

THE UNIVERSITY OF CHICAGO

MAPPING THE APACHERÍA:  
AMERICAN INDIAN SOVEREIGNTY AND STATE POWER  
IN THE U.S.-MEXICO BORDERLANDS, 18<sup>TH</sup>-19<sup>TH</sup> C.

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I dedicate this work to my loving parents Rafaelita Chavez and Sidney Webb.

All the vatos never in a poem  
All the vatos told they don't belong here  
All the vatos beautiful young Aztecs  
All the vatos warrior Apaches  
All the vatos sons of Guadalupe  
All the vatos bad as a la chingada  
All the vatos call themselves Chicanos  
All the vatos praying for their children  
All the vatos even all you feos  
All the vatos filled with life eternal  
All the vatos sacred as the Sun God  
All the vatos Flaco Pepe Gordo  
All the vatos rising from their mothers

— Luis Alberto Urrea, “hymn to vatos who will never be in a poem,” from *Vatos* (El Paso, TX: Cinco Puntos Press, 2000)

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## Introduction

Building on previous generations of historical research and engaging multiple historiographical traditions, this dissertation demonstrates how the Apache and Navajo nations transformed the political geography of the American Southwest. Through trade, war, diplomacy, and other strategies including cultural adaptation, appropriation and syncretism, they repeatedly defied the efforts of colonial powers to pull apart their communities and remove them from their homelands. This dissertation also examines the dynamic interactions between Indian and settler societies through a critical analysis of the scientific discourse of racial and ethnic difference. By analyzing the ways in which the governments of Spain, Mexico, and the United States attempted to displace the Apache and Navajo nations—in combination with strategies these groups developed to resist their dispossession—this dissertation seeks to contribute to scholars' understanding of the interlocking of science, the state, and empire. It also seeks to contribute to recent scholarship on the history of Native American and indigenous populations whose defiance of European colonial domination produced new forms of political power.

The Apache and Navajo nations were members of a larger constellation of Athapaskan-speaking peoples whose ancestors migrated from the Pacific Northwest to the Colorado Plateau and the Central Plains in the fourteenth and fifteen centuries. As they migrated from the Central to the Southern Plains to during the early stages of Spanish colonization in the sixteenth century, they fragmented into numerous dispersed communities that were united by a shared heritage and similar languages.<sup>1</sup> The southern Athapaskans diaspora constituted a diverse population of

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<sup>1</sup> Linguists have identified the Athapaskan language family as comprising more than thirty languages descended from a common ancestor spoken in the tenth century A.D. Victor Golla, “Language Families of North America” in

culturally and linguistically related groups and subgroups. Although they were newcomers to the region, the southern Athapaskans left many traces of their presence well before the arrival of the first Europeans.<sup>2</sup> Their migration into the Rio Grande, Pecos, and Gila River valleys in the eighteenth and nineteenth centuries were well-documented in Apache and Navajo oral traditions as well as those of the region's Pueblo Indian communities and the historical records of Spanish, Mexican, and U.S. settlers. While the earliest ethnographic accounts by European colonists depicted them as nomadic wanderers, this dissertation shows that early scientific studies of Apachean peoples often misunderstood the factors contributing to their mobility.

In the eighteenth century, there were multiple cultural, political, and environmental factors that propelled their movement, fragmentation, and reintegration. The migration of the various subgroups constituting the southern Athapaskan diaspora occurred in the dual contexts of Spanish colonization and the expansion of the Comanche empire from the Great Plains into the northern periphery of New Spain.<sup>3</sup> In the northern provinces of New Spain, authorities decried the invasion of the *indios bárbaros* ("barbaric Indians"), referring indiscriminately to the nomadic raiders and traders who descended upon the isolated villages, missions, ranches, and mining camps. Colonial records from this period reveal widespread panic among Pueblo Indians

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*America Past, America Present: Genes and Languages in the Americas and Beyond*, ed. Colin Renfrew (Cambridge: McDonald Institute for Archaeological Research, 2000): 5-72.

<sup>2</sup> Deni J. Seymour, "A Ranchería in the Gran Apachería: Evidence of Intercultural Interaction in the Cerro Rojo Site," *The Plains Anthropologist*, 49:190 (May 2004): 153-192. Deni J. Seymour, "The Canutillo Complex: Evidence of Protohistoric Mobile Occupants in the Southern Southwest," *Kiva*, 74:4 (Summer 2009): 421-446. Deni J. Seymour, ed., *From the Land of Ever Winter to the American Southwest: Athapaskan Migrations, Mobility, and Ethnogenesis* (Salt Lake City: University of Utah Press, 2012).

<sup>3</sup> Hämäläinen, Pekka, *The Comanche Empire* (New Haven, CT: Yale University Press, 2008). For a discussion of indigenous imperialism in a comparative context, see Thomas J. Barfield, "The shadow empires: imperial state formation along the Chinese-Nomad frontier," in *Empires: Perspectives from Archaeology and History*, ed. Susan E. Alcock, Terence N. D'Altroy, Kathleen D. Morrison, and Carla M. Sinopoli (Cambridge: Cambridge University Press, 2001): 10-31. David J. Weber, *The Spanish Frontier in North America* (New Haven, CT: Yale University Press, 1992).

and Spanish settlers who feared total destruction. But, as this dissertation illustrates, the Apachean peoples who appeared with increasing regularity along the fringes of Spanish colonial society were seeking new economic opportunities as well as protection from the powerful Comanche empire that had conquered their former homelands. As a response to these developments, Spanish authorities launched a new phase of colonization in the mid-eighteenth century, constructing a line of military garrisons (*presidios*) to thwart the southern Athapaskans' steady advance.

While the southern Athapaskans occupied new territories along the edges of the Spanish provinces of New Mexico, Texas, Sonora, Nueva Vizcaya, and Coahuila, they came to inhabit an ambiguous position in the periphery. Identified as slaves or servants (*genízaro*s or *criado*s), the Apaches were socially marginalized, racially stigmatized, and relegated to the lowest rung of the colonial caste system.<sup>4</sup> Yet, they exploited their status as outsiders, regularly taking Spanish livestock, food supplies, and human captives in defiance of colonial law and order. They were also regarded as inferiors to the more powerful nations of the Great Plains, including the Comanche, Kiowa, and Cheyenne, against whom they competed for control of land, water, and other scarce resources. But their proximity to Spanish and Pueblo Indian settlements provided cultural and material advantages that were crucial for their survival.<sup>5</sup> In those spaces in between

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<sup>4</sup> Ramón A. Gutiérrez, *When Jesus Came the Corn Mothers Went Away: Marriage, Sexuality and Power in New Mexico, 1500-1846* (Stanford, CA: Stanford University Press, 1991), James F. Brooks, *Captives & Cousins: Slavery, Kinship, and Community in the Southwest Borderlands* (Chapel Hill: University of North Carolina Press, 2002).

<sup>5</sup> Katherine A. Spielmann, ed., *Farmers, Hunters, and Colonists: Interaction between the Southwest and Southern Plains* (Tucson: University of Arizona Press, 1991), Jack D. Forbes, *Apache, Navaho, and Spaniard*, 2nd ed. (Norman: University of Oklahoma Press, 1994).

domains claimed by their Indian and colonial adversaries, the southern Athapaskans “exercise[d] power that had unambiguous spatial dimensions.”<sup>6</sup>

By focusing on the sources of Apache power, this dissertation traces the emergence of a new political geography in the American Southwest that transcended the boundaries claimed by other Indian nations as well as by Spain, Mexico, and the United States. It shows that over the course of the eighteenth and nineteenth centuries, changing concepts of state sovereignty clashed with pre-existing boundaries and understandings of Apache territoriality.<sup>7</sup> While historians and cultural geographers such as Daniel Arreola, Peter Gerhard, Bernardo García Martínez, and Richard Nostrand have delineated the borders of Hispanic and Anglo “homelands” in the region, they have obscured the underlying indigenous geographies and European conceptions of the landscape.<sup>8</sup> The political borders ostensibly separating “Indian country” from white settlements were often quite porous and state-sponsored mapping projects designed to control and limit the mobility of the southern Athapaskans remained wishful thinking through the second half of the nineteenth century.

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<sup>6</sup> Eric Hinderaker and Rebecca Horn, “Territorial Crossings: Histories and Historiographies of the Early Americas,” *The William and Mary Quarterly*, 67:3 (July 2010): 408. See also Juliana Barr, “Geographies of Power: Mapping Indian Borders in the ‘Borderlands’ of the Early Southwest,” *The William and Mary Quarterly*, 68:1 (January 2011): 5-46.

<sup>7</sup> According to Alexander C. Diener and Joshua Hagen, “Territoriality is the means by which humans create, communicate, and control geographical spaces, either individually or through some social or political entity.” Alexander C. Diener and Joshua Hagen, *Borders: A Very Short Introduction* (New York: Oxford University Press, 2012): 4. See also David Delaney, *Territory: A Short Introduction* (Malden, MA: Blackwell, 2005). See also Imre Sutton, “The Political Geography of Indian Country: An Introduction,” *American Indian Culture and Research Journal*, 15:2 (1991): 1-2, John A. Agnew, *Political Geography: A Reader* (Arnold, 1997), and John A. Agnew, *Place and Politics: The Geographical Mediation of State and Society* (London and New York: Routledge, 2014).

<sup>8</sup> Richard L. Nostrand, *The Hispano Homeland* (Norman: University of Oklahoma Press, 1992), Peter Gerhard, *The North Frontier of New Spain* (Norman: University of Oklahoma Press, 1993), Daniel D. Arreola, “The Anglo-Texan Homeland” in *Homelands: A Geography of Culture and Place across America*, eds. Richard L. Nostrand and Lawrence E. Estaville (Baltimore: Johns Hopkins University Press, 2001), Bernardo García Martínez, “El espacio del (des)encuentro,” Manuel Ceballos Ramírez, coord., *Encuentro en la frontera: Mexicanos y norteamericanos en un espacio común* (Mexico City: El Colegio de México, 2001): 19-51. For non-Western conceptions of the landscape, see Basso, Keith H., *Wisdom Sits in Places: Landscape and Language Among the Western Apache* (Albuquerque, NM: University of New Mexico Press, 1996).

By analyzing the dynamic relationship between the southern Athapaskans and settler societies, this dissertation redefines historical understandings of Indian sovereignty and state power in the region.<sup>9</sup> Analysis of these concepts reveals that neither Indian nations nor the state claimed a monopoly on the legitimate use of violence.<sup>10</sup> The historical occupancy of the Apache and Navajo nations exposed the instabilities inherent to frontiers, borderlands, and other zones of contested sovereignty.<sup>11</sup> Along with other Indian nations, they challenged European empires' and modern nation-states' claims to cultural, technological, and racial superiority. The expansion of tribal territories, the survival of Indian peoples, and the creation of new institutions designed to protect Indian sovereignty attest to the enduring legacy of Indian resistance to settler colonialism in the region.

While the southern Athapaskans gained ground in the eighteenth and nineteenth centuries, colonial and state authorities were able to successfully advance their ideological, military, economic, and political interests through the application of Western scientific concepts. Cartography, along with other colonial technologies, played an important role in the extension of European empires in North America.<sup>12</sup> Ethnology, a branch of anthropology that developed in

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<sup>9</sup> For legal definitions of Indian sovereignty, see Wilkins, David E., and K. Tsianinia Lomawaima. *Uneven Ground: American Indian Sovereignty and Federal Law* (Norman: University of Oklahoma Press, 2001) and David E. Wilkins, *American Indian Sovereignty and the U.S. Supreme Court: The Masking of Justice* (Austin: University of Texas Press, 2010). For a theory of state power, see Michael Mann, *The Sources of Social Power: Volume 2, The Rise of Classes and Nation-States, 1760-1914* (New York: Cambridge University Press, 2012).

<sup>10</sup> On the state's claim to a monopoly on the legitimate use of violence, see Max Weber, "Politics as a Vocation" in *The Vocation Lectures* (Indianapolis, IN: Hackett, 2004): 1-27.

<sup>11</sup> Jeremy Adelman and Stephen Aron, "From Borderlands to Borders: Empires, Nation-States, and the Peoples in Between in North American History," *The American Historical Review*, 104:3 (June 1999): 814-41. See also John R. Wunder and Pekka Hämäläinen, "Of Lethal Places and Lethal Essays," *The American Historical Review*, Vol. 104:4 (October 1999): 1229-1234 and Paul Readman, Cynthia Radding and Chad Bryant, eds., *Borderlands in World History, 1700-1914* (New York: Palgrave Macmillan, 2014).

<sup>12</sup> James R. Akerman, ed., *The Imperial Map: Cartography and the Mastery of Empire* (Chicago: University of Chicago Press, 2009). See also Dennis Reinhartz and Gerald D. Saxon, eds., *Mapping and Empire: Soldier-Engineers on the Southwestern Frontier* (Austin: University of Texas Press, 2010).

the nineteenth century, was also crucial in promoting states' strategic interests.<sup>13</sup> Scientific discourses positing racial and ethnic differences became instrumental to Spanish, Mexican, and U.S. efforts to subjugate Indian populations. In the eighteenth century, while military authorities propagated a dichotomous discourse that divided the heterogeneous populations into *indios bárbaros* ("barbaric Indians") and *gente de razón* ("people of reason"), ecclesiastical authorities developed a more nuanced understanding of Indians' customs and beliefs. Combined with the administrative and economic reforms taking place throughout the global Spanish empire, scientific reconnaissance and the fortification of the northern provinces of New Spain in the 1770s and 1780s represented an important aspect of the Hispanic Enlightenment.<sup>14</sup>

As an extension of the ideological power of the state, Western science became an important tool for the European colonization of native populations around the world. Along with the early modern discourse of the natural sciences, emerging theories of racial and ethnic difference were intertwined with Spanish policies intended to limit southern Athapaskan mobility. After Independence in 1821, the Mexican government adopted many of the same institutions developed during the preceding two and a half centuries of Spanish colonial rule.<sup>15</sup> While historians have characterized Mexico's independence from Spain as an historical rupture, this dissertation emphasizes the continuities, particularly policies and practices concerning the

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<sup>13</sup> Don D. Fowler, *A Laboratory for Anthropology: Science and Romanticism in the American Southwest, 1846-1930* (Albuquerque: University of New Mexico Press, 2000), Robert L. Gunn, *Ethnology and Empire: Languages, Literature, and the Making of the North American Borderlands* (New York: New York University Press, 2015).

<sup>14</sup> Neil Safier, *Measuring the New World: Enlightenment and Science in South America* (Chicago: University of Chicago Press, 2008), Daniela, Bleichmar, *Visible Empire: Botanical Expeditions and Visual Culture in the Hispanic Enlightenment* (Chicago: The University of Chicago Press, 2012). See also Dane Kennedy, ed., *Reinterpreting Exploration: The West in the World* (New York: Oxford University Press, 2014).

<sup>15</sup> In their study of Apache history, Ricardo León García, Carlos González Herrera emphasized the continuity of policies and practices from the Spanish colonial period through the consolidation of the Mexican state in the late nineteenth century. Ricardo León García, Carlos González Herrera, *Civilizar o exterminar: tarahumaras y apaches en Chihuahua, siglo XIX* (México: Centro de Investigaciones y Estudios Superiores en Antropología Social, 2000).

status of Indian populations in the periphery. Throughout the first half of the nineteenth century, the Mexican government continued to wage intermittent wars against the *indios bárbaros* of the north, while at the same time subsidizing Apache peace settlements in regions where the state was vulnerable.<sup>16</sup> Even after ceding portions of Sonora, New Mexico, and Texas to the United States in 1848, the Mexican government remained actively involved in efforts to remove the Apache, Comanche, Kickapoo, and other Indian nations from the border region.

Similarly, following the U.S. occupation of the Southwest in 1846, the American state attempted to reduce the southern Athapaskans' influence. Anticipating the uncontested advance of U.S. western expansion, U.S. authorities were shocked by the resistance they encountered. Following patterns established by their predecessors, they articulated and propagated ideas of race through the production of scientific knowledge. The U.S. government began to systematically collect ethnological information about the Indian populations of the region during the surveying of the U.S.-Mexico border between the years 1848-1857.<sup>17</sup> This work continued during the 1855-1856 exploration and surveying of a route for the Southern Pacific Railroad.<sup>18</sup> The nexus between state-sponsored scientific surveys and the production of racial ideologies as a form of state power came into focus during this period. The U.S. Corps of Topographical Engineers produced a large corpus of information detailing the size, location, and cultural characteristics of the southern Athapaskans in the years leading up to the Civil War. The U.S.

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<sup>16</sup> Martha Rodríguez García, *La guerra entre bárbaros y civilizados: el exterminio del nómada en Coahuila, 1840-1880* (Saltillo, Coahuila: Centro de Estudios Sociales y Humanísticos, 1998).

<sup>17</sup> Joseph R. Werne, *The Imaginary Line: A History of the United States and Mexican Boundary Survey, 1848-1857* (Fort Worth: Texas Christian University Press, 2007), Robert L. Gunn, *Ethnology and Empire: Languages, Literature, and the Making of the North American Borderlands* (New York: New York University Press, 2015).

<sup>18</sup> United States, War Department, *Reports of Explorations and Surveys, to Ascertain the most Practicable and Economical Route for a Railroad from the Mississippi River to the Pacific Ocean* (Washington, DC: Government Printing Office, 1856).

Indian Office also played a crucial role in gathering similar types of information through the 1870s.

Ethnology, along with other burgeoning fields of scientific inquiry, provided agents of the Indian Office with a political discourse steeped in the language of race that became intertwined with the strategic, military, economic, and political objectives of U.S. empire. Amateur ethnologists, such as John Russell Bartlett, Michael Steck, William F.M. Arny, and numerous other agents of the Indian Office endeavored to protect Indian peoples and to preserve aspects of their culture. They often cast the Apaches and other marginalized populations as victims of Mexican duplicity or U.S. “skullduggery” and, in certain circumstances, advocated for Indian sovereignty. But they also sought to dispossess Indian peoples from lands claimed by Hispanic residents and U.S. citizens and to subordinate their interests to those of the federal government. In the second half of the nineteenth century, ethnology fulfilled the broader objective of “civilizing” Indian populations. While ethnologists’ renderings of the Apaches as victims of frontier violence challenged the stereotype of them as members of a “disappearing” race, they simultaneously buttressed arguments that “civilization” programs were the best means available to protect the Apaches from their adversaries and thus guarantee their survival. However, as seen through the collapse of the treaty system in the 1850s, as well as the failures of the reservation system during and after the Civil War, U.S. “civilization” policies proved to be as destructive as the military programs they were intended to replace.

Cartography constituted another significant source of state power that U.S. authorities employed in their attempts to curtail the southern Athapaskans’ territorial expansion. Advancements in surveying and mapmaking technologies provided the U.S. government with more precise understandings of the region’s complex physical geography and the people residing

there. But maps of the U.S.-Mexico border and the adjacent states and territories also revealed the limits of such knowledge. Antebellum maps of the U.S. Territory of New Mexico (such as those produced by the Joint Boundary Commission between 1849 and 1857) provided authorities with only a rudimentary understanding of the region's topographically and culturally complex landscape. Spanish, Mexican, and U.S. maps of the Rio Grande, Pecos, and Gila River valleys were often incomplete and lacked precise measurements of latitude and longitude that would render them useful to military personnel, merchants, settlers, and other fortune-seekers. Indeed, antebellum maps of the U.S.-Mexico border (established through the Bartlett-García Conde compromise made in December 1850 and the Gadsden Treaty ratified by the U.S. Senate in April 1853) exposed significant blind spots, occlusions, and distortions. Ironically, the deficiencies in nineteenth-century maps of the Southwest revealed the shape of tribal territories in the borderlands—a presence reaffirmed and reproduced through its cartographic negation.

Spanish, Mexican, and U.S. maps obscured the reality of Indian territorial sovereignty and revealed the limits of state power in the region that became the Southwest. While historical maps located in the national archives of Spain, Mexico, and the United States largely reflected the interests, values, and prerogatives of colonial powers, they also contained detailed information concerning the history of the Southern Athapaskans. Through a critical analysis of maps and the shifting boundaries between tribal territories and settler societies, this dissertation brings into focus a possible indigenous geography of the Apachería. The Apachería was a large swath of territory that stretched across the Colorado Plateau, the southern Rocky Mountains, the southern Great Plains, and into the Sierra Madre Occidental of northern Mexico. While it appeared to lack the geographical specificity of political jurisdictions such as the Interior Provinces of New Spain or the U.S. territories of New Mexico and Arizona, the Apachería remained an

important spatial entity throughout the eighteenth and nineteenth centuries.<sup>19</sup> The methodological approach advanced in this dissertation emphasizes how the boundaries of Indian societies, European colonies, and modern nation-states expanded and contracted over time. Combined with analysis of archaeological studies, colonial records, and oral testimony, this approach brings a previously invisible indigenous geography into view.

To understand how southern Athapaskan migration, territorial expansion, and economic exploitation challenged Euro-American structures and processes of racial domination, this dissertation underscores the continuities that connected the Spanish colonization, the Mexican administration, and the U.S. occupation of the region. While noting the critical turning points and ruptures in the region's history, this dissertation draws attention to the larger patterns of historical change. When seen from a *longue durée* perspective, what was often regarded as sporadic and unrelated episodes of frontier violence can be understood as products of large-scale historical process of human migration, inter-societal warfare, and indigenous imperialism.<sup>20</sup> By examining patterns of demographic expansion and decline, economic integration and isolation, and military engagement and retrenchment over the courses of three successive phases of colonization, this dissertation brings into focus the limits of state power, the broader significance of Indian sovereignty for the Apache and Navajo nations, and their enduring struggle for political autonomy.

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<sup>19</sup> Daniel D. Arreola, "Chiricahua Apache Homeland in the Borderland Southwest," *The Geographical Review*, 102:1 (January 2012): 111-131.

<sup>20</sup> On *longue durée* history, see Jo Guldi and David Armitage, *The History Manifesto* (New York: Cambridge University Press, 2014). See also Deborah Cohen and Peter Mandler, "AHR Exchange: *The History Manifesto*: A Critique," *American Historical Review* (April 2015): 530-542. See also the work of scholars of world history, such as William H. McNeill, J.M. Roberts, and O.A. Westad, who have studies large-scale historical processes such as human migration, imperialism, and revolution. William H. McNeill, "Human Migration in Historical Perspective," *Population and Development Review*, 10:1 (March 1984): 1-18. J.M. Roberts and O.A. Westad, *The History of the World* (New York: Oxford University Press, 2013)

## Historiographical Contexts

This dissertation stands at the intersection of four distinct historiographical traditions, including colonial and frontier histories of the American Southwest as well as more recent scholarship in the fields of the U.S.-Mexico borderlands and Native American history.

*Colonial histories.* Even before Gaspar Pérez de Villagrá penned his *Historia de la Nueva México* in 1610, recounting the Spanish conquest of the Kingdom of New Mexico under Juan de Oñate in 1598, the history of the regions north of Mexico attracted the attention of many authors during the early Spanish colonial period.<sup>21</sup> Chronicles of early explorations, military expeditions, and Christian evangelism formed the basis of the first institutional histories of northern New Spain, including those written in the eighteenth century under the direction of viceroys Manuel Antonio de Flores Maldonado and Juan Vicente de Güemes.<sup>22</sup> Drawing from the prolific writings of military officers, missionaries, and other clerical records constituting the colonial archive, historians formulated interpretations of Spain's presence in the northern periphery of New Spain that celebrated military conquests, religious conversions, and the triumph of Spanish culture and technology over Native American societies.

Although there were considerable thematic variations among histories of Spain's North American empire published in the early twentieth century, most tended to emphasize the

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<sup>21</sup> Gaspar Pérez de Villagrá, *Historia de la Nueva México*, 1610, trans. and ed. Miguel Encinas, Alfred Rodríguez, and Joseph P. Sánchez (Albuquerque: University of New Mexico Press, 1992). See also Genaro M. Padilla, *The Daring Flight of My Pen Cultural Politics and Gaspar Pérez de Villagrá's Historia de la Nueva Mexico*, 1610 (Albuquerque: University of New Mexico Press, 2010), Celia López-Chávez, *Epics of Empire and Frontier: Alonso de Ercilla and Gaspar Pérez de Villagrá as Spanish Colonial Chroniclers* (Norman: University of Oklahoma Press, 2016), and Miguel Martínez, *Front Lines: Soldiers' Writing in the Early Modern Hispanic World* (Philadelphia: University of Pennsylvania Press, 2016).

<sup>22</sup> Jorge Cañizares-Esguerra, *How to Write the History of the New World: Histories, Epistemologies, and Identities in the Eighteenth-Century Atlantic World* (Stanford University Press, 2001). See also Instrucciones provisionales para el cuidado y arreglo del archivo antiguo y corriente. 1790. Archivo General de la Nación, *Historia*, Caja 580-A, Exp. 4, Cuaderno 1.

institutional dimensions of imperial expansion. In the United States, Hubert Howe Bancroft, Herbert Eugene Bolton, John Francis Banon, and David J. Weber pioneered the school of Spanish Borderlands history, casting European colonists as the main protagonists in celebratory narratives of exploration and discovery that drew much of their inspiration from Bolton's intellectual mentor, Frederick Jackson Turner.<sup>23</sup> Indeed, Turner's frontier thesis, which posited the frontier as a dividing line between "savagery" and "civilization," established the dominant interpretive framework for historians of the American West for several successive generations.<sup>24</sup>

In Mexico, scholars such as Vito Alessio Robles and María del Carmen Velázquez wrote institutional histories of northern New Spain that drew from different regional and national archives, but arrived at many of the same conclusions.<sup>25</sup> In Spain, the formidable scholarship of Luis Navarro García offered the most detailed and comprehensive understanding of the administrative, ecclesiastical, and military developments during the eighteenth century, with a particular emphasis on the articulation of a sprawling colonial bureaucracy.<sup>26</sup>

Institutional histories tended to overlook the enduring presence of Native American societies that have become the focus of the more recent historiography on the Spanish colonial period. Whereas previous generations of historians examined subjects such as relations between

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<sup>23</sup> Herbert E. Bolton, *The Spanish Borderlands: A Chronicle of old Florida and the Southwest* (New Haven: Yale University Press, 1921). See also Russell M. Magnaghi, *Herbert E. Bolton and the Historiography of the Americas* (Westport, CT: Greenwood Press, 1998) and Albert L. Hurtado, *Herbert Eugene Bolton: Historian of the American Borderlands* (Berkeley: University of California Press, 2012).

<sup>24</sup> David J. Weber, "Turner, the Boltonians, and the Borderlands," *The American Historical Review*, 91:1 (February 1986): 66-81. See also David J. Weber, *The Spanish Frontier in North America* (New Haven, CT: Yale University Press, 1992).

<sup>25</sup> Vito Alessio Robles, *Coahuila y Texas en la época colonial* (México: Editorial Cultura, 1938), María del Carmen Velázquez, *Establecimiento y pérdida del Septentrión de Nueva España* (México: El Colegio de México, 1974), María del Carmen Velázquez, *La frontera norte y la experiencia colonial* (México: Secretaría de Relaciones Exteriores, 1982).

<sup>26</sup> Luis Navarro García, *Don José de Gálvez y la Comandancia General de las Provincias Internas del norte de Nueva España* (Sevilla: Consejo Superior de Investigaciones Científicas, 1964), Luis Navarro García, *Las reformas borbónicas en América: el plan de intendencias y su aplicación* (Seville: Universidad de Sevilla, 1995).

church and state, diplomacy with other European empires, the political economy of the gold and silver mining industries, and the ideological origins of Mexico's independence from Spain, the focus has shifted to other issues. More recent scholarship has emphasized interethnic relations between European colonists and indigenous communities; slavery and other forms of indentured servitude; race, ethnicity and *mestizaje*; social exclusion and discourses of domination; early modern science and understandings of the natural world; and the limited capacity of the highly centralized colonial bureaucracy to control populations in the periphery.<sup>27</sup>

Recent scholarship on the transformation of Mexico from a viceroyalty to a modern nation-state has shared many of the same concerns. Studies by Andrés Reséndez, Jorge Chávez, Cuauhtémoc Velasco Ávila, and Marcela Terrazas have traced important changes in Mexico's northern periphery during the early nineteenth century, showing how political reforms and the reorientation of the region's economy significantly altered relations between the state and Native communities.<sup>28</sup>

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<sup>27</sup> For example, see Ramón A. Gutiérrez, *When Jesus Came the Corn Mothers Went Away: Marriage, Sexuality and Power in New Mexico, 1500-1846* (Stanford, CA: Stanford University Press, 1991), Cynthia Radding, *Wandering Peoples: Colonialism, Ethnic Spaces, and Ecological Frontiers in Northwestern Mexico, 1700-1850* (Durham, NC: Duke University Press, 1997), and James F. Brooks, *Captives & Cousins: Slavery, Kinship, and Community in the Southwest Borderlands* (Chapel Hill: University of North Carolina Press, 2002). On social exclusion and discourses of domination, see Ethelia Ruiz Medrano and Susan Kellogg, eds., *Negotiation within Domination: New Spain's Indian Pueblos Confront the Spanish State* (Boulder: University Press of Colorado, 2010), Francisco Manzo-Robledo, *El discurso de la dominación: casos coloniales* (México: Libros para todos, 2008), and Christian Büschges, Frédérique Langue, coords., *Excluir para ser: procesos identitarios y fronteras sociales en la América hispánica (siglos XVII-XVIII)* (Madrid: Iberoamericana, 2005). On early modern science and understandings of the natural world, see Antonio Barrera-Osorio, *Experiencing Nature: The Spanish American Empire and the Early Scientific Revolution* (Austin: University of Texas Press, 2006) and Daniela Bleichmar, *Visible Empire: Botanical Expeditions and Visual Culture in the Hispanic Enlightenment* (University of Chicago Press, 2012).

<sup>28</sup> Andrés Reséndez, *Changing National Identities at the Frontier: Texas and New Mexico, 1800-1850* (New York: Cambridge University Press, 2004), Jorge Chávez, *Entre rudos y bárbaros: construcción de una cultura regional en la frontera norte de México* (Ciudad Juárez, Chihuahua: El Colegio de Chihuahua, 2011), Cuauhtémoc Velasco Ávila, *La frontera étnica en el noreste mexicano: los comanches entre 1800-1841* (Tlalpan, DF: Centro de Investigaciones y Estudios Superiores en Antropología Social, 2012), Marcela Terrazas y Basante, Gerardo Gurza Lavalle, eds., *Las relaciones México-Estados Unidos: 1756-2010*, 2 vols. (México: UNAM, Instituto de Investigaciones Históricas/Centro de Investigaciones sobre América del Norte, 2012). See also. Ricardo León García, Carlos González Herrera, *Civilizar o exterminar: tarahumaras y apaches en Chihuahua, siglo XIX* (México: Centro de Investigaciones y Estudios Superiores en Antropología Social, 2000).

*Frontier histories.* Many historians writing about U.S. expansion into the Southwest during the mid-nineteenth century have focused on the themes of conquest, violence, and militarism. Readily adopting Turner's frontier thesis, classic scholarship by William H. Goetzmann, John E. Weems, John S. D. Eisenhower, and James M. McCaffey have rendered the U.S.-Mexican War as the consequence of presumed cultural, technological, and even racial superiority.<sup>29</sup> Dan Thrapp, Bruce Vandervort, Paul A. Sutton, and other historians of the so-called "Apache Wars" have similarly emphasized the role of the U.S. military, depicting the extended series of violent conflicts between local communities and Anglo settlers as merely another stage in the United States' inevitable domination of the continent and its Native inhabitants.<sup>30</sup>

Yet, as more recent studies have shown, the frontier paradigm has obscured important features of U.S. imperialism, settler colonialism, and the persistence of racial hierarchies in the region. Seeking to understand how struggles over land, labor, sovereignty, and citizenship shaped the American West in the nineteenth century, historians have underscored the centrality of Native communities. As Adam Arenson and Andrew R. Graybill have argued, "[a]s in so many areas of U.S. history, greater attention to the history and historiography of American Indian nations reveals the defining threads of the U.S. national project, uniting western history,

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<sup>29</sup> William H. Goetzmann, *Army Exploration in the American West, 1803-1863* (Austin: Texas State Historical Association, 1959), John E. Weems, *To Conquer a Peace: The War Between the United States and Mexico* (Garden City, NY: Doubleday, 1974), John S. D. Eisenhower, *So Far From God: The U.S. War with Mexico, 1846-1848* (New York: Random House, 1989), James M. McCaffey, *Army of Manifest Destiny: The American Soldiers in the Mexican War, 1846-1848* (New York: NYU Press, 1992).

<sup>30</sup> Dan L. Thrapp, *The Conquest of Apacheria* (Norman: University of Oklahoma Press, 1967), Bruce Vandervort, *Indian Wars of Mexico, Canada, and the United States, 1812-1900* (New York: Routledge, 2006), Paul A. Sutton, *The Apache Wars: The Hunt for Geronimo, the Apache Kid, and the Captive Boy Who Started the Longest War in American History* (New York: Crown, 2016).

Civil War history, and the study of the United States as an empire.”<sup>31</sup> More recent studies have drawn greater attention to the immediate and long-term effects of settler colonialism. As David W. Adams and Crista DeLuzio have observed, settler colonialism “demarcated as racially inferior the indigenous peoples who occupied the land settlers desired and mandated their segregation, removal, and extermination, both biological and cultural.”<sup>32</sup> For these scholars, the reproduction of race and racial ideologies were defining characteristics of U.S. western expansion that merited further analysis.<sup>33</sup>

*Borderland histories.* As historians have reconceptualized the entangled histories of Spanish, Mexican, and U.S. “cycles of conquest” in the American Southwest, the notion of “borderlands”—broadly defined as zones of contested sovereignty—has emerged as a dominant interpretive framework. First applied by the Bolton school to study the so-called Spanish borderlands, the analytic approach has been applied to study a range of cultural, political, and spatial dynamics extending well beyond former colonial boundaries. Widely influential scholarship on the U.S.-Mexico borderlands by Gloria Anzaldúa, Roger Rouse, and others stimulated new comparative and transnational histories on empires, frontiers, state-building,

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<sup>31</sup> Adam Arenson and Andrew R. Graybill, eds., *Civil War Wests: Testing the Limits of the United States* (Berkeley: University of California Press, 2015): 5. See also Virginia Scharff, ed., *Empire and Liberty: The Civil War and the West* (Oakland: University of California Press, 2015) and Gregory P. Downs and Kate Masur, eds., *The World the Civil War Made* (Chapel Hill: The University of North Carolina Press, 2015).

<sup>32</sup> David W. Adams and Crista DeLuzio, eds., *On the Borders of Love and Power: Families and Kinship in the Intercultural American Southwest* (Berkeley: University of California Press, 2012): 4. See also Lisa Ford, *Settler Sovereignty: Jurisdiction and Indigenous People in America and Australia, 1788-1836* (Cambridge, MA: Harvard University Press, 2010).

<sup>33</sup> Bryan Brayboy, “Toward a Tribal Critical Race Theory in Education,” *The Urban Review*, 37:5 (December 2005): 425-446, Katzew, Ilona and Susan Deans-Smith, eds., *Race and Classification: The Case of Mexican America* (Stanford, CA: Stanford University Press, 2009), Patrick Wolfe, *Traces of History: Elementary Structures of Race* (London: Verso, 2016).

immigration, race and ethnicity, and law.<sup>34</sup> More recent studies by George T. Díaz, José Angel Hernández, Pablo Mitchell, Anthony Mora, and Omar S. Valerio-Jiménez have demonstrated the explanatory value of the borderlands paradigm.<sup>35</sup> However, historians of the nineteenth-century U.S.-Mexico borderlands have tended to gloss over the systematic, state-sponsored violence against Native peoples on both sides of the international boundary, choosing instead to depict Anglos and Mexicans as hapless victims.

*Native histories.* By emphasizing the historical experiences of Native peoples in the borderlands and their struggle for self-determination, scholars in the field of Native American and Indigenous Studies have challenged the master narratives of European imperialism and modern state-formation. Juliana Barr, Ned Blackhawk, James F. Brooks, Brian DeLay, Jennifer Nez Denetdale, Pekka Hämäläinen, Karl Jacoby, and others have drawn attention to questions surrounding agency, self-determination, and indigenous peoples' often contentious relationship with settler colonialism.<sup>36</sup> Yet, even recent exemplary studies of Native American history have

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<sup>34</sup> Gloria Anzaldúa, *Borderlands/La frontera: The New Mestiza* (San Francisco, CA: Spinster/Aunt Lute, 1987), Roger Rouse, "Mexican Migration and the Social Space of Postmodernism," in *Migration, Diasporas and Transnationalism*, Steven Vertovec and Robin Cohen, eds. (Northampton, MA: Edward Elgar, 1991): 24-39.

<sup>35</sup> George T. Díaz, *Border Contraband: A History of Smuggling across the Rio Grande* (Austin: University of Texas Press, 2015), José Angel Hernández, *Mexican American Colonization during the Nineteenth Century: A History of the U.S.-Mexico Borderlands* (New York: Cambridge University Press, 2012), Pablo Mitchell, *Coyote Nation: Sexuality, Race, and Conquest in Modernizing New Mexico, 1880-1920* (Chicago, IL: University of Chicago Press, 2005), Anthony Mora, *Border Dilemmas: Racial and National Uncertainties in New Mexico, 1848-1912* (Durham, NC: Duke University Press, 2010), and Omar S. Valerio-Jiménez, *River of Hope: Forging Identity and Nation in the Rio Grande Borderlands* (Durham, NC: Duke University Press, 2013).

<sup>36</sup> Juliana Barr, *Peace Came in the Form of a Woman: Indians and Spaniards in the Texas Borderlands* (Chapel Hill: University of North Carolina Press, 2007) Ned Blackhawk, *Violence over the Land: Indians and Empires in the Early American West* (Cambridge, MA: Harvard University Press, 2006), James F. Brooks, *Captives & Cousins: Slavery, Kinship, and Community in the Southwest Borderlands* (Chapel Hill: University of North Carolina Press, 2002), Brian DeLay, *War of a Thousand Deserts: Indian Raids and the U.S.-Mexican War* (New Haven, CT: Yale University Press, 2008), Jennifer Nez Denetdale, *Reclaiming Diné History: The Legacies of Navajo Chief Manuelito and Juanita* (Tucson: University of Arizona Press, 2007), Pekka Hämäläinen, *The Comanche Empire* (New Haven, CT: Yale University Press, 2008), Karl Jacoby, *Shadows at Dawn: A Borderlands Massacre and the Violence of History* (New York: Penguin Press, 2008). See also Elizabeth A. Fenn, *Encounters at the Heart of the World: A History of the Mandan People* (New York: Hill and Wang, 2014).

discounted the centrality of the southern Athapaskan diaspora in the reshaping of northern Mexico and the southwestern United States in the eighteenth and nineteenth centuries. Moreover, these authors have obscured the dynamic relationship between Indian sovereignty and state power in the borderlands.<sup>37</sup>

Building from the insights of recent scholarship in Native American and Indigenous Studies and U.S.-Mexico borderlands history, this dissertation places the southern Athapaskans at the center of a long and complex history of migration, cultural diffusion, settler colonialism, racial subjugation, displacement, and survival. It shows how Apache and Navajo communities succeeded in sustaining and revitalizing their communities despite the systematic efforts of European empires and modern nation-states to destroy them. While historians of the region have tended to narrow their analyses to the period following the end of the U.S. war with Mexico (1846-1848), this dissertation demonstrates the explanatory value of expanding the parameters of historical inquiry to include the formative years under Spanish colonial rule (1598-1821) and Mexican independence (1821-1846). Ultimately, it contributes to these fields by weaving together the diverse strands of southern Athapaskan history and demonstrating their importance in the conflicts of land, property, citizenship, and identity that were central to the political development of both Mexico and the United States.

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<sup>37</sup> Karl Jacoby, “Indigenous Empires and Native Nations: Beyond History and Ethnohistory in Pekka Hamalainen’s *The Comanche Empire*,” *History and Theory*, 52 (February 2013): 60-66.

## **Chapter Outline**

This dissertation consists of seven chapters that are organized chronologically and thematically to reflect the three major stages of Apache and Navajo resistance to settler colonialism. Chapter 1 examines the migration and territorial expansion of the southern Athapaskans into northern New Spain in the 18th century, their development of trading and raiding networks that extended throughout the Kingdom of New Mexico, Texas, Nueva Vizcaya, and Sonora, and the efforts of the Spanish colonial bureaucracy to curtail the advance of the European and indigenous empires through diplomacy.

Chapter 2 examines how Spain's reorganization of the northern frontier of New Spain in the late 1760s and early 1770s produced new territorial jurisdictions while at the same time reconfiguring social relations between the region's European, indigenous, and mixed-race inhabitants. Seen from the perspective of Spanish officials such as the Marqués de Rubí, the region was viewed as a disorganized landscape that required a rational system of administration. Along with other reformers from this period, Rubí envisioned creating an "ideal line" that would cleanly divide New Spain from the *indios bárbaros* of the north and repel the incursions of other hostile groups living on the periphery. I argue that inter-ethnic alliances and intermarriage eroded many of the political and social boundaries that the Bourbon reforms attempted to impose during this period. This research draws from a range of archival materials including the Archivo General de la Nación, Mexico, the Archivos Históricos de Ciudad Juárez, and the Spanish Archives of New Mexico.

Chapter 3 considers the period between 1821 and 1836 when tens of thousands of emigrants moved to Texas and New Mexico to settle both legally and illegally on land grants established under Mexico's colonization policy. In these years the U.S. policy of Indian removal

forced many native groups out of their homelands, including members of the so-called “civilized tribes,” the Cherokees, Chickasaws, Choctaws, Creeks, and Seminoles. The feeble Mexican bureaucracy in the northern provinces was quickly overwhelmed by the arrival of these emigrants. This chapter shows that indigenous polities were active and influential participants in the complex negotiations involving both the Mexican and U.S. governments. Sources for this chapter originated in the Archivo Histórico Genaro Estrada del Acervo Histórico Diplomático de la Secretaría de Relaciones Exteriores in Mexico City.

The complicated and often controversial negotiations between American, Mexican, and indigenous leaders in the years after the end of the U.S.-Mexican War (1846-1848) are the focus of Chapter 4. It shows that the creation of the U.S.-Mexico border in 1848 paradoxically facilitated rather than inhibited the expansion of the Apaches’ sphere of influence. Chiricahua, Mescalero, and Lipan Apaches, along with other independent Indians, such as Comanches and Kiowas, continued their seasonal migrations through vast landscape that was bisected by the international boundary. The abrogation of Article XI—which intended to prevent incursions of “barbaric Indians” across the border—in 1853 signaled the rejection of a diplomatic solution and the turn toward more coercive state policies intended to limit the mobility of Native groups. This chapter seeks to contribute to a growing body of scholarship on the history of the U.S.-Mexican borderlands that places indigenous polities such as the Mogollon and Mimbreño Apache at the center of the conflicts, negotiations, and misunderstandings that shaped national and international politics in the region during the mid-nineteenth century. It draws from the John Russell Bartlett Papers and the Mexican Boundary Commission Papers at the John Carter Brown Library.

The central focus of Chapter 5 is the effect that U.S. and Mexican border policies in the 1850s and 1860s had on Lipan and Mescalero Apaches, Kickapoos, and other Native groups whose homelands and histories straddled the international boundary. This chapter examines how these culturally and linguistically diverse Indian communities exploited the political geography of the borderlands, maximizing economic opportunities and creating alternative identities that allowed them to thrive in the periphery of the two nation-states. Based on archival research at the Archivo Histórico Genaro Estrado of the Secretaría de Relaciones Exteriores in Mexico City, this chapter emphasizes the central role of Indian nations in the political development of the U.S.-Mexican borderlands in the third quarter of the nineteenth century.

Chapter 6 examines the institutional origins of federal Indian reservations in the U.S. territories of New Mexico and Arizona through an analysis of letters received by the Office of Indian Affairs and the records of the Superintendencies of Indian Affairs from the 1860s and 1870s. It shows that in contrast with the peace settlements established by Spanish colonial authorities and maintained by the Mexican administration, the Indian reservations created by the U.S. federal government were more coercive instruments of domination. It underscores the limited capacity of the U.S. government to establish control over the sovereign Indian nations before the Civil War. It also examines the failures of the reservation at Bosque Redondo in the mid-1860s, a period remembered by the Navajo (Diné) as “The Long Walk” (Hwéeldi Baa Hané), when more than 8,000 men, women, and children were forced to march to an internment camp in New Mexico and held as prisoners of war between 1864 and 1868.

Chapter 7 examines the consolidation of the reservation system during the era of Reconstruction, showing how President Ulysses S. Grant’s administration reconfigured the geographical expanse of the Apachería by forcing Indian populations from their homelands onto

“reserves” or “cessions” that existed for only a brief period of time being restored to the public domain. It also analyzes the diplomatic missions that brought Apache and Navajo delegations from the U.S. Territories of New Mexico and Arizona in 1872, 1874, and 1876 to meet with officials in Washington, D.C. While some tribal leaders chose to engage the “civilization” programs, the overcrowding, poor sanitary conditions, and exploitation by corrupt agents caused the reservations to become intolerable for many residents by the mid-1880s. Yet the patterns of dispossession and privatization were not universal, as the Jicarilla Apache and the Navajo were able to expand their landholdings through successful negotiations with the federal government.

## **Chapter 1**

### **Apache Migration and Territorial Expansion in the Eighteenth Century**

One of the initial encounters between the ancestral Apaches and Spanish colonists occurred in the vast grasslands east of the Rocky Mountains in present-day Nebraska during mid-sixteenth century. Pedro de Casteñeda, the chronicler of Francisco Vázquez de Coronado's expedition to Cíbola in the Central Plains in 1540-1542, provided a concise description of the "people called Querechos and Teyas." He noted:

[T]hese people follow the buffalo, hunting them and tanning the skins to take to the settlements in the winter to sell, since they go there to pass the winter, each company going to those which are nearest, some to the settlements at Cicuye [Pecos], and others toward Quivira [Wichita], and others to the settlements which are situated in the direction of Florida. . . . They described some large settlements, and judging from what was seen of these people and from the accounts they gave of other places, there are a good many more of these people than there are of those at the settlements.<sup>1</sup>

Casteñeda's observations indicated the Querechos and Teyas were integrated within a broad network of settlements, stretching from the Pecos Pueblo in eastern New Mexico to the Wichita villages in central Kansas. His ethnographic account suggested how their seasonal migrations from the Central Plains to locations further south brought them into regular contact with other Indian cultures as well as Spanish colonists. Although the Spaniards would not establish a permanent presence on the upper Rio Grande until 1598, the location of the Plains Apaches at

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<sup>1</sup> George P. Winship, trans., *The Journey of Coronado, 1540-1542* (New York: Allerton Book Co., 1922): 527.

the center of the Pecos and Wichita trading centers was a prescient sign of their liminal position at the edge of multiple worlds.

The Querechos and Teyas that Casteñeda observed on the Central Plains in the mid-sixteenth century represented one of the many different Apache settlements or *rancherías* that modern anthropological research has linked to the Athapaskan diaspora. Based on the linguistic similarities of Apachean languages spoken in the present-day Southwestern United States and Athapaskan speakers in Northwestern Canada, as well as archaeological evidence from sites in Wyoming, Colorado, Nebraska, and New Mexico, anthropologists have hypothesized that significant numbers of Apachean ancestors began to depart from their homelands in the north around the tenth century A.D.<sup>2</sup> While they appear to have followed a number of different routes and arrived at their destinations at different points in time, the people identified in the historical record as Apaches were living along the western range of the Rocky Mountains, on the Colorado Plateau, in the High Plains, and along the eastern face of the Rocky Mountains sometime between 1400 and 1500 A.D.<sup>3</sup>

The dispersed population of hunters and gatherers that Casteñeda described were most likely associated with the archaeological remains at the Dismal River site in present-day Nebraska. The various shards of pottery and other types of material culture at that site revealed the influence of Mandan, Arikara, Pawnee, and Wichita cultures.<sup>4</sup> Pottery recovered from sites

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<sup>2</sup> Kevin P. Gilmore and Sean Larmore, “Looking for Lovitt in All the Wrong Places: Migration Models and the Athapaskan Diaspora as Viewed from Eastern Colorado,” in *From the Land of Ever Winter to the American Southwest: Athapaskan Migrations, Mobility, and Ethnogenesis*, ed. Deni J. Seymour (Salt Lake City: University of Utah Press, 2012): 37-77.

<sup>3</sup> Ibid.: 59.

<sup>4</sup> Based on the analysis of pottery shards and other material remnants of Apache occupancy in the Southern Plains, James H. Gunnerson and Dolores A. Gunnerson hypothesized that bands of Apaches reached the Southern Plains by the early sixteenth century. James H. Gunnerson and Dolores A. Gunnerson, “Apachean Culture: A Study in Unity

further south bore the markings of pottery produced at Taos and Picuris.<sup>5</sup> Colonial authorities continued to observe the activities of these and other groups Apaches living along the edges of Spanish settlements in New Mexico during the seventeenth century. They developed a lexicon of indigenous ethnonyms that identified the different bands or clans with features of the geography they inhabited, distinct cultural characteristics, and the names of prominent leaders.<sup>6</sup> Thus, the Apache inhabitants of the Southern Plains were known as *Llaneros* and those living near the Gila and Mimbres watersheds were referred to as *Gileños* and *Mimbreños*. Similarly, the *Jicarillas* were known for the production of small woven baskets and the *Mescaleros* for their seasonal gathering of mescal root. Although some ethnonyms were more obscure, such as *Ypandes* for Lipan Apaches of Texas, Spanish authorities employed this lexicon consistently, modifying it as colonial understandings of the indigenous geography changed over time.

The proliferation of these indigenous ethnonyms reflected the continuing migration and territorial expansion of the Apache diaspora over the course of the eighteenth century. Scholars have obscured the historical significance of this phenomenon by exaggerating the success of Spain's efforts to colonize lands along the northern periphery of New Spain.<sup>7</sup> While some historians have examined the process of ethnic fragmentation and reintegration identified as “ethnogenesis,” few extant studies have analyzed the factors that contributed to the emergence of

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and Diversity” in Keith H. Basso and Morris E. Opler, *Apachean Culture History and Ethnology*, Anthropological Papers of the University of Arizona, Number 21 (Tucson: The University of Arizona Press, 1971): 7-27.

<sup>5</sup> Ibid.: 9.

<sup>6</sup> Willem J. de Reuse, “Synonymy,” in Alfonso Ortiz, ed., *Handbook of North American Indians*, Vol. 10: Southwest (Washington, DC: Smithsonian Institution, 1983), 385-392. See also Willem J. de Reuse, “Apache Names in Spanish and Early Mexican Documents: What They Can Tell Us about the Early Contact Apache Dialect Situation,” in *From the Land of Ever Winter to the American Southwest: Athapaskan Migrations, Mobility, and Ethnogenesis*, ed. Deni J. Seymour (Salt Lake City: University of Utah Press, 2012): 271-285.

<sup>7</sup> Scholars such as Bernardo García Martínez have minimized the effects of Apache migration, Comanche imperialism, and the dynamics of Indian-white relations in northern New Spain. Bernardo García Martínez, “El espacio del (des)encuentro” in *Encuentro en la frontera: Mexicanos y norteamericanos en un espacio común*, ed., Manuel Ceballos Ramírez (México: El Colegio de México, 2001): 19-51.

distinct Apachean cultures in the eighteenth century.<sup>8</sup> Scholars have also tended to underestimate the far-reaching and enduring effects of Apache expansion. Pekka Hämäläinen, for example, has argued the Apaches all but disappeared following the rise of the Comanche empire on the Southern Plains in the early eighteenth century.<sup>9</sup>

Rather than accepting the view that Spaniards succeeded in subordinating the Apaches to the strictures of colonialism, or that Comanche imperialism entirely obscured their presence in the region, this chapter offers a more nuanced understanding of how the Apaches adapted to these developments. While many of the subgroups were forced to abandon their former homelands, the Apaches extended their existing raiding and trading networks as they moved further south into new territories. The north-south trajectory of Spanish settlements in New Mexico and the lack of defensive outposts in Texas allowed them to rapidly advance upon the burgeoning silver mining frontiers in Nueva Vizcaya and Sonora. As they expanded the range of these forays beyond their former tribal territories, they came into contact with a variety of other Spanish and Indian populations that further shaped and redefined the cultural profiles of each subgroup.

This chapter is organized around five distinct stages in the southward migration and territorial expansion of the Apache diaspora in the eighteenth century. The first section examines the movement of the Jicarilla Apaches and related groups to the Sangre de Cristo Mountains in the 1710s and 1720s, when the Comanches first began to assert their hegemony on the Southern

<sup>8</sup> Jack D. Forbes, *Apache, Navaho, and Spaniard* (Norman: University of Oklahoma Press, 1960 [revised edition, 1994]), Ramón A. Gutiérrez, *When Jesus Came the Corn Mothers Went Away: Marriage, Sexuality and Power in New Mexico, 1500-1846* (Stanford University Press, 1991), Cynthia Radding, *Wandering Peoples: Colonialism, Ethnic Spaces, and Ecological Frontiers in Northwestern Mexico, 1700-1850* (Durham, NC: Duke University Press, 1997), Gary C. Anderson, *The Indian Southwest, 1580-1830: Ethnogenesis and Reinvention* (Norman: University of Oklahoma Press, 1999), Marie-Areti Hers, et al., *Nómadas y sedentarios en el Norte de México: homenaje a Beatriz Braniff* (México, DF: Universidad Nacional Autónoma de México, 2000).

<sup>9</sup> Pekka Hämäläinen, *The Comanche Empire* (New Haven, CT: Yale University Press, 2008).

Plains. The alliance that formed between the Jicarilla Apaches, Pueblo Indians, and Spanish colonists reflected their mutual interest in defending themselves against the Comanches' rapidly expanding equestrian empire. The second section analyzes the efforts of Spanish authorities to develop diplomatic relations with the Apaches, Navajos, and other Indian nations that encircled the Kingdom of New Mexico. In the mid-eighteenth century, Governors Tomás Vélez Cachupín, Francisco Marín del Valle, and Manuel Portillo Urrisola endeavored to secure their allegiance through treaties and other forms of diplomacy.

The third section contrasts the relatively favorable reception of the Jicarilla Apaches in New Mexico with the more antagonistic response to the Lipan Apaches in Texas. The Lipan Apaches were also displaced from the Southern Plains by the rise of the Comanchería in the early eighteenth century. But they initially resisted assimilation within colonial society, choosing instead to remain on the outskirts of the Spanish settlements. When they finally agreed to accept the tutelage of the Franciscans at the mission of San Sabá in 1763, the Lipan Apaches became the victims of deadly Comanche raids that drove the surviving bands further south to seek shelter across the Rio Grande in the province of Coahuila. The fourth section turns to related developments in the adjacent province of Nueva Vizcaya, where the Mescalero Apaches filled the vacuum left by the Spanish slaving expeditions near the silver mining operations at Santa Eulalia, Santa Barbara, and Parral. When the Mescalero Apaches advanced upon that more densely populated region in the 1760s, they absorbed disparate bands of Tobosos, Laguneros, and Conchos while forming alliances with Tarahumaras, Tepehuans, and others who left the strictures of the missions to join their raiding parties in Nueva Vizcaya. Finally, the fifth section considers the activities of the Chiricahua Apaches in the province of Sonora, along the northern extremes of the Jesuit missionary and silver mining frontiers. There, as Chiricahua Apaches

developed close relations with apostate Indians from the Jesuit missions while earning the enmity of clerics, colonists, and Opata Indian auxiliaries who opposed their growing dominance in the region.

### *Displacement of the Jicarilla Apache*

Although the Jicarilla Apache had developed extensive social and economic ties with the northern Pueblos—especially at Taos and Picuris—it was not until the early eighteenth century that Spanish authorities observed their presence in the Sangre de Cristo Mountains.<sup>10</sup> In the winter of 1719, Fray Juan de la Cruz wrote to viceroy Marqués de Valero (Baltasar de Zúñiga y Guzmán), requesting permission to pursue the conversion of the Jicarilla Apaches at the mission of San Gerónimo located in the vicinity of Taos.<sup>11</sup>

In the following spring, New Mexico governor Antonio Valverde de Cosío convened a meeting with several prominent members of the provincial government to discuss the resettlement of the Jicarilla and Sierra Blanca Apaches then living in the area of El Quartejo.<sup>12</sup> Given the paucity of water in the region, the severity of the winters, and the lack of building materials, the men in attendance determined that it would be most advantageous to move the various groups of Apaches to the Valle de Jicarilla. Valverde de Cosío reasoned that their closer proximity to the Spanish settlement at Taos would facilitate their religious conversion and help

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<sup>10</sup> On the environmental history of the Sangre de Cristo Mountains, see William deBuys, *Enchantment and Exploitation: The Life and Hard Times of a New Mexico Mountain Range* (Albuquerque: University of New Mexico Press, 1985).

<sup>11</sup> Fray Juan de la Cruz to viceroy Marqués de Valero, San Gerónimo de los Taos, Nuevo México, February 26, 1719. AGN, *Provincias Internas*, Volumen 183, Expediente 10, Fojas 309-310.

<sup>12</sup> El Quartejo was a multi-ethnic settlement north of the Picuris Pueblo where rebels from that community had sought refuge with the Apaches after a popular revolt against the colonial government in 1696. *Autos y pareceres de la junta de hacienda sobre la situaz de 25 de he. en el puesto del Quartejo*. May 27-June 3, 1720. Santa Fe. AGN, *Provincias Internas*, Volumen 183, Expediente 10, Fojas 360-367.

to establish a buffer between the Spanish settlements there and the Utes, Comanches, Pananas, and other nations allied with the French further to the northeast. As French colonists were said to have recently visited the residents at El Quartelejo, the strategic benefits of alliance between the Spanish and the Jicarillas seemed to have been the most pertinent. But Valverde de Cosío also enumerated the many additional advantages to be gained through their resettlement.<sup>13</sup>

In response to Valverde de Cosío's letter describing this situation, as well as several dispatches sent by the governor of Nueva Vizcaya concerning the encroachment of the French, the viceroy gathered his cabinet of advisors in the capital to discuss the gravity of the situation.<sup>14</sup> They were sympathetic to Valverde de Cosío's proposal and noted that the resettlement of the Apaches would not only serve a defensive purpose, "to impede the French and their ingress into New Mexico through their confederation with the [Caniezes] . . . and the Cadovachos who both enter the Rio Grande by way of the Mississippi," but would also promote the "union, peace, and confederation of the Apache Indians" and secure "a perpetual alliance."<sup>15</sup>

But even before notice of the viceroy's approval had reached Santa Fe, a violent encounter between the colonial militia and French-allied Panama Indians (a subdivision of the Comanches) dramatically altered the course of an alliance between the Spanish colonists and the Jicarilla Apaches then residing in El Quartelejo. In a letter written to the viceroy on October 8, 1720, Valverde de Cosío described a botched attempt led by the lieutenant general of the Santa Fe presidio Pedro de Villasur to negotiate a treaty with the Pananas.<sup>16</sup> Earlier that summer Villasur had departed from Santa Fe with "forty soldiers, and several vecinos, and Indian

<sup>13</sup> Antonio de Valverde de Cosío to viceroy Marqués de Valero, Santa Fe, June 15, 1720. *Ibid.*, 369.

<sup>14</sup> *Autos de la junta de guerra a que mando convocar el ex.mo señor Marqués de Valero*, México, September 26, 1720.

<sup>15</sup> *Ibid.*

<sup>16</sup> Antonio de Valverde de Cosío to viceroy Marqués de Valero, Santa Fe, October 8, 1720. *Ibid.*

auxiliaries, and having traveled happily, arrived at the banks of a turbulent river, that divides the nation of the Apaches Cuartelejos, who are our allies, from those allied with the French.”<sup>17</sup>

There, at what was at the time a recognized political boundary, several of the Pananas stepped forward to greet Villasur and his delegation. They had in their company a young Spanish captive who was to translate the terms of an agreement, while Villasur’s interests were to be communicated through a Panama captive from Santa Fe who had been raised (*criado*) by captain Christobal de la Zerna.<sup>18</sup> When presented with a written agreement from his brethren, the Panama captive wrote a terse response on “an old sheet of paper” in a language that even “the French could not understand.”<sup>19</sup> That letter was then delivered to the members of the Panama delegation, who returned in a short period of time with flag bearing what Villasur’s men believed to be a British insignia. This act prompted Villasur to produce a flag of their own bearing the Spanish royal standard.<sup>20</sup> As they had received only this ominous premonition, Villasur decided to write a second letter “with paper, ink, and canons, so one could understand its meaning.”<sup>21</sup> They delivered the second letter to the Pananas and waited nervously for two days at the confluence of the Platte and the Loup Rivers in present-day Nebraska before being attacked by an “infinity of Panama Indians” in a melee that left Villasur and 44 of his men dead.<sup>22</sup>

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<sup>17</sup> “[Q]uarenta soldados, y algunos vezinos, e yndios auxiliaries, y aviendo caminado con felicidad, arivó a las riveras de un caudaloso río, que divide a la nacion de los apaches quartelexos, quienes son de nra faczion, de la de los franceses.” Ibid.

<sup>18</sup> “[E]n su compañia un yndio de su nacion para que fuese ynterprete, criado del cappn. Expstoval de la Zerna, vezino que voluntariamente se ofrezio a esta campaña.” Ibid.

<sup>19</sup> “[L]levandoles el referido yndio interprete, fue con brevedad y traxo respuesta, y que nro franzes no entendio lo mas de ella.” Ibid.

<sup>20</sup> “[E]n cuio tiempo vino un yndio de los suyos, con una bandera de un pedazo de vretaña, á que se les correspondió con otra.” Ibid.

<sup>21</sup> “[C]on papel, tinta, y cañones, por si pudiera aver alguno, que la entendiera.” Ibid.

<sup>22</sup> Blackhawk, Ned, “The Displacement of Violence: Ute Diplomacy and the Making of New Mexico’s Eighteenth-Century Northern Borderlands,” *Ethnohistory* 54:4 (2007): 737.

This violent episode marked a critical turning point in the history of the Jicarilla Apaches' relations with the Spanish. Pekka Hämäläinen has argued that "[t]he Villasur catastrophe, coupled with a peace between Spain and France in Europe later that year, made Spanish officials reluctant to invest men and money to help the Apaches in what appeared more and more to be a lost cause."<sup>23</sup> Ned Blackhawk has similarly concluded that the debacle "halted all efforts to colonize [the] Apachería."<sup>24</sup> But there is evidence that the unambiguous defeat of the Spanish militia in fact accelerated the resettlement first proposed by Fr. Juan de la Cruz in the preceding winter. Now even more vulnerable to the growing hegemony of their enemies, the people who had resided in El Quartejo made direct appeals to the civil and ecclesiastical officials who could provide shelter and a modicum of security. Determined to protect their communities from the onslaught of Pananas and the even more powerful indigenous nations, the leaders of the Jicarilla Apache decided to abandon their ancestral homelands on the Southern Plains in the early 1720s and move their families more than fifty miles west to a settlement near the Spanish mission and Pueblo of Taos. An analysis of the series of negotiations between Jicarilla representatives and Spanish colonial officials in these years suggests that both parties considered mutual accommodation a superior alternative to the despairingly volatile conflicts they faced to the east.

The resettlement of the Jicarilla Apaches near Taos in the early 1720s marked the formal abandonment of El Quartejo by Apaches and Spaniards alike. The archival record reveals and the testimony of Jicarilla descendants confirm that the voluntary westward migration in this period concluded the Jicarilla Apache's historical occupation of that region since they first

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<sup>23</sup> Pekka Hämäläinen, *The Comanche Empire* (New Haven, CT: Yale University Press, 2008): 35.

<sup>24</sup> Ned Blackhawk, *Violence over the Land: Indians and Empires in the Early American West* (Cambridge, MA: Harvard University Press, 2006): 738.

settled there in the mid-seventeenth century.<sup>25</sup> However, for each of those involved in the undertaking the event held different implications and long-term consequences. In the eyes of the colonial administrators in New Mexico, it signified a grand achievement to be celebrated. The congregation and resettlement (*reducción*) of indigenous peoples was an integral component of Spanish colonization throughout its overseas colonies. As John Elliott has observed, the essential features of the policy of *reducción* could be traced to the Castilian struggle to liberate the Iberian peninsula from Muslim influence during the *Reconquista*. That extended conflict was characterized by “the outlines of a programme which would today be regarded as that of the archetypal colonial regime: the establishment of a seat of government and a rule over the indigenous populations; the induction of that population into the working methods of a European-style economy, producing European-style commodities; and the acceptance of a civilizing mission which was to include the wearing of European clothes and the adoption of Christianity.”<sup>26</sup> Therefore, the enthusiasm with which the Spaniards regarded the endeavor reflected the recognition and confirmation of cultural values deeply rooted in the Castilian tradition.<sup>27</sup>

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<sup>25</sup> For statements by Jicarilla Apache made to the Indian Claims Commission (ICC) regarding their ancestors’ residency in this region, see Schroeder, Albert H., *Study of the Apache Indians* (New York: Garland, 1974), part II. For an archaeological analysis, see “Proto-Jicarilla Culture: The Dismal River Aspect, A.D. 1650-1730,” in Haskell, J. Loring, *Southern Athapaskan Migration, A.D. 200-1750* (Tsaile, AZ: Navajo Community College Press, 1987): 85-92.

<sup>26</sup> Elliott, John H., *Empires of the Atlantic World: Britain and Spain in America, 1492-1830* (New Haven, CT: Yale University Press, 2006): 19.

<sup>27</sup> Juan Domingo de Bustamante, who succeeded Valverde de Cosío as governor of New Mexico, for example was explicit in his identification as “Gobernador y Capitán de este Reino y Provincia de Nueva México y Castellano.” *Autos y diligencias q. se hicieron sobre aver pedido los Apaches de la Xicarilla y demas gentiles de aquellas payzes el agua del S.to Bapp.mo y congregarsse al Gremio de nra Catholica religion, ofreziendo el vassallaje y obediencia a S.M. para cuia fin piden reduzzirse y congregarsse a pueblo*, November 8-December 8, 1732, Valle de la Xicarilla. AGN, Provincias Internas, Volumen 183, Expediente 10, Foja 405.

But for the Jicarillas, the formal ceremonies of possession, the rituals of baptism, and their new status as vassals of King Philip V were to be regarded with some ambivalence and apprehension. A recognized political leader (*capitán*) of the Jicarilla nation, a man named Carlana, whose name became synonymous with the so-called “*Carlanas*” or “*Apaches de Carlana*,” arrived with two other captains in Santa Fe on November 8, 1723, to ask the assistance of the governor. Carlana said that his enemies the Comanches had assaulted his village, killing many men and carrying away an untold number of women and children.<sup>28</sup> He asked the governor to lend his arms in the defense of his people, a request that implied vengeance may have been the Jicarillas’ motivation. Compromised by the loss of so many of his own men and distraught by the abduction of his own family, Carlana consented to accept the sacrament of holy baptism, which would be “received by everyone belong to his Nation with all of their hearts, to populating their villages in the same form and with the same economy as the Christian Indians of this Kingdom.” Carlana agreed to settle with missionaries who would teach his people “the mysteries of our Holy Faith” and to obey a political leader (*alcalde mayor*) who would be appointed by the colonial government.<sup>29</sup> According to the affidavit that the governor’s secretary Miguel Enriquez drew up that day, which was undersigned by more than a dozen witnessed in Santa Fe, Carlana acknowledged the terms of the agreement and, in turn, Governor Juan Domingo de Bustamante pledged his support.

There were a variety of factors that simultaneously propelled and inhibited the Apaches’ migration including inter-tribal warfare, kinship networks, settler colonialism, and the spread of

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<sup>28</sup> “[L]es mataron a muchos varones, llevandose captivos a sus mugeres e hijos.” Ibid.

<sup>29</sup> “[P]iden se les de y administre el sacramento del Santo Baptismo, reziviendo todos los de su Nacion con todo su corazon, poblando en sus Pueblos en la misma forma y economia viven los indios xpstianos de este Reyno y que para ello se les de religiosos que les enseñen y doctrinen los misterios de nra S.ta Fee, y Alcalde mayor que los Govierne sujetandose a todo lo que les ordenazen con puntual obediencia.” Ibid.

infectious disease. However, the presidio that Spanish authorities promised would be built in 1723 was never brought to fruition.<sup>30</sup> In 1733, viceroy Casafuerte granted the Jicarilla Apache permission to settle in a mission twelve miles north of Taos.<sup>31</sup> Although the custodian of the Franciscans in New Mexico, Fray José Ortero de Velasco, founded the mission in that year, it ended abruptly when Governor Gervasio Cruzat y Góngora prohibited trade with the Jicarilla Apache and banished them to the mountains.<sup>32</sup>

By 1752, the Palomas abandoned their prior residence near the South Platte river (in northeastern Colorado) while the Carlanas and Cuartelejos also conceded lands they once occupied along the Arkansas river to the Comanche. Governor Tomás Vélez Cachupín reported to viceroy Revillagigedo that these three groups of Apaches had relocated near the Pecos Pueblo. Given these conditions, the governor expected, “the Apaches, Carlanas, Palomas, and Cuartelejos will continue [to be] trustworthy.”<sup>33</sup> He further elaborated his hopes for a peaceful coexistence of these bands in that vicinity, describing how “During the past winter, three hundred men of these tribes have been in the environs of the Pueblo of Pecos with their families, living so sociably and neighborly as to indicate their general love for this province.”<sup>34</sup>

Thus, the loosely affiliated bands of eastern Apaches chose to seek protection, shelter, and the benefits of trade with Pueblo Indians and Spanish colonists. Increasingly intimate

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<sup>30</sup> Juan Miguel Enriques, Certification of viceregal order of September 17 authorizing location of presidio among Jicarilla Apaches. Santa Fe, New Mexico. November 8, 1723. *SANM* (310a), Reel 6, Frame 93.

<sup>31</sup> Alfred B. Thomas, *After Coronado: Spanish Exploration Northeast of New Mexico, 1696-1727* (Norman: University of Oklahoma Press, 1935, reprinted 1969): 46.

<sup>32</sup> Juan Augustín de Morfi, *Viaje de indios y diario del Nuevo México*, ed. Vito Alessio Robles (México: Antigua librería Robrendo de J. Porrúa e hijos, 1935).

<sup>33</sup> Tómas Vélez Cachupín to Juan Francisco de Güemes y Horcasitas, First County of Revillagigedo. Santa Fe, New Mexico. September 29, 1752. Cited in Thomas A. Barnaby, *The Plains Indians and New Mexico, 1751-1778: A Collection of Documents Illustrative of the History of the Eastern Frontier of New Mexico* (Albuquerque: University of New Mexico Press, 1940): 124.

<sup>34</sup> *Ibid.*

relations between these groups brought familiar features of the regional economy into sharper focus (e.g. the illegal trade in Apache captives), while also setting in motion a new diplomatic relationship defined by their mutual interest in peace and economic security.

### *Diplomacy in Eighteenth-Century New Mexico*

Fleeing the violence in New Mexico and Texas in the 1750s, the Lipan, Mescalero, and affiliated Apache bands moved further south and southwest into Chihuahua and Coahuila, where they encountered and eventually displaced smaller native groups, such as the Manso and Suma populations living near El Paso.<sup>35</sup> The Apaches displaced from the western Plains were not the only inhabitants who feared the Comanche aggressions. Spanish colonists and Catholic missionaries also wanted to avoid upsetting the delicate balance of power. Correspondence between New Mexico Governor Vélez Cachupín's successor Francisco Marín del Valle and the viceroy of New Spain Agustín de Ahumada y Villalón in the mid-1750s revealed the precarious position of the northern settlements. In spite of the presence of royal soldiers and local militias in El Paso and Santa Fe, the small villages in New Mexico remained vulnerable to assaults by the Comanches, Utes, Apaches, and other Indian nations.

In May 1756, Governor Marín del Valle requested instructions from the viceroy regarding laws regulating the treatment of "Indian captives and alliances with the adjoining barbarous nations."<sup>36</sup> The auditor general authorized him to do whatever was necessary to maintain a peaceful alliance with the Comanchería and other nations surrounding his jurisdiction.

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<sup>35</sup> Deni J. Seymour, "A Ranchería in the Gran Apachería: Evidence of Intercultural Interaction at the Cerro Rojo Site," *The Plains Anthropologist* 49:190 (2004): 153-192.

<sup>36</sup> Agustín de Ahumada y Villalón to Francisco Marín del Valle. May 12, 1756. AGN, *Provincias Internas*, Volume 102, Expediente 8, Foja: 268. "Acusandole dos cartas de 8 de marzo, que tratan los Rescates, y Alianzas hechas con las naciones barbas confinantes: estas han passado al Auditor, para unir con los Autos."

Individuals who threatened to upset the delicate balance of power were punished. For example, in February 1756 the governor accused the resident priest of the Galisteo mission Juan Joseph Hernández of several crimes including “illegal treaties, commerce in stolen grain, and maltreatment of Indians.”<sup>37</sup>

Like other governors in the northern periphery, Marín del Valle was forced to reckon with the widespread practice of ransoming young Indian captives who were often identified as *criados* or *genízaro*s. In February 1758, he publicly proclaimed, “the male and female Indians acquired at the fairs were permitted to be married, if they are treated well.” He added, “to avoid the disorders that toleration of this issue caused in the past, they are not to be sold as slaves.”<sup>38</sup> Marín del Valle also addressed concerns, first brought to light by his predecessor, that French colonists in Louisiana were trading with the Comanches. The viceroy ordered Marín del Valle to “impede the commerce that the French sought to establish in order to maintain a stable peace in the Majesty’s Dominions.”<sup>39</sup>

On July 16, 1755, Marín del Valle sent the viceroy of New Spain, Juan Francisco de Güemes y Horcasitas, First Count of Revillagigedo, a letter in which he described Spanish-Apache relations. He reported that soldiers, with the assistance of native auxiliaries, repulsed the advances of Apaches Faraones, Jileños, and Natagés along the southern flank, west of El Paso

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<sup>37</sup> Francisco Marín del Valle to Agustín de Ahumada y Villalón. February 13, 1756. AGN, *Provincias Internas*, Volume 102, Expediente 8, Foja: 261. Authorities also prosecuted Indians who they saw as a threat to the social order. For example, refer to the case of the two Indians identified as Joseph Antonio el Botas and Juan Baptista. Agustín de Ahumada y Villalón to Francisco Marín del Valle. December 2, 1756. AGN, *Provincias Internas*, Volume 102, Expediente 8, Foja: 278.

