

REPORT
OF
THE SECRETARY OF THE INTERIOR,

COMMUNICATING

A letter from the acting Commissioner of Indian Affairs asking an additional appropriation for the general incidental expenses of the Indian service in the territory of New Mexico.

FEBRUARY 6, 1854.—Referred to the Committee on Indian Affairs, and ordered to be printed

DEPARTMENT OF THE INTERIOR,
Washington, February 2, 1854.

SIR: I have the honor to transmit to you, herewith, a copy of a communication from the acting Commissioner of Indian Affairs, dated the 30th ultimo, asking that an additional appropriation of \$15,000 be made for general incidental expenses of the Indian service in the Territory of New Mexico for the current fiscal year. I also send a copy of the Commissioner's explanations of the causes which led to the deficiency in the last appropriation; and in view of all the circumstances stated, I respectfully recommend that the amount asked for be appropriated.

I am, sir, with much respect, your obedient servant,
R. McCLELLAND, *Secretary.*

Hon. D. R. ATCHISON,
President of the Senate.

DEPARTMENT OF THE INTERIOR,
Office Indian Affairs, January 30, 1854.

SIR: On the 20th December, 1852, the Commissioner of Indian Affairs transmitted to the Secretary of the Interior, and through him to the two houses of Congress, "additional estimates for funds required for the Indian service during the year ending June 30, 1853," and among the items of that additional estimate was one for \$25,000 for "general incidental expenses of the Indian service in the Territory of New Mexico." In view of the large number and warlike character of the Indians in New Mexico, and the high prices of goods and provisions in that Territory, this sum was then considered such as would be

imperiously demanded to preserve peaceable relations with the Indian tribes located there. Congress saw proper, however, to appropriate only the sum of \$10,000, by act of 3d March last. At the commencement of the present fiscal year there remained in the treasury of former appropriations for this service, the sum of \$2,323 63. This amount, as also the \$10,000 appropriated for the fiscal year ending the 30th June next, was absorbed by drafts and liabilities by the 8th of October last, excepting the small balance of \$564 90. The accounts of the late Governor Lane, and late agents, Steck and Wingfield, are not yet finally settled; but having been rendered and filed in this office for examination, it is found that they claim balances due them as follows:

| | |
|------------------------|------------|
| E. H. Wingfield..... | \$3,931 64 |
| William Carr Lane..... | 4,838 48 |
| Michael Steck..... | 312 41 |

Not being prepared to state whether these amounts are, or are not, due, it is clear that there is no money in the treasury out of which such balances, if due, can be paid.

I have further to state that this office has been embarrassed in sustaining the Indian service in New Mexico, and has been compelled to ask your sanction, that recent drafts of Governor Meriwether, to the amount of \$2,000, be paid out of the fund for "current expenses of the Indian department." I am also in expectation, daily, that other drafts of Governor Meriwether will arrive, and hence I am induced to request that you will immediately recommend to Congress, through the chairman of the Committees on Indian Affairs in the House and Senate, as provided by the 14th section of the act of Congress of 26th August, 1842, entitled "An act legalizing and making appropriations for such necessary objects as have usually been included in the general appropriation bills," &c., that the sum of \$15,000 be immediately appropriated and placed at the disposal of the department for the "general incidental expenses of the Indian service in New Mexico" during the year ending the 30th June next.

Very respectfully, your obedient servant,

CHARLES E. MIX,

Acting Commissioner.

HON. R. McCLELLAND,

Secretary of the Interior.

DEPARTMENT OF THE INTERIOR,

Washington, January 31, 1854.

SIR: Your letter of the 30th instant, requesting that Congress be asked to make additional appropriations for the Indian service in New Mexico for the present fiscal year, was received this morning.

From your letter it appears that, independent of the \$2,000 paid on Governor Meriwether's drafts out of other funds, and other drafts anticipated from him, the expenditures in that Territory have exceeded the amount appropriated by Congress some \$9,000; and before submitting your application to Congress, I desire to be informed by what authority these expenditures have been incurred.

When the department submits to Congress its estimates of the amount required for specific objects, and Congress appropriates the sum asked for, or sees proper to curtail it, the Executive departments have no warrant of law for involving the treasury beyond the appropriation; and if the full amount asked for be not appropriated, and the public service be injured or even suspended, the responsibility will rest with Congress and not with the department, and it is my determination not to fail in the discharge of so plain a duty as keeping the expenditures of my department within the appropriations.

Of course, when appropriations are found to be inadequate, it is the duty of the department to make known the fact to Congress, and the causes as far as they may be known; but this necessity may be avoided in a great degree, and I design that it shall be.

I am, sir, very respectfully, your obedient servant,

R. McCLELLAND,

Secretary.

CHARLES E. MIX, Esq.,

Acting Commissioner of Indian Affairs.

DEPARTMENT OF THE INTERIOR,

Office Indian Affairs, February 2, 1854.

SIR: In reply to your letter of the 31st ultimo, in relation to the disbursements made by the late governor and Indian agents in New Mexico, and inquiring on what authority the expenditures have been incurred, I have to state that I do not find that authority was given by this office to any officers of the United States in New Mexico to incur the heavy expenditures that have been made there during the latter part of the year 1852, and the first six months of 1853.

