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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

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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.