<sup>38</sup> Marqués de Amarillas to Francisco Marín del Valle. México. February 23, 1758. AGN, *Provincias Internas*, Volume 102, Expediente 8, Foja: 282. These instructions were stated briefly on the verso page as follows: “Que no se traten á los yndios gentiles prisioneros, como á esclavos, segun el vando que publicó.”

<sup>39</sup> *Ibid.*: 262.

del Norte.<sup>40</sup> On June 27, 1756, Marín del Valle reported to the viceroy that peace and tranquility existed in the Kingdom of New Mexico. The Comanches and Utes had come to trade their goods and this was regarded favorably as it suggested these Indian nations had not joined in an alliance with the French.<sup>41</sup> The viceroy was also pleased to acknowledge the continuation of “military campaigns against the barbarous nations of Apaches, Faraones, Natajes, Jileños, and their relatives in the south.”<sup>42</sup>

In 1758, Marín del Valle complained to the viceroy, Marqués de Amarillas, that the residents of New Mexico were unable to sow crops and their diets consisted almost entirely of meat.<sup>43</sup> In 1759 and 1760 Marín del Valle reported that a total of 130 men were stationed at the presidios of Santa Fe and El Paso.<sup>44</sup> When Marín del Valle asked to be reimbursed for the cost of escorting the Bishop of Durango, Pedro Tamarón Romeral, through New Mexico during his *visita general* in the summer of 1760, the governor noted, “the enemies that harass this

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<sup>40</sup> Francisco Marín del Valle to Juan Francisco de Güemes y Horcasitas, First Count of Revillagigedo. July 16, 1755. AGN, *Provincias Internas*, Volume 102, Expediente 8, Foja: 272. “Por el rumbo sur, entradas de los enemigos, Faraones, Jileños y Natajés, se hacen sus mari[?] por estos soldados, y algunos Yndios Ausiliares, y asta la presente no hé experimentado daño ninguno.”

<sup>41</sup> Francisco Marín del Valle to Juan Francisco de Güemes y Horcasitas, First Count of Revillagigedo. September 9, 1756. AGN, *Provincias Internas*, Volume 102, Expediente 8, Foja: 276. “En carta de 27 de junio de este año, me da vm. quenta de la tranquilidad y quietud en q.e se hallava esa Prov.a, haviendo entrado en los dias 3 y 18 de maio prox.mo pas.do a su acostumbrados rescates las dos naciones barbaras amigas de Yutas y Cumanches, asistiendo me vm. a este acto, que se celebró con mucha satisfaction de ellos, a quienes aconsejó vm. lo indiferente q.e deben estar para que no se coliguen y a la nacion Cumanche el que no tratara con el frances.”

<sup>42</sup> Juan Francisco de Güemes y Horcasitas, First Count of Revillagigedo, to Francisco Marín del Valle. September 9, 1756. AGN, *Provincias Internas*, Volume 102, Expediente 8, Foja: 276. “y que se continuaba en las mariscadas p.a esos soldados a las naciones barbaras de Apaches, faraones, natajes, y Jileños y demás sus coligadas al sur, para cuio reparo havia dado vm. orñ a los Alc.es maiores aq.e se avilten en el ejercicio de las armas y a los lances q.e ocurran.”

<sup>43</sup> Francisco Antonio Marín del Valle to Marqués de Amarillas. n.d. 1758. AGN, *Provincias Internas*, Volume 102, Expediente 8, Foja: 281.

<sup>44</sup> Marín del Valle, “Estado que manifiesta el en que se hallan las compañías de los Presidios de penientes de esta Governazion segun los particulares ultimamente remitidos por sus capitanes em virtud de las Prevenziones echas.” May 20, 1759. AGN, *Provincias Internas*, Volume 102, Expediente 8, Foja: 288.

government under my charge have been subdued through the present day without committing any hostilities.”<sup>45</sup>

While the Apaches who lived in the margins of Spanish settlements along the lower Rio Grande river valley were vulnerable to attacks by colonial officials such as Lieutenant Manuel Sáenz Garvizu, they also became the targets of punitive campaigns led by Pueblo Indians in that vicinity. On May 12, 1761, Marín del Valle sent a brief report to the viceroy of New Spain, Joaquín de Montserrat, marqués de Cruillas, that described a violent encounter between Xileño, Mescalero, and Salinero Apaches and the residents of the Pueblos of Acoma, Laguna, and Zuni following the alleged theft of several horses. On April 10 a group of thirty Pueblo Indians pursued the stolen livestock and in the process killed nine women and children.<sup>46</sup>

In spite of these violent encounters, Marín del Valle portrayed Spanish relations with the Apaches in a positive light. On June 5, 1761, Marín del Valle sent the viceroy a letter in which he announced that he would retire from the office of governor of New Mexico due to his poor health. During his final year in office, he was proud to report that “the enemy Apaches Xicarillas, Carlanes, Nataxes, Chilpaines, de los Llanos, Nabaxoses, and others who inhabit the areas of east, south, and parts of the west were peaceful and friendly in the dominions of Your

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<sup>45</sup> “[D]ijo quenta á V.E. como los enemigos que óstilizan esta gobernacion de mi cargo se mantienen sosegados asta la presente sin hazer ningunas óstilidades.” Marín del Valle to Marqués de Amarillas. Santa Fe, New Mexico. May 31, 1760. AGN, *Provincias Internas*, Volume 102, Expediente 8, Foja: 294. He further added, “God give us perseverance to sustain this poor neighborhood that needs so much.” “Dios les de perseveranza para alivio de este pobre vecindario de que tanto nezesita.” Pedro Tamarón Romeral, *Demostracion del vastísimo obispado de la Nueva Vizcaya, 1765. Durango, Sinaloa, Sonora, Arizona, Nuevo México, Chihuahua y porciones de Texas, Coahuila y Zacatecas*, con una introducción bibliográfica y acotaciones por Vito Alessio Robles (México: Antigua Librería Robredo, de José Porrúa e hijos, 1937).

<sup>46</sup> “Con el motivo de ser continuos enemigos los Apaches Xileños, Mescaleros y Salineros de los Pueblos Acoma, Laguna, y Zuni robaron á estos el dia 10 de Abril pasado de este año barios caballos y en virtud de las ordenes que les tenia dadas salieron en su seguimiento y el treinta de dho consiguieron alcanzarlos quitarles las bestias y matar nuebe gandules . . .” May 12, 1761. AGN, *Provincias Internas*, Volume 102, Expediente 8, Foja: 297.

Majesty in this jurisdiction, and more than two years have passed in which they were not hostile.”<sup>47</sup>

Analysis of Marín del Valle’s correspondence with the viceroy during the 1750s suggests that he and other Spanish officials were largely unaware of the major geopolitical shifts taking place in the periphery of northern New Spain during that period. Spanish officials’ understanding of large-scale processes such as Apache migration was limited by the unidirectional flow of information from the colonial centers of Madrid and Mexico into the extremely peripheral regions such as the settlements of El Paso, Santa Fe, and Taos. With the exception of the 1754 campaign led by Garvizu, there were very few military campaigns against the Apache or other indigenous peoples during those years.

Marín del Valle provided his successor Manuel Portillo Urrisola with an extensive and detailed description of the state of affairs in New Mexico, emphasizing, in particular, Spanish relations with the Apaches, Comanches, Utes, and other Indian nations. Among the papers that Marín del Valle handed down to his successor Manuel Portillo Urrisola was a map. Bernardo de Mier y Pacheco’s 1760 map of New Mexico illustrated the pervasive influence of the Apaches throughout the Kingdom of New Mexico.<sup>48</sup> Referring to Miera y Pacheco’s map, Marín del Valle advised his successor, Portillo y Urrisola, that there were various areas of the Kingdom of New

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<sup>47</sup> “Los enemigos Apaches Xicarillas, Carlanes, Nataxes, Chilpaines, de los Llanos, Nabaxoses y demás que havitan los rumos del Oriente, Sur y Parte del Poniente, en mucha paz y amistad en los dominios de su Mag.d de esta Governazion. y haze mas de dos años no han echo ningunas ostilidades.” June 5, 1761. AGN, *Provincias Internas*, Volume 102, Expediente 8, Foja: 299.

<sup>48</sup> This expediente contains some comments regarding the map that Bernardo de Miera y Pacheco created. May 10, 1761. Documentos relativos a la entrega del gobierno de Nuevo México por D. Francisco Marín del Valle a D. Manuel Portillo de Urrizola. Nuevo México. Enero-julio 1761. AGN, *Provincias Internas*, Volumen 102, Expediente 9, 302-318.) See Cramaussel, Chantal, “El mapa de Miera y Pacheco de 1758 y la cartografía temprana del sur del Nuevo México,” *Estudios de Historia Novohispana*, n. 13 (1993): 73-92. Cramaussel’s analysis demonstrates how a careful reading of the map can be integrated with an analysis of related subjects, including Spanish-Apache relations. See also John L. Kessell, *Miera y Pacheco: A Renaissance Spaniard in Eighteenth-Century New Mexico* (Norman: University of Oklahoma Press, 2013).

Mexico that were still beyond the comprehension of Spanish authorities. “What remains poorly understood is the arroyo . . . that runs from the Pueblo of Galisteo up to the Pueblo of Santo Domingo” as well as the area surrounding the Pueblos of San Felipe and Cochiti.<sup>49</sup> Marín del Valle also advised Portillo y Urrisola which areas were within a reasonable distance of the capital to graze the cavalry’s horses. He emphasized that many of the locations he suggested were vulnerable to attacks by the Utes and the Comanches.



Figure 1. Detail of *Map of the Kingdom of New Mexico dedicated to Don Francisco Antonio Marín del Valle, Governor and General Captain of said Kingdom, [by] Don Bernardo de Miera y Pacheco*. 1760. Mapoteca Manuel Orozco y Berra, no. 1148-OYB-721-A. This portion of

<sup>49</sup> Francisco Marín del Valle to Manuel Portillo y Urrisola. Santa Fe, New Mexico. May 10, 1761. Documentos relativos a la entrega del gobierno de Nuevo México por D. Francisco Marín del Valle a D. Manuel Portillo de Urrizola. Nuevo México. enero–julio 1761. AGN, *Provincias Internas*, Volumen 102, Expediente 9, Fojas: 311.

Miera y Pacheco's map illustrated the "Province of the Gila Apaches" and the various tributaries of the Gila River watershed in southwestern New Mexico.

Marín del Valle noted, "[t]he method with which I have governed the enemy nations has been to excite some against others to prevent their forming an alliance with each other and thus avoiding the damages that an alliance between them could produce." He observed the utility of "treating the captains in the most gentle manner" and supplying them with small gifts such as hats, clothing, and other small utensils. "In this manner," he wrote, "I have succeeded in obtaining the present friendship of the Apaches Xicarillas, Navajos Sevolletas, Carlanes, and a few Faraones, as well as that of the Utes."<sup>50</sup>

Marín del Valle proceeded to describe the various territories inhabited by the groups and subgroups of Apaches. He reported that *alferez* Bartholomé Fernández monitored "the Apaches living in the east and south" while *alcalde mayor* Miguel Lucero watched over "those in the east up to the Apaches Faraones and Xileños." Citing recent raids, Marín del Valle encouraged his successor to remain vigilante of "the Apaches living in the south and west, the Xilas, Mescaleros, and Salineros."<sup>51</sup> He noted the Acoma, Laguna, and Zuñi Pueblo Indians, who lived in closest proximity to these Apaches, "frequently requested permission to lead campaigns against said enemies for the hostilities they committed."<sup>52</sup>

Although the Apaches continued to raid Spanish settlements in the Kingdom of New Mexico and Indian Pueblos during the early 1760s, Marín del Valle's instructions to his successor suggested these incursions did not represent a major threat to the New Mexico's social stability or economic security at that time. To support this relatively optimistic view of Spanish-

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<sup>50</sup> Ibid.: 311.

<sup>51</sup> Ibid.: 312.

<sup>52</sup> Ibid.

Apache relations in 1761, the governor gestured to example of “the Apaches Navajoses [sic] that live in the area of Zevolleta,” (Cebolleta) and who “asked to establish a Pueblo and priest to minister to them.”<sup>53</sup> Marín del Valle gladly provided these amenities to the Apache Navajos living at Cebolleta and pointed to the fidelity of these individuals who “accompanied the Pueblo Indians of the jurisdictions of Acoma, Laguna, and Zuñi in campaigns against the enemy Apache Xilas, Mescaleros, and Salineros.” Furthermore, he noted, “like the other Pueblos, they had confirmed their boundaries.”<sup>54</sup>

During Vélez Cachupín’s second term as governor of New Mexico (1762–1767), he attempted to implement many of the same policies that had been successful during his first term (1749-1754). He developed an Indian policy based on accommodation. For example, Vélez Cachupín argued an alliance with the Comanche nation was in the general interest because “it occupied and dominated the vast lands to the east and north, where this Government is entirely exposed to an invasion by a European nation.”<sup>55</sup> He continued, “Having conquered and taken possession of Canada, the English are now poised to enter the Mississippi, or the Palisades, and invade this empire of New Spain from above, which they will do as soon as they take hold of the idea of invading this region during the present war between Spain and France. If the Comanche nation were to remain our enemy, and is prohibited from taking part in our commerce, it would be much easier for our European enemies to penetrate this extensive domain.”<sup>56</sup> In particular, he feared the English would provide the Comanche with “prodigious gifts and favors.”<sup>57</sup>

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<sup>53</sup> Ibid.: 313.

<sup>54</sup> Ibid.

<sup>55</sup> Tomás Vélez Cachupín to Marqués de Cruillas. August 28, 1762. Santa Fe. AGN, *Provincias Internas*, Volumen 102, Expediente 10, Fojas: 380.

<sup>56</sup> Ibid.

<sup>57</sup> Ibid.: 381.

On May 21, 1763, Vélez Cachupín criticized his predecessor Portillo y Urrisola for “having put this matter in worse condition during the short period that he managed these duties” and “for making it more difficult to persuade the Comanche to ally themselves with our nation.”<sup>58</sup> Given these circumstances, he vowed “to observe strictly the laws and regulations of Your Majesty, to enhance this Government, to protect it from foreign domination.” Moreover, he promised he would pursue the positive effects that would result from “friendship and alliance with the Comanchería.”<sup>59</sup> When the viceroy Marqués de Cruillas replied to the governor’s letter, he acknowledged the destruction wrought by the Comanche attack on the presidio of San Sabá in Texas.<sup>60</sup>

From Manuel Antonio de San Juan’s vantage point at the Presidio del Paso del Norte in the mid-1760s, the Chiricahua, Mescalero, and Lipan Apache posed a threat to the security of colonists in Chihuahua, New Mexico, and Texas. On February 19, 1763, the viceroy Marques de Cruillas acknowledged a band of Mescalero Apache attempted to exchange two captive Christian men and a woman for “an infidel woman and two Christian infants of their nation.”<sup>61</sup> On May 4, 1763, the captain of the presidio of Paso del Norte, Manual Antonio San Juan, acknowledged receiving permission from the viceroy, Marques de Cruillas, regarding “the exchange of the captive Spaniards that are held by the infidel Apache Indians for those of their Nation who reside

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<sup>58</sup> Ibid.

<sup>59</sup> Ibid.

<sup>60</sup> Marqués de Cruillas to Tomás Vélez Cachupín. México. May 21, 1763. AGN, *Provincias Internas*, Volumen 102, Expediente 10, Fojas: 388.

<sup>61</sup> Marques de Cruillas to Manuel Antonio San Juan. México. February 19, 1763. AGN, *Provincias Internas*, vol. 102, exp. 1, f. 36.

in this Royal garrison.”<sup>62</sup> This document suggests both the Spaniards and Apaches held and exchanged prisoners of war.

Vélez Cachupín was governor of New Mexico at a time when the Spanish colonial administration endeavored to reorganize the northern frontier of New Spain. He was serving his second term as the governor of New Mexico in 1765, when Hugo O’Connor was appointed as the Inspector General of the eastern Interior Provinces. However, in the final years of his second term as governor, 1765-1767, Vélez Cachupín’s policy of accommodation began to fall apart. During those years, the Apaches of New Mexico—including “Apaches Xicarillas, Carlanes, Nataxes, Chilpaines, de los Llanos, Nabaxoses” and others—adapted to changing circumstances in the region and developed new strategies of survival that allowed them to evade their enemies and to maximize opportunities to strengthen their positions in the periphery.

Pedro Fermín de Mendaro succeeded Vélez Cachupín as governor of New Mexico in 1767. During the same time that Domingo Elizondo led his ill-fated military expedition against the rebel Seris and Pimas of Sonora, Fermín de Mendaro desired to make peace with the Comanches. The viceroy feared the Comanches would ally themselves with other northern nations. On July 22, 1768, Pedro Fermín de Mendaro received instructions from the viceroy of New Spain, Carlos Francisco de Croix, Marquis of Croix, directing him “to conserve the peace with them and other nations of the north.”<sup>63</sup> Fermín de Mendaro hoped to acquire more

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<sup>62</sup> Manuel Antonio San Juan to Marques de Cruillas. Real Presidio del Paso del Río del Norte. May 4, 1763. AGN, *Provincias Internas*, vol. 102: exp. 1: f. 31.

<sup>63</sup> “Ynstrucción por la carta de V.S. de 20 de enero de este año al lo acaído con los comanches, y los del Pueblo de Taos, á tiempo que salieron estos á recorrer la tierra; solo puedo prevenir á V.S. q.e conviene q.to sea posible conservar la paz, con estos y quales q.ra otra naciones del norte, p.a ocurrir a la retirada que pueden hacer los de Sonora, castigados por la expediz.n p.a unirse con los de Jila; pues pacificada la Sonora, Tarahumara, y Jila de que se trata, podrían continuarse las reducciones de las naciones del norte.” July 22, 1768. AGN, *Provincias Internas*, vol. 102: Expediente 7, Fojas: 232.

of the arms he used “against the Apaches Jileños that threatened this Kingdom as well as the Provinces of Sonora and Nueva Vizcaya.”<sup>64</sup>

At the same time that Fermín de Meginueta struggled to stabilize Comanche relations in the vicinity of Taos, a large party of Natagé and Sierra Blanca Apache traveled to Albuquerque to negotiate a peace treaty. According to the governor, “On May 24 [1768], 40 Apaches de Nataxe and Sierra Blanca arrived in the jurisdiction of Albuquerque. Their ambassadors solicited peace, which was conceded to them, and they submitted two captives taken from that jurisdiction in the previous year. They promised to faithfully guard the peace, which I doubt they will do, given my experience with the infidelity of other Apaches who arrived on June 4 in the same jurisdiction. One of the principal captains of the Province of Gila, named Chafalote, requested the same . . . and I am still waiting to see the results.”<sup>65</sup>

In response to Apache migrations through his jurisdiction, Fermín de Meginueta endeavored to reorganize the physical structure of the Spanish settlements in New Mexico. In the summer of 1768, he proposed to separate the presidio of El Paso from his jurisdiction in Nuevo México and incorporate it within the jurisdiction of Nueva Vizcaya.<sup>66</sup> He provided several rationales for this change. He described how colonists who traveled from the capital of Santa Fe to El Paso, a distance of more than one hundred leagues, “were exposed to Apache Faraones and

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<sup>64</sup> “[L]as empleazé contra los Apaches Jileños, que tanto perjudican a esta Reyno, y Provincias de Sonora y Nueba Vizcaya.” Ibid.

<sup>65</sup> Pedro Fermín de Meginueta to Marques de Croix. Santa Fe, New Mexico. June 18, 1768. AGN, *Provincias Internas*, Volumen 102, Expediente 7, Fojas: 246v. “El dia 24 de mayo llegaron a la Jurisdiccion de Albuquerque . . . 40 Apaches de Nataxe, y Sierra Blanca solicitando por sus embaxadores la paz de la que les fue concedida, y entregaron dos cautibos, que el año pasado havian llevado de la misma jurisdiccion, prometiendo guardarla fielmente lo que dudo por la experencia que ay de su ynfidelidad por medio de otras Apaches que llegaron el 4 de Junio a la misma Jurisdiccion; solicita la misma uno de los principales capitanes de la Provincia de Jila, llamado Chafalote, los que fueron bien despachados, y quedo pendiente de loq resultare.”

<sup>66</sup> Pedro Fermín de Meginueta to Marques de Croix. Santa Fe, New Mexico. June 1768. AGN, *Provincias Internas*, Volumen 102, Expediente 7, Fojas: 248.

Gileños.”<sup>67</sup> Meginueta submitted a report to viceroy Bucareli on March 26, 1772 in which he noted the great distance between settlements: “No settlement of Spaniards or Indians can be considered or called the center, but frontiers, because they are very remote from one another. This distance, filled in by high sierras and rocky hills, make easy the entrance of enemies into any of the areas.”<sup>68</sup> Meginueta explained that the inhabitants remained vulnerable to attack from all directions. “The Comanche nation invades and attacks these settlements by all routes; the Apache, from the west and south. Although on the northwest the Utes and Navajos live, these two nations are not ever peaceful, and while they may be, the Comanches, because of this, do not refrain from attacking along the routes of the Ute dwellings. From this account your Excellency will understand that the interior of this kingdom is surrounded by enemies in such a manner that in all its regions there is no safe place in which to keep horse nor cattle herds and everywhere robberies are suffered.”<sup>69</sup>

The eighty soldiers stationed at the presidio of Santa Fe were insufficient, Meginueta claimed, because they could not respond quickly to attacks upon the distant settlements. While the total number of soldiers and *gente de razón* in the Kingdom of New Mexico amounted to nearly 250 men, Meginueta argued, “it is impractical for these to go out on a campaign because they cannot leave the settlements without defense and exposed to total ruin.”<sup>70</sup> Meginueta proposed restructuring the dispersed settlements and “to compel settlers of each region who live . . . dispersed, to join and form their pueblos in plazas or streets so that a few men could be able to

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<sup>67</sup> *Ibid.* “Las razones que me mueben son las siguientes: la primera que distando como dista dho Presidio de esta capital cien leguas, todas de riesgo de Apaches Faraones y Gileños . . .”

<sup>68</sup> Alfred B. Thomas, “Governor Meginueta’s Proposals for the Defense of New Mexico, 1772-1778,” *New Mexico Historical Review*, 6:1 (Jan. 1931): 27.

<sup>69</sup> *Ibid.*

<sup>70</sup> *Ibid.*: 28.

defend themselves.”<sup>71</sup> He also proposed establishing a presidio at the valley of Taos. Doing so would “assure that frontier” and allow the personnel stationed at the presidio of Santa Fe “to look after the custody of rest of the frontiers, and to make war on the Apaches.”<sup>72</sup>

### *Lipan Apache Accommodation in Texas*

As the Navajo, Jicarilla and Plains Apache moved to new environments and territories where they could escape drought, Ute attacks, and the violence emanating from the Comanchería, their distant relatives sought refuge along the fringes of Spanish settlements in Texas. The Lipan Apache left their former homelands in the western Plains during the mid-eighteenth century, following the Colorado and Pecos rivers as they descended across the semi-arid western steppe known as the *Llano Estacado* (or Staked Plains), to the edge of the Edwards Plateau, where the jagged Balcones Escarpment separated the western desert shrub and grasslands from the verdant, mesquite-juniper-oak savanna and the coastal plain.<sup>73</sup> Although the Lipan Apache had periodically traveled through and settled in Texas before the mid-eighteenth century, their numbers increased dramatically in the 1750s as Comanche aggressions forced them to flee their former hunting grounds, Spanish colonists drew them into the domestic sphere as neophytes and slaves, and independent families pursued new alliances and economic opportunities in San Antonio de Béxar, Laredo, Monclova, and other settlements farther south.

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<sup>71</sup> Meginieta noted that only a higher authority could compel the settlers to live in this manner: “The achievement of this means is impractical to a governor. With regard to the churlish types of settlers accustomed to live apart from each other, as neither fathers nor sons associate with each other, if he wished to force them to congregate, he would make an enemy against himself in each individual and populate the road of this Court with complaints (as they customarily do).” Ibid.: 29.

<sup>72</sup> Ibid.: 30.

<sup>73</sup> Raymond J. DeMallie, “Introduction” in *Handbook of North American Indians, Vol. 13: Plains, Part I* (Washington, DC: Smithsonian Institution, 2001): 4.

Considering their relatively weak influence, it seems incongruous that so much of the historiography on Texas during the early eighteenth century has fixated on Spanish colonial institutions. Triumphalist narratives of heroic conquest have tended to overshadow the bitter reality of “ethnic cleansing” in Texas during both the eighteenth and the nineteenth centuries.<sup>74</sup> Even historians who have explicitly set out to describe the demographic composition and social structure of “communities” in colonial Texas have relegated native groups such as the Apaches to the margins.<sup>75</sup> A close reading of the archival materials from the early eighteenth century reveals that many of the most significant events of in the early history of Texas centered on the question of the Apaches’ structural position within colonial society.<sup>76</sup> In this brief analysis, I examine both violent and non-violent encounters between Spanish colonists and the Lipan Apaches in the province of Texas through the writing of Thoribio de Urrutia, who served for twelve years (1740-1762) as the captain of the presidio of San Antonio Béxar. I seek to emphasize the dialogical dimensions of the cultural encounters between these two groups, the grounds on which they disagreed with one another, and the common interests they shared.

When Thoribio de Urrutia began his career as a military officer, he entered into what could be described as a perpetual state of low-grade guerilla warfare.<sup>77</sup> Since the founding of the presidio of San Antonio de Béxar in 1721, Apaches defiantly asserted their hegemony in the

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<sup>74</sup> Gary C. Anderson, *The Conquest of Texas: Ethnic Cleansing in the Promised Land, 1820-1875* (Norman: University of Oklahoma Press, 2005).

<sup>75</sup> Jesús F. de la Teja, *San Antonio de Béxar: A Community on New Spain’s Northern Frontier* (Albuquerque: University of New Mexico Press, 1995)

<sup>76</sup> The destruction of the mission of San Sabá in 1763 is the most salient of such events. See Romero de Terreros Castilla, Juan M., *San Sabá, misión para los Apaches: el plan terreros para consolidar la frontera norte de Nueva España* (Madrid: Delegación en Corte, Real Sociedad Bascongada de los Amigos del País, 2000).

<sup>77</sup> Thoribio’s father Joseph de Urrutia had first arrived in Texas in 1691 with the first appointed governor of the province Domingo Terán de los Ríos. Before his term as captain of the presidio of San Antonio de Béxar, Joseph de Urrutia resided in the *ranchería* of captain Catujana for seven years and learned to speak several native languages. María de Fátima Wade, *The Native Americans of the Texas Edwards Plateau, 1582-1799* (Austin: University of Texas Press, 2003): 175.

region, greeting the first wave of settlers “by planting a row of arrow shafts with red cloth flying from the tops outside the walls, which was designed to put Spaniards on notice that they resided along Apache borders.”<sup>78</sup> In 1740 Urrutia submitted his first official report of frontier conditions to viceroy Juan Antonio de Vizarrón y Eguiarreta, the same year in which he succeeded his father Joseph de Urrutia as captain of the Béxar presidio.<sup>79</sup> In that report, Urrutia described the many logistical difficulties he faced during a military campaign he conducted against the Apaches in the previous winter.<sup>80</sup> In January and February Urrutia had led several expeditions from the presidio of San Antonio Béxar to the northwest in the vicinity of the Guadalupe, San Sabá, and Concho river valleys. Collectively these expeditions proved a total failure. “I profess,” Urrutia wrote, “that the tactics and strategies that were advanced for the Catholic faith of your majesty did not have the desired effect.”<sup>81</sup> Neither he nor any of the other 44 men accompanying him had succeeded in killing or apprehending a single one of their enemies. He acknowledged that they continued to “freely lord over all of the territory from here through Coahuila” and “they have all the land for themselves to go wherever they please to plunder and to kill at their liberty.”<sup>82</sup> Urrutia struggled to define a new strategy to control the Apaches, as he did not believe they could simply be terrorized into submission using brute force. Indeed, he was

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<sup>78</sup> Juliana Barr, “Geographies of Power: Mapping Indian Borders in the ‘Borderlands’ of the Early Southwest,” *The William and Mary Quarterly*, Vol. 68, No. 1 (January 2011), 21.

<sup>79</sup> *Autos á consulta de D. Thoribio de Urrutia, capitán del San Antonio de Béxar, en la Provincia de Texas, sobre aumentos de soldados, y otras providencias que pide, para contiene los Insultos que hazen los Indios Apaches.* Presidio de San Antonio de Béxar, Texas. 1740. *Provincias Internas*, Volumen 32, Expediente 5, Fojas 107-123.

<sup>80</sup> Military campaigns led by the Spaniards in Texas were often nothing more than slave-raiding expeditions led for the purpose of acquiring young female captives.

<sup>81</sup> “[D]ebo dezir á Vex.a con la sinzera ingenuidad q. professor los motibos, y escollos que se pulsan, para q. el Catholico celo de S. Mag.d y anexo de Vex.a no tengan el efecto que se desea [ . . ].” *Consulta de D. Thoribio de Urrutia*: 107.

<sup>82</sup> “[S]e señorean livertosam.te de toda la tierra, hasta Quaguila [ . . ].” “[T]ienen toda la tierra por suya para andar donde quisieren hurtar, y matar, á su libertad, quantos hallen, y para precaver el remetio [sic] de todo, en lo de ádelante, en quanto llevo dho, á Vex.a solo consiste en ágregarle a este Presidio, a lo menos 80 á 90 soldados [ . . ].” *Ibid.*

critical of such heavy-handed tactics because in his opinion they “have given this proud nation of Indians who infest this land the occasion and reason to murder, rob, and so forth.”<sup>83</sup>

Urrutia attributed the failure of his expedition to “the small number of 44 soldiers” in his company and requested 80 or 90 additional men “to prevent the loss of everything.”<sup>84</sup> With reinforcements, he vowed, he would bring an end to this senseless violence and within three or four years he could “facilitate the pacification of the province and the reduction of our enemies.”<sup>85</sup> In order to accomplish these objectives, Urrutia suggested that the viceroy order the relocation of men from the nearby provinces, pointing out that collectively the presidios of Adias, Bahía del Espíritu Santo, and Sacramento could offer at least 65 soldiers.<sup>86</sup> He reasoned that their service in the nearby province of Nueva Vizcaya was no longer necessary since the Toboso Indians who had caused so many problems had ceased to be a threat.<sup>87</sup> Though their decline occurred during the same period in which the colonists first discovered other nations, Urrutia assured his superior that the dangers they posed were negligible.<sup>88</sup>

While frustrated by his inability to achieve his military objectives, Urrutia found the occasion to celebrate two small victories: successful diplomatic negotiations with the Ypandi

<sup>83</sup> “[L]es han dado a estos Indios infestantes de toda la tierra, ocazion y valor para hacer tantas muertas, robos, y demás [ . . ].” Ibid.

<sup>84</sup> Ibid.

<sup>85</sup> “[S]e le âugmente la Dotación de 80 ó 90 soldados mas sobre los 44 que tiene, y así que en 4 años, facilitará la quietud de la tierra, y reducción de los enemigos [ . . ].” Ibid.: 114.

<sup>86</sup> While Adias and Bahía del Espíritu Santo faced their own difficulties Urrutia reasoned that Sacramento in the province of Nueva Vizcaya only had to deal with the Toboso Indians. “[Q]ue siendo solo el enemigo que tienden los Indios Tobosos.” Ibid.: 108.

<sup>87</sup> Much like the epithets “Apache” or “Chichimeca,” the term “Toboso” was a generic ethnic category that colonial officials in Nueva Vizcaya applied indiscriminately to refer to autonomous nomadic groups who posed a threat to the authority of the colonial state. See Giudicelli, Christophe, “¿‘Naciones’ de enemigos? La identificación de los indios rebeldes en la Nueva Vizcaya (siglo XVII),” en Bernabéu Albert, Salvador, coord., *El Gran Norte Mexicano: Indios, misioneros y pobladores entre el mito y la historia* (Sevilla: Consejo Superior de Investigaciones Científicas, 2009): 27-66. Ibid.: 114. See also William B. Griffin, *Culture Change and Shifting Populations in Central Northern Mexico*, Anthropological Papers of the University of Arizona, No. 13 (Tucson: University of Arizona Press, 1969).

<sup>88</sup> Ibid.: 115.

(alias Pelones)<sup>89</sup> and the revitalization of missions that had recently been devastated by a smallpox epidemic. Urrutia was quite pleased to describe “the novelty of having received a male and female Indian of the Pelones nation,” who visited the presidio of San Antonio de Béxar in November “with the intention of promising peace in the name of the leader of their nation, Cuero de Coyote, one of many who have invaded this land.”<sup>90</sup> The Ypandi requested to settle on the banks of the Guadalupe River, twenty-five leagues to the northeast in order to escape the increasingly frequent attacks of the Tejas, who, they claimed, had killed many of their people.<sup>91</sup> They wanted to live together with the Spaniards and the missionaries and, thus, Urrutia wrote, “I gave them my word that as some of their leaders came to offer peace, the land they desired would be granted to them.”<sup>92</sup>

The man and the woman who were representatives of Cuero de Coyote and identified with the Pelones nation were Lipan Apaches.<sup>93</sup> Archaeological evidence indicates that the Lipanes (also known as Ypandis or the Lipillanes) had migrated to the San Antonio and Guadalupe river valleys in the early seventeenth century, but their names do not appear in the Spanish colonial records before December 1732.<sup>94</sup> Their presence at the Urrutia’s garrison suggested they faced a particularly dire situation in their own villages, as it was unusual during this period for the Lipan Apaches to seek solace with the European intruders who had for

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<sup>89</sup> As María de Fátima Wade has observed, “[s]everal Native groups were, at different times, called Pelones as a descriptive term meaning ‘hairless,’ possibly referring to their shaved or partially shaved heads.” Wade, *The Native Americans of the Texas Edwards Plateau*: 251, n. 5.

<sup>90</sup> Ibid.: 118.

<sup>91</sup> The Pelones indicated their enemies carried firearms, leading Urrutia to conclude they must be the Tejas, “as they are the only ones who are familiar with the use of such weapons.” Ibid., 118.

<sup>92</sup> Ibid.: 118.

<sup>93</sup> Morris E. Opler, “The Apachean Culture Pattern and Its Origins,” in Alfonso Ortiz, ed., *Handbook of North American Indians*, Vol. 10: Southwest (Washington, DC: Smithsonian Institution, 1983): 390.

<sup>94</sup> Wade, *The Native Americans of the Texas Edwards Plateau*: 161.

decades been the harbingers of death and destruction. Their interest in establishing a new settlement under the guardianship of the Franciscan missionaries marked a shift in that particular group's attitude toward the program of *reducción*. However convenient the arrangement may have been for either the Lipans or the Spaniards, it appeared to be only a temporary solution. Many of the Apaches and other groups deserted the missions when it became clear that life there offered few material advantages.

Urrutia revealed in his report that at the five missions in his jurisdiction—the mission of San Antonio de Béxar, Concepción, San Joseph, San Francisco de la Espada, and San Juan de Capistrano—the priests had resorted to coercion in order to maintain the steady supply of manual labor that the missions required.<sup>95</sup> He noted the devastation brought by a recent smallpox epidemic, observing that “many had died and those who did not deserted the missions for fear of the sickness.”<sup>96</sup> In response to this problem, on various occasions the priests had gone with several soldiers into the hills in search of the fugitives, whom they apprehended and brought back to the missions, using “only the gentlest means to ensure their return.”<sup>97</sup> He adamantly denied that the Apaches who settled in the missions were forced to work against their will. Urrutia insisted, “the missionaries employ the Indians only in very moderate labor, as they are a people who are not familiar with work. They treat all of them with the greatest love and care,

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<sup>95</sup> In 1740 there were 238 “indios de ambos sexos” at the mission of San Antonio de Béxar; 210 at the mission of Concepción; 49 at San Joseph; 121 at San Francisco de la Espada; 169 at San Juan de Capistrano—a total of 987 “sin otros muchos Christianos y gentiles que andan dispersos en los montes.” *Consulta de D. Thoribio de Urrutia*: 119.

<sup>96</sup> [L]a epidemia passada bastante estrago, vinieron a quedar las conversiones casi solas por haver muerto muchos, y algunos de miedo de la enfermedad desertado.” Ibid.: 119.

<sup>97</sup> “Y aun sobre llevados assi, muchos de ellos acada paso desertan, y es preciso vayan algunos soldados, y uno de los Padres ciento, y mas leguas en su busca, bolviendo con medios suabes otra vz a reducirlos.” Ibid.: 119.

hence obtaining their affection for this mode of living and their successful conversion.”<sup>98</sup> But he acknowledged the missions as well as the secular settlements would fall apart without their labor of the Indians. “As they are inexperienced in this work, and spend so much of the year tending to their crops, acequias, and dams, the construction [of the church] goes little by little.”<sup>99</sup> He noted that the village of San Fernando, for example, desperately needed improvement of its church, casas reales, and other public works. Moreover, the crops of the recently arrived Canary Islander had failed that year, leading Urrutia to state, “it will be inexcusable to buy [corn] from the Indians of the missions for the maintenance of the presidios.”<sup>100</sup>

Paradoxically, the Lipan Apaches were integral to the operation of the missions, the cultivation of crops, and the building of the physical and social structures that constituted the early Texas colonies, but they also represented the greatest peril to the peace and stability of the frontier settlements. Lipan Apaches in Texas thus occupied an incongruous and seemingly contradictory position in the colonial discourse: their independence threatened “the loss of everything,” yet, at the same time, their labor was essential to the very survival of civil society. As Urrutia’s 1740 report to viceroy Vizarrón so vividly illustrated, the success of the colonial enterprise in Texas was predicated on the transformation of the Apaches from external liability into an asset that could be used to promote the imperial interests of territorial acquisition and social domination.

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<sup>98</sup> “Emplean los en tareas muy moderadas como a gente que no se ha criado en trabajo. A todos los tratan con grande amor, y cariño; y assi consiguen aficionar á los gentiles á este mode de vida, y lograr su conversion.” Ibid.: 118.

<sup>99</sup> “[P]orque como nuevos en el trabajo, y consumir mucha parte del año en sus siembras, acequias, y represas, van poco a poco fabricando.” Ibid.: 119.

<sup>100</sup> Teja, Jesús F. de la, *San Antonio de Béxar: A Community on New Spain's Northern Frontier* (Albuquerque: University of New Mexico Press, 1995): 141.

Yet, the Lipan Apaches defied the program envisioned by Urrutia and his contemporaries. Although they did negotiate a temporary agreement of peace in 1749 and they temporarily sought refuge in missions established in the 1750s in the San Sabá river valley, they continued to thrive on the margins of Spanish colonial society.<sup>101</sup> Demographically, the Lipan Apaches expanded during the mid-eighteenth century as they formed kinship alliances with the Coahuiltecan-speaking groups who were the original inhabitants of the San Antonio and Guadalupe river valleys. Indeed, the Apaches came to totally eclipse these other groups in the historical record. As María de Fatíma Wade has noted, “[t]he historical visibility of the Apache groups and the Spanish preoccupation with them so overshadows the pedestrian presence of other Native groups that, by the 1760s, one can barely discern their existence.”<sup>102</sup> In the decades following Urrutia’s report the Lipan Apache began to appear with increasing regularity in the correspondence from mining settlements further south in the province of Nueva Vizcaya.

In the years following King Ferdinand VI’s 1749 order to secularize monasteries in the central provinces of New Spain, the Spanish crown actively encouraged Franciscans and other mendicant orders to pursue positions in the hundreds of new missions then being established in the northern provinces.<sup>103</sup> Clerics assiduously pursued the spiritual conversion of local indigenous populations with the financial and institutional support of the Apostolic Colleges for

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<sup>101</sup> “Serie de capitulaciones con los lipanes entre agosto de 1749 y enero de 1799,” in Levaggi, Abelardo, *Diplomacia hispano-indígena en las fronteras de América: historia de los tratados entre la Monarquía española y las comunidades aborígenes* (Madrid: Centro de Estudios Constitucionales, 2002): 235-247. See also Juliana Barr, *Peace Came in the Form of a Woman: Indians and Spaniards in the Texas Borderlands* (Chapel Hill: University of North Carolina Press, 2007): 175-196.

<sup>102</sup> Wade, *The Native Americans of the Texas Edwards Plateau*: 181.

<sup>103</sup> Francisco Morales, “Mexican Society and the Franciscan Order in a Period of Transition, 1749-1859,” *The Americas* 54:3 (1998): 327.

the Propagation of Faith.<sup>104</sup> Before establishing new missions or other settlements in Texas, the Spaniards routinely transported large quantities of food, trinkets, and other gifts to the frontier with the objective of securing the allegiance of several different native groups. For example, on April 25, 1756, near the presidio of San Agustín de Ahumada on the east bank of the Trinity River, lieutenant Don del Río recorded the delivery of forty rifles, eight cartridges of gunpowder, sixteen bullets, eight bells, three pounds of vermillion, and twenty-four packets of tobacco to the leaders of the Vidais Indians.<sup>105</sup> Five days later del Río delivered “for the service of the Vidais Indians, a captain’s medallion for Mattheo . . . a hat, shirt, and staff for the Indian Thomas,” along with metal knives, more gunpowder, bullets, vermillion, and tobacco. Subsequently, Mattheo and Thomas brought “their women, and the others [to whom] they gave meat, corn, salt, butter, and beans in abundance.” As the accountant Domingo Valcares explained, the viceroy had given these various gifts “to attract and to appease the Indians.”<sup>106</sup>

The growing dominance of the Plains Indians pushed the Lipan Apache out of central Texas and caused Spanish colonists to retreat south of the Rio Grande. The Lipan Apache absorbed smaller bands of other Indian nations as they continued to migrate south into Coahuila, Nuevo León, and Nueva Vizcaya. For example, Lipan Apaches served as auxiliaries in Spanish

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<sup>104</sup> The training of Franciscan missionaries in the Apostolic Colleges for the Propagation of Faith began with establishment of the first college in Querétaro in 1683. Jorge René González M., *Misioneros del desierto: estructura, organización y vida cotidiana de los colegios apostólicos de Propaganda Fide de la Nueva España, siglo XVIII* (México, DF: Instituto Nacional de Antropología e Historia, 2009). For discussion of the role of Franciscan missionaries in establishing trans-Atlantic imperial networks during the Hispanic Enlightenment, see Galindo, David Rex, *Propaganda Fide: Training Franciscan Missionaries in New Spain* (Unpublished Ph.D. dissertation, Southern Methodist University, 2010).

<sup>105</sup> Domingo Valcares, *Quadernos del establecimiento del Presidio de San Agustín de Ahumada en las Riveras del Río de la Santísima Trinidad*, 10 de Julio de 1756, México. AGN, *Provincias Internas*, Volumen 25, Expediente 9, Foja 354. In 1756 there was an aborted attempt to transport 50 families from Saltillo to settle at this presidio in Texas.

<sup>106</sup>Ibid.

military campaigns against the Natahé and Mescalero Apache.<sup>107</sup> According to Coahuilan Governor Jacinto de Barrios y Jáuregui, Lipan Apache and affiliated bands frequently came to Monclova and surrounding settlements to trade.

In the spring of 1766 the residents of Monclova continued to suffer from the effects of a severe drought. As Barrios reported, “it has not rained in this Province since the month of September last year” and he added, “this miserable village still remains without the appropriate supplies.”<sup>108</sup> In the month of April Barrios complained that the horses were too dehydrated to move.<sup>109</sup> “Captain Don Phelipe de Rabago y Theran asked for my assistance to sustain the presidio of San Luis de las Amarillas, which was threatened with a new invasion,” Barrios wrote to viceroy, “I could not consent for the reasons that I expressed to your excellency yesterday for the generally poor state of the cavalry in this Province.”<sup>110</sup> During this period people began to abandon Monclova, seeking refuge in larger settlements further south. As Barrios stated: “On April 19th I sent to your excellency a letter describing the desertion of five daughters of Don Pedro de Ribera, the Notary of the Holy Office.”<sup>111</sup>

On March 18, 1767, Jacinto de Barrios received notice from Vincente Rodríguez that El Cañon and San Sabá were both under attack, that the Comanches had obstructed the roads and set fire to the underbrush. On March 28 seven wagonloads of supplies left the villa of San

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<sup>107</sup> Frank D. Reeve, “The Apache Indians in Texas,” *Southwestern Historical Quarterly*, 50:2 (1946): 189-219.

<sup>108</sup> Ibid.

<sup>109</sup> Ibid.

<sup>110</sup> Jacinto de Barrios to Marques de Cruillas, 9 de abril de 1766, Monclova. Correspondencia entre D. Jacinto de Barrios y Jáuregui, que sucedió en el gobierno de Coahuila a Miguel Sesma, por muerte de este, con el virrey, sobre asuntos administrativos y militares de aquella provincia. Ofrece datos muy importantes acerca de las comunicaciones y abastecimientos entre los presidios de Coahuila y Texas, y las providencias adoptadas para combatir las incursiones de los apaches y comanches, así como la situación de las misiones de Río Grande. Coahuila. 1766-1767. *Provincias Internas*, Volumen 25, Expediente 9, Fojas 321-402.

<sup>111</sup> Jacinto de Barrios to Marques de Cruillas. Monclova, February 1, 1766. Ibid.

Fernando for the presidio of San Sabá.<sup>112</sup> The lieutenant commander of the presidio believed the 20 men who were to accompany that shipment of supplies would be insufficient; in his estimation, “95 men from the garrisons, missions, and haciendas of the province” would be necessary.

In spite of the attacks by the Comanches and the destruction caused by smallpox epidemics in 1762 and 1766, the Lipan Apache survived by developing three strategies. First, they sought to establish “peace and alliance with the Bidais, Hasinais, and Tonkawas that would open up Louisiana Markets to their trade.”<sup>113</sup> Second, they reinvigorated “former plans to establish civil settlements and mission residence in or near San Antonio that might by extension gain them a defensive alliance with the Spaniards.”<sup>114</sup> Third, they gathered their belongings, abandoned their former homelands, and moved to districts on the right bank of the Rio Grande.

Spanish authorities in Texas sought to control nomadic peoples through the application of brute force and the equally, if not more destructive, effort to resettle them at the Franciscan missions. The violence Spanish colonists inflicted upon the Lipan Apache in these years utterly destroyed the mutual trust that the two groups had previously established. However, the enduring presence of the Lipan Apache demonstrated the relatively limited capacity of the Spanish colonial state to diminish their influence. Beginning in the mid-1760s, Spanish authorities in Texas attempted to consolidate their limited power by implementing a new set of policies that were ostensibly more efficient, scientific, and humane. As in other areas of northern New Spain, these policies had the unintended consequence of causing the Lipan Apache to move farther south into the adjacent provinces of Nuevo León, Coahuila, and Nueva Vizcaya. While the Lipan

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<sup>112</sup> Jacinto de Barrios to Marques de Croix. Monclova, April 8, 1767. *Ibid.*

<sup>113</sup> Barr, *Peace Came in the Form of a Woman*: 267.

<sup>114</sup> *Ibid.*

Apache attempted to find accommodation in the Franciscan missions between 1751 and 1767, other groups of Apaches rejected the overtures of the Spanish colonial government. The Faraon, Natagé, and Mescalero Apache refused to settle peacefully according to the precepts of ecclesiastical or civil authorities. Although they faced many of the same challenges as their relatives—including the shifting geopolitical dynamics on the Plains as well as the scarcity of protein and carbohydrates caused by drought and changing environmental conditions—these affiliated bands defied colonial policies of “pacification” rather than succumb to them. Beginning in 1751 and continuing through the years of Rubí’s inspection of the interior provinces (1766-1768), the Mescalero Apache emerged as the dominant political actors who controlled the ill-defined borderlands separating the colonial jurisdictions of New Mexico, Texas, Coahuila, and Nueva Vizcaya.

#### *Mescalero Apache Territorial Expansion in Nueva Vizcaya*

As the Mescalero Apache migrated south into present-day Chihuahua, they encountered the “deeply eroded canyons known as *barrancas* or *quebradas* in the Sierra Madre Occidental.” They followed these deep canyons along the eastern slope of the mountain range as they sank into “the elevated desert floor in enclosed basins” known as *bolsones*. There they discovered lakes created by the floodwaters that became mud flats (*barriales*) or salt marshes (*salinas*) during the dry season. They continued through the “vast upland plateau (Mesa del Norte),” which was “frequently broken by stark, desert ranges marked by the deficiency of rain and great extremes of temperature.” Although they found the harsh, arid environment in this region of the Chihuahuan desert forbidding, especially “in contrast to the higher Sierra which is cool, well-

watered, and heavily forested,” its close proximity to large Spanish estates offered certain opportunities.<sup>115</sup>

In the vicinity of Saltillo, where the Sierra Madre Oriental interrupted the vast upland plateau of the Mesa del Norte, the Mescalero Apache encountered “a large, alluvium-filled bolson known as the Laguna.” As they continued south from Laguna Encinillas, they met resistance in the Santa María river valley. As the Mescalero Apache penetrated further into the heartland of Nueva Vizcaya, they displaced or absorbed other nomadic groups that had refused to assimilate within Spanish colonial society. They quickly filled the vacuum left by the Tobosos, Laguneros, and Conchos who bore the brunt of the Spanish “civilizing” missions, slave-raiding expeditions, and military campaigns through much of the seventeenth century. The Mescalero Apache also created alliances with the Sumas, Tarahumaras, Tepehuances, and other native groups.<sup>116</sup>

But a new pattern of violence emerged in the eighteenth century. Local indigenous groups such as the Tobosos, Laguneros, Conchos, Tarahumaras, and Tepehuances led rebellions against the Spaniards in the sixteenth and seventeenth centuries. In the 1750s nomadic groups from the north pummeled the mining camps, ranches, and haciendas that were scattered across Nueva Vizcaya’s northern frontier.<sup>117</sup> Responding to the increased vulnerability of the dispersed towns and villages lying north and west of Parral, colonial authorities established a new constellation of military garrisons.<sup>118</sup> The haphazard placement of numerous new outposts at Casas Grandes, San Francisco de Conchos, Valle de San Bartolomé, Janos, Cerro Gordo, Gallo,

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<sup>115</sup> Peter Gerhard, *The North Frontier of New Spain* (Norman: University of Oklahoma Press, 1993): 161.

<sup>116</sup> Susan Deeds, *Defiance and Demeanor in Mexico’s Colonial North: Indians under Spanish Rule in Nueva Vizcaya* (Austin: University of Texas Press, 2003).

<sup>117</sup> Luis Aboites, *Breve historia de Chihuahua* (México, DF: El Colegio de México, 1994): 56.

<sup>118</sup> Pedro de Rivera, *Diario y derrotero, 1724-1728* (México, DF: Librería Porrua Hermanos, 1945).

Pasaje, Santa Catalina, Cuencamé, and Mapimí reflected the sporadic and disorganized growth of the silver mining frontier.

Unlike the colonists who populated the provinces of New Mexico and Texas, Spanish residents in Nueva Vizcaya enjoyed the lucre of a mining economy. Before the arrival of the Mescalero Apaches in the mid-eighteenth century, erratic economic development caused uneven patterns of social fragmentation and reintegration.<sup>119</sup> Silver bonanzas in Santa Barbara, Parral, Santa Eulalia brought boom-and-bust cycles marked by brief periods of enormous prosperity followed by years of scarcity and desperate poverty. The demand for labor in the expanding mining districts and in the sprawling Jesuit missions drove massive interregional migration during the seventeenth century. But the infectious diseases introduced to the Sierra Madre Occidental by Jesuit missionaries devastated the aboriginal indigenous groups in Nueva Vizcaya, reducing the Janos, Sumas, Conchos, Chizos, Tarahumaras, Cocoyomes Acaxees, Tepehuánes, Tobosos, Laguneros, Coahuiltecos, Zacatecos, and Guachichiles, among many others to a small fraction of their former size.<sup>120</sup> The Apaches infiltrated the mission system and developed local networks of resistance, the multiethnic raiding bands matured into complex political organizations.<sup>121</sup>

When they entered Nueva Vizcaya, the Mescalero Apaches discovered they were not the first native peoples to exploit the Spanish settlements in the region for their own purposes. The Chichimecos violently resisted the northward advance throughout the 16th century. The

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<sup>119</sup> Nugent, Daniel, *Spent Cartridges of Revolution: An Anthropological History of Ná�iquipa, Chihuahua* (Chicago: University of Chicago Press, 1993).

<sup>120</sup> Marie-Areti Hers, et al., *Nómadas y sedentarios en el Norte de México: homenaje a Beatriz Braniff* (México, DF: Universidad Nacional Autónoma de México, 2000).

<sup>121</sup> William L Merrill, “Cultural Creativity and Raiding Bands in Eighteenth-Century Northern New Spain” in *Violence, Resistance, and Survival in the Americas: Native Americans and the Legacy of Conquest* (Washington, DC: Smithsonian Institution Press, 1994): 124-152.

Tobosos, Laguneros, Conchos, and others traveled to mining centers in Nueva Vizcaya to claim what they viewed as their fair share of the bounty, plundering livestock, taking women and children as captives, and murdering those who resisted their demands.<sup>122</sup> In the seventeenth century, the Tarahumara and Tepehuans spread over the Sierra Madre Occidental, east of the mountain range, and into the high basin-and-range country.<sup>123</sup> By the early 18th century the Spaniards had succeeded in deporting the Tobosos, but the Apaches almost immediately filled the vacuum they left.<sup>124</sup>

Spanish residents living in Nueva Vizcaya described the increasing hostility of the Mescalero and Gileño Apache in the 1760s. Settlements northwest of the mining center of Chihuahua along the Santa María river such as the villages of Namiquipa and Las Cruces were especially vulnerable. For example, on August 24, 1763, Friar Francisco García Valdés wrote a letter to Fernando Torija y Leri in which he claimed Apaches had killed several workers and abducted a number of children from the estate of Nuestra Señora del Carmen de Peña Blanca (present-day Flores Magón, Chihuahua).<sup>125</sup> García described the “suffering,” “continuous robberies,” and the “loss of lives . . . at the hands of these infidel barbarians who relentlessly attack this frontier.”<sup>126</sup> He claimed, five days earlier, “a group of forty-seven well-armed Apaches” had concealed themselves in the ditches near the fields at night and assaulted the workers as they began their labor in the morning. He watched helplessly as “they killed two

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<sup>122</sup> Peter Gerhard, *The Northern Frontier of New Spain* (Norman: University of Oklahoma Press, 1993): 164.

<sup>123</sup> A. C. MacWilliams, Joe D. Stewart, and Jane H. Kelley, “Past Boundaries and Frontiers in Chihuahua,” in *Boundaries and Territories: Prehistory of the U.S. Southwest and Northern Mexico* (Tempe: Arizona State University Anthropological Research Papers No. 54, 2002): 120.

<sup>124</sup> Ibid.: 165.

<sup>125</sup> Francisco García Valdés to Fernando Torija y Leri. Hacienda de Nuestra Señora del Carmen de Peña Blanca, Nueva Vizcaya. August 24, 1763. AGN, *Provincias Internas*, Volumen 95, Expediente 1, Fojas: 8-11.

<sup>126</sup> Ibid.: 8.

boys” and “took away a woman and her four-year-old daughter.” Although the reported this assault to officials at the nearby presidio of Buenaventura, they did nothing to prevent the assailants’ escape.

In response, Torija ordered the captains of the presidios at La Junta de los Ríos and Janos to send “at least six soldiers accompanied by a dozen Indian auxiliaries” to defend the hacienda.<sup>127</sup> He noted the residents there were especially vulnerable because the recent drought had caused the failure of the crops and shortages of corn and wheat. In September 1763, Torija wrote a lengthy letter to the viceroy that amplified the issues that García described.<sup>128</sup> Torija pleaded for assistance from the viceroy “to contain the hostilities the gentile Indians caused.” He asked for security “to transport the shipments of silver from the mines of Parral as well as those of Sonora and New Mexico” and requested a flying company in Guajuguilla, “ten leagues from the large settlement of Valle de San Bartholomé.”

Recounting the efforts of his predecessor, Matheo de Mendoza, to halt their advances by building presidios at Pilares, Junta de los Ríos del Norte, and Conchos in 1759, Torija described the recent plight of five other military garrisons that the Apaches had plundered. He noted that even though the royal soldiers at Mapimí, Gallo, Cerro Gordo, Valle de San Bartholomé, and Conchos had failed, every single mission and hacienda requested resources to construct its own presidio. Torija quantified the cost of the attacks, claiming the wanton destruction of the frontier region threatened to deplete the royal treasury. He argued “the loss of no less than 300,000 pesos annually” in the last sixteen years had cost the region more than 4 million pesos in property.<sup>129</sup>

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<sup>127</sup> Decree of Fernando de Torija y Leri. Villa de San Phelipe, Real de Chihuahua. August 29, 1763. AGN, *Provincias Internas*, Volumen 95, Expediente 1, Foja 11.

<sup>128</sup> Fernando de Torija y Leri to Marqués de Cruillas. Villa de Chihuahua, Real de Chihuahua. September 22, 1763. AGN, *Provincias Internas*, Volumen 95, Expediente 1, Fojas: 1-30.

<sup>129</sup> Ibid.: 5.

Within a radius of fifty leagues from Chihuahua, “in an area that supported more than two thousand families,” Torija stated, “the enemies have taken more than eight-hundred lives.”

“The presidio of La Junta de los Ríos del Norte y Conchos, known as Nuestra Señora Bethlehem y Santiago de las Amarillas, which has fifty plazas and is ninety leagues from here, is situated between barbarous enemy nations who go by the name of Apaches. They continue to plunder each and every one of these frontiers, including Parral and the travelers on the Camino Real that come here.”<sup>130</sup> “The presidios of San Phelipe y Santiago Janos,” Torija continued, “are also situated between our enemies and the royal road that goes to Sonora.” “It is impossible for these presidios to prevent the many entrances of the enemies . . . because they do not have a sufficient number of soldiers to guard the main buildings, to watch over the cavalry, or to punish the enemies when they cause damages.”<sup>131</sup>

“Of all the nations of Apaches,” Torija wrote, “those known as Jileños, Mezcaleros, Salineros, and Natajeés [sic], are the most barbarous and cruel that I have read about or seen.”<sup>132</sup> He continued, “Without any end other than to insult these peaceful lands, they rob people of their crops, killing and quartering as many animals as they can grab.” He described attacks on haciendas and ranches in the previous year “twenty leagues from here at a place called Aguanueva.” “Last year, various leaders of the Apaches came down to the presidio of Janos asking for peace, while at the same time their relatives killed more than twenty people in the corridor between the presidios, robbing many pack-trains of mules, fooling the captain, and making off with many supplies and tobacco.”<sup>133</sup>

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<sup>130</sup> Ibid.

<sup>131</sup> Ibid.

<sup>132</sup> Ibid.

<sup>133</sup> Ibid.: 6.

Torija suggested that those who committed the crimes were not only Apaches but also other groups who lived nearby. “This is the continuous state of affairs, sir, and I should note that it is caused not only by these enemies but also by their predecessors who have recombined.”<sup>134</sup> Although this reference to those “who have recombined” is vague, it seems Torija’s was referring to Tarahumra, Tepehuan, and other local Indians who fled from the coercive labor regimes at the missions in Nueva Vizcaya as well as domestic servants (*criados*) who turned against their masters.<sup>135</sup> He described the case of “a seventeen-year-old young man who was abandoned as a child in a corral and was brought up and educated by the alcalde.”<sup>136</sup> While this young man was entrusted with the care of other children and “treated like a sovereign,” he ultimately betrayed his overseers and assisted bands of Apaches in stealing cattle from the same community that adopted him.

Torija concluded, “[i]t is necessary for reasons of conscience and of justice that these cruel assassins and thieves are punished for their rebelliousness until they are stamped out or contained in their land where they can be maintained without causing damage in their conquests, as other nations have done.”<sup>137</sup> Torija refused to believe that the Apaches would honor any treaties, stating, “these enemies are not Indians who talk in terms of royal laws or who settle treaties.”<sup>138</sup> He continued, “[t]hey are not content to live in their lands looking after their crops

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<sup>134</sup> “[N]o solo estos enemigos, sino sus antezesores fueron recombenidos.” Ibid.

<sup>135</sup> As in New Mexico and Texas in the eighteenth century, the households of frontier settlements in Nueva Vizcaya often had domestic servants (*criados*) who were often Apaches that had been taken captive or ransomed during punitive military campaigns. James F. Brooks, “‘We Betray Our Own Nation’: Indian Slavery and Multi-ethnic Communities in the Southwest Borderlands” in *Indian Slavery in Colonial America*, ed. Alan Gallay (Lincoln and London: University of Nebraska Press, 2009): 319-351.

<sup>136</sup> Fernando de Torija y Leri to Marqués de Cruillas. Villa de Chihuahua, Real de Chihuahua. September 22, 1763. Ibid.: 6.

<sup>137</sup> Ibid.: 7, 19.

<sup>138</sup> Ibid.: 6.

and herds like those who live in the mountains.”<sup>139</sup> “These nations,” he claimed, “are thieves and aid the apostates in committing murders. They are coming, regardless of the agreements they made and the crimes they committed, to present themselves with the pretext of wanting peace.”<sup>140</sup>

García Valdez echoed the sentiments of many other colonists living along the edges of the Apachería when he lamented the increasing militancy of the Mescalero Apaches. He described the threat they posed, “if this does not merit attention [of the municipal council] . . . (which is not uncommon), it will bring a most dire situation, that is to provide the enemy with what he desires: to possess this frontier, its resources, its water, which are so well-suited to his intentions of living with his families, without the least subsistence but with great liberty.” García Valdez imagined, it would only be “a small amount of time” before the enemy began “making his long runs to Encinillas and all the regions adjacent to that settlement.”

The numerous petitions the citizens of Chihuahua sent to the viceregal administration in Mexico City demonstrated how deeply the Mescalero Apaches penetrated the northern frontier of New Spain in the 1760s. They stalled efforts to colonize new settlements along the Santa María river valley at Namiquipa and Las Cruces. They also seriously disrupted the development of the regional economy. Furthermore, colonial authorities in Chihuahua indicated the Mescalero Apaches had absorbed other indigenous groups, including Tarahumaras who were dissatisfied with the quality of life at the Jesuit and Franciscan missions of the Sierra Madre Occidental.

In response to Apache expansion in the 1760s in Nueva Vizcaya, the Spanish Crown issued the 1772 *Reglamento*, a new set of guidelines regarding, among other topics, the

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<sup>139</sup> Ibid.

<sup>140</sup> Ibid.

relocation of presidios. Janos, “whose position is very opportune to cut the passage of the Gileño Apaches that infest Sonora and Nueva Vizcaya,” was to remain in its original location. San Buenaventura, originally located in the valley of San Buenaventura, “a deep valley formed by the inaccessible mountain ranges of San Miguel and Cerro Alto,” would be relocated to “the Ruiz Valley and constructed in the vicinity of Lake Guzman, so that it is situated in almost equal latitude as that of Janos and at the appointed distance of 40 leagues from it.” The presidio at Paso del Norte was ordered to be relocated to the town of Carrizal. Guajiquilla moved to the valley of San Eleazario “to impede the continuous raids which the enemies make by way of the passes and gorges of La Cueva, El Nogal, Peña Blanca, and others through which they penetrate the *camino real* that runs from Chihuahua to Durango.”

The 1772 regulations ordered the presidio of Julimes to be “returned to the original site” at La Junta de los Ríos, the juncture of the Río Conchos and the Río Grande. The captain stationed at Julimes was expected to repopulate the villages in this area and, in that manner, “the pass used by the Natagés and other barbarians that inhabit the opposite bank of the Rio Grande can be closed.”<sup>141</sup> Directly east of Julimes, the four presidios of Cerro Gordo, San Sabá, Santa Rosa, and Monclova were to be established on the banks of the Rio Grande to shield the interior provinces from “the multitude of enemies that overrun, desolate, and rob as far as the interior of Nueva Vizcaya, not leaving the province of Coahuila free from their piracies and ravages.”<sup>142</sup> To accomplish these objectives, each of the captains stationed at Cerro Gordo, San Sabá, Santa Rosa, and Monclova received “copies of the report and findings of the Marqués de Rubí, together with the map of the frontier prepared by the engineer Don Nicolás Lafour and the route

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<sup>141</sup> Ibid.: 55.

<sup>142</sup> Ibid.: 56.

charts of Don Pedro Rábago y Terán.”<sup>143</sup> Each of the captains would then “proceed to execute a reconnaissance of the area” and establish two new presidios, one to guard the village of San Fernando de Austria and the other to be located at the mouth of the San Diego River.<sup>144</sup> While this reconnaissance was underway, the regulations ordered the commandant of Nueva Vizcaya to drive the Lipan Apache across the Rio Grande. Perhaps anticipating remonstrations from the Franciscans, the commandant was “not to consent under any pretext that the Lipan Apaches be allowed to remain in the district of Coahuila nor congregate in the shelter of the presidio of San Juan Bautista.”<sup>145</sup> In this manner, the regulations imagined the Lipan Apache would be entirely removed from the province of Texas.

According to the 1772 regulations, the location of the presidio of San Juan Bautista would remain unchanged. Soldiers stationed there would be joined by ten Indian auxiliaries “to be selected from the Julimeños because of their warlike spirit and tested bravery.”<sup>146</sup> The presidio of Bahía del Espíritu Santo would remain in its original location. The presidio at San Antonio de Béjar was judged to be “the place most exposed in actuality to the invasions and raids of various tribes of warlike Indians of the north, who attack the haciendas and opulent missions in that vicinity while pursuing the Lipan Apaches, who are their hated enemies.”<sup>147</sup> Given the vulnerability of San Antonio de Béjar, it was deemed prudent to reinforce the settlement with the companies of soldiers from the presidios of Los Adaes and Horcoquiasac. The latter two presidios and San Sabá were judged as “useless” and along with “the useless missions

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<sup>143</sup> Ibid.

<sup>144</sup> Governor Don Phelipe Ravago. No. 2 Duplicado. Expediente, sobre establecimiento de Misiones en la inmediacion de Presidio de San Sabá. 1763. AGN, *Historia*, Volumen 84.

<sup>145</sup> Ibid.: 59.

<sup>146</sup> Ibid.

<sup>147</sup> Ibid.

of Nacogdoches, Ais, and the others that are maintained without any Indians” were to be abandoned. Thus, the 1772 regulations established a new policy framework designed to completely neutralize the Apache and other nomadic peoples living in the periphery of northern New Spain.

### *Chiricahua Apache Territorial Expansion in Sonora*

The fertile river valleys of Sonora sustained dense and ethnically diverse populations of horticultural communities. The eastern slopes of the Sierra Madre Occidental area was initially settled by several horticultural societies including the Opata and Pima Bajo peoples who developed a system of canals to irrigate their crops along the banks of the many large rivers in the Serrana highlands.<sup>148</sup> The Pima-speaking people who lived along the southern, western, and northwestern edges of Opata homeland (known as the Opatería) were divided into two main groups, “Bajo” (Lower) and “Alto” (Upper), which were not ethnic but geographical designations “introduced by Jesuit priests during their initial evangelization activities in the seventeenth and early eighteenth centuries.”<sup>149</sup> The Pima Alto communities of the Pápagos (Tohono O’odam) and Sobaípuris stretched into the northwest arid lowlands that Jesuit missionaries referred to as the Pimería Alta. While these lowland deserts could not sustain the same diversity of wildlife and vegetation as the lush ecological zones of the Serrana highlands, the arid regions of north-central and northeastern Sonora (the Pimería Alta) contained expansive grasslands that “supported herds of livestock since the beginning of Spanish settlement in the

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<sup>148</sup> The anthropologist Monroe Amsden coined the term “Río Sonora Culture” to describe the unique pre-Columbian culture that developed in this region. As Robert C. West has observed “more recent reconnaissance surveys have led some archaeologists to surmise that the entire Opatería consisted of statelets that developed within most of the north-south trending valleys of La Serrana.” Robert C. West, *Sonora: Its Geographical Personality* (Austin: University of Texas Press, 1993): 19.

<sup>149</sup> West, *Sonora*: 21.

mid-seventeenth century.”<sup>150</sup> Along the coast of the Gulf of California (Sea of Cortéz) there lived the Seri people who spoke the Yuman language common among the inhabitants of the tributaries of the Colorado River.<sup>151</sup>

The Chiricahua Apaches were newcomers, thought to have made their first entry into the Sonoran desert region and the foothills of the Sierra Madres Occidental during the late seventeenth century. “By the 1680s,” Robert C. West has observed, “an Apache group, known later as the Gileños, had reached the high grassy basins of northwestern Chihuahua, where they allied with the Suma, Jocomé, and Jano tribes.”<sup>152</sup> The Gileños settled among the mesas and canyons between the Santa Cruz and San Pedro Rivers that flowed north and drained into the Gila River valley.<sup>153</sup>

Before the arrival of the first Spanish colonists in the lands they called Sonora, numerous indigenous nations inhabited the region. The ancient pre-Hispanic cities that flourished north of Mesoamérica included the Hohokam settlements in what is today Arizona, the Anasazi townships of New Mexico, and the Mogollon complex that encompassed Casas Grandes (Paquimé), the major center of cultural exchange in northern Chihuahua. Scholars continue to debate the chronologies, characteristics, and relations these cultures shared with the distant people of the West and of the Mexican Central Plateau. At the same time, the archaeologists and ethnohistorians that study the region have focused their research on specific aspects of the

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<sup>150</sup> West, *Sonora*: 13.

<sup>151</sup> William B. Griffen, *Notes on the Seri Indian Culture, Sonora, Mexico* (Gainesville: University of Florida Press, 1960).

<sup>152</sup> West, *Sonora*: 26.

<sup>153</sup> Gehard, *The Northern Frontier of New Spain*: 279.

internal development of the highland communities of Sonora, examining the evolution of their political institutions, systems of cultivation, and social stratification.<sup>154</sup>

On the eve of the Spanish conquest, the native peoples of Sonora claimed the territories that spanned north of the Yaqui River, west of the Sierra Madre Occidental, and east of the Gulf of California. There rises gradually from the arid coastal plains a succession of sharply delineated mountain ranges, generally oriented in the north-south direction. Five great rivers carved deep, irregular canyons through this landscape, eroding the mountains and depositing fertile alluvial deposits along their meandering course to the sea. These waterways and their numerous tributaries created conditions favorable to agricultural productivity. There is ample archaeological evidence to show that the diverse communities inhabiting these desert and highland regions (the O'odham) not only interacted with the nomadic peoples of the coast (the Seris) but also participated in the extensive trade network that stretched across the continent.

The term O'odham encompasses a diversity of indigenous groups that occupied various ecological zones in the deserts and highlands. As Cynthia Radding has observed, the missionaries who first encountered the O'odham used the historical terms Nebome, Pima, Papago, Sibubapa, Soba, and Sobaipuri to describe their various languages and dialects.<sup>155</sup> The northern O'odham constituted three separate groups: the *hiach-ed* or *s-ohbmakam*, nomads of the desert; the *tohono o'dham* or *papawi ko'odam*, the bean-eaters; and the *akimel*, agriculturalists of the valleys.<sup>156</sup> In the 17th century, Jesuit missionaries used the generic term Nebomes to refer to the agricultural communities they encountered in the valleys and mountain highlands along the

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<sup>154</sup> Cynthia Radding Murrieta, *Entre el desierto y la sierra: las naciones o'odham y tegüima de Sonora, 1530–1840* (México: CIESAS; INI, 1995): 17.

<sup>155</sup> Radding, *Entre el desierto y la sierra*: 28.

<sup>156</sup> Ibid.: 29-31.

tributaries of the Yaqui River, distinguishing between the Upper and Lower Pimas according to their geographical location. However, in the 18th century the diverse groups of Nebomes were known as Lower Pimas (“pimas bajos”) because of their physical separation from the Upper Pimas (“pimas altos”) in the north.

Inhabiting the valleys and highlands to the north and west of the Lower and Upper Pimas were diverse agricultural communities that the missionaries identified as Opatas. While the Opata peoples referred to themselves as *heves* or *tegiüimas*, missionaries labeled them with a derivation of the Pima term *obagg’ata*, meaning “those with enemies.”<sup>157</sup> They organized their territory according to subdivisions that corresponded with distinct, interrelated communities or *rancherías* situated throughout the sharply graded slopes and deep valleys of Sierra Madre Occidental mountains. According to Radding, the Opatas dominated the tributaries of the Yaqui River, including the Bavispe, Fronteras, Oposura, Sonora valleys, as well as the middle portion of the San Miguel valley.

The Opatas were known to enforce the ethnic boundaries that separated their jurisdictions (*aldeas*) from those claimed by their diverse indigenous neighbors. They built defensive stone structures (*trincheras*) to defend themselves and they united to assert control of their lands and to attack their enemies. They shared more amicable relations with the Eudeves (known by the Jesuits in the 17th century as the “*aivinos, batucas, or sisbotaris*”) who formed distinct communities along the edge of the Opata homeland. But they maintained boundaries with the Sobaipuris, Pimas and the Cáhitas to the south as well as with the Jovas, Sumas, Jumanos and other groups of nomads who lived to the north and west of them.

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<sup>157</sup> Radding, *Entre el desierto y la sierra*: 40.

Although a large portion of the native population of Sonora was sedentary, there were substantial groups of nomadic Indians who resisted the efforts of the Jesuits to permanently resettle their families at the missions. While the Jesuits regarded the nomadism of these “wandering peoples” with disdain, the mobility of these groups and their ability to traverse the rugged terrain of the province were sources of their enduring power. The conflicts of the 1760s between Spanish military officers, their indigenous allies (the Opatas), and the numerous communities of Seris and Pimas demonstrated that efforts of Jesuit missionaries to unify the multi-ethnic population of Sonora through the strictures of Roman Catholicism had failed.

