the vortex were powerless to resist. An error in judgment became technically a minor military campaign. The stage had been set for the seizure of the stubborn Indians either through persuasion, threat of force, or direct military action.

Newspaper coverage of the unfolding events may perhaps be portrayed by noting some of the lurid headlines. One New Mexican daily reported that . . . "Navajos to Fight; Renegade Chief Issues Defy to Envoys, . . . Be Sho She . . . Rejects Proposals . . . Agent W. T. Shelton makes final and unsuccessful effort to pacify infuriated Red men."⁵¹ Further down in the column, beneath the eye-catching upper case letters, was a small item describing in brief the action taken by Judge William Pope in the U. S. District Court in Santa Fe. The three Navahos who had surrendered to Shelton and Hudspeth had been taken to Santa Fe for trial. In an informal hearing the judge freed all three. The Indians claimed that they only had one wife apiece, and that they had been drawn into the disorder against their will, and in the case of two of the accused, they were not within two hundred yards of the incident when it took place. The three were sent back to the reservation with high praise for Judge Pope.⁵² This in complete contrast to the fury and intensity of the newspaper's banner headlines.

50. Wilken, *op. cit.*, p. 258 and p. 262. Father Weber, due to his close connection with the Navahos for over fifteen years, was the logical white man to be used as intermediary. Weber understood the Indians and they in turn viewed him with affection. Ketcham served a dual purpose: he was a member of the Board of Indian Commissioners, and was the Director of the Bureau of Catholic Indian Missions.

51. *Albuquerque Morning Journal*, CXXXX (November 20, 1913), p. 1.

52. *Ibid.*

The newspapers continued their happenstance policy of delusion, misinformation, and actual incorrect reporting. To be sure, they made it all sound interesting and exciting, but at no time did they indicate that the Indians themselves might have a reason for resisting the attentions of Superintendent Shelton. By the newspapers own words, the Navahos who had resisted proper authority were prejudged guilty as charged. One northern New Mexico weekly, *El Eco del Norte*, a little over a week behind the actual events, informed its subscribers . . . "Los Navajoes en su ultima danza en N. Mex." It then quoted Be-Sho-She, the chief who had resisted the government as saying "No nos rendiremos. Pelearemos." The announcement of Be-Sho-She's intention to fight, the newspaper said, was conveyed to the agency under a flag of truce.⁵³ These, and other similar accounts by the newspapers kept the people completely baffled as to what actually was taking place. In the majority of the cases there was no sense of civic responsibility, even though, albeit, the coverage was sensational and heart warming.

In one case the press even played up the "human interest" angle. The cavalry soldiers, as protectors of the frontier against the savage red men, were given the typical attention soldiers always receive in times of stress. One Albuquerque paper wrote that, "Soldiers equipped by experience in pictures, men relied on to Dislodge Navajos from Beautiful Mt. have seen active service with the Movies." Troops of the 12th Cavalry, it announced,

... had spent the past month at Pine Ridge, South Dakota, reproducing for the motion pictures some of the famous Indian battles of the early days under the supervision of Col. William F. Cody (Buffalo Bill). In the course of taking these pictures the soldiers were instructed by the chief of the Sioux as to the best way to 'get' an Indian in battle, and it is expected that this experience will be valuable to them in the campaign which they have before them.⁵⁴

53. *El Eco del Norte* (Mora), VI (December 1, 1913), p. 3. Cf. *Ibid.*, November 24, 1913, p. 1. Translated freely, the Spanish reads: "The Navahos [are] in their last dance." "We will not surrender ourselves. We will fight."

54. *Albuquerque Morning Journal*, CXXXX (November 29, 1913) p. 6. Unknown to the press at the time, and a point that would have drawn extreme adverse pub-

But back at Gallup, with the unseasonal fifteen day deluge of rain, the maneuvering continued toward its conclusion. On the 25th of November Weber, Chee Dodge, Beshlagai, Charlie Mitchel, and Father Norbert Gottbrath were to leave for the Indian camp to arrange a meeting with General Scott for Wednesday night (the 26th) at Noel's Store.⁵⁵

According to Wilken, the entire party did not try to reach the Indians, but most of them remained at Ft. Defiance, with only Weber, Father Norbert Gottbrath, and Chee Dodge making the horseback trip across the Chuska range and back to Noel's Store, arriving there late Wednesday.⁵⁶ While the general and his party were on the way to Noel's Store to await the Indians, Shelton with his entire police force intercepted this group, and requested that an immediate attack be made on the Indian camp.

Again, depending upon Wilken's use of Father Weber's notes, it was reported that General Scott refused, "and even forbade Shelton or his police to accompany him to the store."⁵⁷ Once at Noel's Store, Indians of the same clan as the leader of the hiding Navahos were sent out requesting the Navahos to meet with General Scott at the trading post. They had already spoken with Major James McLaughlin and Father

licity from citizens in the southwest, was the official record on the 12th Cavalry from the AGO. According to the *War Department Annual Report* (1913), the 12th Cavalry Regiment had the second highest percentage of all desertions in regiments of the United States Army, and the highest for a cavalry unit. This was perhaps caused by boredom, interior guard duty under adverse conditions, poor morale because of inaction when other units were on the Mexican border, or general inefficiency of officer personnel. "Report of the Adjutant General," *War Department Annual Report* (1913), I, (Washington: Government Printing Office, 1914), p. 161.

55. Telegram, Weber to Charles H. Lusk, November 25, 1913. Charles H. Lusk was secretary to William H. Ketcham, Director of the Bureau of Catholic Indian Missions.

56. Wilken, *op. cit.*, p. 264.

57. *Ibid.* Wilken refers to Weber's Beautiful Mountain Journal for January, 1914, as well as conversations held between Frank Walker and Weber on details not witnessed by the Franciscan friar. Walker was General Scott's official interpreter. In Shelton's "Report on Indian Trouble," to the Commissioner of Indian Affairs, he noted that he met Scott with seven Indian policemen and five older school boys to be used as interpreters. The Superintendent makes no mention of Scott's refusal to permit him to accompany him further. W. T. Shelton, "Report on Indian Trouble," dated San Juan School, Shiprock, New Mexico, December 15, 1913, p. 13; Scott, *op. cit.*, pp. 490-491, makes no mention of forbidding Shelton and Major McLaughlin from going with him to meet the Indians. Scott did write that he would not go after the Indians with soldiers, but wanted to talk first.

Weber, but it was hoped that Scott might be more persuasive in inducing them to give themselves up. Moreover, the troops were plodding steadily through the mud toward the Indian hideout.⁵⁸ The Navahos had everything to win, and even if they lost they hoped that some sort of a compromise might save them a long-term imprisonment. They had had ample precedent to note how Shelton would react. In the Byalille troubles of October, 1907, Shelton had demanded ten years for the arrested Indians. If he had his way, or were permitted in the conference, then the Navaho chances for justice were nullified. However, Scott had promised that he alone would deal with the Indians. Obviously believing the words of Chee Dodge and Father Weber, the Navahos decided to come in and see what the army officer had to offer.

On Thanksgiving morning there were between seventy-five and a hundred armed Navahos milling around the trading post. They had come, not to fight, as their armed appearance might have indicated, but to offer themselves as substitutes in case the accused Indians did not show up for the meeting. The assembled Navahos had no desire to have the armed soldiers wage a battle against any Indians.

In the afternoon, indicating that they felt that a meeting could be very worthwhile to them, all but two of the accused Navahos came to Noel's Store. Be-Sho-She had brought his wife and two daughters, as well as four other Indians, but told the waiting general, through the interpreter, Frank Walker, that the other two had been hunting in the mountains and they had been unable to notify them in time. General Scott, the host for the conference, served the chief and his followers mutton. The entire group ate their fill in typical Thanksgiving over-abundance, then inside of the store began to talk. During the actual conference, Chee Dodge acted as Scott's interpreter.⁵⁹

58. *Albuquerque Morning Journal*, CXXXX (November 28, 1913), p. 1.

59. Wilken, *op. cit.*, pp. 265-266. This account gives the best description of the issues discussed, far over-shadowing the meager summation in the newspapers or, for that matter, the concise results as reported in the official communications. Scott, *op. cit.*, pp. 492-494, does indicate that he felt that the seventy-five armed Navahos in and outside Noel's Store were actually on the hostiles' side of the argument. On this point he differs from Wilken.

The talks began late Thursday afternoon with Chee Dodge, with his unusual oratorical abilities, explaining the general's points to the Navahos. He told them that in no case were they to take the law into their own hands, and even though Superintendent Shelton might be in the wrong, they still had to abide by the laws of the United States. They had ignored Shelton and his choice that they should go to court, and the general explained firmly that he had been sent with the soldiers to make certain that they would go to the court in Santa Fe. He regretted that he might have to use the troops, as they would never be able to distinguish one Indian from another, and would not be able to discriminate between men and women from a distance. The general was very much concerned that further resistance would result in bloodshed, which he hoped to avoid. Chief Be-Sho-She was convinced, and that evening talked to Chee Dodge, but insisted that his son was extremely stubborn. Chee Dodge then spoke to the son and convinced him that further resistance would result in hostilities and, after much talk, the son agreed. With the two most fervent opponents convinced, the other men agreed to surrender and arrangements were made that Thanksgiving night for a final council on Friday afternoon.

On the next afternoon, with all convinced of the folly to resist further, the Navahos involved in the matter shook the general's hand, which indicated to the assembled Navahos outside the store that the conference had resulted in a peaceful solution to the problem at hand. To the waiting Indians outside it seemed a victory and they were overjoyed and congratulated Scott, Weber, Chee Dodge, and the surrendering Navahos.⁶⁰

The terms of the surrender of the Navahos were as unanimous as Scott could permit. He allowed them to return to the mountains to get their affairs in order and to find and bring in the two others who had been hunting. Late

60. *Ibid.*; Scott, *op. cit.*, seems to have taken the surrender as a matter of course. He does say (p. 494) that he rode the entire ninety miles from Noël's Store back to Gallup holding a blanket around the shoulders of Be-Sho-She, who he was afraid would catch pneumonia.

in the afternoon Scott notified the War Department that the fracas had ended and peace had been restored.⁶¹ Scott and his party then waited at Noel's Store for the Indians.

On Sunday the Navahos returned and officially surrendered to General Scott. They exacted promises from Chee Dodge and Father Weber to accompany them to Santa Fe, and according to Scott and Shelton apologized to the Superintendent of the Shiprock Agency. Wilken, in his excellent summary of the conference, has by omission failed to record the apology. Scott, in a letter to Cato Sells said that the Indians never would have given up without the troops being present. In this letter he mentions that all the accused apologized to McLaughlin and Shelton for their conduct. He ended his letter by stating that the threat to the San Juan Valley had disappeared.⁶²

The announcement in Washington of the surrender of the Indians concluded the news blackout that had existed during the conference at Noel's Store. New Mexican newspapers went back to their inaccurate reporting of the event, even going so far in one case as having the Navahos surrender to Shelton at Toadlena trading post.⁶³ Thursday and Friday while the meeting was taking place the press had contented themselves with small statements to the effect that Scott was treating with the Navahos. Two newspapers told inaccurately of Scott's trip on horseback to the top of Beautiful Mountain where he conferred with the outlaws.⁶⁴ The *Santa Fe New Mexican* reported that all but two had surrendered and that the soldiers were searching the mountains for the remaining two.⁶⁵ One other inconsistency was the failure to report the actual number of Navahos who initially came to

61. Memorandum, Scott to Adjutant General's Office, War Department, November 28, 1913. This was sent in the form of a telegram and was delivered at 09:20 a.m., Saturday morning in Washington. The official announcement was given out to the press soon after. Cf. Telegram, Breckenridge [Acting Secretary of War] to Secretary of Interior Lane, November 29, 1913.

62. Letter, Scott to Sells, December 2, 1913, pp. 1-2; Shelton, "Report on Indian Trouble," December 15, 1913, p. 14; Scott, in his *Some Memories of a Soldier*, mentions nothing about the apology.

63. *Albuquerque Morning Journal*, CXXXX (November 29, 1913), p. 1.