Referring to the account-current of late Governor Lane, now on file in this office for examination, I find that he claims to have disbursed and turned over to agents, during the period from the 1st January to the 8th August last, the sum of \$19,174 51—a sum nearly equal to the entire appropriation for the year ending 30th June last, and nearly double the amount of the appropriation for the current year.

Besides this amount, agent Wingfield claims a balance of nearly \$4,000 as due him on the settlement of his accounts.

In view of these extraordinary facts, which at first view seem so discreditable to the late officers of this department in that Territory, I deem it just to them, and to this office, to refer briefly to the history of Indian affairs there since the organization of the Territory.

The documents attached to the report of the Commissioner of Indian Affairs for 1851 furnish a sketch of the very numerous and heavy depredations, the assaults and murders, committed by the Indians resident in that Territory previous to the fall of 1851.

Numerous communications received subsequently at this office detail similar murders and depredations committed by the same Indians up to the spring of 1852.

At that time the late Governor Calhoun determined on adopting a plan for furnishing more numerous and valuable presents to the Indians,

with a view to induce them to cease their depredations. Having commenced to carry out this plan, and finding it so far successful, the service was embarrassed by his death, in the month of May, and by the resignation of an agent. When his successor, William Carr Lane, arrived at Santa Fé, he approved the liberal policy that had been instituted, and anticipating that Congress would not appropriate less for the fiscal year 1852-3 than had been appropriated for 1851-2, he enlarged the plan by resolving on the removal of the eastern Apaches to the west of the Rio Grande. In carrying out this part of the plan, he found himself involved in a much heavier expense than he had anticipated, and the project had to be abandoned before he had fully consummated the removal of all the eastern bands.

I am not in possession of information that would warrant me in impeaching the wisdom of this plan, had Congress provided sufficient means for executing it; but, in view of the very limited appropriations, the removal and subsistence of a considerable portion of the eastern Apaches has embarrassed our Indian affairs in the Territory of New Mexico. I deem it proper further to remark, that, owing to the remote position of New Mexico, and the imperfect knowledge in possession of the office respecting Indian affairs there, (except the general historical testimony to the warlike character of some of the tribes therein,) the management of them was necessarily intrusted largely to the discretion of the governors.

It is due to the late James Calhoun, and to William Carr Lane, more recently governor of that Territory, to state, that so long as a liberal dispensation of presents and provisions was made, the Indians have remained far more quiet and peaceable than during any former or subsequent period.

I yesterday morning received a communication from Gov. David Meriwether, urging that some provision be made by Congress for the requirements of the Indian service within his supervision.

In August last, in view of the limited amount of the appropriation, he issued an order to the agents to reduce their expenditures, and he has accordingly reduced the disbursements to about \$3,000, only, during five months last past. This reduction, he states, has resulted in numerous thefts and robberies and created much dissatisfaction among the Indians.

I deem it proper to make an extract from his letter referring to this subject, as follows:

"By alternate explanations, promises, and threats, I have succeeded in keeping the Indians comparatively quiet for some time, with the hope of receiving instructions from the department; but explanations, threats, and promises have ceased to produce any effect, and depredations have now become matters of daily occurrence. Some of the more prominent of these acts have been communicated in previous letters; but fearing that I might become troublesome to you, many others of a minor grade have not been noticed, or alluded to in a casual manner; but these depredations are becoming too frequent to admit of being any longer withheld from your notice. Winter is now upon us, and, being hard pressed for food, several bands of the Apaches—one of the Navajo and one of the Utah tribes—who reside near the white

settlements, have repeatedly applied to me for relief, which I had not the means of affording; hence, during the present month, they have frequently visited their white neighbors and helped themselves. In no recent instance, so far as I am informed, have these Indians committed depredations to a very large amount; but their visits are made in some part of the Territory almost every day; and as the people who are settled on the frontier are poor, they can afford to lose but little.

"In several instances the Indians have, in the daytime, boldly visited the flocks and herds of the farmer, and in the presence of the herder taken what they wanted; and in the only instance where resistance was made they wounded the herder badly. Much the most numerous acts of aggression, however, have been committed in the night, when the Indians visit the fold and steal a few horses, mules, cattle, or sheep, and drive them to the mountains; and I think that such acts as these have been perpetrated at the rate of three or four per week for the last three or four weeks."

I beg leave, in this connexion, to call attention to the remarks in my late annual report in relation to Indian affairs in New Mexico, and also to the statement on the 22d page of that report, that the appropriations made at the last session of Congress, for the current expense of our remote Indian service for the present year, "are entirely inadequate" to the accomplishment of the objects to be attained, viz: the safety and prosperity of the white settlers and emigrants, and the comfort of the Indians.

On a review, then, of all the facts and circumstances connected with the Indian affairs in New Mexico for eighteen months past, and in view of the present necessities of the service there, whilst I recognise that it is the duty of this office to direct, and of the officers of the United States to so conduct, their official business as to keep expenditures within the appropriations made for specific objects, yet I am disposed to reiterate the request of this office made in the report of the acting Commissioner of the 30th ultimo.

Very respectfully, your obedient servant,

GEO. H. MANYPENNY,

Commissioner.

Hon. R. McCLELLAND,

Secretary of the Interior.