Indigenous rebellions disrupted the social, economic, and political development of the Sonora in the eighteenth century. Apache raids on the province—conventionally considered outside of the realm of indigenous rebellions—were prominent among the factors contributing to the transformation of Sonora in the eighteenth century. Agustín de Vildósola reported in 1742, for example, “in recent days they have robbed and murdered many more people than in recent years, terrorizing the citizens with their advances into regions where they never before had the audacity to enter . . . arrogantly repeating their infamous and lamentable deeds.”<sup>158</sup> There were several interrelated factors that contributed to social unrest in Sonora. Jesuit efforts to convert the Indians to Catholicism antagonized many people who wished to preserve their native religion. Moreover, many of the Indians were opposed to the sedentary lifestyle at the missions and the constant labor that the Jesuits demanded of them. The lack of government support for the Jesuits’ evangelizing activities also contributed to their deterioration.

Although the Jesuits developed elaborate almost proto-scientific methods of classifying

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<sup>158</sup> Domingo Elizondo, *Noticia de la expedición militar contra los rebeldes seris y pimas del Cerro Prieto, Sonora (1767-1771)* eds. José Luis Mirafuentes y Pilar Mányez (México, D.F.: Universidad Nacional Autónoma de México, 1999): xxvi-xxvii.

the diverse peoples and cultures of the province, the native population and the region's complex geography remained poorly understood through the eighteenth century. Civil authorities' attempts to reduce the influence of the Indians perpetuated a constant state of war in the province. Numerous Jesuit missionaries, including Eusebio Kino, Agustín de Campos, Adam Gilg, Ignatius Keller, Jacobo Sedelmayr, and Juan Nentvig journeyed into and beyond the land of the Pimería Alta. While the Jesuit missions continued to grow in number and influence in the eighteenth century, during that period there were also significant undercurrents of discontent among the diverse populations of Seri and Pima Indians. As Thomas E. Sheridan has noted, "Jesuits may have had a vested interest in portraying Sonora on the brink of abandonment and collapse."<sup>159</sup> In contrast with other clerics, such as the Bishop of Durango, Pedro Tamarón y Romeral, who "wanted to portray a more populated and potentially prosperous Sonora to win support for secularization and extend his control over the mission congregations," Jesuits such as Juan de Nentvig and Ignacio Lizasoain endeavored to portray the province as fallen into ruin and disrepair, dilapidated and therefore in need of their custody.<sup>160</sup>

Recounting a journey that he took to the valley of the Gila River in 1744, Jacobo Sedelmayr described the homeland of the Gileño Apaches: "Flowing south for some distance, it is joined by other streams and turns west. Here is the seat of the Apaches, the haunt of this nest of robbers, who are the persistent enemies of the Spaniards and the missionaries of the Province of Sonora."<sup>161</sup> He noted the junction where "[o]n the thirty-fourth parallel the Gila joins the

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<sup>159</sup> Thomas E. Sheridan, ed., *Empire of Sand: The Seri Indians and the Struggle for Spanish Sonora, 1645-1803* (Tucson: University of Arizona Press, 1999): 237.

<sup>160</sup> Sheridan, *Empire of Sand*: 237. See also John A. Donohue, *After Kino: Jesuit Missions in Northwestern New Spain, 1711-1767* (Rome: Jesuit Historical Institute, 1969) and James R. Hastings, "People of Reason and Others: The Colonization of Sonora to 1767," *Arizona and the West* 3:4 (Winter 1961): 321-340.

<sup>161</sup> Jacobo Sedelmayr, "Copy of a report to the Provincial under date of November 13, 1744, concerning methods to be adopted in the missions" in Peter Masten, trans. and ed., *Jacobo Sedelmayr, Missionary, Frontiersman, Explorer*

Pima-Sobaípuri River [i.e. the San Pedro River], which flows from the south.” He lamented, “[t]here is no certain computation of the length of the [Gila] river, nor the number of leagues from Ácoma to this junction, because this is enemy territory and it has not been explored.”<sup>162</sup>

Sedelmayr hoped to expand the Jesuit frontier to the banks of the Gila and Colorado Rivers. He argued that such expansion would greatly contribute to the Province of Sonora: “For today on account of Apaches and their continuous ravages many districts, ranches, haciendas and mines of good quality are abandoned. But if the regions of those rivers could be organized into a mission district and a presidio could be located on the upper Gila, where it issues forth from Apache country . . . , then those tribes could be held together and, as it were, conquered through our dedication to them and the aid we give them against the common foe.”<sup>163</sup> The presidio that Sedelmayr proposed be established upon the Gila would be supported by “the two in the south, Terrenate and Corrodeguachi; and by those of Janos, El Paso, and New Mexico to the east.” He suggested, in this manner, “they will have no breathing space and no opening for their excursions except towards the heathen of the north.”<sup>164</sup> Sedelmayr had arranged to travel again to the Colorado River in October 1749, “but [he] could not obtain an escort because the soldiers were engaged in a campaign against the Apaches and the Seris who had risen.”<sup>165</sup>

The various visitations that Sedelmayr described traced the northward advance of the Jesuit missions. His report of May 10, 1751, indicated alternative, indigenous geographies in the

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*in Sonora: Four Original Manuscript Narratives, 1744-1751* (Tucson: Arizona Pioneers’ Historical Society, 1955): 20.

<sup>162</sup> Ibid.: 21.

<sup>163</sup> Ibid.: 35. Sedelmayr’s proposal to establish a presidio upon the Gila River resonated with similar recommendations made by Brigadier Pedro de Rivera y Villalón during his inspection of the northern frontier of New Spain between 1724 and 1728. Pedro de Rivera, *Diario y derrotero, 1724-1728* (México, DF: Librería Porrua Hermanos, 1945).

<sup>164</sup> Ibid.

<sup>165</sup> Jacobo Sedelmayr. Tubutama, Sonora. January 15, 1750. *Ibid.*: 64.

Pimería Alta and shed some light on the history of Chiricahua Apache activities in the region. For example, he described traveling to the new mission of San Xavier. Five leagues northwest of the newly established mission, he saw “the good, irrigated lands of the *rancherías* of Tucson and Ohia, but without a single soul since all of them were out gathering mescal in the mountains to the east.”<sup>166</sup> He further noted, “[d]irectly to the east there is a gap in the mountains through which the Apaches come and go without having to pass through any populated places to return to their own country.”<sup>167</sup> Although Sedelmayr wished to establish a mission at Tucson, he chose not to do so because he was “somewhat afraid of the proximity of the Apachería.”<sup>168</sup> He further noted that he chose not to visit the missions of Cuquiaratzi and Santa María Bessaraca out of fear of the Apaches. He wrote, “If I went to visit these two missions, especially that of Bessaraca, with the constant threat of Apaches at every step, arranging my retinue would inconvenience many people, such as my Indians, those of Santa María Soamca, the soldiers of Terrenate, the Indians of Cusquieratzi and Bessaraca, and the soldiers of Fronteras.”<sup>169</sup>

In 1751, Sedelmayr submitted a petition to the viceroy, Juan Francisco de Güemez y Horcasitas, first Count of Revillagigedo, again requesting the establishment of “a presidio near the Gila, which is not far distant from the land of the Apaches” to serve as “a base of operations against these enemies.”<sup>170</sup> Acknowledging the on-going conflict, he suggested, “if the Seris can be brought to heel, the presidio of San Miguel de Horcasitas can be dispersed and the soldiers

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<sup>166</sup> Jacobo Sedelmayr. Report of May 10, 1751. *Before Rebellion*: 45.

<sup>167</sup> Matson and Fontona note that Sedelmayr was likely referring to “Redington Pass between the Catalina and Rincon Mountains.” *Ibid.*

<sup>168</sup> *Ibid.*: 46.

<sup>169</sup> *Ibid.*

<sup>170</sup> Jacobo Sedelmayr to Juan Francisco de Güemez y Horcasitas, first Count of Revillagigedo. Tubutama in Pimería Alta, Sonora June 25, 1751. *Ibid.*: 79. The rector Gaspar Aiguex, Tomás Tello of Caburca, and Juan Nentuig [*sic*] of Sáric undersigned Sedelmayr’s petition.

can be removed to the proposed site on the Gila.”<sup>171</sup> Sedelmayr described a world in which the Apaches lived in the periphery and occasionally raided Jesuit missions, mining centers, and other Spanish settlements. But the Apache raids occurred with less frequency during his tenure than in later years when they precipitated the large-scale abandonment of the northern frontier.

Indigenous rebellions disrupted the social, economic, and political development of the Sonora in the eighteenth century. The Pima rebellion in 1751 permanently altered the political geography of the province and sowed the seeds of larger indigenous uprising.<sup>172</sup> José Luis Mirafuentes and Pilar Mányez have argued that one of the principal causes of the 1751 Pima uprising against Spanish colonial rule was the failure of Spanish soldiers to repulse the Apaches during this period. The military had become increasingly reliant on Opata and Pima Indian auxiliaries, but they rarely received benefits or compensation for their defense of the frontier settlements.<sup>173</sup>

In 1756 the Pimas allied themselves with the Seris—an alliance that many Spaniards doubted was possible given the rivalry and the antagonism that existed between the two nations.<sup>174</sup> However, once they united and found refuge in the inhospitable foothills of Santa Rosa (referred to as Cerro Prieto), Spanish soldiers were nearly powerless. An anonymous report written in 1760 recounted the long list of thefts, murders, and other outrages allegedly

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<sup>171</sup> The presidio of San Miguel de Horcasitas was founded in 1749 in honor of the Viceroy of New Spain, Don Juan Francisco de Güemez y Horcasitas, first Count of Revillagigedo.

<sup>172</sup> Russell C. Ewing, “The Pima Uprising of 1751: A Study of Spanish-Indian Relations in the Frontier of New Spain,” in *Greater America: Essays in Honor of Herbert Eugene Bolton*, ed. Adele Ogden (Berkeley: University of California Press, 1945): 259-280.

<sup>173</sup> Elizondo, *Noticia*: xx.

<sup>174</sup> Elizondo, *Noticia*: xlvi.

perpetrated by the Apaches, Seris, and rebel Pimas since 1755.<sup>175</sup> The report further demonstrated the weakness and vulnerability of the Spanish colonial administration, especially that of the Jesuit missions where the clerics' authority was almost completely diminished. Although scholars have suggested the Apaches' rise to power west of the Rio Grande in this period was a response to the growing influence of the Comanches and other Plains Indians, an analysis of sources from Sonora in the 1760s shows the Apaches' ascendancy can instead be attributed to other factors. Apache peoples in the Gila River watershed and its environs "fashioned unique cultural syntheses from elements of diverse provenance" in the 1760s.<sup>176</sup> They strengthened the cultural practices to support their communities while also adopting certain elements of their neighbors' cultures. In these years, the Apache peoples advanced further south, entering "the watercourses of the arboreal desert on the west side of the continental divide, principally the Gila and Salt river, where the prehistoric Hohokam culture flourished."<sup>177</sup>

The 1760 anonymous report that recounted the numerous thefts, murders, and other outrages allegedly committed by the Apaches, Seris, and rebel Pimas since 1755 suggested an indigenous geography of southwest expansion, an expansion that was accompanied by significant amounts of violence. Apache and Seri raids significantly reduced the populations of former Jesuit missions and Spanish mining and ranching communities in the early 1760s. For example, Joseph Tienda de Cuervo described a raid the Apaches conducted on the Pueblo of

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<sup>175</sup> Anonymous, "A brief summary of the disasters, deaths, robberies, and pillages which have befallen the province of Sonora because of the hostilities of the Apaches, Seris, and Pima rebels, especially those that occurred between 1775 and the present year of 1760" in Sheridan, *Empire of Sand*: 237–259.

<sup>176</sup> Alfonso Ortiz, ed., *Handbook of North American Indians*, Vol. 10: Southwest (Washington, DC: Smithsonian Institution, 1983): 1.

<sup>177</sup> *Ibid.*: 2

Soyapa on April 30, 1762.<sup>178</sup> Mining operations were also vulnerable to raids by the Apaches.

Juan Nentvig was among the first Jesuit chroniclers to acknowledge the full extent of the territory claimed by the Apaches. Describing an area that stretched well beyond the territory bounded by the newly established presidio of Carrizal in Nueva Vizcaya running through the lands surrounding Janos, Fronteras, and Terrenate, Nentvig wrote, “the frontier of their country is more than one hundred leagues long.”<sup>179</sup> Providing a more scientific measurement, he noted the Apachería “reaches a higher latitude than 35 [degrees], the extension is of one hundred and fifty leagues, at least, from North to South, touching the Western boundary of the Pimas.”<sup>180</sup> He continued, “the territory occupied by this savage is so vast it exceeds in extension some of the kingdoms of Europe,” subsequently qualifying this comparison by noting “I do not wish to establish a comparison between the Apaches and those nations, for their manner of living is *toto coelo* different.”<sup>181</sup>

Nentvig provided an early ethnographic account of the gendered division of labor among the Apaches when he observed it was “the women’s task to look for provisions and cook them and even to tan the hides of horses, deer, etc., and to make jackets, trousers, and shoes out of goat skins, while the men, when they are in their own country, do nothing but hunt and amuse themselves.”<sup>182</sup> He also noted how the Apaches had adapted and “changed their methods in their expeditions.” Whereas in previous years “their inroads were repeated two or three times in the year, and only with the new moon so as to take advantage of its increasing light in stealing

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<sup>178</sup> Joseph Tienda de Cuervo to Marqués de Cruillas. San Miguel de Horcasitas, Sonora. May 14, 1762. AGN, *Provincias Internas*, volume 86, expediente 2, fojas: 108-109.

<sup>179</sup> Juan Nentvig, *Rudo ensayo* (Tucson: Arizona Silhouettes, 1951): 87. Nentvig’s manuscript can be found in the Archivo General de la Nación, México, *Historia*, volume 393, fojas: 1-186.

<sup>180</sup> Ibid.: 88.

<sup>181</sup> Ibid.

<sup>182</sup> Ibid. He estimated their population to exceed one thousand families.

cattle” more recently “they began to commit their depredations in the dark, when the owners of the cattle became negligent, thinking there was nothing to fear at such a season from the enemy.” Moreover, Nentvig observed, “they have entirely changed their mode of warfare: they come in when they choose, and in the greatest possible numbers, so as to be able to cover their retreat when pursued by our troops.”<sup>183</sup>

All classes of Spaniards who stumbled into the Sonoran desert were likely to become victims of Apache violence regardless of whether they were Jesuit missionaries, royal soldiers with extensive training, credentials, and experience on the battlefield, or entrepreneurs seeking to profit from the flourishing silver mining industry. Native and mixed-race peoples who allied themselves with the Spanish colonists in Sonora were also at risk of becoming victims. While trading with the Apaches was a punishable offense, many Pima Indians chose to risk a fine or the confiscation of their contraband rather than losing their property or being killed during the frequent Apache raids.

The ability of the Gileño/Chiricahua Apache to successfully evade Spanish civil and ecclesiastical authorities, as well as their other adversaries, was a result of their extensive knowledge of the region’s physical geography. The agility they demonstrated in navigating the complex network of canyons in the foothills of the Sierra Madre mountain range was also a testament to the alliances they had developed with other Native peoples (Janos, Jocomos, and Sumas) living in the periphery of Spanish colonial rule.

The detailed reports that Jacobo Sedelmayr, Juan Nentvig, and other Jesuit missionaries wrote during these years (ca. 1744-1764) described the many challenges the native residents and the Jesuits faced during the mid-eighteenth century. Jesuit attempts to convert and subjugate the

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<sup>183</sup> Ibid.: 89.

indigenous peoples of Sonora provide a clear example of how Spanish imperialism negatively affected non-Western cultures in the eighteenth century. The weakness of the Spanish colonial enterprise became more apparent as the Jesuit mission complex expanded further into the north. As Nentvig' comments indicated, the Apaches and other nomadic peoples were growing in size, strength, and influence the Pimería Alta and beyond in the 1760s. While the Jesuit missionaries were aware of the limits of their power beyond the missions, they were surely shocked to discover that in 1767 the King of Spain suddenly annulled their ecclesiastical authority.

The Jesuits' removal in 1767 signaled the end of a multi-general evangelical program designed to subordinate native populations through religious conversion paired with social and economic integration. Ironically, the expulsion of the Jesuits from Sonora undermined many of the objectives that Gálvez and his contemporaries set out to achieve. Spain sought to expand its settlement and control of territories beyond the northwestern frontier of Sonora.

Spain's attempts to pacify internal affairs in the province of Sonora y Sinaloa exposed further weaknesses of the defense system and exacerbated the problems caused by the Apaches' penetration of the frontier region.<sup>184</sup> "During the month of April, 1767, the military expedition proper, composed of about three hundred and fifty troops under Colonel Domingo Elizondo, whom Gálvez had befriended in a quarrel which the former had with Cruillas over a question of military etiquette, set out from Mexico for Tepic on the west coast."<sup>185</sup> The viceroy Carlos Francisco de Croix, Marquís de Croix, issued a set of detailed instructions to the Spanish engineers Miguel Constanzó and Francisco Fersen on May 18, 1767, that stipulated eight points

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<sup>184</sup> Elizondo, *Noticia*: xlviii.

<sup>185</sup> Herbert I. Priestley, *José de Gálvez, Visitor-General of New Spain (1765-1771)* (Berkeley: University of California pres, 1916): 237.

to ensure the success of the Sonoran expedition.<sup>186</sup> The viceroy instructed the engineers that it was the objective of the expedition “to pacify the territory, cleansing it with war or the surrender of the Seris and the Upper Pimas, and ensuring the tranquility of the province for the arrival of future colonists.” As Croix expected such colonists would seek employment in the mines, Constanzo and Fersen were “to take special care in identifying places to establish new settlements that were connected to familiar ports and within close proximity to the mines or other resources.” Furthermore, the engineers were instructed to locate places to establish settlements near “navigable rivers” where abundant water, pasturage, and excellent soil were available.

Croix also provided the engineers Constanzo and Fersen with specific instructions for the settlement of the Gila (referred to both as a river and as a province). Once the campaign against the Seris and the Pimas was completed, the engineers were to make preparations for “the punishment or subjugation of the Apaches.” The instructions indicated that pacifying the Seri and Pima rebels and minimizing the influence of the Apaches were the viceroy’s top priorities. However, Constanzo and Fersen were also expected to identify locations for the extraction of “minerals,” primarily gold and silver, taking care to mark such locations on a map and to indicate whether they would be accessible to the general population.<sup>187</sup> Croix emphasized the purposes of their journey was “to collect as much information as possible to ensure the security of such rich and important Provinces; and thus to succeed particularly in gathering insights into everything that will surely illuminate the means of realizing the general Plan that has been proposed.”<sup>188</sup> He further acknowledged, “As the navigation of the Colorado River, and of part of the Gila, is so

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<sup>186</sup> Carlos Francisco de Croix, *Ynstrucción para los subtenientes del cuerpo de yngieros D. Miguel Constanzo y D. Francisco Fersen, destinados á la expedición de Sonora y Nueva Vizcaya*. México. May 18, 1767. AGN, *Provincias Internas*, Volumen 49, Expediente 1, Fojas: 7-10.

<sup>187</sup> Ibid.: 8-9.

<sup>188</sup> Ibid.: 9.

important for the development and economy of the Province, it will be critical to explore it, to the extent that time and the circumstances of the expedition permit.”<sup>189</sup> Given the information that was available to the viceroy at this time, Croix’s expectations for the Sonoran expedition were rather modest, especially when compared with the grandiose ambitions of the *Visitador General* José de Gálvez.

### *Conclusion*

Eighteenth-century Apache migrations throughout the northern periphery of New Spain were part of a large-scale historical process that brought Apaches and other indigenous peoples into more frequent and intimate contact with Spanish colonial society. This process involved the concatenation of multiple factors, including the expansion of the Comanche empire, the increasingly bellicose policies of the Spanish colonial government, new opportunities presented by the burgeoning pastoral economy, and the growing trade in Indian captives (many of whom were identified as detribalized Apaches or “*genízaro*s”). Thus, Apache migrations in this period caused significant changes not only within Apachean communities but also within the communities of Plains and Pueblo Indians as well as the Spanish and mixed-race colonists with whom they interacted.

Before Spanish colonists first encountered the people they called Querecheros and Teyas during their sixteenth-century *entradas*, the Apaches had inhabited areas in Northwestern Canada. Some migrated from their former homelands across the Colorado Plateau, along the eastern edge of the Rocky Mountains, on the Central Plains. These migrations took place at

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<sup>189</sup> Miguel Constanzó acknowledged receipt of the viceroy’s instructions on May 24. Miguel Constanzó to Marquís de Croix. Tepic [Nueva Galicia]. May 24, 1768 [1767]. AGN, *Provincias Internas*, Volumen 49, Expediente 1, Fojas: 15.

irregular intervals over the course of hundreds of years and brought the Apaches into contact with a diversity of other indigenous cultures. The history of Apache migrations into the periphery of areas claimed by the Spanish empire exposed weaknesses in the system of colonial defense. It also underscored the process of ethnic fragmentation and reintegration that produced the diversity of Apachean bands and clans identified by colonial authorities in the eighteenth century.

With the growth of indigenous and Spanish populations in the early eighteenth century, the competition for resources intensified in the periphery. The rise of the Comanche empire represented a direct threat to the Apaches inhabiting the Central and Southern Plains. With access to firearms from French colonists in Louisiana, the Comanches were able to rapidly displace the Apaches from the Plains, pushing the Jicarilla and Lipan Apaches into closer proximity to the Pueblo Indian and Spanish settlements in New Mexico and Texas. As the Jicarilla Apaches migrated from their former homelands near Cuartelejo into the Sangre de Cristo Mountains of northern New Mexico, they developed new strategies to ensure their survival and to maximize opportunities for economic and political security. As a result, these groups came to occupy unique positions in the margins of Spanish colonial society, in between the dispersed Spanish settlements and the Plains Indians.

Although they did not face the same threats as the people living on the Plains, the Mescalero, Western, and Chiricahua Apaches also migrated farther south in the eighteenth century. Archaeological evidence from the Canutillo and Cerros Rojo sites in west Texas and southern New Mexico indicates the presence of Apachean peoples were situated in the region well before the displacement of the Jicarilla and Lipan Apaches from the Plains. Archival evidence supports the presence of Gileño, Mescalero, and Natagé Apache in northern Sonora and

Nueva Vizcaya before 1700. By the mid-eighteenth century, these vanguard groups had pushed well beyond the boundaries of their former territories.

The movement of these various Apache populations caused considerable disruptions throughout the northern periphery of New Spain. Military campaigns led by Spanish colonists with the assistance of Pueblo Indian auxiliaries against the Gileños, Faraones, and Navajos are well documented in the archives of colonial New Mexico. While Franciscan missionaries repeatedly attempted to settle the Lipan Apaches at missions in Texas in the 1750s and 1760s, civil authorities in San Antonio de Béxar regarded them as a threat to the social order. Similarly, civil authorities in Nueva Vizcaya and Sonora were alarmed by Mescalero and Chiricahua Apaches on the silver mining districts and the Jesuit missions.

The ethnic distinctions that divided communities in the northern periphery of New Spain began to blur as the Apaches' interactions with Spanish colonists became more frequent and intimate in the mid-eighteenth century. The Apaches assimilated members of neighboring communities through conquest or by taking captives, strategies necessary as much for their survival as a means of asserting their dominance within the new territories and environments they entered. At the same time, the Apaches were assimilated, to a degree, within Spanish colonial society as prisoners of war, personal servants, or slaves known as *criados* or *genízaro*s. Both sides of this process of ethnic fragmentation and reintegration expanded and redefined colonial understandings of the Apaches. However, as demonstrated in the following chapter, the Spanish Crown responded forcefully to the expansion of the Apachería in the 1770s by establishing a presumably impenetrable boundary to halt the Apaches' advance.

## Chapter 2

### Bourbon Reorganization of the Interior Provinces of New Spain

During the second week of January, 1778, the commandant inspector of the Interior Provinces of New Spain wrote a letter to the governor of New Mexico informing him of two Apache captains who had recently arrived in Albuquerque to solicit a peace agreement. The commandant inspector, José Rubio, was apprehensive of the two men who presented themselves “with sincerity and good faith.” These two Apaches reported that their leader, Natanijú, had given them permission to formalize a truce which they hoped would bring an end to the cyclical violence then ravaging the northern periphery.<sup>1</sup> These two men returned to their people among the easternmost tribe of Chiricahua Apaches in the Mimbres mountains known to the Spaniards as the *Mimbreños*. Natanijú informed them that their allies had declined the opportunity to reach an accord.<sup>2</sup> Rubio was dismayed that these potential negotiations fell apart not, he said, because these representatives lacked a sincere interest in brokering an agreement but rather because of dissension within their own ranks.

Even though this particular encounter did not produce the desired outcome of peace, it signaled the mutual interest of Spaniards and Apaches in reconciling their differences. Rubio’s account suggests that the failure of these negotiations was the result of internal divisions,

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<sup>1</sup> For a detailed discussion of the escalation in violence during the 1770s in the Provincias Internas see Moorhead, Max L., *The Apache Frontier: Jacobo Ugarte and Spanish-Indian Relations in Northern New Spain, 1769-1791* (Norman: University of Oklahoma Press, 1968), 19-45; Alfred B. Thomas, *Teodoro de Croix and the Northern Frontier of New Spain, 1776-1783* (Norman, Okla., 1941); and David J. Weber, *Bárbaros: Spaniards and Their Savages in the Age of Enlightenment* (New Haven: Yale University Press, 2005), 156-166.

<sup>2</sup> Rubio wrote that Natanijú had relayed his message via two Apache women “a quien se dijo que si no venian los demas, no se podia admitir.” Joseph Rubio to the governor of New Mexico regarding the terms of a truce brokered with the Apache captain Natanijú, January 8, 1778, Spanish Archives of New Mexico [hereafter SANM] (716), reel 10, frames 969-971.

fragmented leadership, and the lack of coordinated interests between the dispersed communities of Apaches. While the underlying reasons that caused Natanijú to bring an abrupt end to the talks can never be fully known, as his point of view must be derived through second-hand accounts such as Rubio's letter, the fact that he initiated the dialogue warrants further investigation. His critical position as a cultural intermediary can provide insights into the fraught relationship between ethnic identities and boundaries that has been the subject of much of the recent scholarship on the history of colonization in the northern frontier of Spanish America.<sup>3</sup>

Contrary to the elaborate and exceedingly ambitious plans Spanish colonial bureaucrats had formulated in official policies, the experience of asserting some semblance of cultural uniformity in the regions where Spaniards were a minority proved difficult and, in some cases, impossible. The northern frontier of New Spain in the last quarter of the eighteenth century was—much like the lowlands of Central American, the river basins of the Amazon and the Orinoco, as well as the pampa and the Gran Chaco regions of South America—territory on the periphery of colonial control and populated by a diversity of politically independent Indians. Their exposure to Spanish customs, culture, and institutions over the course of more than three hundred years of contact had fundamentally altered their ways of life. The Apaches, the Pueblo Indians of the upper Rio Grande river valley, the Tepehuáns and Tarahumaras living on the eastern slope of the Sierra Madre Occidental, as well as the Papago, Pima, and Opata peoples of

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<sup>3</sup> At the end of eighteenth-century this region was referred to as the Provincias Internas and today it comprises the northern states of Mexico and the southwestern United States. Recent contributions to this body of scholarship include Martha Menchaca, *Recovering History, Constructing Race: The Indian, Black, and White Roots of Mexican Americans* (Austin: University of Texas Press, 2001), James F. Brooks, *Captives & Cousins: Slavery, Kinship, and Community in the Southwest Borderlands* (Chapel Hill: University of North Carolina Press, 2002), Andrés Reséndez, *Changing National Identities at the Frontier: Texas and New Mexico, 1800-1850* (Cambridge University Press, 2005) and Pekka Hämäläinen, *The Comanche Empire* (Yale University Press, 2008).

the Sonoran desert had all adapted to the changes brought by colonization.<sup>4</sup> Yet the vast majority of the indigenous people living in these areas had persistently maintained distinct ethnic boundaries through which they defined their relationship to Spanish colonists.<sup>5</sup>

In the following pages I present an analysis of the shifting relationship between three central groups of actors vying for control of the Interior Provinces of New Spain in the late eighteenth century: the bureaucrats who represented the interests of the Bourbon state; the Spanish officials overseeing the local administration of the northern frontier; and the indigenous peoples of the Greater Southwest. This approach has been influenced by the recent contributions of borderlands historians such as Ned Blackhawk, Juliana Barr, Brian DeLay, Pekka Hämäläinen, and Karl Jacoby.<sup>6</sup> These authors have challenged the conventional trajectories of colonization and rewritten the central narratives of North American history by placing the Apache, Comanche, Tohono O'odham, and Ute Indians in the foreground. Drawing on personal diaries, official correspondence, military records, census data, and legal proceedings produced by Spanish officials who served in governmental positions in the Interior Provinces, I show how individuals like the Apache leader Nataniijú made deliberate decisions to maintain control of their natural resources, their land, and their people. As comandante inspector Rubio's letter to the

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<sup>4</sup> Edward H. Spicer, *Cycles of Conquest: The Impact of Spain, Mexico, and the United States on the Indians of the Southwest, 1533-1960* (Tucson: University of Arizona Press, 1962), 57-81; and Howard R. Lamar and Sam Truett, "The Greater Southwest and California from the beginning of European Settlement," *The Cambridge History of Native America: Volume 1, North America, Part 2* (Cambridge University Press, 1996): 57-115.

<sup>5</sup> Throughout this essay I draw on Fredrik Barth's discussion of ethnic boundaries in his introduction to Fredrik Barth, *Ethnic Groups and Boundaries: The Social Organization of Culture Difference* (Boston: Little Brown, 1969), 9-38. For more recent discussions of ethnic group formation see Andreas Wimmer, "The Making and Unmaking of Ethnic Boundaries: A Multilevel Process Theory," *American Journal of Sociology* Vol. 113, No. 4 (January 2008): 970-1022.

<sup>6</sup> Ned Blackhawk, *Violence over the Land: Indians and Empires in the Early American West* (Harvard University Press, 2006), Juliana Barr, *Peace Came in the Form of a Woman: Indians and Spaniards in the Texas Borderlands* (University of North Carolina Press, 2007), Brian DeLay, *War of a Thousand Deserts: Indian Raids and the U.S.-Mexican War* (Yale University Press, 2008), Pekka Hämäläinen, *The Comanche Empire* (Yale University Press, 2008), Karl Jacoby, *Shadows at Dawn: A Borderlands Massacre and the Violence of History* (Penguin Press, 2008).

governor of New Mexico indicated, diplomacy in the region required a delicate balancing act in which colonial interests were at times subordinated to the prerogatives of native groups and marginalized populations were able to take advantage of opportunities for upward social mobility, particularly as Indian auxiliaries in frontier militias.

### *The Villalba Expedition*

A focal point of the Bourbon regime's reorganization of the American colonies was the military. As the imperial state appeared vulnerable following Spain's humiliating defeat in the Seven Years' War, military reform was seen as necessary to protect its shipping lanes and coastal ports from foreign attacks, to guard against internal uprising, and to create a system of defense in the northern provinces of New Spain. The Spanish Crown invested heavily in the expansion of its military operations in the decade after the signing of the Treaty of Paris in 1763 and restructured its armed forces in ways that had lasting consequences for civil society.

One of the chief difficulties that Spain faced in both the European and American theaters was the lack of adequate numbers of trained personnel. Service in the military was unpopular throughout the Spanish empire and filling the ranks officers and soldiers in America proved especially troublesome.<sup>7</sup> Juan de Villalba y Angulo, who was appointed comandante general and inspector general of the army of New Spain in 1764, found a solution to this problem by recruiting men directly from the colonies rather than relying on conscription or the recruitment of foreigners. The enlistment of soldiers in the regular army and local militias galvanized social

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<sup>7</sup> Throughout the Spanish empire, officials regularly sought recruits from outside its own ranks in order to sustain the necessary size of its armies and militias. In the Iberian peninsula, for example, the government was forced to recruit foreigners and by the end of the eighteenth century the Spanish army contained "eight foreign regiments, three Flemish, two Italian, and three Irish [and] in addition there were six battalions of Walloon Guards, and four infantry regiments recruited by contract from the Catholic cantons of Switzerland." John Lynch, *Bourbon Spain, 1700-1808* (Cambridge, MA: Blackwell, 1989): 308.

relations in New Spain's, as many of the peninsulares and creoles were distrustful of the ethnically and racially diverse population that constituted the so-called castas.<sup>8</sup> Indians, *mestizos*, Afro-Mexican *pardos* and *morenos* entered the military in large numbers, joining militias and regular units throughout the colonies. Many Spanish army officers objected to this policy and they sought to regulate membership in the armed forces in ways that reflected a broader pattern of racial stratification in late eighteenth-century New Spain.<sup>9</sup> Yet, in spite of the objections to his policies, Villalba approved the integration of men from all racial backgrounds in the Bourbon military and oversaw the organization of free-colored militias in Mexico City, Puebla, and Veracruz.<sup>10</sup>

The implementation of Villalba's reforms and the creation of the mixed companies of the *Infantería de América* represented a critical period in the development of social relations in New Spain. What was initially a response to the external pressures of imperial rivalry became a central feature of the ongoing debates over the composition of the military and the role of ethnically and racially marginalized populations in colonial society. On one level, the backlash against these policies revealed the deep-seated insecurities of merchants and property-owners, who saw the arming of the civilian population as a recipe for disaster. As María Elena Martínez has shown, in the late eighteenth century “[c]olonial elites, particularly the creole aristocracy that

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<sup>8</sup> The casta system was a model of social classification that ordered Spanish colonial society according to a variety of ascribed racial categories including “‘Spaniard,’ ‘Indian,’ ‘black,’ ‘mestizo,’ ‘mulato,’ ‘castizo,’ ‘morisco,’ and ‘zamboigo,’ and in the eighteenth century also ‘*lobo*,’ ‘*coyote*,’ ‘*pardo*,’ ‘*moreno*,’ and occasionally ‘*chino*.’” María Elena Martínez, “The Language, Genealogy, and Classification of ‘Race,’” in Ilona Katzew and Susan Deans-Smith, eds., *Race and Classification: The Case of Mexican America* (Palo Alto, CA: Stanford University Press, 2009): 35.

<sup>9</sup> The Marqués de Torre, for example, “complained constantly about indolent vagabonds, drunkenness, thievery, ‘debauched races.’” Christon I. Archer, “Military: Bourbon New Spain,” in Michael S. Werner, ed., *The Concise Encyclopedia of Mexico* (New York: Routledge, 2001): 457.

<sup>10</sup> See Christon I. Archer’s discussion of Villalba’s “Instrucción de 1 Agosto 1764 para govierno y commandancia general de las armas é instrucción de las tropas del reino,” in Christon I. Archer, *The Army in Bourbon Mexico 1760-1810* (Albuquerque: University of New Mexico Press, 1977): 8-38. See also Ben Vinson, *Bearing Arms for His Majesty: The Free-Colored Militia in Colonial Mexico* (Stanford University Press, 2001): 1-36.

claimed to have ancient roots in the land,” felt threatened by the loss of their social prestige and they “responded by attempting to make colonial institutions more exclusive.”<sup>11</sup> Many of the commissioned creole officers in New Spain’s army were from the wealthy families of hacienda owners and stock raisers and the recruitment of officers from this population reinforced the existing class structure. But, as John Lynch has shown, the proportion of creole officers rose by more than 30 percent in the decade after 1760 and 80 percent of the army was composed of creole soldiers of all backgrounds by 1800.<sup>12</sup> Thus, joining the army or volunteering in the militia also offered limited opportunities for upward social mobility. By providing a salary, training, and some semblance of a career, the restructuring of the military created an environment in which it became possible for individuals to challenge the social boundaries that were imbedded within the casta system.

Since peninsulares and creole elites in this period were primarily concerned with the security of their economic investments and the continued profitability of the colonies, it is difficult to gauge the extent to which Villalba’s military reforms influenced ideas of race or class-consciousness at the grassroots level. María Luisa Rodríguez-Sala has observed that to the majority of the population of New Spain, the reforms seemed anything but rational. In this period most people had become accustomed to relative peace and tranquility in social affairs and it was difficult for them to imagine situations in which a large standing army or ad-hoc militias could serve any real purpose.<sup>13</sup>

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<sup>11</sup> María Elena Martínez, “The Language, Genealogy, and Classification of ‘Race’ in Colonial Mexico”: 36.

<sup>12</sup> Lynch, *Bourbon Spain*: 343.

<sup>13</sup> María Luisa Rodríguez-Sala and Josefa Guzmán B., *Los cirujanos del ejercito en la Nueva España (1713-1820): ¿miembros de un estamento profesional o una comunidad científica?* (México: Instituto de Investigaciones Sociales de la Universidad Nacional Autónoma de México: Facultad de Medicina: Instituto Tecnológico de Estudios Superiores de la Región Carbonífera, 2005): 43.

An anonymous author who was a member of the inspector general's entourage chronicled the negative public reaction to what came to be known as the Villalba expedition.<sup>14</sup> This admiring peninsular recorded many observations of the highly choreographed military procedures he witnessed in Veracruz and Mexico City during Villalba's five-year tour of New Spain (1764-1769). His diary provides an account of the multiethnic composition of regiments as well as the social tensions that resulted from the formation of urban militias. The diarist often wrote disparagingly of the physical condition of the troops he saw. For example, he described the Cuerpo de Lanzeros in Veracruz as "rural people on horseback with scythes and machetes who are rosos, mulattos, and whites numbering 400," musing that "this type of troops . . . augment a fantasy and, in reality, they cannot serve for more than a coup as they are poor day laborers who live by their trade."<sup>15</sup> The "fantasy" that such men could constitute a formidable army to defend New Spain against foreign invasion seemed absurd to the unidentified writer. He was clearly prejudiced by his familiarity with the armed forces in Europe, yet he was sensitive to the hardships faced by these "rural people." Observing a company of troops organized under the command of Domingo Elizondo, the diarist noted that the troops were demoralized by the colonel's demand for total subordination.<sup>16</sup> "These troops did not enlist willingly," he wrote, acknowledging that while the troops were receptive to the "customs of Spain" and the salary they

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<sup>14</sup> Villalba's entourage included four mariscales de campo, a variety field and company marshals, and several hundred non-commissioned officers. Anonymous, *Memorias concerniente á la expedición que bajo de las ordenes del Exmo. Don Juan de Villalba, manuscript*, 1769, Newberry Library, Edward E. Ayer Collection. This 140-page diary includes intermittent entries ranging from August 20, 1764, through April, 30, 1769.

<sup>15</sup> "[G]ente del campo á caballo con lanza media luna y machete estos son rosos, mulatos, y blancos en numero de 400," musing that "estas especias de tropas . . . aumenta la fantasía y en realidad no puede servir mas que para un golpe de mano siendo pobres jornaleros que viven en su oficio." *Ibid.*: 8.

<sup>16</sup> In the late 1760s Domingo Elizondo led numerous campaigns against the Seris, Yaquis, Pimas, and Apaches in northern Sonora during Villalba's tenure as inspector general. See Domingo Elizondo, José Luis Mirafuentes Galván, ed., *Noticia de la expedición militar contra los rebeldes seris y pimas del Cerro Prieto, Sonora (1767-1771)* (México, DF: Universidad Nacional Autónoma de México, 1999).

received, they were reluctant to submit to the authority of their commanding officers: “but the abuse of their rights makes them resent their service.”<sup>17</sup>

Social tensions and discontent among the new recruits threatened to undermine the Bourbon regime’s commitment to stabilizing the Spanish American colonies. The diarist observed the gathering of a battalion of more than 1,000 troops in December 1764 in Puebla. He noted the resentment among some creole soldiers to “the vanity in that not a single white man should go on foot.”<sup>18</sup> In the following year in Toluca, he made a similar observation, noting that many of the men were disinclined to join the militias because of the harsh, even abusive treatment they received.<sup>19</sup>

The arrival of José de Gálvez as General Inspector (*Visitador General*) in Veracruz on May 1765 brought a new intensity to the administrative reforms then sweeping through New Spain. Gálvez instituted a wide range of regulations designed to maximize revenue and tighten regulations on the manufacture and sale of goods that were imported from the Iberian peninsula.<sup>20</sup> For example, in February 1768, he announced prohibitions on the “sale and manufacture” of tobacco products in the province of Nuevo México.<sup>21</sup> This announcement underscored an unrealistic understanding of the regional economy, as New Mexico had never

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<sup>17</sup> “Esta tropa no ha entrada gustosa,” “costumbres de España,” “pero el uso de sus libertades les hace mirar con repugnancia la sugerencia.” Anonymous, *Memorias concerniente á la expedición que bajo de las órdenes del Exmo. Don Juan de Villalba*, 7.

<sup>18</sup> “[L]a vanidad fundada en que ningun Blanco deve ir a pie.” Ibid.: 21.

<sup>19</sup> “[S]iempre difícil él que sirva de golpe de mano pues son gente miserable.” Ibid., 34.

<sup>20</sup> Revenue raised through *alcabalas* on tobacco and brandy were particularly important to Gálvez’s new economic programs. See Susan Deans-Smith, “The Money Plant: The Royal Tobacco Monopoly of New Spain, 1765-1821,” in Nils Jacobsen and Hans-Jürgen Puhle, eds., *The Economies of Mexico and Peru during the Late Colonial Period, 1760-1810* (Berlin: Colloquium Verlag, 1986), 361-87; and W. Kendall Brown, *Bourbons and Brandy: Imperial Reform in Eighteenth-Century Arequipa* (Albuquerque: University of New Mexico Press, 1986).

<sup>21</sup> Letter from viceroy Carlos Francisco de Croix, Marqués de Croix, to Pedro Fermín de Mendeneta relative to the ban on the manufacture of cigars, February 13, 1768, SANM (636a), reel 10 frame 400.

seriously contributed to the production of tobacco products. But it nonetheless reflected the administration's interest in consolidating its control of economic relations between Spain and America. Similarly, in 1772 Gálvez issued an order to the governor of New Mexico requiring that he provide reports of "traffickers" and "the way of life of the majority of its inhabitants." Gálvez displayed a keen interest in statistics and quantitative data that he could use to calculate the expected revenue through import duties. He demanded that the governor provide as frequently as possible "exact lists of the prices at which they are now sold in the various places under his command as well as the fruit and goods in greatest demand." In particular, he sought information pertaining to "drinks, tools . . . reserves of flour, cotton, or silk, furniture or other effects that people ordinarily need for their sustenance and comfort" as well as "the number of people of both sexes, their inclinations, their caprices, the means to satisfy them . . . and other things of this sort."<sup>22</sup>

Gálvez's obsession with the details of economic affairs in New Mexico represented only one facet of the tripartite program designed to overhaul the economy, the administration, and the military defense of the Spanish American colonies. To achieve these ends he also enforced new regulations limiting the political power of creole elites and secularizing the colonial government. In May 1767, when Gálvez ordered the arrest and exile all members of the Jesuit order in New Spain, the general disaffection that had been simmering below the surface boiled over in a series of violent uprisings and urban riots. Gálvez responded with "unprecedented harshness" to the

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<sup>22</sup> José de Gálvez to Pedro Fermín de Mendaro, October 18, 1772, SANM (769a), reel 10, frames 1192-1196. "listas exactas de los precios á que en la actualidad se venden en los diversos parajes de su mando los frutos y generos de mayor consumo"; "bebidas, herramientas . . . tesoros de harina, algodon, o seda, muebles de mas efectos que ordinariamente necesitan para su sustento y comidas"; "el numero de personas de ambos sexos, sus inclinaciones, sus caprichos, los medios de satisfacerlos . . . y otros cosas á este modo."

revolts of Indians and miners in Pátzcuaro, Uruapan, San Luis Potosí, and Guanajuato.<sup>23</sup> With regular troops organized under Villalba's command and the assistance of local militias, “[h]e hanged 85 persons, flogged 73, banished 117, and sentenced 647 others to various terms of imprisonment.”<sup>24</sup> The brutal suppression of the rebellions in those towns signaled a new willingness of the Bourbon state to exercise its military strength in order to protect its pecuniary interests in the colonies. But the violence and the iron-fisted response to dissent and resistance within colonial society were of a different character than the policies that Gálvez and other advisers developed to mitigate the increasing instability on the northern edge of its North American empire.

The multi-tiered reforms that Villalba and Gálvez instituted during the late 1760s established a series of important precedents that would guide what was considered at the time an Enlightened program of “Hispanicization” in the northern frontier. The fundamental organizing principle of what has been characterized as the “second colonization” of Spanish America was economic; the political and military dimensions of the reforms they implemented were ancillary to the goal of maximizing the profitability of the colonies.<sup>25</sup> Officials considered the removal of creoles from positions of authority, the expulsion of the Jesuits, and the use of military force to suppress dissent as necessary precautions to ensure the uninterrupted flow of capital. From their perspective, the logic of these administrative reforms was efficient and rational: “Spain’s second empire was administered by Spaniards, defended and financed by Americans.”<sup>26</sup> However, in the northern provinces of New Spain, where *españoles* were a minority population, the

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<sup>23</sup> David A. Brading, *The First America: The Spanish Monarchy, Creole Patriots, and the Liberal State* (Cambridge University Press, 1991): 468.

<sup>24</sup> Ibid.

<sup>25</sup> Lynch, *Bourbon Spain*: 344.

<sup>26</sup> Ibid.

functioning of the local economy depended less on the availability of commercial merchandise than on the flow of other commodities, which included the trafficking of Indian slaves. When Gálvez and other Bourbon bureaucrats attempted to regulate this and other clandestine economies during the early 1770s, they soon discovered that the military tactics they had deployed earlier produced a chain of unintended consequences when implemented in the northern periphery.

#### *La línea de defensa proyectada*

The challenges that the Bourbon regime encountered in the north were less amenable to rationalization than elsewhere in the colonies. In regions such as Nueva Vizcaya, New Mexico, or Alta California the pressing needs of local populations determined the course of action, not the demands of the colonial administration in the metropole. Indeed, for much of the eighteenth century, an imperial policy guiding Spain's steady advance beyond the Mexican altiplano simply did not exist. Although viceroy Juan de Acuña, Marqués de Casafuerte, had commissioned colonel brigadier Pedro Rivera and a small group of engineers to conduct a comprehensive review of the various garrisons that were dispersed throughout Sonora, Nueva Vizcaya, Nuevo México, and Texas in the 1720s, his survey produced few meaningful results. One historian has argued that his set of recommendations, the 1729 *Reglamento*, "did little or nothing to strengthen the defenses of the northern frontier, either quantitatively or qualitatively."<sup>27</sup> However, by the late 1760s the incursions of indigenous groups in the north threatened to destabilize the ranching

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<sup>27</sup> Max L. Moorehead, *The Presidio: Bastion of the Spanish Borderlands* (Norman: University of Oklahoma Press, 1975), 45. See Pedro de Rivera, *Diario y derrotero de lo caminado, visto, y observado en el discurso de la visita general de Presidios, situados en las Provincias Internas de Nueva España*, 1736, in Jack Jackson, ed., *Imaginary Kingdom: Texas as Seen by the Rivera and Rubí Military Expeditions, 1727 and 1767* (Austin: Texas State Historical Association, 1995): 19-51.

operations which that sustained the lucrative silver-mining industry. This represented a legitimate threat to the political economy of the Spanish empire, as Stanley and Barbara Stein have demonstrated: “[w]ithout silver, the monetization and commercialization of the colonial and Atlantic economy would have proceeded far more slowly, the metropole would have gained little by colonialism, and without a profitable export, strong links to Europe and Asia would not have materialized.”<sup>28</sup> Thus, for the first time in decades, in the late 1760s the security of the northern provinces became a matter of concern not only for the communities that suffered from the brunt of the violence but also for administrators in the highest echelons of the colonial bureaucracy.

From the perspective of the anonymous peninsular who chronicled the Villalba expedition in Mexico City, the trials and tribulations that the military faced in the northern frontier of New Spain were decidedly less interesting than events taking place in the metropole. Only on rare occasions did he turn his attention away from the intrigues of viceregal politics, the bureaucratic formalities and self-conscious posturing of Spanish emigrants vying for power, or more mundane spectacles such as “bullfights”<sup>29</sup> In his diary there were few indications that the northern provinces of New Spain were also vital to the Bourbon regime’s economic and political interests. In instances when the northern frontier did appear, the war that Spain was waging against the indigenous groups inhabiting the regions of Coahuila, Nueva Vizcaya, Nuevo México, Sonora, and Texas figured prominently. For example, in November 1766 he described conflicts with the Guamares, Pames, Guachichiles, Zacatecos, Caxcanes, and Tecuexes that were known generically as the “Chichimecas.” He noted, “we have received correspondence of the

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<sup>28</sup> Stanley J. Stein and Barbara H. Stein, *Apogee of Empire: Spain and New Spain in the Age of Charles III, 1759-1789* (Baltimore, MD: Johns Hopkins University Press, 2003): 226.

<sup>29</sup> Anonymous, *Memorias concerniente á la expedición que bajo de las ordenes del Exmo. Don Juan de Villalba*, 47. “las fiestas de toros.”

disorders experienced in Chihuahua with the ‘Meco’ Indians and what has resulted is Governor Aguero of Nueva Vizcaya has established new presidios and a company of troops.”<sup>30</sup> Similarly, in the following year, he observed, “already in Nueva Vizcaya there are warnings of the hostilities of the Apaches and there are fears that Chihuahua has been lost to the insolence of those who have abandoned the presidios.”<sup>31</sup> These intermittent reports provided only a vague impression of the significance of the region to the viceroyalty. From his point of view, it seemed that the northern provinces were less a land of opportunity than a foreboding wasteland, as he described Alta California as “a miserable country that offers few opportunities and little satisfaction.”<sup>32</sup>

But in the same years in which Villalba endeavored to reform the military and Gálvez sought to overhaul the administrative of political and economic affairs, other Bourbon officials turned their attention to consolidating Spain’s sovereign control of its sprawling North American empire. For other men in Villalba’s entourage whose duty it was to inspect the defenses of the northern provinces, such as the field marshal Marqués de Rubí, the military engineer Nicolás de Lafora, and the draftsman José Urrutia, the frontier region was not “a miserable country.” Instead, they viewed it as a disorganized landscape that required a rational system of administration. Over the next decade, the information that the Rubí expedition gathered during its reconnaissance mission would be formulated into a coherent set of guidelines for the

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<sup>30</sup> “[S]e ha tratado de lo correspondiente de los desordenes que se experiensan en Chihuahua con los indios Mecos y sea resulto que Aguero Governor de la Nueva Vizcaya séa él que establezca otros nuevos presidios con una compaňia.” Ibid.: 43. For a discussion of these conflicts and the history of the Chichimec people see John E. Reyman, ed., *The Gran Chichimeca: Essays on the Archaeology and Ethnohistory of Northern MesoAmerica* (Avebury, 1995) and Martha Menchaca *Recovering History, Constructing Race*: 67-77.

<sup>31</sup> “[Y]a en la Nueva Vizcaya avisa de la hostilidades de los Apaches, y teme se pierda Chihuahua segun la insolencia de aquellos y lo que se van abandonando aquellos presidios.” Ibid.: 51.

<sup>32</sup> “[U]n país miserable que ni aun lugares hay, lo que da poca satisfacci n.” Ibid.: 55.

management of the sprawling administrative jurisdiction known as the General Command of the Internal Provinces of Northern New Spain (*Comandancia General de las Provincias Internas del norte de Nueva España*).<sup>33</sup>

In March, 1766, the anonymous author recorded the departure of the Rubí, de Lafora, and Urrutia from Mexico City, noting only that Urrutia “no ha querido gratificación ninguna para su comisión.”<sup>34</sup> Their two-year inspection of the state of military defenses in the northern frontier was celebrated as a triumph of enlightened rationalism and represented the realization of Spain’s long-standing desire to advance its colonial project deeper into the mainland of North America. However, the military inspection also presaged a process that the social anthropologist Fredrik Barth has referred to as “the organizing and canalizing effects of ethnic distinctions,” as this group of Spanish officers not only surveyed the state of military garrisons and missions in the frontier but also began to categorize Indian populations according to specific cultural traits. In the diary that Lafora kept during their 7,600-mile journey, he noted the ineffectiveness of the missions in converting Indians. Similarly, Rubí observed that a population of more than twenty-five families of “Cocos, Cujanes, Carancaguazes, and Jaranames” at the Mission of Espíritu Santo was “composed mostly of pagans.”<sup>35</sup> While passing through the newly settled town of San Fernando de Austria (present-day Zaragoza, Coahuila) on July 10, 1767, Rubí encountered a gathering of “Ypandes, or Lipan Apaches,” an ethnic group he then described as “pirates.”<sup>36</sup>

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<sup>33</sup> Navarro García, Luis, *Don José Gálvez y la Comandancia General de las Provincias Internas del norte de Nueva España* (Sevilla: Consejo Superior de Investigaciones Científicas, 1964)

<sup>34</sup> Anonymous, *Memorias concerniente á la expedición que bajo de las ordenes del Exmo. Don Juan de Villalba*, 63.

<sup>35</sup> Lawrence Kinnaird, *The Frontiers of New Spain: Nicolás de Lafora's Description, 1766-1768* (New York: Arno Press, 1958), 18-19. Marqués de Rubí, “Itinerary of Señor Marqués de Rubí,” quoted in Jack Jackson, ed., *Imaginary Kingdom: Texas as Seen by the Rivera and Rubí Military Expeditions, 1727 and 1767* (Austin: Texas State Historical Association, 1995), 141.

<sup>36</sup> Ibid.: 107.

The classification of indigenous populations was an important element of the inspection tour and it would have lasting consequences for the organization of social relations between the various populations inhabiting the Provincias Internas.

The detailed report that Rubí submitted to Charles III in April, 1768, would establish the basic organizing principles of the northern frontier for the duration of the eighteenth century. Many of Rubí's recommendations were subsequently adopted in the 1772 *Reglamento*. The mathematical precision of the boundary that Rubí proposed to protect New Spain from the invasions of the *indios bárbaros* of the north was clearly articulated in the second article of his “presuppositions” in the *Dictamen*, which he submitted to Charles III:

Let there be supposed, then, a Line . . . drawn from the coast of the Southern Sea between the Presidio of Altar and the ruined Mission of San Miguel Sonaytac, at about 30 degrees of latitude, to where the Guadalupe River reaches the coast of the Northern Sea and Gulf of Mexico, also at the same 30 degrees of latitude. This line, considered geometrically, will follow this 30-degree parallel which passes through these two points. The difference of longitude of the same, according to the most recent maps and observations, will be approximately 29 degrees and 15 minutes, and consequently the shortest distance from one to another will be 585 leagues. The attempt will be to make the true line of defense that we are attempting to establish . . . approximate this ideal line, which in some way it encloses within itself—leaving aside New Mexico for now—all that should be called Dominions and true Possessions of the King.<sup>37</sup>

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<sup>37</sup> Marqués de Rubí, *Dictamen*, April 10, 1768, quoted in Jack Jackson, ed., *Imaginary Kingdom: Texas as Seen by the Rivera and Rubí Military Expeditions, 1727 and 1767* (Austin: Texas State Historical Association, 1995): 172.

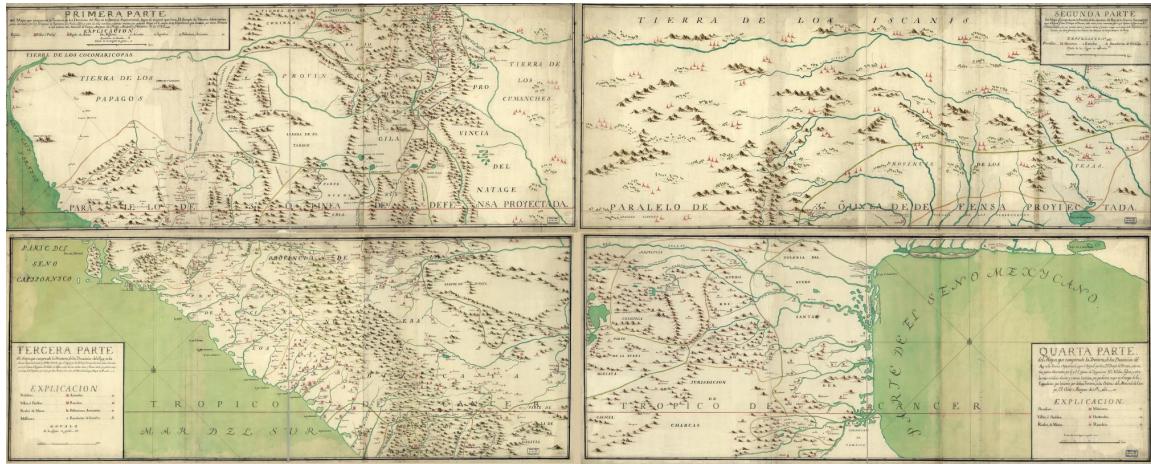


Figure 2. When Nicolás de Lafora and José de Urrutia completed their map of the *Provincias Internas* in 1769, it included the plans of twenty-two villages and presidios. Their map revealed the enormous scale of the Spanish colonial project in northern New Spain and was comprised of four sections. A red line marking the “*Paralelo de 30° o línea de defensa proyectada*” ran through the first and second sections, which depicted large portions of present-day Arizona, New Mexico, and Texas. Another line marking the Tropic of Cancer ran through the third and fourth sections, which spanned from the Sea of Cortez to the Gulf of Mexico. Nicolás de Lafora and José de Urrutia, *Mapa, que comprende la Frontera, de los Dominios del Rey, en la América Septentrional*. 1769. Geography and Map Division. Library of Congress. Washington, DC.

This “ideal line” cut across a multiplicity of indigenous cultures that at the time of Rubí’s inspection were widely recognized but poorly understood. On the west, this boundary traversed lands inhabited by Opatas, Papagos, Pimas, Seris, Yaquis, and Yumas, sliced through the mixed communities of Janos, Jocomes, Mansos, and Sumas, severing the entire kingdom of New Mexico from the rest of New Spain.<sup>38</sup> On the east, in Coahuila, Nuevo Santander, Texas the new

<sup>38</sup> Eusebio Buenaventura Beleña, *Informe de Don Eusebio Bentura Beleña al Exmo. Sor. virrey Marques de Croix: con descripción de las provincias de Sonora y Cinaloa, parajes donde se cobra el tributo, fundamentos legales para su exacción, repartimiento de tierras, y otros varios puntos de consideración*, manuscript, May 16, 1770, Edward E.

line was drawn through a complex web of Apaches, Caddos, Comanches, and Wichitas. While Rubí acknowledged that the reorganization of the presidial line would necessarily require renegotiating relations with all of these indigenous groups, he set aside the “the infidel Lipanes” as implacable enemies and “an urgent danger.”<sup>39</sup> Rather than attempt to assimilate this group of Apaches, Rubí advised “moving them far to the interior and dividing them, extinguishing or confusing them (as has occurred with several other nations whose legacy has perished from memory).”<sup>40</sup>

The crisp division of the northern frontier that Rubí envisioned would never be realized under the Spanish colonial administration, despite the hundreds of thousands of pesos that the Bourbons poured into the maintenance of the presidial system. Yet his goal of cleanly dividing New Spain from the *indios bárbaros* of the north had enduring consequences. “The concept of a supposedly impregnable outer line of presidios had become such an obsession with Rubí,” Max Moorhead has observed, “that in order to make it a reality, he was willing to strip all of the interior roads, towns, ranches, and mines—and also most of the missions—of their adjacent garrison.”<sup>41</sup> Thus, the reorganization of the northern frontier that he recommended not only displaced a host of indigenous populations but also repositioned many of the Spanish settlements. Among the most forceful of the recommendations outlined in Rubí’s *Dictamen*, however, was the very strongly worded suggestion to “extinguish” the Lipan Apaches who resided in the southern districts of Texas and New Mexico.

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Ayer Manuscript Collection, Newberry Library and Anonymous, *Noticia breve de la expedicion militar de Sonora y Cinaloa, su exito feliz, y ventajoso estado en que por consecuencia de ella se han puesto ambas provincias*, manuscript, 1771, Edward E. Ayer Manuscript Collection, Newberry Library.

<sup>39</sup> Ibid.: 181.

<sup>40</sup> Ibid.: 181-182.

<sup>41</sup> Moorhead, *The Presidio*: 60.

This policy would be pursued most vigorously by Hugo O’Conor, a native of Ireland who arrived in New Spain in 1765. He was the first Bourbon official to oversee the implementation of the 1772 *Reglamento e instrucción para los presidios que se han de formar en la linea de frontera de la Nueva España*, which was based on many of Rubí’s recommendations.<sup>42</sup> During his tenure O’Conor conducted a series of consecutive military campaigns against the Chiricahua, Lipan, and Mescalero Apaches in which Indian auxiliaries actively participated. He acquired a familiarity with the Apaches in Nueva Vizcaya, Texas, Nuevo México, and Sonora that allowed him to describe the various groups with greater precision than any of his predecessors. O’Conor identified the Apaches who had invaded the provinces of Sonora and Nueva Vizcaya by the tribal designations of “Chiricagui, Gileños, Mimbreños, Mescaleros, [and] Faraones,” as well as the specific names of individuals associated with various rancherías, including “Pascual,” “Ligero,” “Alonso,” and “Chief Bigotes.” He provided a specific description of where they resided, their manner of warfare, their dress, and their diet. And he also noted the specific names of Apache leaders, recording that “in the Apache language [they] are called . . . Culcahende, Cachuguinde, Yncagende, Sigilande, and Zetozende.”<sup>43</sup> By 1773 O’Conor claimed to have successfully negotiated a truce with a number of Lipans who were then occupying the southwest province Texas. He observed that the interaction of this group with the Mescalero Apaches who

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<sup>42</sup> *Reglamento e instrucción para los presidios que se han de formar en la linea de frontera de la Nueva España, Resuelto por el Rey Nuestro Señor en cédula de 10 de septiembre de 1772* in Sidney B. Brinckerhoff and Odie B. Faulk, *Lancers for the King: A Study of the Frontier Military System of Northern New Spain* (Phoenix, Ariz., 1965)

<sup>43</sup> Donald C. Cutter, ed., Hugo O’Conor, *The Defenses of Northern New Spain:*

*Hugo O’Conor’s Report to Teodoro de Croix, July 22, 1777* (Dallas, Tex. : Southern Methodist Univ. Press, 1994): 70-71.

ranged further west, noting that the majority of Lipans had been subdued, “with the exception of a few of them who usually join with the Mescaleros to commit their robberies and murders.”<sup>44</sup>

O’Conor’s various ethnographic reports from the frontier can reveal only faint traces of the boundaries that both divided and united groups such as the Lipans and the Mescaleros. He and other officials appointed by the Bourbon regime to police interethnic relations in the Provincias Internas never developed a systematic understanding of various languages, religious practices, and other customs that united the southern Athapascans.<sup>45</sup> After more than a decade of service on the northern frontier, O’Conor was physically and mentally exhausted. He gave up his command of the Provincias Internas in October 1776 and was subsequently transferred to the Yucatán, where he died at the age of 44 on March 8, 1779. His successor, Teodoro de Croix, would continue to encounter many of the same difficulties that O’Conor had outlined in his 1777 report, including personnel shortages, low morale, and troop desertions.

### *The Frontier Militias*

To resolve complications caused by personnel shortages and desertion, Croix issued special instructions in October 1777 on the formation and maintenance of frontier militias in the Interior Provinces. While Croix’s new policy addressed particularities in the province of Nueva Vizcaya, it also reflected the general principles of organizing militias that had been practiced throughout New Spain since the Villalba expedition a decade earlier. There were several elements of these instructions that distinguished them from the royal orders that Villalba had

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<sup>44</sup> Ibid.: 73.

<sup>45</sup> For a detailed discussion of the interaction between the Jicarilla, Lipan, Mescalero, and Chiricahua Apaches of southern Texas and New Mexico see Morris E. Opler, “The Apachean Culture Pattern and Its Origins,” in Alfonso Ortiz, ed., *Handbook of North American Indians, Vol. 10: Southwest* (Washington, DC: Smithsonian Institution, 1983): 368-392.

submitted in 1768. Unlike the militias formed in places such as Puebla and Toluca or further north in San Luis Potosí and Guanajuato, where external attacks were much less likely than internal disturbances, the organization of men in Nueva Vizcaya was predicated by their need to protect their families and their property from the increasingly frequent raids of Apaches.<sup>46</sup>

Desertion was also widespread problem that affected all branches of Spain's imperial army. In the fall of 1776 Croix was appointed as the General Commander of the Interior Provinces. He immediately invoked regulations originally issued for the navy in a desperate attempt to prevent troops from abandoning their posts. Croix announced, "all who are deserters . . . must present themselves within six months to register in order to receive *fuero militar*."<sup>47</sup> This policy was intended to encourage those who had left the military to re-enlist and take advantage of the benefits of *fuero militar*—a special military status "which gave creoles, and to some extent even mixed races, the privileges and immunities already enjoyed by the Spanish military, in particular the protection of military law and a degree of fiscal exemption."<sup>48</sup> Croix issued this announcement believing that this privileged status of *fuero militar* would attract fresh recruits or perhaps change the minds of deserters who had initially found service too arduous or simply unfulfilling. However, military records and muster rolls from Nueva Vizcaya and Nuevo

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<sup>46</sup> In 1777 the governor of the province, Felipe Barri, reported that between 1771 and 1776 hostile Apache had killed 1,763 individuals, taken captive 155, and stolen more than 68,000 head of livestock. Oakah L. Jones, *Nueva Vizcaya: Heartland of the Spanish Frontier* (Albuquerque: University of New Mexico Press, 1988): 192. In that same year Hugo O'Conor claimed, "[t]heir inhumanities certainly cannot be referred to without offending modesty and decency." Hugo de O'Conor, *Informe sobre el estado de las Provincias Internas del Norte, 1771-76*, translated in Donald C. Cutter, ed., Hugo O'Conor, *The Defenses of Northern New Spain* (Dallas: Southern Methodist University Press, 1994), 38.

<sup>47</sup> Teodoro de Croix, bando relative to desertion in the military, originally published by José de Gálvez, August 23, 1776, SANM (727), reel 10, frame 999. Original: "a todos los que son desertores . . . que se presenten dentro de seis meses á matricularse y concediendo á todos los que le ejecuten el gozo del fuero militar."

<sup>48</sup> Lynch, *Bourbon Spain*, 343.

México suggest that these incentives were not adequate to prevent men from leaving the army.<sup>49</sup>

Throughout the late 1770s, Croix repeatedly sent requests to viceroy Antonio María de Bucareli y Ursúa for additional troops, which the viceroy flatly refused.<sup>50</sup> As a result, he and other officials were forced to seek creative solutions to filling the ranks of the presidial troops and local militias.

The mixed racial and ethnic composition of the frontier settlements added a degree of complexity to the structure of military command that could not be reconciled easily with the pre-existing policy. The instructions stated explicitly that the regulations Villalba had introduced “cannot be adapted in the major part of these territories.” The two reasons for this were expressed in the following terms: “because as frontiersmen their communities all contribute, without exception, to the proper defense of their lives and estates” and “because the various castes of whites, Indians, and de color quebrado gave rise to confusion.” The new policy acknowledged the ambiguity of ethnic and racial categories and the complications they posed to the organization of militias. Therefore, it was advised that popular elections be held to select leaders. Men from all backgrounds, including “the employees in the most important trades of mining and agriculture” would be obligated to take up arms. It was stipulated that no one would be exempt from service. Even the smaller settlements of Cuencamé, San Juan del Rio Parral, Valle de San Bartholome, Villa de Nombre de Dios, Gallo and Mapimí, which had been devastated by recent Apache raids, were expected to make contributions.<sup>51</sup>

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<sup>49</sup> Detallo de servicio for the Province of New Mexico in 1778, recorded by Pedro Fermín de Mendieta, June 22, 1778, SANM (734), reel 10, frames 1015-1018. Extractos de revista from the Santa Fe presidio for the months of October, November, and December of 1779, compiled by Juan Bautista de Anza, SANM (780a), reel 10, frames 1175-1188.

<sup>50</sup> Moorhead, *The Presidio*: 78.

<sup>51</sup> Author unknown, *Ynstrucion que deve observan los oficiales destinados para formacion y areglo de milicias en la Provincia de Nueva Viscaya*, October 1, 1777, SANM (707), reel 10, frames 937-938. Original: “no serán

In spite of the efforts to distribute the burden of recruitment in the militias evenly across social classes and between the various settlements, the indigenous populations of Nueva Vizcaya would ultimately bear the brunt of the responsibility. A significant portion of the men serving in these companies would be recruited from the large population of Tlaxcalan Indians who had lived in the mining town of Saltillo and near the mission of Santa María de las Parras since voluntarily joining a colonization program initiated by viceroy Luis de Velasco in 1591.<sup>52</sup> For their service in assisting Hernán Cortés and the royal army in the sixteenth century, the Tlaxcalans were granted a number of special privileges: they were exempt from paying specific types of tribute; they had the right to bear Spanish arms; they could own and sell land; and, in some cases, they were granted the title of *hidalgos libres*.<sup>53</sup> The instructions referred specifically to their longstanding autonomy and their perceived predisposition for warfare:

In the village of Saltillo and the community of Parras, there are many families of the loyal Tlaxcaltecas who live in areas separate from the Spaniards. They are considered settlers and they enjoy unique privileges that they have gained through their acknowledged loyalty. These noble Indians should form separate companies of cavalry, under the same standing as the Spaniards, since the majority of them do not know how to

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adaptables en la mayor parte de este territorio”; “porque como frontizeros sus vecindarios deben todos sin excepción contribuir á la defensa propia de sus vidas y haciendas”; “porque las diversas castas de gentes blancas, indios, y de color quebrado originaron confusiones”; “los empleados en las más importantes maniobras de la minería y agricultura.”

<sup>52</sup> Marc Simmons, “Tlascalans in the Spanish Borderlands,” in *New Mexico Historical Review* 39:2 (April 1964): 102-104 and Martha Menchaca, *Recovering History, Constructing Race*: 79-81. See also David Bergen Adams, “The Tlaxcalan Colonies of Spanish Coahuila and Nuevo León: An Aspect of Settlement in Northern Mexico,” (Ph.D. diss., University of Texas at Austin, 1971).

<sup>53</sup> Ibid.: 80. See also *Documents concerning concessions and privileges granted to the Tlaxcalan Indians by the Spanish monarchs, manuscript, 1732-1808*, Newberry Library, Edward E. Ayer Manuscript Collection.

use a bow and arrow, and are more inclined to the use of firearms, and they should be selected from the chiefs of the highest standing.<sup>54</sup>

In addition to the company of Tlaxcalans, groups of Tarahumara and Tepehuán Indians identified as “pure Indians” who lived in the Pueblo de Los Cinco Señores were ordered to form a segregated unit “without mixing the Spanish.”<sup>55</sup>

Although these companies were to be organized separately, each with its own elected leader, it was expected that they would follow the same procedures in the field: “the militia Indians must observe as much as possible the same regulations as the Spaniards.”<sup>56</sup> Once assembled according to the rank of captains, lieutenants, and sergeants, these companies were to perform the tasks of preparing uniforms, weapons, cavalry mounts and other basic supplies. Under these circumstances, the military served as an entry point for men from marginalized communities to access opportunities that had previously been off-limits.

In Nueva Vizcaya the unprecedented scale of the attacks on the settlements and the audacity of the livestock raids perpetuated by Apaches were the impetus for the organization of these diverse multi-ethnic and multi-racial militias. A shared sense of vulnerability and a collective interest in security that brought these disparate communities together and provided a context in which Tlaxcalan, Tarahumara, and Tepehuán Indians could renegotiate their social status. In assessing these frontier militias, it is important to bear in mind that not all of the

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<sup>54</sup> Author unknown, *Ynstrucion que deve observan los oficiales destinados para formacion y areglo de milicias en la Provincia de Nueva Viscaya*, frames 939-940. “En la villa del Saltillo y Pueblo de Parras viven con separación de los Españoles muchas familias de los fidelicinos Tlaxcaltecas que vivieron en su país, y existen en calidad de pobladores, gozando los distinguidos privilegios á que se ha hecho dignos por su lealtad acreditada, de estos indios nobles han de formarse compañías separadas también de caballería, y bajo el mismo pie que las de los Españoles por que los demás de ellos ignoran el uso de la flecha y se inclinan mejor al de las armas de fuego deviendose elegir los oficiales de los caciques de mayor distinción.”

<sup>55</sup> Ibid., frame 940. Original: “indios puros”; “sin mesla de Españoles.”

<sup>56</sup> Ibid., frame 941.

residents of Nueva Vizcaya would have regarded the dismantling of the caste system favorably. The rearrangement of social relations posed a serious threat to the authority and privileges enjoyed by whites and *mestizos* who had benefitted from their elevated status in the racial hierarchy.

To guard against the likelihood that most men in the province would be unprepared and perhaps unwilling to risk sacrificing their lives in order to fulfill an abstract notion of duty or “the great service they can do as a worthy gift of God, the King, and the Fatherland,” the instructions also provided a long and detailed list of tangible incentives. It included practical items such as a vestiary and supplies for the cavalry as well as perishables such as “cocoa, pulque, loaves of bread, wool, flour, wheat, corn, wine, spirits, fruit, and other effects.”<sup>57</sup> It was questionable whether authorities in Nueva Vizcaya could actually procure these items, but there can be little doubt that they promised these enticements in order to persuade potentially reluctant volunteers that they stood to benefit materially through their service to “God, the King, and the Fatherland.” Just as the special privileges and immunities had obligated the Tlascalans to serve in the military, the enormous investment in supplies and luxuries for the frontier militias were intended to compel the residents of Nueva Vizcaya to join the campaign against the Apaches. So long as the Bourbon military continued to suffer from personnel shortages and desertions, the viceroyalty would have little choice but to rely on Indian auxiliaries and volunteers who were understandably more often motivated by self-interest rather than any inherent sense of loyalty.

Even with the precautions taken to ensure that members of the militias would be satisfied with their terms of service, colonial authorities remained deeply suspicious of subversion in the

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<sup>57</sup> Ibid., 948. Original: “el grande servicio que pueden hacer en digno obsequio de Dios, del Rey, y de la Patria”; “cacao, pulque, panes de la tierra, y lanas, harinas, trigo, maíz, vino, aguardiente, y otros frutos, y efectos.”

frontier settlements. The distrust of the native population found expression in a minutely detailed protocol to guard against civil unrest or conspiracies. The addendum listed the probable underlying causes for general public dissatisfaction. “the bad government in the communities of Spaniards and Indians is notorious among the public, not the least of which are the troubles caused by the missionaries and the magistrates.”<sup>58</sup> Given these abuses of authority, the addendum continued, it would be prudent to determine when the *vecinos* departed on military campaigns and what transpired when they were away.<sup>59</sup> Much as Inspector General José de Gálvez had demanded specific information pertaining to the consumption of goods in New Mexico, these anonymous instructions required local authorities to record “an exact account of each town, the extent of its territory, the quality of the land, its primary product, the types of goods it produces, and a prudent calculation of the amount of each.”<sup>60</sup> Local authorities were to be vigilant of contraband and to interdict any type of illicit commerce. It was necessary to monitor the amount of grain consumed daily in each settlement, to enumerate the number of animals butchered, and to record the birth of livestock. In Parras and Saltillo a new tax was to be imposed on the sale of wine and brandy (*aguardiente*).