64. *New York Times*, LXIII (November 28, 1913), p. 1; *Albuquerque Morning Journal*, CXXXX (November 29, 1913), p. 1.

65. L (November 29, 1913), p. 1.

Noel's Store to talk with the general. Some newspapers gave varying numbers, listing six one time and seven in a later edition. All press releases did agree that two were out hunting, but the accuracy of their statements throughout the coverage of the episode left much room for improvement.

Monday morning, the 1st of December, Scott and his prisoners began the trek back toward Gallup, where the prisoners would be placed on a train bound for Santa Fe. After embracing General Scott the Navahos were placed in an army ambulance, a horse-drawn wagon, and driven to the station in Gallup. The troops packed up their field equipment and gradually, in easy stages, were transported to El Paso for assignment with the Border Patrol.⁶⁶

Enroute by Train #19 the captives were viewed in Albuquerque and reported as "sullen and quiet,"⁶⁷ but once in Santa Fe they did not suffer a long confinement prior to appearing in court. On Wednesday, December 3rd, Federal Judge William H. Pope opened hearings in the U. S. District Court. General Scott had sent a report addressed to the judge, and Chee Dodge and Father Weber were employed as witnesses for the Navahos. Francis C. Wilson had been appointed by the court as Special Indian Attorney to protect and advise the Indians as to their rights in court. Scott's report recommended clemency, and Chee Dodge and Father Weber pleaded to Judge Pope that the Navahos did not understand the laws as applied to them, nor did they appreciate the penalties under the law if they disobeyed. Special Indian Attorney Wilson stated that Shelton's Indian policemen had misrepresented the seriousness of the case and urged that the judge take into consideration the total misunderstanding between the Navahos and the laws of the United States.⁶⁸ He also brought out the point that the

66. *Albuquerque Morning Journal*, CXXXX (December 3, 1913), p. 3; *Ibid.*, (December 4, 1913), p. 3; Shelton, "Report on Indian Trouble," *op. cit.*, p. 14; Wilken, *op. cit.*, pp. 266-267.

67. *Albuquerque Morning Journal*, CXXXX (December 4, 1913), p. 8.

68. Wilken, *op. cit.*, p. 267; *Albuquerque Morning Journal*, CXXXX (December 5, 1913), p. 6. Scott, *op. cit.*, p. 494, noted: "I sent a letter to the judge by Father Weber, saying he would probably find the four Navahos had been as much sinned against as sinning, if not more so;" and to sentence them, if Judge Pope had to, to the jail in Gallup. In 1916, Scott asked Be-Sho-She to serve him as his mediator and

inflammatory publicity accorded the incident had been magnified quite beyond its actual purported danger.

The next morning when court was called into session, with the room filled to overflowing with interested participants, Pope scolded the Navahos in a fatherly manner and passed judgment on the eight subdued prisoners.

By their very leniency the sentences imposed on the "infuriated Redmen" were anti-climactic. Be-Sho-She and one other received thirty days, five stood up and heard the scholarly jurist give them ten days, and one Indian was freed outright. The eight Navahos, the Judge intoned, were to serve their terms in the Gallup jail, near to their homes and relatives.⁶⁹ After sentencing, the joyful Navahos personally thanked the judge and promised to obey the laws. They were remanded to Deputy Marshal Baca, and together with Chee Dodge and Father Weber, embarked on Santa Fe Train #7 for Gallup. There they were confined for the period of their sentences, causing no trouble whatsoever. The "revolt" had been quashed and the "guilty" sentenced, but the snowball that had gradually gathered force throughout the previous weeks would not stop rolling.

Although the newspapers had prejudged the Navahos long before they were willing to surrender, and had labeled them "savages," "rebels," "renegades," and other highly uncomplimentary terms, certain persons were not through with the episode. Citizens of Gallup wanted Ft. Wingate re-garrisoned. They admitted their delight that the troops had been called from Ft. Robinson, Nebraska, but insisted that the

go-between in the disturbance of the Paiutes in Utah. Be-Sho-She, despite his age and the distance involved, trusted Scott sufficiently to do his bidding. Scott, *op. cit.*, p. 534.

69. This is but another example of the confused reporting on the case. Wilken, quoting from the *Albuquerque Morning Journal*, CXXXX (December 5, 1913), p. 6, and using the newspaper's figures for the term of sentence for the Navahos in the Gallup jail, has stated that "... Jail sentences ranged from ten to thirty days detention," when the press actually reported the figure as *fifteen* days for five Indians, thirty for two, and one freed. Wilken, *op. cit.*, p. 267. In a telegram, located in R. G. 75, National Archives, Weber to W. H. Ketcham, sent from Santa Fe on December 4, 1913, Weber reported the results of the trial: one freed, two received thirty days Gallup jail, and five sentenced to ten days. Shelton results, about which he was also very much concerned, corresponded with the numbers of Weber; Tom Dale released, two sentenced to thirty days, and five to ten days. Wilken has erred in the figure of his source, but has actually given the correct number.

dispatch of soldiers from one area of the country to another was too slow a process. In case of a future disorder the Indians could raid and run and be gone before any military forces could take the field against them. Armed with the righteousness of a just cause they circulated petitions throughout Gallup requesting the re-establishment of Ft. Wingate by the War Department.⁷⁰ The petition was turned down by the Washington authorities.

In the nation's capital there was unfinished business in the Office of Indian Affairs. Cato Sells, or his secretary, had had numerous offers from well-intended personages who were willing to function as mediators in the Navaho disorders. They all professed great knowledge of the American Indian, having served in North Dakota, the Hudson Bay region of Canada, or in the Pacific Northwest. The Commissioner wrote them polite regrets that their services would not be required, and thanked them formally for their patriotic interest in the matter.⁷¹

There was also the responsibility of the Department of the Interior to properly thank those officials involved in subduing the Navahos. There were inter-office and inter-departmental memoranda that when scanned in bulk seemed like a mutual admiration society. Each official thanked every other official, regardless of rank or the part played in the closing of the campaign.⁷²

With congratulations being offered it would have been quite expected to find one addressed to Father Weber and Chee Dodge, who did quite as much in getting the Navahos

70. *Albuquerque Morning Journal*, CXXXX (December 1, 1913) p. 4. After March 19, 1913, Fort Wingate had not been occupied by military personnel. One caretaker was employed to turn away vandals and to keep the buildings in good repair. "Report of the Southern Department," *War Department Annual Report* (1913), III, (Washington: Government Printing Office, 1914), p. 58.

71. Letter, Sidney B. Wood to Commissioner of Indian Affairs, November 19, 1913; letter, Sells to Wood, New York City, November 24, 1913; letter F. H. M. V. Allierleppleby to Commissioner of Indian Affairs, November 20, 1913; letter, Sells to Allierleppleby, Tacoma, Washington, December 5, 1913.

72. Telegram, Sells to Scott, December 2, 1913; telegram, Sells to McLaughlin, December 6, 1913; Shelton, "Report on Indian Trouble," December 15, 1913, p. 19; *Albuquerque Morning Journal*, CXXXX (December 4, 1913), p. 8; letter, Woodrow Wilson to Scott, December 16, 1913, -Scott, *op-cit.*, p. 633.

to the council with General Scott as any other two men. There appears to be, however, no official recognition for their services, and, according to Wilken, who concentrated on the activities of Father Weber, none was offered. It is known that the Indians themselves offered their thanks to the Franciscan and to Chee Dodge. It is certain that General Scott and Major McLaughlin felt extreme gratitude for Weber's services, but strangely enough, there are no telegrams or letters from the Department of Interior, Bureau of Indian Affairs, attesting to his participation in the conclusion of the fiasco. In the Interior Department's *Annual Report*, in the section devoted to San Juan, there is but brief mention of the incident. The story was condensed to the use of forces under Brigadier-General Scott, who persuaded the Navahos to surrender, conveyed them for trial to Santa Fe, and concluded the orders successfully by the avoidance of bloodshed.⁷³ According to Wilken, William Ketcham was very upset when no official credit was given Father Weber for the active part played by the Franciscan in the trouble. He was further miffed when a nominal claim was submitted to the government for expenses incurred while traveling for the Indian Service,⁷⁴ and the funds were not made available until ten months after the episode had been concluded.

Both Fathers Ketcham and Weber should have been close enough in dealing with governmental officials to understand the extreme caution and exceptional slowness in the processing of a financial claim against the government, even though authorized. Channelizing claim #255892 through the various agencies, with all the *proper* endorsements, called for patience and an understanding of the bureaucratic procedures so dear to all members of a huge government agency. In the case of Weber's claim, the original forms were *not* properly executed. There is a memorandum from the Treasury Department, dated August 6, 1914, that Weber's claim wasn't certified by an Indian agent. The Department of the Treas-

73. *Annual Report* (1913), from R. G. 75, Doc. #Ed.-Law & Order, 120395-13, FRA, dated July 11, 1914, pp. 1-2.

74. Wilken, *op. cit.*, p. 268.

ury therefore needed further details (from the Department of the Interior) before going ahead with the matter.⁷⁵

This Treasury Department memorandum was duly processed through the proper channels until it finally came to the attention of the Commissioner of Indian Affairs, Cato Sells. In a memorandum to the Auditor for the Interior Department he reviewed Weber's claim #255892 and expressed the official opinion that the claim should be paid by the government. In neither the Treasury Department's memo to Sells nor Sells' official approval of the claim is there any mention of the sum. The actual figure is supplied by Father Wilken as totaling \$46.20, "which covered only the expenses for the first trip to Beautiful Mountain."⁷⁶ A point to be noted, which obviously was not considered by the unworldly Father Weber, and should have been attended to by the member of the Board of Indian Commissioners, and Director of the Bureau of Catholic Indian Missions, Father William Ketcham, a claim should have been submitted for the entire amount. Father Ketcham should have been sufficiently wise due to his one connection with a governmental agency to understand such procedures. Yet Wilken petulantly criticizes the niggardly response of the United States Government to the great services contributed by Father Anselm Weber.⁷⁷

The position of Superintendent Shelton as a key figure in the Indian disorder was extremely controversial. The Farmington *Enterprise* was against the agent, as were certain other individuals. There is one testimonial in the form of a letter from Howard and Eva Antes, written to Miss Floretta C. Manual, from the Navaho Faith Mission at Aneth, Utah. Howard Antes berates Shelton for causing him to be driven away from his home on the reservation. An accusation, backed up he said by Acting Commissioner of Indian Affairs, F. H. Abbott, was for "trespassing," and in Mr. Abbott's judgment "a detriment to the peace and welfare of the Indians." Antes, he admitted himself, did not have a

75. Memorandum, Treasury Department to Commissioner of Indian Affairs, August 6, 1914.

76. Memorandum, Sells to the Auditor for the Interior Department, August 29, 1914, p. 12; Wilken, *op. cit.*, p. 268.

77. Wilken, *op. cit.*, p. 268.

permit to buy sheep, and was haled into Federal Court in Salt Lake City to answer the charges. Shelton didn't appear as a witness, so the trial was postponed. Antes also charged Shelton with brutal treatment of the Indians, and said he had heard that he beat the Indian boys and girls. He was also very much concerned about a small Indian boy that he had taken into his home, without, he concurred, proper adoption papers. Shelton caused him to leave the boy on the reservation, causing Antes and his wife great mental anguish. Antes did mention, but only in passing, that Shelton's policemen had carried off three polygamous wives and that the Indians had rescued them.⁷⁸

Flora Warren Seymour, in describing Major McLaughlin's brief tour of duty in New Mexico, notes rather briefly that ". . . a Navajo agent, overly zealous in the suppression of polygamy, got into some trouble with his charges."⁷⁹ This statement does not presuppose that the author knew or understood the exact details of the case in question, but does give the general impression, found in other secondary works, that Shelton failed to use good judgment.

On the other hand, there is other "proof" that Shelton's over-all actions as Superintendent of the Shiprock Agency were not viewed with alarm. The Indian Rights Association stated that "Mr. Shelton's success at Shiprock is a matter of pride to all the superintendents in that section of the country, . . . for he has the gifts of comradeship as well as dauntless courage and great ability."⁸⁰ This praise was given to Shelton following the conclusion of the troubles at Shiprock, and in spite of the fact that in 1907 the Indian Rights Association had opposed Shelton's participation in the Bya-lille affair.