Through whatever means were deemed appropriate, the authorities were also expected to determine the general disposition of the public.<sup>61</sup> Such procedures were designed not only to

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<sup>58</sup> Ibid., frame 950. “El mal gobierno de los pueblos de españoles como de indios es notorio por publica voz, y no menos las vejaciones que todos sufren de los misioneros y justicias.”

<sup>59</sup> The term *vecino* (literally “neighbor”) referred to a “civic rather than ethnic identity, characterizing individuals as residents and members of a Hispanic corporate community.” Kelly L. Jenks, “Vecinos en La Frontera: Interaction, Adaptation, and Identity at San Miguel Del Vado, New Mexico,” (Unpublished Ph.D. diss., University of Arizona, 2011): 21. See also Ross Frank, *From Settler to Citizen: New Mexican Economic Development and the Creation of Vecino Society, 1750-1820* (Berkeley: University of California Press, 2000).

<sup>60</sup> Ibid. Original: “un conocimiento exacto de cada Pueblo, la extensión de su territorio, la calidad de terreno, su producto, los géneros y frutos que salen, y entran con un calculo prudencial del importe de uno y otro.”

<sup>61</sup> Ibid., frame 951. “Se informan con cautela sí los pueblos están contentos con su suerte y que realmente o providencias creen ellos que serian más conducentes a su felicidad.”

protect the welfare of the people but also to measure the productivity of the local economy. Although this motive was embedded within other concerns, the profitability of the settlements remained paramount, and it was for this objective alone that authorities overseeing the implementation of these procedures sought “a perfect knowledge of the interactions of the Spanish vecinos and Indians, whether brave or faint-hearted, the product of the country, and the most useful means of promoting the inhabitants’ industry for the advantage of the King’s treasury.”<sup>62</sup>

The challenges that existed in frontier regions such as Nueva Vizcaya forced colonial authorities to take radical steps in reforming social arrangements. As discussed above, one outcome of these reforms was the ethnic and racial integration of the militias. Tlaxcalans living in the mining towns of Durango and Parras were expected to serve in the military, as were the Tarahumarans and Tepehuans living in the other settlements that dotted the eastern flank of the Sierra Madre Occidental. The general instructions were clear in this regard: “For the subsistence of the militias, there will be no reason to distinguish between the diversity of classes, as the soldiers of the presidios come from all castes.”<sup>63</sup> Subsequent efforts to organize local militias in the less densely populated provinces of New Mexico, Coahuila, Sonora, and Texas followed this basic set of procedures.

It is difficult to determine the effects these changes had on social relations in the years immediately after the introduction of the new policy. However, there were some indications of significant resistance to the acculturation and integration of these diverse communities. In a

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<sup>62</sup> Ibid. “un perfecto conocimiento de las interacciones de los vecinos españoles, y indios, de si son valientes o pusilánimes, del producto del país, y de los medios más útiles para fomentar la industria de los habitantes con ventajas del erario del Rey.”

<sup>63</sup> Ibid., frame 952. “Para el alimento de milicianos no havra motivo de pararse en la diversidad de clases de gentes, pues los soldados de los presidios son de todas castas.”

report that he submitted in July, 1777, O'Conor noted that “[i]n the province of Nueva Vizcaya live in various towns the vast, large nations of the Tarahumara Alta and Baja, and these disguised as Apaches are those who commit much damage in its interior.”<sup>64</sup> Instances of Indians and Spaniards attempting to pass as Apaches were not uncommon.<sup>65</sup>

### *Shifting Ethnic and Racial Boundaries in the Frontier*

As the reorganization of the frontier militias in Nueva Vizcaya demonstrated, Bourbon officials were ostensibly willing to scrap the casta system as a means of ensuring security and stability. However, as the war waged against the Apaches intensified following the implementation of the 1772 Reglamento and the institutionalization of the Comandancia General de las Provincias Internas del norte in 1776, knowledge of the ethnic boundaries that separated these groups became increasingly important. The boundaries that distinguished the so-called castas were often at odds with Bourbon policies and the structure of military command. From the perspective of colonial officials in Arizpe, México, or Madrid, the cultural characteristics that distinguished these groups were initially less important than their social and economic relations with the Spanish and with one another.

In the northern frontier the imposition of the casta system attempted to compress a complex multiplicity of cultures within a narrow spectrum while at the same time reinforcing categories of difference. The Puebloan people, for example, were treated as a singular, distinct ethnic group in spite of the fact that they spoke different languages and worshipped different

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<sup>64</sup> O'Conor, Report to Teodoro de Croix, July 22, 1777, quoted in Cutter, *The Defenses of Northern New Spain*, 89.

<sup>65</sup> As one historian of Spanish colonial New Mexico has shown, by the late eighteenth century “españoles had begun to masquerade as ‘wild Apaches’ to commit heinous crimes.” Gutiérrez, *When Jesus Came, the Corn Mothers Went Away*: 309.

gods. Similarly, in the early stages of colonization, Spanish authorities identified all southern Athabascan only by the epithet “Apache,” a derivation of the Zuni word for enemy, ‘*a-paču*, which referred specifically to the Navajos.<sup>66</sup> During the period of intense interethnic warfare in the 1770s, specific populations of these linguistically and culturally diverse groups were clustered together under the monolithic moniker of *indios bárbaros*. As María Elena Martínez has observed, the language that Spaniards used to classify New World populations was more often expressed in terms of casta rather than raza. The concept of raza “became closely tied to religion, and in particular to Jewish and Muslim descent” whereas “mestizos, mulattoes, and in a general sense also Spaniards and Indians, were considered ‘castes,’ lineages, but not necessarily races.”<sup>67</sup>

This practice could be observed in documentation from Spanish colonial New Mexico during the late eighteenth century when ecclesiastical and civil authorities referred to “genízaros” (variously referred to as *criados*, *genízaros*, or *indios de rescate*) as a particular class of citizen, as well as when they identified Gileño, Mescalero, or Mimbreño Apaches as particular ethnic groups within the larger category of “indios bárbaros.” Correspondence written by officers in the field identified particular groups, such as “los Mimbreños,” “los Organos,” “los Llaneros,” and “los Xicarillas,” which were geographical distinctions they associated with particular cultures.<sup>68</sup> However, the boundaries that defined these groups’ relationships with each other

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<sup>66</sup> Willem J. de Reuse, “Synonymy,” in Alfonso Ortiz, ed., *Handbook of North American Indians*, Vol. 10: Southwest (Washington, DC: Smithsonian Institution, 1983): 385-392.

<sup>67</sup> Martínez, “The Language, Genealogy, and Classification of ‘Race’”: 30.

<sup>68</sup> See Joseph Rubio to the governor of New Mexico regarding the terms of a truce brokered with the Apache capitan Natanijuye, January 8, 1778, SANM (716), reel 10, frames 969-971, Letter from Fernando de la Concha to General Ugarte relative to the depredations by Apaches, November 20, 1789, SANM (1066), reel 12, frames 214-220. Letter from Pedro de Nava to Francisco Xavier de Uranga regarding theft of horses from an *establecimiento de paz* near El Paso, July 27, 1791, SANM (1139), microfilm reel 12, frame 644.

were determined by a variety of factors outside the casta system and, indeed, beyond the control of colonial authorities. The late eighteenth century was a period in which population growth, competition between populations occupying overlapping ecological niches, the spread of infectious diseases such as smallpox, and the expansion of the military all contributed to a dramatic escalation in violence and the reconfiguration of ethnic boundaries.<sup>69</sup>

Census records from New Mexico reveal that the use of ethnic and racial categories varied considerably. These variations reflected the inconsistencies in the census-takers' own understandings of the terms they used to classify frontier populations as well as differences in the social organization and urban planning of different communities. When the priest Antonio Gabaldón recorded the census for La Villa de Nueva de Santa Cruz de la Cañada on July 25, 1750, he marked down 197 Spanish and 100 Indian families living there.<sup>70</sup> Within that population he also noted more than 120 individuals identified as "servants" who were mostly female and included ten living in Juan Estaban García's household along with his wife and eight children. These "servants" were a distinct population of detribalized Indians whom Fray Juan Agustín de Morfi in 1777 described as "the captives of different [Indian] nations who have married in the province."<sup>71</sup> The segregation of the genízaro was evident in the census Juan Joseph Pérez Mirabal completed for the settlement of Nuestra Señora de la Soledad del Río del Norte Arriba, which he divided into two sections, one list "Spanish families" and other "genízaro"

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<sup>69</sup> See Elizabeth A. Fenn, "A Revolutionary Contagion: Smallpox and the Reshaping of the North American West, 1779-82," in Pekka Hämäläinen, ed., *When Disease Makes History: Epidemics and Great Historical Turning Points* (Helsinki University Press, 2006), 45-81.

<sup>70</sup> Virginia Langham Olmsted, comp., *Spanish and Mexican Censuses of New Mexico, 1750 to 1830* (Albuquerque: New Mexico Genealogical Society, 1981), 28.

<sup>71</sup> Fray Juan Agustín de Morfi, *Diario y derrotero* (1777-1781) quoted in Alfred B. Thomas, *Forgotten Frontiers: A Study of the Spanish Indian Policy of Don Juan Bautista de Anza, Governor of New Mexico, 1777-1787* (Norman, University of Oklahoma Press, 1932), 91-92.

Indian families.”<sup>72</sup> Similarly, the census submitted for San Gerónimo de Taos was divided into three separate sections: Pueblo Indians, Spanish residents, and a third listing seven families identified as “Apache.”<sup>73</sup> These records indicate that in settlements within close proximity to the rancherías of Jicarilla, Lipan, or Mescalero Apaches had significantly greater numbers of residents identified either as genízaro or specifically as Apache.<sup>74</sup> The patterns of social organization in these settlements reflected a well-established policy of ransoming captives and taking prisoners of war that escalated in the years of military expansion under O’Conor, Croix, and their successors.

Throughout northern New Spain the practice of ransoming captives had been well established long before the era of the Bourbon reforms. Throughout the seventeenth century, Apache men and women were regularly enslaved and forcibly deported to Sonora and Nueva Vizcaya. As Silvio Arturo Zavala has shown, “In New Mexico, the relations of the Spaniards with the Navajo Indians and other nomadic tribes experienced successive periods of peace and war, and by 1640 a good number of Navajos had been sold as slaves in the mines of Chihuahua.”<sup>75</sup> The enslavement of Navajos, along with any other group of Indians that were at the time considered enemies of the Spaniards, was a practice that New Mexico governors Luis de Rosas, Bernardo López de Mendizábal, and Diego de Peñalosa y Briceño perpetuated through the 1640s despite the protestations of some ecclesiastics and the prohibitions imposed by the Audiencia of Guadalajara. New Mexico authorities reaped considerable profits selling these

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<sup>72</sup> Ibid.: 33-36.

<sup>73</sup> Ibid.: 39-49.

<sup>74</sup> Donald C. Cutter, trans., “An anonymous statistical report on New Mexico in 1765,” *New Mexico Historical Review* 50:4 (1975): 351.

<sup>75</sup> Silvio A. Zavala, *Los esclavos indios en Nueva España* (México: Colegio Nacional, 1968): 224. “En Nuevo México, las relaciones de los españoles con los indios navajos y otras tribus nómadas conocieron sucesivos períodos de paz y guerra, y hacia 1640 buen número de navajos eran vendidos como esclavos en las minas de Chihuahua.”

Indians to the owners of mines in Aguaje and Parral in Nueva Vizcaya; and they oversaw the transportation of Apaches to Mexico City as slaves and “gifts.”<sup>76</sup> They considered the deportation of Apaches and other nomadic Indians a reasonable response to their hostilities as well as a profitable enterprise. The price of “a strong Apache boy or girl of 10 or 12 years” ranged between 30 or 40 pesos.<sup>77</sup> If bartered for goods rather than currency, Spaniards would trade items such as horses, saddlebags, saddle blankets, bits, hatchets, war axes, lances, knives, scissors, cloth, cloaks, woolens, indigo, vermillion, mirrors, sugar loaf, native tobacco, corn in flour and on the ear, bread, and green or dried fruit in exchange for slaves.<sup>78</sup>

While the slave traffic grew steadily in New Mexico through the eighteenth century, the enslavement of prisoners of war a defining feature Spanish-Indian relations in other regions as well. In the province of Sonora, for example, before his expulsion from New Spain in 1767, the Jesuit priest Jacobo Sedelmayr residing at the mission of Tubutama wrote, “[i]t was about six years ago that a Nijora Indian girl (this is the tribe which lives upstream on the Rio Colorado) [was] sold by the Pimas to a miner of Agua Caliente, a mining camp here in this Pimeria.”<sup>79</sup> As Henry F. Dobyns has shown, the term *nixora* referred to Yuman-speaking Yavapai and Halchidhoma captives, as well as Western Apaches, who their Piman-speaking enemies enslaved and sold to Spaniards. Much like the term *genízaro*, *nixora* initially designated a status within Spanish colonial society rather than a particular ethnicity. As Dobyns has

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<sup>76</sup> See F. V. Scholes, “Troublous Times in New Mexico, 1659-1670,” *New Mexico Historical Review* XII (1937): 134-174, France Vinton Scholes, *Troublous times in New Mexico, 1659-1670* (Albuquerque: University of New Mexico Press, 1942), and Gutiérrez, *When Jesus Came the Corn Mothers Went Away*: 149-156.

<sup>77</sup> Zavala, *Los esclavos indios en Nueva España*: 326, n. 428. “un muchacho apache fuerte o de una muchacha de 10 ó 12 años.”

<sup>78</sup> Report of Governor Fernando Chacón, August, 28, 1803, quoted in Marc Simmons, “The Chacón Economic Report of 1803,” in *New Mexico Historical Review* 60:1 (January 1985), 87.

<sup>79</sup> Jacobo Sedelmayr, “Relacion,” 146, in quoted in Henry F. Dobyns, Paul H. Ezell, Alden W. Jones and Greta S. Ezell, “What Were Nixoras?,” *Southwestern Journal of Anthropology*, Vol. 16, No. 2 (Summer, 1960), 248.

explained, “[b]ecause of Spanish unfamiliarity with tribes beyond the Pimas, poor interpretation, and Spanish propensities for attributing tribal status to every Indian group-name, a number of Spaniards surmised that this term referred to a tribal identity.”<sup>80</sup> Although the population of nixoras in Sonora never reached the size of genízaros in New Mexico, their enslavement as prisoners of war and their value as commodities of exchange were representative of wider patterns of ethnic and racial differentiation that rippled through the entire northern frontier during the colonial period.

Inter-ethnic relations between groups such as the genízaros and the Apaches were not always characterized by animosity or violence. There were also multiple examples of the Athabascans developing positive and mutually beneficial relations with their neighbors. Jack D. Forbes has shown that the Navajo Apaches regularly interacted with the Qacka’n or “Yucca People,” who were a Yuman-speaking tribe related to the Havasupai-Walpai, Hamkhava, and Yavapai of north-central Arizona. The Western Apache shared kinship ties with the Zuni and Hopi clans as well as with the Yavapai and Chiricahua Apache. And, similarly, the Jicarilla Apaches of northern New Mexico adopted the agricultural practices of their Pueblo neighbors.<sup>81</sup> Although commercial trade between genízaros, other castas, and Apaches was illegal, such transactions occurred frequently.

Legal records from the period reveal the extent to which the boundaries between ethnic groups living in the periphery of colonial society were more permeable than elsewhere. For example, in April, 1768, the chief administrator of Albuquerque, Francisco Trebol Navarro, found the *genízaros* identified as Gregorio Montoya, Francisco García, and Raphael Montoya

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<sup>80</sup> Ibid., 252.

<sup>81</sup> Jack D. Forbes, *Apache, Navaho, and Spaniard* (Norman: University of Oklahoma Press, 2nd ed., 1994): vii-xiii.

guilty of having stolen livestock to sell to Apaches near the settlement of Carnuel.<sup>82</sup> In October of that same year Trebol found Miguel Tafoya (identified as a *coyote*) guilty of having sold livestock, shoes, boots, and other merchandise to Navajo Apaches. Trebol sentenced Tafoya to five years of hard labor at Encinillas.<sup>83</sup> In Santa Fe in 1775, Pedro Galindo Navarro issued an announcement stating that it was “forbidden under the penalty of law that any *vecino*, Indian, or *genízaro* travel with goods . . . to the territory of the Utes.”<sup>84</sup> The efforts of colonial authorities to regulate interethnic relations underscored the frequent interaction between *genízaros* and other indigenous groups. Although *genízaros* could be and were prosecuted for crossing those boundaries, the rule of law remained weak, ineffective, and extremely difficult to enforce. In later years, authorities would tacitly sanction the so-called *comanchero* trade, permitting residents from communities along the Pecos and Mora river valleys to maintain regular commerce with the Comanches.<sup>85</sup>

*Genízaros’* position as cultural intermediaries offered both advantages and potential liabilities. While they enjoyed the benefits of the regional economy, bartering goods such as “larger numbers of sheep, hides, pine nuts, coarse woolen cloth, tobacco, and other articles,” they were also frequently the victims of retaliatory raids following military campaigns against nearby *rancherías*.<sup>86</sup> They were forced to choose sides in conflicts where the boundaries between allies and enemies were often blurred. In New Mexico, larger numbers of *genízaros*, Pueblo Indians,

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<sup>82</sup> Criminal proceedings against *genízaro* Indians, April 9-30, 1768, SANM (636), reel 10, frames 405-445.

<sup>83</sup> Criminal proceedings against Miguel Tafoya for inciting the Apaches de Navajo to commit depredations in the jurisdiction of Albuquerque, June 21-October 6, 1768, SANM 638, reel 10 frames 446-474.

<sup>84</sup> Bando prohibiting trade with the Utes, Santa Fe, September, 13, 1778, SANM (740), reel 10, frame 1055. “prohibido bajo las penas contenidas en ellos que ningun vezino, Yndio, ni genízaro baya con efectos del paiz . . . a las tierras de los Yutas.”

<sup>85</sup> Hämäläinen, *The Comanche Empire*: 204.

<sup>86</sup> Brooks, *Captives and Cousins*: 224.

Tlaxcalans, and Navajo Apaches joined the ranks of *vecinos* and presidial troops. Spanish authorities regularly recruited men from these various communities to assist them in offensive raids against the Apaches. In July of 1777 Croix wrote to the governor of New Mexico, Juan Bautista de Anza, reporting that “fifty-five genízaros clashed with Apaches in the White Mountains.”<sup>87</sup> Similarly, in March of 1779 Croix wrote to Anza reporting the capture of thirty-three prisoners “from the *rancherías* of the White Mountains, the Gila, Mogollon, or elsewhere, that harass the Province of Sonora.”<sup>88</sup> Croix noted that these Apache prisoners had been apprehended by “the Genízaro Indians” who had chosen to pursue them “at his own expense without our aid.”<sup>89</sup> He praised the initiative that these men took and asked the governor to recommend that they continue their forays against the Apaches.<sup>90</sup> He added that it would be in their mutual interest to gather intelligence on who else the *genízaros* considered as their enemies.

Like the Tlaxcalans, Tarahumarans, and Tepehuana in Nueva Vizcaya, the genízaros were a socially marginalized population that gained social prestige during the era of the Bourbon Reforms. Much like the mixed regiments and militias that Villalba organized in Mexico City, Puebla, and Veracruz, these men were able to cross social boundaries through their service in the military. Not all genízaros joined the militias, although there were substantial incentives for those who did. Their identity as former captives distinguished them from their counterparts in other regions of the Provincias Internas.

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<sup>87</sup> Letter from Teodoro de Croix to Pedro Fermín de Mendieta regarding encounter between genízaros and White Mountain Apaches, July 2, 1777, SANM (701), reel 10, frame 925. “dos choques prosperos y adversos que en la Sierra Blanca tuvieron con los Apaches cincuenta y cinco Genízaros que con permiso de V.S. salieron en su busca.”

<sup>88</sup> Letter from Teodoro de Croix to Juan Bautista de Anza relative to the exchange of prisoners with Apaches near the presidios of El Paso and Janos, also reporting a recent campaign of *genízaros* against Apaches in the Province of Nueva Vizcaya, March 20, 1779, SANM (757), reel 10, frame 1128. “de las rancherías de la Sierra Blanca, ó de las de Gila, Mogollon u otras de los indios que hostilizan en la Provincia de Sonora.”

<sup>89</sup> Ibid., frame 1129.

<sup>90</sup> Ibid.

## *Conclusion*

Spain's reorganization of its American colonies in the late 1760s and early 1770s produced new territorial jurisdictions while at the same time reconfiguring social relations between the populations of Spanish, indigenous, and mixed-race inhabitants of the New World. This chapter has shown that the fortification of the cordon of presidios in the Provincias Internas of northern new Spain was only one facet of a multi-tiered expansion of the Bourbon state. I have focused primarily on the effects that these reforms had on local populations, illustrating, how the growth of ethnically and racially integrated militias throughout New Spain but particularly in the northern provinces of Nueva Vizcaya and Nuevo México provided opportunities for individuals to transcend social boundaries by joining the military and becoming Indian auxiliaries. The Provincias Internas del norte de Nueva España in 1776 was primarily created in order to repel the incursions of hostile groups living on the periphery that threatened lucrative silver mining districts further south. However, the violent encounters that characterized relations between the Apaches and other inhabitants of the northern frontier have often overshadowed the more complex and subtle dynamics of negotiation and accommodation.

The boundaries that divided "españoles" from "indios bárbaros" were negotiable and in many ways this proved to be a false binary. While the categorical discrimination against independent Indians remained a fixture of frontier relations, the boundaries that divided these two groups began to shift during the last quarter of the eighteenth century, as the military began to actively recruit Indian auxiliaries. In these years the integration of ethnic groups such as the Tlaxcalans in the military contributed to an ongoing process of acculturation and assimilation that transformed Spanish colonial society. Socially marginalized groups such as the genízaros were able to exploit their positions as cultural intermediaries during this period. At the same

time, the boundaries that distinguished groups of Chiricahua, Lipan, and Mescalero Apaches also began to shift, as the escalating conflicts caused these groups to form new alliances, at times with each other and other times in opposition. The shifting alliances among and between the Spaniards, the Apaches, and other indigenous groups were the result of self-interest as much as necessity. Thus, individuals on both sides of the conflict sought strategies for building vital coalitions that were imperative for survival.

In contrast to the well-ordered and hierarchical society envisioned by colonial bureaucrats, the conditions that Bourbon administrators on the frontier encountered were often seen as chaotic and devoid of logic. Yet the social environment they encountered was representative of what social scientists have described as a poly-ethnic system. Such systems are characterized by the negative as well as the positive efforts of groups to maintain discrete boundaries between themselves and their competitors. Fredrik Barth has observed that "[c]ommon to all these systems is the principle that ethnic identity implies a series of constraints on the kinds of roles that an individual is allowed to play, and the partners he may choose for different kinds of transactions."<sup>91</sup> In the era of the Bourbon Reforms many different groups of southern Athapascans struggled to assert their independence within the complex web of inter-ethnic alliances. Just as the Spanish were constrained by their ability to form alliances with the Ópatas, Tarahumaras, Tepehuanes, and Tlaxcalans in Nueva Vizcaya, so were the Apaches in New Mexico limited by their capacity to form meaningful and enduring relationships with other indigenous groups. These alliances were often dynamic, fluid, and unpredictable—not rational or systematic. As such, they frustrated the Bourbon authorities who sought to impose their vision of a well-ordered colonial society in the northern frontier. As a result, the region

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<sup>91</sup> Barth, *Ethnic Groups and Boundaries*, 17.

remained fragmented ethnically, racially, and geographically in ways that made it difficult, if not impossible, for the entirety of the Provincias Internas to be unified under a single rubric.

## Chapter 3

### Unexpected Emigrants in the Borderlands after Mexican Independence

In the early spring of 1835 a torrent of letters poured into the office of Joaquín María del Castillo y Lanzas in Washington, D.C. The letters came from a broad spectrum of petitioners who sought to influence the opinion or procure a special favor of Castillo y Lanzas, who was then serving as the chargé d'affaires for the Mexican diplomatic legation in the United States. The bulk of this correspondence addressed the confusion surrounding Mexico's recently revised colonization policy.<sup>1</sup> A resident of Lowell, Massachusetts, who signed his name Duesbury wrote, "Understanding from news-paper statements that the Mexican government [is] willing to encourage emigration to Texas, a number of inhabitants of this town (chiefly English & Scotch) are wishing to form a settlement in that quarter."<sup>2</sup> He added, "The intended settlers are composed of agriculturalists, mechanics, machinists, & men of business generally, with a practical chemist and a physician – some of them possess considerable capital, all are steady, industrious, and intelligent useful citizens of your Republic."<sup>3</sup> W. H. Breudler of New York City

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<sup>1</sup> On April 6, 1830, Mexican president Anastasio Bustamante issued legislation stating "*there shall be no colonization by foreigners in those states and territories bordering on their nations of origin.*" ("Se prohíbe colonizar á los extranjeros limítrofes en aquellos Estados y territorios de la Federación que colinda con sus naciones.") Manuel Dublán and José María Lozano, *Legislación mexicana* (México: Dublán y Lozano Hijos, 1876), 2:238-239. Cited in Josefina Zoraida Vázquez, "The Colonization and Loss of Texas: A Mexican Perspective," in Jaime E. Rodríguez O. and Kathryn Vincent, *Myths, Misdeeds, and Misunderstandings: The Roots of Conflict in U.S.-Mexican Relations* (Wilmington, DE: Scholarly Resources, 1997): 61.

<sup>2</sup> Duesbury to Joaquín María del Castillo y Lanzas. Lowell, Massachusetts. February 10, 1835. Archivo de la Embajada de México en los Estados Unidos de América, Archivo Histórico Genaro Estrada, Acervo Histórico Diplomático, Secretaría de Relaciones Exteriores (hereafter AEMEA) Leg. 24, exp. 1: 17.

<sup>3</sup> Ibid.

pledged, “I am willing to enter your service – provided a situation can be given me – where I can best use my talents for the country.”<sup>4</sup>

Others, such as John H. Hall, who wrote to Castillo y Lanzas from Harpers Ferry, Virginia, touched on the question of the country’s readiness for war. Hall enquired “whether the Government of Mexico would be desirous of establishing a manufactory of arms for National purposes.”<sup>5</sup> In a similar vein, D. L. Child of Philadelphia asked, “whether the services of a military corps to be formed in the United States, and to consist either wholly or principally of *colored* persons, will be acceptable to your Government and nation, who have done so much to establish real liberty, and the imprescriptible, inalienable and impartial rights of man.”<sup>6</sup>

Among the many eloquent petitions that Castillo y Lanzas received in that year, none was more impassioned than the letter of Lewis Ross of Calhoun, Tennessee. Ross wrote, “My sole object is to obtain, if practicable, peace, liberty, and happiness for the Cherokee Nation of people over whom I have the honor to preside.”<sup>7</sup> Referring to the U.S. policy of Indian Removal, Ross lamented, “The policy of the present administration of the United States Government toward the Indian tribes, and the unconstitutional proceedings of the State of Georgia and other bordering states which have been tolerated by the President against my nation, have produced all the difficulties which now surrounds the Cherokee people.”<sup>8</sup> Ross continued, “the Cherokees will be

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<sup>4</sup> W. H. Breudler to Joaquín María del Castillo y Lanzas. New York City. May 15, 1833. AEMEA Leg. 24, exp. 1: 19.

<sup>5</sup> John H. Hall to Joaquín María del Castillo y Lanzas. Harpers Ferry, Virginia. February 17, 1835. AEMEA, Leg. 24, exp. 1: 21.

<sup>6</sup> D. L. Child to Joaquín María del Castillo y Lanzas. Philadelphia. December 26, 1835. AEMEA Leg. 24, exp. 1: 39.

<sup>7</sup> Lewis Ross to Joaquín María del Castillo y Lanzas. Philadelphia. March 22, 1835. AEMEA Leg. 24, exp. 1: 42.

<sup>8</sup> Ibid. On May 28, 1830, U.S. president Andrew Jackson signed “An Act to provide for an exchange of lands with the Indians residing in any of the states or territories, and for their removal west of the river Mississippi.” See “Indian Removal Act” in Francis Paul Prucha, ed., *Documents of United States Indian Policy* (Lincoln: University of Nebraska Press, 1990): 52-53.

compelled by force of circumstances to remove from *the land of their Fathers* and to seek a home elsewhere – such an alternative will not be from choice, but from dire necessity, and as it will have been brought by the acts of state authority under countenance of the Gen.l Gov.t and not from any principle of right or justice, but altogether from expediency and policy to gratify their own thirst for self aggrandizement.”<sup>9</sup> In his letter to the Mexican chargé d'affaires, Ross proposed the resettlement of the Cherokee Nation in Texas and an “arrangement with your Government so as to secure their land, sufficient for their accommodation – and also the enjoyments of equal rights and privileges of citizenship.”<sup>10</sup>

No record exists of Castillo y Lanza’s reply to Ross’s petition, as subsequent events in the year of 1835 precluded the establishment of an Indian republic in Texas according to the terms that Ross proposed. Nonetheless, Ross’s petition to Castillo y Lanzas illustrated the interest of the Cherokee Nation and other Indian groups associated with the so-called “civilized tribes” in establishing formal diplomatic relations with the Mexican government. An analysis of diplomatic correspondence from Mexican embassies in the United States in the turbulent years following Mexico’s independence from colonial rule reveals that Ross’s petition was part of larger process of international adjustment and accommodation. This process involved not only the governments of Mexico and the United States but also tens of thousands of emigrants, many of whom were Indians, who moved west in pursuit of new opportunities and to escape the increasingly restrictive culture of Jacksonian America.<sup>11</sup> In the years between 1821 and 1836 the

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<sup>9</sup> Ibid.

<sup>10</sup> Ibid., 43.

<sup>11</sup> See Seth Rockman, “Jacksonian America,” in *American History Now*, eds. Eric Foner and Lisa McGirr (Philadelphia, PA: Temple University Press, 2011): 52-74. See also Ronald N. Satz, *American Indian Policy in the Jacksonian Era* (Lincoln: University of Nebraska Press, 1975) and Tiya Miles, *Ties That Bind: The Story of an Afro-Cherokee Family in Slavery and Freedom* (Berkeley: University of California Press, 2005).

simultaneous emigration of U.S. citizens, slaves, free people of color, and Native peoples to Mexico and the American West fundamentally transformed the balance of power in the U.S.-Mexico borderlands. In this chapter I emphasize that Indian nations were not passive bystanders in this process and show that indigenous polities were active and influential participants in the complex negotiations involving both the Mexican and U.S. governments.

The emigration of American Indians from the United States to Mexico was only one issue in a long list of grievances that divided the two countries during these years. The unresolved issue of the surveying and demarcating the international boundary, the regulation of trade in the expanding commercial networks that linked the frontier economies of Missouri and New Mexico, and the illegal trafficking of slaves from Cuba and other islands in the Caribbean to the ports of Matamoros and Galveston all ranked high among disputed political matters.<sup>12</sup> Yet, government officials in Washington, D.C., and Mexico City focused on the issue of American Indian emigration because it was an area where domestic and foreign policies overlapped. The mass movement of Indian peoples through the frontier settlements caused major disruptions for both countries, in Jackson, Vicksburg, and Natchitoches in the United States as well as across the Sabine River in Nacogdoches, Goliad, and San Antonio de Béjar. Especially in Texas, the arrival of the unexpected emigrants in the 1820s and 1830s offset the delicate equilibrium that local authorities had established with Indian nations during the colonial era.

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<sup>12</sup> Recent studies of U.S.-Mexican relations during the early years of Mexican independence have focused predominantly on the United States' insatiable appetite for land, the relentless pressure of U.S. diplomats such as Joel R. Poinsett and Anthony W. Butler to alter the location of the international boundary, and their meddling in Mexico's domestic political affairs. See Octavio Herrera y Arturo Santa Cruz, *Historia de las relaciones internacionales de México, 1821-2010, volumen 1: América del Norte* (México, DF: Secretaría de Relaciones Exteriores, 2011) and Josefina Zoraida Vázquez, *México y el expansionismo norteamericano* (México, DF: El Colegio de México, 2010).

### *The Colonial Legacy*

From the point of view of Mexican citizens and American Indians living in the frontier settlements of Texas and New Mexico, the region's economic integration with the United States was much more significant than Mexico's political independence.<sup>13</sup> In the province of New Mexico, for example, customs and social practices established during *longue dureé* of Spanish colonial rule, which lasted for nearly three centuries, continued to set the terms of the relationship between the Mexican settlers and Indian peoples who inhabited the borderlands. Since local officials lacked the human resources and the financial support necessary to sustain an offensive war against the large and diverse populations of politically independent Indian peoples, the Mexican administration had no choice but to rely on different forms of diplomacy.<sup>14</sup>

Authorities in New Mexico maintained funds for foreign aid known as the *fondo de aliados* to provide gifts and gratuities to allies and potentially hostile tribes. A vestige of the colonial era, this policy granted symbolic and material assistance to Indian leaders in exchange for their pledge of peace and protection.<sup>15</sup> At the dawn of independence, Mexican settlers in the northern provinces struggled to maintain a store of supplies sufficient to satisfy their numerous indigenous allies and they remained acutely aware of their isolation and exposure to foreign influence. In October 1821, Manuel Baca, the *alcalde* of San Miguel del Bado near the Pecos

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<sup>13</sup> As John M. Nieto-Phillips has observed, "Mexican independence from Spain in 1821 did not significantly alter the ethnic consciousness of northern New Mexicans, nor did it instill a profound and pervasive Mexican consciousness rooted in national sentiment." John M. Nieto-Phillips, *The Language of Blood: The Making of Spanish American Identity in New Mexico, 1880s-1930s* (Albuquerque: University of New Mexico Press, 2004): 37.

<sup>14</sup> For a discussion of diplomatic protocols practiced in Texas during the colonial period, see Juliana Barr, *Peace Came in the Form of a Woman: Indians and Spaniards in the Texas Borderlands* (University of North Carolina Press, 2007), *passim*.

<sup>15</sup> See Bernardo de Gálvez, *Instrucción formada en virtud de real orden de S.M., que se dirige al señor comandante general de provincias internas don Jacobo Ugarte y Loyola para gobierno y puntual observancia de este superior jefe y de sus inmediatos subalternos, August 26, 1786*, in Sylvia L. Hilton, comp., *Las raíces hispánicas del oeste de Norteamérica: textos históricos* (Madrid, España: Fundación Histórica Tavera, 1999 [1786]).

River, submitted an inventory of the town's funds for foreign aid to New Mexican governor Facundo Melgares that listed only twenty-one items, including various practical utensils ("perol grande de cobre," "comal de fierro," "chapa y llava de puerta") and nine silver medallions.<sup>16</sup> Accounts compiled by Antonio Narbona, who served as governor of New Mexico between 1825 and 1827, show that in 1826 Comanche, Jicarilla Apache, Navajo, and Ute leaders received substantial shipments of goods valued at more than seven thousand pesos.<sup>17</sup> In August of that year the Comanche captains Cordero, Estrellas, and Ysacoruco each received 30 yards of blue cloth (for jackets, capes, and breeches), 30 mirrors, 13 knives, 16 ounces of vermillion, 15 dozen buttons, needles, thread, meat, flour, corn, and 2 bushels of bread, among other sundries.<sup>18</sup> At times these gifts were intended to be distributed widely while at others they were limited to important individuals. In October of 1826, Narbona "granted the leader of the Jicarilla Apache Nation known as Espilin a coat, breeches, a change of clothes, a knife, and for each of the three men who accompanied him, a knife, a handkerchief, and a small mirror."<sup>19</sup> Although these transactions between Mexican officials and Native leaders appeared modest, they illustrated the mutual interest of both groups in diplomacy, negotiation, and accommodation rather than conflict.

The *establecimientos de paz* (peace settlements) in New Mexico, Sonora, and Chihuahua represented another policy that Mexican authorities carried over from the colonial period, with

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<sup>16</sup> Manuel Baca to Facundo Melgares. October 15, 1821. Santa Fe. Mexican Archives of New Mexico (microfilm, hereafter MANM), Roll 1, Frame 460.

<sup>17</sup> Agustín Durán to Antonio Narbona. August 19, 1826. Santa Fe. MANM, Roll 6, Frame 156.

<sup>18</sup> Ibid.

<sup>19</sup> "Sirvase V. obsequiar al gral. de la Nación Xicarilla conocido por el Espilin con una chaqueta, calzones, una muda de ropa, un cuchillo, y á los otros tres gandules que le acompañan con un cuchillo, un pañuelo y un espejo a cada uno." Agustín Durán to Antonio Narbona. October 26, 1826. Santa Fe. MANM, Roll 6, Frame 162.

minor modifications.<sup>20</sup> Based on a long and troubled history of diplomatic relations with the so-called *indios bárbaros* (barbarous Indians) in the northern provinces that dated to the beginning of the colonial period, the peace settlements offered a more flexible policy to encourage the acculturation and assimilation of indigenous groups within colonial society. Under the Mexican administration, they provided sites of refuge for those who sought to escape the conflicts of their homelands. During the 1810s and 1820s, the populations of Navajos and Mescalero Apaches who had been persuaded to relocate to peace settlements in Cebolleta and Sabinal stabilized and expanded. Census records reveal that between March 1823 and February 1832 nearly 600 men, women, and children lived near the presidio of Janos in several adjoining *rancherías* at the base of the Sierra Madres near the boundary between the Sonora and Chihuahua.<sup>21</sup>

Although short-lived and only partially effective, the peace settlements represented a significant development in borderlands diplomacy. As Karl Jacoby has observed, “in Sonora, the *establecimiento de paz* era, which stretched from the early 1790s to the early 1830s, would soon come to be remembered as the province’s golden age—an epoch marked by the founding of new towns and the reopening of mines and ranches that had been abandoned for over half a century.”<sup>22</sup> But in the mid-1820s the peace settlements began to fall apart. Local officials simply lacked the personnel and financial support necessary to supply rations. As a result, Chiricahua and Western Apaches began raiding Mexican settlements in Chihuahua and Sonora with increasing frequency as early as 1824. Aside from the lack of financial support, there were

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<sup>20</sup> Matthew Babcock, “Rethinking the *establecimientos*: Why Apaches Settled on Spanish-run Reservations, 1786-1793,” in Salvador Bernabéu Albert, coord., *El Gran Norte Mexicano: Indios, misioneros y pobladores entre el mito y la historia* (Sevilla: Consejo Superior de Investigaciones Científicas, 2009): 95-136.

<sup>21</sup> William B. Griffen, “The Chiricahua Apache Population Resident at the Janos Presidio, 1792 to 1858,” *Journal of the Southwest*, 33:2 (Summer, 1991): 172-173.

<sup>22</sup> Karl Jacoby, *Shadows at Dawn: A Borderlands Massacre and the Violence of History* (New York: Penguin Press, 2008): 86.

multiple other factors that contributed to the escalation in violence during that period. A political uprising in the Yaqui district in Sonora drew a large proportion of soldiers away from the presidios in that year.<sup>23</sup> Mexican settlers who had received land grants from the Mexican government began to encroach on Indian homelands.<sup>24</sup> And in 1825 the first Anglo-American settlers reached the Gila River and began to explore the region near Tucson and the Santa Rita Mines in 1826.<sup>25</sup> Their arrival in northern Sonora brought a definitive end to the period of peace and “it would not be long before Chiricahua and Western Apaches had a new market for stolen livestock and a reliable source for rifles and ammunition.”<sup>26</sup>

In addition to the *fondo de aliados* and the *establecimientos de paz*, both of which largely relied on the delivery of material aid to allies and potential enemies, Mexican authorities in the northern territories also brokered formal treaties. Among the earliest treaties Mexico established with an Indian nation in the borderlands was the “Treaty between the Mexican Empire and the Comanche Nation” signed on December 13, 1822.<sup>27</sup> The treaty set forth fourteen articles stipulating the cessation of hostilities, the release of prisoners, the terms of commercial trade, and the location of territorial boundaries, among other issues. Although well-intentioned, the

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<sup>23</sup> Héctor Cuauhtémoc Hernández Silva, “El valle del Yaqui y los proyectos económicos de las élites regionales de Sonora, 1830-1857,” en Antonio Escobar Ohmstede, coord., *Indio, nación y comunidad en el México del siglo XIX* (México: Centro de Estudios Mexicanos y Centro Americanos/Centro de Investigaciones y Estudios Superiores en Antropología Social, 1993): 194.

<sup>24</sup> Cynthia Radding, *Wandering Peoples: Colonialism, Ethnic Spaces, and Ecological Frontiers in Northwestern Mexico, 1700-1850* (Durham, NC: Duke University Press, 1997): 45.

<sup>25</sup> James E. Officer, *Hispanic Arizona, 1536-1856* (Tucson: University of Arizona Press, 1987): 104.

<sup>26</sup> Matthew M. Babcock, “Turning Apaches into Spaniards: North America’s Forgotten Indian Reservations” (Unpublished Ph.D. dissertation, Southern Methodist University, Dept. of History, 2008): 296-297.

<sup>27</sup> “Tratado entre el Imperio Mexicano y la Nación Comanche,” December 13, 1822, in Secretaría de Relaciones Exteriores, *Tratados y convenciones concluidos y ratificados por la República Mexicana* (México: Impr. de Gonzalo A. Esteva, 1878): 617-619. In 1821 Joaquín Arredondo negotiated a similar treaty with the Caddo Nation near San Antonio de Béjar. Cuauhtémoc Velasco Ávila, “‘Nuestros obstinados enemigos’: ideas e imágenes de los indios nómadas en la frontera noreste mexicana,” en Mari-Areti Hers, et al., *Nómadas y sedentarios en el norte de México* (México: UNAM, 2000): 444.

treaty presumed a degree of fealty that was simply unrealistic; it obligated the Comanches to bring an immediate end to “all classes of warfare” and proactively defend Mexico’s northern provinces against outside interference. The 1822 treaty with the Comanches highlighted the fledgling Mexican government’s optimism and, perhaps, naïveté in the face of the Comanche’s rapidly expanding sphere of influence.<sup>28</sup> It stated, “The Comanche Nation, throughout the full extent of its territory, will protect the borders of the provinces of Tejas, Coahuila, Nuevo Reino de León, and Nuevo Santander from the invasions of barbarous nations,” referring here to the Kiowa, Pawnee, Osage and other Plains Indians, and held the Comanches responsible for “providing timely warnings when they are known to be planning hostilities.”<sup>29</sup>

Other treaties negotiated in these years suggested that Mexican authorities were willing to make concessions to Native groups in order to achieve mutually beneficial agreements. In February 1823, the governor of New Mexico, José Antonio Vizcarra, negotiated a series of agreements with Navajo leaders that revealed an unusual degree of flexibility.<sup>30</sup> At a meeting between Vizcarra and the Navajo leader Juanico that took place on February 5 at the Laguna Pueblo 40 miles west of Albuquerque, the two men established the terms of an agreement which stated the methods of fomenting a war against the Navajos in the eventuality that they did not conform to the proposals for holding peace.<sup>31</sup> This agreement attempted to satisfy the interests of auxiliary soldiers from the Laguna Pueblo by providing a detailed protocol for the plunder of

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<sup>28</sup> Pekka Hämäläinen, *The Comanche Empire* (New Haven, CT: Yale University Press, 2008): 219-232.

<sup>29</sup> “ARTICULO III. La Nacion Comanche, en toda la extension de su territorio, defenderá la frontera de las provincias de Tejas, Coahuila, Nuevo-Reino de Leon y Nuevo Santander, de las invasiones de las naciones bárbaras, avisando oportunamente luego sepa que tratan de hacer hostilidades.” Ibid., 78.

<sup>30</sup> MANM, Roll 3, Frames 0549-0559.

<sup>31</sup> “Plan que manifiesta el metodo con que deve formarse la guerra á la tribu Navajo en el caso de no admitir las propuestas para la celebracion de las Paces compendiado en los articulos siguientes.” Ibid., 0550.

horses, mules, as well as prisoners of war.<sup>32</sup> Following a second meeting with senior Navajo leaders on February 12 at Paguate, Vizcarra amended the treaty, arranging for the release of prisoners of war and striking the third article that required the Navajos to return stolen grain on account of the fact that many of them were “dying of hunger.”<sup>33</sup> Although the terms of this agreement revealed that the Navajos were clearly at a disadvantage, they nonetheless succeeded in shaping the outcome of the deliberations.

Over the course of several years, Mexican officials in the northern provinces of New Mexico and Texas continued to engage Comanche leaders in discussions that were intended to neutralize the threat of Indian raids. In the first week of October 1826 Simón Elías, Pedro María de Allande, Manuel José de Zuloaga, Luis Antonio Alfaro, and José María de Valois negotiated a peace treaty with the Comanche captains Cordero and Paruaquita, who had traveled to Chihuahua to represent the interests of the Cuchanec and Yamparica bands of northwest Texas.<sup>34</sup> Whereas the treaty Vizcarra had signed with the Navajos four years earlier suggested that the Mexican government had the upper hand in the negotiations, the treaty signed on October 8,

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<sup>32</sup> For an account of Vizcarra’s enforcement of the treaty, see David M. Brugge, “Vizcarra’s Navajo Campaign of 1823,” *Arizona and the West*, 6:3 (Autumn, 1964): 223-244. See also Myra E. Jenkins, et al., *Navajo Activities Affecting the Acoma-Laguna Area, 1746-1910* (New York: Garland, 1974).

<sup>33</sup> “En cuanto al tercero dixeron que se estavan muriendo de hambre y que con tal motivo no tienan en lo absoluto que pagarlos rrobos; pero q. se comprometian a no volver arrobar y que sino lo cumplan se les castigara.” Ibid., 0554-0555.

<sup>34</sup> Comanche Treaty, October 8, 1826. GOVERNOR’S PAPERS Communications Received from Authorities Within Mexico Jan. 4-Dec. 28. Communications received from Comandante General, Chihuahua to Comandante Principal (includes treaties). MANM, Roll 5, Frames 382-442. An English translation of the treaty can be found in Vine Deloria, Jr., and Raymond J. DeMallie, comps., *Documents of American Indian Diplomacy: Treaties, Agreements, and Conventions, 1775-1979* (Norman: University of Oklahoma Press, 1999): 153-156.

1826, in Chihuahua revealed that state officials were demoralized and desperate to pacify their adversaries by any means possible.<sup>35</sup>

These and similar transactions demonstrated that Mexican officials such as José Antonio Vizcarra, Bartolomé Baca, and Antonio Narbona lacked the military muscle and financial support necessary to exert control over the Apache, Comanche, Navajo, Ute, and other politically independent Indians. Although these groups were able to attain some semblance of accommodation by offering tribute through the *fondo de aliados*, refuge at the *establecimientos de paz*, and concessions through formal treaties, their authority remained precariously unstable and their success often determined by factors that were beyond their immediate control. The arrival of American merchants, trappers, and vagabonds in the 1820s upset the balance of power that Mexican and Indian communities had achieved in the final years of colonial rule. As explained in the following section, the underlying causes of the violence that erupted in the U.S.-Mexico borderlands in the early 1830s could be traced directly to the rapid growth of commercial markets and the reconfiguration of political relations between indigenous polities and the governments of the United States and Mexico.

#### *Economic Integration and Demographic Expansion*

The growth of commercial trade between Missouri and New Mexico in the early 1820s presaged significant geopolitical changes throughout the borderlands. As merchants from the United States began to open markets for their wares in the isolated settlements of Taos, Santa Fe, San Miguel de Bado, and Albuquerque, the Mexican and U.S. governments took an active role in

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<sup>35</sup> “Ésta nación cuidará de que no se haga extorsión alguna a las Carabinas que vienen al Nuevo Méjico de los Estados Unidos del Norte, facilitándoseles si fuese necesario, toda la protección y auxilio que permitan sus circunstancias.” Ibid., frame 441.

regulating not only the exchange of goods between the two countries but also the movement of people across the ill-defined international boundary. While local authorities welcomed the emigrants from the United States who trickled into the northern provinces, they looked unfavorably on the growing presence of Comanche, Kiowa, Osage, and other Indian groups who were also active participants in the regional economy.

Since the St. Louis–Santa Fe–Chihuahua trade opened in 1821, slow-moving caravans of covered wagons regularly departed from Independence, Missouri, and lunched across the vast grasslands of the Great Plains into Mexico. The caravans leaving Independence, which at that time was the farthest western outpost of U.S. continental expansion, carried manufactured goods such as cotton clothing, hardware, kitchen utensils, and firearms that Mexican settlers readily exchanged for silver *pesos*, mules, and horses.<sup>36</sup> Although the first years of the trade proved successful and extraordinarily lucrative, within a short period of time relations between the U.S. merchants and Native groups began to deteriorate. The trade route cut across territories claimed by diversity of indigenous communities including the Pawnee and the Panana Indians. As Josiah Gregg noted in *Commerce of the Prairies*: “The early traders having but seldom experienced any molestations from the Indians, generally crossed the plains in detached bands, each individual rarely carrying more than two or three hundred dollars’ worth of stock. This peaceful season,

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<sup>36</sup> When asked by U.S. Congressman Thomas Hart Benton, “What kinds of merchandise are principally carried to the internal provinces?” August Storrs of Missouri responded, “Cotton goods, consisting of coarse and fine cambrics, calicoes, domestic, shawls, handkerchiefs, steam-loom shirtings, and cotton hose. A few woollen goods, consisting of super blues, stroudings, pelisse cloths, and shawls, crapes, bombazettes, some light articles of cutlery, silk, shawls, and looking glasses.” *Answers of Augustus Storrs, of Missouri, to Certain Queries Upon the Origin, Present State, and Future Prospect of Trade and Intercourse between Missouri and the Internal Provinces of Mexico, Propounded by the Hon. Mr. Benton*, 18th Congress, 2d Session, January 3, 1825 (Washington: Printed by Gales & Staton, 1825). Legajos Encuadrados, Archivo Histórico Genaro Estrada, Acervo Histórico Diplomático, Secretaría de Relaciones Exteriores (hereafter L-E) 1055: 108.

however, did not last very long; and it is greatly to be feared that the traders were not always innocent of having instigated the savage hostilities that ensued in after years.”<sup>37</sup>

In 1823 New Mexico governor José Antonio Vizcarra initiated a series of discussions with U.S. officials concerning crimes committed against Mexican citizens by Pawnee Indians. Vizcarra wrote to Missouri governor Alexander McNair asking for his assistance in restricting the movement of the Pawnees, who, he claimed, stole livestock from residents near the northern settlement of San Miguel del Bado and sold it to U.S. traders located near the Platte and Republican Rivers.<sup>38</sup> In return, McNair invited Vizcarra to send an envoy to negotiate a joint treaty with William Clark and Benjamin O’Fallon of the U.S. Bureau of Indian Affairs, and a Pawnee delegation at Council Bluffs near Fort Atkinson, Missouri.<sup>39</sup> Vizcarra consented and in the early autumn of 1824 a group of twenty-six Mexican citizens traveled from Santa Fe to meet with the Pawnee delegation and the agents representing the United States.

The 1824 meeting at Council Bluffs was one of the earliest documented diplomatic conferences between the three groups and it would set the tone for subsequent negotiations. Although a formal treaty was not signed until the following year, the meeting set in motion a second diplomatic mission led by Manuel Simón de Escudero, a lawyer from Chihuahua who was commissioned by the governor of his state to secure favorable relations with officials in

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<sup>37</sup> Josiah Gregg, *Commerce of the Prairies, or the Journal of a Santa Fé Trader, during Eight Expeditions Across the Great Western Prairies, and Residence of Nearly Nine Years in Northern Mexico*, vol. 1 (New York: J. & H. G. Langley, 1845): 25.

<sup>38</sup> MANM, Roll 2, 1823, GOVERNOR’S PAPERS, Miscellaneous communications sent by Governor, frames 663-670. For an English translation of the correspondence, see James W. Covington, “Correspondence between Mexican Officials in Missouri: 1823-1825,” *Missouri Historical Society Bulletin* 16 (October 1959): 23-4.

<sup>39</sup> David J. Weber, “Señor Escudero Goes to Washington: Diplomacy, Indians, and the Santa Fe Trade,” *The Western Historical Quarterly*, 43:4 (Winter 2012): 421.

New Mexico and Missouri.<sup>40</sup> In the summer of 1825 Escudero wrote to Bartolomé Baca, who succeeded Vizcarra as governor of New Mexico, in which he argued that the Mexican government had little to lose and much to gain in seeking the assistance of the U.S. government in the “*total extermination*” of the “*barbarous nations*” who tormented Mexican and U.S. merchants traveling between St. Louis, Santa Fe, and Chihuahua.<sup>41</sup> Escudero’s letter described the depredations of the Cayguas, Cuampes, Tejanos, Culebras, Pies Prietos, Orejones, Comanches, Navajos, Jicarillas, and Pananas who, he claimed, “continue to harass us.”<sup>42</sup>

In September of 1825 Escudero presented his proposal to William Clark, Superintendent of Indian Affairs in St. Louis. In his reply Clark stated, “it is contemplated by the Government of the United States, to establish a military post on the Arkansas at the place where it is usually crossed by the caravans trading to Mexico for the protection against Indians.”<sup>43</sup> He added, “it is probable that an arrangement will be made between the Government through their ambassadors for either party, to pursue the Indians in the territories of others where they commit robberies or other crimes.”<sup>44</sup> Clark deferred that decision to his superiors in Washington, D.C., observing that in the meanwhile “the commissioners now gone out to design a road to Mexico, have orders to treat with the Indians for the safe passage of Mexicans as well as citizens of the United States,

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<sup>40</sup> “Treaty with the Pawnee Tribe,” Sept. 30, 1825. 7 St., 279. Proclamation, Feb. 6, 1826. Charles J. Kappler, ed., *Indian Affairs: Laws and Treaties, Vol. II, Treaties* (Washington, DC: Government Printing Office, 1904): 258-260. Manuel Simón de Escudero’s diplomatic mission to St. Louis and Washington, D.C., is described in José Agustín de Escudero, *Noticias históricas y estadísticas de la antigua provincia del Nuevo-Méjico* (México: Impr. de Lara, 1849): 76-77.

<sup>41</sup> Manuel Simón de Escudero to Bartolomé Baca. June 9, 1825. AEMEA Leg. 6, exp. 2: 78.

<sup>42</sup> Ibid., 79.

<sup>43</sup> William Clark to Manuel Simón de Escudero. September 25, 1825. Office of the Superintendent of Indian Affairs, St. Louis, Missouri. AEMEA Leg. 6, exp. 2: 75.

<sup>44</sup> Ibid., 76.

in their travel between the two countries.”<sup>45</sup> Clark’s reply suggested that until the arrangement of foreign affairs could be formalized through a bilateral treaty, the U.S. government would continue to protect its own interests along the commercial corridor connecting St. Louis and Santa Fe.

Even though Escudero’s diplomatic mission to St. Louis and Washington, D.C., fell short of his ultimate objective, he succeeded in opening a dialogue with U.S. and Native leaders who, at that time, were willing to consider a diplomatic solution caused by the influx of foreigners. In what was among the earliest in a series of negotiations between Mexico and the United States concerning the regulation of the international boundary, Escudero and Clark appeared to share a common set of objectives: free trade, unrestricted travel, and peaceful relations with each other and the Indian nations who lived in the unsettled lands between the two countries. Yet, only a small minority of the native inhabitants of the Great Plains region shared their objectives. As groups such as the Pawnees and the Pananas found themselves excluded from the trade, they chose to abandon relations with U.S. and Mexican government agents and to pursue their own economic and political interests outside of a formal diplomatic framework.<sup>46</sup> Nonetheless, the negotiation of treaties—such as those led by Benjamin O’Fallon and the Pawnees at Council Bluff, Fort Atkinson in 1824 and Gaspar Ochoa and the Comanches at Chihuahua in 1822 and 1826—underscored a sense of optimism that was unique to this early period. Informal, ad hoc agreements made between private citizens and itinerant bands remained an essential feature of

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<sup>45</sup> Ibid., 76-77.

<sup>46</sup> On July 14, 1828, Juan de Dios Cañedo reported to Pablo Obregon that “Las autoridades del Estado de Chihuahua y Territorio de N. Mexico han participado al Gobierno general que una partida de la Nacion Panama sugeta al Gobierno de los Estados Unidos de America ha invadido el territorio de esta Republica y robado la caballada de las Rancherias de la nacion Comanche amiga de Mexico. Aunque los Comanches han pedido auxilio á los Géfes Militares inmediatos para perseguir á los Pananas y recobrar su caballada, se les ha negado por el respeto que se debe á los limites de una nacion amigo.” Juan de Dios Cañedo to Pablo Obregón. July 14, 1828. Palacio Nacional de México. AEMEUA Leg. 14 Exp. 1, 66.

borderlands diplomacy. But Mexican and U.S. officials agreed that both countries needed a more uniform policy.

### *Traces of the State*

During the first round of diplomatic negotiations with the United States, the Mexican administration often referred to the Treaty of Amity, Settlement, and Limits that U.S. secretary of state John Q. Adams and Spanish minister plenipotentiary Luis de Onís signed in February 1819.<sup>47</sup> According to Article III of the Adams-Onís treaty, the boundary then dividing the United States from Spain's North American colonies "shall begin on the Gulph of Mexico, at the mouth of the river Sabine, in the sea, continuing north, along the western bank of that river, to the 32d degree of latitude; thence, by a line due north, to the degree of latitude where it strikes the Rio Roxo of Natchitoches, or Red River; then following the course of the Rio Roxo westward, to the degree of longitude 100 west from London and 23 from Washington; then, crossing the said Red River, and running thence, by a line due north, to the river Arkansas; thence, following the course of the southern bank of the Arkansas, to its source, in latitude 42 north; and thence, by that parallel of latitude, to the South Sea."<sup>48</sup> Mexican diplomats repeatedly invoked Article III of the Adams-Onís treaty in its negotiations with the United States, even

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<sup>47</sup> Virginia Guedea and Jaime E. Rodríguez O., "How Relations between Mexico and the United States Began," in Rodríguez O., Jaime E., and Kathryn Vincent, *Myths, Misdeeds, and Misunderstandings: The Roots of Conflict in U.S.-Mexican Relations* (Wilmington, DE: SR Books, 1997): 17-46.

<sup>48</sup> *Tratado de amistad, arreglo de diferencias y límites entre su Majestad católica y los Estados Unidos de América; concluido y firmado en Washington el 22 de febrero de 1819*, en Cantillo, Alejandro del, comp., *Tratados, convenios y declaraciones de paz y de comercio que han hecho con las potencias extranjeras los monarcas españoles de la casa de Borbón* (Madrid: Imprenta de Alegria y Charlain, 1843): 819-823. The first state of the 1819 edition of John Melish's *Map of the United States with the Contiguous British & Spanish Possessions* (Philadelphia, 1819) is the first to show (with a dash-dot engraved line) the U.S.-Mexican boundary, as established by the Adams-Onís Treaty. Walter W. Ristow, *A La Carte: Selected Papers on Maps and Atlases* (Washington, DC: Library of Congress, 1972): 177. Melish's map is available online: <http://www.raremaps.com/gallery/enlarge/21493>

though the vast territory traversed by the boundary line remained virtually unknown to both countries. More than six years passed before the Mexican government commissioned a small group of men with training in astronomy and mathematics, as stipulated in Article IV of the treaty, to survey the boundary, “[t]o fix this line with more precision, and to place the landmarks which shall designate exactly the limits of both nations.”<sup>49</sup>

In October 1827 the Mexican minister of foreign affairs, Juan José Espinosa, appointed General Manuel de Mier y Terán to lead what would become the first in a long series of scientific expeditions to establish a mathematically precise and physically durable boundary between the two countries. The first Mexican Boundary Commission (1827-1832) produced one of the earliest and most complete scientific surveys of northeastern Mexico.<sup>50</sup> While Mier y Terán’s primary objective was the demarcation of the boundary line according to the terms stipulated in the Adams-Onís treaty, he was also instructed to gather information pertaining to the social and political conditions in the northern settlements and to collect samples of the region’s soil, minerals, flora, and fauna. To achieve these ends, Mier y Terán summoned the expertise of the mineralogist Rafael Chowell, the artist José María Sánchez y Tapia, and the young botanist Luis Berlandier.<sup>51</sup> Accompanied by twenty Mexican soldiers, this small party of experienced scientists departed from Mexico City in November 1827 in an elaborately decorated,

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<sup>49</sup> Ibid.

<sup>50</sup> *Instrucciones que de orden del E.S. Presidente de los Estados Unidos Mexicanos se dan por el ministerio de relaciones exteriores e interiores al General D. Manuel de Mier y Terán encargado de la comisión para el reconocimiento de límites de ésta República por las fronteras del Norte.* October 27, 1827. There are multiple editions of the Mexican Boundary Commission’s official journal. See Manuel de Mier y Terán, *Diario de viage de la Comision de Limites que puso el gobierno de la Republica, bajo la direccion del Exmo. Sr. general de division D. Manuel de Mier y Teran lo escribieron por su orden los individuos de la misma Comision D. Luis Berlandier y D. Rafael Chovel* (México: Tip. de J.R. Navarro, 1850), Manuel de Mier y Terán, *Comisión de límites viage a Texas en el año 1828* (México: Vargas Rea, 1948), Mauricio Molina, ed., *Crónica de Tejas: diario de viaje de la Comisión de Límites* (México: Instituto Nacional de Bellas Artes, 1988), and David Eduardo Vázquez Salguero, ed., *Diario de viaje de la Comisión de Límites* (San Luis Potosí: Universidad Autónoma de San Luis Potosí, 2010).

<sup>51</sup> On the life of Jean Louis Berlandier, see Russell M. Lawson, *Frontier Naturalist: Jean Louis Berlandier and the Exploration of Northern Mexico and Texas* (Albuquerque: University of New Mexico Press, 2012).

gilded carriage that was heavily laden with numerous scientific instruments, including thermometers, barometers, compasses, telescopes, sextants, cronometers, and various publications on natural history and cartography.<sup>52</sup> Over the course of the following months, the Comisión de Límites traveled north through Nuevo León and across the undulating hills, dense scrublands, and precipitous canyons of eastern Texas. In the spring of 1828 Mier y Terán crossed the Rio Grande, Nueces, Colorado, Guadalupe, Brazos, and Trinity Rivers arriving in Nacogdoches—the terminus of Mexican settlement in the northern frontier.

In Nacogdoches Mier y Terán found proof that Anglo-American and European emigrants had willfully disobeyed the laws that the Mexican government enacted several years earlier to promote further settlement of the sparsely populated territory west of the Sabine River. He also discovered several thousand Indians—including Alabamos, Belocsés, Chactas (Choctaws), Chariticas, Cherokees, Ciahuas (Kiowas), Cutehates, Delawares, Kickapoos, and Savánaus (Shawnees)—had recently emigrated from the eastern United States to Texas. While some of these groups had traveled less than a day’s journey before arriving in Mexican territory, others migrated hundreds of miles from distant homelands near the U.S.-Canadian border and along the eastern Atlantic seaboard to escape the growing tide of U.S. western expansion. In a detailed report that Mier y Terán completed in July 1828, he described the initial wave of Alabamos, Belocsés, and Chactaws (Choctaws) who had begun to move into Texas during the 1810s from the neighboring states of Alabama, Louisiana, Mississippi, and Tennessee.

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<sup>52</sup> Daniel Sifuentes Espinoza, “Científicos extranjeros en Nuevo León,” *Ciencia UANL*, VIII:1 (enero-marzo 2004): 16-21.

These groups were displaced by a second wave of emigrants who moved into the region in the early 1820s.<sup>53</sup> Among the various groups Mier y Terán described were three hundred families of Savanaus (Shawnees), “who lived in the State of Illinois between the Macauc [sic] and Wabash rivers, [and] came after selling their lands to the government of the United States.”<sup>54</sup> He observed one hundred and fifty families of Delawares “who were originally from Pennsylvania, where they lived before the independence of the United States” and one hundred and ten families of Kickapoos, “who lived on the shores of the lakes of Canada, fought against the United States in the war with England and, as a result, were compelled to flee across the border into Mexico.”<sup>55</sup> While these groups of emigrants represented only a small fraction of the total population of Indian peoples in Texas in 1828, which Mier y Terán estimated at between 4,192 and 4,712 families (between 25,152 and 28,272 individuals), they exerted an oversized influence on the rapidly changing and dynamic relationship between the Mexican government and the Anglo-American colonists who continued to flow into Texas.

As Mier y Terán gathered intelligence from Nacogdoches and other settlements near the Sabine River, the administration of president Guadalupe Victoria celebrated signing an international agreement with the United States that promised to secure the two countries’ borders in perpetuity. In early January of 1828 Sebastián Camacho and Juan José Espinosa de los Monteros persuaded Joel R. Poinsett, envoy extraordinary and minister plenipotentiary of the

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<sup>53</sup> Manuel de Mier y Terán, *Noticia de las tribus de salvajes conocidos que habitan en el Departamento de Tejas, y del número de familias de que consta cada tribú, puntos en que habitan y terrenos en que acampan* (manuscript, 1828). A version of the manuscript was published in the *Boletín de la Sociedad de Geografía y Estadística de la República Mexicana, Tomo II* (México: Imprenta de Gobierno, 1870): 264-269.

<sup>54</sup> “[V]ivían en el Estado de Illinois entre los ríos Macauc y Wabasc, de donde han venido en 1820 después de haber vendido sus tierras al gobierno de los Estados Unidos.” *Ibid.*, 268.

<sup>55</sup> “[S]on originarios de Pensilvania, donde existían antes de la independencia de los Estados Unidos: de allí pasaron al río Blanco, y vinieron el año de 1820, poco después que los savanaus.” “[V]ivían en las orillas de los lagos de Canadá, y en la guerra de los ingleses con el Norte-América, aquellos los alzaron contra la nación, por lo que los han arrojado [hurled] hasta la frontera de México.” *Ibid.*

United States, to agree to the terms of the Treaty of Limits. The 1828 treaty appeared to favor Mexico's interest in clearly marking the international boundary according to same set of coordinates established in Article III of the 1819 Adams-Onís treaty.<sup>56</sup> However, subsequent negotiations exposed significant deficiencies in the treaty. Much to the chagrin of Mier y Terán, as well as Lucas Alamán, José María Tornel, and other prominent conservative officials in the capital, a series of political crises in Mexico and political opposition in the U.S. Senate repeatedly delayed the ratification of the 1828 Treaty of Limits.

In 1829 Mier y Terán submitted his assessment of the situation in Texas to Lucas Alamán, who was at that time among the most outspoken critics of the country's colonization laws and immigration policy. Mier y Terán's report outlined a multitude of administrative, logistical, and political problems then affecting Mexican interests in the Texas-Louisiana borderlands. His recommendations directly influenced the passage of a series of legislative decrees issued in April 1830 by president Anastasio Bustamante that effectively prohibited the emigration of citizens from the United States to Texas or any other Mexican territory.<sup>57</sup> In that same year, as Mexican officials struggled to control of the flow of emigrants, the United States federal government enacted legislation that accelerated the migration of American Indians west of the Mississippi River. The Indian Removal Act, signed into law on May 28, 1830, rested on the assumption that American Indians were "unwilling to submit to laws of the States and mingle

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<sup>56</sup> *Tratado de Límites con Estados Unidos de América*, January 12, 1828 in *Derecho internacional mexicano. Primera parte. Tratados y convenios concluidos y ratificados por la República Mexicana, desde su independencia hasta el año actual, acompañado de varios documentos que le son referentes* (México: Impr. de Gonzalo A. Esteva, 1878): 115-117, 119-121.

<sup>57</sup> Alleine Howren, "Causes and Origin of the Decree of April 6, 1830," *The Southwestern Historical Quarterly*, 16:4 (April 1913): 378-422.

with the population.”<sup>58</sup> In essence, the Indian Removal Act justified the large-scale expulsion of a population that the federal government deemed inassimilable within U.S. society.

### *The Evolution of Mexican Colonization Policy*

The governments of Mexico and the United States advocated antithetical philosophies and contradictory policies regarding the emigration and colonization of non-citizens. Whereas the U.S. federal government pursued a policy of Indian removal, the Mexican government developed a program that was, in part, influenced by the Spanish colonial policies of Indian acculturation and assimilation. Although in practice the “civilization” programs supported by Mier y Terán and other Mexican officials in Texas did little to promote the political or economic integration of American Indians within Mexican society, they highlighted a key difference between the two governments’ attitude toward the settlement of the borderlands where Indian people still represented the majority of the population.<sup>59</sup> Over the course of the early 1830s, political leaders in Mexico repeatedly revised the country’s colonization policy in order to encourage Indian emigrants rather than U.S. citizens to establish their residence on Mexican soil.

While Bustamante’s decrees concerning emigration and Jackson’s Indian Removal Act were signed into almost simultaneously, they evolved differently in response to changing conditions in the frontier zones. The effects of the legislation in the borderlands first became

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<sup>58</sup> Andrew Jackson, “Message to Congress on ‘Indian Removal,’ December 6, 1830, Edwin Williams, comp., *The Addresses and Messages of the Presidents of the United States* (New York: Edward Walker, 1849): 747. See Senate Document No. 512, *Correspondence on the Emigration of Indians, 1831-1833*, Volumes I-V (Washington, DC: Printed by Duff Green, 1834).

<sup>59</sup> Hoxie, Frederick E., “The reservation period, 1880-1960,” in Trigger, Bruce G. and Wilcomb E. Washburn, eds., *The Cambridge History of the Native Peoples of the Americas*, Vol. 1: North America, Part 2 (New York: Cambridge University Press, 1996): 186.

apparent to Mexican diplomats in the United States in the fall of 1831.<sup>60</sup> In November of that year the Mexican vice-consul in St. Louis, Missouri, Ricardo M. Beauchamp, sent a letter to the Mexican chargé d'affaires in Washington, D.C., José María Montoya, in which he described the immigration of Choctaw Indians to the U.S. territory of Arkansas. Beauchamp reported that the immigrants were being escorted by troops under the command of General Henry Leavenworth. He recorded the arrival of four hundred Choctaw Indians who were bound for the Neosho River (Grand River) under the leadership of Henry C. Brish and J. W. Judkins, who the U.S. commissioned to oversee their resettlement in the Arkansas territory.

Many of the Anglo-American colonists, Mexican citizens, and Native residents in Texas viewed the influx of American Indians in the early 1830s as a direct threat to their personal security and livelihood. The most ardent opponents of Indian emigration to Texas were the Anglo-American colonists who had been denied land grants after passage of the Laws of April 6, 1830.<sup>61</sup> Outraged by the emigration of Caddos, Cherokees, Choctaws, Kickapoos, and other indigenous emigrants, they petitioned U.S. and Mexican officials to halt what they viewed as an infringement upon their rights and privileges. Writing from Nacogdoches, Pedro Ellis Bean complained bitterly of the emigration of Choctaw Indians to Texas in a letter that he submitted to Francisco Pizarro Martínez, the Mexican chargé d'affaires in New Orleans, in early 1833. Bean, who had joined the Mexican insurgency during the wars of independence and served as the *comandante militar* of Nacogdoches, fiercely opposed the settlement of Choctaws on land that he

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<sup>60</sup> The treaty signed by the Choctaw Indians with the United States in 1830 "specified emigration in three groups, the first in the fall of 1831 and the others in 1832 and 1833." Prucha, *The Great Father*: 218

<sup>61</sup> Article 11 intended to prohibit or limit immigration from the United States. It stated, "In accordance with the right reserved by the general congress in the seventh article of the law of, August 18, 1824, it is prohibited that emigrants, from nations bordering on this republic shall settle in the states or territory adjacent to their own nation. Consequently, all contracts not already completed and not in harmony with this law are suspended." See "Compendium of Laws" in Weber, *The Mexican Frontier*: 388. See also Francisco F. de la Maza, *Código de colonización y terrenos baldíos de la República Mexicana* (Mexico, 1893).

argued had already been claimed by Mexican and Anglo-American colonists.<sup>62</sup> Bean lamented that several hundred Choctaw Indians who had emigrated from Natchitoches, Louisiana, in the United States and “had settled in the middle of this municipality, only a short distance of twenty-five miles from this position, and assured that many of the same tribe would seek to relocate as well.”<sup>63</sup> He estimated that no fewer than seven hundred Choctaw Indians had moved to the outskirts of Nacogdoches in the month of February.

What most concerned Bean was the intention of the Choctaw leadership, with the assistance of two unidentified white men, to assist the emigration of “various Indian tribes of the Creek Nation residing in Florida.”<sup>64</sup> He argued that “the mutual good faith of both Republics” obligated the governments of Mexico and the United States to intervene and prevent the emigration of the Creek Nation across the international boundary. To support his argument, Bean invoked Article 33 of the recently ratified Treaty of Amity, Commerce, and Navigation, which explicitly addressed the question Native groups’ commercial relations with both countries and their freedom to travel across the international boundary.<sup>65</sup> He observed that while most

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<sup>62</sup> On the life of Peter Ellis Bean, see Jack Jackson, *Indian Agent: Peter Ellis Bean in Mexican Texas* (College Station: Texas A & M University Press, 2005).

<sup>63</sup> “Desde poco tiempo, varios cientos de Yndios Chactaes hán emigrado de Nactechitches en los E. U. del Norte, y se han establecido en el medio de los Establecimientos de esta Municipalidad á la corta distancia de veinte y cinco millas de este Puesto, y aseguran que otros tantos de la misma tribus, tienen ideado de benir á colocarse tambien.” Pedro Ellis Bean to Francisco Pizarro Martínez. February 28, 1833. Nacogdoches, Texas. AEMEUA Leg. 22, exp. 3: 85-86.

<sup>64</sup> Ibid.

<sup>65</sup> “Treaty of Amity, Commerce, and Navigation,” concluded April 5, 1831, in William M. Malloy, comp., *Treaties, Conventions, International Acts, Protocols and Agreements between the United States of America and Other Powers, 1776-1909*, 2 vols. (Washington: G.P.O., 1910): I:1085-1097. The first paragraph of Article 33 stated, “It is likewise agreed that the two contracting parties shall, by all the means in their power, maintain peace and harmony among the several Indian nations who inhabit the lands adjacent to the lines and rivers which form the boundaries of the two countries; and the better to attain this object, both parties bind themselves expressly to restrain, by force, all hostilities and incursions on the part of the Indian nations living within their respective boundaries: so that the United States of America will not suffer their Indians to attack the citizens of the United Mexican States, nor the Indians inhabiting their territory; nor will the United Mexican States permit the Indians

emigrating tribes regularly passed near Fort Jesup, twenty-two miles west of Natchitoches, Louisiana, before crossing the Sabine River into Texas, the Choctaws followed a very different route, deliberately circumventing the military checkpoint near the U.S.-Mexico boundary. Bean demanded that “those who have already been introduced to this province must relocate to the lands assigned to them by the United States.”<sup>66</sup> Bean concluded his letter with a forceful appeal to international cooperation: “I value the existence of the present Treaty as well as the amicable relations that exist between both Governments and between their respective citizens. I hope that the President of [Mexico] will endeavor, whether in observance of an informed policy or morality, *to prevent the introduction of the Creek Nation in the Mexican territory, particularly in this province.* Any premeditated incursion by [this tribe] would be disastrous and surely bring despair to any honorable man’s heart.”<sup>67</sup>

Bean’s letter to Pizarro Martínez revealed the disjuncture between the orderly arrangement of international treaties and the unwieldy and rather messy unraveling of events on the ground. The Mexican chargé d’affaires in New Orleans was sympathetic to Bean’s appeal. In his reply, Pizarro Martínez stated his opposition to the introduction of the Choctaws and Creeks to Texas on the premise that their crossing the border violated the pre-existing international agreements. Pizarro Martínez agreed that Mexican authorities would be obligated to expel the Creeks or any other Indians who crossed “the line demarcated in the treaty of April

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residing within their territories to commit hostilities against the citizens of the United States of America, nor against the Indians residing within the limits of the United States, in any manner whatever.” Ibid., 1095.

<sup>66</sup> Pedro Ellis Bean to Francisco Pizarro Martínez. February 28, 1833. Nacogdoches, Texas. AEMEUA Leg. 22, exp. 3: 85.

<sup>67</sup> “Valgome pues, de la existencia del presente Tratado, como también de las relaciones amistosas que subsisten entre ambos dos Gobiernos, y entre los respectivos ciudadanos, que el Presidente de los Estados Unidos hallará á bien, sea por su erudita política como por su moralidad, mandar se impida la introducción de la Nación Creek de cualquiera premeditada incursión en los Territorios de México, particularmente en esta Provincia, la situación de sus habitantes blancos acarrearía uno resultados que no solo serian desastrosos como también de naturaleza á reclamar la comiseración de todo corazón humano y honrado.” Ibid.

5, 1831.”<sup>68</sup> However, he also framed the problem explicitly in terms of the alleged deficiency of the Indian’s “character,” stating that “if they come under the shadow of a white man, whether he be a public official or private citizen, he should prosecute them with the full force of the law.”<sup>69</sup> From his point of view, emigration was not only a political issue that could be resolved through the enforcement of the rule of law but also a question of the social status of the Creeks and other groups who sought refuge in Texas. Pizarro Martínez added, “no matter how one examines this situation, it does not make sense to add to a class of the population that is known to be harmful for the ferocity of their character and their vicious behavior.”<sup>70</sup>

The controversy surrounding the emigration of Indians across the international boundary continued to escalate in the summer of 1833. As Indian removal became a central issue in diplomatic negotiations between Mexico and the United States in these years, government officials began to discuss the implications of Indians’ exclusion from or assimilation within the two societies. These conversations, which found one form of expression in the diplomatic correspondence exchanged between embassies, revealed underlying assumptions about race and racial ideologies that exposed other deep cleavages between the two countries.

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<sup>68</sup> “[L]a línea divisoria demarcada en el tratado de 5 de Abril de 1831.” Ibid.

<sup>69</sup> “Con arreglo á los Convenios celebrados entre estos Estados- Unidos y varias Tribus de Yndios, se han allamado éestas á emigrar de sus tierras, á otras que se les cedieron en cambio; pero, por decontado, estan ecsisten dentro de los limites de esta Republica. Por consiguiente, si los Yndios pasan la línea divisoria demarcada en el tratado de 5 de Abril de 1831, debe obligarseles á contramarchar; y si obrasen á la sombra de algun Blanco, sea hombre público ó privado, debe procederse contra él con el rigor que las leyes conceder; pues por cualquiera aspecto que se escamine la cosa, no conviene permitir se engruese una clase de poblacion, nociva por la ferocidad de su caracter, y por lo vicioso de su conducta.” Francisco Pizarro Martínez to Pedro Ellis Bean. November 7, 1833. New Orleans, Louisiana. AEMEUA Leg. 22, exp. 3: 95-96. Pizarro Martínez maintained this position even after the Mexican government revised its immigration policy in 1833.

<sup>70</sup> Ibid.

The situation was further complicated by the circulation of a proposal to establish a colony of free people of color in Texas.<sup>71</sup> Since the abolition of slavery in Mexico in 1829 during the brief presidency of Vicente Guerrero, government officials had adamantly opposed the introduction of enslaved people into the country.<sup>72</sup> Although there seems to have been modest support for this proposal among officials in Mexico, the idea also encountered significant resistance. Pizarro Martínez opposed the establishment of a colony of free people of color, claiming it “contradicted the spirit of the Laws of April 6, 1830,” which prohibited the settlement of all people from the United States in Texas, regardless of their race or ethnicity.<sup>73</sup> Yet, in spite of its illegality, Anglo-American colonists continued to bring slaves from the Caribbean islands of Jamaica and Cuba into the province by way of the ports of Matamoros and Galveston.<sup>74</sup> On the opposite bank of the Sabine River, state officials representing the U.S. government actively intervened on the behalf of slaveowners to prevent fugitive slaves from fleeing the country. In May of 1833 the U.S. Department of War received petitions from authorities in Louisiana requesting assistance in the suppression of insurrections led by free people of color in New

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<sup>71</sup> Francisco Pizarro Martínez to Joaquín María del Castillo y Lanzas. May 15, 1833. New Orleans, Louisiana. AEMEA Leg. 22, exp. 3: 99-100.

<sup>72</sup> “Setiembre 15 de 1829. Decreto del gobierno en uso de facultades extraordinarias. Abolición de la esclavitud en la República. 1. Queda abolida la exclavitud en la República. 2. Son por consiguiente libres los que hasta hoy se habian considerado como esclavos. 3. Cuando las circunstancias del erario lo permitan, se indemnizar á los propietarios de esclavos, en los terminos que dispusiera las leyes.” Manuel Dublán and José María Lozano, *Legislación mexicana* (México: Dublán y Lozano Hijos, 1876), vol 2: 163.

<sup>73</sup> Francisco Pizarro Martínez to Joaquín María del Castillo y Lanzas. May 15, 1833. New Orleans, Louisiana. AEMEA Leg. 22, exp. 3: 100.

<sup>74</sup> On the expansion of the frontiers of slavery in the southern United States during this period, see Adam Rothman, *Slave Country: American Expansion and the Origins of the Deep South* (Cambridge, MA: Harvard University Press, 2007) and Walter Johnson, *River of Dark Dreams: Slavery and Empire in the Cotton Kingdom* (Cambridge, MA: Belknap Press, 2013). For an analysis of the problem of slavery in Texas, see Randolph B. Campbell, *An Empire for Slavery: The Peculiar Institution in Texas, 1821-1865* (Baton Rouge and London: Louisiana State University Press, 1989) and Randolph B. Campbell, ed., *The Laws of Slavery in Texas: Historical Documents and Essays* (Austin: University of Texas Press, 2010).

Orleans. “[T]he presence of a military force in New Orleans,” was, in their opinion, “necessary to secure order and calm the fears of the inhabitants.”<sup>75</sup>

The arrival of Sam Houston in the spring of 1833 further alarmed Mexico’s diplomatic corps. Houston immediately assumed a prominent role in the secessionist movement. Upon his first appearance in Nacogdoches on March 9, Houston announced, “I have been nominated for a convention that will meet in San Felipe to form the constitution of a new state.”<sup>76</sup> Houston rapidly gained support among discontent Anglo-American colonists in Texas and he led a committee in the drafting of a new constitution at the convention in San Felipe in April.<sup>77</sup> The proposed constitution, which was modeled on the 1780 Constitution of Massachusetts, effectively dismantled the Mexican laws and institutions that the delegates regarded as the root cause of the country’s political dysfunction. While championed by the Anglo-American colonists, the 1833 Texas constitution was seen an affront to Antonio López de Santa Anna’s administration. When Stephen F. Austin, James Miller, and Erasmo Seguín presented the proposal to authorities in Mexico City, they were promptly arrested and imprisoned.<sup>78</sup>

By September of 1833 it was clear to authorities in Mexico that American colonists in Texas would not be satisfied with separating from Coahuila to form a new state but, instead,

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<sup>75</sup> Spanish translation of an unidentified newspaper article. ca. May, 1833. AEMEA Leg. 21, exp. 2: 119-121.

<sup>76</sup> “De Nacogdoches, fha 9 de marzo ultimo, escribe una carta, cuyo original hé visto, á uno de los miembros del gabinete ‘Soy ciudadano dice Houston, de este estado he sido nombrado para una convencion que debe reunirse en S.ta Felize, para forma la constitucion de un nuevo estado.’” Anonymous letter to Bernardo González Angulo. May 9, 1833. Baltimore. AEMEA Leg. 21, exp. 2: 118.

<sup>77</sup> Although the convention at San Felipe drafted a resolution condemning the slave trade and advocating that “the good people of Texas . . . abstain from all concern in that abominable traffic,” this resolution was not enforced. See Randolph B. Campbell, *The Laws of Slavery in Texas: Historical Documents and Essays* (Austin: University of Texas Press, 2010): 37-50.

<sup>78</sup> William C. Davis, *Lone Star Rising: The Revolutionary Birth of the Texas Republic* (New York: Free Press, 2004): 98.

sought “absolute independence from the Republic.”<sup>79</sup> Given the increasingly dire situation in Texas, authorities in Mexico adopted more liberal emigration policies to accommodate not only the influx of Indians from the United States but also free people of color and former slaves who fled the expanding frontiers of chattel slavery. One of the clearest articulations of Mexico’s revised immigration policy appeared in the form of a set of instructions that Carlos García sent on behalf of vice-president Valentín Gómez Farías to Castillo y Lanzas in Washington, D.C., in the fall of 1833.<sup>80</sup> The instructions reaffirmed Mexican policy permitting Indian groups and free people of color to settle in Texas. They stipulated that “Since Mexico will not always have the means to accommodate the Indians who emigrate from the north,” it was necessary for them to observe certain regulations; specifically, “they are to serve socially in the lands they have been designated; and to submit to the laws of the country, as subjects of the State and of the Mexican Nation.”<sup>81</sup> García also noted, “The people of color who . . . emigrate from the North to Texas will be received equally by the Government.”<sup>82</sup> The instructions stipulated that “they will be assigned a place of settlement in observance with the present and future regulations for colonization under the condition that none will remain for a moment in the deplorable condition of slavery, which will not be tolerated under our laws.” Fearing a backlash from the Jackson administration in Washington, García advised Castillo to avoid publicizing this policy: “The

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<sup>79</sup> “Instrucciones que por acuerdo del Exmo. Sor. Vice Presidente se han remiten al Sr. D. Joaquín María del Castillo, Encargado de Negocios de la República en los Estados Unidos de América.” México. May 15, 1833. AEMEUA Leg. 21, exp. 2: 84.

<sup>80</sup> Ibid., 80-86.

<sup>81</sup> “En cuanto á los Yndios que emigren del Norte el Gobierno de Mejico no tendra embarazo en darles acogida siempre . . . que la soliciten con tal se sugetan á sirvir socialmente en el terreno q les designo; y de someterse á las leyes del pais, como subditos del Estado, y de la Nacion Mejicana.” Ibid., 84-85.

<sup>82</sup> “La gente de color que con annuncia del Gobierno de Washington, y sin la nota de transfaga, emigrase del Norte a Tejas será recibida igualmente por el Gobierno q en las tierras que le pertenecen del asignará el lugar de un establecimiento con sujecion á las condiciones que se han fijado ó en delante de fijaron para coloniar en el supuesto de que ninguno ha de permanecer ni un momento en la triste condicion de esclavo que no admiten nuestra leyes.” Ibid.

Government's position on these issues will be published, but care should be taken to prevent the United States from finding the slightest cause to complain about what has been indicated with regard to slavery.”<sup>83</sup>

In spite of these specific instructions, there was still lingering confusion concerning the Mexican government's immigration policy. In December 1833 the Mexican vice-consul in Philadelphia, George Follin, submitted a letter to Castillo y Lanzas seeking clarification. Follin acknowledged that the U.S. government was obligated to accommodate Indians emigrating from the United States to Mexico. However, he observed that whenever emigrant tribes requested permission to settle in Mexico, they were to be admitted on the condition that they agreed to live in the designated territory and “submitted to the laws of the land as subjects of the State and the Mexican Nation.”<sup>84</sup>

### *Seeking Accommodation in Texas*

Realizing that their options were rapidly diminishing in the United States, Indian nations turned to the Mexican government in a desperate plea for asylum. Petitions from Indian leaders arrived in the embassy in Washington, D.C., and the consulate in New Orleans with increasing frequency after 1833.

Although some officials viewed the settlement of the emigrating tribes in Texas as an impediment to the province's social and political development, when faced with the alternative scenario—the large-scale emigration of Anglo-Americans—the Mexican federal government

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<sup>83</sup> “Estas miras de Gobierno las hará publicar pero cuidando mucho que el de los Estados Unidos no encuentre el menor motivo de queja por la indicación que se haga en cuanto á esclavos.” Ibid., 84.

<sup>84</sup> “[Á] los Yndios que emigren de estos Estados Unidos a los de Megico aquel Goberino no tendra embargo en darles acogida. Siempre que la soliciten, con el que se sujeten a vivir socialmente en el tereno que se designe, sometiendose a los leyes del Pais como subditos del Estado y de la Nación Mexicana.” George Follin to Joaquín María del Castillo y Lanzas. December 9, 1833. Philadelphia. AEMEUA Leg. 22, exp. 1: 23.

again revised its immigration policy. Authorities in Texas generally viewed the Cherokees in positive terms. They also looked favorably on the Caddos, who had demonstrated their loyalty to local officials by joining punitive campaigns against hostile tribes such as the Comanches. Beginning in 1832 and 1833 Mexican authorities granted American Indians and free people of color permission to settle in Texas. This change in policy disturbed already disgruntled Anglo-American colonists, many of whom had lost their titles to land after the passage of the “New Laws” in April 1830, and as a consequence, caused many of them to rally behind an alternative form of government and to seek political independence from the Mexican Republic.

Through the summer of 1834 Choctaws and Cherokees continued to cross the border and enter Texas. Juan Nepomuceno Almonte, the Mexican commissioner of colonization in Texas, informed Joaquín María del Castillo y Lanzas that “los indios chactas y cheroquis, contra el tenor del Art. 33.o de nuestros Tratados con los E.U. de America, habian pasado á nuestro territorio sin ser reconvenidos por las Autoridades Anglo-Am.as del transito.”<sup>85</sup> Almonte complained that several Americans had attempted to negotiate a treaty with the Comanche Indians. In his opinion, “what they want is to meet with the Comanches to facilitate, through an agreement with them, their emigration to the lands that the neighboring tribes occupy, thus increasing the extent of the States and facilitating its intercourse with those Indians.”<sup>86</sup>

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<sup>85</sup> “En 28 de Febrero de 1833 dirigió el Comandante de este punto una comunicacion á la Legacion por medio de nuestra Consul en el Orleans en la que participaba que los indios chactas y cheroquis, contra el tenor del Art. 33.o de nuestros Tratados con los E.U. de America, habian pasado á nuestro territorio sin ser reconvenidos por las Autoridades Anglo-Am.as del transito.” Juan Nepomuceno Almonte to Joaquín María del Castillo y Lanzas. Nacogdoches, Texas. June 16, 1834. AEMEUA Leg. 23, Exp. 4: 12.

<sup>86</sup> “[L]o que se quiere es tener amistad con los Comanches pa. facilitar por medio de un convenio con ellos, la emigracion á las tierras que ocupan, de las tribus limítrofes, aumentando asi la estension de esos Estados, y facilitando á sus habitantes el trafico con los espresados Indios.” Juan Nepomuceno Almonte to Joaquín María del Castillo y Lanzas. Nacogdoches, Texas. June 18, 1834. AEMEUA Leg. 23, Exp. 4: 13.

There were few indications that the Mexican government attempted to impede the traffic of American Indians across the international boundary. The U.S. government, however, did attempt to engage various groups in talks intended to ameliorate the problems caused by the arrival of the emigrating tribes in the U.S. territory of Alabama. That month the members of the Stokes Commission—Montfort Stokes, Henry L. Ellsworth, and John F. Schermerhorn—contacted Nepomuceno Almonte in order to organize “an expedition to endeavor to effect a meeting with the errative [sic] Bands of Pawnee Picks, and Comanches and their kindred tribes, the Kioways, Arrapoahoes, and Apaches.”<sup>87</sup> The ostensible purpose of this commission was “to make preliminary arrangements for a general meeting of these tribes, with commissioners on the part of the United States, to establish peace between them and our immigrant Indians in this section of the country; and also the Osages, Kaisas, and other tribes with whom they have long been at war; and also give security to the persons and property of our citizens, in their commercial intercourse with the citizens of the United Mexican States.”<sup>88</sup>

Almonte rejected Schermerhorn’s overture, which he suspected was intended to undermine what little power his government had to negotiate with the hostile tribes. He replied, “The friendly relations which so happily exist between our Republics, would have afforded me the greatest satisfaction in contributing to secure your philanthropically object, but, I regret very much to state that is not in my power to enter into any arrangements whatever with Indian tribes of the nature you propose, and in particular with the Comanches, with whom my Government is

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<sup>87</sup> Montfort Stokes, Henry L. Ellsworth, and John F. Schermerhorn to Juan Nepomuceno Almonte. Nacogdoches, Texas. June 18, 1834. AEMEUA Leg. 23, Exp. 4, 14.

<sup>88</sup> Ibid.

now at war, and is preparing an expedition against them.”<sup>89</sup> The lack of cooperation between Mexican and U.S. officials did not prevent Schermerhorn and the other members of the Stokes Commission from assembling a council of “the principal head-men and warriors of the Choctaws, Osages, Comanches, Pawnees and Caducahs” in June of 1834.<sup>90</sup> But because they, too, were suspicious of the Commission’s true intentions, many of these groups declined the opportunity to establish a joint treaty with U.S. government at this time.<sup>91</sup>

While many Native groups in the Texas borderlands were reluctant to establish diplomatic relations with the U.S. government, Mexican authorities were inundated with petitions from emigrating tribes. In addition to the petitions that the Mexican chargé d’affaires in Washington, D.C., received from U.S. citizens and promoters of European colonization such as *Le comité national Polonais dans les Etats Unis de l’Amérique*, Castillo y Lanzas received dozens of letters from representatives of the Cherokee, Creek, Choctaw, Caddo, and other American Indian nations seeking asylum in Mexico.<sup>92</sup> In early June 1835 Manuel Flores submitted a petition on behalf of the chief of the Caddo Nation to the president of Mexico requesting permission to settle in Mexican territory.<sup>93</sup> Pizarro Martínez received the petition in

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<sup>89</sup> Juan Nepomuceno Almonte tp Montfort Stokes, Henry L. Ellsworth, and John F. Schermerhorn. Nacogdoches, Texas. June 18, 1834. AEMEUA Leg. 23, Exp. 4, 16.

<sup>90</sup> *Red River Chronicle of Natchitoches*. June 21, 1834. Copied in N. Almonte to Castillo y Lanzas. Nacogdoches, Texas. June 30, 1834. AEUMEUA Leg. 23, Exp. 4: 19.

<sup>91</sup> Brad Agnew, *Fort Gibson: Terminal on the Trail of Tears* (Norman: University of Oklahoma Press, 1980).

<sup>92</sup> *Le comité national Polonais dans les Etats Unis de l’Amérique* to Joaquín María del Castillo y Lanzas. AEMEUA, Leg. 24, exp. 1: 29-32.

<sup>93</sup> Manuel Flores (“Comisionado por el Gran Gefe de la Nacion Caddo y sus Hermanos”) to Miguel Barragán (“Presidente de la República de los Estados Unidos Mexicanos”). June 1, 1835. Pueblo de Quichas. AEMEUA Leg. 25, exp. 1: 91-92. Later that month, Flores submitted a second petition. Manuel Flores (“Comisionado por el Gran Gefe de la Nacion Caddo y sus Hermanos”) to Miguel Barragán (“Presidente de la República de los Estados Unidos Mexicanos”). Pueblo de los Quichas. June 23, 1835. AEMEUA Leg. 25, exp. 1: 143-144. In early June 1835 the Commercial Bulletin of New Orleans published an English translation of the letter that Peter Ellis Bean had written to Pizarro Martínez in February 1833, revealing that he had submitted the same letter to Lewis Cass, U.S. Secretary of War. AEMEUA Leg. 25, exp. 1: 84.

New Orleans and forwarded it to Castillo y Lanzas in Washington, D.C. In March, John Ross arranged a meeting with Castillo y Lanzas to discuss the proposed settlement of the Cherokee Nation in Texas. Ross explained to Castillo y Lanzas that the source of the Cherokees' troubles was the U.S. government and the Americans' insatiable appetite for land.<sup>94</sup> He lamented, "The policy of the present administration of the United States Government towards the Indian tribes, and the unconstitutional proceedings of the State of Georgia and other bordering states which have been tolerated by the President against my nation, have produced all the difficulties which now surrounds the Cherokee people."<sup>95</sup> Ross presented Castillo y Lanzas with a copy of the constitution of the Cherokee Nation and begged the chargé d'affaires to consider permitting his people to settle in Texas.

The petitions that Castillo y Lanzas received in 1835 represented a small but vocal minority of the many different sectors of the American populace then engaged in a public debate over the fate of Texas. It was during this period that the debate surrounding Indian removal—once a marginal issue in U.S. domestic policy—literally spilled over into the realm of U.S. foreign policy. In late May 1835 William H. Wharton sent a letter to Castillo y Lanzas in which he wrote, "From various & authentic sources I have learned that the Creek, Seminole, & a large portion of the Cherokee tribe of Indians have determined to remove to Texas during the present year. It is useless to assure you that a measure of this kind would create a great dissatisfaction among the people of Texas & would much retard the growth of that interesting section."<sup>96</sup>

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<sup>94</sup> As Francis Paul Prucha has observed, "The strongest pressure for removal of the Indians from Georgia and the other southeastern states came from the land hunger of the whites." Prucha, *The Great Father*: 195.

<sup>95</sup> Lewis Ross to Joaquín María del Castillo y Lanzas. Philadelphia. March 22, 1835. AEMEUA Leg. 24, exp. 1: 42-43.

<sup>96</sup> William H. Wharton to Joaquín María del Castillo y Lanzas. Philadelphia. May 23, 1835. AEMEUA Leg. 24, exp. 1: 23.

Wharton asked Castillo y Lanzas to “immediately & officially notify the proper authorities of the United States of the North of this state of things & call upon them in accordance with the treaty between the two Republics to prevent the Indians within their territory from locating in any part of the Mexican Republic.”<sup>97</sup>

While Mexican authorities struggled to influence the course of diplomatic relations between the United States and American Indians in the Texas borderlands, the domestic political situation in the capital continued to deteriorate.<sup>98</sup> Weakened by the political turmoil occurring elsewhere in the country, Mexican officials in the periphery could do practically nothing to prevent the mass exodus of refugees from the United States. In early September 1835 Enrique Rueg, a Mexican official in Nacogdoches, reported that “about five thousand Creek Indians are leaving or have left Alabama to come to Texas, and they are sure to be followed by many other nations.”<sup>99</sup> Rueg recommended detaining the Creeks at the border to prevent their crossing into Texas.

According to Andrés Vásquez, a resident of Nacogdoches, in April 1835 a large group of Muscogee Indians “comprising six hundred families” arrived in the beleaguered border town requesting land on which to settle.<sup>100</sup> Vásquez said the city council (*ayuntamiento*) denied the request on the grounds that the federal government could only approve such allotments.

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<sup>97</sup> Ibid.

<sup>98</sup> On May 25, 1834, supporters of General Antonio López de Santa Anna announced the Plan of Cuernavaca, setting in motion the eventual overthrow of the liberal administration of Valentín Gómez Farías and the ascendance of Santa Anna’s radical brand of politics. Enrique González Pedrero, *País de un solo hombre: el México de Santa Anna. Vol. I. La ronda de los contrarios* (México: Fondo de Cultura Económica, 2005). Will Fowler, *Tornel and Santa Anna: The Writer and the Caudillo, Mexico 1795-1853* (Westport, CT: Greenwood Press, 2000): 115-193.

<sup>99</sup> “Segun estoy informado, los Indios Creeks o cosa de cinco mil de ellos estan saliendo o han salido del Alabama para venirse á Texas, y toda la nacion debe seguirlos.” Enrique Rueg to Joaquín María del Castillo y Lanzas. Nacogdoches. September 12, 1835. AEMEA Leg. 24, exp. 1: 6.

<sup>100</sup> Francisco Pizarro Martinez to Joaquín María del Castillo y Lanzas. New Orleans. October 19, 1835. AEMEA Leg. 25, exp. 1: 205-206.

Disappointed but not defeated, the Muscogees left Nacogdoches and situated themselves at a village nearby. Vásquez added that in the previous August “five thousand souls from the tribes of the Cherokees and the Creeks crossed the Sabinas River to settle on land that General Vicente Filisola had granted to them, calling for peace and friendship with the Mexican nation after having been expelled from the United States.”<sup>101</sup>

Although the Mexican legation in Washington, D.C. received numerous communications concerning the emigration of the Cherokee Indians and other tribes in the spring of 1835, officials in that post were too distracted by the political crisis in Mexico to devote their full attention to the matter. In late April 1835 José María Gutiérrez de Estrada acknowledged receiving Ross’s letter from March 16 and indicated that his request to settle in Texas would be approved in due time.<sup>102</sup> In mid May, Gutiérrez de Estrada informed Castillo y Lanzas that the interim president “when appropriate, would communicate to him the resolution that was agreed upon.”<sup>103</sup> However, events elsewhere conspired against Ross and the issue of the Cherokees’ settlement in Mexican territory appeared to have been shelved. There appeared to be support within Santa Anna’s administration for the emigration and settlement of Cherokees and other tribes in Texas in 1835 and 1836. Yet, the growing population of Anglo-American colonists—many of whom emigrated from pro-removal states such as Georgia and Alabama—felt no sympathy toward the displaced tribes and had little interest in creating alliances with them. As a

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<sup>101</sup> “[L]as tribus de Cherokees y Creeks estaban pasando el Rio Sabinas en numero de cinco mil almas, para colocarse en las tierras que fueron concedidas anteriormente al Sr. General D. Vicente Filisola, y pidiendo al mismo tiempo la paz y amistad con la Nacion Mexicana, habiendo sido espulsadas de los Estados Unidos del Norte.” Francisco Pizarro Martinez to Joaquín María del Castillo y Lanzas. New Orleans. October 19, 1835. AEMEUA Leg. 25, exp. 1: 205-206.

<sup>102</sup> “[H]a tenido á bien reservar la resolucion de este asunto para mando se reciba la solicitud en forma del expresado Sor. Ross, que ha ofrecido poner en manos de V.S., á quien se lo comunico en contestacion á su nota citado.” José María Gutiérrez de Estrada to Joaquín María del Castillo y Lanzas. April 25, 1835. AEMEUA Leg. 24, exp. 2: 68.

<sup>103</sup> “[O]portunamente se la comunicará la resolucion que se acordase.” José María Gutiérrez de Estrada to Joaquín María del Castillo y Lanzas. April 25, 1835. AEMEUA Leg. 24, exp. 2: 80.

result, for many of the emigrating tribes, settlement in Texas was no longer a tenable option and they were forced to seek land and opportunities elsewhere.

From the perspective of the Mexican government, the settlement of the so-called “civilized” tribes in Texas offered some advantages. As Pizarro Martínez suggested, “those who have seen these Indians portray them as being very useful for field work and among the most civilized of America.”<sup>104</sup> Furthermore, he added, “I understand that several of their principal chiefs have offered their services to the governments of Coahuila and Texas against the barbarians who constantly harass the northern extremes of that state.”<sup>105</sup> These potential benefits notwithstanding, Pizarro Martínez remained ambivalent toward their settlement in Mexico, as he judged it “very harmful to the interests of our country to add to this kind of people to the population under these circumstances.”<sup>106</sup>

In October of 1835 Castillo y Lanzas complained to John Forsyth that the United States had, again, failed to meet its treaty obligations and, as a result, large numbers of emigrants had crossed the international boundary into Texas during the preceding months.<sup>107</sup> In late October 1835 John Forsyth replied to Castillo y Lanza’s correspondence regarding the emigration of Creek Indians from Alabama to Texas. Forsyth flatly rejected the notion that more than 5,000 individuals, as reported by Enrique Rueg, had moved across the border during the previous

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<sup>104</sup> “[L]os que los han visto pintan á estos Yndios como muy utiles para las labores del campo y como los mas civilizados de America.” Francisco Pizarro Martinez to Joaquín María del Castillo y Lanzas. New Orleans. February 12, 1835. AEMEUA Leg. 25, exp. 1: 19-20.

<sup>105</sup> “Tambien tengo entendido, que varios de sus principales Géfes acaban de ofrecer sus servicios al Gobierno de Coahuila y Texas contra los Bárbaros que tanto asolan la parte alta de dicho Estado.” Ibid.

<sup>106</sup> “[M]iro como muy nocivo á los intereses de nuestro pais que su poblacion se aumente con gente de esta clase y circunstancias.” Ibid.

<sup>107</sup> Castillo y Lanza and Forsyth disagreed on the extent of each country’s responsibility to intercept the flow of people across the international boundary. The Mexican Chargé d’Affaires also accused the U.S. government of willfully disregarding its obligation to intercept contraband that he claimed caused considerable difficulties for customs officials.

months. He stated, “no information has been received by the War Department showing that the Creek Indians from Alabama are removing into the Mexican possessions, that there has not been, during this season, any emigration of Creek Indians from Alabama, and that the War Department has, on all proper occasions, by direction of the President, discountenanced the project of those Indians for removing to the province of Texas.” Perhaps adding insult to injury, Forsyth noted, “it would appear that the political chief of Nacogdoches has been misinformed.” Forsyth denied that it was the responsibility of the United States government to regulate the movement of individuals across the international boundary, invoking Article 33 and stating “If Indians going from the United States or elsewhere should migrate to the Mexican territories with peaceable intentions, it will be for the Mexican Government alone to decide upon their admission or exclusion.”<sup>108</sup>

The hostile tone of Forsyth’s correspondence underscored a more general sense of mutual distrust that divided the two governments. When Castillo y Lanza accused the U.S. government of aiding the shipment of contraband supplies into Texas, Forsyth seethed and questioned the chargé d’affaires’ basic understanding of current events. “The grounds on which Mr. Castillo supposed himself authorized to assert that smuggling is systematically carried on between parts of the United States and Mexico,” Forsyth wrote, “are vaguely stated and illusory in themselves.” He continued, “The several uniform accounts given to him before his departure from Mexico—the letters and articles in public newspapers seen since his arrival in the United States—are not proofs of the fact but only Mr. Castillo’s declaration that he has seen proofs that in his mind establish the existence of the fact.” This bitter exchange between the two diplomats

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<sup>108</sup> John Forsyth to Joaquín María del Castillo y Lanzas. Washington, D.C. October 22, 1835. AEMEUA Leg. 24, exp. 3: 25-26.

illustrated the animosity of the two governments toward each other—a restrained antagonism that manifested along the border in increasingly more overt acts of hostility.<sup>109</sup>

### *La guerra de Tejas*

Paralyzed by the political upheaval in the capital, Mexican officials stationed in the United States could do little to resolve the myriad problems surrounding the flow of people into Texas. In May 1835 Santa Anna violently suppressed a rebellion in Zacatecas that earned his administration the reputation of a military dictatorship.<sup>110</sup> The official newspaper of the centralist government celebrated the general's iron-fisted response to political dissent.<sup>111</sup> However, the more liberally minded federalists in the country looked warily upon Santa Anna's rapid rise to power and his support of increasingly restrictive legislation that threatened to undermine the states' autonomy.<sup>112</sup>

As the nation descended into civil war, Mexican and Anglo-American colonists in Texas united in opposition to Santa Anna's centralist regime and, ostensibly, in support of a return to a federalist system. Citing the principles of 1824 Constitution, the coalition that met at the

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<sup>109</sup> John Forsyth to Joaquín María del Castillo y Lanzas. Washington, D.C. October 29, 1835. AEMEUA Leg. 24, exp. 3: 30-31.

<sup>110</sup> Federal troops plundered the city of Zacatecas, "leaving in the region a deep-seated hatred of Santa Anna that would last for the rest of his lifetime." Will Fowler, *Santa Anna of Mexico* (Lincoln and London: University of Nebraska Press, 2007): 160.

<sup>111</sup> "Zacatecas ha sido tomado á viva fuerza por el brillante ejército de operaciones á las ordenes de su ilustre caudillo el general presidente D. Antonio Lopez de Santa Anna. Nos acompaña el sentimiento de que tan señalada victoria se ha comprado á costa de sangre mexicana. La responsabilidad pesará sobre los que entregados al furor de sus pasiones turbaron la paz de la nación y atentaron contra las leyes. Este decisivo escarmiento hará que el orden y la paz se restablezcan como necesita la nación y desea. ¡Viva la república! ¡Viva el héroe invicto de Tampico!" *Alcance al Diario del Gobierno*, no. 14. May 10, 1835. AEMEUA Leg. 24, exp. 2: 74.

<sup>112</sup> The provisional centralists constitution, approved by the Mexican Congress on October 23, 1835, decreed the governors of the states would "henceforth be appointed by the president of the republic." Jan Bazant, "From independence to the Liberal Republic," in Leslie Bethell, ed., *Mexico since Independence* (New York: Cambridge University Press, 1991): 15.

Columbia Convention on November 3, 1835, manifested different degrees of commitment to the federalist cause. In a letter that José María Monasterio dispatched to New Orleans on December 31, 1835, the Secretary of Foreign Relations relayed intelligence he had received from several individuals who had attended the Columbia Convention in Texas. According to Ortiz Monasterio's contacts, the rebels' alignment with federalism was only a ruse; he reported, "Even when they believed that the colonists aspired in good faith to reestablish the Constitution of 1824 . . . [they] remained indignant toward the movement, as they discovered that its real object was to make Texas independent."<sup>113</sup> Although a number of Mexican officials in Texas, including Francisco Ruiz, J. Antonio Navarro, and Lorenzo de Závala, signed the resolution with the intention of overthrowing the government, others did not aspire to break away from the union but "were simply federalists and opposed the centralist regime in Mexico City."<sup>114</sup>

Much as Mexican citizens were divided by opposing loyalties to federalism and centralism, the various factions of immigrant tribes in Texas were split between those who believed the Mexican government would protect their interests and those who were sympathetic to the cause for independence. On February 23, 1836, the Cherokees and "the delegation of associated bands, which included Shawnees, Delawares, Kickapoos, Quapaws, Choctaws, Biloxi and Ioni Indians, Alabamas, Coushattas, and the Caddos of the Neches River" signed a treaty with the leaders of the revolutionary movement that guaranteed the various tribes title to their land in exchange for neutrality during the conflict.<sup>115</sup> The treaty declared that "no individual

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<sup>113</sup> "Cuando aun creian que los colónos aspiraban la buena fé al restablecimiento de la constitución de 1824, tanto el S. D. Valentín Gómez Farías, como los demás individuos de su circulo, manifestaban indinación [*sic*] al movimiento; pero dudo que regresaron los Res. Mexia y Peraza, y les descubrieron que el verdadero objeto era hacer á Téxas independiente." Reservado. José María Ortiz Monasterio to Francisco Pizarro Martínez. Palacio Nacional. December 31, 1835. AEMEUA Leg. 26, exp. 12: 170.

<sup>114</sup> Zoraida Vázquez, "The Colonization and Loss of Texas": 72.

<sup>115</sup> Anderson, *The Conquest of Texas*: 104.

person . . . shall have power to sell or lease land to any person or persons, not a member or member of this community of Indians, nor shall any citizen of Texas be allowed to lease or buy land from any Indians or Indians.”<sup>116</sup> Sam Houston and John Forbes, who negotiated the treaty on behalf of the provisional government, considered such liberal provisions necessary in order to minimize the risk of an Indian uprising in the midst of their own revolution.

While the Cherokees and associated bands agreed to remain neutral, other Native peoples in the borderlands took a more aggressive position. In late February 1836 the Caddo Nation offered to join the Mexican forces to demonstrate their allegiance to their adopted homeland and to protect themselves against the aggressions of the Anglo-American colonists.<sup>117</sup> Writing from the Mexican consulate in New Orleans, Pizarro Martínez informed Castillo y Lanzas that “The Caddo Nation, the majority of which has settled on land granted to them by General Vicente Filisola, tends to be occupied by labor in the fields and is, therefore, civilized and peace-loving.”<sup>118</sup> Recently incensed by the poor treatment they received at the hands of the Texans, however, they had taken a “hostile attitude.” Pizarro Martínez undoubtedly exaggerated the scale of their support when he wrote, “I have been assured that there are one thousand armed Caddos, led by a white man from Veracruz, who can recruit two thousand additional warriors, if so desired.” Their pledge of loyalty to the Mexican government represented a substantial threat to the Texans’ rebellion. The Caddo Nation was not alone in support the Mexican army, as Pizarro Martínez suggested, “other Indian tribes, who are less civilized than those who live in

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<sup>116</sup> “Treaty with the Cherokee Indians,” February 23, 1836 in Dorman H. Winfrey and James M. Day, eds., *The Indian Papers of Texas and the Southwest, 1825-1916* (Austin: Texas State Historical Association, 1995): 1:14-17.

<sup>117</sup> Francisco Pizarro Martínez to Joaquín María del Castillo y Lanzas. New Orleans. February 22, 1836. AEMEUA Leg. 26, exp. 12: 52.

<sup>118</sup> “La Nacion Caddó, cuya mayor parte me han dicho hallarse establecida en terreno perteneciente al Sr. General Filisola, se ocupa mucho de las labores del campo, y por consiguiente es civilizada y amante de la paz.” Ibid.

our territory, and some of those found in Arkansas, have manifested a great desire to make common cause with the Mexican army.”<sup>119</sup>

By the beginning of March what had at first appeared to be a series of geographically isolated skirmishes between disgruntled colonists and the Mexican army erupted into total war.<sup>120</sup> At that point it became clear to authorities in Mexico and the United States that the outcome of the conflict would carry consequences extending well beyond the contested lands in Texas. During the previous spring, the Mexican and U.S. diplomatic legations had agreed, once again, to amend the Treaty of Limits in order to extend the deadline by which the international boundary along the Sabine River was to be surveyed.<sup>121</sup> By the time the amended treaty was to be ratified, the demarcation of the border was a moot point. The revolutionaries in Texas declared independence from Mexico on March 2 and Santa Anna’s army suffered a humiliating defeat at the Battle of San Jacinto on the day after its ratification—April 20, 1836. These events effectively annulled the border stipulated in the original treaty, erasing the boundary at the Sabine River. According to the terms of the Treaties of Velasco, signed by Santa Anna and

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<sup>119</sup> “Tengo entendido igualmente, que otras tribus de indios, menos civilizados que aquella, de las que habitan en nuestro territorio, y algunos de los que se hallan en el de Arkansas, manifiestan el mayor deseo de hacer causa comun con el ejercito Mexicano.” Ibid.

<sup>120</sup> On March 16, *Alcance* published its account of the Battle of the Alamo, which stated, “los Soldados Mejicanos, son invecibles cuando defienden los sagrados derechos de su Nacion, como tan gloriosamente lo han acreditado por mas de una vez. ¡¡¡Honor y gloria eterna al imortal Gefe que los conduce; y honor y gloria eterna á esos mismos Soldados que combaten por la integridad, y decoro de la Patria!!!” “Viva la Pátria,” *Alcance*. Al núm. 71 del Mercurio de Matamoros. Miercoles, 16 de Marzo de 1836. AEMEUA Leg. 26, exp. 12: 87.

<sup>121</sup> The amendment stated: “Within the space of one year, to be estimated from the date of the exchange of the ratifications of this said additional article, there shall be appointed by the Government of the United States of America and the Mexican United States, each a commissioner and surveyor, for the purpose of fixing with more precision the dividing line, and for establishing the landmarks of boundary and limits between the two nations, with the exactness stipulated by the 3d article of the Treaty of Limits, concluded and signed in Mexico on the 12th day of January, 1828, and the ratifications of which were exchanged in Washington city on the 5th day of April, 1832.” Signed by Anthony Butler, Lucas Alamán, and Rafael Mangino. “Second Additional Article to Treaty of Limits of January 12, 1828,” in William M. Malloy, comp., *Treaties, Conventions, International Acts, Protocols and Agreements between the United States of America and Other Powers, 1776-1909*, 2 vols. (Washington: G.P.O., 1910): I:1099-1101.

interim president David G. Burnet on May 14, the provisional boundary dividing the nascent Republic of Texas from Mexico would be set at the Rio Grande.<sup>122</sup>

### *Conclusion*

This chapter has shown that Indian nations occupied highly fraught positions in the ambiguously defined territory between Mexico and during the early nineteenth century. In both countries, the period was characterized by the redefinition of the boundaries not only between regions but also between subjects and citizens. In Mexico, one's status as a citizen became inextricably tied to one's regional identity. As Jaime R. Rodríguez O. has argued, “[t]he concept of the citizen, who possessed rights, rapidly became associated with representation based on the population of the regions. The citizen with individual rights, collectively, became the region, which also possessed rights and sovereignty.”<sup>123</sup> For the populations living in the periphery, who were socially and politically marginalized in the Spanish colonial period as “*indios bárbaros*,” their location at the edge of the nation jeopardized their status as citizens. In the 1820s and 1830s, relations between Indian nations, local authorities, and the central government improved in Mexico’s far northern. The relative tranquility of that era was the result of the governments liberal efforts to avoid costly wars and improve the prospects of assimilating peripheral populations into the nations as economically productive citizens.

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<sup>122</sup> Stephen F. Austin to Francisco Pizarro Martínez. Republic of Texas, Department of State. Columbia, Texas. November 30, 1836. AEMEUA Leg. 26, exp. 12: 166-167.

<sup>123</sup> Jaime E. Rodríguez O., “The Origins of Constitutionalism and Liberalism in Mexico” in *The Divine Charter: Constitutionalism and Liberalism in Nineteenth-Century Mexico* (New York: Rowman & Littlefield, 2005): 98. See also Jaime E. Rodríguez O., “We Are Now the True Spaniards”: Sovereignty, Revolution, Independence, and the Emergence of the Federal Republic of Mexico, 1808-1824 (Stanford, CA: Stanford University Press, 2012) and Phillip B. Gonzales, *Política: Nuevomexicanos and American Political Incorporation, 1821-1910* (Lincoln: University of Nebraska Press, 2016).

While Mexico pursued policies that promoted the assimilation of Indian peoples on ostensibly equal footing with other segments of the population, including *mestizos* and former slaves, the United States rejected such egalitarian principles. The passage of the Indian Removal Act (1830) under President Andrew Jackson empowered the government to extinguish Indian title and to forcibly eject Indians from their lands. This legislation set in motion an exodus of the so-called “Civilized Tribes” west of the Mississippi River. While many chose to settle on lands promised to them by the U.S. government in Indian Territory along the Arkansas River, other emigrants chose to try their luck in Mexico. Attracted by the liberal principles of the government and the generous terms of the colonization policy, Indian nations from the United States entered Texas and Coahuila in substantial numbers.

The arrival of Indians from the United States in Mexico during the early 1830s alarmed landholders in Texas and they petitioned officials in Mexico City to prevent them from crossing the ill-defined international boundary at the Sabine River. While Mexican authorities hoped the Indian emigrants would settle in the north and aid in the defense against Apache and Comanche raids, Anglo-Americans objected to their presence. Indeed, following the rebellion against Santa Anna’s centralist rule in 1836, the new leadership in the independent Republic of Texas quashed the liberal legislation that had guaranteed their rights as citizens. However, as illustrated in the following chapter, the ability of the local authorities to control the movement of people across borders came into question again with the redefinition of national sovereignty in Texas and New Mexico in the 1840s.

## Chapter 4

### The Abrogation of Article XI of the Treaty of Guadalupe Hidalgo

Under a blistering sun, toward the end of July 1851, a delegation Mogollon and Mimbreño Apaches held a meeting with the United States boundary commissioner John Russell Bartlett near the copper mines of Santa Rita del Cobre. The subject of their discussion was the apprehension of several young Mexican men, who were then in Bartlett's custody. In compliance with Article XI of the recently ratified treaty—which stipulated rescuing and returning “any person or persons” captured by Indians—Bartlett had arrested the Mexican captives, brought them by force to the boundary commissioner’s camp, and made arrangements for their return to Mexico.<sup>1</sup> Speaking through interpreters who were fluent in the Mogollon and Mimbreño dialects of the Athapaskan language, Spanish, and English, the leader Mangas Coloradas demanded to know, “Why did you take our captives from us?”<sup>2</sup> When Bartlett explained that the captives had come to him seeking protection, Mangas Coloradas responded with a speech, which Bartlett recorded, that described the brief history of the Americans’ presence in the region:

You came to our country. You were well-received by us. Your lives, your property, your animals were safe. You passed by ones, by twos, and threes through our country; you

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<sup>1</sup> Among other provisions, Article XI of the Treaty of Guadalupe Hidalgo stipulated that, “in the event of any person or persons, captured within Mexican Territory by Indians, being carried into the territory of the United States, the Government of the latter engages and binds itself in the most solemn manner, so soon as it shall know of such captives being within its territory, and shall be able so to do, through the faithful exercise of its influence and power, to rescue them and return them to their country, or deliver them to the agent or representative of the Mexican Government.” Treaty of Guadalupe Hidalgo. Treaty of Peace, Friendship, Limits, and Settlement. Mexico, February 2, 1848, in *Treaties and Other International Acts of the United States of America*, Volume V, ed. Hunter Miller (Washington, DC: GPO, 1937): 219–222.

<sup>2</sup> Conversation with the Apaches relative to the captive boys. July 1851. Sent to the Department of the Interior, August 2, 1851. Mexican Boundary Commission Papers of John Russell Bartlett, 1850–1853. Volume 5: 21. John Carter Brown Library.

went and came safe. Your stray animals were always brought home to you again. Our wives, our children, and women came here and visited your houses. We were friends! We were brothers! Believing this we came amongst you and brought our captives, relying on it that we were brothers and that you would feel as we feel. We concealed nothing. We came here not secretly or in the night. We came in open day and before your faces and we showed our captives to you. We believed your assurances of friendship and we trusted them. Why did you take our captives from us?<sup>3</sup>

Pained by the loss of the young men whom they regarded as members of their extended family, the Mogollon and Mimbreno Apaches refused to acknowledge the validity of the international treaty that had legally sanctioned Bartlett's actions. As the discussions continued through the heat of the day, Mangas Coloradas became increasingly agitated by the boundary commissioner's stubborn refusal to honor what he perceived as "friendship" between the Apaches and the United States. He stated, "If we had known of this thing, we should not have come here. We should not have placed that confidence in you."<sup>4</sup> At the end of the meeting, in spite of the Apaches' reluctance, Mangas Coloradas and his associates ultimately accepted payment in exchange for the Mexican captives Bartlett had confiscated. As he noted, "the council dissolved and repaired to the commissary store . . . where goods to the amount of \$212.00 were laid out, which they accepted and the business concluded."<sup>5</sup>

This tense meeting between Mangas Coloradas and Bartlett revealed the complicated and often controversial negotiations between Apache, Mexican, and Anglo-American leaders in the aftermath of the U.S.-Mexican War. While historians have acknowledged that signing the Treaty

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<sup>3</sup> Ibid.

<sup>4</sup> Ibid.

<sup>5</sup> Ibid.

of Guadalupe Hidalgo in 1848 and the subsequent creation of the international boundary transformed the lives of Mexicans living in the territory ceded to the United States, less attention has been paid to the Indian populations affected by the treaty.<sup>6</sup> Until recently, the fact that the treaty carried severe consequences for Indians, who could not claim rights or privileges as citizens in either Mexico or the United States, has largely been overlooked in the historiography.<sup>7</sup>

This chapter seeks to contribute to a growing body of scholarship on the history of the U.S.-Mexico borderlands that places Indian populations, such as the Mogollon and Mimbreño Apache, at the center of the conflicts, negotiations, and misunderstandings that shaped national and international politics in the region during the mid-nineteenth century. Building on the work of historians who have examined this critical period in U.S.-Mexican borderlands history, this chapter analyzes the role of Indians in the development and, in this particular case, the failure of domestic and foreign policy decisions. It shows that the mobility and territoriality of the Chiricahua, Mescalero, and Lipan Apache were among the most potent factors leading to the abrogation of Article XI with the Gadsden Treaty, which released the United States from the

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<sup>6</sup> For discussion of how the treaty changed the lives of Mexicans in the ceded territory, see David Montejano, *Anglos and Mexicans in the Making of Texas, 1836-1986* (University of Texas Press, 1987), Richard, Griswold del Castillo, *The Treaty of Guadalupe Hidalgo: A Legacy of Conflict* (University of Oklahoma Press, 1990), Juan Gómez-Quiñones, *The Roots of Chicano Politics, 1600-1940* (Albuquerque: University of New Mexico Press, 1994), and María E. Montoya, *Translating Property: The Maxwell Land Grant and the Conflict Over Land in the American West, 1840-1920* (University of California Press, 2002).

<sup>7</sup> Brian DeLay, *War of a Thousand Deserts: Indian Raids and the U.S.-Mexican War* (New Haven: Yale University Press, 2008) was among the first historians to offer a sustained analysis of the treaty's effects upon the Indians of northern Mexico and the southwestern United States. See also Clarissa Confer, Andrae Marak, and Laura Tuenneman, eds., *Transnational Indians in the North American West* (College Station: Texas A&M University Press, 2015), Cuauhtémoc Velasco Ávila, *En manos de los bárbaros* (México: Breve Fondo Editorial, 1996), Ricardo León García, Carlos González Herrera, *Civilizar o exterminar: tarahumaras y apaches en Chihuahua, siglo XIX* (México: Centro de Investigaciones y Estudios Superiores en Antropología Social, 2000), Jorge Chávez Chávez, *Los indios en la formación de la identidad nacional* (Ciudad Juárez, Chihuahua: Universidad Autónoma de Ciudad Juárez, 2003), Karl Jacoby, *Shadows at Dawn: A Borderlands Massacre and the Violence of History* (New York: Penguin Press, 2008), Pekka Hämäläinen, *The Comanche Empire* (New Haven, CT: Yale University Press, 2008), Ned Blackhawk, *Violence Over the Land: Indians and Empires in the Early American West* (Cambridge, MA: Harvard University Press, 2006), and Jennifer Nez Denetdale, *Reclaiming Diné History: The Legacies of Navajo Chief Manuelito and Juanita* (Tucson: University of Arizona Press, 2007).

obligation to apprehend captives and to prevent “savage tribes” from crossing the international boundary after 1853. Along with problems associated with surveying the border, the fraying of diplomatic relations between Mexico and the United States in the early 1850s, and interesting in finding a navigable route for the Southern Pacific Railroad, the repeated incursion of Apaches onto Mexican territory drove the United States to rescind its treaty obligations and seek alternative solutions to the enduring problem of Indian depredations.

During the initial negotiation of the Treaty of Guadalupe Hidalgo, the governors of Sonora, Chihuahua, Coahuila, and Nuevo León demanded that the U.S. government be held accountable for the devastation wrought by multi-ethnic bands of Apaches, Comanches, Kiowas, and other Indians who regularly entered their states to steal livestock, grain, and other commodities, including Mexican captives. As U.S. foreign minister Nicholas Trist remarked, the inclusion of Article XI was “indispensable to make the treaty acceptable to the northern States, or to any one who takes the proper interest in their security; in a word, to anyone who has the feelings of a Mexican citizen, or at least respect for the obligation which a federal union imposes.”<sup>8</sup> While the Mexican foreign ministers Luis G. Cuevas, Bernardo Cuoto, and Miguel Atristain insisted upon keeping the United States accountable for Indian depredations on Mexican soil, there was significant resistance in Washington to the terms of Article XI. However, the U.S. desire to end the war and to acquire coveted territories constituting the Mexican Cession outweighed any reasonable objections to the terms of the agreement.

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<sup>8</sup> Senate Executive Doc. 52, 30th Congress., 1st Session: 176.

## *Legal and Historical Precedents of Article XI*

The essential contours of U.S. and Mexican policies regarding the regulation of the international boundary were drawn many years before discussions of marking the line at the Rio Grande even began. The “Treaty of Amity, Commerce, and Navigation,” signed by Anthony Butler of the United States and Lucas Alamán and Rafael Mangino of Mexico on April 5, 1831, set an important precedent. This treaty established a legal framework for regulating the movement of non-citizens across the U.S.-Mexico border, which, in 1831, was defined by the Sabine River. According to Article XXXIII of the treaty, Indians were not permitted to cross the ill-defined international boundary without the consent of both governments. This article, which was adopted from the 1795 Treaty of San Lorenzo, stated, “the two contracting parties shall by all the means in their power, maintain peace and harmony among the several Indian nations who inhabit the lands adjacent to the lines and Rivers which form the boundaries of the two countries; and the better to attain this objective both parties bind themselves expressly to restrain by force all hostilities and incursions on the part of the Indian nations living within their respective boundaries.”<sup>9</sup> It further stated, “in the event of any person or persons captured by the Indians who inhabit the Territory of either of the contracting parties, being or having been carried into the Territories of the other, both Governments engage and bind themselves in the most solemn

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<sup>9</sup> “Treaty of Amity, Commerce, and Navigation,” Mexico, April 5, 1831, in *Treaties and Other International Acts of the United States of America*, ed. Hunter Miller, vol. 3 (Washington, DC: GPO, 1931): 622-623. Article V of the Treaty of San Lorenzo bound Spain and the United States to “maintain peace and harmony among the several Indian Nations who inhabit the country adjacent to the lines and Rivers which by the preceding Articles form the boundaries of the two Floridas; and the better to obtain this effect both Parties oblige themselves expressly to restrain by force all hostilities on the part of the Indian Nations living in their boundaries: so that Spain will not suffer her Indians to attack the Citizens of the United States, nor the Indians to commence hostilities against the subjects of her Catholic Majesty, or his Indians in any matter whatever.” “Treaty of San Lorenzo,” Madrid, October 27, 1795, in *Treaties and Other International Acts of the United States of America*, ed. Hunter Miller, vol. 3 (Washington, DC: GPO, 1933): 322.

manner to return them to their country.”<sup>10</sup> In effect, the 1831 treaty bound the United States and Mexico to prevent Indian nations from crossing the international boundary and to rescue citizens of either country taken captive by them.

Although intended to satisfy the interests of both governments in securing the border for the safe passage of citizens and commerce, the 1831 treaty clearly favored the interests of emigrants from the United States. The treaty was signed during a period in which Anglo-Americans poured into Texas and New Mexico to settle both legally and illegally on land grants established under Mexico’s colonization policy.<sup>11</sup> Simultaneously, the U.S. policy of Indian removal continued to push Indian nations out of their homelands and west of the Mississippi River. As a result, the feeble Mexican bureaucracy in the northern frontier was quickly overwhelmed by the arrival of thousands of foreigners, including many members of the so-called “civilized tribes,” the Cherokees, Chickasaws, Choctaws, Creeks, and Seminoles.

While the 1831 treaty may have encouraged international cooperation along the boundaries of Texas and New Mexico, there was very little that Mexican authorities could do to ameliorate the problem. Cross-border raids and the uninhibited movement of valuable commodities, such as horses, mules, cattle, and other livestock, affected not only the provinces in closest proximity to the border but also the neighboring states of Tamaulipas, Nuevo León, Coahuila, Chihuahua, and Sonora. Seen from the perspective of the Mexican inhabitants of the northern states and provinces, the problem of Indian depredations on the frontier could be traced much further back in time, beginning in the colonial period, escalating after Mexican Independence, and reaching a crescendo in the early 1840s.

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<sup>10</sup> Ibid.

<sup>11</sup> See Chapter 3.

### *Raiding and Trading in Northern Mexico*

The first decade after Mexico's independence from Spain was remembered fondly as a period when “[p]eace reigned in all this region, which became highly prosperous, increasingly rapidly in cattle raising, the chief pursuit of the settlers of the right bank of the Rio Grande.”<sup>12</sup> However, with the independence of Texas in 1836, there began a new era characterized by chronic conflicts between Anglo-Americans, Mexicans, and numerous nomadic and semi-nomadic Indian nations population the grasslands, mountain ranges, and deserts of northern Mexico. What at first appeared to be a resurgence of raiding and trading patterns from the colonial period expanded dramatically in the late 1830s and early 1840s. Mexican officials held their American counterparts responsible for the widespread destruction.<sup>13</sup> From their point of view, the growth of commercial markets in the U.S.-Mexico borderlands had given rise to new opportunities for Indian nations to trade stolen goods and contraband.<sup>14</sup> These demographic and economic changes carried devastating consequences for the Mexican inhabitants of the northern frontier while contributing to the rising power of the Apaches, Comanches, and Kiowas, who were able to exploit weaknesses in the periphery of the two nation-states.

In the years following the independence of Texas, the new government took steps to broker peace treaties with Indian nations. In December 1836, the Texas legislature approved a bill intended to provide greater security to Anglo-American and Mexican residents, appropriating

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<sup>12</sup> México, Comisión Pesquisidora de la Frontera del Norte, *Informe de la Comisión Pesquisidora de la Frontera del Norte al ejecutivo del union en cumplimiento del artículo 3.o de la ley de setiembre de 1872. Monterey, Mayo 15 de 1873* (México: Impr. de Díaz de Leon y White, Calle de Lerdo número 2, 1874): 245.

<sup>13</sup> “The American officials tolerated, permitted, and, it may be maintained, even fostered and protected these depredations.” *Informe de la Comisión Pesquisidora de la Frontera del Norte*, 250.

<sup>14</sup> Moreover, the U.S. policy of Indian removal brought thousands of emigrant Cherokees, Choctaws, Chickasaws, Creeks, Seminoles, Kickapoos, Potawattomies and other Native groups to the territories north of the Arkansas River. “According to the census of the Commissioner of Indian Affairs, there were in 1843, 81,541 inhabitants in the above territory, Cherokees, Choctaws, Chickasaws, Creeks, Seminoles, Kickapoos, Potawattomies and others.” *Ibid.*: 247.

\$20,000 for gifts and annuities to be distributed to the numerous native groups.<sup>15</sup> Between 1836 and 1838, Governor Samuel Houston endeavored to placate the Indian nations that surrounded the isolated settlements in Texas. For example, in an agreement with the recognized chief of the Lipan Apaches, Cuelgas de Castro, the Indian agent James Power agreed the Republic of Texas would appoint “a Trader or Traders or establish a trading House or Houses . . . with a view to manifest to the Lipans her desire to cultivate and secure their friendship and promote their interest and happiness.”<sup>16</sup> These actions indicated early efforts of the government to improve relations with Indian nations living within and along the borders of the territory claimed by the Republic of Texas.

But such efforts to establish amicable relations with the Lipan Apaches were short-lived. While Governor Houston partially succeeded in pacifying Indian nations through the delivery of gifts and the tacit recognition of Indian sovereignty, his successor Mirabeau Bonaparte Lamar pursued an antithetical policy, which the historian Gary C. Anderson has characterized as “ethnic cleansing.”<sup>17</sup> Upon entering office on December 10, 1838, Lamar declared his intentions “to push a rigorous war against [the Lipan Apaches]; pursuing them to their hiding places without mitigation or compassion, until they shall be made to feel that flight from our borders without hope of return.”<sup>18</sup> To achieve these ends, the legislature approved an act on December 21, 1838, providing for “a regiment of eight hundred and forty men, for a term of three years, for the

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<sup>15</sup> Isidro Vizcaya Canales, *La invasión de los indios bárbaros al noreste de México en los años de 1840 y 1841* (Monterrey, México: Instituto Technológico y de Estudios Superiores de Monterrey, 1968): 46-47.

<sup>16</sup> “Treaty between Texas and the Lipan Apache,” Live Oak, Texas, January 8, 1838. Vine Deloria, Jr., and Raymond J. DeMallie, eds., *Documents of American Indian Diplomacy: Treaties, Agreements and Conventions, 1775-1979*, Vol. 1 (Norman: University of Oklahoma Press, 1999): 569-571.

<sup>17</sup> Gary C. Anderson, *The Conquest of Texas: Ethnic Cleansing in the Promised Land, 1820-1875* (Norman: University of Oklahoma Press, 2005): 172-184.

<sup>18</sup> Mirabeau Bonaparte Lamar quoted in Walter P. Webb, *The Texas Rangers* (Austin: University of Texas Press, 2010 [1935]): 30.

protection of the northern and western frontier.”<sup>19</sup> Thus began an assault on the Indian nations of Texas—direct primarily at the Lipan Apaches and the Comanches—that triggered a new pattern of violence in the neighboring states of Tamaulipas, Nuevo León, and Coahuila.

In the early 1840s, residents living in the lower Rio Grande valley vociferously complained of attacks and indiscriminate robberies by Lipan Apaches, Mexican bandits, and Texas volunteers. The multi-ethnic composition of these marauding bands of criminals confounded local officials at settlements. The prefect of Mier, Tamaulipas, José Antonio Arredondo, observed in a report dated June 3, 1841, “the formation of a party of Lipan Apache with a group of vagabond Mexicans.”<sup>20</sup> Arredondo indicated comity between the Lipan Apaches and the Mexican residents of Texas who were displaced by the revolt in Texas. He further elaborated, “in the party of Indians to which I refer, there were many individuals whose perfection in speaking Castillian and especially their clothing could not be mistaken for anyone but Bajreños or Badeños.”<sup>21</sup> Arredondo’s confusion over whether the perpetrators were Indians, or Mexican residents of San Antonio de Béjar or La Bahía revealed the extent to which frontier violence of this period involved participants from all classes of society. Although independent Indians were most often held accountable for the escalation in violence during the early 1840s, “Indians” were often conflated with “criminals” regardless of an individual’s ethnic or racial identity.

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<sup>19</sup> Ibid.

<sup>20</sup> Report of José Antonio Arredondo, prefect of Mier, Tamaulipas. June 3, 1841. Quoted in Vizcaya Canales, *La invasión de los indios bárbaros*: 55-56. “que se preparaba una partida de lipanes con reunión de mexicanos desnaturalizados.”

<sup>21</sup> Ibid. “en la partida de indios a que me refiero venían muchos individuos que por la perfección con que hablaban el castellano y, con especialidad, por su traje, no me equivocaré al asegurar que son bejareños o badeños”

In Coahuila, the isolated frontier settlements of San Buenaventura, Hacienda de Hornoes, Mapimí, and Cuencamé had been sites of constant interactions between native groups and Spanish colonists since the seventeenth century.<sup>22</sup> Changing conditions in the frontier during the early 1840s brought a new level of intensity to Indian-white conflicts. No longer were solitary travelers or shepherds tending to livestock the only victims of these seemingly random attacks. Ranches, haciendas, villages, and even larger settlements such as Parras and Saltillo came under attack.<sup>23</sup>

Authorities in New Mexico were apprehensive of the steady increase of the Anglo-American population because of their propensity to disrupt relations with groups such as the Utes and Cheyennes. At trading centers in Santa Fe and Taos, U.S. merchants regularly violated laws passed by the New Mexico legislature prohibiting all forms of commercial relations with the Apaches.<sup>24</sup> Filibustering expeditions, such as the Texas–Santa Fe expedition in 1841, further compromised the fragile relations between Hispanic residents and indigenous communities.<sup>25</sup> Similarly, in Chihuahua the steady southern migration of the Apaches accelerated in these years, as groups such as the Mescaleros advanced beyond the antiquated military garrisons established at San Buenaventura, Galeana, Janos, Casas Grandes, Carrizal, and Carmen. On May 13, 1838,

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<sup>22</sup> William B. Griffin, “Culture Change and Shifting Populations in Central Northern Mexico,” *Anthropological Papers of the University of Arizona*, No. 13 (Tucson: University of Arizona Press, 1969).

<sup>23</sup> Rodríguez G., Martha. *La guerra entre bárbaros y文明ados: el exterminio del nómada en Coahuila, 1840-1880* (Saltillo, Coahuila : Centro de Estudios Sociales y Humanísticos, 1998). “Las incursiones de los indios,” in Laura Gutiérrez, et al., *Breve historia de Coahuila* (México: Fondo de Cultura Económica, 2000): 160-165.

<sup>24</sup> Decreto de la Prefectura del distrito prohibiendo el comercio con los Apaches. 1839. Ciudad Juárez Municipal Archives, MF 513, part II, Roll 30, paging sequence 1 0223-0226. Correspondance regarding conflict with Mescalero Apaches in the salt flats (*salinas*). Mentions contact with the Americans. 1838. Ciudad Juárez Municipal Archives, MF 513, part II, Roll 29, paging sequence 3 0167-0182.

<sup>25</sup> George Wilkins Kendall, *Narrative of the Texas Santa Fé Expedition: Comprising a Tour through Texas, and a Capture of the Texas*, 2 vols. (1844). See also Andrés Reséndez’s discussion of Kendall’s Narrative in “State, Market, and Literary Cultures” in *Changing National Identities at the Frontier: Texas and New Mexico, 1800-1850* (New York: Cambridge University Press, 2005): 197-137.

the governor of Chihuahua, José María Elías González, described the destruction brought by the “the cruel and desolate war of the past six years with the Apache Indians” that had left “170 leagues of land abandoned and deserted.”<sup>26</sup> He asked, “What will become of Chihuahua?” and urged the residents to rise up in defense of their homeland: “Compatriots! Hard is the language and certainly the policy I will take; but such violence is indispensable. I wish were not in such compromised circumstances! But, supposing that it has not been in my power to avoid it, and that neither my honor nor my conscience allow me to do otherwise, I will rest easy in the conviction of the justice and imperious necessity on which my determinations are based.”<sup>27</sup> This call to arms from the governor of Chihuahua echoed the pleas of other officials who realized the central government had neither the resources nor the will power to sustain a large-scale offensive against the Apaches.

The residents of Sonora experienced many of the same difficulties as their fellow citizens in Chihuahua. Throughout the 1830s military authorities and elected officials in Arizpe and Hermosillo compiled reports of the incursions of Apaches in the northern mining districts of the Pimería Alta. Indian policy in this frontier region was often erratic and unpredictable. In a report issued June 30, 1835, the governor of Sonora, José María Félix stated his refusal to negotiate a peace treaty with the Apaches: “El Estado de Sonora no establecerá tratados de paz con el bárbaro

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<sup>26</sup> José María Elías González, “El Gobernador y Comandante general del Departamento de Chihuahua á sus habitantes.” Chihuahua. Mayo 13 de 1833. Imprenta del Gobierno á cargo de Cayetano Rames. Mexican Archives of New Mexico [microfilm]. Roll 24. Frame 1024. “cruel y desoladora guerra de seis años á esta parte nos hacen los indios apaches” that left “un terreno de 170 leguas abandonado y desierto”; “Y ¿que será entonces el Departamento de Chihuahua?”

<sup>27</sup> “¡Compatriotas! Duro és este lenguaje y fuertes ciertamente las medidas que voy á tomar; pero todo lo que contienen en sí de violentas, tienen de indispensables. ¡Desearía no hallarme en circunstancias tan comprometidas! Pero supuesto que no ha estado en mi mano evitarlo, y que ni mi honor ni mi conciencia me permiten obrar de otra manera, descansaré tranquilo en el convencimiento que me asiste de la justicia é imperiosa necesidad en que se apoyan mis determinaciones.” Ibid.

Apache, mientras éste no se sujete á las condiciones que se le impongan.”<sup>28</sup> Less than a year later, on March 5, 1836, representatives of the state of Sonora led, again, by José María Elías González entered into an agreement with leaders of the Pinal Apache “with the goal of achieving a stable and lasting peace for themselves.”<sup>29</sup> Through the early 1840s relations with the Apaches in Sonora continued to oscillate between the two extremes of war and peace with few opportunities for mutual accommodation.

The inability of the government of Sonora to establish an effective policy to prevent attacks upon its citizens reflected an overall weakening of Mexico’s administrative and military capabilities in the period. Prolonged civil unrest in northern Mexico frayed the social fabric that had united Hispanic, Indian, and *mestizo* residents against their enemies. As Brian DeLay has observed, “Indian raiding had become the dominant political issue in all of northern Mexico by the late 1830s.”<sup>30</sup> The general sense of helplessness and vulnerability that pervaded the frontier region could be attributed to the expanding influence of the Apaches, Comanches, Kiowas, and other Indian nations who continued to penetrate deeper into Mexico’s interior. As trade and intercourse between these nomadic groups and U.S. merchants increased, the extent of the damage extended beyond the northern periphery, reaching as far south as San Luis Potosí and Zacatecas.<sup>31</sup>

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<sup>28</sup> *Dictamen presentado por la Comision de Gobernacion, que tubo á bien aprobar el honorable Congreso en sesion pública de 2 del corriente mes* (Arizpe: Imprenta del Gobierno, á cargo de J. M. Almon, 1835).

<sup>29</sup> Representatives of the Apaches included “Pinal war chiefs Navicaje, Quiquiyatle, Tonto war chiefs Tutugodyafe, Tuquidine, the latter representing war chief Bocancha, and the Apache warriors Cadaquil, Esquitare, Pahule, Fraile, Cuichil, Quidagostle, Nadijechile, Nagaidaje, Alquinante, Ysachide, Estlogue, Esquinachite . . . and in the name of the absent war chiefs Nagaye, Tuli, Quilanquine, Queheynoya, Nachialaje, Chinallolte, and Capicasa.” Tucson, March 5, 1836. Deloria and DeMallie, eds., *Documents*: 159-160.

<sup>30</sup> Brian DeLay, *War of a Thousand Deserts: Indian Raids and the U.S.-Mexican War* (New Haven, CT: Yale University Press, 2008): 166.

<sup>31</sup> These nomadic groups were drawn farther south into San Luis Potosí and Zacatecas by opportunities to acquire all varieties of livestock. “In 1840, the irruption of thousands of savages to the vicinity of San Luis Potosí, who also

### *Deteriorating Diplomatic Relations*

While the reconfiguration of Indian raiding and trading patterns in Mexico's northern frontier during the 1830s caused significant turmoil, they were not the only source of social and political instability in the region. U.S. merchants smuggled contraband across the ill-defined international boundary and sold arms, ammunition, and other goods to Indian nations in violation of Mexican laws. Filibustering expeditions destabilized the already delicate balance of power between Indians, Mexicans, and Anglo-Americans.<sup>32</sup> In this section, I examine how these local developments affected U.S.-Mexico diplomatic relations and, in turn, how the deterioration of those relations led to a bloody conflict between the two countries that reverberated through the region for decades.

In the decade between the Republic of Texas declared its independence (1836) and the first shots were fired in the U.S.-Mexican War (1846), the U.S. foreign ministers continuously pressed the Mexican government for the payment of claims made by U.S. citizens for the loss of property.<sup>33</sup> By placing pressure on the Mexican government for the collection of an enormous sum of money, which amounted to many millions of dollars, they effectively diverted attention away from the issues that weighed heavily on the minds of their Mexican counterparts. Between 1836 and 1846, the Mexican ministers including Manuel Eduardo de Gorostiza, José María Bocanegra, Ignacio Trigueros, and José María Almonte repeatedly tried in vain to secure U.S.

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visited the principal towns of Zacatecas, caused enormous damage, desolting numerous *haciendas* and slaying hundreds of victims." *Informe de la Comisión Pesquisidora de la Frontera del Norte*: 250.

<sup>32</sup> The influx of emigrants from the eastern United States resulting from the policy of Indian removal and the lure of easy profits in the St. Louis–Santa Fe–Chihuahua trade pushed the Comanches, Kiowas, Apaches, and other nomadic groups farther southwest. See Chapter 3.

<sup>33</sup> "Convention for the Adjustment of Claims of Citizens of the United States of American upon the Government of the Mexican Republic," April 11, 1839, in Hunter Miller, ed., *Treaties and Other International Acts of the United States of America*, Volume III (Washington, DC: G.P.O., 1931): 599–633.

neutrality toward the Republic of Texas. They also attempted to persuade U.S. officials in the State Department to address the threats posed by Indian raids, filibustering expeditions, and the lack of an international boundary. But their efforts were largely unsuccessful.<sup>34</sup>

The decision of President John Tyler in 1844 to urge Congress to pass a joint resolution in favor of annexing Texas further soured diplomatic relations between the two countries. When the U.S. diplomatic representative Wilson Shannon arrived in Mexico City later that year, he delivered an unwelcome message to Manuel Crescencio Rejón. Shannon characterized Mexico's efforts to retain possession of Texas through military force as "offensive." In response, Rejón promptly broke off diplomatic relations.<sup>35</sup> The stalemate between the two countries continued through the presidential election of James K. Polk in December 1844. Throughout his campaign, Polk advocated the annexation of Texas, which was achieved in 1845, and the acquisition of additional territory. Seeking to acquire New Mexico and California, Polk appointed John Slidell as U.S. envoy and provided him with instructions to purchase the two states for a price between \$15 and \$20 million dollars.<sup>36</sup> Slidell's mission did little to gain the confidence of Mexican government's confidence. The *coup d'état* led by general Mariano Paredes y Arrillaga that overthrew Mexican president José Joaquín de Herrera in December 1845 further eroded the already fraught relationship. While diplomatic relations reached a new low, Polk concentrated several units of cavalry at the disputed border dividing the Republic of Texas from Mexico.