78. Letter, Howard R. and Eva S. Antes to Miss Floretta S. Manaul, Navaho Faith Mission, Aneth, Utah, October 14, 1913, pp. 1-6. Antes, as previously noted, had accused Shelton in 1907, but retracted his charges. Cf. *Report on Employment of United States soldiers in arresting By-a-lille and other Navajo Indians*, op. cit., p. 4. The previous trouble between Antes and Shelton may account for the obvious dislike felt for Shelton and expressed in the letter to Miss Manaul.

79. Flora Warren Seymour, *Indian Agents of the Old Frontier* (New York: D. Appleton-Century Co., 1941), p. 316. Cf. Clyde Kluckhohn and Dorothea Leighton, *The Navajo* (Cambridge: Harvard University Press, 1947), p. 101.

80. *The Thirty-first Annual Report of the Executive Committee of the Indian Rights Association, for the Year Ending Dec. 10, 1913*. (Philadelphia: Office of the Indian Rights Association, 1914), p. 15.

The *Dictionary of American Biography* gives Secretary of the Interior Lane a clean bill of health, which might permit one to draw the conclusion that the Office of Indian Affairs was operating in a sane and humane manner. The writer stated that "the objective of his (Lane's) Indian Policy was the release of every Indian from the guardianship of the government as soon as he gave evidence of his ability to care for his own affairs." There was also the comment that Lane had firsthand information on Indian affairs as he himself visited many of the reservations.⁸¹

Eleven days after Judge Pope sentenced the seven Navahos in Santa Fe to the Gallup jail, Superintendent Shelton submitted his own report to the Commissioner of Indian Affairs. It was dated San Juan School, Shiprock, New Mexico, December 15, 1913. It ran a full nineteen typewritten pages and from his point of view gave ample justification for the attitude and actions taken by him in reducing the Indians to proper authority. In contrast to snap judgments, or indications that he was overly concerned about polygamy among his charges, Shelton wrote that instead of forcing the Indians to give up all wives but one, he had permitted those that had more than one wife to keep them, but no Navahos were to take additional ones.⁸²

The agent went into the history of the agency, and explained to a commissioner who should have been aware of the conditions, that in 1903 he found many Indians living with two, three and even four wives. They often married widows, then took over the widow's daughters. In case of outright assaults or rape the Indian family to whom the guilty was related then took up a collection of livestock or gifts, and paid off the injured girl's family.⁸³

On page three Shelton wrote that he found the agency

81. Oliver McKee, Jr., "Franklin Knight Lane," *Dictionary of American Biography* (21 vols. New York: Charles Scribners' Sons, 1928-1944), X (1933), p. 573.

82. Shelton, "Report on Indian Trouble," *op. cit.*, p. 2.

83. *Ibid.* It was interference on the part of Superintendent Reuben Perry of the Ft. Defiance Agency that ultimately resulted in the sentencing of seven Navahos to serve from one to two years at hard labor in the federal prison at Alcatraz. Later removed to Ft. Huachuca, Arizona, because of ill-health, they were pardoned. The "trial" of the Indians was conducted by Perry and the sentence was approved by the Secretary of the Interior, James Rudolph Garfield.

rife with bootlegging, whiskey and gambling in every trading post and in the hogans. He claimed that he had taken over two bushels of cards away from the Navahos in two years time. The report went on in the theme of righteous indignation. He related the punishments for drunkenness, and gradually worked into the difficulties he had had with certain Navahos. One of them, Be-sho-she, was opposed to dipping his sheep and ran counter to Shelton in sending his children to the agency school, to which, Shelton claimed, he did not object. Pages seven and eight of the report deal with the actual incident at the agency when the eleven Navahos came and retrieved the three Indian wives. Pages nine to fourteen describe the action taken by Shelton and others to induce the accused Navahos to surrender to proper authority.

It is, however, the last five pages of the report that indicate the actual distaste Shelton felt for the whole affair. He was frankly disgusted with the way the trial had turned out, and equally outspoken in regard to the earlier three who had first surrendered. All of them, he claimed, were or should have been under indictment for horse stealing or other crimes. Shelton described, almost in anguish, how several of the Navahos were let off in Santa Fe without any witnesses being called on other charges. He mentioned two Indians, who had been among the original three discharged in Santa Fe, as being involved in horse stealing and rape. These two, and none of the others, were never brought to court for their crimes, although he insisted there were sufficient witnesses to prosecute. Shelton thought that the publicized trial in Santa Fe was no trial at all, and nothing but a farce. He felt strongly that the agent's authority would suffer, and that conditions would be worse, not better.⁸⁴

The Superintendent again made a request that the number of Navaho policemen be reduced from twelve to eight, but that he be permitted to choose the very best eight for employment. The initial request had been filed August 17, 1911, but at that time the request had been denied. He also

84. Shelton, "Report on Indian Trouble," *op. cit.*, pp. 14-19.

asked that the eight, if the permission was granted, be permitted higher salaries.⁸⁵

Shelton concluded his report by praising Major James McLaughlin and suggesting that the commissioner discuss the report with McLaughlin. He stated that he had always done the best he could for the Indians, but that he needed the support of the Office.⁸⁶ What he intended to write, but was unable to do so, was to say that he needed *more* support and backing.

Interesting, but perhaps not conclusive, are several trends that make themselves known through the letters, telegrams, newspapers, memoranda and other materials relative to the abortive Navaho revolt. Once the incident of the freeing of the wives had taken place, and Shelton had called for aid through representatives of the United States Department of Justice in Santa Fe, the events that followed were beyond recall. Shelton, to all effects, may in all certainty be charged as lacking in good judgment, but when one considers the righteous nature of the agent it is not (when viewed in retrospect) unforeseen that he should have acted as he did. This may account for his hasty action in the case of the Navahos abusing the authority of Shelton's Indian police. It may also have been the tiny straw that broke the camel's back, in the latter case, Shelton's. Although the pressures may have caused him to call for total submission of the accused Navahos, they do not excuse the means employed.

Also noted is the devious presentation of the government's case against the accused. Except for Father Anselm Weber, who indirectly through the Bureau of Catholic Indian Missions in Washington tried to give a different picture of the crisis, there was no publisher who sought out the Indian side. Wire service to the newspapers came from localities that received their information, limited as it may have been, from representatives of the government.

The original information, whether distorted at the source, was, when printed in the newspapers, almost totally inaccurate. It is doubtful that one could go through each

85. *Ibid.*, p. 18.

86. *Ibid.*, p. 19.

individual case where the newspapers falsified the facts and accuse them of actual intent, but the results of the printing of lurid, inciting, and one-sided reporting served the same purpose. Confusion worst confounded was the order of the day, and this inaccuracy of detail regarding the 1913 "rebellion" has persisted to the present day. In a short article published in 1935, one magazine gave its version of the episode. Entitled "Indian Rebellion," with italics by the present author to indicate the major errors of fact, the article reads as follows:

The last organized Indian rebellion occurred in *November, 1913*, in the Beautiful Mountain country of the Navajo reservation. Conditions got so bad that the government ordered the late General Hugh L. Scott to Beautiful Mountain with a *regiment from Fort Bliss*. All efforts to arrest the ring leaders had been unsuccessful, and *1,000 tribesmen defied the officers to come and get them*.

General Scott prosecuted his campaign with subtle strategy. He asked for a pow-wow, and arranged to have it located within sight of the great military field camp. The general was exceedingly friendly and *left the purpose of his visit for later discussion*.

Finally succumbing to the general's hospitality the *chiefs became interested in the equipment, especially the field cannon. That was all the general needed. He offered to give them a demonstration and even allowed the head men to pick out the targets,—and the crack marksmen did the rest.*

The demonstration was so convincing that when the general finally got around to the subject of their giving up the fugitives who were wanted by the government they agreed and signed a new treaty of peace.

Among the leaders of the rebellion who were arrested was a *100-year old leader who had been through many wars, Be-Sho-She.*⁸⁷

87. "Indian Rebellion," *New Mexico*, XIII (February 1935), p. 51.

THE MORMON COLONIES IN CHIHUAHUA AFTER THE 1912 EXODUS

By ELIZABETH H. MILLS

(Concluded)

The Colonies and the Punitive Expedition

From 1912 until the arrival of the United States troops in Colonia Dublán in March, 1916, the Mormon colonists had been subjected to the demands and requisitions of revolutionary bands and Red Flaggers who frequented the region, for the settlements of the thrifty Mormons were a convenient source of supply. There was no established government in the region to which the colonists could appeal for justice or protection. The country was controlled by changing revolutionary leaders to whom taxes were paid and upon whom the Mormons had to rely for a doubtful protection. Thus the presence of the United States troops promised a peace and security unknown in the colonies since the days of Díaz.

On March 15, 1916, when Pershing and his troops crossed the border into Mexico south of Columbus, New Mexico, in pursuit of Villa, several Mormons who had lived in the Mexican colonies were acting as guides.¹ At Pershing's request Mr. P. H. Hurst, the Mormon Bishop in El Paso, had recommended as scouts seven Mormons who knew northern Mexico and were familiar with the Mexican people and the Spanish language. Two of these men, Lemuel Spillsbury and Dave Brown, were later cited for their ability and bravery in their service with the American Punitive Expedition.

On his arrival at Dublán on March 18, Pershing was greeted by Bishop Call, who presented him with eggs, cheese and ham from the Mormon farms to supplement the army rations; and together they called on the commander of the Carranza garrison at Nuevo Casas Grandes. Joseph C. Bentley, president of the Mormon colonies, expressed to Pershing the gratitude of the Mormon colonists as well as that of

1. *New York Times*, March 16, 1916.

Joseph F. Smith, president of the Mormon Church in Salt Lake City. However, when Pershing asked for more Mormon scouts to guide his columns, Bishop Call at first hesitated, fearing that the Mexicans might resent such action, but the pressing need of scouts who knew the country and who spoke Spanish overcame his objections.²

The camp of the United States Punitive Expedition, situated on both sides of the Casas Grandes River just north of Colonia Dublán, became the permanent base for the ten thousand troops³ sent into Mexico to capture Villa. The tents of the soldiers, which were easily blown down by the wind storms of the region, were soon replaced by brush houses or by cooler and more substantial huts made of adobe brick which the Mormons made and sold to the troops. Food and merchandise were sold to the soldiers and Mormons secured licenses to set up stores within the camp. There was a period of prosperity in the colonies, for the Mormons were well paid for their produce. Although liquor was sold to the soldiers, there were no Mormons connected with the traffic. In fact the Mormons were shocked at the behavior of the American troops over whose morals little control was exercised in the first weeks. Conditions improved, however, when a section was set aside for camp followers and medical inspections were required.⁴ Bishop Call expressed the anxiety of the Mormons over the behavior of the American troops when he said:

We who expect to remain in Mexico after the troops are out are watching this movement and its results. If the American troops leave a good impression on the minds of the Mexicans, we can remain with safety after the soldiers go. We are watching for what we hope they will not do with almost as much interest as things they are accomplishing.

We hope for example that they will not laugh at the Mexicans whom they may see. If they laugh at the Mexicans, especially the Mexican soldiers, we Americans who remain in Mexico will sooner or later in some manner pay for this injury to national pride.

2. R. J. Reed, *The Mormons in Chihuahua*, pp. 25-30.

3. *War Department Annual Report*, 1916, Vol. I, p. 31.

4. Reed, *op. cit.*, pp. 31-33.

Some of the Mexican soldiers are small boys. I know of one from here who was only 11 years old. Sometimes these boys do not cut a very good military figure on account of their youth and bare feet. But they do not like to be laughed at by American soldiers, and their commanders object to having fun poked at their men. If the American troops going through Mexico treat the Mexicans with consideration in the small things the first big step will have been made toward establishing cordial relations between the Mexicans and Americans. Without this care for little things our expedition runs the risk of not accomplishing much.