<sup>34</sup> Carlos Bosch García, *Documentos de la relación de México con los Estados Unidos: vol. III: El endeudamiento de México: Abril de 1836 – noviembre de 1843* (México: Universidad Nacional Autónoma de México, 1983): 9-32.

<sup>35</sup> Marcela Terrazas y Basante, Gerardo Gurza Lavalle, *Las relaciones México-Estados Unidos, 1756–1867: Vol. I, Imperios, repúblicas y pueblos en pugna por el territorio, 1756–1867* (México: Universidad Nacional Autónoma de México, Secretaría de Relaciones Exteriores, 2012): 208–209.

<sup>36</sup> Carlos Bosch García, "John Slidell (1845-1846)," en Ana Rosa Suárez Argüello, coord., *En el nombre del Destino Manifiesto: Guía de ministros y embajadores de Estados Unidos en México 1825-1993* (México, DF: Instituto Mora/SER, 1998): 45. Carlos Bosch García, *Documentos de la relación de México con los Estados Unidos: vol. IV. De las reclamaciones, la guerra y la paz: 1 de diciembre de 1843 – 22 de diciembre de 1848* (México: Universidad Nacional Autónoma de México, 1985): 25.

When Mexican troops allegedly fired upon a U.S. patrol on April 25, 1846, the incident sparked outrage in the United States. Congress declared a state of war on May 13, 1846.

At the start of the U.S.-Mexican War, President Polk envisioned a swift and effortless occupation of Mexico's northern frontier. Inspired by military reconnaissance that vividly illustrated the extent to which Indian raiding had weakened the region, his generals believed it would be an easy victory. But during the course of the conflict, the U.S. military encountered significant resistance from loyal Mexican citizens. When Brigadier General Stephen W. Kearny entered New Mexico with the so-called "Army of the West" on August 22, 1846, he proclaimed, "Don Manuel Armijo, the late governor of this Department, has fled from it and the undersigned has taken possession of it without firing a gun or spilling a single drop of blood, in which he truly rejoices, and for the present will be considered as Governor of the Territory."<sup>37</sup> Yet, Kearny's proclamation proved premature. In early December, the occupying forces discovered a conspiracy led by Tomás Ortiz and Diego Archuleta to rebel against Americans. As Colonel Sterling Price reflected, "the rebellion appeared to be suppressed; but this appearance was deceptive."<sup>38</sup> On January 17, 1847, in the village of Taos an allied group of Mexican citizens and Pueblo Indians rose up against authorities, attacking and killing appointed Governor Charles Bent.<sup>39</sup> This pattern was repeated in general Winfield Scott's forces entered Mexico City during

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<sup>37</sup> Stephen W. Kearny, "Proclamation: To the Inhabitants of New Mexico by Brigadier S. W. Kearny commanding the troops of the United States," August 22, 1846. Territorial Archives of New Mexico, reel 40, frame 838.

<sup>38</sup> Dispatch of Colonel Sterling Price to General Roger Jones. Taos, February 15, 1847. Krystyna M. Libera, et al., *Echoes of the Mexican-American War* (Berkeley, CA: Groundwood Books, 2004): 249.

<sup>39</sup> The 1847 rebellion in Taos against the U.S. military occupation of New Mexico evoked comparisons with earlier uprisings, including the Pueblo Revolt in 1680 and the more recent Chimayo Revolt in 1837. See "The Fate of Governor Albino Pérez," and "New Mexico at the Razor's Edge," in Andrés Reséndez, *Changing National Identities at the Frontier: Texas and New Mexico, 1800-1850* (New York: Cambridge University Press, 2005): 171-196, 237-263.

the second week of September 1847 they were met by a barrage of stones thrown by working-class men and women who looked upon the U.S. occupation with disgust.<sup>40</sup>

Led into a war of aggression by President self-assured confidence in victory, many Whigs and Democrats in the United States became disillusioned by the arrogant ideology of “Manifest Destiny.” Members of Congress were well aware of the fact that the acquisition of new territories would exacerbate the ongoing sectional debate over slavery. In Mexico, the end of the war prompted some political leaders to write sobering accounts of the conflict. Led by Ramón Alcarez, a collective of Mexican journalists, politicians, military officers, and prominent members of the business formed a historical association to write an objective assessment of the conflict. While insisting that the United States was the aggressor, Alcarez and other contributors to *Apuntes para la historia de la guerra entre México y los Estados Unidos* urged their compatriots to overcome the partisan disagreements that had divided the nation.<sup>41</sup> In his *Recuerdos de la invasión Norte Americana (1846-1848)* the part-time journalist José María Roa Bárcena expressed the view of many conservative Mexican writers who reflected on the significance of the war’s end when he wrote, “Peace, on the other hand, gave us an occasion to take advantage of acquired experience . . . waking from the dreams of illusions, putting aside our war expenses, balancing our treasury with war indemnities, reestablishing public credit, and creating a spirit of union and concord.”<sup>42</sup> Despite these lofty goals, officials in Mexico and the

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<sup>40</sup> Popular resistance to the U.S. military’s occupation of Mexico City is recounted in Luis Fernando Granados, *Sueñan las piedras: alzamiento ocurrido en la ciudad de México, 14, 15 y 16 de septiembre de 1847* (México, DF: Ediciones Era, CONACULTA-INAH, 2003).

<sup>41</sup> Ramón Alcarez, et al., *Apuntes para la historia de la guerra entre México y los Estados Unidos* (México: Tip. de M. Payno (hijo), 1848).

<sup>42</sup> “La paz, por otra parte, nos proporcionaba ocasión de aprovechar la experiencia adquirida, corrigiendo no pocos abusos, despertando del sueño de muchas ilusiones, poniendo coto á nuestros gastos, nivelando nuestro erario con los fondos de la indemnización, restableciendo el crédito público, y haciendo que un espíritu de unión y concordia

United States faced the daunting task of reconciling their differences through the negotiation of a peace treaty at the end of the war.

During the first stage of negotiations, U.S. envoy Nicholas P. Trist proposed the United States would assume responsibility for payment of U.S. claims against Mexico and adjustment of the international boundary. Trist's Mexican counterparts responded to this proposal by narrowing the scope of the discussions to the U.S. annexation of Texas as the cause of the conflict, seeking remuneration for the loss of that territory. With respect to the right of transit across the isthmus of Tehuantepec, the Mexican delegation signaled a preference for arrangements with Britain. The Mexican delegation also refused to cede territory below the 37° north longitude. In response to these deliberations, which Gen. Winfield Scott regarded as entirely unsatisfactory, the armistice ended and hostilities resumed in the capital.<sup>43</sup>

Immediately upon convening on February 8, 1848, the Mexican Congress authorized Bernardo Couto, Luis G. Cuevas, and Luis Aristáin as commissioners to begin negotiating the terms of a peace treaty. Considering the dire circumstances in which the terms of the treaty were negotiated, the Mexican government succeeded in protecting some of its national interests. As Marcela Terrazas has shown, influential political leaders in the United States advocated acquiring not only New Mexico and California but the entirety of Mexico.<sup>44</sup> The commissioners initiated the negotiations by proposing the cession of the territory between the Nueces and Gila Rivers, with the boundary line running north of San Diego. In response, Trist demanded the

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sustituyera la irritacion y el encono de nuestras pasiones políticas.” José María Roa Bárcena, *Recuerdos de la invasión Norte Americana (1846-1848)* (México: J. Buxó, 1883): 635. Translated in Griswold del Castillo, *The Treaty of Guadalupe Hidalgo*: 108.

<sup>43</sup> Terrazas y Basante, *Las relaciones México-Estados Unidos*, vol. 1: 235.

<sup>44</sup> Marcela Terrazas, *En busca de una nueva frontera. Baja California en los proyectos expansionistas norteamericanos, 1846–1853* (México: Universidad Nacional Autónoma de México, 1995). See also John D. P. Fuller, *The Movement for the Acquisition of All Mexico, 1846-1848* (Baltimore, MD: Johns Hopkins Press, 1936).

boundary start at the mouth of the Rio Grande, including the territory spanning from New Mexico to California for the amount of \$15 million. Couto, Cuevas, and Aristáin insisted upon retaining Baja California as well as control of transit across the isthmus of Tehuantepec. They demanded the U.S. government assume responsibility for payment of U.S. claims against Mexico, guarantee protections for the rights of Mexican citizens who remained in the ceded territories, and prevent Indian raids on Mexican soil. This final stipulation—engrossed as Article XI of the Treaty of Guadalupe Hidalgo—was seen as a logical extension of preexisting treaty agreements.

#### *Failure to Enforce Article XI*

The treaty significantly altered the balance of power between the diverse communities of Indians, Mexicans, and Anglo-Americans who inhabited the vast swath of territory constituting what came to be known as the Mexican Cession. Chiricahua, Mescalero, and Lipan Apaches, along with other nomadic Indians, continued their seasonal migrations through vast landscape that was bisected by the international boundary defined in Article V of the treaty. Paradoxically, the creation of the U.S.-Mexico border in 1848 facilitated rather than inhibited the expansion of the Apaches' sphere of influence. Although Article XI intended to prevent the free passage of Indians from the southwestern United States into northern Mexico, both nation-states lacked the personnel, knowledge of the physical terrain, and the will power necessary to impede the movement of people and commodities across the border.

Between the signing of the treaty on February 2 and the exchange of ratifications on May 30, 1848, members of Congress in Mexico and the United States debated the merits of its content. In this period, the U.S. Congress significantly altered the document, modifying Article

IX (specifying the rights of Mexicans who chose to adopt U.S. citizenship) and striking Article X (guaranteeing possession of land grants). The Mexican Congress agreed to accept the revised treaty only after adding a protocol.<sup>45</sup> In spite of these revisions and additions, the final version contained ambiguities and inconsistencies that not only complicated the challenging task of marking the exact geographical location of the U.S.-Mexico border but also stymied the efforts of the U.S. government to uphold the provisions of Article XI.

The terms of Article XI addressed five main points. First, the U.S. government agreed to restrain the “savage tribes” living within the territory claimed by the United States, to prevent them from committing “incursions within the territory of Mexico,” and to punish such violations “as if the same incursions were mediated or committed within its own territory, against its own citizens.” Second, it prohibited the purchase or acquisition of “any Mexican, or any foreigner residing in Mexico, who may have been captured by Indians” as well as “horses, mules, cattle, or property of any kind, stolen within Mexican territory by such Indians.” Third, if such Mexican captives were discovered to be held by Indians residing in the United States, the authorities there were instructed to “rescue them and return them to their country, or deliver them to the agent or representative of the Mexican government.” Fourth, to pass “without unnecessary delay” all laws necessary for the enforcement of these provisions. Finally, the U.S. government was required to

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<sup>45</sup> Mexican statesmen insisted upon including the Protocol of Querétaro to clarify the intentions of modifying Article IX and striking Article X. See “Finalizing the Treaty, 1848-1854,” in Richard Griswold del Castillo, *The Treaty of Guadalupe Hidalgo: A Legacy of Conflict* (Norman and London: University of Oklahoma Press, 1990): 43-61. On the consequences of the treaty for Mexican, Indian, and *mestizo* inhabitants of the ceded territories, see Martha Menchaca, “Chicano Indianism: A Historical Account of Racial Repression in the United States,” *American Ethnologist*, 20:3 (August 1993): 583-603.

take “special care . . . not to place its Indian occupants under the necessity of seeking new homes.”<sup>46</sup>

Although the Mexican statesmen who contributed to the drafting of Article XI certainly appreciated the enormous challenges contained within these provisions, it is unlikely that many members of the Congress would have recognized the scale of the responsibilities assumed by the United States. As General Kearny’s 1846 proclamation to the inhabitants of New Mexico suggested, members of the military class earnestly believed it was their duty “to protect the persons and property of all quiet and peaceful citizens within its boundaries against their enemies, the Eutaws, Navohoes and others.”<sup>47</sup> Moreover, before the war even began, leaders in the United States had justified the occupation of Mexico’s northern territories on the basis that the U.S. military was supremely more qualified to prevent Indian raids. As Polk had argued in the buildup to the war, “If New Mexico were held and governed by the United States, we could prevent these tribes from committing such outrages and compel them to release the captives and to restore them to their families and their friends.”<sup>48</sup> Thus, the same hubris that led Polk into the war also drew Congress into believing that it could enforce Article XI.

Once the Treaty of Guadalupe Hidalgo had been ratified, neither Mexico nor the United States took immediate steps to ensure that the provisions of Article XI were upheld. The Mexican Congress passed legislation authorizing the appointment of the boundary commission, as stipulated in Article V, on November 2, 1848, and later that same year the U.S. Congress

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<sup>46</sup> “Treaty of Guadalupe Hidalgo. Treaty of Peace, Friendship, Limits, and Settlement,” Mexico, February 2, 1848, in Hunter Miller, ed., *Treaties and Other International Acts of the United States of America*, Volume V (Washington, DC: GPO, 1937): 219-220.

<sup>47</sup> Stephen W. Kearny, “Proclamation: To the Inhabitants of New Mexico by Brigadier S. W. Kearny commanding the troops of the United States,” August 22, 1846. Territorial Archives of New Mexico [microfilm], reel 40, frame 838.

<sup>48</sup> *Senate Ex. Doc.* 1, 30<sup>th</sup> Cong., 1<sup>st</sup> Sess., p. 11; *House Ex. Doc.* 8, *Ibid.*, p. 55.

began to assemble its own team of surveyors.<sup>49</sup> Yet, more than eighteen months after the ratification of the treaty, the Commissioner of Indian Affairs reported that Congress had not yet provided funds for the appointment of Indian agents in New Mexico or California.<sup>50</sup> Indeed, several years would pass before the administrative capabilities of the U.S. federal government were adequately developed to even begin to address the myriad logistical problems it faced in securing the border.

Through the early 1850s, the U.S. military presence along the Rio Grande in Texas and in the Chihuahuan and Sonoran deserts of the territory of New Mexico remained weak. Rather than attempt to prevent Indian incursions across the border by force, U.S. officials often attempted to negotiate peace treaties with influential Native leaders, a tactic that their Mexican predecessors had attempted in the 1830s and 1840s with limited success. Treaties that the United States signed with independent Indians in the years after the U.S.-Mexican War reproduced, almost verbatim, the language and specific requirements established under Article XI. For example, the same terms were spelled out in a treaty that Col. E. V. Sumner and the Indian agent John Greiner negotiated with “Cuentas, Azules, Blancito, Negrito, Capitan Simon, Capitan Vuelta, and Mangus Colorado [*sic*], chiefs, acting on the part of the Apache Nation of Indians,” in Santa Fe, New Mexico, on July 1, 1852. Article 5 of the treaty stated:

Said nation, or tribe of Indians, do hereby bind themselves for all future time to desist and refrain from making any ‘incursions within the Territory of Mexico’ of a hostile or predatory character; and that they will for the future refrain from taking and conveying into captivity any of the people or citizens of Mexico, or the animals or property of the

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<sup>49</sup> Decreto del 2 de noviembre por el que se nombra la comisión encargada de fijar los límites entre México y los Estados Unidos de acuerdo con el Tratado de Guadalupe. L-E-1093 (1848): 97-103.

<sup>50</sup> J. Fred Rippy, “The Indians of the Southwest in the Diplomacy of the United States and Mexico, 1848-1853,” *The Hispanic American Historical Review*, 2:3 (August 1919): 366.

people or government of Mexico; and that they will, as soon as possible after the signing of this treaty, surrender to their agent all captives now in their possession.<sup>51</sup>

In many cases, to achieve the ultimate requirement of the treaty—the release of captives—Indian agents and other U.S. authorities offered monetary or material compensation. This practice stirred controversy not only among the Apaches, who were extremely reluctant to release captives whom they considered as members of their extended family, but also among critics who viewed the U.S. government’s purchase of Indian, Mexican, or Anglo captives as tantamount to the sanctioning of chattel slavery. Opponents decried the practice even though officials in the territory of New Mexico regarded these transactions as necessary to fulfill their obligations under Article XI. An article printed in the *National Era* on February 26, 1852, declared, “Governor Calhoun, of New Mexico, is no better than an infamous kidnapper.”<sup>52</sup> Calhoun’s detractors alleged that the practice of ransoming captives attracted “[g]angs of traders” who pursued opportunities to acquire captives “with licenses bearing his name, authorizing them to purchase Indian children, as slaves, for the benefit of persons in New Mexico.”<sup>53</sup>

The controversy surrounding the release of captives highlighted another one of the many difficulties that officials on the U.S. side of the border faced during the first years after 1848. U.S. authorities such as Calhoun, who served as both the governor of the territory of New Mexico and the superintendent of Indian affairs, struggled to enforce laws that members of the

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<sup>51</sup> “Treaty with the Apache, [July 1] 1852,” in Charles J. Kappler, *Indian Affairs: Laws and Treaties* (Washington, DC: GPO, 1904): 599.

<sup>52</sup> These accusations appeared in the *National Era* under the headline of “Scoundrelism in Our Territories: Kidnapping under a Governor’s License.” Quoted in Richard H. Weightman, *Speech of Hon. Richard H. Weightman, of New Mexico, delivered in the House of Representatives, March 15, 1852, vindictory of the course of Governor James S. Calhoun, of New Mexico, and of the character of the people of that country* (Washington, DC: GPO, 1852): 3.

<sup>53</sup> Ibid.

Hispanic and Indian communities viewed with suspicion. For Calhoun and those who followed in his footsteps, the newly established international boundary did little to resolve the myriad problems Mexican residents in the northern states territories encountered earlier in the nineteenth century. Much like neighbors in the nearby states of Sonora, Chihuahua, and Coahuila, ranchers who lived north of the international boundary were also victims of Indian raids.<sup>54</sup>

During the same period that Calhoun brokered treaties with Apaches in the territory of New Mexico, Mexican officials also took steps to ameliorate the problems caused by the theft of cattle, kidnappings, and other crimes. Following guidelines issued in 1848, the Mexican government developed a more robust system of defense that was reminiscent of the defunct system of garrisons (*presidios*) established during the colonial period.<sup>55</sup> The military colonies (*colonias militares*) provided tracts of land and financial assistance to Mexican soldiers and indigenous auxiliaries who were willing to risk their lives in defending their fellow countrymen against Indian raids.<sup>56</sup>

Local authorities also attempted to establish new treaties with the Apaches and other independent Indians who regularly crossed the border into Mexico. In the late spring and early summer of 1850, José María Elías Gonzalez, Alejo García Conde, and Antonio Guaspe, representing the states of Sonora and Chihuahua, met with delegations from the Chokonen, Chihenne, and Nahnni bands of the Chiricahua Apache at two separating meetings in Fronteras

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<sup>54</sup> As Calhoun reported in 1851, residents in the counties of Santa Ana and Bernalillo in the district of Río Abajo suffered from the loss of “150,231 sheep, 893 horses, 671 asses and mules, and 1,234 cattle to Indian raiders, primarily Navajos.” “Peaks and Valleys: The Borderlands Speak,” in James F. Brooks, *Captives & Cousins: Slavery, Kinship, and Community in the Southwest Borderlands* (Chapel Hill: University of North Carolina Press, 2002): 292.

<sup>55</sup> See Mexico, Ministerio de Guerra y Marina, *Colonias militares. Proyecto para su establecimiento en las fronteras de oriente y occidente de la República* (México: Imprenta de I. Cumplido, 1848).

<sup>56</sup> See Alejandro González Milea, “Colonias militares y civiles del siglo xix: Una aproximación a las utopías urbanas del norte de Coahuila,” *Estudios Fronterizos*, nueva época, vol. 13, núm. 25 (enero-junio de 2012): 191-219.

and Janos. At the first of those meetings, they met with “the Chieftan Yrigoyen and the braves Escriba, Birjan, Yrimeo, Calderon, the Yaqui, and an old man from Tiquinaline called Cavamillo.” According to the transcript of the meeting that Elías Gonzalez submitted to the Minister of War and of the Navy on April 30, 1850, these members of the Chokonen band of Chiricahua Apache “agreed on seeking a peace, wished to consolidate it and establish themselves in their former lands, where they hoped to receive some assistance from the government so as to live peacefully with their families, and without having their children obliged to steal in order to live, being able rather to support themselves by their work.”<sup>57</sup> Elías Gonzalez indicated that the state of Sonora would be willing to grant these accommodations, so long as “they assume the responsibilities they had under the Spanish government, to wit: obedience to the authorities, a ready availability for joining the troops in pursuing the *broncos* [renegades], respect for other people’s property, and their cooperation in getting the youth to go to work, and to catch the bad ones.”<sup>58</sup>

Representing the state of Chihuahua, Alejo García Conde and Antonio Guaspe negotiated a similar agreement with the Chihenne and Nahnni Bands of Chiricahua Apache on April 23, 1850. Near the dilapidated military outpost at Janos, the Apache leaders Ytah, Coleto Amarillo, Delgadito, Placer, Ponce, and Arvizi agreed to end hostilities, the release of captives, and the branding of their horses.<sup>59</sup> The treaty further stipulated “by nominal vote, Coleto Amarillo to be the General of the Janero and Carrisaleño Apaches.” These groups were expected to recognize

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<sup>57</sup> “Treaty between the Chokonen Band of Chiricahua Apache and Chihuahua,” at Janos, Chihuahua, June 24, 1850. Deloria and DeMallie, eds., *Documents*: 173. Translated from the original Spanish document. *Ramo Militar*, July 1850, Archivo Histórico del Estado de Sonora, Hermosillo, México, folder 221.

<sup>58</sup> Ibid.

<sup>59</sup> “Treaty between the Chihenne and Nahnni Bands of Chiricahua Apache and Chihuahua,” at Janos, Chihuahua, June 24, 1850. Deloria and DeMallie, eds., *Documents*: 174. Translated from the original Spanish document. *Ramo Militar*, July 1850, Archivo Histórico del Estado de Sonora, Hermosillo, México, folder 221.

Janos and “the former garrison of Carrizal as places of peaceful settlement, receiving there the rations that are designated in the regulations of October 14, 1791, which were on hand and read by the said Mr. García Conde.”<sup>60</sup>

These two treaties between Mexican authorities and Apaches in the summer of 1850 underscored the continuity of conditions in the borderlands. Not only did the Mexican authorities invoke legislation from the colonial period (i.e. “the responsibilities they had under the Spanish government” and “the regulations of October 14, 1791”) but they also omitted any reference to the international boundary, which, in that period, did not exist even as a line in the sand.

Through the early 1850s, U.S. officials chose to adopt many of the same policies pursued by their Mexican (and Spanish) predecessors. Suffering from the shortage of personnel and financial resources, U.S. authorities pursued diplomacy rather than offensive warfare in order to secure allegiance and trust. The numerous treaties that local officials along the border negotiated with bands of the Apaches in these years revealed the extent to which the U.S. government struggled to enforce the terms of Article XI. A provisional compact signed by New Mexico governor William Carr Lane and the leaders of the Rio Mimbres and Rio Gila Apache on April 7, 1853, contained unusually generous provisions. Lane agreed “to supply all the Bands, that may join honestly & faithfully in this Compact, & live according to its stipulations; with Food, to consist of corn & Beef, with salt; during the current year, & the year 1854” and guaranteed “there shall always be an abundant supply of food for all of them.”<sup>61</sup> Rather than admonishing the leaders—Ponce, Jose Nuevo, Cuchillo Negro, Jose-cito, Sargento, Veinte reales, Riñon,

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<sup>60</sup> Ibid.

<sup>61</sup> “Treaty with the Rio Mimbres and Rio Gila Apache,” April 7, 1853 in Deloria and DeMallie, eds., *Documents*: 1298. The “provisional Compact” was “subject to the approval, or disapproval, of the Government of the U.S.”

Delgadito Largo, Fusho, Vitoria, Placera, and Carrosero—for violations of previous treaties, the agreement set forth a plan to provide them with material resources:

Art. 6<sup>th</sup>. During the year 1854, the U.S. (at the discretion of its agents) shall supply the Bands, which may be associated under this Compact, with a certain number of Brood mares & asses, cows, sheep & goats; and will for five years, from this date, supply them an experienced Farmer to teach them how to till the Earth; and will also furnish them with implements of husbandry; and a Blacksmith & Blacksmith's tools; iron & steel; & some Carpenters tools. But the U.S. does not agree to furnish the Indians with clothing or Blankets; the Apaches must supply these articles themselves, by their own industry.<sup>62</sup>

In emphasizing education and acculturation, this agreement echoed many of the same concerns set forth in contemporary Mexican treaties with the Apaches. Just as the 1850 treaty with the Chihenne and Nahnhi Bands of Chiricahua Apache stressed the importance of the Apaches learning “to support themselves by their work,” so, too, did Lane’s compact with the Rio Mimbres and Rio Gila Apache add incentives for learning vocational skills such as agriculture and animal husbandry.

These small-scale agreements involving communities of no more than several hundred individuals could only begin to patch over the larger problems outlined in Article XI. In spite of the best efforts of local officials on both sides of the border and the good faith of many of the indigenous communities who entered into negotiations with them, Indian incursions into Mexico continued to cause massive complications. According to a report compiled by the Mexican Committee of Investigation for the Northern Border in 1873, the loss of property in the five years between the signing of the Treaty of Guadalupe Hidalgo in 1848 and the abrogation of Article XI

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<sup>62</sup> Ibid.

in 1853 amounted to \$31,000,000, with nothing to be said of the loss of hundreds of peoples' lives.<sup>63</sup> Yet, well before the Investigatory Commission of the Northern Border began to calculate these losses, the U.S. government initiated a series of diplomatic transactions with the intention of being released from the increasingly onerous and expensive burden of upholding Article XI.

### *Renegotiating Article XI*

Given the intractable circumstances along the border, the U.S. government began to reconsider its commitment to enforcing Article XI within less than five years of it being ratified. As early as December 1851, the U.S. foreign minister to Mexico, Robert P. Letcher, broached the subject in discussions with U.S. secretary of state Daniel Webster.<sup>64</sup> And in January 1852 Letcher reported that the Mexican *chargé d'affaires* in Washington, José F. Ramírez, appeared willing to consider a modification of the terms of Article XI, provided there would be a substantial compensation in exchange.<sup>65</sup>

Letcher and other members of the American diplomatic delegation to Mexico dreamed of absolving the U.S. government of its responsibility to uphold Article XI, but the issue quickly became entangled with other concerns. Letcher's successor Alfred Conkling received instructions to discuss the myriad problems associated with Article XI when he was appointed to the position of envoy extraordinary and minister plenipotentiary of the United States in Mexico

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<sup>63</sup> México, Comisión Pesquisidora de la Frontera del Norte, *Informe de la Comisión Pesquisidora de la Frontera del Norte al ejecutivo del union en cumplimiento del artículo 3.o de la ley de setiembre de 1872. Monterey, Mayo 15 de 1873* (México: Impr. de Díaz de Leon y White, Calle de Lerdo número 2, 1874), *passim*.

<sup>64</sup> Rippy, "The Indians of the Southwest," 392.

<sup>65</sup> Marcela Terrazas Basante, "Robert P. Letcher (1849-1852)," in Ana Rosa Suárez Argüello, coord., *En el nombre del Destino Manifiesto: Guía de ministros y embajadores de Estados Unidos en México 1825-1993* (México, DF: Instituto Mora/SER, 1998): 65-75.

in August 1852.<sup>66</sup> Conkling was forced to acknowledge not only that since the end of the war between the two countries the U.S. military had failed to prevent Indian depredations in Mexico but also that U.S. citizens were becoming increasingly vulnerable to raids led by Indians who evaded apprehension by crossing from one side of the border to the other.<sup>67</sup> Conkling's negotiations with the Mexican government on these issues (Article XI, the construction of an overland route connecting the Gulf of Mexico with the Pacific Ocean by way of the isthmus of Tehuantepec, the García Conde-Bartlett compromise, *reclamaciones*) were complicated by the election of Franklin Pierce in November. As a member of the Democratic party, Pierce favored the annexation of territory beyond what had been acquired in 1848.

In May 1853, as José María Elías Gonzalez, Alejo García Conde, and William Carr Lane continued negotiations with Apache leaders in the Sonoran–New Mexican–Chihuahuan borderlands, Mexican president Antonio López de Santa Anna entered into an agreement with the U.S. foreign minister James Gadsden. Through what came to be known as the Gadsden Treaty (or, in Mexico, the Treaty of Mesilla), the two men agreed to extend the U.S.–Mexico border to provide for a railroad route on the west mesa of the Mesilla valley, the payment of \$10,000,000 in exchange for that territory, and the release of Mexico from all pending claims, among several other provisions.<sup>68</sup> Most importantly, Article II of the treaty stated: “The government of Mexico hereby releases the United States from all liability on account of the obligations contained in the eleventh article of the treaty of Guadalupe Hidalgo; and the said

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<sup>66</sup> Marcela Terrazas Basante, “Alfred Conkling (1852-1853),” in Ana Rosa Suárez Argüello, *En el nombre del Destino Manifiesto: Guía de ministros y embajadores de Estados Unidos en México 1825-1993* (México, DF: Instituto Mora-Secretaría de Relaciones Exteriores, 1998): 76.

<sup>67</sup> The vulnerability of U.S. citizens precipitated significant changes in Indian policy in the years following the abrogation of Article XI.

<sup>68</sup> Paul N. Garber, *The Gadsden Treaty* (Philadelphia: Press of the University of Pennsylvania, 1923): 64-108.

article and the thirty-third article of the treaty of amity, commerce, and navigation between the United States of America and the United Mexican States concluded at Mexico, on the fifth day of April, 1831, are hereby abrogated.”<sup>69</sup>

For Santa Anna, the treaty proved toxic. Public furor over the settlement hastened the end of his already fraught political career.<sup>70</sup> The public reaction in the United States was more measured. A lengthy letter to the editors of the *National Intelligencer* signed by the pen name Truth on February 3, 1854, acknowledged that the United States had not entirely absolved itself of its responsibilities. Drawing on hackneyed racial stereotypes of the Indian “savage,” the author wrote:

But it must not be inferred from this, although relieved from the obligation to indemnify Mexico for losses under this article, that we shall be saved the two or three millions a year which it costs to support an army on the frontier. Far from it. Our own people will have to be protected, for the savage is still there. We have in vain tried to control him by treaties. Nothing will restrain his love of plunder and blood, and we are driven to a sad and melancholy alternative.<sup>71</sup>

In the context of the United States’ recent victory over Mexico, this anonymous author’s premonition underscored the American public’s apprehension toward leading the country into another war. This comment revealed the ambivalence felt by some Americans toward the acquisition of more territory in a region where Indian nations refused to recognize foreign domination. While treaties were seen as largely ineffective, the “sad and melancholy alternative”

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<sup>69</sup> “The Gadsden Treaty,” signed at Mexico City, December 30, 1853. in Hunter Miller, ed., *Treaties and Other International Acts of the United States of America*, Volume VI (Washington, DC: G.P.O., 1931): 296-297.

<sup>70</sup> Will Fowler, *Santa Anna of Mexico* (Lincoln: University of Nebraska Press, 2008): 289-316.

<sup>71</sup> Truth, *To the Editors of the National Intelligencer*, “THE GADSDEN TREATY,” Friday, February 3, 1854. Mexican Boundary Commission Papers of John Russell Bartlett, 1850-1853. Volume 11: 287. John Carter Brown Library.

alluded to here suggested the Gadsden Treaty would likely lead to morally questionable military action.

### *Conclusion*

As this chapter has demonstrated, the expansion of the Apaches' raiding and trading in the 1830s and 1840s significantly weakened the settlements in Mexico's northern frontier. Along with Comanches, Cheyennes, Kiowas, and other Plains Indians, the Apaches led devastating attacks on population centers throughout New Mexico, Sonora, Chihuahua, Coahuila, and Nuevo León. While local leaders complained to Mexico City of the lack of arms, ammunition, and the means to defend their communities, the bankrupt and politically divided central government could do little to assist its citizens in the periphery. The lack of support from the central government led many Mexican citizens to seek assistance from other sources, including the U.S. traders whose presence along the St. Louis–Santa Fe–Chihuahua trail had increased significantly since the Republic of Texas had declared its independence. Therefore, in the decade between 1836 and 1846, Mexico's relations with the United States were strained not only because of the Anglos' aggression against Mexican citizens but also because of the Apaches' position of power in the liminal position in between the two nation-states.

Ultimately, the U.S. government's decision to abrogate Article XI of the Treaty of Guadalupe Hidalgo through the ratification of the Gadsden Treaty demonstrated the enduring strength of the Apachería in the early 1850s. While the logic of Article XI was rooted in earlier international agreements that sought to minimize the incursions of Indian nations on foreign soil, the agreement overlooked the reality of conditions along the U.S.–Mexico border. The size and strategic advantages of the Apachería were undeniable and Americans were forced to concede

their inability to control its influence. As a result, the U.S. government implicitly recognized the Apaches' territorial sovereignty in the region, leading to further raiding and trading in the United States and across the border. As illustrated in the following chapter, this policy decision set the stage for controversies between the United States and Mexico concerning Indian depredations and other forms of criminalized behavior in the 1860s and 1870s.

## Chapter 5

### Indian Depredations and the Mexican Committee of Investigation

Through the late 1860s authorities in Texas complained bitterly of independent Indians and bandits who repeatedly stole livestock from ranches bordering the Rio Grande and sought refuge in the Mexican states of Chihuahua, Coahuila, Nuevo León, and Tamaulipas. Responding to these allegations, the U.S. Congress House Committee on Indian Affairs authorized a commission in 1872 to investigate the cross-border raids. The U.S. commissioners concluded that the destruction of property was valued at more than \$48 million and the loss of nearly ninety percent of the livestock was the fault of Lipan and Mescalero Apaches, Kickapoos, and other Indians who raided Texas with impunity and received protection from the Mexican government. Inflamed by these allegations, the Mexican government authorized its own commission in 1873—the Mexican Committee of Investigation for the Northern Border (*Comisión Pesquisidora de la Frontera del Norte*). Drawing on oral testimony from nearly 300 witnesses living in border communities such as Reynosa, Nuevo Laredo, and Camargo, as well as records from the municipal archives in Saltillo, Múzquiz, and Zaragoza, the Mexican commission demonstrated “the complaints of the Texans [were] groundless, inasmuch as the cattle stealing done among them [was] not the work of any residents in the adjoining country, but of Indians belonging to the United States, and their own outlaws disguised as Indians.”<sup>1</sup> This controversy shifted the ongoing concerns of border security and the question of Indians’ legal status within U.S. and Mexican society to the very center of diplomatic negotiations.

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<sup>1</sup> *Reports of the Committee of Investigation. Sent in 1873 by the Mexican Government to the Frontier of Texas.* Translated from the Official Edition Made in Mexico (New York: Baker & Godwin, 1875): iii.

The central focus of the foregoing analysis is the effect that U.S. and Mexican border policies in the 1860s and 1870s had on the culturally and linguistically diverse Indian communities whose homelands and histories straddled the international boundary. Rather than focusing exclusively on the plight of ranchers in Texas who lost their livestock and their means of livelihood, or the many Mexican residents who were the victims of racially motivated violence along the border, this chapter examines how Lipan and Mescalero Apaches, Kickapoos, and other Indians exploited the political geography of the borderlands, maximizing economic opportunities, and creating alternative identities that allowed them to thrive in the periphery of the two nation-states. Based on archival research at the Archivo Histórico Genaro Estrada of the Secretaría de Relaciones Exteriores in Mexico City, the following pages emphasize the central role of independent Indians in the political development of the U.S.-Mexico borderlands in the third quarter of the nineteenth century.

### *Crying Wolf: Indian Depredations on the Frontiers of Texas*

“The civil administration of officers on the northern frontier of the republic of Mexico, with an exception or two, has been conducted almost wholly in the interest of the demoralized and lawless population living on that frontier, to which may be added the odium of its complete subserviency [sic] to a military régime having probably no parallel in the history of the age for utter disregard for human life and high-handed exercise of power.”<sup>2</sup>

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<sup>2</sup> United States Congress House Committee on Foreign Affairs, *Report of the United States Commissioners to Texas, appointed under Joint resolution of Congress, approved May 7, 1872*. 42<sup>nd</sup> Cong., 3<sup>rd</sup> Sess. Ex. Doc. No. 39 (Washington, DC: GPO, 1872): 34.

Beginning in 1859, the government of the state of Texas began to compile a series of reports describing the loss and destruction of private property at the hands of hostile Indians whom they accused of raiding ranches, pillaging frontier settlements and crossing into Mexico to dispense of their goods for handsome profits. While the outbreak of the U.S. Civil War in 1861 and the aggregation of Confederate troops and material resources in the maritime ports of Bagdad, Brownsville, Corpus Christi, and Galveston diverted the authorities' attention away from the frontier settlements near the U.S.-Mexico border, that region remained vulnerable to Indian depredations through the end of the conflict in 1865.<sup>3</sup> Citizens of Texas who claimed to have lost enormous quantities of livestock appealed to the United States Congress, first, in an attempt to receive compensation from the U.S. federal government and, second, to hold the Mexican government accountable for the losses incurred as a result of cross-border raids conducted by Indians and Mexican citizens living on the opposite bank of the Rio Grande. Significant reforms in U.S. federal Indian policy during the early years of Reconstruction—in particular, the establishment of the Board of Indian Commissioners in 1869 and increasingly acrimonious diplomatic relations between the United States and Mexico—brought the issue to a boiling point in the early 1870s.<sup>4</sup> An analysis of Indian depredation claims from Texas during these years suggests that while there were many residents in the southern Rio Grande river valley who became victims of cross-border raids, the bulk of the petitioners who submitted claims to

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<sup>3</sup> George T. Diaz, *Border Contraband: A History of Smuggling across the Rio Grande* (Austin: University of Texas Press, 2015).

<sup>4</sup> It was not until 1869 that Congress authorized the creation of the Board of Indian Commissioners, consisting of 10 members appointed by President Ulysses S. Grant, to oversee administration of the Office of Indian Affairs, which was regarded as a thoroughly corrupt and inefficient bureaucracy. 16 U.S. Stat. 40. C. Joseph Genetin-Pilawa, *Crooked Paths to Allotment: The Fight over Federal Indian Policy after the Civil War* (Chapel Hill: University of North Carolina Press, 2012).

Congress exaggerated their losses and were primarily interested in exploiting a corrupt system within the Indian Office.

In the United States, Indian depredation claims had been a crucial feature of federal Indian policy since the colonial period. Legislation created in the early nineteenth century granted Congress the power to compensate citizens for the loss of property resulting from conflicts with “any Indian or Indians belong[ing] to any tribe in amity with the United States.”<sup>5</sup> Before the creation of the Board of Indian Commissioners in 1869, a smaller body of legislators working within the Committee on Indian Affairs regularly reviewed the applications for indemnification to ascertain the scope and validity of each case before submitting the petitions for Congressional approval. If the Committee on Indian Affairs identified deficiencies in the applications, they were either returned to the petitioners with a request for supplemental information or they were rejected. For example, in March 1859 the Committee on Indian Affairs received a petition from the citizens of Texas “praying for indemnity for losses sustained by them from depredations of Indians.”<sup>6</sup> After consideration of the facts presented in the case, the committee concluded, “it appears from evidence before the committee that such losses have been

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<sup>5</sup> Chapter 13, Laws of 1802, section 14, (2 Stat. at Large, 143): “That if any Indian or Indians belong to any tribe in amity with the United States, shall come over or cross the said boundary line into any State or Territory inhabited by citizens of the United States, and there take, steal, or destroy any horse, horses, or other property, belonging to any citizen or inhabitant of the United States, or of either of the territorial districts of the United States, or shall commit any murder, violence, or outrage upon any such citizen or inhabitant, it shall be the duty of such citizen or inhabitant, his representative, attorney, or agent, to make application to the superintendent, or such other person as the President of the United States shall authorize for that purpose, who, upon being furnished with the necessary documents and proof, shall, under the direction or instruction of the President of the United States, make application to the nation or tribe to which such Indian or Indians shall belong for satisfaction; and if such nation or tribe shall neglect or refuse to make satisfaction, in a reasonable time, not exceeding twelve months, then it shall be the duty of such superintendent, or other person authorized as aforesaid, to make return of his doings to the President of the United States, and forward to him all the documents and proofs in the case, that such further steps may be taken as shall be proper to obtain satisfaction for the injury; and in the mean time, in respect to the property so taken, stolen or destroyed, the United States guarantee to the party injured an eventual indemnification.”

<sup>6</sup> U.S. Congress, House of Representatives, *Indian Depredations in Texas to accompany Joint Resolution H.R. No. 59*. March 3, 1859. 35<sup>th</sup> Cong., 2<sup>nd</sup> Sess. Report No. 225 (Washington, DC: GPO, 1859).

sustained by the citizens referred to by the depredations of the Kickapoo, Wichita, and Comanche Indians.”<sup>7</sup> However, the Committee noted that “as the evidence is not as complete as it might be made, and as some of the steps required by the non-intercourse act had not been taken and as some of the persons who have suffered from the Indians have not presented their claims,” it recommended the appointment of a commission staffed by Indian agents of Texas “to collect the testimony upon such claims, and to report upon the facts and evidence to the Secretary of the Interior.”<sup>8</sup> These recommendations set in motion an investigation of frontier conditions in Texas that brought national attention to the issue of Indian depredations that crossed the U.S.-Mexico border.

Three hundred and fifty male residents of Wise and Denton counties, Texas, (none of whom had a Spanish surname) submitted a revised petition to the Committee on Indian Affairs in May 1870 in which they argued that employees of the U.S. federal government were complicit in “feeding, clothing, and protecting a savage enemy while in open hostility and waging war against the citizens of the [United States].”<sup>9</sup> Invoking familiar and hackneyed images of frontier violence, the petitioners claimed “Indians in hostile bands infest their country, killing and scalping their citizens, and frequently carrying off their women and children into a hopeless captivity.”<sup>10</sup> These atrocities had reduced once prosperous white settlements to ghost towns. E. C. Vick, the county assessor and tax collector, testified that the population of Wise County had declined 43% in a single decade, from 800 individuals in 1860 to 350 in 1870. He asserted, “the

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<sup>7</sup> Ibid.

<sup>8</sup> Ibid.

<sup>9</sup> U.S. Congress, House of Representatives, *Indian Depredations in Texas. Memorial of Three Hundred and Fifty Citizens of the North-Western Frontier of Texas Relative to Indian depredations, and prayer for relief*. May 28, 1870. 41<sup>st</sup> Cong., 2<sup>nd</sup> Sess. Misc. Doc. No. 142 (Washington, DC: GPO, 1870): 2.

<sup>10</sup> Ibid.: 1.

cause of the decline of the population has been by the frequent raids and many murders committed by hostile Indians that infest the country.”<sup>11</sup> Another resident of Wise County named J. S. Babb provided similar testimony, describing the funeral of a widow and her three children who were “murdered and scalped by a band of Indians,” and adding the grisly detail that “many Indian arrows [were] found upon her premises and some being found left sticking into one of her children.”<sup>12</sup> J. T. Murphy, a resident of Denton County, testified that “hostile Indians” raided settlements there on October 10, 1868, taking with them 170 head of cattle and “murdered a man by the name of Wartonbury, also a young man by the name of Fauster.” Murphy added that a group of men pursued the [Indians] in the direction of Fort Sill, killing one of them, who was discovered to be “dressed in soldier’s clothing and armed with a United States gun.”<sup>13</sup>

Outraged by the inability and refusal of federal agents and troops stationed at Fort Sill to apprehend and punish the Comanches, Kiowas, and Wichitas who settled there in the previous year under president Ulysses S. Grant’s recently implemented “Peace Policy,” the citizens of Wise and Denton counties called upon Congress to act “to prevent the Indian reservation lines from being an embarrassment to them and the United States soldiers situated on the frontiers of Texas.”<sup>14</sup> They pleaded for the government to enforce the borderline that circumscribed Fort Sill and to ensure that stolen goods neither entered nor departed from the reservation. In their

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<sup>11</sup> Ibid.: 6

<sup>12</sup> Ibid.

<sup>13</sup> Ibid.: 7.

<sup>14</sup> Ibid.: 6. As William T. Hagan observed, Grant’s new Indian policy “provided distinct reservations and contained provisions for education, solation from casual contact with Whites, annuities of clothing and useful articles, and allotment of land to individual Indians who sought it. Some of the treaties promised rations for four years; others did not, although the government took it for granted that the Indians would be fed until they could become completely self-supporting by farming and cattle raising.” William T. Hagan, “United States Indian Policies, 1860-1900,” in Wilcomb E. Washburn, ed., *Handbook of North American Indians, Volume 4: History of Indian-White Relations* (Washington, DC: Smithsonian Institution, 1988): 53.

description of conditions surrounding the reservation, they revealed deep-seated fears of an apparent blurring of boundaries between white settlements and the Indian frontier. While alarmed by the loss of property, what most terrified the petitioners was the fact that “many of the savages, committing acts of barbarity and crimes of the most brutal nature, are dressed in soldier’s clothing, to wit, soldier’s pants and blouses, and armed with Spencer carbines.”<sup>15</sup> These observations reflected the changing dynamics of Indian-white relations in Texas in the post-Civil War era, a period in which sustained contact between Native, Hispanic, and Anglo-American cultures produced novel forms of self-presentation, hybrid identities, and transculturation. Although white settlers in Texas and other western states during these years began to advocate for federal programs that promoted Indian assimilation, as the situation in north-western Texas revealed, changing conditions in the frontier also served to undermine entrenched racial hierarchies.

In spite of the claims made by officials in the halls of Congress that the Indians were “a disappearing race,” Indian nations in the Great Plains and the U.S.-Mexico borderlands grew more powerful in years following the end of the U.S. Civil War.<sup>16</sup> Independent Indians’ overlapping spheres of influence expanded during a brief window of time between 1865 and 1876. Reports of Indian depredations from these years suggest that the U.S.-Mexico border served to facilitate rather than impede the rising power of the Apaches, Comanches, Kiowas, and

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<sup>15</sup> Ibid.: 7.

<sup>16</sup> This view was expressed by U.S. General James H. Carleton in the following terms: “As a general rule, the Indians alluded to are decreasing very rapidly in numbers, in my opinion. The causes for this have been many, and may be summed up as follows: . . . The causes which the Almighty originates, when in their appointed time He wills that one race of men--as in races of lower animals--shall disappear off the face of the earth and give place to another race, and so on, in the great cycle traced out by Himself, which may be seen, but has reasons too deep to be fathomed by us. The races of the mammoths and mastodons, and the great sloths, came and passed away: the red man of America is passing away!” U.S. Congress, Joint Special Committee, Condition of the Indian Tribes. Report of the Joint Special Committee Appointed under the Joint Resolution of March 3, 1865 with an Appendix (Washington, DC: Government Printing Office, 1867)

other Indians who regularly crossed the international boundary. The most persuasive evidence of this fact appeared in the 1872 *Report of the United States Commissioners to Texas* (also known as the “Robb Commission Report,” for its lead author Thomas P. Robb), which examined the theft of livestock in the lower Rio Grande Valley, particularly in the “no man’s land” between the Nueces River and the numerous ranches and settlements surrounding the border cities of Brownville and Matamoros.<sup>17</sup> This volatile sub-region served as a staging ground for motley bands of Indians, filibusterers, smugglers, and all classes of outlaws who regularly assaulted Mexican and Anglo merchants traveling between Mexico and the United States.

The underground economy for stolen livestock and contraband merchandise thrived within this environment, as the growth of the ranching economy after the Civil War and the end of the French intervention in Mexico brought new opportunities for substantial profits for individuals who acquired and sold animals in the black markets that proliferated on both sides of the border.<sup>18</sup> Enterprising Anglo and Mexican residents, as well as members of native groups such as the Lipan and Mescalero Apaches, Kickapoos, and Seminoles, who were familiar with the region’s terrain, evaded customs officials to trade pilfered cattle, horses, and mules, along with associated products such as hides and tallow. While a sizable portion of the livestock raised in the borderlands was exported to markets in the United States, many of the animals were also traded within regional markets.<sup>19</sup>

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<sup>17</sup> United States Congress House Committee on Foreign Affairs, *Report of the United States Commissioners to Texas, appointed under Joint resolution of Congress, approved May 7, 1872*. 42<sup>nd</sup> Cong., 3<sup>rd</sup> Sess. Ex. Doc. No. 39 (Washington, DC: GPO, 1872): 2.

<sup>18</sup> The theft of livestock had been a perennial problem for the Hispanic families that settled in the interior provinces of New Spain since Juan Oñate’s expedition first introduced the first *ganado prieto* into the upper Rio Grande river valley at the end of the sixteenth century. See Maria-Aparecida Lopes and Paolo Riguzzi, “Borders, Trade, and Politics: Exchange between the United States and Mexican Cattle Industries, 1870-1947,” *Hispanic American Historical Review* 92:4 (November 2012): 603-635.

<sup>19</sup> A staple of the local economies of Mexico’s northern frontier since the colonial period, enormous herds of free-range cattle roamed through the lush pastures of Texas and the rolling rangelands of Coahuila. The first herds of

After collecting detailed statements from more than one hundred petitioners, supported by the evidence of three hundred and fifty-four witnesses, the commissioners arrived at an exact value of livestock stolen between 1859 and 1872 from the state of Texas: they claimed the total destroyed property amounted to \$27,859,363 and 97 cents.<sup>20</sup> The lion's share of these losses were attributed to "the effete and corrupt, and, in many instances, powerless local civil authorities of Northern Mexico, the almost universal demoralization of the inhabitants of the Mexican frontier, [and] the supremacy of a corrupt and overbearing military influence."<sup>21</sup> In making these accusations, the commission repeatedly invoked racially charged language that drew associations between Mexicans and *criminality* ("An examination of the records shows that most of the criminals were Mexicans, and a majority were Mexican citizens."), *political corruption* ("That the action of the local Mexican authorities, has been characterized by duplicity, connivance at fraud, or a complete subserviency [*sic*] to a corrupt military rule, there seems to be but little room left for doubt"), and *moral degradation* ("The civil administration of officers on the northern frontier of the republic of Mexico, with an exception or two, has been conducted almost wholly in the interest of the demoralized and lawless population living on that frontier, to which may be added the odium of its complete subserviency [*sic*] to a military régime having probably no parallel in the history of the age for its utter disregard for human life and

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cattle to cross the Rio Grande into Texas were descendants of the two primary breeds brought by the Spanish to central Mexico in the sixteenth century: the piebald, "which was the ordinary all-purpose ranching cow, and the ancient black cattle (*ganado prieto*), commonly known as the Andalucian fighting bulls or *toros de lidia*." Donald D. Brand, "The Early History of the Range Cattle Industry in Northern Mexico," *Agricultural History* 35:3 (July 1961): 132. See also, Richard White, "Animals and Enterprise," in *The Oxford History of the American West*, ed. Clyde A. Milner et al. (New York: Oxford University Press, 1994): 252-267 and Rachel St. John, "Divided Ranges: Trans-border Ranches and the Creation of National Space along the Western Mexico-U.S. Border," in *Bridging National Borders in North America Transnational and Comparative Histories*, eds. Benjamin Johnson and Andrew R. Graybill (Durham, NC: Duke University Press, 2010): 116-140.

<sup>20</sup> *Report of the United States Commissioners to Texas*: 8.

<sup>21</sup> Ibid.

high-handed exercise of power.”).<sup>22</sup> These stereotypes associated with the conduct of Mexican authorities were standard features of the racially inflected discourse of the period.<sup>23</sup> Much like the images of independent Indians as “savages, committing acts of barbarity and crimes of the most brutal nature,” elaborated in earlier reports, the images of Mexican authorities as immoral and corrupt criminals served to validate the Texans’ claims to restitution and, by extension, to justify the deployment of governmental resources. Beyond simply seeking monetary compensation for the loss of property, the commissioners also advocated for changes in U.S. foreign relations with Mexico.

From the perspective of the Texan ranchers who owned property adjacent to the U.S.-Mexico border, the issues of livestock theft and U.S. foreign policy were inextricably intertwined. The 1872 report indicated a clear shift in the strategy of the aggrieved citizens of Texas. Rather than faulting the U.S. Department of the Interior for its inability to restrain Indians who raided ranches while enjoying “shelter under the wing of the government” on reservations, the Texas commissioners emphasized the role of the U.S. Department of State in resolving problems along the border. It concluded:

Extending back for twenty years and over a superficies exceeding one-half the entire area of territory in the State of Texas, these frontier troubles are traceable directly to an unwise system of legislation regulating the commerce of the right bank of the Rio Bravo, which has made that frontier a rendezvous for the lawless, and a base of operations for an illicit traffic with the interior of Mexico and the United States, detrimental alike to the

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<sup>22</sup> Ibid.: 34, 7.

<sup>23</sup> Arnold de León characterized the postbellum period (circa 1865-1876) as “the most violent in Texas history. . . . It was in this era that the colored thread of multiracial society posed the greatest challenge to the white racial order.” Arnold de León, *The Called Them Greasers: Anglo Attitudes toward Mexicans in Texas* (Austin: University of Texas Press, 1983): 87. See also William D. Carrigan, *The Making of a Lynching Culture: Violence and Vigilantism in Central Texas, 1836-1916* (Urbana: University of Illinois Press, 2004).

commercial prosperity of the two governments, and to the unorganized conditions of society on the two banks of the Rio Grande, its natural sequence.<sup>24</sup>

Thus, a resolution of these vexing circumstances, according to the authors of the report, would necessarily require the intervention of the Secretary of the State, Hamilton Fish, who would be obliged to assist the Mexican government in modifying that “unwise system of legislation regulating the commerce of the right bank of the Rio Bravo.” This somewhat veiled reference to Mexico’s *Zona Libre* revealed the commission’s secondary objective: the elimination of the free trade policy that had been in effect in the state of Tamaulipas since 1858.<sup>25</sup> The free trade zone encompassed a region extending six miles from the U.S. border, stretching from the twin cities of Brownsville-Matamoros to Laredo-Nuevo Laredo, and intended to equalize wages and prices in Tamaulipas and Texas by imposing 2.5 percent duty on imported goods.<sup>26</sup> In the view of the commission, the *Zona Libre* was “[i]n violation of the spirit, if not the letter of the existing treaties between the United States and Mexico, and in its operations inducing smugglers, adventurers, and thieves to flock to the right bank of the Rio Bravo, from whence they depredate on our exposed frontier, under the protection of Mexican civil and military authorities.”<sup>27</sup> These pointed accusations brought a new level of urgency to the commission’s findings and, as a result, elevated what had on first glance appeared to be a local or regional dispute to the level of an international controversy that demanded the attention of the highest levels of government in both countries.

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<sup>24</sup> *Memorial of Three Hundred and Fifty Citizens of the North-Western Frontier of Texas: 2. Report of the United States Commissioners to Texas*: 39.

<sup>25</sup> Octavio Herrera, *La Zona Libre: Excepción fiscal y conformación de la frontera norte* (México: Secretaría de Relaciones Exteriores, 2004).

<sup>26</sup> Juan Mora-Torres, *Making of the Mexican Border: The State, Capitalism, and Society in Nuevo León, 1848-1910* (Austin: University of Texas Press, 2001): 62.

<sup>27</sup> *Report of the United States Commissioners to Texas*: 40.

Thomas F. Nelson, the U.S. consul in Matamoros, tried to downplay the effect that the *Zona Libre* had on the collection of tariff revenues and commercial opportunities for U.S. merchants. But, with the publication of the Texas commissioners' report in 1872, it became impossible to disentangle the complicated question of Indian depredation claims from that of trade relations with Mexico. Indeed, during his tenure as U.S. ambassador to Mexico between the years of 1869 and 1873, Nelson devoted more energy to the resolution of those two issues than any other area of foreign policy, with the possible exception of facilitating U.S. investments in Mexico's burgeoning economy.<sup>28</sup> Citing the large-scale destruction of private property described in the commissioner's report, the repeated incursions of Mescalero and Lipan Apaches, Kickapoos, Seminoles, and other Indians then residing in Coahuila, Nuevo León, and Tamaulipas, and the proliferation of contraband traffic, Nelson advanced a new and more aggressive foreign policy that regularly invoked the specter of U.S. troops crossing the border "to pursue peace in the frontier."<sup>29</sup>

Although Nelson's counterparts and elected officials in Mexico City expressed sympathy for the citizens of Texas who had lost their lives or property, they regarded such actions as an affront to Mexican patrimony and as a threat to national sovereignty. From the perspective of the Mexican government, the report of the U.S. commissioners to Texas presented a highly prejudiced and fragmentary record of changing conditions in the border region. To understand the full extent of the damage done, the Mexican government launched its own investigation of

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<sup>28</sup> Rubén Ruiz Guerra, "Thomas H. Nelson (1869-1873)," in Ana Rosa Suárez Argüello, coord., *En el nombre del Destino Manifiesto: Guía de ministros y embajadores de Estados Unidos en México 1825-1993* (México, DF: Instituto Mora/SER, 1998): 141.

<sup>29</sup> U.S.-Mexican diplomatic relations sank to a new low in March of 1872 when Nelson presented fresh accounts of cross-border raids led by Kickapoo Indians. He warned that "if the Mexican government remained either indifferent or powerless to prevent the incursions on U.S. soil, then the U.S. government would have no choice but to 'endeavor to pursue peace in the frontier by pursuing and punishing the marauders . . . wherever they may be found.'" James M. Callahn, *American Foreign Policy in Mexican Relations* (New York: MacMillan, 1932): 359.

Indian depredations and smuggling that sought to draw attention to the suffering of its own citizens.

*Crossing the Line: Contraband Trade Networks in Northern Mexico*

“It is one of the first duties of Mexico, and one which the Commission cannot sufficiently urge, to place herself in a condition to repel every act of violence which can be anticipated from her numerous enemies in the United States, whether they be real Indians, disguised white men, filibusters or simply bandits.”<sup>30</sup>

In May 1872 José María Lafragua, the Mexican minister of foreign affairs, took to the floor of the Cámara de Diputados to dispel fears that tensions between Mexico and the United States would incite a military conflict. Lafragua’s speech came in response to comments made in the previous session by the acting president of the Cámara de Diputados, Nicolás Lémus, insinuating that authorities in the United States were conspiring against the country to bring ruin to the northern frontier.<sup>31</sup> Lafragua reassured the legislators that “These difficulties do not have the alarming character that the Honorable Gentleman has suggested, and cannot produce an international conflict.”<sup>32</sup> Lafragua asked Congress to see the difficulties in the border region as a problem shared by both countries, stating, “Everything that has occurred near the border should be seen as nothing more than thefts and other crimes that have affected people on both sides of

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<sup>30</sup> México, *Comisión Pesquisidora de la Frontera del Norte, Informe de la Comisión Pesquisidora de la Frontera del Norte al ejecutivo del union en cumplimiento del artículo 3.o de la ley de setiembre de 1872. Monterey, Mayo 15 de 1873* (México: Impr. de Díaz de Leon y White, Calle de Lerdo número 2, 1874): 441.

<sup>31</sup> Lémus “faulted the Executive for some difficulties occurring along our northern border.” C. Nicolás Lémus “ha tocado ciertas dificultades que han estado ocurriendo en nuestra frontera del Norte, inculpando por ellas el Ejecutivo.” México, Congreso, Cámara de Diputados, *Diario de los debates. Sexto Congreso Constitucional de la Union. Tomo II. Correspondiente al tercer periodo de sesiones ordinarias del año de 1872* (México: Imp. de José Mariano Fernández de Lara, Calle de la Palma número 4, 1873): 750.

<sup>32</sup> “Esas dificultades no tiene el carácter alarmante que dicho señor les ha prestado, y no pueden producir un conflicto internacional.” Ibid.

the Rio Grande.”<sup>33</sup> Instead of blaming the United States, Lafragua urged Congress to acknowledge that “[t]he risks surrounding us do not come from abroad; it is the constant state of anarchy and the menace of revolution that truly threatens the Republic.”<sup>34</sup>

Lafragua expressed this rather conservative viewpoint during a period in which the country’s political elite remained distrustful of U.S. influence, but nonetheless courted U.S. investment in Mexico’s burgeoning industrial economy.<sup>35</sup> While he and other politicians may have been willing to accept the indignities of U.S. troops crossing the border “to pursue peace in the frontier,” speeches delivered in the Cámara de Diputados in 1872 suggest that many legislators balked when presented with this option. For local authorities in the northern states, as well as policymakers in Mexico City, such actions were seen as a violation of Mexico’s territorial sovereignty. Thus, it was not a coincidence that the Mexican Congress approved a bill authorizing the appointment of the Comisión Pesquisidora de la Frontera del Norte in the same year that the report of the United States commissioners to Texas was released.<sup>36</sup>

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<sup>33</sup> “Todo lo que ha habido en la frontera del Norte se reduce á robos y otros delitos comunes cometidos en una y otra rilla del Rio Bravo.” Ibid.: 751.

<sup>34</sup> “Hace cinco meses yo anuncié al Congreso que si se prolongaba la revolucion, tendriamos dificultades sérias en la frontera del Norte. Por fortuna la revolucion, aunque dura todavía, está herida de muerte, y así es que las pocas dificultades que allí se han presentado no son las que amenazan con grandes peligros. El riesgo que envuelve la situacion no viene inmediatamente del exterior; está en el interior de la República; está en la anarquía con que nos amenaza la revolucion; está, sobre todo, en el bandidaje que á su sombra se va desarrollando de un modo incontenible, que quiere hacer de nuestro país lo que suele llamarse á la Grecia moderna, el país clásico de los bandoleros.” Ibid.

<sup>35</sup> Mercedes de Vega, coord., *Historia de las relaciones internacionales de México, 1821-2010, v. I: América del Norte*, eds. Octavio Herrera y Arturo Santa Cruz (México, DF: Secretaría de Relaciones Exteriores, 2011): 160-161.

<sup>36</sup> The legislation approved on September 30, 1872, in the Cámara de Diputados “Se autoriza al Ejecutivo para nombrar una comision de tres personas que vayan á los Estados de Nuevo-Leon, Coahuila y Tamaulipas, á practicar todas las averiguaciones necesarias para esclarer los hechos, tanto sobre los perjuicios de que se quejan ciudadanos de los Estados Unidos, como sobre los que estos hayan causado á ciudadanos mexicanos en la Frontera del Norte, sea por depredaciones de los indios, por robos de ganados, ó por cualesquiera otros ataques á las personas ó las propiedades.” México, Congreso, *Cámara de Diputados, Diario de los debates. Sexto Congreso Constitucional de la Union. Tomo III. Correspondiente al tercer periodo de sesiones ordinarias del año de 1872* (México: Imp. de José Mariano Fernandez de Lara, Calle de la Palma número 4, 1873): 84. The legislation also provided an equivalent budget for an identical commission to investigate conditions along the western stretch of the border in the states of Chihuahua and Sonora.

A central objective of the Mexican commission was to discredit allegations made by the U.S. commission that Mexico was responsible for the endemic violence in the northern states.<sup>37</sup> Drawing on extensive research in municipal archives on both sides of the border, the Mexican commission endeavored to refute in painstaking detail each and every accusation that the Texas commission had leveled against “Mexicans” and the government of Mexico. The commissioners wished to shift the blame to the U.S. side of the border and to hold the U.S. government accountable not only for the damage wrought by Indian depredations but also the rampant criminality caused by foreign filibustering expeditions. The three men charged with this daunting task were Ignacio Galindo, Antonio García Carrillo, and Agustín Siliceo, who were accompanied by their secretary Francisco Valdés Gómez. Between the fall 1872 and the spring 1873 these men visited “all the towns and many ranches not remote from the Rio Grande, all along the river on its right bank, as far up as La Resurrección, a distance of about 450 miles.”<sup>38</sup> The commissioners collected documents from the municipal archives of dozens of Mexican settlements as well as the oral testimony of nearly 300 witnesses.<sup>39</sup> In the final report, first published in Monterrey, Nuevo León in March, 1873, they presented a radically different interpretation of the violence along the border and they exposed the full extent of the corruption in the U.S. Indian depredation claims system.<sup>40</sup>

While the Mexican commissioners examined many of the same circumstances as their Texan counterparts—including the theft of livestock and the smuggling of contraband, U.S. federal Indian policy, and the sharp spike of violence in the frontier in the years following the

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<sup>37</sup> See sections XIV on Juan Nepomuceno Cortina and XV on “the complaints and the complainants.”

<sup>38</sup> *Informe de la Comisión Pesquisidora*: iv.

<sup>39</sup> This information covered 17,688 pages in manuscript. Many of the individuals who were interviewed recounted harrowing tales of Indian captivity.

<sup>40</sup> Larry C. Skogen, *Indian Depredation Claims, 1796-1920* (Norman: Oklahoma University Press, 1996): xiii.

end of the Civil War—they reached different conclusions in nearly every area of inquiry. In their analysis of the **theft** of livestock, for example, the Mexican commissioners found that individuals from all ethnic and racial backgrounds participated in the sale of animals stolen from ranches on both sides of the border. Anglo-Americans, Mexicans, Comanches, Kiowas, Kickapoos, Chiricahua, Lipan, and Mescalero Apaches all attempted to maximize their opportunities to profit from the lucrative market of contraband goods. Whereas the U.S. commission uncovered little evidence that Anglo-Americans participated in the underground economy, the Mexican commission alleged that U.S. authorities not only protected smugglers but also actively encouraged their operations in “utter disregard of the rights and sovereignty of the Mexican republic.”<sup>41</sup> Documentary evidence collected from municipal archives in the frontier suggested that officials in Texas were not interested in suppressing smuggling so long as U.S. citizens continued to benefit from the sale of animals taken from Mexican ranches.

Some of the most notorious cases of smuggling occurred during the U.S. Civil War. Hostilities directed against Mexican merchants became routine and the government’s distrust of the Confederacy was confirmed when rebel forces invaded the port city of Bagdad in April 1863, “for the purpose of arresting officers and Union soldiers, who were under the protection of neutral territory.”<sup>42</sup> The commissioners pointed out that during the war many Texas entrepreneurs who had sided with the Confederacy were able to exploit the *Zona Libre* to evade the embargo the Union imposed to slow the export of cotton to foreign markets.<sup>43</sup> The Mexican commission provided additional examples, describing two cases in which “after seizure of the

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<sup>41</sup> *Informe de la Comisión Pesquisidora*: 206.

<sup>42</sup> Ibid.: 206.

<sup>43</sup> Ibid.: 201. Peter Andreas, *Smuggler Nation: How Illicit Trade Made America* (New York: Oxford University Press, 2013): 162.

cargo for violation of the revenue laws, large parties of armed men crossed from the American to the Mexican side, attacked the custom house guards, recaptured the cargo, and again crossed it to the Texas frontier, where the parties committing these illegal acts enjoyed every immunity.”<sup>44</sup>

While the U.S. and Mexican commissioners came to different conclusions on many points, particularly those in which the U.S. was found at fault, their investigation produced a consensus on a limited number of specific issues. For example, although the commissioners disputed whether Indian raids originated on the U.S. or the Mexican side of the border, they both concurred that Indians—namely, “los indios kickapoos, lípanes, seminoles, comanches, carrizos, carancahuases o tampawases, cherokees, choctanos, chichasawes, creecks, potowatomies, wacoës, wichitas, towacanoes, [and] cadoes—were chiefly responsible for the plunder of the isolated towns and rural settlements they visited.<sup>45</sup> The two commissions also agreed that the raids had caused many people to flee the region. The Mexican border commission claimed that “horse and cattle stealing increased to so great an extent, in the district north of the Rio Bravo to the Nueces as to almost depopulate the country, by ridding the inhabitants of their stock.”<sup>46</sup>

Perhaps the most significant feature of the Mexican commissioners’ report that set it apart from that of their counterparts in Texas was their analysis of the *spatial dimensions* of criminal activities that crossed both sides of the border. Unlike their counterparts in Texas, the Mexican commissioners did not limit their investigation to only one side of the border; instead, they extended their inquiry deep into the interior of Mexico, in the states of Zacatecas and San Luis Potosí, and across the Rio Grande into Texas. Drawing on records from *aduanas*

<sup>44</sup> *Informe de la Comisión Pesquisidora*: (Section XVI): 184-214.

<sup>45</sup> México, Comisión Pesquisidora de la Frontera del Norte, *Informe de la Comisión Pesquisidora de la Frontera del Norte al ejecutivo del union en cumplimiento del artículo 3.o de la ley de setiembre de 1872. Monterey, Mayo 15 de 1873* (México: Impr. de Díaz de Leon y White, Calle de Lerdo número 2, 1874): 108-121.

<sup>46</sup> *Informe de la Comisión Pesquisidora*: 11.

fronterizas (custom houses), the Mexican commissioners conducted a systematic study of the import and export of merchandise, calculating the quantity of goods that passed through its ports of entry.<sup>47</sup>

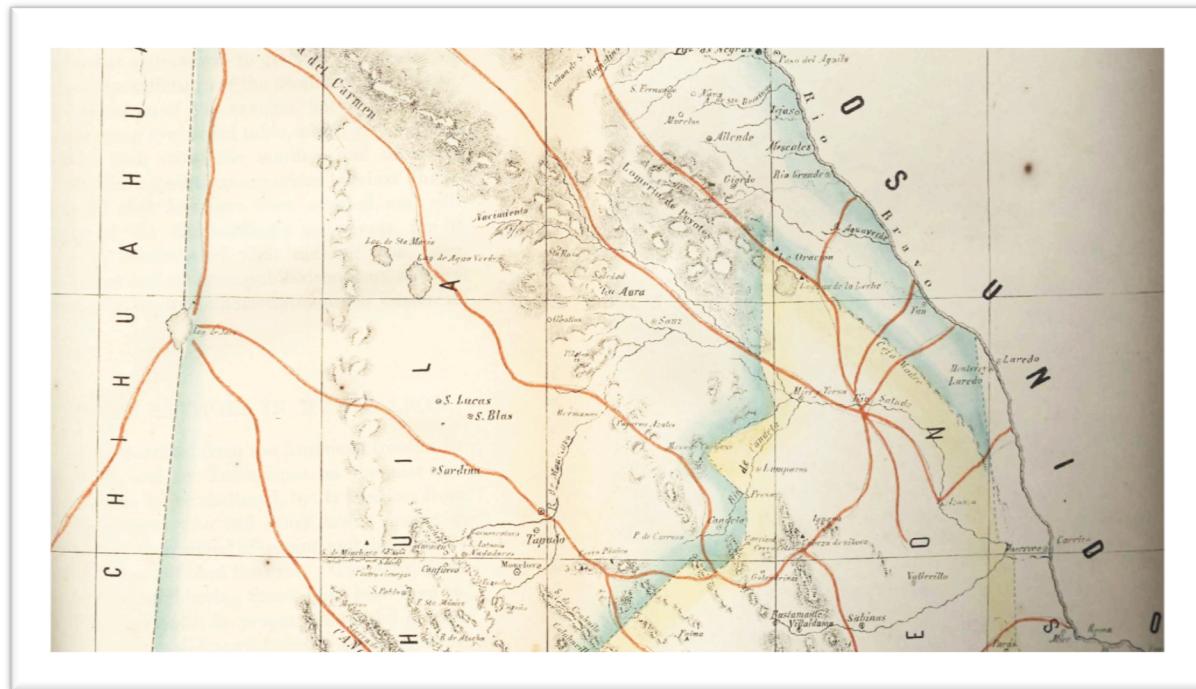


Figure 3. Detail of *Copied from the Map of S. Mc. L. Staples, in 1828; from the Map of Nigra de San Martín measuring the respective distances, and of the General Map of the Republic by García Cubas, and according to reliable reports of people familiar with the territory, especially the part furthest North on the right side of the Rio Grande.* Drawn and derived from the said documents and facts by F.L. Mier. Monterey, December 1873. “The red lines indicate the routes the savages most commonly follow in their incursions, and the points where those lines intercept the Rio Grande indicate the places they frequent. This map shows the main points where the Indians cross the Rio Grande, arriving from the United States to attack Mexico. It shows with

<sup>47</sup> See Investigation of the claims against the Mexican government made by the U.S. citizens Guillermo C. Dickens, Carlos H. Vivian, Juan R. Burleson, Guillermo M. Langlin, Guillermo N. Burton, Jose Tomlinson and Enrique Bruhn. August 9, 1873. Villa de Guerrero, Coahuila. L-E-1590: 103-158.

precision the mountains, the valleys they form, and their tributaries, and demonstrates the convenience of military detachments occupying certain points to impede the incursions." Source: *Reports of the Committee of Investigation. Sent in 1873 by the Mexican Government to the Frontier of Texas. Translated from the Official Edition Made in Mexico* (New York: Baker & Godwin, 1875).



Figure 4. Detail of *Map of the Rio Grande from its mouth to the old presidio of San Vicente. Formed by order of the Mexican Committee of Investigation for the Northern Border, according to the facts gathered in case file 4 showing the location of the ranches on both sides of the Rio Grande, and the settlements the Commission visited, with a red line marking their route. The Rio Grande, the State of Coahuila, and the section of Tamaulipas were copied from the Geographic and Administrative Map of Engineer García Cubas, and the section of Nuevo León, of the Map of the State, created by Coronel of Engineers Santiago Nigra de San Martín.* "NOTE.—The

main purpose of this map is to show the population on both sides of Rio Grande, illustrating that it is impossible to steal livestock without the complicity of criminals on both sides, and to also show the means of mitigating these crimes, with the adoption of good laws and sound policy. It also marks the places the Commission visited, which required for their work a journey of nearly one thousand leagues, seven hundred along the Border, and two hundred and thirty from Monterey to the capital.” Source: *Reports of the Committee of Investigation. Sent in 1873 by the Mexican Government to the Frontier of Texas. Translated from the Official Edition Made in Mexico* (New York: Baker & Godwin, 1875).

In parallel with its investigation of the custom houses, the Mexican government also examined the location and extent of livestock ranches that straddled the Rio Grande as well as the major roads and minor paths that facilitated communication across both sides of the river.<sup>48</sup> The results of this spatial analysis of the borderlands were presented in two detailed maps. The first of these maps illustrated the central routes traveled by Indians who entered Coahuila and Nuevo León as well as the suitability of certain points for the establishment of military installations to hamper the raids.<sup>49</sup> The second map produced by the commission highlighted the route the commissioner followed in 1872 and 1873 as well as the distance between fifty-seven ranches that the commissioners visited during the course of their investigation.<sup>50</sup>

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<sup>48</sup> L-E-1590: 176-248. Data collected for a spatial analysis of smuggling operations in the vicinity of Nuevo Laredo, Tamaulipas.