The army officers are trying to get the soldiers to show the Mexicans the consideration which will go so far toward establishing friendly relations in this country. The Americans must also pay their way as they go, which they are doing. An army which pays as it goes will make a deep impression for good on this country. The Mexicans have been accustomed to receiving payment in depreciated money, sometimes no payment at all. When they are paid in American dollars and when they discover the value of such money, they are bound to wish for American money to come back into their country after the army leaves, and that will furnish the American commercial opportunity.

Business men can come into this country after the troops are out if they have left a good impression, as they are trying to do, and will be welcome. The Mexicans will try to seek that market which pays them in the same dollar they received from the American army.⁵

The Mormons of *Dublán* and *Juárez*, besides selling their limited produce, found employment with the United States Army, for there was much construction work to be done in establishing the camp while the soldiers were occupied with their training. In addition to the Mormons who were living in the colonies, many who had left in 1912 and were living near the border in New Mexico, Arizona and Texas returned to the colonies to work for the army. Others who returned to the colonies at this time were engaged in repair work on the houses and buildings in the Mormon settlements, for rumors that the United States might take over northern Mexico brought renewed interest in the fu-

5. *The New York Times*, March 26, 1916.

ture of the Mormon colonies.⁶ As the Carranza government refused to allow the United States army to use the Mexican Northwestern Railroad to ship supplies,⁷ all food and equipment for the expeditionary forces had to be trucked into Dublán from Columbus, New Mexico, over more than one hundred miles of rough, sandy road which required constant repair to keep it in condition. In places the road was six feet below the level of the surrounding country, where it had been cut deeper as chuck holes developed, but north of Dublán several miles of the road was improved with a caliche surfacing. Over the washes were constructed wooden bridges which the Mexicans tore out for firewood after the United States troops left.⁸ Although the United States army was not officially allowed to use the Mexican Northwestern Railroad, Carranza suggested that supplies be shipped to civilian consignees for the army.⁹ Acting as consignees for the United States troops was a profitable business for the Mormon merchants who took advantage of the opportunity.¹⁰ Warehouses were erected to store supplies for the army, corrals were constructed for the horses of the cavalry, and even a bull ring was built for the recreation of the American soldiers, who, however, were not enthusiastic about the sport. In all these construction, trucking and road building activities the Mormon men were employed while their families attended to the farming.¹¹

As the United States troops penetrated farther south in pursuit of Villa, the hostility of the Mexicans of both the Villa and the Carranza factions became more pronounced. There were clashes between the United States troops and the Mexicans, in which casualties on both sides were re-

6. Statement by Mr. E. Abegg, personal interview, June, 1950 (at Tucson) and *Tucson Citizen*, Dec. 24, 1915, Jan. 26, 1916.

7. *Foreign Relations*, 1916, p. 512. Some use of the railroad was made when the United States troops first moved from Colonia Dublán, Major E. L. N. Glass, ed., *1866—History of the 10th Cavalry—1916*, p. 70 (Tucson, Arizona: Acme Printing Co., 1931).

8. Statement by Mr. Eli Abegg, personal interview, June, 1950.

9. *Foreign Relations*, 1916, pp. 503-4.

10. Statement by Mr. Eli Abegg, personal interview, June, 1950.

11. Reed, *op. cit.*, pp. 31-32.

ported, while the Carranza government requested the withdrawal of American troops.¹² In April United States troops were fired upon at Parral, and a few days later the column led by Major Howze, for whom Dave Brown, a Mormon, acted as scout and interpreter, was warned not to enter the town as anti-American feeling was strong.¹³ In June a Negro soldier of the United States forces at Dublán was captured and held prisoner for several hours by the Carranza garrison at Casas Grandes until Pershing threatened to attack the town if the prisoner were not released.¹⁴ While Carranza representatives at the conference at New London, Connecticut, were demanding the withdrawal of United States troops from Mexico, the unfriendly attitude of the Casas Grandes garrison of Carranza troops alarmed the Mormon colonists.¹⁵

Anti-American sentiment was increased by the battle at Carrizal in which the Mormon scout, Lemuel Spillsbury, played a leading part. Although Pershing had been warned by the Mexicans to move his troops only to the north, a column of colored troops was sent east toward Villa Ahumada under the command of Lieutenant Charles T. Boyd with the Mormon, Lemuel Spillsbury, as guide and interpreter. At Carrizal on June 21, the Carranza officer in charge of the garrison informed Boyd that he had orders not to allow American troops to go through the town. Boyd insisted on marching through the town although Spillsbury advised him that the Mexicans would fight and that it would be just as easy to go around the town. When the Americans were drawn up in battle formation, the Mexican troops opened fire. Two of the three American officers, including Boyd and his second in command and seven enlisted men were killed; the third officer with the expedition was seriously wounded. Spillsbury, who then took command, continued toward the town until his men were outflanked, when he ordered a retreat to the horses; but, as the horses had been

12. *Foreign Relations*, 1916, pp. 503-4.

13. *Ibid.*, pp. 513-14.

14. *New York Times*, June 21, 1916.

15. Reed, *op. cit.*, p. 36.

stampeded and the troopers guarding them had fled, Spillsbury surrendered with his remaining forces. He was able to convince the Mexican commander that he and his men should not be shot, but taken as prisoners. On June 29, 1916, they were released from prison in Chihuahua City where they had been held and sent out to El Paso.¹⁶ From Mexico City came the report of a statement in which Spillsbury criticized the American position, for he was reported to have said that the trouble at Carrizal was due to Boyd's failure to retire as he had been requested to do. Spillsbury was also quoted as having said that he had accepted employment with Pershing to help catch Villa, but when he saw that the Americans were likely to cause trouble with the Mexicans, among whom he had many friends, he tried to leave, but Pershing refused to release him.¹⁷

During the months that the American soldiers remained at Dublán, relations were cordial between the troops and the Mormon colonists. On Christmas Day, 1916, despite a blinding wind and sand storm, several Mormons from Dublán attended the holiday festivities at the American Headquarters.¹⁸ When the American troops left Dublán the last of January, 1917, Pershing remained until the last refugees had departed, for Villa was reported to be in the neighborhood ready to advance on Casas Grandes and Dublán, and it was thought that the troops sent by General Obregon to augment the garrison at Casas Grandes would not be able to hold out against attacks from Villa.¹⁹ Fear that the Mexican Northwestern Railroad might be set upon between Dublán and Ciudad Juárez by *Villista* bands prevented many Mormon refugees from fleeing by train; instead they joined the column following the United States Army north to Columbus, New Mexico.²⁰ Besides the Mormon settlers and other Americans, Mexicans and Chinese, on foot, on horse-

16. *Ibid.*, pp. 66-70 and *War Department Annual Report*, 1916, Vol. I, p. 279.

17. *New York Times*, June 29, 1916.

18. Reed, *op. cit.*, pp. 33-34.

19. *Deming Headlight*, Vol. 35, Feb. 21, 1917; and *The Arizona Daily Star*, Jan. 27, 1917.

20. *The Tucson Citizen*, Jan. 31, 1917.

back or muleback, in cars, in trucks, and in covered wagons formed the line of refugees accompanying the army.²¹ By February 5, 1917, the last troops of the Punitive Expedition had left Mexico, but regardless of rumors of the proximity of bands of *Villistas*, a few of the Mormons who had lived in the colonies during the preceding revolutionary period decided to remain; eight stayed in Colonia Juárez and three in Colonia Dublán.²² Family difficulties and separations complicated by earlier Mormon plural marriages occurred at this time; some branches of families remained in Mexico while others migrated to the United States, for though polygamy as an institution had been abolished by the Mormons in Mexico in 1904,²³ the family relationships which resulted had of necessity continued.²⁴

The Colonies After 1917

For almost a year the Mormon colonists had enjoyed a period of peace and prosperity under the protection of the United States troops stationed at Colonia Dublán, but the failure of the Punitive Expedition to capture Villa, in part due to the hostile attitude of the Carranza government, and the prospect of United States participation in the European war led to the recall of the Expedition from Mexico. Again the Mormon colonists were to rely on their own ability to remain at peace with the bands of *Villistas* who were active in the region.

After the United States troops had withdrawn from Colonia Dublán and northern Mexican, *Villista* bands were reported to have occupied both Colonia Juárez and Colonia Dublán, but no damage was done in the colonies.¹ A week later near Hachita, New Mexico, three Mormon cowboys, who had left the Mexican colonies in 1912 and were working

21. *The Arizona Daily Star*, Jan. 30, 1917.

22. Statement by Mr. C. Bowman, letter August 8, 1950 (of Colonia Dublán).

23. Moisés T. de la Peña, "Extranjeros y Tarahumares en Chihuahua," in Miguel Othon de Mendizabal, *Obras Completas*, Vol. I, p. 228 (Mexico, D. F.: Los Talleres Gráficos de la Nación, Tolso y Enrico Martínez, 1947).

24. Reed, *op. cit.*, p. 37.

1. *The Arizona Daily Star*, Feb. 9, 1917 and statement of Mr. C. Bowman, letter, August 8, 1950 (of Colonia Dublán).

near the border, were taken from their ranch into Mexico where they were shot by the Mexican raiders.² On February 24, federal troops under General José Carlos Murguía were sent to reinforce the Casas Grandes garrison when *Villistas* raided and looted the town of Pearson a few miles south of Colonia Juárez.³ However, by September of 1917, the Mormons in Dublán felt that rebel and bandit activities had subsided enough to permit the men to go to García, one of the mountain colonies, to put in the fall crops. But in 1918, Villa was again on the move and making requisitions on the colonists.

Most people feel the pincers of the tax collector once a year but the Mormon colonists in Chihuahua, Mexico, not only pay the federal government the regular tax, but hand over any available surplus to Villa and his band of expert and lawless collectors now and then. When Villa needs more money he swoops down on the defenseless colonists and takes it. If the money is not forthcoming he kidnaps some wealthy and influential citizen and holds him for ransom. If the amount is not secured in time, he kills the citizen by way of warning for the future.⁴

Though no Mormons were killed by Villa bands, in October 1918 two Mormon colonists were taken prisoners near Villa Ahumada and held one week for ransom.⁵ In 1919 the United States Department of State requested the Mexican government to rescue two Mormons who had been captured by *Villistas*.⁶

As dissatisfaction with Carranza's policies throughout Mexico increased, rebels and *Villistas* became more active in Chihuahua. In June of 1919 the federal commander at Casas Grandes advised the withdrawal of the six hundred and thirty Mormons in the district until federal troops could be sent to protect them, but the Mormons did not consider the danger great enough to force them to leave their homes.⁷

2. *New York Times*, Feb. 16, 1917.

3. *Tucson Citizen*, Feb. 24, 1917.

4. T. C. Romney, *Mormon Colonies in Mexico*, p. 246.

5. *Foreign Relations*, 1919, Vol. II, p. 566.

6. *New York Times*, March 19, 1919.

7. *New York Times*, June 22, 1919.

At the request of the United States Department of State additional federal troops were sent to Casas Grandes to insure the protection of the Mormon colonists.⁸ However, with the election of Obregon to the presidency in 1920 and Villa's retirement from banditry to become an *hacendado*, peace and prosperity returned to Chihuahua and the Mormon colonies, although Colonia Díaz had been permanently abandoned. In 1921, the five colonies of Chuichupa, García, Pacheco, Juárez, and Dublán with a total population of eight hundred and sixteen Mormons were again prospering, crops were good and the colonists were hopeful for the future. In 1924 the first cheese factory was established in Colonia Dublán, and the apple crop was becoming increasingly important.⁹

In 1929 the Escobar revolution, allied with the *Cristero* movement,¹⁰ had little effect on the Mormon colonies, although General José Escobar's army, defeated at Jiménez, retreated northward through Casas Grandes and Pulpito Pass to Sonora, pursued by General Jesús M. Almazán and his federal troops.¹¹ Near the Dublán a minor engagement took place at Mal Pais, but no damage was done in the colonies.¹² However, an award of twenty thousand dollars was made to Jesse J. Simpson, a ranch owner near Casas Grandes and Dublán, by the American Claims Commission for horses and livestock destroyed or carried away by federal forces.¹³

The depression of the early 1930's did not adversely affect the Mormon colonists, who were largely self-sufficient, for, as one colonist remarked, times had always been hard in the Mormon colonies.¹⁴ In 1938 the colonies were enjoying a period of prosperity as Romney indicates.

8. *Foreign Relations*, 1919, Vol. II, p. 571.

9. Romney, *op. cit.*, pp. 250-55.

10. The Escobar revolution was an unsuccessful attempt by discontented generals to contest the election of Pascual Ortiz Rubio as president. *Cristero* support was gained by promising repeal of Calles' religious laws. Nathaniel and Sylvia Weyl, *The Reconquest of Mexico*, pp. 87-94 (London, New York, Toronto: Oxford University Press, 1939).

11. *Foreign Relations*, 1929, Vol. III, p. 423.

12. Statement by Mr. C. Bowman, letter, August, 1950.

13. *American Mexican Claims Commission*, pp. 553-5.

14. Statement by Mr. M. I. Turley, personal interview, April, 1950 (of Pacheco, at Chihuahua).

At the present time the colonies are at peace and the people abiding there are enjoying a period of prosperity perhaps not excelled since the evacuation in 1912. Five of the original colonies in Chihuahua have been re-occupied. . . . The total population of all the settlements amounts to slightly few over twelve hundred. The principal sources for a livelihood are to be found in the soil and the livestock, though some manufacturing is carried on, such as lumber and shingles, cannery and leather goods and cheese. Several splendid mercantile establishments are owned and operated by efficient business men of the several colonies.¹⁵

With the coming of World War II, the younger Mormons who were American citizens returned to the United States to register for the draft. Seventy young men served in the United States forces,¹⁶ while others with families worked in essential industries. After the war some families returned to the colonies, but more remained in the United States, largely due to economic conditions, with the result that the number of colonists declined from the one thousand reported in 1945 to an estimated six hundred and fifty in 1950.¹⁷ The population of the colonies fluctuates as colonists come to the United States to work for a year or two on highway or construction projects, and return to the colonies when the project is finished. Others who have land planted in orchards which are not yet bearing, find employment in the United States until such time as their land will support them.¹⁸ In practically every family more of the second generation are living in the United States than in the colonies, so that there is a preponderance of older people who own most of the property and control the affairs of the colonies. The Mormon colonies today resemble small American communities of retired farmers, in which a few of the younger generation have remained to carry on the farm work or the small trade of the community.¹⁹

Since 1920, the history of the Mormon colonies in Mexico

15. Romney, *op. cit.*, p. 257.

16. Henry A. Smith, "Visiting About with the Church Editor," *The Church News*, Vol. 3, No. 24 (June 16, 1945) p. 8.

17. T. C. Romney, "Latter-day Saint Colonization in Mexico," *The Instructor*, Vol. 83, No. 12 (Dec. 1948) pp. 571-3, 594.

18. Statement by Mr. J. Farnsworth, personal interview, August, 1950.

19. *Ibid.*

has been largely one of adaptation to the changes in Mexico resulting from the provisions of the Querétaro Constitution of 1917 and from the laws passed to implement it. Changes have been necessary in both the church and the school organization of the Mormon colonies.

The campaign against Church interference in the political affairs of Mexico waged by the Calles regime was obviously a blow aimed at the dominance of the Catholic Church in Mexico. Legislative enactment, however, as applied to clergymen, Church schools, etc., must react upon all churches alike. . . .

The law of August 21, 1926, requiring all religious teachers to be native born, was meticulously complied with by the Latter-day Saints in Mexico, as set forth in the report of President Joseph C. Bentley to the Presiding Bishopric of the Church. To meet the requirements of the law it became necessary to supplant the older existing bishops in the various colonies with young men born in Mexico, in the conduct of all religious meetings. . . .

The schools of the Latter-day Saints in the State of Chihuahua were closed for one day under the order of government officials, but following an explanation submitted by President Anthony W. Ivins, President Calles ordered their re-opening. The explanation made by President Ivins was in effect that anyone may send his children to the Latter-day Saint's schools in Mexico by paying a tuition fee. The Mormon schools are not religious schools in the meaning of the Mexican constitution and therefore do not come under the category of the schools which the Mexican officials are attempting to close. From that time to the present there has been perfect accord between the Mormons in Mexico and the officials of that Government with respect to these religious matters.²⁰

Economically the colonists have also had to adapt themselves to the changed conditions brought about by the Constitution of 1917, to the agrarian laws regulating ownership of land, to government regulation of irrigation systems and of industry, and to new conservation policies. However, as the Mormons are known for the development, not the exploitation of land and natural resources, and as coöperative undertakings are a part of their way of life, compliance with

20. Romney, *op. cit.*, p. 256.

the principles of the Mexican Constitution has not proved difficult.

Claims and Property

The settlement of claims for damages sustained by the Mormon colonists in Mexico during the Revolutionary period was prolonged until 1938 by negotiations between the United States government and the Mexican government. To the Special Claims Commission, created by the Special Claims Convention between the United States Government and the Mexican Government in September, 1923, were referred the Mormon claims which were classified as those

which arose during the revolution and the disturbed conditions which existed in Mexico covering the period from November 20, 1910, to May 31, 1920, inclusive, and were due to any act by the following forces:

- (1) By forces of a Government *de jure* or *de facto*.
- (2) By revolutionary forces as a result of the triumph of whose cause governments *de facto* or *de jure* have been established, or by revolutionary forces opposed to them.
- (3) By forces arising from the disjunction of the forces mentioned in the next preceding paragraph up to the time when the government *de jure* established itself as a result of a particular revolution.
- (4) By federal forces that were disbanded, and
- (5) By mutinies or mobs, or insurrectionary forces other than those referred to under subdivisions (2), (3) and (4) above, or by bandits, provided in any case it be established that the appropriate authorities omitted to take reasonable measures to suppress insurrectionists, mobs, or bandits, or treated them with lenity or were in fault in other particulars.

Within two years from the date of the first meeting, all claims were to be filed with the Commission composed of three members: one American, one Mexican and one neutral. The commission was allowed five years in which to decide all claims.¹ However, in the period between 1923 and 1931 only eighteen cases were decided, none of which was al-

1. *Special Mexican Claims Commission*, pp. 693-696. Report to the Secretary of State (Washington: Government Printing Office, 1940).

lowed.² Nothing further was accomplished until 1934 when, largely due to the efforts of J. Reuben Clark, Jr.,³ a prominent Mormon and the United States Ambassador to Mexico from 1930 to 1933, a convention was signed between the United States and Mexico providing for the en bloc settlement of the claims which had been presented by the Government of the United States to the Special Claims Commission. According to the Convention signed in 1934, the United States government was to be paid proportionally the same amount as the total sum for similar claims agreed upon during the years 1924-1930 between Mexico and the governments of Belgium, France, Germany, Great Britain, Italy and Spain. The sum agreed upon, \$5,448,020.14, representing 2.6 per cent of the total amount claimed by the United States, was to be paid in dollars of the United States at the rate of \$500,000.00 per year beginning on January 1, 1935.⁴ An Act of Congress on April 10, 1935, established the Special Mexican Claims Commission of three members which in a period of three years was to review and decide upon all the Special Claims filed against the Mexican Government and to distribute among the claimants the funds agreed upon in the Convention of 1934.⁵ In August of 1937 a Joint Resolution of Congress extended the life of the Commission for one year and amended the Act of 1935 to make available to the claimants the full sum of \$5,448,020.14, regardless of additional claims which might later be classified as Special Claims.⁶

In accordance with the regulation established by the Special Mexican Claims Commission the Mormon claims were reviewed as a group as stated in the report of the Commission, dated May 31, 1938.

In connection with the above-mentioned rapid survey of claims it was found that one large group of 390 claims pre-

2. *American Mexican Claims Commission*, p. 72. Report to the Secretary of State (Washington: Government Printing Office, 1948).

3. *Foreign Relations*, 1932, Vol. V, p. 756.

4. *Special Mexican Claims Commission*, pp. 697-99.

5. *Ibid.*, pp. 688-692.

6. *Ibid.*, pp. 685-87.

sented questions which were considered to be particularly appropriate for independent investigation. . . . The claims in this group originated in 10 neighboring colonies in the States of Chihuahua and Sonora. It was clear from the historical data in the possession of the Commission, as well as from the evidence submitted by the claimants, that members of these colonies had suffered considerable loss and damage through depredations of armed forces. The records were not clear, however, as to the title to lands in the colonies, the respective rights of individuals in community pastures and other common lands, and the value of real and personal property. The sources of information on these matters being concentrated in Salt Lake City and the vicinity, the expenditure of time and money incident to an independent investigation was relatively small. The Commission, therefore, authorized one of its members to conduct such an investigation, and it was made with the assistance of one of the attorneys of the Commission. It was confined to general matters such as those suggested, and no effort was made either to establish or to disprove the merits of any of the individual claims. Similar investigations were made later in Mexico, by two members of the Commission, assisted by three members of the staff, in connection with several groups of claims as to which there were questions of fact not susceptible of satisfactory determination on the basis of the existing records. Numerous files were made available to the Commission by the Mexican Foreign Office. A special research assistant was, moreover, appointed for a period of two months to examine and report on certain pertinent files in the possession of former Senator Fall of New Mexico. The total cost of the independent investigations of the Commission, including the compensation of the special research assistant, was \$3,628.50. The Commission believes that these investigations contributed materially to the just and equitable determination of the claims affected by them.⁷

Of the 382 Mormon claims reviewed by the Special Claims Commission, 309 were allowed while 73 were disallowed because of "failure to prove citizenship, ownership of personal property, the right to the use and enjoyment of realty, or actual loss." Of the total amount of \$4,657,567.99 claimed, \$620,148.03 was awarded to the individual claimants. As explained in their report, the bases on which the

7. *Ibid.*, pp. 8-9.

Commission made the awards were the loss of use of property and the forced absence of the colonists for one-half of the 1912-1920 period.

In arriving at a proper measure of damages, the Commission has given due weight to the consideration that, after having been obliged to leave their homes because of the acts of forces, colonists should have mitigated the damages flowing from their actual or constructive eviction by returning to their homes and continuing their normal pursuits as soon as conditions would allow. Accordingly, the conditions existing in the vicinity from 1912 to 1920 have been examined with a view to determining for what period those conditions were such as to make it unreasonable to expect claimants to return to their homes. The conclusion reached by the Commission is that the absence of the claimants from the colonies for approximately one-half of the period of eight years between the date of the abandonment and May 31, 1920, can be properly attributed to acts of forces creating Mexican liability under the Convention.

The claims insofar as they relate to real estate, are essentially claims for the loss of use of property as distinguished from the loss of property. In each case involving claim for the loss of use of realty the Commission has evaluated such property upon the basis of written evidence in the various files, and upon the basis of testimony received as a result of the Commission's own investigation. Awards have been made on the basis of the loss of the use of such property for a period of four years.⁸

Two other claims agreements which related to the Mormon colonies were the agreement of 1938 covering agrarian claims filed before July 1, 1939, and the Claims Convention of 1941 by which Mexico agreed to pay to the United States Government forty million dollars in full settlement of all claims of American citizens up to October 7, 1940. By an Act of Congress in 1942, the American Mexican Claims Commission composed of three members was established to review the claims covered by the 1941 Convention.⁹ Among these claims were several relating to Mormon colonists in Mexico. To the widow and eight of the children of Joshua Stevens,

8. *Ibid.*, pp. 37-42.

9. *American Mexican Claims Commission*, pp. 72-73.

killed in Pacheco in 1912, the sum of \$12,000.00 was awarded.¹⁰ However, two claims based on the loss of the use of property in Colonia Díaz due to the failure of the Mexican government to provide protection from squatters on the land were disallowed as no proceedings had been instituted in Mexican courts by the claimants to evict the squatters.¹¹ In a case involving the Escobar revolution of 1929, approximately one-half of the amount claimed was awarded on the basis that the proportion of loss had been caused by federal troops.¹²

Payments on the claims were made to the colonists whose claims were allowed by the Special Mexican Claims Commission by the United States Treasury in installments as the moneys were received from the Mexican Government, according to the provisions of the Act of Congress approved April 10, 1935.¹³ By 1950 all claims filed with and allowed by the Special Mexican Claims Commission had been paid to the claimants, but, as one recipient stated, only two and one-half per cent of the amount claimed was paid, and of that twenty-five per cent went to lawyer's fees.¹⁴

Many of the colonists who did not return to Mexico sustained losses of property because of their failure to pay the taxes on the land. All former colonists possessing lands in Mexico were urged "to pay the delinquent taxes lest the owners lose unoccupied lands in the Mexican colonies."¹⁵ Colonia Díaz, situated within the 100 kilometer frontier zone in which the direct ownership of lands by foreigners was prohibited by the Mexican Constitution of 1917, reverted to the Mexican government and later became an *ejido*.¹⁶ Indications of the former prosperity of the Mormon

10. *Ibid.*, pp. 348-49.