<sup>49</sup> Copiado del Mapa de S. Mc. L. Staples, en 1828; del Mapa de Nigra de San Martin en cuanto á las distancias respectivas, y de la Carta general de la República Mexicana de García Cubas, y segun los informes fidedignos de personas que conocen el terreno, especialmente la parte mas al Norte á la derecha del Rio Bravo. Dibujado y extractado de los documentos y datos dichos, por F. L. Mier. Monterey, Diciembre de 1873. *Informe de la Comisión Pesquisidora*: 280-281.

<sup>50</sup> Twenty nine of the ranches the commissioners visited were in Mexico and twenty eight were in the United States.

The Mexican Committee of Investigation for the Northern Border presented a detailed picture of the complex web of economic, political, and spatial relationships that spanned both sides of the border and involved a broad cross-section of participants. The Mexican commission's report demonstrated that the underlying causes of the violence and the political instability could not be attributed to a single factor or even a single cluster of factors. Rather, their investigation emphasized the disorganized state of society along the border was the culmination of a protracted history of conquest and economic exploitation that originated well before a line was drawn to divide the land.

### *Indigenous Histories of Settler Colonialism*

“The Kickapoo chief declared that the world was made for all to live; that the white man has not right to encroach on the hunting-grounds of the red man, and has no right to cut up the land into little squares.”<sup>51</sup>

Given the overwhelming amount of data pertaining to “Indian depredations” presented by the U.S. and Mexican governments, how does one begin to come to grips with the experience of Indian peoples? Many of the assumptions embedded within U.S. and Mexican sources do not reflect the values or interests of many groups such as the Mescalero and Lipan Apache or the Kickapoo Indians who were most affected by changing conditions in the U.S.-Mexico borderlands during this period. In this section, I argue that to understand Indian history in these years, historians must examine Indian sources and consider a different set of issues that are more closely connected to the indigenous cultures of the region.

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<sup>51</sup> United States Congress House Committee on Foreign Affairs, Report of the United States Commissioners to Texas, appointed under Joint resolution of Congress, approved May 7, 1872. 42<sup>nd</sup> Cong., 3<sup>rd</sup> Sess. Ex. Doc. No. 39 (Washington, DC: GPO, 1872): 23.

U.S. and Mexican sources concealed many of the most important features of Indian peoples' past. For example, from the point of view of U.S. and Mexican authorities, Indian raids seemed indiscriminate, random, and entirely irrational. Yet, for the various subgroups of Apaches, there was an important distinction to be made between raids intended to secure valuable resources and warfare waged to exact retribution for an insult, injury, or the loss of kin.<sup>52</sup> Apache raids served important social functions beyond the acquisition of material resources. The matrilineal organization of Apachean culture dictated that when an Apache man married into his wife's family he would be expected to provide a substantial dowry to satisfy the implicit terms of the social contract.<sup>53</sup>

The rhetoric employed by U.S. and Mexican authorities also distorted significant features of Indian peoples' social organization and belief systems, depicting all Indians as irrational, unintelligible "savages."<sup>54</sup> Voluminous reports of Indian depredations were published with such regularity during these years as to almost totally eclipse the less frequent but very significant examples of amicable relations between Apaches, Comanche, Kickapoo, and Mexican communities in the borderlands. As William H. Emory observed, "The relations between the Indians of this region and several of the Mexican towns, particularly in San Carlos [Chihuahua],

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<sup>52</sup> Harry W. Basehart, "Mescalero Apache Band Organization and Leadership" in Keith H. Basso and Morris E. Opler, *Apachean Culture History and Ethnology*, Anthropological Papers of the University of Arizona, Number 21 (Tucson: The University of Arizona Press, 1971): 35-49. See also Keith H. Basso, *Western Apache Raiding and Warfare* (Tucson: University of Arizona Press, 1971).

<sup>53</sup> Morris E. Opler, "Mescalero Apache" in *Handbook of North American Indians*, Volume 9: Southwest, ed. Alfonso Ortiz (Washington, DC: Smithsonian Institution, 1979): 419-439. Morris E. Opler, "Lipan Apache" in *Handbook of North American Indians*, Volume 13, Part 2 of 2, Plains, ed. Raymond J. DeMallie (Washington, DC: Smithsonian Institution, 2001): 941-952.

<sup>54</sup> For a biting critique of the rhetoric of "savagery" see Cuauhtémoc Velasco Ávila, "Historiografía de una frontera amenazada. Los ataques comanches y apaches en el siglo XIX" en *Indio, nación y comunidad en el México del siglo XIX*, Antonio Escobar Ohmstede (México: Centro de Estudios Mexicanos y Centro Americanos/Centro de Investigaciones y Estudios Superiores en Antropología Social, 1993): 315-327. See also Cuauhtémoc Velasco Ávila, "La historia de los nómadas y sus fuentes," en Mario Camarena Ocampo and Lourdes Villafuerte García, coords., *Los andamios del historiador. Construcción y tratamiento de fuentes* (México: Archivo General de la Nación, Instituto Nacional de Antropología e Historia, 2001): 161-173.

a small town twenty miles below [Presidio del Norte], are peculiar and well worth the attention of both the United States and Mexican governments.”<sup>55</sup> Located in the middle of one of the central corridors that the Apaches travelled through when raiding ranches in the neighboring state of Durango, San Carlos was especially vulnerable. Thus, rather than resisting the incursions of raiding parties from the north, the residents there chose to establish trading relations with them:

The Apaches are usually at war with the people of both countries, but have friendly leagues with certain towns, where they trade and receive supplies of arms, ammunition &c. for stolen mules. This is undoubtably [*sic*] the case with the people of San Carlos who also have amicable relations with the Comanches, who make San Carlos a dépôt of arms in their annual excursions into Mexico. While at the Presidio we had authentic accounts of the unmolested march through Chihuahua, towards Durango, of four hundred Comanches under Bajo Sol. It seems that Chihuahua, not receiving the protection it was entitled to from the central government of Mexico, made an independent treaty with the Comanches, the practical effect of which was to aid and abet the Indians in their war upon Durango.<sup>56</sup>

Emory’s observations captured important aspects of relations between Apaches, Comanches, and Mexican residents living in the isolated settlements near the border. In particular, he showed that authorities in certain municipalities established trade relations with the Apaches not only as a means of acquiring scarce resources but also to avoid the dangers of becoming potential targets.

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<sup>55</sup> William H. Emory, *Notes on the Survey of the Boundary Line between Mexico and the United States* (Cincinnati, OH: Morgan & Overend, Printers, 1851): 68.

<sup>56</sup> Ibid.

Mescalero and Lipan Apache texts rarely contain the level of detail and specificity of the depositions, oral testimony, and official reports produced by the U.S. and Mexican border commissions. However, these texts revealed the extent to which Indian peoples' accounts of the conflicts of the mid-nineteenth century differed from those produced by their adversaries. Indian oral history narratives suggest *alternative interpretations* that differ in important ways from those presented official sources. Indian histories are often expressed in the form of parables, containing symbolic and didactic content, and emphasizing lessons to be learned from ethically complicated situations rather than objective, universal truths. As Peter Nabokov has observed in his study of the plurality of Indian historical traditions:

From the Native perspective, history is no more an objective property than status or charisma. The playing field of these stories . . . is the contest for cultural hegemony. For Indians the symbols highlighted in them are their subversive weapons of last resort, by means of which power relations fight for the high stakes of cultural prestige and self-esteem. Tobacco, horses, iron, waters, and cosmic undergrounds become counters in a game of who's on top—politically, territorially, ethically, spiritually, psychologically.<sup>57</sup>

Thus, Indian histories seldom refer explicitly to frontier violence, settler colonialism, dispossession, or other subjects that gain the attention of U.S. and Mexican authors. Instead, they deploy a repertoire of symbolic imagery, tropes, role-playing games, jokes, and even slapstick humor to expose the absurd contradictions inherent to Indian relations with the figure of “the whiteman.”<sup>58</sup>

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<sup>57</sup> Peter Nabokov, *A Forest of Time: American Indian Ways of History* (New York: Cambridge University Press, 2002)

<sup>58</sup> In his ethnographic study of Western Apache jokes about the figure of “the Whiteman,” Basso concludes, “‘The Whiteman’ is a symbol of what ‘the Apache’ is not.” Keith H. Basso, *Portraits of “The Whiteman”: Linguistic Play and Cultural Symbols among the Western Apache* (New York: Cambridge University Press, 1979): 64.

Trickster tales, as one among many genres of Indian history, can reveal people's ambivalence toward the cycles of violence that tore through the Apachería in the second half of the nineteenth century. As one scholar of such stories has observed, trickster tales often portray the actions of anti-heroes—"the opposite of cultural heroes. Tricksters . . . provide for disorder and change; they enable us to see the seedy underside of life and remind us that culture, finally, is artificial, that there is no reason why things must be the way they are." The anti-heroes who are the central figures of trickster tales act in ways that seem contradictory, irrational, or even malicious—thereby drawing attention to the absurdity or inappropriateness of certain behavior. Thus, trickster tales are intended to be didactic: "If there is sufficient motivation to change things, [the Coyote] provides for the possibility of change, most often by showing us the danger of believing too sincerely that this arbitrary arrangement we call culture is the way things really are."<sup>59</sup>

Take as an example the stories Percy Bigmouth (Mescalero-Lipan Apache) recounted of Coyote. He narrated Coyote's encounters with the Red Ant People, the Arrow People, Wildcat, Prairie Dogs, Rabbit, and Bear, all of whom are mythical figures who embody different human follies and eccentricities.<sup>60</sup> As Coyote made his way through life, he gained a deeper understanding of other animals, of himself, and how to act wisely in the world. One part of his journey brought him to the Red Ant People, "talking and laughing." When he approached their teepee, they seemed to disappear. Yet, when he turned his back and begins to leave, the Red Ant People started to sing. His curiosity piqued, Coyote approaches them again, falling into a trap:

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<sup>59</sup> Andrew Wiget, *Handbook of Native American Literature* (New York: Taylor & Francis, 1996): 2.

<sup>60</sup> Percy Bigmouth (1891–1959) was the son of Scout Bigmouth (1855–1958), who served as a scout for the U.S. military during the 1870s and 1880s. Lynda A. Sánchez, *Apache Legends & Lore of Southern New Mexico: From the Sacred Mountain* (Charleston, SC: The History Press, 2014): 110-130.

While he was peeping inside some of the Red Ant Boys went outside behind him. Then all the rest came out to sing. They invite Coyote to come in. Just then the Red Ant Boys from outside push Coyote into [the] teepee and cover the entrance; [the] rest of the Ant Boys jump on him. Coyote jump[s] this way and that. He brush off Ant Boys, but there are too many. Finally, they open the door of the teepee and Coyote jump[s] outside and run[s] away. He hurt[s] bad from all those bites.<sup>61</sup>

In this tale, Coyote fell victim to his own curiosity and the malevolence of the Red Ant People. Although one might speculate on the historical identity of the Red Ant People (who appear in numerous versions of Navajo folktales), the story's social function was surely more significant than any specific referent to which it alluded. Such stories, passed down through multiple generations, strengthened the Apachean people's understanding of themselves as a distinct culture. They also provided a lesson in self-preservation and, in the case of "Coyote and Red Ant People," a fair warning to those who might be inclined to invite themselves into unfamiliar social settings.

Many of Percy Bigmouth's Coyote tales involved adversarial relationships with other groups and individuals. In his encounter with Wildcat, for instance, Coyote challenged his companion to a scratching contest. Wildcat initially declined the invitation, but he finally agreed and allowed Coyote to scratch him: "While he did it, Wildcat squirmed and said, ah! Ah! He made believe it hurt, but it wasn't much because just a little fur c[a]me out and the scratch wasn't deep." However, when it was Wildcat's turn to scratch Coyote, he "pulled off the flesh and the fur as he raked Coyote's back." Bigmouth was explicit in describing the didactic content of this story. He stated, "[t]hat is why many people get fooled today, and some are smart and can do

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<sup>61</sup> Ibid.

things but don't show off. But when they have to do something, they come out best and fool others like old Wildcat.”<sup>62</sup> While Wildcat's “soft paws” may have seemed harmless, Coyote discovered their capacity to inflict pain and suffering. Thus, the tale of Coyote's encounter with Wildcat offered a clear and direct message that transcended any particular time or place.

The absence of historical events and geographical specificity in the Coyote tales set them apart from Apache myths and legends. While these stories were not necessarily objective renderings of the past, they retained distinct features of the Apachean worldview that illuminated the complex interactions of the Apaches with Mexicans and Anglo-Americans as well as with other Indians. For example, in interviews with Percy Bigmouth and several Lipan Apache informants in the early twentieth century, the anthropologist Morris E. Opler collected stories of strained relations between the Lipan Apaches and the Kickapoos.<sup>63</sup> Opler's interviews described the theft of livestock, the kidnapping of captives, retributive violence, and long journeys through the Chihuahuan desert that were familiar features of official narratives from the nineteenth century. But Apache accounts also referred to supernatural occurrences (such as the prophecy of a shaman) and ceremonial practices (including ritual war dances) that provided cultural context and meaning to what U.S. and Mexican authorities referred to generically as “Indian depredations.”

For instance, Percy Bigmouth described the strained relations between the Lipan Apaches and the Comanches, who had been bitter enemies since they first began to compete for access to hunting grounds on the Southern Plains in the early eighteenth century. With the arrival of

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<sup>62</sup> Ibid.

<sup>63</sup> “The Lipan Take Horses from the Kickapoo, Fight the Kickapoo, and Lose a Chief,” “The Kickapoo Raid the Camps of the Lipan,” and “A Fight with the Kickapoo” in Morris E. Opler, *Myths and Legends of the Lipan Apache Indians* (New York: American Folk-Lore Society, 1940): 222-235.

Anglo-Americans after 1848, the Lipan and Comanches sought reconciliation. “We do not want trouble with you,” the Lipan chief said. “We stay around our country, hunting the game. Buffalo, antelope, and deer. But all the time while we are camping here peaceably we like to look upon you people as a friend.” The Comanche chief replied to this overture in the following manner:

He said, We’ll settle this now. He dug a little hole in the ground with is finger, a hole about four inches deep. He spat in it. Then the Lipan chief spat there too. Then he covered it up. Then the Comanche said, We have both spat in there. *We have buried our troubles.*<sup>64</sup>

This ceremony illustrated the interpersonal nature of making peace through the verbal exchange of good will, the literal mixing of one’s words (in the form of spit), and the interment of their differences below the surface of the earth. The fact Percy Bigmouth retold this story, including those particularities, indicated that reconciliation between the Lipan Apache and the Comanche was a significant event in their history. Cultural anthropologists have recognized that such specific events often carried deeper meaning that exceeded their prosaic settings. “Upon closer inspection,” it is possible to discern “what Raymond D. Fogelson has called a given tribe’s ‘epitomizing events,’ whose combination of notable social and religious elements and historically memorable dramas touched deep cultural nerves and rendered comprehensible to themselves a people’s transformations over time.”<sup>65</sup> In this example, the ritual peace agreed upon

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<sup>64</sup> “Their Enemy Came in Peace” in Sánchez, *Apache Legends & Lore of Southern New Mexico*: 163. Emphasis in original.

<sup>65</sup> Nabokov, *A Forest of Time*: 35. Raymond D. Fogelson argues that Cherokee myths and legends “encompass and make intelligible seemingly impersonal, inevitable, and insidious processes of change through the invocation of a real or fanciful, dramatic, epitomizing events.” Moreover, such events emphasized understanding “human motivation.” Raymond D. Fogelson, “Who Were the Aní-Kutáni? An Excursion into Cherokee Historical Thought,” *Ethnohistory*, 31:4 (Autumn, 1984): 255-263.

by the two chiefs elevated a seemingly mundane event to the status of a major historical achievement to be remembered by future generations.

The multitude of stories that proliferated in Apache oral traditions varied widely in their form, meaning, and historical content. While trickster tales, such as those involving the figure of the Coyote, imbued fanciful creatures with human qualities to convey moral or spiritual messages, oral histories provided ways of understanding social and political relations involving particular individuals and events. When read in conjunction with archival sources of history, including those produced by U.S. officials and the Mexican Committee of Investigation for the Northern Border, the controversies surrounding the theft of livestock, the smuggling of contraband, and the permeability of the border fell into the background. At the center of all these stories were groups and individuals—whether Mescalero or Lipan Apache, Comanche or Kickapoo, Mexican or Anglo-American—acting, making decisions, and reacting to the unfolding of a larger pattern of human activities that exceeded the control and even the comprehension of any singular form of authority. The stories that people like Percy Bigmouth told of those activities showed how the meaning of events shifted as they moved from the periphery to the center of one's understanding of time, place, and purposeful action.

### *Conclusion*

The economic integration of the United States and Mexico in the mid-nineteenth century contributed to the growth of the illicit trade in livestock pilfered from haciendas and ranches that had long been the targets of Apache, Comanche, and Kiowa raids. With the rapid settlement of Texas and New Mexico after 1848, the demand for such animals increased dramatically, pulling nomadic Indians from the periphery into the center of burgeoning markets for stolen horses,

cattle, sheep, and other beasts of burden. As this chapter has demonstrated, the Mescalero and Lipan Apache—whose dominions stretched from southern New Mexico, through western Texas, and across northern Chihuahua, Coahuila, and Nuevo Léon—were able to expand their raiding and trading networks during this period by connecting zones of extraction in northern Mexico with the emerging markets for stolen livestock and other forms of contraband in the United States.

Anglo-Americans emigrants settling in Texas and elsewhere along the western frontier had benefitted for decades from easy access to such valuable commodities. But once the practice began to deplete their own homesteads, they called upon the Office of Indian Affairs to restrict the movement of the Apaches and other equestrian Indians, and they demanded that the State Department impose stricter regulations on cross-border trade. The flurry of reports published by the state of Texas in the early 1870s depicted the U.S.-Mexico border region as a lawless land, controlled primarily by bands of “savages” who had joined forces with criminals from Mexico for the purposes of depriving U.S. citizens of their lives and property. The rancor of the reports attracted the attention of policymakers in Washington as well as legislators in Mexico City who viewed the situation as potentially spiralling out of control.

When the Mexican government launched its own investigation of conditions along the border in the early 1870s, it did so with a more nuanced understanding of the complex relationship between equestrian Indians and local communities. The findings of the Mexican Committee of Investigation for the Northern Border revealed the spatial dimensions of the illicit trade as well as the intertwined interests of Indians, Mexicans, and Anglo-Americans who reaped profits from the exchange of illicit goods. In particular, the Mexican commission drew attention to filibustering expeditions from the United States, who crossed the border with impunity, and

corrupt agents at U.S. custom houses, who turned a blind eye to contraband exported from Mexico. Despite their many disagreements, officials in Mexico and the United States reached a consensus on the issue of Indian depredations: Both governments agreed that the issue demanded bilateral cooperation and they began to develop policies permitting U.S. military units to pursue Indians into Mexico, under a limited set of circumstances.

The Mescalero and Lipan Apaches, Comanches, Kiowas, Kickapoos, and other equestrian Indians stood at the center of these international debates and controversies, connecting the vast supply of livestock from haciendas and ranches in northern Mexico with the booming markets for affordable animals in the United States. Their intimate knowledge of the landscape, their diffuse political organization, and their mobility allowed them to extend the raiding and trading networks they had developed during the Spanish colonial period and the first half of the nineteenth century across the U.S.-Mexico border after 1848. While the central governments of Mexico and the United States were consumed by political turmoil and civil wars, the unregulated periphery of the two countries offered rich opportunities for the extraction of valuable resources, including livestock and material goods as well as a large number of captives and slaves they incorporated into their own kinship networks.<sup>66</sup>

Despite the advantages of the Mescalero and Lipan Apaches' unique position in the interstitial space between the two nation-states, they became vulnerable to retributive violence from local militias, vigilante posses, and government officials in both countries who viewed their strength as an existential threat to the social order. As illustrated in the following chapter, the Apaches encountered new challenges to their dominance in the U.S. Territory of New Mexico,

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<sup>66</sup> For analysis of captivity narratives from this period, see Cuauhtémoc Velasco Ávila, *En manos de los bárbaros* (México: Breve Fondo Editorial, 1996).

where they competed with Pueblo Indians, Hispanic communities, and Anglo-Americans for control of scarce resources.

## Chapter 6

### Indian Sovereignty and State Power in Territorial New Mexico

The U.S. occupation of Mexico's northern frontier in 1846–1848 and the establishment of state and territorial governments there in 1850 heralded a new era of state-building in the borderlands. Led by Brig. Gen. Stephen W. Kearny's "Army of the West" and followed by the U.S. Topographical Engineers who created the first maps of the U.S. Territory of New Mexico and the surveyors of the Joint Boundary Commission, U.S. authorities endeavored to expand the ideological, economic, military, and political powers of the state into the vast desert landscape of the Southwest. Seeking to legitimate the authority of the U.S. government and to win the loyalty of the Mexican citizens in the conquered territory, Kearny issued a proclamation before advancing into Santa Fe. Read aloud in English and Spanish in the central plaza of Las Vegas, it stated, "From the Mexican government, you have never received protection. The Apaches and the Navajos come down from the mountains and carry off your sheep, and even your women, whenever they please. My government will correct all this. It will keep off the Indians, protect you in your persons and property; and, I repeat, will protect you in your religion."<sup>1</sup> In declaring war against the Apaches and the Navajos, Kearny projected a vision of conquest that had eluded his Spanish and Mexican predecessors for more than two centuries.

Yet, Kearny's promise to defeat the Apaches and the Navajos proved to be premature. In the first years of the U.S. occupation, military expeditions against them succeeded only in turning the most populous and powerful Indians of New Mexico against the government.

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<sup>1</sup> Ralph E. Twitchell, *The History of the Military Occupation of the Territory of New Mexico from 1846 to 1851 by the Government of the United States* (Denver, CO: Smith-Brooks Co., 1909): 50.

Retaliatory raids against U.S. forces drained the military's scarce resources, depleted the troop's morale, and provoked protests from Mexican citizens who resented the occupying army. Indeed, conditions deteriorated even further once Kearny transferred his authority to Charles Bent, the first civil governor of New Mexico. In January 1847 a rebellion in northern New Mexico led by Pablo Montoya and Tomás Romero assassinated Bent.<sup>2</sup> These events cast doubt on the capacity of the U.S. government to fulfill the promises they made to the people of New Mexico.

Until recently, historians have tended to ignore the political reality of the U.S. occupation of Mexico's northern frontier, instead positing triumphalist narratives of military conquest.

Howard Lamar and others have celebrated Kearny's so-called "bloodless" conquest of New Mexico while giving short shrift to how *vecinos* (Hispanic, male property owners with full citizenship rights) rejected U.S. authority during the Taos rebellion and their exodus to Mesilla.<sup>3</sup>

More recent studies by Anthony P. Mora and José Angel Hernández have emphasized New Mexicans' resistance to the U.S. occupation. But by focusing only *vecinos'* resistance to U.S. military and territorial rule, these scholars have overlooked the central importance of Indian societies in shaping the U.S.-Mexico borderlands in the mid-nineteenth century.<sup>4</sup>

Scholars of American Indian history, such as Ned Blackhawk, James F. Brooks, and Jennifer Nez Denetdale have shown how Indian peoples became entangled in conflicts over the meaning of land, property, and the law in the mid-nineteenth century. They have demonstrated

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<sup>2</sup> Carlos R. Herrera, "New Mexico Resistance to U.S. Occupation during the Mexican-American War of 1846-1848" in *The Contested Homeland: A Chicano History of New Mexico*, eds. Erlinda Gonzales-Berry and David Maciel (Albuquerque: University of New Mexico Press, 2000): 23-42.

<sup>3</sup> Howard R. Lamar, *The Far Southwest, 1846-1912: A Territorial History* (New Haven, CT: Yale University Press, 1966).

<sup>4</sup> Anthony P. Mora, *Border Dilemmas: Racial and National Uncertainties in New Mexico, 1848-1912* (Durham, NC: Duke University Press, 2011), José Angel Hernández, *Mexican American Colonization during the Nineteenth Century: A History of the U.S.-Mexico Borderlands* (New York: Cambridge University Press, 2012).

how the Apache and Navajo nations consistently defied U.S. state power, as they had contested Spanish and Mexican domination in earlier periods.<sup>5</sup> But these scholars have overlooked important aspects of their evolving relationship with local authorities and the U.S. federal government. Similarly, scholars of the region's political history have tended to exaggerate the efficacy of the U.S. territorial administration, the military, and the Office of Indian Affairs in controlling Indian peoples living in the periphery. While these scholars have placed the administration of Indian affairs at the center of their studies of the federal bureaucratic expansion, they have minimized the history of Indian resistance to U.S. practices and policies of "civilization."<sup>6</sup>

This chapter examines the dynamic process through which Indian peoples in the Southwest borderlands resisted U.S. domination in the turbulent years between the establishment of the U.S. territorial government in 1850 and the end of the Civil War in 1865. It offers an interpretation that challenges conventional understandings of the relationship between state power and Indian sovereignty in the mid-nineteenth century.<sup>7</sup> It does this by analyzing the

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<sup>5</sup> Indian resistance to settler colonialism took many different forms, including violence, the negotiation of treaties, diplomatic delegations, and the taking of human captives. Ned Blackhawk, *Violence over the Land: Indians and Empires in the Early American West* (Cambridge, MA: Harvard University Press, 2006), Jennifer Nez Denetdale, *Reclaiming Diné History: The Legacies of Navajo Chief Manuelito and Juanita* (Tucson: University of Arizona Press, 2007), Brooks, James F., *Captives & Cousins: Slavery, Kinship, and Community in the Southwest Borderlands* (Chapel Hill: University of North Carolina Press, 2002). See also Suzan Shown Harjo, ed., *Nation to Nation: Treaties between the United States & American Indian Nations* (Washington, DC: National Museum of the American Indian, 2014).

<sup>6</sup> William J. Novak debunked the myth of a "weak" U.S. state by showing how the federal government played a prominent role in the nineteenth century by promoting projects such as "Indian removal, slavery, immigration restriction, and racial, ethnic, religious, and gender-based forms of segregation and discrimination." William J. Novak, "The Myth of the 'Weak' American State," *American Historical Review* 113 (2008): 758. Richard White, "It's Your Misfortune and None of My Own": *A History of the American West* (Norman: University of Oklahoma Press, 1991), Stephen J. Rockwell, *Indian Affairs and the Administrative State in the Nineteenth Century* (New York: Cambridge University Press, 2010), C. Joseph Genetin-Pilawa, *Crooked Paths to Allotment: The Fight over Federal Indian Policy after the Civil War* (Chapel Hill: University of North Carolina Press, 2012).

<sup>7</sup> William J. Novak, "The Concept of the State in American History" in *Boundaries of the State in US History*, eds. James T. Sparrow, William J. Novak, Stephen W. Sawyer (Chicago, IL: University of Chicago Press, 2015): 325-

dramatic changes taking place in the Southwest borderlands in the wake of the U.S. occupation of Mexico's northern frontier, emphasizing Indian strategies of resistance to U.S. settler colonialism and the limits of state power.

The first section of this chapter examines early treaties that Apache and Navajo leaders negotiated with U.S. authorities in the 1850s. Brokering treaties proved to be a frustrating process for all parties involved. The Navajo, Jicarilla Apache, and Chiricahua Apache leaders did not trust their American counterparts, who often promised much more than they could deliver. U.S. officials blamed their Indian counterparts for failing to uphold specific provisions. Although both sides initially approached the negotiations with good intentions, their agreements yielded only temporary solutions to long-term problems.

The second section looks at the decline of the treaty system. Treaties fell out of favor in the 1850s because Hispanic residents, Pueblo Indians, and the growing population of Anglo-Americans believed they conceded too much power and privilege to "hostile" Indians. In response to their protests, Congress expanded the Superintendency of Indian Affairs in 1857 and promoted removing Indians to reservations rather than providing gifts and annuities.

Despite changes in the administration of Indian affairs, the citizens of New Mexico were dissatisfied with what they perceived as a merely bureaucratic response to an overwhelmingly practical problem. The third section examines why these groups decided to take matters into their own hands. Local militias led campaigns against the Navajo in 1859 and 1860, but they were interrupted by the Confederate invasion of the Territory of New Mexico in the summer of 1861.

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350. See also Michael Mann, *The Sources of Social Power: Volume 2, The Rise of Classes and Nation-States, 1760-1914* (New York: Cambridge University Press, 2012).

Initially caught off guard and humiliated, U.S. forces soon thwarted the rebel occupation with the assistance of the militia.

The fourth section examines the explosive violence that tore through the region between 1861 and 1867. The Civil War in the United States and the French Intervention in Mexico claimed victims from all classes, but Indian populations became particularly vulnerable to the mayhem of the two conflicts. State-sanctioned violence against the Mescalero Apache and the Navajo culminated with the internment of more than 7,500 individuals at the Bosque Redondo Indian reservation. Despite the U.S. government's extraordinary efforts to subordinate the prisoners of war through "civilization" programs, the reservation proved to be a failure. The Mescalero Apache fled across the border into Mexico and the Navajo returned to their homelands after the negotiation of a new treaty with the United States in 1868.

Ultimately, by focusing on the multiple social and cultural sources of public policy—including Hispanic, Mexican, U.S., and American Indian sources—this chapter challenges scholars to reconsider conventional understandings of the relationship between the state and Indian peoples in the Southwest borderlands during a period of social uncertainty and political volatility.

### *Early Treaties*

In the years between the conclusion of the U.S. war with Mexico in 1848 and the outbreak of the Civil War in 1861, authorities in the Southwest attempted to wrest control of the borderlands from the Apaches, Navajos, and other Native nations through the negotiation of peace treaties. The first negotiations often mixed elements of similar Spanish and Mexican

treaties discussed in Chapters 3 and 4.<sup>8</sup> There were significant differences between the Spanish and Mexican treaties of the colonial period and the early nineteenth century and those sanctioned by the U.S. government. For instance, whereas Navajo and Apache women held important positions of authority—political as well as symbolic—in treaties negotiated with Spain in the 17th and 18th centuries, U.S. treaties excluded women in all stages of negotiations.<sup>9</sup> Another feature that distinguished the early Apache and Navajo treaties from those negotiated in other contexts was the fact that, in the early years, U.S. authorities seldom had the upper hand in negotiations.

From the perspective of the U.S. government, the act of signing a treaty denoted the consent of the individual and, by extension, the consent of the community. Yet, from the perspective of Indian leaders, the act of signing a treaty affirmed one's autonomy, agency, and power. Thus, treaty-making had different and at times contradictory meanings: as ceremonies and as diplomatic protocol. As Colin G. Calloway has emphasized, this was a common feature of treaty-making shared by Native peoples who had consented to treaties with the U.S. government since the colonial period.<sup>10</sup>

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<sup>8</sup> Spain negotiated dozens of formal and informal treaties the Navajo and Apache nations. See Abelardo Levaggi, *Diplomacia hispano-indígena en las fronteras de América: historia de los tratados entre la Monarquía española y las comunidades aborígenes* (Madrid: Centro de Estudios Constitucionales, 2002). During the twenty-five years Mexico claimed jurisdiction in New Mexico and Texas, Mexican authorities negotiated a number of treaties with the Navajo and Apache nations. See, for example, the 1823 treaty between Mexico and the Navajo nation. *Plan que manifiesta el metodo con que deve formarse la guerra á la tribu Navajo en el caso de no admitir las propuestas para la celebracion de las Paces compendiado en los articulos siguientes*. Mexican Archives of New Mexico, Roll 2, Frames 549-558.

<sup>9</sup> Juliana Barr, *Peace Came in the Form of a Woman: Indians and Spaniards in the Texas Borderlands* (Chapel Hill: University of North Carolina Press, 2007)

<sup>10</sup> Colin G. Calloway, *Pen and Ink Witchcraft: Treaties and Treaty Making in American Indian History* (New York: Oxford University Press, 2013). See also Scott R. Lyons, *X-Marks: Native Signatures of Assent* (Minneapolis: University of Minnesota Press, 2010).

In the early 1850s, Apache and Navajo leaders were led to believe that “the Great Father in Washington” would treat their people more fairly than either Spain or Mexico had and that U.S. authorities would respect their customs, culture, and land. Such rumors spread through the Southwest borderlands like wildfire. Apache and Navajo leaders who agreed to the terms of U.S. treaties (either under duress or by their own free will) represented only a small fraction of the communities whose interests they purported to represent. Among the first treaties the U.S. government negotiated with Native nations in the Mexican cession was the 1849 treaty with the Navajo nation. The third governor of the Territory, John M. Washington attempted to uphold Kearny’s promise to the people of New Mexico. In August 1849 Washington departed from Santa Fe, accompanied by the recently appointed U.S. Indian agent James S. Calhoun. Represented by Narbona, Mariano Martínez, and Chapitone, whom U.S. authorities recognized as head chiefs, the Navajos consented to the terms of the treaty.

The treaty contained eleven articles stipulating, among other provisions, the subordination of the Navajo under the jurisdiction of the U.S. government; the right of the U.S. government to regulate trade with the Navajo, pass freely through their land, establish agencies there, and designate territorial boundaries. Article V of the treaty required the Navajo to return “American and Mexican captives, and all stolen property taken from Americans or Mexicans, or other persons or powers in amity with the United States.” This requirement signaled an important shift in U.S. policy that departed from both Spanish and Mexican precedents.<sup>11</sup>

Following the signing of the treaty, a dispute arose concerning a horse claimed by a Pueblo Indian from Jémez. After some reluctance on behalf of the Navajos to release the animal,

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<sup>11</sup> “Treaty with the Navajo, 1849” in Charles J. Kappler, *Indian Affairs: Laws and Treaties*, Vol. 2 (Washington, DC: GPO, 1904): 583-585.

Washington directed one of his officers to seize the horse and its rider. According to Calhoun, at that moment “every Navajo Indian in the crowd, supposed to number from three to four hundred, all mounted and armed, . . . wheeled and put their spurs in their horses; upon which the Governor ordered the guard to fire.”<sup>12</sup> The barrage of bullets caused the assembly to scatter in all directions and left Narbona and several others “lifeless upon the ground.” Thus, even before the ink had dried on the treaty, Washington opted for violence. By violating the peace agreement he signed and murdering Narbona before hundreds of his people, Washington undermined the government’s position of authority. Moreover, that act at the Canyon de Chelly marked the U.S. government’s first betrayal of the Navajo nation’s trust and established a dubious precedent for subsequent negotiations.

Washington’s botched negotiations with the Navajo did not prevent Congress from ratifying the treaty. But his poor handling of diplomatic relations with one of the largest and most powerful Native nations in the region caused other leaders to remain circumspect. When the representatives of the Jicarilla Apache met with James S. Calhoun in the spring of 1851 to discuss the terms of a peace agreement, they chose to travel to Santa Fe rather than risk similar violence in their homeland. Francisco Chacón, Güero, Lobo, and Josecito met with Calhoun on April 2 to discuss the terms of treaty that set forth the terms of their “unconditional submission to the Government of the United States.” Provided that the Jicarilla Apache living east of the Rio Grande agreed “to abstain from all murders and depredations” and not to trespass within 50 miles of settlements or highways, they would receive substantial material aid. In particular, the treaty guaranteed “such donations and implements of husbandry, and other gratuities as a proper

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<sup>12</sup> Report of J.S. Calhoun, Indian agent at Santa Fé, in relation to Indian affairs in New Mexico, dated October 1, 1849 in *Annual Report of the Commissioner of Indian Affairs, Transmitted with the Message of the President at the Opening of the First Session of the Thirty-First Congress. 1849-1850* (Washington, DC: Gideon & Co., 1850): 58-65.

and sound humanity may demand, and as may be deemed meet and prudent by said Government.”<sup>13</sup> As the Jicarilla Apaches were accustomed to receiving such liberal gifts from the governments of Spain and Mexico, they expected nothing less of the United States. Yet, an increasingly vocal segment of the population in the Territory regarded such “donations” as signs of weakness.

Local opposition to Calhoun’s treaty with the Jicarilla Apache and lack of support in Washington prevented its ratification. Congress chose to vote against it and, as a result, the appropriations necessary to fund the purchase and delivery of the promised supplies never materialized. Francisco Chacón, Güero, Lobo, and Josecito returned to Santa Fe on multiple occasions asking for food and clothing for their people, inquiring, “what the President intends to do with them,” and requesting “to be placed on terms of equality with other Indians.”<sup>14</sup> But they were turned away disappointed and empty-handed. Calhoun’s failure to follow through with the solemn vows he made verbally and in writing set an early precedent for U.S. relations with the Jicarilla Apache. Sources from the period suggest they were not the only Native community that pressured Calhoun to deliver the goods he had pledged. When representatives from several of the Pueblos visited him in July 1850, he complained, “[t]he Department has given me no information concerning the Pueblo treaty or treaties, and I am sorely annoyed when they call upon me for information in relation to them.”<sup>15</sup>

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<sup>13</sup> Treaty with the Apache East of Rio Del Norte, April 2, 1851, DAID: 1275-1276. Source: OIA-Treaty File, T494, roll 8: 324-25; Annie Heloise Abel, ed., *The Official Correspondence of James S. Calhoun while Indian Agent at Santa Fé and Superintendent of Indian Affairs in New Mexico* (Washington, D.C.: GPO, 1915): 314-16.

<sup>14</sup> James S. Calhoun to Luke Lea, Commissioner of Indian Affairs. Executive Department, Santa Fe, New Mexico. January 30, 1852.

<sup>15</sup> *Ibid.*

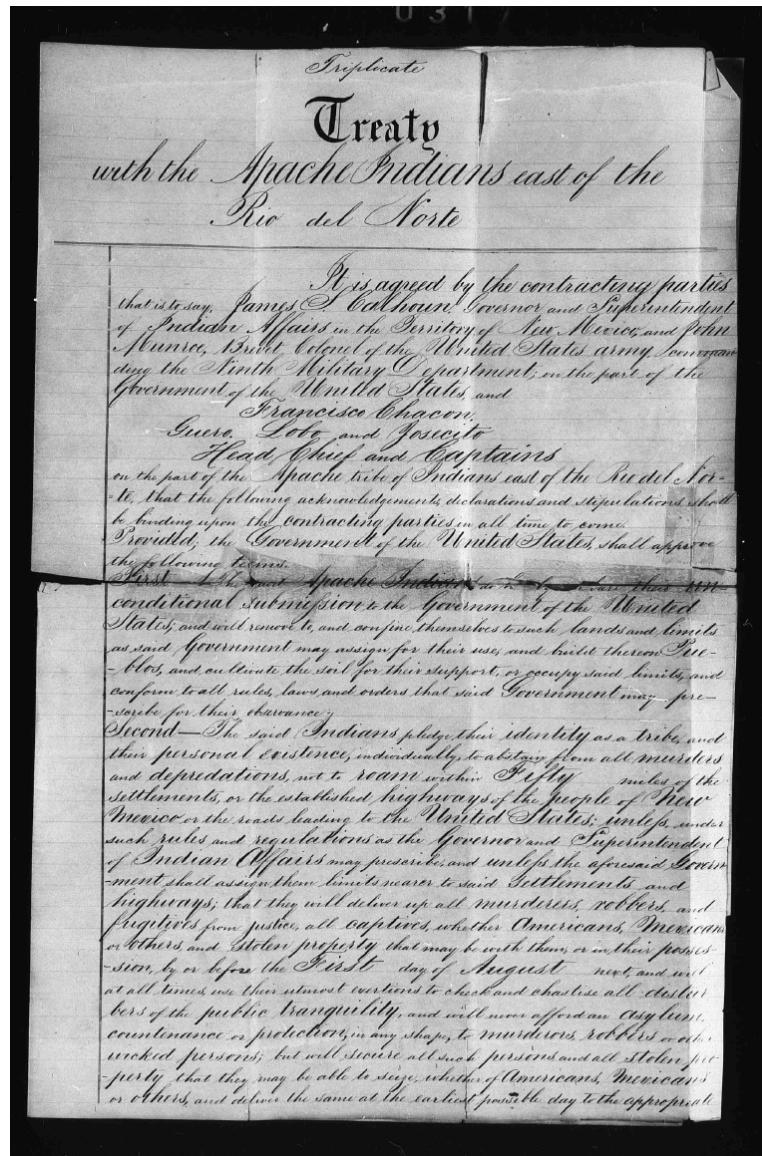


Figure 5. Treaty with the Apache East of Río del Norte. April 2, 1851. Santa Fe, New Mexico.

OIA-Treaty File, T494, roll 8: 324-25. Annie Heloise Abel, ed., *The Official Correspondence of James S. Calhoun while Indian Agent at Santa Fé and Superintendent of Indian Affairs in New Mexico* (Washington, DC: GPO, 1915): 314-16.

The unratified treaty with the Jicarilla Apache represented but one instance in a broader pattern of diplomatic negotiations taking place throughout the Southwest during the early 1850s. Across the border in Fronteras, Chihuahua, leaders representing the Chokonen band of the

Chiricahua Apache met with Mexican authorities in the town of Fronteras in April 1850 to discuss the terms of a peace agreement. Valtasar el Chino and Yrigoyen, along with eight other men, met with José María Elías González. They expressed their desire “to receive some assistance from the government so as to live peacefully with their families, and without having their children obliged to steal in order to live, being able rather to support themselves by their work.”<sup>16</sup> Much like the treaty Calhoun negotiated in Santa Fe, the agreement Elías González made in Fronteras indicated the mutual interests of the Mexican government and the Chiricahua Apache to find a peaceful resolution to previous hostilities.

Mexican treaties with the Apaches imposed similar sets of demands as those made with the United States in the 1850s. For example, a treaty between the Chihenne and Nahnhi bands of Chiricahua Apache and the military commander of Chihuahua signed on June 24, 1850 at the settlement of Janos required the Apaches to release all captives to the custody of the government. The chieftains professed they had none in their possession because “they had sold them at Socorro and other towns in the south of New Mexico on the right side of the Río Bravo.” The treaty also obligated the seven chieftains Ytah, Coleto, Amarillo, Delgadito, Placer, Ponce, and Arvizi to agree to recognize Janos and the former garrison of Carrizal “as places of peaceful settlement” where they would receive rations from the Mexican government on the same terms as “designated in the regulations of October 14, 1791, which were on hand and read by the said Mr. García Conde.” These specific requirements underscored the Mexican government’s efforts

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<sup>16</sup> “Agreement between the Chokonen Band of Chiricahua Apache and the Department of Sonora,” at Fronteras, Chihuahua, April 23, 1850. Deloria and DeMallie, eds., *Documents*: 172-174.

to maintain *continuity* in the policies guiding diplomatic relations with the various bands of the Chiricahua Apache.<sup>17</sup>

While U.S. and Mexican officials in New Mexico, Sonora, and Chihuahua demanded the return of captives, as stipulated in Article XI of the Treaty of Guadalupe Hidalgo, their counterparts in the neighboring state of Texas had different priorities. When Special Agent for the Indians of Texas John A. Rogers met with Lipan and Mescalero Apache leaders, along with Katumpsa's band of Comanches, along the banks of the San Saba River in Bexar County in October 1851, he demanded the return of fugitive slaves. By signing the treaty, they not only acknowledged the terms of Article XI of the Treaty of Guadalupe Hidalgo but they also vowed to "arrest and take up all fugitive slaves or runaway negroes, found within the territory where we may reside or sojourn."<sup>18</sup> For their assistance in arresting such individuals, Rogers promised they would receive fifty dollars for each fugitive slave delivered to the government of Texas.<sup>19</sup>

Thus, across the Southwest borderlands, treaties with the Navajo, Apache, and other Native nations opened new opportunities for reconciliation and cooperation between former adversaries. Although the agreements provided only temporary solutions to the many challenges Native peoples faced during the early 1850s, they signaled the apparent good will of both parties. Seizing these opportunities, Native leaders took advantage of the government's interest in

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<sup>17</sup> "Treaty between the Chihenne and Nahnhi Bands of Chiricahua Apache and Chihuahua," at Janos, Chihuahua, June 24, 1850. Deloria and DeMallie, eds., *Documents*: 174-175. See also Norma Guadalupe de Leon Figueroa, *El conflicto apache en Sonora bajo el gobierno del general Ignacio Pesqueira, 1867-1872* (Hermosillo, Sonora, Mexico: El Colegio de Sonora; Colegio de Bachilleres del Estado de Sonora, 2012).

<sup>18</sup> Treaty with the Comanche, Lipan Apache, and Mescalero Apache, October 28, 1851. Council Ground San Saba, Bexar County Texas. DAID: 1293-1296. SOURCE: Dorman Winfrey and James M. Days, eds., *The Indian Papers of Texas and the Southwest, 1825-1916* (New York: Pemberton Press, 1966): I: 149-54. See also William C. Yancey, "In Justice to Our Indian Allies: The Government of Texas and Her Indian Allies, 1836-1867" (MA Thesis, University of North Texas, 2008): 89.

<sup>19</sup> On the history of fugitive slaves in the Texas-Mexico borderlands, see James D. Nichols, "The Line of Liberty: Runaway Slaves and Fugitive Peons in the Texas-Mexico Borderlands," *Western Historical Quarterly* (Winter 2013): 412-433.

diplomacy to advance their own agendas and to voice objections to the violence and exploitation from which they suffered. For example, when the Mangas Coloradas (“Red Sleeves”), leader of the Mimbreno band of Chiricahua Apache, met with U.S. authorities at Acoma Pueblo in July 1852 to discuss the terms of a treaty, he objected to the provisions of Article XI. His argument underscored the reasons why he believed peace with Mexico was untenable:

When the article in the Treaty was read and explained to him that his people were not to cross over into Old Mexico – and they were to remain at peace with the Sonorans also – he said, ‘are we to stand by with our arms folded while our women & children are being murdered in cold blood as they were the other day in Sonora?’ That people invited my people to a feast – they manifested every show of kindness towards us. We were lulled into security by their hypocrisy, at the close of the Feast a barrel of *aguardiente* was brought to the ground. My people drank and got drunk – and then – *the Sonorians* beat out the *brains* of fifteen of them with clubs. Are we to be the victims of such treachery? – and not be revenged? Are we not to have the privilege of protecting ourselves?<sup>20</sup>

Mangas Coloradas’ speech, as Greiner recorded it, expressed the bitter hatred he felt toward the people of Sonora and explained why he refused to abide by the terms of Article XI. From his point of view, the long history of betrayal and sadistic violence at the hands of Spanish and Mexican authorities ruled out the possibility of peaceful relations with the people of Sonora. Moreover, the bad blood between the Chiricahua Apache and the Mexican government gave him reason to remain circumspect toward the intentions of the United States. Even though Mangas Coloradas ultimately consented to the treaty, Greiner observed, “It will be extremely difficult to

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<sup>20</sup> John Greiner to Luke Lea, Commissioner of Indian Affairs. Superintendency of Indian Affairs, Santa Fe, New Mexico. July 31, 1852. Letters Received by the Office of Indian Affairs, 1849-1853. M-234, Roll 546.

keep these Indians at peace with the people of Old Mexico. And is it to be wondered at when they are subject to such heartless villainy?”<sup>21</sup>

Greiner and other U.S. agents of the Indian Office struggled to reconcile the differences between the Chiricahua Apaches and the Mexican populations living along the still ill-defined border with the United States. The animosity that Mangas Coloradas described toward the people of Sonora was shared by other groups of Apaches in New Mexico, as well as by the Navajos. In September 1853, the Navajo chieftain Sarcillos Largos (“Long Earrings”) led a delegation of more than 100 men, women, and children to meet with governor David W. Meriwether in Santa Fe. He came to protest against the kidnapping of Navajo children—a practice that brought hundreds of young boys and girls into New Mexican households to serve as domestic servants and slaves known as *criados* or *genízaro*s. In his meeting with Meriwether, Sarcillos Largos “complained of many acts of aggression on the part of the Mexican portion of the population of this Territory and particularly of the Navajo prisoners heretofore taken and now held in captivity.”<sup>22</sup> He pointed out that Meriwether’s predecessor, William C. Lane, had invested considerable resources to retrieve two Mexican captives held by the Navajo, but had done nothing to halt the continuing slave-raiding expeditions.<sup>23</sup> The governor’s apparent indifference toward the fate of the prisoners further eroded the Navajo’s faith in the government.

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<sup>21</sup> Ibid. On the long history of violence between the Chiricahua Apache and the people of Chihuahua and Sonora, see Lance R. Blythe, *Chiricahua and Janos: Communities of Violence in the Southwestern Borderlands, 1680-1880* (Lincoln: University of Nebraska Press, 2012).

<sup>22</sup> David W. Meriwether to George W. Mannypenny, Commissioner of Indian Affairs. Office of the Superintendent of Indian Affairs, Santa Fe, New Mexico. September 19, 1853. Letters Received by the Office of Indian Affairs, 1849-1853. M-234, Roll 546.

<sup>23</sup> In May William C. Lane had called upon the service of Donaciano Vigil to return “2 captive boys, & some stolen money” from the Navajo. William C. Lane to Donaciano Vigil. May 9, 1853. Donaciano Vigil Papers. NMSRCA.

Despite a treaty signed into law in 1852 and a compact the governor negotiated with the Río Mimbres and Río Gila Apache in 1853, the territorial administration's handling of Indian affairs proved unpopular among the Indian communities, Mexican residents, and Anglo émigrés alike. The Jicarilla Apache were perplexed by Meriwether's inability to uphold the treaties they had negotiated with the previous administration. They regarded his noncompliance as a sign of the government's weakness. When Meriwether attempted to explain why he could no longer provide aid to them, the Jicarilla Apache asked, "how it was that their former Father could satisfy them with food and carry the compact into effect, whilst their present Father could not."<sup>24</sup> Similarly, when he attempted to explain his administration's limited budget, they asked, "how did their former Father get money for this purpose."<sup>25</sup> The governor was at a loss to answer these reasonable questions. He stopped short of blaming the Indian Office, the Department of the Interior, or politics in Washington for his failure to uphold the terms of the previous two treaties with the Jicarilla Apache. Lane, an unpopular figure in Santa Fe as well as in Washington, offered a convenient scapegoat. More importantly, however, Meriwether attributed the treaties' failures to the Jicarilla Apaches themselves. He believed, along with many of the Mexican and Anglo settlers that "no single band of Indians have committed an equal amount of depredations upon, and caused so much trouble and annoyance to the people of the Territory as the Jicarillas."<sup>26</sup>

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<sup>24</sup> D. Meriwether to George W. Manypenny, Commissioner of Indian Affairs. No. 79. Office of Superintendent of Indian Affairs, Santa Fé, N.M. August 31, 1853. *Annual Report of the Commissioner of Indian Affairs* [hereafter ARCIA] (1853): 168-169.

<sup>25</sup> Ibid.

<sup>26</sup> He continued to lay blame at their feet when he wrote, "[i]t is to this band of Indians, assisted by a party of Utahs, to whom we are indebted for the murder of the party of Americans having charge of the United States mail in 1851, by which eleven valuable lives were lost, and the horrible murders of Mr. White, his life, child, and servant, in 1850, as well as many other murders committed since that time." Ibid.: 170.

Treaty making was not a science, but it revealed the underlying logic of diplomatic negotiations between Indian leaders and their counterparts in Sonora, Chihuahua, and New Mexico. Treaties served to affirm the political status of Native nations, to establish the boundaries of tribal territories, and to regulate the exchange of goods according to the terms of the Indian Intercourse Act. Even those treaties that Navajo and Apache leaders signed under duress contained clauses guaranteeing the delivery of material aid in the form of food, clothing, pickaxes, and plows. While leaders such as Mangas Coloradas, and Chacón proudly accepted these gifts as signs of respect, *vecinos* and Anglo residents viewed such transactions with suspicion. For many of the residents of the borderlands, including the Pueblo Indians who regarded the Navajo and Apache as enemies, the treaties came to symbolize government malfeasance.

### *Memorials*

*Vecinos* and Anglo residents questioned the wisdom of negotiating treaties. They had many years of first-hand experience with the unpredictable nature of Indian diplomacy and, after witnessing the failures of the early 1850s, they lost faith in the U.S. administration. Donaciano Vigil was among the most vocal opponents of the U.S. policy. As a member of the Legislative Assembly during the Mexican administration, he appealed to the central government in Mexico City for assistance.<sup>27</sup> Following the U.S. occupation of Santa Fe in 1846, he remained active in political affairs and served as the Secretary of the Territory of New Mexico.<sup>28</sup> In June 1852 Vigil

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<sup>27</sup> David J. Weber, *Arms, Indians, and the Mismanagement of New Mexico* (El Paso: Texas Western Press, 1986)

<sup>28</sup> Donaciano Vigil succeeded Charles Bent as Civil Governor of the Territory of New Mexico following Bent's death in December 1847. His term concluded in October 1848. Vigil served as the Secretary of the Territory of New Mexico under governor John Munroe (1849-1851). Ralph E. Twitchell, *The History of the Military Occupation of*

submitted a Memorial to Congress in June 1852 that pleaded on behalf of the Territory's Hispanic population for government intervention.<sup>29</sup> Vigil begged for relief from "the cruel and desolate war against the savage Indians who surround the Territory." He alluded to Kearny's conquest and "the protection that was offered to us from the occupation of this Territory by the General Commander of the American army." He proceeded to describe "the affliction and misery to which we have been reduced by these hostilities." Since the U.S. occupation of New Mexico in 1846 the inhabitants had lost 453,690 horses, 31,581 cattle, 12,887 mules worth \$1,711, 088.25. Since November of 1851, the Indians had absconded 4,118 mules, 575 cattle, and \$1,800.00 in clothing. Twenty-seven men had lost their lives, four were injured, and eleven women and children were taken captive.

Vigil's memorial described the terror felt by families living in the remote farms and villages. People dared not leave their homes for fear of being attacked by Indians, the fields lay fallow, and the economy had faltered. "Such is the luck of this unfortunate Country," Vigil wrote while lamenting the fact that the majority of the troops in the Territory lacked horses. Those who did possess horses were "incapable of supporting the efforts of the company and, in this sad condition, little success can be hoped for in a campaign against the Indians." He proposed enlisting more men from the Territory who were familiar with the Indians' tactics. Moreover, he recommended the government abandon "the paid peaces [sic] it is now making with the Indians, which only serve to boost their pride and their sense of superiority while worsening our condition." Written in Spanish and endorsed by dozens of the most prominent Hispanic leaders

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*the Territory of New Mexico from 1846 to 1851 by the Government of the United States* (Denver, CO: The Smith-Brooks Company, 1909): 207-228.

<sup>29</sup> Memorial que los habitantes del territorio de Nuevo Méjico elevan al Congreso de la Union. June 8, 1852. Refer to Committee on Territories. 32nd-70. J. Letcher. Box No. N.A. 100 of T.P. 316, 317, 318. New Mexico, Northwest, and Indiana Territory. 1800-1872. Territorial Papers. Record Group 233. Records of the United States House of Representatives. 11th-42nd Congress. National Archives Building, Washington, D.C.

in the Territory, Vigil's 1852 Memorial to Congress emphasized the Hispanic population's overwhelming fear of Navajo and Apache raids.

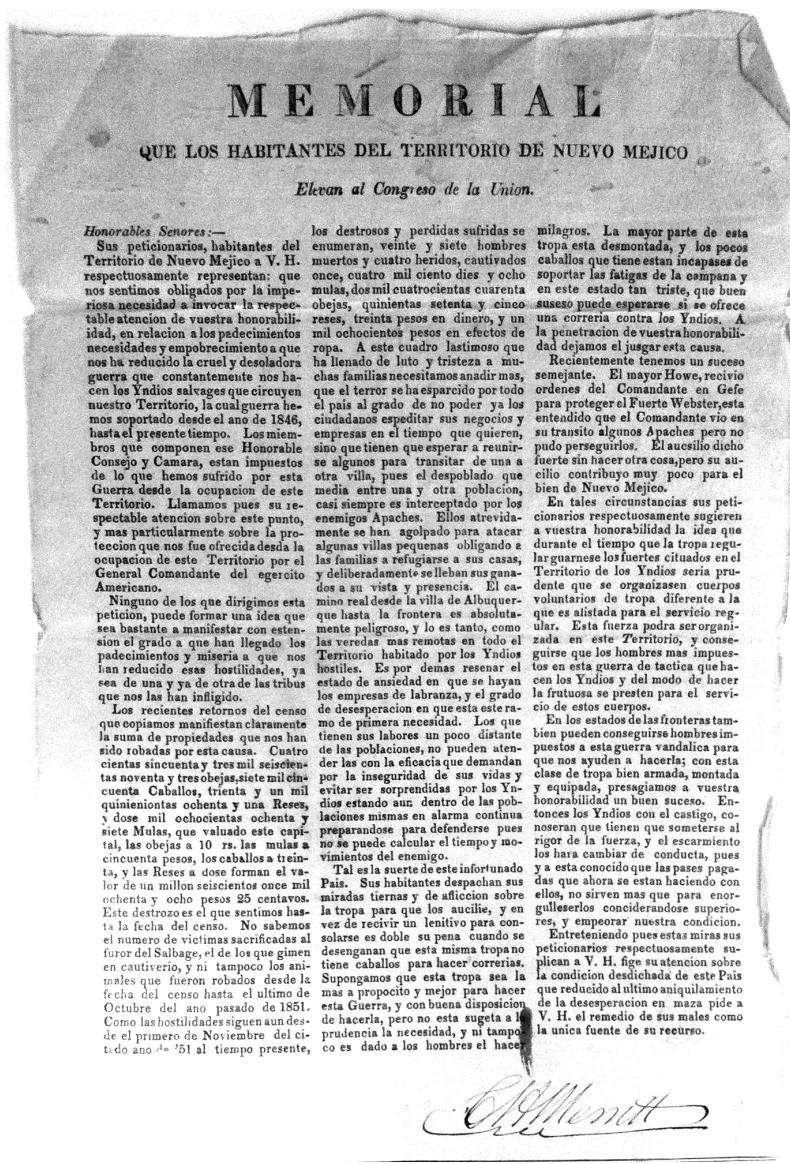


Figure 6. *Memorial que los habitantes del territorio de Nuevo Méjico elevan al Congreso de la Union.* June 8, 1852. Refer to Committee on Territories. 32nd-70. J. Letcher. Box No. N.A. 100 of T.P. 316, 317, 318. New Mexico, Northwest, and Indiana Territory. 1800-1872. Territorial Papers. Record Group 233. Records of the United States House of Representatives. 11th-42nd Congress. National Archives Building, Washington, D.C.

Vigil and the predominantly Hispanic Legislative Assembly were not the only people troubled by the U.S. policy. In March of 1851 Calhoun reported the chief of the Pueblo of Jémez had come to Santa Fe to complain, “he has not the American protection promised.”<sup>30</sup> In January 1852 a large delegation of Pueblo Indians visited Santa Fe “to express their approbation of the course adopted by your Excellency towards the Navajoes.” Representatives of “Santo Domingo, San Felipe, Santa Anna, Nambe, Cochiti, & Silla numbering over 500 . . . assembled together at this place on New Years day and gave an exhibition of a Grand Peace Dance.”<sup>31</sup> Their presence in the capital and their performance underscored their desire to change the course of U.S. relations with the Navajo.

Their concerns were shared by the Anglo inhabitants of the Territory. In February 1852 the appointed territorial delegate for the Territory, Richard H. Weightman, submitted a Memorial to the Senate and the House of Representatives requesting the passage of a bill whose object was “to place arms, ammunition &c. into the hands of the people of New Mexico for the protection of their lives & property against the assaults and depredations of the lawless savages.”<sup>32</sup> Weightman estimated the population of such “lawless savages” to be 92,000.

While the Hispanic, Pueblo Indian, and Anglo residents pleaded for assistance from the federal government, the increasingly divisive political culture in Washington limited their influence in Congress. José Manuel Gallegos, who succeeded Weightman as Territorial Delegate

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<sup>30</sup> James S. Calhoun to L. Lea. No. 59. Executive Department, Santa Fé, New Mexico. March 31, 1851. *ARCIA* (1851): 193.

<sup>31</sup> John Griener to James S. Calhoun. Santa Fe, NM. January 5, 1852. NEW MEXICO 1852 H122 TO N34. Letters Received by the Office of Indian Affairs, 1849-1853. M-234 Roll 546.

<sup>32</sup> Memorial of a citizens of New Mexico praying the enactment of a law. Feb. 10, 1852. N.A. Box 99 of Territorial Papers Box 315. RG 233. National Archives Building, Washington, D.C.

in 1853, faced opposition in the House of Representatives. Gallegos drafted several pieces of legislation to cover the cost of military equipment, the salaries of civilian officers, and the construction of a postal route from Albuquerque to California, but did little to advance his constituents' grievances regarding Indian affairs. Although Gallegos was re-elected to a second term in 1855, Miguel Antonio Otero contested his election and following a lengthy investigation by the House Committee on Elections, succeeded him as the Territorial Delegate in 1856.

Otero aligned himself with the "National Democrats" who sought to extend slavery into the western territories and he endorsed a more aggressive Indian policy. Among the first pieces of legislation that Otero introduced to Congress was a bill authorizing the appointment of a superintendent of Indian affairs for the Territory of New Mexico.<sup>33</sup> The office of the governor had been combined with the superintendent of Indian affairs since 1851. As none of the governors had met the challenges of serving in both positions, the bill provided a salary of \$2,500 to the superintendent and stipulated a specific set of responsibilities, which included "to negotiate, under the direction of the President, treaties with the several Indian tribes in the said Territory, and for the removal of such Indians, if deemed practicable and expedient."

Otero's bill empowered the superintendent with material resources and wide-ranging authority in the management of Indian affairs. When James L. Collins began his first term in the position in 1857, he acknowledged the area under his supervision included the large swath of territory acquired through the Gadsden Purchase.<sup>34</sup> Collins and the various Indian agents working under him were spread thin across the Territory. Yet, from the perspective of the

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<sup>33</sup> H.R. 753. Intended to be reported by Mr. PRINGLE, from the Committee on Indian Affairs: A BILL Authorizing the appointment of a superintendent of Indian affairs for the Territory of New Mexico, and for other purposes. Jan. 20, 1857. Box No. N.A. 99. RG 233. 34th Cong. 3rd Sess. National Archives Building, Washington, D.C.

<sup>34</sup> Collins described the Gadsden Purchase as "mostly mountainous and sterile, yet it contains small districts of good land suitable for Indian reserves." James L. Collins to Hon. J. W. Denver. No. 119. New Mexico Superintendency. Office of Superintendent of Indian Affairs, Santa Fé, New Mexico, August 30, 1857. ARCIA (1857): 277.

beleaguered inhabitants, the expansion of the Indian bureaucracy provided some assurances of additional government support.

In addition to expanding the authority of the superintendent, Otero advanced numerous other pieces of legislation during his first term as New Mexico's Territorial Delegate. He introduced bills to compensate volunteers who served in the campaign led by Ramón Luna against the Navajo, to pay the members of "the Militia of Rio Arriba County" who participated in the campaign against "the wild Apache Indians," and to raise "the salaries, pay and emoluments of each and all the Agents, Officers, and employees, by or under the authority of the general government, or any civil Department."<sup>35</sup>

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<sup>35</sup> Memorial of Leg. Ass. of New Mexico praying an appropriation & bounty land for serving of the volunteers. Feb. 1858. New Mexico, citizens of. Memorial, praying that the salaries, pay, and emoluments of all the Agents, officers and employees of the Government in said Territory be made the same as the agents, officers, and employees of the State of California, also that there be a permanent clerk appointed to the Superintendent of Indian Affairs. March 10, 1858. Referred to the Committee on the Judiciary. 35th. Mr. Otero. New Mexico. The memorial of the Legislative Assembly of the Territory of New Mexico, praying for an appropriation for the actual necessary expenses of the militia of said Territory. February 18, 1858. Referred to the Committee on Military Affairs. May 10, 1858. 35th. Mr. Otero.



Figure 7. Memorial to the Congress of the United States. Territorial Papers. New Mexico Territory. 1858. 1827-1873. Box No. N.A. 99 of T.P. 315.RG 233. Records of the United States House of Representatives. 22nd-42nd Congress. National Archives Building, Washington, D.C.

Among the numerous Memorials that Otero submitted to Congress in 1858 was a lengthy petition penned by Donaciano Vigil, asking once again for the federal government to intervene

against the independent Indians.<sup>36</sup> Vigil complained “the protection of our people against Indian hostilities has not been improved by the transfer of the Territory.” Rather nostalgically and perhaps disingenuously, he recalled “a time before this Territory formed a part of the American Union, when our people were happy and prosperous, and thousands of sheep, mules, and cattle covered our plains, but now the scene has changed! The Apaches, Utahs, and Navajos, unawed and unrestrained, have swept everything before them, our plains and pastures have now become waste and desert, and our people impoverished.” He emphasized how “the hostile disposition of the Indians” hindered the economic development of the Territory, describing the great mineral and agricultural wealth that remained fallow. Appealing to his audience’s economic interests, Vigil suggested that once Congress relieved the Territory from the threat of Indian hostilities its citizens “would resume, with energy, and on an extended scale, their mineral and agricultural pursuits, and our traders would soon be able to carry to the States valuable returns of wool, furs, peltries, gold and silver, and horses and mules—and thus our people would be stimulated to activity and profitable employment, and would soon become a respectable and industrious portion of the Great American Union.”<sup>37</sup>

Speaking on behalf of his fellow citizens, Vigil proposed a new Indian policy that was based on a lifetime of experience. “Many of us have lived to an advanced age,” Vigil wrote at the age of 56, “and during the whole period of our lives, have been intimate and attentive observers of the character and habits of these barbarous tribes.” He believed, “no relief is to be expected from their predatory habits until they are either exterminated or colonized and confined to small

<sup>36</sup> New Mexico. Petition. Legislative Assembly of the Territory of New Mexico asking an appropriation for the removal and subsistence of the Indians in the said Territory. March 10, 1858. Referred to the Committee on Indian Affairs. Mr. Otero. Indian Affairs. 35th Cong. Box No. N.A. 99. Territorial Papers. New Mexico Territory. 1827-1873. Box No. N.A. 99 of T.P. 315. RG 233. Records of the United States House of Representatives. 22nd-42nd Congress. National Archives Building, Washington, DC.

<sup>37</sup> Ibid.

agricultural districts.” Vigil advocated restricting the mobility of Indians and sowed the seeds of an Indian policy that would supplant the treaty system. While acknowledging that “[t]he humane policy of the Government forbids their extermination,” Vigil detailed an alternative policy, which he referred to as “a proper mode to be adopted in order to accomplish this speedy and effectual colonization.”<sup>38</sup>

Vigil believed the project of colonization should begin with “[t]he nation known as Apache.” Although the Jicarilla and the Mescalero subdivisions of the Apache nation had garnered the attention of authorities since the end of the U.S.-Mexican War, Vigil sought to shift the government’s focus to the Chiricahua and Western Apaches, including the Coyoteros, Gileños, and Mogollons who “inhabit the country watered by the Gila river” and “compose doubtless much [of] the largest portion of the nation.” Vigil proposed removing the Jicarilla and Mescalero subdivisions to the Gila river valley and settling “the whole nation in the same district.” He rationalized consolidating the various subdivisions in the Gila river valley on the grounds that they are “the same people, speak the same language, and there is no reason why they should not be confined to the same district.” By marking the boundaries of their district with monuments, placing them under the control of Indian agencies located near Tucson and west of Santa Barbara or Fort Thorn, and providing “farmers, blacksmiths, and carpenters with means to assist the Indians in planting,” Vigil believed colonization provided a superior alternative to treaty making.

Vigil insisted that it was the government’s duty and obligation to protect its citizens. “We hold that governments are created to protect the citizens,” he wrote, “and if the safety of the citizens demands that the Indians should be settled and restrained to civil pursuits, then it is not

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<sup>38</sup> Ibid.

only the right but the duty of Government to adopt this policy.” Vigil’s arguments for concentrating the entirety of the Apache nation in the Gila river valley resonated with those he made to the Mexican government more than a decade earlier. He acknowledged the project would be controversial and anticipated the Indians’ objections to his plan. He believed “they would willingly do so, but whether they do so or not, they should be compelled to submit to it.” He implicitly acknowledging the power of the Apache nation to resist the will of the government when he wrote, “Indians have no more right to be vagrants than white men.”

The Committee on Indian Affairs received Vigil’s proposal to concentrate the entirety of the Apache in the Gila river valley in early March of 1858. Although the proposal received little attention at the time, he articulated an idea that gained popular support in the Legislative Assembly as well as in Congress. The idea was to remove the large, diffuse, and culturally diverse populations of Apache Indians from their homelands and relocate them in other regions of the Territory. As treaties became symbols of Indian sovereignty and government malfeasance, the Hispanic residents of New Mexico invoked their rights as U.S. citizens to compel Congress to intervene on their behalf and to develop alternative policies. The numerous Memorials that Donaciano Vigil, Miguel Antonio Otero, Facundo Pino, José M. Gallegos, and other Hispanic politicians from New Mexico submitted to Congress in this period underscored their unique perspectives and experiences as inhabitants of a region still dominated by sovereign Indian nations.

### *Civil War*

The eruption of the Civil War in the eastern United States in 1861 and the French occupation of Mexico in 1863 sent shockwaves that reverberated throughout the peripheries of

both nation-states. In the U.S.-Mexico borderlands, the conflicts shattered the delicate equilibrium that had been achieved through treaties and other informal agreements with Indian nations in the previous decade. The Confederate invasion of the Territory of New Mexico, combined with the withdrawal of military resources from northern Mexico, exposed the vulnerabilities of isolated settlements. Seizing new opportunities to expand their spheres of influence, to gather valuable material resources, and to assert their political sovereignty, the Apaches lashed out against Mexican and Anglo populations on both sides of the border in the early 1860s. On the U.S. side, the military response to Mescalero Apache and Navajo raids culminated with the establishment of a large-scale Indian reservation known as Bosque Redondo. During this period of unprecedented violence, the soft diplomacy of treaties and the self-righteous proclamations of Congressional memorials gave way to the brute force of state power.

The Chiricahua and Western Apache were among the largest populations of Native peoples living in the vast area of land ceded to the United States from Mexico through the 1854 Gadsden Purchase. Chiricahua Apache leaders such as Mangas Coloradas, Cochise, and Victorio witnessed the growth of U.S. military outposts and the expansion of silver and copper mines across their homelands. They frequented Fort Buchanan, Fort Webster, and other U.S. settlements in the Gadsden Purchase on a regular basis to trade livestock stolen from the Sonoran hinterlands. Groups of Mimbres and Mogollon Apache living near the Santa Rita copper mines negotiated a treaty with Dr. Michael Steck in 1856 and the planted “extensively” in the spring of 1857. With material support from the government, they made preparations to establish a permanent agency near the Lucero spring. The agency was expected to provide “not only for the

protection of the proposed Indian reserve, but to give security to the line of travel from the valley of the Rio Grande to Tucson, upon which the overland mail is now carried.”<sup>39</sup>

During the same years, Western Apache leaders came into direct contact with Anglos for the first time. Like other groups, the Western Apache initially regarded the Anglos as allies against the Mexicans. The Aravaipa, Coyotero, Mogollon, and Pinal bands were initially receptive to the diplomatic overtures of J. M. Smith and Dr. Michael Steck, and other U.S. Indian agents. But the death of Capt. H. L. Dodge in the Mogollon mountains in November 1856 and the ensuing military campaign against the Coyotero Apache band led by Col. Benjamin L. E. Bonneville in January 1857 quickly soured U.S. relations with the Western Apache.<sup>40</sup>

East of the Rio Grande, the Mescalero and Jicarilla Apache faced renewed threats from *vecinos* and Anglo settlers in the mid-1850s. While the Mescalero Apache (*Nadahende* or “Mescal People”) homeland extended into Texas, Chihuahua, and Coahuila, the majority of the population lived most of the year in the Sacramento and Guadalupe Mountains of southeastern New Mexico.<sup>41</sup> According to a treaty drawn up in 1855 (but never ratified by the Senate) they were expected to live on a reservation comprising “a strip of country twenty-seven miles wide and about seventy miles long, extending from the Sacramento Mountains to the Pecos River south of Fort Stanton, New Mexico.”<sup>42</sup> But the Mescalero Apaches continued to resist U.S.

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<sup>39</sup> J.L. Collins to A.B. Greenwood. No. 167. Indian Superintendency, Santa Fé, New Mexico. September 17, 1859. ARCIA (1859): 337.

<sup>40</sup> Charles Smart, “Notes on the ‘Tonto’ Apaches,” in *Annual Report of the Board of Regents of the Smithsonian Institution* (Washington, DC: GPO, 1868): 417-419. Averam B. Bender, *A Study of Western Apache Indians, 1846-1886* (New York: Garland, 1974). Keith H. Basso, “Western Apache” in *Handbook of North American Indians: Volume 10, Southwest*, ed. Alfonso Ortiz (Washington, DC: Smithsonian Institution, 1983): 462-488.

<sup>41</sup> Alfred B. Thomas, *The Mescalero Apache, 1653-1874* (New York: Garland, 1974), Henry F. Dobyns, *The Mescalero Apache People* (Phoenix: Indian Tribal Series, 1973), Averam B. Bender, *Study of Mescalero Apache Indians, 1846-1880* (New York: Garland, 1974), Harry W. Basehart, *Mescalero Apache Subsistence Patterns and Socio-Political Organization* (New York: Garland, 1974).

<sup>42</sup> “Treaty with the Mescalero Apache.” Fort Thorn, Territory of New Mexico. June 14, 1855. DAID: 1311-1313. See also Kenneth F. Neighbours, *An Ethnological Report, Together with Supporting Exhibits Relating to the Cause*

efforts to control their movements throughout the Territory. Meriwether reported in 1856 that “since the death of Palanquito, the head chief, his son, Cadete, who succeeds him, has surrendered a number of horses, stolen from the whites, and expresses a determination to use his best efforts to prevent depredations in future.”<sup>43</sup> While hunger drove some men to commit thefts “about Doña Ana and other places” in the winter, it appeared the U.S. policy of accommodation served to placate Cadete’s followers through the spring of 1856.