11. *American Mexican Claims Commission*, pp. 556 and 622.

12. *Ibid.*, pp. 553-55.

13. *Special Mexican Claims Commission*, pp. 681-84.

14. Statement by Mrs. J. W. Huish, personal interview, July, 1950 (at Douglas, Arizona).

15. T. C. Romney, *Mormon Colonies in Mexico*, p. 288.

16. Francisco R. Almada, *Geografía del Estado de Chihuahua*, p. 326 (Chihuahua, Chihuahua, Mexico: La Impresa Ruiz Sandoval, 1945).

colony were noted by the American Punitive Expedition in 1916.

Colonia Díaz stood out in the midst of desert, fifty miles from the border—although abandoned for some years, it was a veritable oasis. Houses in good repair stretched along streets lined with magnificent shade trees. The houses were surrounded by green fields and flowers in profusion.¹⁷

Colonia Chuichupa, which became an *ejido* in 1931 and was renamed La Nortena in 1941,¹⁸ also made an impression on the invading Americans who were caught in a snowstorm on the 23rd of March while they were camped in the neighborhood.

Chuichupa, the word meaning smoke in Yaqui Indian language, proved to be an old American Mormon settlement, at one time probably having 500 to 600 inhabitants but now abandoned, since five years ago it was sacked by the "Red Flaggers" as the revolutionists are called who sprang up all over the country when the iron grip of Díaz began to relax. The town is located on a rolling fertile plain surrounded by pine forests in which wild turkey and deer abound. The inhabitants were evidently thrifty farmers and cattle men. Their homes were well built of frame, brick and adobe in the American fashion, which is always a pleasing contrast to the squat adobe or log houses which the Mexicans affect. Now the houses and fences are falling down, acequias, gardens and fruit trees gone to ruin.¹⁹

Romney points out that the Mexican government encouraged the return of the colonists in the statement made

by the President of Casas Grandes to citizen Joel H. Martineau of Colonia Pacheco that, "all lands that have been for years abandoned may be settled on by any American citizen. If the owner comes back later and pays all back taxes and expenses we will let him have his property back."²⁰

Likewise one of the leading Mormons in the colonies, Joseph C. Bentley, who represented the colonists in their property

17. Col. F. Tompkins, *Chasing Villa*, p. 253 (Harrisburg, Pa.: Military Service Publishing Co., 1934).

18. Almada, *op. cit.*, p. 522. Mr. C. Bowman stated that no Mormon lands were included in the *ejido*. Letter, August, 1950 (of Colonia Dublán).

19. Tompkins, *op. cit.*, p. 104-5.

20. Romney, *op. cit.*, p. 288.

interests in northern Mexico, in an article dated October 3, 1921 stated that

the Mexican government was willing that Mexicans should cultivate unoccupied lands of the colonists, that they would cultivate the land for three years without rent, but that they could receive no title and if, after three years they continued to use the land, they must settle with the owners for rental.²¹

There were also Mormon colonists who failed to return to their homes in Mexico because they felt that conditions there did not offer sufficient security to warrant their return. Others became discouraged waiting for conditions to improve and found homes elsewhere. Their attitude is explained by Romney.

Notwithstanding the favorable attitude of the Government for the return of lands to the colonists, but few have availed themselves of the opportunity to re-possess them. Several factors have entered in to create this lack of desire. In the first place, the disturbed conditions in Mexico were of such extended duration that many of the refugees, in the meantime, had purchased homes and other property in various localities of the United States, and an attachment had grown up for their relatively new environment that held them fast. Then, there were others who still had a longing to return to Mexico, even after a lapse of many years, but who were fearful to return lest another political upheaval should send them scurrying from the country again. Some there were whose properties had so depreciated in value through the permanent withdrawal of the population from the regions where located as to render them almost valueless and, finally, there were a number of instances in which the older members of the family had a desire to return but the younger members thereof had no such desire, they having been born since the exodus or being too immature at the time of the exodus to retain any fond memories of the land of their birth.²²

Many of these former refugees sold their property in Mexico to the colonists who had remained for a fraction of its value, with the result that some of the colonists have become very well-to-do. Moisés T. de la Peña points out that

21. *Ibid.*, p. 288.

22. *Ibid.*, p. 289.

in place of the former Arcadia with neither rich nor poor, which the Mormon colonies had represented, some of the colonists have become rich and own much land while others are poor and have little land. The prosperous colonists of Dublán he classes as small *latifundistas* because of the fact that six hundred and twenty-three hectares of irrigated land are owned by twenty-five people.²³ Romney attributes the resultant inequity to individual initiative.

A few of the Mormons who have returned to the colonies have fared well financially at the expense of those who, for various reasons, refuse to return to their homes. These adventurous spirits endowed with unusual business acumen have monopolized for the most part the orchards and farm lands as well as the industrial facilities of certain of the colonies. This was made possible by the inordinate eagerness of many of the refugees to dispose of their holdings if for nothing more than a mere pittance. Others of the returned exiles have benefited by having the free use of range and irrigable lands whose titles are held by those indifferent to the uses being made of them.²⁴

According to the Mexican Constitution of 1917, the right to own land and to acquire concessions to exploit the natural resources of the country are limited to native born or to naturalized citizens, who, however, must obey the laws of the country regulating the ownership of land and the exploitation of its resources.²⁵ The same property rights are granted to foreigners who agree before the Mexican Department of Foreign Affairs "to be considered Mexicans in respect to the same, under penalty, in case of breach, of forfeiture to the Nation of property so acquired."²⁶ The Constitution further states that private property shall not be expropriated except for reasons of public utility and by means of indemnification. Thus both the Mormons who became naturalized Mexican citizens and those who retained their United States citizenship but conformed to all the constitutional and legal re-

23. Moisés T. de la Peña, "Extranjeros y Tarahumares en Chihuahua," in *Obras Completas*, M. O. de Mendizabal, p. 226.

24. Romney, *op. cit.*, p. 291.

25. Almada, *op. cit.*, p. 153.

26. *Constitution of the U. S. of Mexico* (1926) p. 7.

quirements for foreign property owners were protected by the Mexican Constitution and the laws of the country as regards the ownership and the expropriation of property. The Constitution also forbids the direct ownership by foreigners of any land within a one hundred kilometer zone of the frontier; thus land owned by American Mormons within the frontier zone can be held only indirectly through Mexican corporations or companies.²⁷

The right to the use of water of streams for irrigation is also regulated by Article 27 of the Mexican Constitution which states:

Any other stream of water not comprised within the foregoing enumeration shall be considered as an integral part of the private property through which it flows; but the development of the waters when they pass from one landed property to another shall be considered of public utility and shall be subject to the provisions prescribed by the States.²⁸

As the agricultural economy of the Mormon colonies is dependent upon irrigation, they are directly affected by this provision. In the Casas Grandes Valley the state of Chihuahua has as yet no official plan for the use of the water of the river according to Señor Almada, who further states that in the Casas Grandes region only the Mormons of Colonia Dublán have regulated the use of the waters by means of storage basins or lakes.²⁹

When the Mormons first came to settle Dublán in 1888, they noted the remains of an ancient irrigation system, visible in traces of a canal leading from the Casas Grandes River to several large depressions, apparently ancient reservoirs, near the foothills in the eastern part of the valley.³⁰ Very probably this irrigation system was a part of the ancient civilization which occupied the Casas Grandes Valley, the ruins of which near the village of Casas Grandes are thought by some to be the third abode of the Aztec peoples

27. *Ibid.*, p. 7.

28. *Ibid.*, p. 7.

29. Almada, *op. cit.*, p. 270.

30. Romney, *op. cit.*, p. 64.

in their migration from Asatlan, their place of origin, to the Valley of Mexico.³¹ The Mormons, taking advantage of the ancient system, dug a canal from the Casas Grandes River some ten miles across the valley to the natural depressions near the foothills to form two lakes known as the Dublán Lakes. Here the water which comes from the mountains in the rainy season is stored and later used to irrigate the crops as needed.³² In recent years in conformance with the Mexican agrarian policy and to assure an equitable distribution of water for irrigation, the Mormons have shared their irrigation systems and water with the Mexicans who have acquired farms in the neighborhood of the colonies. In Colonia Dublán the Mormons signed a contract with the Mexican *ejidatarios* whereby one of the Dublán Lakes, known as Long Lake, was given to the *ejidatarios* who in return agreed to enlarge the canal from the Casas Grandes River and to add to the cement dam in the river in order to increase the capacity of the lakes. However, only a part of the work agreed upon has been done.³³ In Colonia Juárez, the waters of the Piedras Verdes River, after watering the Mormon fields upstream, are utilized in the power plant to generate electricity, and at night irrigate the fields of the Cuauhtemoc *ejidatarios*.³⁴

Thus as a result of the Mexican revolution some Mormon lands in the colonies, lost mainly through failure of the Mormon owners to pay delinquent taxes, have been acquired by individual Mexicans or by *ejidos*, and water from the irrigation systems built by the Mormons has been shared with the Mexican farmers. However, the right of the Mormons to own and inherit property as regulated by the constitution and the law of the land, and the titles to their lands on which taxes have continued to be paid have not been questioned.

31. Almada, *op. cit.*, p. 94.

32. Romney, *op. cit.*, p. 97.

33. Letter from Mr. C. Bowman, Colonia Dublán, August 8, 1950.

34. Statement by Mr. J. Farnsworth, personal interview, August, 1950.

Notes and Documents

CHARLES BENT PAPERS

(Continued)

Toas January 16th 1841

Mr Alvaras

Sir

As Mr Robertson goes to day to Santafe I concluded to wright you a fue lines, altho I have nothing of interest to comunicate. We have bean engaged heare trying to arange the bussiness of the late firm of Branch & Lee,¹² but what we thare countramen ware doing and had done for the interest of booth partys has bean undone by Lee & his attorney Juan Vigil,¹³ that is to say by J. Vigil, as Lee is a mear sypher in the bussiness. He is eaven more ignorant of his one interest than I suposed him, but J. Vigil has got his hand in his pocket and I think when he takes it out thare will be but litle left. I also believe that V. is paid on the other side to act against Lee underhandedly, this is mear surmize, but that Vigil will skin booth sides if he can I have no doubt. Report says Lee payes him five hundred Dollars. I have heard a report that the five or six Americans that left Santafe sometime since intended to wait and waylay Chavusses party¹⁴ on thare way to the U. States for the purpos of Robbing them, I have heard that they had increased thare number to 18 men including some Shawnies I have no certain information of this, report only. You can aprize theas Gentlemen of this if you see proper. The Aripihoe Indians have made some threataes against this place, provided thare people that ware taken prisoners by the, Eutaws are detained by the Mexicans as slaves. It would be well for theas people to consiliate theas Indians before they doe comence

12. Lee: probably Stephen Luis Lee, sheriff at Taos, killed in the uprising of 1847. Garrard, *Wah-To-Yah* . . . , p. 182. The signature of Luis Lee is on a document in the *Manuel Alvarez Papers*, November 9, 1839. Historical Society of New Mexico, Santa Fe. See also, W. M. Boggs, "Manuscript," edited by LeRoy Hafen. *The Colorado Magazine*, 7:59 (March, 1930).

Elliott Lee is listed as a member of the Grand Jury that indicted the participants in the uprising of 1847. *NEW MEXICO HISTORICAL REVIEW*, 1:28.

Sabin tries to identify this Lee in his *Kit Carson Days, 1809-1868*, note 199. New York: The Press of the Pioneers, Inc., 1935.

The only reference I have to a Branch family is the marriage of Cerán St. Vrain to Louisa Branch of Mora. Laumbach in *NEW MEXICO HISTORICAL REVIEW*, 8:259.

13. Juan Vigil, brother of Donaciano Vigil, is mentioned in Twitchell, *Military Occupation*, p. 208.

14. Antonio José Chavez, prominent New Mexican citizen and trader, en-route to the United States in April, 1843, was waylaid and killed by a band of ruffians. The story can be found in standard history books on New Mexico. It was reported in *Niles National Register*, May 27, and June 10, 1843.

hostilities There will be on the Arkansas early next spring near 1500 Lodges of Indians including Aripihoes, Chyans, & Siouxs, and if the Cumanchies meete them there as they have agreed there will be nearly double that number of Lodges. It will require but verry little exertion on the part of the Aripihoes to induce the, Chyans & Sioux to Joine them against the Mexicans. The object of gane of its self is a suffittient inducement to an Indian at all times. And they have one or two Mexicans with them which will serve for guides,

I presume before this you have heard of my house and Bobeans having bean searched for contraband goodes by Sarifino Ramereze.¹⁵ the Scoundril agreed to give uss the names of the denouncers before he left heare, which he did not doe he took good cair to leave unbenone to uss. I believe that Rose, Cambell¹⁶ was the person that gave him his information, at all events he is a damd Lyer, he has forfited his word given in presance of the Alcaldi, Captain, and some twenty other persons. he is a great lyar. Pleas let us know by the first oppottunity what report this Rameareze has made at Santafe and also what the Govenor says on the subject. we have many reportes heare about this transaction. Pleas let uss know the nuse from the interior there are several reportes respecting Texas¹⁷ heare, I should like to know the truth if you have any authentic nuse from the interior respecting Texas.

Youres Respectfully
Chas Bent

P. S. I sent word verbally by Lee to Mr. Giddings¹⁸ that I had no fixed time to take LaRoux¹⁹ deposition. You will pleas say to him

15. Serafin Ramirez: mentioned as "first official of the treasury" in Miranda to Alvarez, September 23, 1841, Benjamin M. Read, *Illustrated History of New Mexico*, p. 402. Santa Fe, 1912. In Citizens' "Report," September 26, 1846, *NEW MEXICO HISTORICAL REVIEW*, 26:75.

16. "At Tuerto, Mr. Campbell an American, had been engaged in working a 'Plassara,' [placer] in which he found a piece of gold weighing fifty ounces." *Guadal P'a: The Journal of Lieutenant J. W. Abert, from Bent's Fort to St. Louis in 1845*, edited by H. Bailey Carroll, p. 35. The Panhandle-Plains Historical Society, Canyon, Texas, 1941.

Maybe Richard Campbell, Probate Judge for Doña Ana County, New Mexico, in the 1850's—an elderly man at that time. See Edward D. Tittmann, "By Order of Richard Campbell," *NEW MEXICO HISTORICAL REVIEW*, 3:390 (1923).

17. Probably a reference to the pending Texas-Santa Fe expedition launched by Texas in 1841 to take possession of New Mexico.

18. Alberto Giddings signed an address to Secretary of State, Daniel Webster, dated Santa Fe, September 16, 1841, requesting protection against the pending Texan invasion of New Mexico: Read, *Illustrated History* . . . , p. 399.

James M. Giddings was in business at Santa Fe from 1840 to 1853. Webb, *Adventures* . . . , p. 97 note, for sketch and bibliography.

19. Basal Lerew (or La Roux, as above, or Leroux) listed as a trial juror in Taos in 1847. *NEW MEXICO HISTORICAL REVIEW*, 1:31. Or Antoine-Leroux, well-known mountain-man and sometimes resident of Taos, New Mexico. See Sabin, *Kit Carson Days* . . . , *passim*.

I have not yet taken it nor shall not untill I heare from him, if he advises me by the first opportunity.

CB

N'ayant rien de plus à vous ecrire que ce que Mr. Bent vous dit, je me restrains à vous presenter mes complimens et vous souhaiter du bonheur, reservant à une autrefois, vous ennuyer à mon tour

Charles Beaubien

[Having nothing more to write to you except what Mr. Bent tells you, kindly accept my compliments and my wishes for happiness, reserving for another time an opportunity to bore you in return]²⁰

Taos January 20th 1841

Mr Manuel Alvarass

Sir

I was called on yesterday Justice for my letter of Security from the Mexican Government. I have not got it. I have miss layed one I procured from our minister Butler some yeares passed.

This is to request you to procure onè for me. Posibly the Govenor Don Manuel Armijo may be impoured by the general government to grant leters of security to American Citizens in this province

At all events endeavor to procure me one eather in Santafe or from Mexico.

Yours Respectfully
Chas Bent

Taos January 30th 1841

Mr M Alvaras

Sir

Inclosed pleas find a list of American Citizens resident in this place. I have not as yet bean able to ascertain, the name of the mexican that left the Arkansas in company of the morman that was murdered near the De Mora but I shall make evvery enquiry, and should I ascertain you shall be aprised.

You ask me for local nuse of this place, I shall endeavor to give you such as has come to my hearing. The greate Literry Marteanes²¹ since his returne has bean the all interesting topic. he has bean cept constantly employed since he got home detailling to his gready admirers and hearers, the greate respect and attention that was bestoed on

20. Translation by Professor Hubert G. Alexander, Chairman of the Department of Philosophy, University of New Mexico.

21. Referring to Fr. José Antonio Martínez, a well-known, talented priest and politician in those years. He is discussed in standard history books on New Mexico. See also Pedro Sanchez, *Memorias sobre vida del Presbitero Don Antonio José Martínez*, Santa Fe, New Mexico, 1903.

him in his last trip to Durango, he says that he is considered by all whoe he had an opportunity of conversing with, as one of the greatest men of the age, as a Literary, an ecclesiastic, a Jurist, and a philanthropist, and more over as he has resided in one of the most remote sections of this province intirely dependent on his one [own] resourses for such an emence knollidg as he has acquired it is astonishing to think how a man could possibly make himself so eminent, in almost everry branch of knollidge, that can only be acquired by other men of ordinary capascitys in the most enlightined partes of the world, but as he has extraordinary abillities, he has bean able to make himself master of all this knollidge by studing nature in her nudest gize, he is a prodigy, and his greate name deserves to be written in letters of gold in all high places that this gaping and ignorant multitude might fall down and worship it, that he has and doze condisend to remain amongst, and instruct such a people, It is certainly a greate blessing to have such a man amongst uss, theas people canot help but find favor in this and the other world in consiquence of having such a man to leade and direct them; If the days of miricals had not gon by I should expect that God would bestow some great blessing on theas people, through this greate man. And possibly whenever the wise Rulers of this land heare of the greate fame of this man they will no doubt doe something for theas people in consideration for thare greate care of this more than Salaman.

Ignatio Marteanz is heare taking depositions respecting the animals that ware stollen from him last season by Juan Nicolas Messtes and party, and ware afterwarde captured by some Shawne Indians, his object I am told is to try and proove that the animals ware purchased by me and my people for the purpos of making me pay for said animals. I am also told that the greate Martenize is making him a representation to the Govenor on this subject, how true I canot say. If you have an opportunity to mention this subject to the Govenor I wish you to request him to call on me and such wittnesses as I can produce to contradict Ignatio Marteanz Statement, but let it be understood that if the said Martean dare not substantiate his statement he must pay all my expences and those of my wittnesses, and If it is to the contrary make me responsible for expenses.

The Cheafs of the Aripihoes have made a formal demand through us of the Mexicans for thare prisoners taken by the Eutaws, they offer one horse for each prisoner, and if this is not accepted they thretin to retaliate on theas people. I have aprised the Justice of this place of thare demand and threat, wether any notice will be taken of this I am unable to say, but if they should not heade theas indians, they may repent when too late, thare are residing with the Aripihoes one or two mexicans that are redy and anctious to leade them to any part of this province.

I had almost neglected to mention that the greate Marteans has said that the Texians have been beaten in Cauhillia and California wonderful how did the Texians get there, and what were they doing there ; ; he deserves to be created Pope for his Geagrafical knollidge.

I think I and Workman²² will visit Santafe next week

Yours Respectfully
Chas Bent

Taos February 19th 1841

Mr M Alvaras
Sir

I arived here last evening without any axident to day about mid day Workman and myself called on Juan B Vigil. I presented the copy of the representation he made against uss. I asked him after he red it if that was a copy of the one he had made to the Govenor he said it was. I then asked him how he dare make such false representations against uss he denied them being false. The word was hardely out of his mouth, when Workman struk him with his whip, after whipping him a while with this he droped it and beate him with his fist untill I thought he had given him enough, wherepon I pulled him off. he [Vigil] run for life. he has been expecting this ever since last evening, for he said this morning, he had provided himself with a Baui Knife for any person that dare attack him, and suting the word to the action drue his knife to exhibit, I supose he forgot his knife in time of neade.

I called on Mr Lee this morning respecting what he had said against uss in Santafe he denied the whole, and made many acknowledgments He is a man you cannot pin up he is a non combatant. I presume you will have a presentation of the whole affair from the other party shortly. You will please give me the earliest notice whether you procure the traps or not. I have the offer of some here. I doubt whether you will be able to read this I am much agitated, and am at this time called to the Alcalde's I presume at the instance of Juan Vigil.

Yours Respectfully
C Bent

22. William Workman emigrated from New Mexico to California due to the disturbed political conditions in New Mexico during the period of the Texan-St. Fe Expedition. He was suspected of being implicated in the movement to introduce Texan control over New Mexico. *The Life and Adventures of George Nidever*, edited by William Henry Ellison, p. 21, p. 116 note 141 (University of California Press, 1937). There is a master of arts thesis on George Nidever by Virginia Thomson, University of California, 1952.

(This letter's date should be I judge from its tenor the 20th to 25th of Febr. 1841—B. M. Read)

Mr Alvaras

Sir

I mentioned to you in a letter of the 19th that Juan B. Vigil had bean whiped: that same afternoon I was called before the Justice, after a grea[t]deal of talk and a good many threats of Vigil, against the Justice and myself, he perticularly thretened to raise his relations and friendes if the Justice did not doe him Justice, according to his will, I was ordered to jail. I reasoned the case with the judge and convinced him that as yet thare was no proof against me, except the say-so of Juan Vigil, and eaven he did not accuse me of any violance on his person, the Justice then requested me to make Beaubeans house my prison for the present, this I objected to on the same groundes as before. he eventually ordered me to my one house, and I was to consider that my prison untill further orders. I remained confined 48 howers. I was then taken out and required to give security for my apperence whenever called on, I have not sean or heard, of any of the charges against me. I believe the law requires that the, head of the process should be made, and declirations taken within the 48 howers. All that I have heard was the virble statement of Vigil on the 19th. I conseave myself much agreed, but Vigil has tried to scare the Justice to act with violence and in part he has suceaded. The Justice told me he had suspended farther proceadings in the Case untill he could consult the perfect or Govenor. Vigil I have understood goes to Santafe tomorow or next day how true I canot say, I am in hopes of a favorable answer from the Govenor to the Justices presentation. I think he the Govenor is not a man entirely destitute of honorable feelings he well knowes thare are cases that the satisfaction the law gives, amounts to nothing. I had rather have the satisfaction of whipping a man that has wronged me than to have him punished ten times by the law, the law to me for a personal offence is no satisfaction whatever, but Cowardes and wimen must take this satisfaction. I could posibly have had Vigil araned for trial for Slander but what satisfaction would this have bean to me to have had him fined, and moreover I think he has nothing to pay a fine with he is a vagabond that lives by flitching his neighbor

If you think that you can doe anything with the Govenor for uss you will pleas doe so. You will recollect the promises I told you that had bean made to me in Santafe. now they will be tested. The law requires that I should be araigned for t[r]ial within 48 howers, this has not bean done, I have not sean a scrach of a pen on that subject. ~~the law requires that all should have bean concluded and sentenced within 72 howers nothing definitive has bean done.~~

There is some talk of the creditors of Branch & Lee Living on the property, to secure themselves how they will succede I am not able to say, but I think that Juan Vigil will exert himself to prevent the property from falling into the hands of the creditors, for a while yet. he well knowes that the longer Lee ceapes possession the better chance he has of filling his one [own] pocket.

I left my leather Belt on your shelf you will please send it up to me by the first opportunity.

The Indians from the Arkansas still continue to thretten theas people, and no doubt will comit depridations on the first they fall in with. They have driven from thare village Jose Deloris [Sandobal] (the Rano) and party, they have gon towards the Cumanchies. This fellow had a good many friendes in the Aripiohes village but the ex-itement was too grate for him to remain amongst them in safty. he may verry likely try and raise a party (if he suceades in falling in with the Cumanchies) to attack the present company from Santafe to Missouri. he no doubt is aware that the company will leave this spring. he and Leblends²³ party no doubt had some communication on that subject.

You will pleas say to the Govenor I have not as yet suceaded in geting Coffee for him, but I will try and procure it and send it down by the first opportunity also If I can I shall borrow and send at the same time if posible the Powder I promised him.

Yours Respectffully
Chas Bent

TEL: 1111

The picture of Billy the Kid, used as a frontispiece in this issue, was provided by Mrs. William F. Neal, Box 1012, Jackson, California.

23. William Le Blanc is listed as a trial juror in Taos in 1847. NEW MEXICO HISTORICAL REVIEW, 1:29. He lived at Arroyo Hondo, operating a flour mill and a distillery. "Micajah McGehee's Account of Fremont's Disastrous Fourth Exploring Expedition, 1843-1849," *The Journal of Mississippi History*, 14:91-118 (April, 1952). Also published in *The Century Magazine*, March, 1891.

Book Reviews

Kiva Mural Decorations at Awatovi and Kawaika-a, with a Survey of Other Wall Paintings in the Pueblo Southwest. Papers of the Peabody Museum of American Archaeology and Ethnology, Vol. XXXVII, Cambridge: Peabody Museum, 1952. Pp. 348. 64 collotype figures, 9 color plates, and 28 illustrations in the text. \$7.50 (paper); \$10.00 (cloth).

The Peabody Museum Awatovi Expedition of 1935-1939 has afforded a fortuitous opportunity to study and observe a 1200-year thread of culture in the pueblo Southwest. Archaeologist and ethnologist have joined forces to investigate the cultural current of Hopi Country in a study of the prehistoric ruins, the 17th-century Spanish remains, and the modern Hopi settlements. Watson Smith's study of kiva mural decorations at Awatovi and Kawaika-a reports a specialized phase of the expedition's research—the story of kiva wall paintings.

In a general discussion, pueblo life is sketched and the plan and the purpose of the study is outlined. A most welcome section on terminology brings reader and author to complete understanding on how words are to be used. This care in definition of terms which continues throughout the book, together with Smith's lucid style of presentation, makes the study more than a technical report.

After a description of painted walls and the material and methods of construction, a section follows on field methods of excavation, preservation, and reproduction of mural painting which is deserving of special commendation. The occurrence of successive plaster layers on the kiva walls (as many as twenty-seven painted layers) presented a series of problems in field technique. The copying, recording, removal by stripping, remounting of stripped paintings and their preservation, required an untold amount of study and experimentation. Final methods employed as well as data on numerous partially successful experiments are recorded

for other investigators faced with similar problems. Here, as throughout the report, the cooperation and advice of co-workers and specialized technicians is credited and acknowledged.

Turning to a study of kiva mural painting, Smith first studies them in the light of their existence and distribution in the Pueblo area, noting likewise the chronological sequence of their occurrence. This is followed by a classification of the murals into four layout groupings based on the relative presence or absence of certain motives and the manner of representing such motives. The single features, anthropomorphic, zoomorphic, botanical, and diverse objects, are analyzed and identified.

Following the essentially descriptive part of the book is a large section on the analysis and ceremonial significance of the murals. In this discussion of the ceremonial significance of the particular design elements, Dr. Smith surveys with thoroughness the voluminous literature bearing upon Southwestern culture and suggests analogies with present-day ceremonial practices. The specialist in the field may suggest alternative analogies as to the meaning and cultural significance of some design elements; yet he will readily acknowledge the fairness and scholastic caution of the analogies. A small section here on representation and symbolism can be read and re-read with profit by those interested in art and writing.

The nine serigraph plates by the Santa Fe Artist, Louie Ewing, are a wise choice of media for presenting the color values of kiva paintings.

In the final section, the murals are placed chronologically and related to their cultural context. Dr. Smith, a specialist in the field, has given the reviewer, a non-specialist, a fuller understanding of a single feature in a pre-historic culture. Kiva mural paintings are placed in their ceremonial patterns and related to the religious life of the Pueblo Southwest. In reproduction, description, and interpretation, life has been imparted to pigment and mortar.

CHARLES E. DIBBLE

University of Utah

Old Spanish Trail: Santa Fe to Los Angeles; with extracts from contemporary records and including diaries of Antonio Armijo and Orville Pratt. By LeRoy R. and Ann W. Hafen. Glendale, Calif.: The Arthur H. Clark Co., 1954. Pp. 377. \$9.50. (Far West and the Rockies Historical Series, 1820-1875, Vol. I)

Written in collaboration with his wife, Ann W. Hafen, a well-known student of the West in her own right, this latest Hafen volume has been designated Vol. 1 of Arthur H. Clark Co's new series *The Far West and the Rockies Historical Series, 1820-1875*. LeRoy Hafen, for more than twenty-five years Colorado's State Historian, retired in July, 1954, and, with his wife, will devote all of his time to producing the remaining fourteen volumes of the series.

Drawing from many published and unpublished sources, the Hafens have compiled a volume of virtually every item of historical fact known about the Old Spanish Trail. Almost encyclopedic in nature, it will become a useful reference work on the area covered by the Trail. The daily-kept journal of Orville C. Pratt, who covered the Trail in 1848, is included along with "Choteau's Log and Description of the Trail," and Antonio Armijo's diary. These three items will be of great interest to historians of the areas involved.

In a sense, to describe the Spanish route from Santa Fe to Los Angeles as a "trail" is a misnomer. Though a long and colorful story, the history of the Spanish in California is not within the scope of the history of the Spanish at the Santa Fe end of the "trail." The northern movement of the Spanish and Mexicans into the Intermontane Corridor (or Santa Fe end of the "trail") required two hundred and twenty-five years before reaching as far north as the Gunnison-River in western Colorado. And it was probably not until the winter of 1830-31 that a party actually traveled the entire trail from Santa Fe to California, thus linking the old established pathways between Santa Fe, in western Colorado, and eastern Utah with other pathways in use in California. Using the eventual continuity of the trail as a point of departure, the

Hafens have given us the historical development of segments of the trail. No longer should maps indicating the "Old Spanish Trail" show it as a lopsided croquet wicket anchored at Los Angeles and Santa Fe. It now becomes a significant term covering the Spanish, Mexican, and American penetration of a vast area.

The section entitled "Slave Catchers" (there are no chapters but unnumbered and titled sections) leaves the most to be desired of the entire work. The ethnology of the native population of the area taken in by the Trail is the most complex in the West. The term "Digger" alone is a confusing term in the area. By custom the white man referred to any Indian in a miserable condition as a "Digger" or "Root Digger" who lived in the area. Most generally, however, the term applied only to Shoshonis, who were without horses. The essence of this entire chapter, to this reviewer, seems to suggest that with the coming of the Spanish into what is now southern Utah and western Colorado also came slavery. Actually a good case can be made to show that slavery existed as an institution in this area previous to the arrival of the white man. In the section entitled "Path Makers" (p. 302) Capt. Gunnison is cited as "one of four" parties sent out by Jefferson Davis on the Pacific-Railroad Survey. Actually, Davis put six parties in the field—Gunnison, Stevens, Whipple, Williamson, Pope, and Parke.

In the section "Fur Hunters" the segment of trail described (p. 100-101) between the San Luis Valley and the Colorado River via the Gunnison loses much of its significance for the reader when it is not noted that on this section at the junction of the Uncompahgre and Gunnison rivers was located Antoine Robidoux' first post. The only mention of this post is in a section near the end of the book ("Path Makers," p. 304) dealing with Capt. Gunnison's expedition which passed it after it had long since been abandoned.

The interpretation of Antoine Robidoux' inscription near Westwater, Utah, is brilliant in its simplicity. Many researchers have been led astray by this inscription; in some cases causing serious errors in recording the history of the days of the Mountain Man in this region. For the present, a

satisfactory interpretation seems to have been achieved by the Hafens. Robidoux' fort on the Uinta is correctly given as "Uintah" when first cited, but later it is carried as "Uinta." By custom the fort is spelled "Uintah."

The section entitled "Padres" is a well executed condensation of essentials on the movements of Coronado, Rivera, Escalante, and DeAnza in the Trail region.

Roscoe P. Conkling has supplied an excellent folding map at the end of the volume. Though very short, the index will be broadened when an analytical index to the entire series is published.

It is interesting to note that the Hafens have fittingly dedicated their volume to one of their few peers in Western American historical scholarship.

LeRoy and Ann Hafen's *Old Spanish Trail* will rank as a work of permanent importance on the history of the West. They have maintained the best canons of historical scholarship.

WILLIAM SWILLING WALLACE

New Mexico Highlands University

CONSTITUTION
OF THE
HISTORICAL SOCIETY OF NEW MEXICO

(As amended Nov. 25, 1941)

Article 1. *Name.* This Society shall be called the Historical Society of New Mexico.

Article 2. *Objects and Operation.* The objects of the Society shall be, in general, the promotion of historical studies; and in particular, the discovery, collection, preservation, and publication of historical material especially such as relates to New Mexico.

Article 3. *Membership.* The Society shall consist of Members, Fellows, Life Members and Honorary Life Members.

(a) *Members.* Persons recommended by the Executive Council and elected by the Society may become members.

(b) *Fellows.* Members who show, by published work, special aptitude for historical investigation may become Fellows. Immediately following the adoption of this Constitution, the Executive Council shall elect five Fellows, and the body thus created may thereafter elect additional Fellows on the nomination of the Executive Council. The number of Fellows shall never exceed twenty-five.

(c) *Life Members.* In addition to life members of the Historical Society of New Mexico at the date of the adoption hereof, such other benefactors of the Society as shall pay into its treasury at one time the sum of fifty dollars, or shall present to the Society an equivalent in books, manuscripts, portraits, or other acceptable material of an historic nature, may upon recommendation by the Executive Council and election by the Society, be classed as Life Members.

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Article 4. *Officers.* The elective officers of the Society shall be a president, a vice-president, a corresponding secretary, a treasurer, and a recording secretary; and these five officers shall constitute the *Executive Council* with full administrative powers.

Officers shall qualify on January 1st following their election, and shall hold office for the term of two years and until their successors shall have been elected and qualified.

Article 5. *Elections.* At the October meeting of each odd-numbered year, a nominating committee shall be named by the president of the Society and such committee shall make its report to the Society at the November meeting. Nominations may be made from the floor and the Society shall, in open meeting, proceed to elect its officers by ballot, those nominees receiving a majority of the votes cast for the respective offices to be declared elected.

Article 6. *Dues.* Dues shall be \$3.00 for each calendar year, and shall entitle members to receive bulletins as published and also the HISTORICAL REVIEW.

Article 7. *Publications.* All publications of the Society and the selection and editing of matter for publication shall be under the direction and control of the Executive Council.

Article 8. *Meetings.* Monthly meetings of the Society shall be held at the rooms of the Society on the third Tuesday of each month at eight P.M. The Executive Council shall meet at any time upon call of the President or of three of its members.

Article 9. *Quorums.* Seven members of the Society and three members of the Executive Council, shall constitute quorums.

Article 10. *Amendments.* Amendments to this constitution shall become operative after being recommended by the Executive Council and approved by two-thirds of the members present and voting at any regular monthly meeting; provided, that notice of the proposed amendments shall have been given at a regular meeting of the Society, at least four weeks prior to the meeting when such proposed amendment is passed upon by the Society.

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Editors

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FRANCE V. SHOLES

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