The Jicarilla Apache agreed to a treaty that was almost identical to the one negotiated with the Mescalero. In August 1855, Lorenzo Labadi, the U.S. Indian agent stationed at the Abiquiu Agency, persuaded “some ten of the principal Mohuache and Jicarilla Indians to proceed in my company to Santa Fé” to conduct a meeting with Governor Merriwether. In light of their condition, the governor granted them “fifty head of sheep and thirty fanegas of corn, so that they and their families might be supplied with food while waiting for time fixed to conclude the treaty of peace.”<sup>44</sup> Labadi directed these families to settle near Abiquiu at the Vega of Reaño to await further instructions from the governor.

The unstable state of Apache relations with the U.S. government in the late 1850s underscored the nearly unanimous dissatisfaction with the tenuous agreements made in the mid-1850s. As Steck noted “[t]he Mimbres band of Apaches, since the month of April, have not visited the agency, although, with the exception of a few renegades of the band who have joined their thieving neighbors, the Mogollons, I believe they desire to remain at peace.” He added,

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*of the Action in the Lipan Apache Tribe, the Mescalero Apache Tribe, et al. v. United States, Docket No. 22-C, Before the Indian Claims Commission*, reprinted in *Apache Indians X*, ed. David Agee Horr (New York: Garland, 1974): 277-358.

<sup>43</sup> David Meriwether to George W. Manypenny. No. 71. Office of Superintendent of Indian Affairs, Santa Fé, September 30, 1856. *Annual Report* (1856): 181.

<sup>44</sup> Lorenzo Labadi, Indian agent, to Hon. Geo. W. Manypenny. No. 95. Translation. Abiquiu Agency, New Mexico, Cañon de Reaño, August 31, 1855. *Ibid.*: 191. See also B. Sunday Eiselt, *Becoming White Clay: A History and Archaeology of Jicarilla Apache Enclavement* (Salt Lake City: University of Utah Press, 2012).

“Delgadito, Renion, and Laceres, the three principal men of the band, have kept this people together, and removed south of their thieving neighbors.”<sup>45</sup> Referring to the Mogollon band, Steck wrote, they “have been depredating largely upon the property of Socorro and Valencia counties, in this Territory, during the last year, and the marauding party who killed the late agent, H. L. Dodge, was of both these bands.”<sup>46</sup> Steck also commented on the treaties negotiated by Meriwether with the White Mountain Mescaleros and the Mimbres: “These treaties have not been ratified by the Senate, and, in my judgment, never should be. The Mescalero reserve is in the center of the most valuable portion of New Mexico, and soon will be surrounded by settlements, and the evil influence of intercourse with the New Mexicans cannot be prevented. The Mimbres reserve has the same objection, it also includes within its limits a private grant, which is now about to be taken possession of by the owners.”<sup>47</sup> Steck advocated “the holding of new treaties with those bands, changing their present location to a suitable reserve west of the 109th degree of longitude, upon the waters of the Gila.”<sup>48</sup> He recommended concentrating “all the bands of Apaches” in that location, noting “[t]he Mimbres band, and those of Mangas Colorado and the Mogollon Apaches, are the same people in habits and language, and all formerly were commanded by Mangus Colorado.”<sup>49</sup>

As most groups of Apaches became increasingly skeptical of U.S. Indian policy, the Navajo nation also began to doubt the wisdom of negotiating with the government. Several

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<sup>45</sup> Michael Steck to John W. Denver. No. 123. Santa Fé, New Mexico, August 7, 1857. ARCIA (1857): 289.

<sup>46</sup> Ibid.: 289-290. Steck further noted, “The actual murders were a small party of Mogollon Indians detached from the main body, under the command of one of their principal captains, whose Spanish name is El Cantero, the captive.”

<sup>47</sup> Ibid.: 290.

<sup>48</sup> Ibid.: 291.

<sup>49</sup> Ibid. Michael Steck, “Annual report of the Apache Agency,” August 7, 1857. Center for Southwest Research, University Libraries, University of New Mexico.

Navajo leaders, including Huero, the “newly elected head chief . . . to whom it is understood the tribe have confided the affairs of the nation,” Armijo, and Cabesa Colorado met with Colonel Bonnesville and Superintendent Collins in December 1857. Collins sought “to impress them with the belief that the object of the Gov.t was to promote the welfare of their people, and elevate them to a better condition, but that this could not be done unless they gave up their marauding and barbarous customs.”<sup>50</sup> Collins proceeded to berate the leaders who met with him, threatening that they must “be driven from their country, if not exterminated.” Huero, Armijo, and Cabesa Colorado were offended by Collins’ accusations, but they patiently listened to his complaints.

Collins’ threats against the Navajo nation, which he repeated in 1859, did little to quell the violence. Navajo raids on Mexican and Anglo settlements up and down the Rio Grande valley continued in the following year. This pattern of violence provoked an “angry” session of the Legislative Assembly in which elected officials debated whether or not the recently appointed governor, Abraham Rencher, possessed the power to authorize a military campaign against the Navajo nation, independent of military authority. Mexican and Anglo residents were outraged by the apparent indifference of U.S. troops to the widespread destruction of their property. In response to popular protests, Rencher raised two volunteer companies for the protection of the county of Socorro, consisting of 100 men each.<sup>51</sup> But the commanding officer Colonel T. T. Fauntleroy refused to supply the governor with arms or ammunition. Fauntleroy

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<sup>50</sup> John L. Collins to John W. Denver, Commissioner of Indian Affairs. Indian Superintendency, Santa Fé, N. Mexico. January 8, 1858. *Documents relating to the negotiation of an unratified treaty of December 25, 1858, with the Navajo Indians. Articles of Peace Concluded with the Navajo Tribe of Indians on the 25th day of December 1858.* University of Wisconsin Digital Collections.

<sup>51</sup> Abraham Rencher, *Indian Disturbances in the Territory of New Mexico: Letter of the Secretary of State, Transmitting the Correspondence with the Governor of the Territory of New Mexico, in Relation to the Indian Disturbances in that Territory* (Washington, DC: s.n., 1861) 36th Cong., 2d sess. no. 24. January 7, 1861. House ex. doc. Referred to the Committee on Military Affairs and ordered printed.

was apparently troubled by Rencher's usurpation of his military authority and he objected to the campaign on the grounds that the volunteers would be "allowed to make forays into the Indian country to capture property for their own benefit." Presumably, such "property" included livestock as well as Navajo women and children captives.<sup>52</sup>

Rencher initially defended the right of the volunteers to enter the Navajos' homeland. Citing an act of the legislature first passed in 1851 and amended in 1860, he argued, under this law "the property captured by these companies is for the benefit of the true owners; but if no true owners are found, it is for the benefit of the captors."<sup>53</sup> Yet, he reversed his position later that year when the popular campaigns against the Navajo spun out of his control. Rencher was alarmed when he wrote to Secretary of State Lewis Cass in September 1860 that he was "likely to have very serious difficulties in this Territory by the Mexicans moving in armed bodies upon the Navajoe Indians, without any authority, either under the laws of the United or of this Territory."<sup>54</sup> After losing faith in Rencher's capacity to protect their property, a group of Mexican residents "resolved to take the matter 'into their hand hands,'" appointing officers, raising additional volunteers, and entering the Navajo country "in open disregard both of the laws of the United States and of this Territory." Rencher wrote, "[i]f something is not done to check this first exercise of popular sovereignty in this part of the Territory, I fear we shall soon run the race of Arizona and find ourselves in a state of dissolution."

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<sup>52</sup> John D. Wilkins, Assistant Adjutant General, to Abraham Rencher. Headquarters Department of New Mexico, Santa Fé, New Mexico. January 31, 1860. *Indian Disturbances in the Territory of New Mexico* (1861): 10.

<sup>53</sup> Abraham Rencher, Governor of New Mexico, to Lieut. John D. Wilkins, Assistant Adjutant General. B No. 3. Executive Department, Santa Fé. January 31, 1860. *Ibid.* The question of who owned property captured during military campaigns against the Navajo, including women and children captives, had been raised well before the U.S. occupation. See the Navajo peace treaty of February 1823: *Plan que manifiesta el metodo con que deve formarse la guerra á la tribu Navajo en el caso de no admitir las propuestas para la celebracion de las Paces compendiado en los articulos siguientes*. Mexican Archives of New Mexico, Roll 2, Frames 549-558.

<sup>54</sup> Abraham Rencher to Lewis Cass. Executive Department, Santa Fé. September 4, 1860. *Ibid.*: 12.

Following a long-established pattern, the Navajo struck back against the New Mexican settlements in the fall. Seeking retribution for the loss of their property, Rencher reported from Santa Fe, “they seized and carried off, at 2 o’clock in the day, upwards of two hundred mules from eight [residents] of this city.”<sup>55</sup> At the same time, the militia pushed further into the Navajo homeland. Pueblo Indians who participated in the campaign reported to the governor that they had “penetrated, with some difficulty, into the heart of the Navajo country, taken possession of their corn-fields, captured a large amount of stock belonging to the Indians, with some hundred captives, chiefly women and children.” Rencher lamented the state of affairs as the cycles of attacks and counter-attacks, raids and reprisals, unraveled before his eyes.

The war between the people of New Mexico and the Navajo nation continued through the winter of 1860, with Mexican settlers as well as Pueblo and Utah Indians joining U.S. troops in a reinvigorated campaign.<sup>56</sup> The Superintendent of Indian Affairs claimed the Navajos, with the exception of Sandoval’s band, which remained at peace with the government, “now invade the settlements, committing depredations almost within sight of the capitol, without fear of punishment.”<sup>57</sup> Collins attributed the Navajos’ success in the war to the “indifference and want of energy on the part of those who have been placed here for the purpose of protecting the people against the forays of this hostile tribes.”<sup>58</sup> His agent stationed at Fort Defiance complained the government was virtually powerless and could do nothing to stop the Navajo from moving freely

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<sup>55</sup> Ibid.

<sup>56</sup> A.B. Greenwood, Commissioner, to J. Thompson, Secretary of the Interior. Department of the Interior, Office Indian Affairs. November 30, 1860. ARCIA (1860): 19.

<sup>57</sup> Silas F. Kendrick to A.B. Greenwood. Pueblo Agency, Territory of New Mexico. September 25, 1860. ARCIA (1860): 165.

<sup>58</sup> J.L. Collins to A.B. Greenwood. No. 72. Indian Superintendency, Santa Fé, N.M. September 24, 1860. ARCIA (1860): 158.

across the Territory.<sup>59</sup> Collectively, the correspondence of U.S. authorities in New Mexico attested to the unrivaled dominance of the Navajo nation during a period of great political uncertainty.

Navajo and Apache power was a source of considerable concern among the general population, state officials, and the federal government in the spring of 1861. Indian victories against the New Mexican militia and U.S. troops signaled the renewed ascendance of racially marginalized communities who seized upon opportunities to advance their political and economic interests through diplomacy, trade, and warfare. Navajo and Apache leaders exploited the long-standing political divisions between classes of Indians and Hispanics, Mexicans and Anglos, Republicans and Democrats, Liberals and Conservatives in New Mexico and elsewhere in the U.S.-Mexico borderlands. Although the Civil War in the United States and the French Intervention in Mexico would further reconfigure relations of power in that region, during the antebellum period Native communities consistently challenged the monopoly of power claimed by the state.

The secessionists who aspired to overthrow the largely Republican administration and to claim New Mexico for the Confederate States of America clearly recognized the state's vulnerabilities. Led by Lt. Col. John Robert Baylor and the Second Texas Mounted Rifles, 300 men invaded the town of Mesilla in the summer of 1861 and proclaimed it the capital of the Confederate Territory of Arizona. Baylor routed the Union troops and men under his command advanced north to Fort Stanton. An army of 2,590 men led by Henry H. Sibley joined Baylor in Mesilla in the winter of 1862. Following a series of engagements between Confederate and

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<sup>59</sup> Alexander Baker to James L. Collins. No. 171. Fort Defiance, Navajo Agency, N.M. September 1, 1859. ARCIA (1859): 350.

Union forces, Sibley claimed victories in Socorro, Albuquerque, and Santa Fe, only to have his supply train destroyed in the late spring. Although Union volunteers ultimately repulsed the Confederate invasion of New Mexico, the sudden attack exposed the underlying weaknesses of the territorial administration and it served as a catalyst for the subsequent expansion of the role of the federal government in the Territory of New Mexico as well as the Territory of Arizona established in 1863.<sup>60</sup>

While the Confederate invasion of New Mexico was an important factor in the consolidation of state power during the Civil War, it also contributed to the rapid dissolution of diplomatic relations between the United States and Native nations. In the U.S.-Mexico borderlands, this shift was most apparent in the violence that flared between the Chokonen band of Chiricahua Apache and U.S. soldiers near Forts Buchanan and Breckenridge in the winter of 1860-1861. What began with the abduction of an Anglo boy named Felix Ward led to a confrontation between Cochise and Lt. George N. Bascom that quickly spiraled out of control. Although Cochise professed he knew nothing of the boy's whereabouts, Bascom arrested Cochise's wife, son, and six other men, holding them as hostages. This incident (known as the "Bascom affair") sparked a long series of retributive killings of Anglos, Mexicans, Chiricahua Apaches, and others caught in the web of violence historians refer to somewhat misleadingly as the "Apache Wars."<sup>61</sup>

Across the border in Sonora, residents of San Ignacio, Altar, Arizpe, Moctezuma, and Sahuaripa witnessed an escalation of violence that prompted citizen militias to once again take

<sup>60</sup> Jerry D. Thompson, ed., *New Mexico Territory during the Civil War: Wallen and Evans Inspection Reports, 1862-1863* (Albuquerque: University of New Mexico Press, 2008): 1-6. See also Jerry D. Thompson, *A Civil War History of the New Mexico Volunteers and Militia* (Albuquerque: University of New Mexico Press, 2015).

<sup>61</sup> Bruce Vandervort, "Conquest of the Apachería, 1860-86" in *Indian Wars of Mexico, Canada, and the United States, 1812-1900* (New York: Routledge, 2006): 192-210. See also Paul Andrew Hutton, *The Apache Wars* (New York: Crown, 2016): 34-55.

up arms against the Apaches.<sup>62</sup> In the Mexican states of Sonora and Chihuahua, as in the U.S. Territories of New Mexico and Arizona, the events of the early 1860s proved catastrophic for the state.

### *Bosque Redondo*

One of the most significant effects of the Confederate invasion in 1861 was to legitimate the demands of the people of New Mexico. The establishment of the reservation at Bosque Redondo in 1862 marked a critical turning point in Apache and Navajo relations with the U.S. government, heralding an unprecedented expansion of state power. Initially developed for the purposes of confining the Mescalero Apache, the reservation at Bosque Redondo became in 1864 an internment camp for more than 8,000 men, women, and children of the Navajo nation. Long-standing hostilities between the Mescalero Apache and the Navajo prisoners of war caused the Mescalero Apache to flee the reservation in 1865 and seek refuge in Mexico.

While scholars such as Katherine M.B. Osburn have drawn attention to the moral outrage the reservation provoked, they have largely overlooked its significance as a case study in nation-building for the United States as well as the Navajo nation. Fearing another catastrophic invasion from Confederate Texas or the total destruction of the Territory through ever-increasing Indian depredations, U.S. authorities allocated enormous quantities of human and capital resources to remove the Navajo from their homelands and confine them to a reservation. But early aspirations

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<sup>62</sup> Mexico, Comisión Pesquisidora de la Frontera del Noroeste, *Informe general de la Comisión Pesquisidora de la Frontera del Noroeste, al ejecutivo de la union: en cumplimiento del articulo 3. de la ley de 30 de setiembre de 1872* (México: Impr. del “Eco de Ambos Mundos,” 1875). Newberry Library, Edward E. Ayer Collection.

of creating a “self-sustaining” reservation powered by Indian labor collapsed when overpopulation drained the land of fuel and potable water and locusts decimated the crops.<sup>63</sup>

The Navajo nation devised novel strategies to survive such harrowing conditions. Those who could followed the example of the Mescalero Apache and fled the reservation surreptitiously. Barboncito led a large group of his clansmen back to their homeland in 1864, though they were later forced to return. Others chose to engage the “civilization” programs imposed on them by the government. Delgadito acquired practical skills as a mechanic and learned to repair damaged equipment on the farm. There were also numerous efforts of diplomacy led by influential men and women who sought to persuade the post commanders to increase their government-issued rations and to permit parties to hunt game and gather food off the reservation.

Seen from the Navajo perspective, the history of the failed reservation revealed the limits of state power as well as the assertion of Native American sovereignty and self-determination. While the traumatic experience remembered as the “Long Walk” (*Hwéeldi Baa Hané*) was truly devastating, it also demonstrated the capacity of the people to retain their cultural heritage in the face of extreme adversity.

After witnessing the sacking of Fort Stanton by rebels under Baylor’s command, Manuelito decided to secure an alliance with the U.S. administration in Santa Fe. En route to the capital with José Largo, three warriors, and an elderly woman, Manuelito encountered Captain James Graydon in October 1862. According to Labadie, “Captain Graydon entered into an understanding with the Indians, and furnished them with supplies of provisions for the journey;

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<sup>63</sup> Katherine M. B. Osburn, “The Navajo at Bosque Redondo: Cooperation, Resistance, and Initiative, 1864-1868” in *American Nations: Encounters in Indian Country, 1850 to the Present*, eds. Frederick E. Hoxie, Peter C. Mancall, and James H. Merrell (New York: Routledge, 2001): 3-13.

but subsequently, and in the most treacherous manner, attacked them, killing Manuelito and four of his warriors, and one old woman.”<sup>64</sup> News of Manuelito’s murder quickly spread throughout the Territory and the Mescalero Apaches retreated into the mountains. Labadi persuaded several leaders to accompany him to Santa Fe, where they reached an agreement with Col. Christopher “Kit” Carson and Brig. Gen. James H. Carleton to resettle at Fort Sumner. Upon taking military command of the Department of New Mexico on September 18, 1862, Brig. Gen. James H. Carleton ordered an expedition against the Mescalero Apaches under Col. Kit Carson.<sup>65</sup>

Over the course of 1862 and 1863, more than 400 Mescalero Apaches agreed to settle at the reservation at Bosque Redondo.<sup>66</sup> Under Labadi’s direction, they cleared one hundred and fifty acres of land, which yielded 1,500 bushels of corn, “[o]ver two thousand melons—water and cantaloupe,” and “[a]bout a thousand pumpkins and squashes.” Labadi claimed, “so much interest has been excited in them by the profitable results of their labor, which they are now realizing, that I have no doubt all, or nearly all, will engage in planting next year.” During the first two years of captivity at Bosque Redondo, the Mescalero Apaches met or exceeded many of Labadi’s expectations. Yet their labor in the fields yielded only limited quantities of food. Moreover, the Indian Office’s meager budget could not provide satisfactory nutrients to supplement their diet. As the U.S. war with the Navajo escalated in 1863 and 1864, the Mescalero Apaches were exposed to raids upon their livestock. In December and January the

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<sup>64</sup> Lorenzo Labadi. Fort Sumner, October 10, 1863. No. 5. *ARCIA* (1863): 424-5.

<sup>65</sup> Lance R. Blythe, “Kit Carson and the War for the Southwest: Separation and Survival along the Rio Grande, 1862-1868” in *Civil War Wests: Testing the Limits of the United States*, eds. Adam Arenson and Andrew R. Graybill (Oakland: University of California Press, 2015): 53-70.

<sup>66</sup> Labadi reported, “[t]he whole number of Mescaleroes now under my charge is four hundred and forty-one (441) . . .” *Ibid.*: 425.

Navajo drove off large numbers of sheep and horses belonging to them and the U.S. troops stationed at Fort Sumner.

On September 6, 1863, James H. Carleton wrote to Lorenzo Thomas, informing him that “I have this week sent 51 Navajo Indians, men, women, and children, to Fort Sumner, at the Bosque Redondo, on the Pecos River, where, as I have before informed you, I have 425 Mescalero Apaches, held as prisoners.”<sup>67</sup> Carleton explained “[t]he purpose had in view is to send *all* captured Navajoes and Apaches to that point, and there to feed and take care of them until they have opened farms and become able to support themselves, as the Pueblo Indians of New Mexico are doing.” Referring to the Mescalero Apaches then residing on the reservation at Bosque Redondo, he claimed, “[t]his year those Indians have been contented and happy. They planted, under the direction of their agent [Lorenzo Labadi] with a little help, some large fields of corn, and now that they have their *acequia* dug, will next year raise quite enough to support themselves.”

Carleton wrote to Thomas requesting additional resources to achieve these objectives. He reasoned that if he could have “one more *full* regiment of cavalry, and authority to raise one independent company in each county in the Territory, they can soon be carried to a final result.” The final result Carleton envisioned was for the Navajo to “become an agricultural people, and cease to be nomads. This should be a *sine qua non*.” Carleton provided a quaint solution: “To gather them together little by little on to a Reservation, away from the haunts, and hills, and hiding places of their country, and then be kind to them; there teach their children how to read and write; teach them the arts of peace; teach them the truths of christianity [*sic*]. Soon they will

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<sup>67</sup> James H. Carleton, Brigadier General Commanding, to Brigadier General Lorenzo Thomas, Adjutant General U.S.A., Washington, D.C. Headquarters Department of New Mexico. Santa Fé, New Mexico, Sept. 6, 1863. Appendix to Carleton, *To the People of New Mexico* (1864): 12-13.

acquire new habits, new ideas, new modes of life; the old Indians will die off and carry with them all latent longing for murdering and robbing; the young ones will take their places without these longings; and thus, little by little, they will become a happy and a contented people, and Navajo wars will be remembered only as something that belongs entirely to the past.”

However, Carleton’s plan to assimilate the Navajo “little by little” failed quite spectacularly. In a public announcement entitled *To the People of New Mexico*, published in Las Cruces on December 16, 1864, Carleton acknowledged the shortcomings of his plan to forcibly resettle the Navajo on the reservation at Bosque Redondo.<sup>68</sup> He defended his invitation, made in the spring of 1863, when “word was sent that all who did not wish to be exposed to the perils of war, must come in and go down to the Bosque Redondo, where they should be fed and cared for, until those who remained hostile should be subdued.” When the Navajo refused to comply, Carleton said, “[w]ord was again sent to them to consider the matter more maturely; that the peace party should have until the 20th of the following July, in which to make up their minds and come in; that the door should remain open until that day.”

Appealing to his audience’s sense of pride, Carleton argued a force “composed mainly of your own people” fought the ensuing conflict. He characterized the conflict as a heroic battle in which “these gallant children of New Mexico pursued their hereditary foe” and who “went out from under your own roofs, and encountered all this toil, this exposure, these dangers, for you, and for your children, and your children’s children.” From Carleton’s perspective, the site of Bosque Redondo offered an ideal setting for the resettlement of the Navajo nation. There he saw “rich bottom lands . . . capable of growing crops sufficient to support a large population” and

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<sup>68</sup> James H. Carleton, *To the People of New Mexico*, Las Cruces, N.M., Dec. 16, 1864.

“broad plains spread out on every hand, which were covered with fine pasturage.”<sup>69</sup> Upon Carleton’s recommendation, the reservation received the endorsement of the federal government. As he acknowledged somewhat defensively, “a determination has been expressed by those who control such matters at Washington, to give this experiment a full and fair trial.”

Opposition to Carleton’s plan, in his words, came from those “who are not natives of the soil; who are said not to have a horn or a hoof of stock to lose; who have no permanent interest in your Territory; who, neither for themselves nor for their children, have a care whether, or not, New Mexico ever shall become a powerful and wealthy state . . . .” He defended his plan against his critics who argued, among other points, that “*The Navajoes are Arizona Indians,*” “*The tribe may rise and attack the people,*” and “*feeding the Navajoes raises the price of provisions.*” Citing the increased prices for corn, wheat, beans, and fresh meats, Carleton argued local residents would profit from the sale of these items to the U.S. federal government.

Carleton was forced to acknowledge the failure of “nearly three thousand acres of corn” which were “attacked by the *Corn Worm*” and “totally destroyed.” But he regarded this unfortunate occurrence as “a visitation from God!” “No human forecast could have prevented it,” he argued. Had this not occurred, he estimated this crop of corn “would have produced ten millions of pounds . . . which would have been an abundance to have fed the whole tribe for a year.” In spite of this setback, Carleton claimed, “the Navajoes have borne this terrible loss with fortitude, and have cheerfully gone to work again to prepare this field and to break up others for planting next year, when, with the blessing of Providence upon their labors, they will be placed above want, it is hoped, forever.”

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<sup>69</sup> This was the vision that he communicated to Lorenzo Thomas in his letter of September 6, 1863.

Laws passed by the New Mexican Legislative Assembly in the 1863-64 session revealed local leaders' determination to gain sympathy for their situation. In January 1864 the Legislative Assembly approved a Joint Resolution that included a vivid depiction of "the deepest feelings of grief, caused by the cries of the people of this Territory, heard every moment, who are to be found to-day in the most painful and miserable state at the hands of the Navajo tribe." It went on to describe "murders and robberies from day to day, citizens of this Territory; owners of large herds of cattle and flocks of sheep, as owners of other live stock, suffer to-day their misfortunes, and those of their numerous families, well nigh reduced to beggary and poverty; fathers mourn the loss of their children slain or captive [sic] by Indians; children that of their fathers; wives mourn their husbands, and these their wives; friends their friends and these their countrymen; live stocks of all kinds, from week to week, pass away to the Navajo country, and there only remains to their owners the hoof-prints and paths where these red plunderers sweep rapidly with their great capture."<sup>70</sup>

On February 3, 1864, the Legislative Assembly approved an act that stipulated, among various other provisions, the organization of volunteers for a campaign against the Navajo.<sup>71</sup> This campaign was to be led by "a commander, who shall be appointed by the majority of the persons thus united." It was the responsibility of this commander "to distribute equally, among all his party in equal shares, all the property obtained in the campaign." This followed the

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<sup>70</sup> Legislative Assembly of New Mexico, *Laws of the Territory of New Mexico, with the Joint Resolutions Passed by the Legislative Assembly, at the Session of 1863-1864*, trans. Theodore S. Greiner (Albuquerque, NM: Hezekiah S. Johnson, Printer, Rio Abajo Press, 1864): 124-126. Box No. N.A. 100 of T.P. 316, 317, 318. Territorial Papers. New Mexico, Northwest, and Indiana Territory. 11th-42nd Congress. 1800-1872. Records of the United States House of Representatives. Record Group 233. National Archives Building, Washington, DC.

<sup>71</sup> *AN ACT With the view of protecting the People of the Territory of New Mexico against the depredations of the Navajo Indians, or other tribes at war with the Territory of New Mexico*. Approved, February 3, 1864. Territory of New Mexico, *Laws of the Territory of New Mexico, with the Joint Resolutions Passed by the Legislative Assembly, at the Session of 1863-1864*, trans. Theodore S. Greiner (Albuquerque, NM: Hezekiah S. Johnson, Printer, Rio Abajo Press, 1864): 90-92.

precedent set in earlier periods under Spanish and Mexican rule as well as, more recently, Rencher's term as governor. Property of the U.S. government seized during the campaign would "be delivered to the commander of the Fort most immediate, from whom he shall take a receipt, and the property taken from individuals, shall be delivered to their owners, pursuant to the laws of the Territory of New Mexico."

The act also stipulated the terms for the treatment of captives of war, both children and adults. White captives, identified as "natives of this or other Territories," were to be delivered "to their relatives without delay, as soon as claimed." All adolescent Navajo captives, identified as "of the race of the hostile Indians, and under age" would be appointed guardians.<sup>72</sup> All adult Navajo captives "recovered, over age, and of the race of the hostile Indians, shall be delivered to the General of the Territory of New Mexico, in order that he may forward them to Fort Sumner, a point reserved for such purpose. *Provided:* that the word *captive* shall be understood as male and female captives."<sup>73</sup>

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<sup>72</sup> The act stipulated the appointed guardians "shall be those who present them to the Probate Judge, and letters of guardianship shall be given in conformity with the Territorial law, and subject to the approval of the United States Government."

<sup>73</sup> Human trafficking, as James F. Brooks has observed, remained an important form of currency in the borderlands political economy in the antebellum period, through the Civil War, and well after the abolition of slavery. James F. Brooks, *Captives & Cousins: Slavery, Kinship, and Community in the Southwest Borderlands* (Chapel Hill: University of North Carolina Press, 2002): 304-360. See also Andrés Reséndez, *The Other Slavery: The Uncovered Story of Indian Enslavement in America* (Boston and New York: Houghton Mifflin Harcourt, 2016).

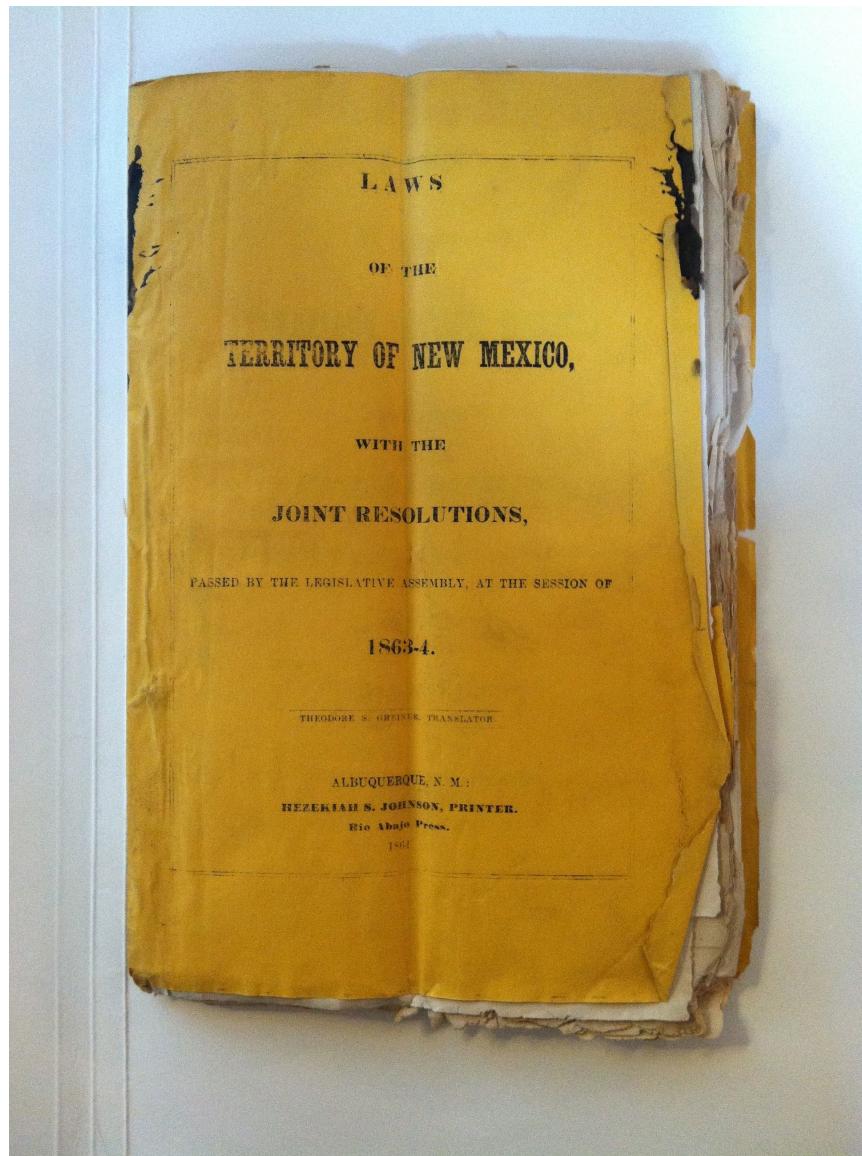


Figure 8. Legislative Assembly of New Mexico, *Laws of the Territory of New Mexico, with the*

*Joint Resolutions Passed by the Legislative Assembly, at the Session of 1863-1864*, trans.

Theodore S. Greiner (Albuquerque, NM: Hezekiah S. Johnson, Printer, Rio Abajo Press, 1864): 124-126. Box No. N.A. 100 of T.P. 316, 317, 318. Territorial Papers. New Mexico, Northwest, and Indiana Territory. 11th-42nd Congress. 1800-1872. Records of the United States House of Representatives. Record Group 233. National Archives Building, Washington, D.C.

The Bosque Redondo reservation, approved by Executive Order of President Abraham Lincoln on January 15, 1864, lasted little more than four years. On February 3, 1864 the Legislative Assembly approved an act “[w]ith the view of protecting the People of the Territory of New Mexico against the depredations of the Navajo Indians, or other tribes at war with the Territory of New Mexico.” The act of February 3, 1864 exposed the underlying objectives of the war against the Navajos—to plunder the Dinétah, take their land, and acquire captive women and children. Large numbers of Navajo prisoners of war began arriving at Bosque Redondo at the end of February 1864. Their arrival almost immediately led to problems. As Labadí described the situation during the summer, “many difficulties have arisen between the two tribes—the Apaches in defence of their fields and gardens, and the Navajoes in endeavoring to destroy them.”<sup>74</sup> In a series of letters to the Secretary of the Interior in 1864, Dr. Michael Steck vigorously defended the right of Mescalero Apaches to the lands they had cultivated.

Under the leadership of Ojo Blanco, various clans of Mescalero Apaches agreed to settle at Bosque Redondo in 1862. Throughout the year of 1863 they remained within the boundaries of the reservation. But by 1864 Labadie could no longer guarantee their safety. In April 1864 the Mescalero Apaches fled from Bosque Redondo, “driving off livestock as they hurried back to their traditional homelands in the rugged Sacramento and Guadalupe mountains.”<sup>75</sup> The Mescalero Apaches abandoned the reservation again in 1865. They fled to the nearby Guadalupe

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<sup>74</sup> Lorenzo Labadi to Michael Steck. Fort Sumner, N.M. October 22, 1864. ARCIA (1864): 203.

<sup>75</sup> Jerry D. Thompson, ed., *New Mexico Territory during the Civil War: Wallen and Evans Inspection Reports, 1862-1863* (Albuquerque: University of New Mexico Press, 2008): 126.

Mountains in Texas and across the border into Mexico. Mescalero Apache folktales recall the challenges faced by the refugees during this difficult period.<sup>76</sup>

The departure of the Mescalero Apache and the meager harvest in the autumn of 1865 destroyed the government's dream of creating a "self-sustaining community" at Bosque Redondo. As the Commissary General for Subsistence A. B. Eaton explained to the Secretary of War Edwin M. Stanton in December 1865, "little reliance can be placed upon the expectation, originally entertained, that the Indians would by their own labor subsist themselves by their cultivation of the lands of the Reservation."<sup>77</sup> In December 1865 the Secretary of War asked the Department of the Interior for relief from the responsibility of subsisting the Navajos. Secretary of the Interior Jas. Harlan complied immediately, but the transfer of custody was stalled for more than a year.<sup>78</sup> In December 1865 the War Department's Office of the Commissary General of Subsistence produced a "scientific" and presumably objective assessment of the number of Navajo Indians at Bosque Redondo and the cost of subsisting them.<sup>79</sup> It drew from a report by Capt. Bristol that calculated the daily cost of subsisting each of the 7,555 individuals at \$24.25 between the seven months of March to September 1865. It anticipated "the cost of this subsistence from March 1<sup>st</sup> 1865 to February 28<sup>th</sup> 1866 would be \$729,002.19." Since Eaton did not have information on the cost of clothing the Navajos, he did not include that expense in his total calculation. Eaton doubted using Indian labor would significantly reduce the cost of maintaining the reservation. As he wrote, "little reliance can be placed upon the expectation,

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<sup>76</sup> Lynda A. Sánchez, *Apache Legends & Lore of Southern New Mexico: From the Sacred Mountain* (Charleston and London: The History Press, 2014).

<sup>77</sup> A. B. Eaton. Com. Gen.l Subs. to Hon. Edwin M. Stanton, Secretary of War. Copy. Office Commissary General of Subsistence. Washington City, December 27, 1865. H.R.39A-F11.11.

<sup>78</sup> H.R.39A-F11.11. 1866, May 2. Harlan to Windon.

<sup>79</sup> A. B. Eaton. Com. Gen.l Subs. to Hon. Edwin M. Stanton, Secretary of War. Copy. Office Commissary General of Subsistence. Washington City, December 27, 1865. H.R.39A-F11.11.

originally entertained, that the Indians would by their own labor subsist themselves by their cultivation of the lands of the Reservation.” But he did believe “the close of the War of the Rebellion, and the consequent comparatively peaceful and settled condition of New Mexico, will doubtless cause the agricultural population of that Territory to return to their former pursuits, thereby probably greatly reducing the cost of food, both meat and breadstuffs.”

Despite these setbacks, Carleton remained optimistic. When questioned by the Secretary of the Interior in February 1866 on the prospects of diminishing the expense of the reservation in that year, he reasoned “beef and mutton and corn will be furnished by the producers at a less than cost than the price paid when gold as compared with currency.”<sup>80</sup> Moreover, he argued, “work oxen, mules, farming utensils, seeds, &c &c may be procured in sufficient abundance so that a mill may be put up to grind grain for the Indians &c &c in two or three years at the furtherest [sic], the Bosque Redondo Reservation ought to be self sustaining, or nearly so.”

After relieving the Department of War from the duty of subsisting and caring for the Navjos, Jas. Harlan, Secretary of the Interior, expressed his belief that “the expense of supporting and caring for these Indians can be reduced below that heretofore expended by the military authorities.”<sup>81</sup> In May 1866 he Commissioner of Indian Affairs Dennis N. Cooley wrote Harlan a lengthy letter that discussed the logistical and financial difficulties he anticipated the Indian Office would encounter upon assuming responsibility for Bosque Redondo.<sup>82</sup> The change in tone

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<sup>80</sup> Report of Bvt. Major General James H. Carleton, Commanding District of New Mexico. February 5, 1866. H.R.39A-F11.11.

<sup>81</sup> Jas. Harlan, Secretary, to Hon. William Windon, Chairman, Committee on Indian Affairs, House of Representatives. Department of the Interior. Washington, D.C. May 2, 1866. H.R.39A-F11.11.

<sup>82</sup> D.N. Cooley, Commissioner, to Hon. Jas. Harlan, Secretary of the Interior. Department of the Interior. Office of Indian Affairs. Washington, D.C. May 1, 1866. HR 39A-F11.11. Committee on Indian Affairs. Tribal Matters of the Region of New Mexico and Utah. (1) Navjos “Bosque Redondo.” Record Group 233. Records of the United States House of Representatives. National Archives Building, Washington, DC.

was remarkable. Whereas Gen. Carleton had discussed the Navajos' fate in the cold and calculated language of military necessity, Cooley insisted, “[c]ommon humanity will render the foregoing appropriations necessary.” Moreover, he believed, “[t]he interests of the Government in rendering these Indians a self-sustaining community by advancing them in civilization will render others necessary.”

Following a significant delay, the War Department finally began the process of transferring custody of the Navajos at the Bosque Redondo reservation to the Indian Office in February 1867. The Superintendent for Indian Affairs A. B. Norton immediately requested an appropriation of \$667,070 for the Navajos, \$17,500 for the permanent settlement of the Mescalero Apaches south of Fort Stanton, \$27,000 for the Gila Apaches, Mimbres & Mogollon bands on their old reservation broken up by the Texas invasion, and \$10,000 for the purchase of agricultural implements for the Pueblo Indians.<sup>83</sup> The commissioner of Indian affairs described Norton's estimate for an appropriation as “absolutely necessary.”<sup>84</sup> Yet, despite this enormous appropriation, the 7,500 Navajos concentrated on the reservation continued to suffer from extreme deprivation. The miserable conditions the Indian agent described in his 1866 report to the Secretary of the interior remained unchanged through much of the following year. As Theo. H. Dodd reported in June of 1867, they became the victims of Comanche depredations and they “expressed a desire to be located in their old country, where they stated they could live in peace, raise good crops, have better grazing for their herds, and where there was plenty of wood.”<sup>85</sup> Channeling their frustration, the Indian agent wrote, “[t]hey wished me to say to their Great

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<sup>83</sup> A. B. Norton. Supt. Ind. Affairs for New Mexico, to Hon. S. V. Bogy, Com. Ind. Affairs. Copy. Washington, D.C. February 6, 1867. H.R.39A-F11.11.

<sup>84</sup> Lewis V. Bogy, Commissioner, to Hon. O. H. Browning, Sec. of the Interior. Copy. Department of the Interior. Office Indian Affairs. Washington, D.C. February 7, 1867. H.R.39A-F11.11.

<sup>85</sup> Theo. H. Dodd to A.B. Norton. No. 52. Navajo Agency, Fort Sumner, N.M. June 30, 1867. ARCIA (1867): 199.

Father, if he would locate them upon a good reservation in their old country, and furnish them with sheep, goats, implements, seeds, &c., that they would soon be able to support themselves.” Dodd advocated on their behalf, describing the Navajos skill in agriculture, animal husbandry, and weaving.

Manuelito and Barboncito returned to the reservation in the spring of 1867. They brought with them 780 men and women, reporting that there were “few Navajoes remaining in their old country.” According to agent Dodd, during 1867 “the Navajoes have been very much dissatisfied with their reservation at the Bosque Redondo, and they state that their discontent is in consequence of the frequent raids being made upon them by Comanche, Kiowa, and other Indians, the scarcity of fuel, unproductiveness of the soil, bad water, and unhealthiness.”<sup>86</sup> Navajo leaders, including influential women, pleaded with U.S. authorities to allow them to return to their homelands.

Graves’ investigation of the degrading conditions on the reservation in 1866 prompted the Commissioners to recommend negotiating a new treaty with the Navajos and removing them elsewhere.<sup>87</sup> Among the officials appointed were Gen. William T. Sherman and Samuel F. Tappan.<sup>88</sup> Barboncito and eight other Navajo leaders signed their X-marks to the treaty.<sup>89</sup> As Jennifer Nez Denetdale has argued, “[i]n affixing their X-marks to paper, Diné leaders both

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<sup>86</sup> Theo. H. Dodd to L.E. Webb. New Fort Wingate, New Mexico. August 15, 1868. ARCIA (1868): 164.

<sup>87</sup> “Report of the Indian Peace Commissioners,” January 7, 1868, 40th Cong. 2d Sess. House Ex. Doc. No. 97: 22.

<sup>88</sup> Samuel F. Tappan was “a noted supporter of Indian rights with a tinge of fanaticism in his makeup, who had chaired the military commission investigating Colonel Chivington and Sand Creek.” Francis P. Prucha, *The Great Father: The United States Government and the American Indians* (Lincoln: University of Nebraska Press, 1984): 489.

<sup>89</sup> The Navajo leaders who signed the treaty were Barboncito, Armijo, Delgado, Manuelito, Largo, Herrero, Chiquito, Muerto de Hombre, Hombro, Narabono, Narbono Segundo, and Ganado Mucho. The Council consisted of Riquo, Juan Martin, Serginto, Grande, Inoetenito, Muchachos Mucho, Chiqueto Segundo, Cabello Amarillo, Francisco, Torivio, Desdendado, Juan, Guero, Gugadore, Cabason, Barbon Segundo, Cabares Colorados.

affirmed Diné sovereignty and acknowledged the authority of the United States to limit tribal sovereignty.”<sup>90</sup> The Navajos returned to their homelands in the middle of the summer, exhausted beyond belief, and it was impossible for them to cultivate crops. As the agent noted, the government would continue to provide what food it could through the autumn of the following year. But he warned “[i]f the government ceases to feed them, they certainly will depredate upon the citizens of the Rio Grande and other localities, and war will be the result.”<sup>91</sup> The citizens of New Mexico still feared the Navajo would resume their raiding activities.

Elsewhere in the Territory, Indian depredations escalated as a result of the government’s preoccupation with the Navajos. The superintendent reported in September 1868 that the Mescalero Apaches “never visit the agency, and have been at war with the government since November 3, 1865, at which time they left the Bosque Redondo reservation at night, in a body.”<sup>92</sup> Moreover, he reported, they “have been continually committing depredations upon the citizens, murdering, stealing stock, &c.” Similarly, the Mimbres and Mogollon Apaches at the Southern Apache agency located near Limitar allegedly “captured several coaches from the southern overland stage company during the past year, and murdered the passengers, drivers, and conductors.” Noting that no appropriation had been made for these groups “for several years,” the superintendent recommended “a treaty be made with them, and that an appropriation of \$20,000 be made to subsist; also, \$5,000 for presents; and after the agent has had charge of them

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<sup>90</sup> Jennifer Nez Denetdale, “Naal Tsoos Saní: The Navajo Treaty of 1868, Nation Building, and Self-Determination” in *Nation to Nation: Treaties between the United States & American Indian Nations*, ed. Suzan Shown Harjo (Washington, DC: National Museum of the American Indian, 2014): 126.

<sup>91</sup> Theo. H. Dodd to L.E. Webb. New Fort Wingate, New Mexico. August 15, 1868. ARCIA (1868): 163.

<sup>92</sup> N.M. Davis to N.G. Taylor. No. 31. Office Superintendent Indian Affairs, Santa Fe, New Mexico. September 15, 1868. ARCIA (1868): 160.

for one year, they may be induced to locate upon a reservation without much trouble, and by this means the citizens would be protected from their constant depredations.”

The failure of the reservation at Bosque Redondo and the Navajos’ return to their homelands in 1868 exposed the false assumptions of U.S. Indian policy in the mid-nineteenth century. Yet, the Navajos’ resistance to U.S. colonial domination strengthened their sense of community, reinvigorated forms of traditional knowledge, and buttressed their claims to political sovereignty.<sup>93</sup>

### *Conclusion*

In their analyses of the Civil War in the West in general and of the history of Bosque Redondo in particular, historians have emphasized the expansive role of the federal government. But scholars have overlooked the limits of state power, especially in the context of the Southwest borderlands region where the federal government was constrained not only by its sovereign neighbor Mexico but also by the prerogatives of sovereign Indian nations that defied the authority of both nation-states through the end of the nineteenth century. By examining the limited role of the federal government in the Southwest borderlands, scholars can more fully understand the interlocking of state power, science, and race in the context of U.S. imperialism. Moreover, by listening to the voices of Navajo individuals whose descendants experienced “the Long Walk,” scholars can more fully appreciate why Bosque Redondo failed and how the Navajo nation managed to reconstituted their political sovereignty after the traumatic ordeal came to an end.

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<sup>93</sup> Denetdale, “Naal Tsoos Saní: The Navajo Treaty of 1868, Nation Building, and Self-Determination”: 128.

Through an analysis of the failures at Bosque Redondo as well as those that occurred at other Apache reservations in the U.S. Territories of New Mexico and Arizona, this chapter has shown how individuals such as Manuelito evaded state projects of social control and subjugation. Even though authorities had all judged the reservation at Bosque Redondo to be a failure, there still existed significant support from the reservation system in the southwestern territories during the era of Reconstruction. As will be explored in Chapter 7, the failure of the reservation at Bosque Redondo, precipitated major changes in federal Indian policy after the end of the Civil War under the administration of president Ulysses S. Grant.

Apache and Navajo strategies of resistance were significant in shaping the political geography of the U.S.-Mexico borderlands during the 1850s and 1860s. Treaties that U.S. authorities negotiated with the Navajo and Apache nations revealed the shifting dynamics of state power and indigenous politics in the Southwest borderlands. While they helped to establish a delicate equilibrium, Indian leaders regarded the treaties as signs of the federal government's weakness and many *vecinos* and Anglo residents viewed them as affirmations of Indian strength and sovereignty. Hispanic residents harshly criticized the treaty system. Led by Donaciano Vigil, they complained to Congress, advocated a policy of Indian removal, and organized unauthorized military campaigns against the Apaches and the Navajos. They believed the U.S. government had squandered its authority and lost its legitimacy, and they felt justified in taking measures into their own hands.

Memorials that Hispanic elites submitted to Congress in these years underscored their feelings of fear, frustration, and impotence in the face of Apache and Navajo raids upon their towns and villages. Invoking their rights as citizens of the Territory of New Mexico, Donaciano Vigil, José Manuel Gallegos, and Miguel Antonio Otero repeatedly called upon Congress to

protect their people and property. The backlash against the treaty system compelled U.S. authorities to adopt a different set of policies. However, the Confederate invasion of the Territory of New Mexico in 1861 utterly destroyed the delicate equilibrium Native agents had established through diplomacy.

Following the failure of the reservation at Bosque Redondo, the 1868 treaty marked a new course for the Navajo nation, its relationship with the people of New Mexico, and the role of the federal government in the Southwest. Initially heralded as a solution to “the Indian problem,” the reservation at Bosque Redondo ultimately became an emblem of government malfeasance. As the reservation complex replaced the treaty system as the preferred policy of the U.S. government to control Indian populations in the U.S.-Mexico borderlands, the Apaches, Navajos, and other Indian nations developed new strategies of resistance. The Mescalero Apaches subverted U.S. control by fleeing to Mexico. The Navajo experience at Bosque Redondo also demonstrated the rising power of U.S. empire. Whereas the treaties U.S. authorities negotiated in the 1850s revealed the limits of state power in the borderlands, the massive concentration of human and material resources in the 1860s signaled the emergence of the federal government as the “Yankee Leviathan.”<sup>94</sup> Yet, the capacity of this new monstrosity was tempered by the refusal of marginalized populations to submit to its dominance.

Throughout this complex process, Apache and Navajo leaders remained ambivalent toward the increasingly coercive presence of the U.S. government in their lives. Although the U.S. occupation had initially promised an appealing alternative to the Mexican administration, Armijo, Barboncito, Delgado, Manuelito, Narbona, Ojos Blancos, and other leaders were

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<sup>94</sup> Richard F. Bensel, *Yankee Leviathan: The Origins of Central State Authority in America, 1859-1877* (New York: Cambridge University Press, 1990).

ultimately disappointed by the broken treaties and duplicity of the “Great Father” and the white men who carried the stars and stripes into the Southwest. By the end of the 1860s, the programmatic failures of the reservation at Bosque Redondo had undermined the legitimacy of the U.S. government in the eyes of Mexican and Anglo settlers as well as Apache and Navajo leaders. While being forced into a subordinate status as “domestic dependents,” they still pursued cultural autonomy, political independence, and territorial sovereignty through whatever means were available to them. Even though the treaty system fell out of favor, they continued to seek accommodation with the state through diplomacy. As I demonstrate in Chapter 7, diplomacy remained an important strategy in the era of Reconstruction, providing a crucial means for Apache and Navajo leaders to engage the bureaucratic apparatus of the state when physical resistance was no longer an option.

## **Chapter 7**

### **The Consolidation of the Reservation System**

This chapter analyzes the emergence of the modern reservation system and the strategies the Apaches and Navajos employed to retain their traditional social organization and to control resources within their homelands. The first section examines Ulysses S. Grant's role in establishing and abolishing Indian reservations through Executive Orders. It shows that his administration wielded unprecedented power in directing federal Indian policy by authorizing the creation of hundreds of Indian reservations, many of which existed for only a brief period of time before being "restored to the public domain." These actions contributed to the development of the programs and practices that constituted the modern reservation system. Particular attention is paid to the creation of four federal Indian reservations designed to hold the various bands of Western and Chiricahua Apaches. Leaders such as Cochise were extremely dissatisfied with the new arrangements. But anti-Indian violence in Arizona—including the Camp Grant and Skeleton Cave massacres in 1871—compelled the ethnically diverse populations to seek protection from the federal government. At that time, the Indian Office embarked upon a new campaign to concentrate the plurality of Chiricahua and Western Apaches bands at the San Carlos Apache Indian reservation. Collectively, these actions radically reconfigured the geographical expanse historically known as the Apachería.

The second section shows how diplomatic missions brought tribal leaders together with government officials to discuss their mutual interest in maintaining peaceful relations. While local agents and territorial officials advocated increasing the size of appropriations to the Indian Office in order to improve U.S.-Indian relations, there was still dissatisfaction among many of

the Apaches. Delegations of Aravaipa Apaches and Navajos traveled to Washington in 1872 and 1874 to meet with President Grant, the Secretary of the Interior, and other officials. A second delegation of Aravaipa Apache, led by John P. Clum, traveled to Washington in 1876 reaffirmed the broader purpose of the diplomatic missions to secure political and material support from the federal government.

The third section analyzes developments in Sonora and Chihuahua where a different dynamic took shape. Across the border in Mexico, the central government and local authorities took a more active role in military operations against the Apaches. While some officials sympathized with their plight, others saw them as a threat to citizens' lives and the region's economic prosperity. The Mexican government engaged in campaigns to transfer them from northern Mexico to the Apache reservations in the United States. When those efforts failed, it agreed to allow U.S. troops to conduct operations in Mexico. Whereas the Chiricahua, Mescalero, and Lipan Apaches had thrived in the periphery between the two nation-states for decades, the Reciprocal Crossing Agreement signed by Mexico and the United States in 1882 permitted troops from either country pursue "hostile" Indians across the international line. Cooperation between U.S. and Mexican forces in the early 1880s ultimately led to the full-scale removal of the Apaches from close proximity to the border.

The final section examines the effects of the influx of emigrants from the eastern United States to the southwest in the 1870s and 1880s. That population presented a new set of challenges for Apachean peoples, particularly through the U.S. cadastral system of surveying and agriculture practices that eclipsed traditional understandings of territoriality and subsistence patterns. The Indian Office sought to implement "civilization" programs at four different locations: the San Carlos, Navajo, Jicarilla, and Mescalero reservations. This analysis shows that

the effect of those programs varied considerably at each of the reservations. The Chiricahua, Western, and Mescalero Apache saw their holdings diminish, whereas the Navajo and Jicarilla Apaches succeeded in enlarging the extent of their landholdings beyond their original boundaries.

*“Restored to the Public Domain”: Patterns of Dispossession*

President Ulysses S. Grant’s two terms in office (1869–1877) were a critical period in the development of the Western and Chiricahua Apache reservation reservations in the Territory of Arizona as well as the Navajo, Mescalero, and Jicarilla Apache reservations in the Territory of New Mexico. Grant’s administration of Indian affairs throughout the United States marked a major departure from federal policy and practices in the preceding decades. Most notably, the cessation of the treaty system in 1871 shifted control of Indian affairs from Congress to the White House, empowering the president with the ability to create and abolish Indian reservations through Executive Orders. Unimpeded by the political and procedural constraints that dogged Congress in the previous decades, Grant wielded nearly unprecedented power in directing federal Indian policy.<sup>1</sup> Although the discretionary authority of local agents and military officers in the field served to moderate his decisions, his application of that power carried significant consequences for Indian communities, particularly for those living in the states and territories of the American West.

Scholars have delved deeply into critical studies of Grant’s so-called “Peace Policy,” the acknowledged centerpiece of his Indian “civilization” program, but they have overlooked the

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<sup>1</sup> Stephen J. Rockwell, *Indian Affairs and the Administrative State in the Nineteenth Century* (New York: Cambridge University Press, 2010): 246–274.

historical importance of his Executive Orders.<sup>2</sup> During both of his terms in office, Grant authorized the creation of hundreds of Indian reservations (also called “reserves” or “cessions”) that existed for only a brief period of time before being annulled or “restored to the public domain.” While ostensibly setting aside vast tracts of land for Indian occupancy, Grant’s policies displaced and dispossessed thousands of Indian communities by obligating them to relocate to limited parcels of land that local and federal authorities deemed undesirable for white settlement. In this manner, executive authority over the reservation system in the early 1870s undermined the interests of tribal leaders and set in motion a series of conflicts that continuously destabilized relations between Indian communities, local authorities, and the federal government throughout the period of Reconstruction.<sup>3</sup>

It was during these years (1869–1877) that policymakers in the Department of the Interior first developed many of the programs and practices that constituted the modern reservation system. The end of the Civil War strengthened the position of the federal government throughout the United States, especially in the western states and territories where local officials struggled to impose Anglo-American legal standards or economic control over the majority of Native American and Hispanic populations. In the Territories of New Mexico and Arizona in particular, U.S. agents of the Indian Office played a critical role in enforcing federal policies, though their short-term appointments, geographical isolation, limited resources, and the temptations of fraud and corruption often mitigated their efficacy. By the early 1870s, the

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<sup>2</sup> Recent scholarship on Grant’s “Peace Policy” and the work of the Board of Indian Commissioners has focused on the ways in which “the federal government began to shift its assault on Indian nations from an attack on external sovereignty through removal and reservation policies to a chipping away at internal sovereignty through ‘civilization’ and assimilation programs.” C. Joseph Genetin-Pilawa, *Crooked Paths to Allotment: The Fight over Federal Indian Policy after the Civil War* (Chapel Hill: The University of North Carolina Press, 2012): 75.

<sup>3</sup> C. Joseph Genetin-Pilawa, “Ely S. Parker and the Paradox of Reconstruction Politics in Indian Country” in *The World the Civil War Made*, eds. Gregory P. Downs and Kate Masur (Chapel Hill: The University of North Carolina Press, 2015): 183–205.

appointed employees of the Board of Indian Commissioners and career military officers filled the void left by inept or corrupt agents who manifested little interest or ability to fulfill the responsibilities of their office.

Partially in response to the spate of ethnic and racial violence that tore through the Southwest borderlands in 1871, Grant authorized the creation of four federal Indian reservations in that year with the intention of providing shelter to various communities of Western and Chiricahua Apaches. First, the Tularosa River reservation in New Mexico was created for the purpose of distributing food, clothing, housing, agricultural supplies, and other material goods to the population known generically as the “Southern Apaches,” which included various bands of Mimbres, Mogollon, and Mescalero Apaches. Second, the Camp Grant reservation in Arizona had been the site of a horrific massacre of Aravaipa Apaches by Anglo and Mexican, and Papago Indian belligerents from Tucson on April 30, 1871. Under the direction of the Department of the Interior and the Board of Indian Commissioners, Grant authorized the relocation of Camp Grant by an Executive Order on September 18, 1871. Third, the White Mountain reservation set aside a large, irregularly shaped territory centered on the headwaters of the San Carlos River for various Aravaipa, Chiricahua, Coyotero, Pinal, Tonto, and other non-affiliated bands of Western Apaches. Finally, the Verde River reservation established a vaguely defined patch of land “within the limits of which all peaceably-disposed Apache Mohave Indians are to be protected, fed, and otherwise cared for.”<sup>4</sup>

At the Tularosa River reservation, the population of Mimbres, Mogollon, and Mescalero Apaches initially resisted the efforts of U.S. officials to uproot them from their preferred residence at Cañada Alamosa, near present-day Monticello, New Mexico. Following a brief

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<sup>4</sup> Vincent Colyer, Department of the Interior, Board of Indian Commissioners. *Camp Verde, Arizona. October 3, 1871. Executive Orders relating to Indian Reserves* (Washington, DC: Government Printing Office, 1902): 3.

inspection of their circumstances in the summer of 1871, Vincent Colyer, Secretary of the Board of Indian Commissioners, and Nathaniel Pope, Superintendent of Indian Affairs for the Territory of New Mexico, decided to relocate the group of nearly 1,600 men, women, and children twenty-five miles west to the Tularosa River valley. Colyer issued instructions to abandon Cañada Alamosa on August 29, 1871, and Grant approved the creation of the new reservation by Executive Order on November 9, 1871.<sup>5</sup>

Representing the interests of the loosely affiliated bands of Southern Apaches, Cochise expressed his dissatisfaction with the new arrangement Colyer had proposed. According to the U.S. agent O.F. Piper, “as soon as an effort was made to induce the Indians to quietly and peaceably remove to their new reservation, he became restless, and manifested a disposition to return to his haunts in the mountains.”<sup>6</sup> During the fall of 1871, the Superintendent had counted the arrival of “1,210 souls” at Cañada Alamosa to receive rations and supplies from the government.<sup>7</sup> Yet, when Piper attempted to forcibly remove them from that location, only 800 individuals remained. “The Indians were bitterly opposed to their removal,” Piper reported, “they claimed that what is known as the Cañada Alamosa reservation was the home of their ancestors, and had been promised to them as their permanent home.”<sup>8</sup> By the time he had convinced the remaining population to move their belongings to the Tularosa River valley in April 1872, Piper could account for only 450 individuals.

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<sup>5</sup> Vincent Colyer, *Peace with the Apaches of New Mexico and Arizona* (Washington, DC: Government Printing Office, 1872): 45. Edward E. Ayer Collection, Newberry Library. *Executive Orders* (1902): 78-79.

<sup>6</sup> O.F. Piper to Nathaniel Pope. No. 53. United States Indian Agency, Tularosa, New Mexico, August 31, 1872. ARCIA (1872): 306.

<sup>7</sup> Nathaniel Pope to Hon. Committee of Indian Affairs. No. 34. Office Superintendent of Indian Affairs. Santa Fe, New Mexico. September 25, 1871. ARCIA (1871): 369.

<sup>8</sup> Piper to Pope. Tularosa, New Mexico. August 31, 1872.

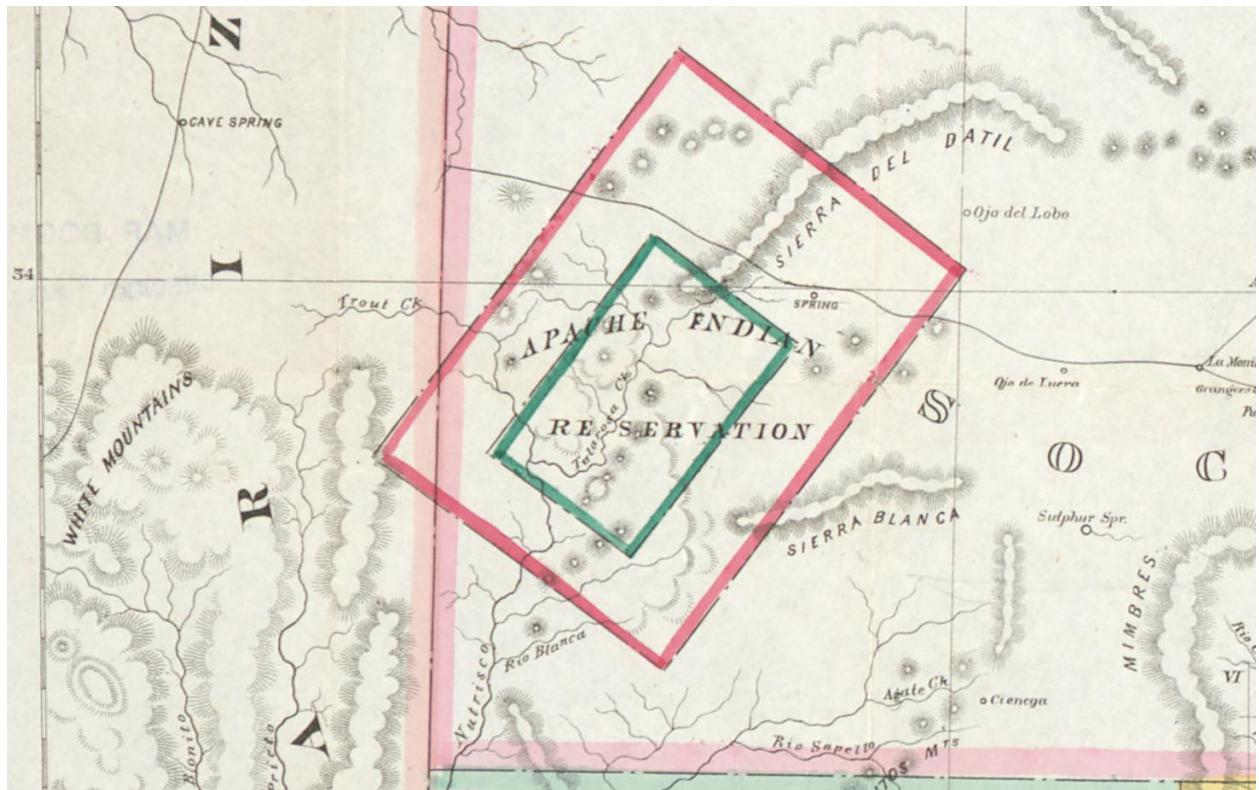


Figure 9. Tularosa River Apache Indian Reservation from William R. Morley, *Map of New Mexico, Compiled from the Latest Government Surveys and Other Reliable Sources*. Cimarron, NM: H. Whigham and G.A. Bushnell, 1873. Edward E. Ayer Collection, Newberry Library.

By refusing to obey the instructions of the Board of Indian Commissioners and defying Grant's executive decrees, Cochise and the loosely affiliated bands of Southern Apaches in New Mexico exposed weaknesses in the government's program.<sup>9</sup> Less than half of the population of Southern Apaches was compelled to abandon Cañada Alamosa, and the majority of Cochise's extended network of kinship alliances continued to evade federal control. Even after Grant authorized the Hot Springs reservation several years later near Cañada Alamosa, the Southern

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<sup>9</sup> Indian agents referred to the bands of Chiricahua and Western Apaches as "Southern Apaches" due to their proximity to the southern border with Mexico.

Apaches never fully committed to living within its boundaries or according to its strictures as other populations of Apaches did at agencies in Arizona.<sup>10</sup>

At the Camp Grant, White Mountain, and Verde River reservations in Arizona, the ethnically and linguistically diverse populations of Western Apaches were not unified by kinship networks or by a shared sense of identity. The hasty creation of the Camp Grant reservation in 1871 was seen as the most expedient solution to the discord and violence that broke out between the Western Apaches and the Anglo, Mexican, and historically antagonistic Papago Indian communities. Although Henry Bendell, the Superintendent of Indian Affairs for the Territory of Arizona, expressed little concern for “the death of some eighty to one hundred Indians of both sexes” in the Camp Grant massacre on April 30, 1871, his successor was more sympathetic.<sup>11</sup> When U.S. agent Edward C. Jacobs began working at the White Mountain reservation in April 1872, he communicated frequently with Bendell, General Otis O. Howard, who replaced Colyer as liaison to the Board of Indian Commissioners, and tribal leaders such as Santo, Eskel-ta-sala, Pelone, and Co-chin-ay. He noted a “more or less restless feeling among the Indians” and recommended relocating the agency, which he described as “very sickly; myself and employés have suffered constantly with fever, and there has been a great deal of sickness and mortality among the Indians.”<sup>12</sup> For these reasons, the headquarters were shortly transferred to a healthier and more suitable environment.

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<sup>10</sup> President Grant created the Hot Springs reservation by an Executive Order of April 9, 1874. The boundaries of the Hot Springs reservation were redefined by an Executive Order of August 25, 1877. *Executive Orders relating to Indian Reserves*, from May 14, 1855, to July 1, 1902. Compiled by the Indian Office under authority of act of Congress approved May 17, 1882. (22 stats., p. 83.) (Washington: GPO, 1902): 76.

<sup>11</sup> Henry Bendell to the Commissioner of Indian Affairs. Office Superintendent Indian Affairs, Arizona Territory, Arizona City. August 22, 1871. No. 29. *Annual Report of the Commissioner of Indian Affairs* [hereafter ARCIA] (1871): 346.

<sup>12</sup> Edward C. Jacobs to H. Bendell. United States Indian Agency, White Mountain Reservation, San Carlos Division, Arizona Territory. September 1, 1872. No. 63. ARCIA (1872): 327-328.

Despite the benevolent and humanitarian rhetoric of Grant's so-called "Peace Policy," the Western and Chiricahua Apaches as well as other Indian communities in the Territory of Arizona remained vulnerable to attacks during this period of federal intervention. Anglo settlers resented the government's policy of sheltering the Apaches and U.S. military officers also regarded them as a risk to public safety. For example, General George Crook proclaimed all "roving Apache" to be at risk of being killed if found traveling beyond the boundaries of the reservations on December 21, 1871. To enforce this proclamation, U.S. army personnel under Crook's command mobilized against a large group of Yavapai Indians in the Salt River Canyon on December 27, 1871. This event, known as the Skeleton Cave massacre, demonstrated the violent nature of U.S.-Indian relations in the Territory of Arizona during the era of Reconstruction.<sup>13</sup>

Following recommendations from the Board of Indian Commissioners, Grant authorized the creation of the "San Carlos addition" to the White Mountain reservation in December 1872.<sup>14</sup> In 1873 the number of Western Apache residing at the San Carlos reservation increased significantly. Federal authorities looked favorably upon this growth in population. However, concentration large numbers of ethnically diverse Apache peoples living in close proximity to each other produced a number of unintended consequences. Beginning in 1874, the Department of the Interior embarked upon a new campaign to concentrate the plurality of Western Apache

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<sup>13</sup> Mike Burns, *The Only One Living to Tell: The Autobiography of a Yavapai Indian* (Tucson: University of Arizona Press, 2012). While Grant approved the selection of a reservation at Camp Verde by an Executive Order on November 9, 1871, it was restored to the public domain on December 14, 1872. The reservation was temporarily revived in 1874 when military operations caused large groups of Apache Yumas, Apache Mohaves, and Tonto Apache to seek refuge near Camp Verde, but Grant again ordered it to be "restored to the public domain" on April 23, 1875. W.S. Schuyler to Assistant Adjutant-General. Rio Verde Indian Agency, Arizona Territory. July 28, 1874. ARCIA (1874): 299.

<sup>14</sup> This additional parcel of land was also trimmed in subsequent years. Two years later, Grant restored to the public domain a portion of the White Mountain reservation by an Executive Order of July 21, 1874. Another portion of the White Mountain reservation was restored to the public domain by an Executive Order of April 27, 1876. Yet other portions of the White Mountain reservation were restored to the public domain by an Executive Order of January 26, 1877.

bands, clans, and lineages at San Carlos. The Yavapais from the Camp Verde reservation as well as a number of Chiricahua Apaches soon joined the bands of Western Apaches.<sup>15</sup> This so-called “removal campaign” in 1874 initiated a new stage in U.S.-Apache relations that departed from the original principles of Grant’s Peace Policy toward a more coercive and violent policy that eventually sparked the prolonged, intermittent conflict known generally as the “Apache Wars” lasting through the mid-1880s.

These examples of reservations created by Executive Orders during Grant’s first term in office represented only a small fraction of the total number of federal Indian reservations established in the Territories of New Mexico and Arizona in the early 1870s. There and throughout the United States, working through a complex bureaucracy, the president radically reconfigured the geographical expanse historically defined as the Apachería. By alternately creating and then effectively abolishing or “restoring to the public domain” reservations in rapid succession, the federal government compelled the Apaches and other Indian communities to abandon their former homelands and move from place to place at irregular intervals. Although U.S. agents of the Indian Office and military personnel often justified this practice by citing the Apaches’ nomadic lifestyle and itinerant nature, such essentialist claims ignored the demands of tribal leaders.

#### *Diplomatic Overtures: Seeing “the Great Father in Washington”*

As the Apache, Navajo, and other Indian peoples searched for a sense of belonging and security on the reservations during the early 1870s, they also pursued new opportunities to

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<sup>15</sup> Veronica E. Velarde Tiller, ed., *American Indian Reservations and Trust Areas* (Washington, DC: Economic Development Administration, U.S. Dept. of Commerce, 1996): 202.

strengthen their relationship with “the Great Father in Washington.” In the remote hinterlands of the Southwest Territories and in the halls of government in the East, diplomatic missions brought tribal leaders together with government officials to discuss their mutual interest in maintaining at least the illusion of tranquility. Grant’s reforms within the Indian Office placed a greater emphasis on peace rather than war. The staggering death tolls of the Civil War, the assassination of Abraham Lincoln, the notoriety of the Sand Creek massacre in Colorado, and the Camp Grant massacre in Arizona caused many Americans to seek a more merciful and humanitarian administration of public affairs.<sup>16</sup> The American public’s preference for charity and public works contributed to the organization of the Freedmen’s Bureau in the South and the efforts of the Board of Indian Commissioners in the West, both of which united private philanthropy with the recently enhanced administrative capacity of the federal government.

During the early years of Reconstruction, there was great dissatisfaction among many of the Apache communities in the Southwest Territories because they believed, with good reason, that U.S. agents and local officials had repeatedly lied to them about the protection of their homelands and the supply of material goods. In the Territory of New Mexico, for example, the Jicarilla Apache had little faith in the ability of the federal government to provide the support it promised. As the U.S. agent Chas F. Roedel observed in a letter to the Superintendent of Indian Affairs on September 1, 1871, the Jicarilla Apache were disappointed after being excluded from a treaty signed with the Ute Indians on March 2, 1868. As a result of their exclusion, they did not receive the food or clothing that Roedel’s predecessor had promised to deliver to them. In

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<sup>16</sup> The collective memory of these events is the subject of several recent studies, including Drew G. Faust, *This Republic of Suffering: Death and the American Civil War* (New York: Alfred A. Knopf, 2008), Karl Jacoby, *Shadows at Dawn: A Borderlands Massacre and the Violence of History* (New York: Penguin Press, 2008), Ari Kelman, *A Misplaced Massacre: Struggling over the Memory of Sand Creek* (Cambridge, MA: Harvard University Press, 2013).

response to the situation, they stated (as paraphrased by the agent), “If you meant to benefit us, you would not let us freeze in the winter, but give us a blanket; you would not let the sun hurt our eyes in the summer, but give us a hat; . . . if the Great Father in Washington is so poor that he cannot give us a blanket or a shirt, then he cannot do much for us.”<sup>17</sup>

While elected officials in Washington City (as the nation’s capital was known at that time) sought ways to reduce the expense or providing material aid to Indian peoples in the West, local agents and territorial officials advocated increasing the size of appropriations in order to improve U.S.-Indian relations.<sup>18</sup> For example, in 1871 A.J. Curtis, the U.S. agent for the Mescalero Apache, recommended that “a liberal appropriation be made for this tribe, not only as the cheapest and best means of promoting peace and securing the prosperity to this country, but they may also be advanced in civilization.”<sup>19</sup> Curtis further argued, “it has now become a well-established fact that it is cheaper for the Government to feed Indians than fight them.”<sup>20</sup> Along with other U.S. agents stationed in the Southwest Territories, Curtis expressed sentiments that corresponded with the relatively humane policy of the Peace Commission. However, the policy they endorsed contrasted sharply with the attitudes of local white settlers who wished to expel the Apaches from their homelands.

Despite the recent violence, federal authorities remained optimistic of the possibility of securing a lasting peace in the borderlands. With the hope of negotiating a diplomatic solution to

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<sup>17</sup> Chas F. Roedel to Nathaniel Pope. Cimarron Agency. Cimarron, New Mexico. September 25, 1871. No. 38. ARCIA (1871): 397.

<sup>18</sup> As David L. Caffey has pointed out, self-interested politicians often exploited the reservations and military garrisons in the West to obtain lucrative federal contracts that often amounted to tens of thousands of dollars. David L. Caffey, *Chasing the Santa Fe Ring: Power and Privilege in Territorial New Mexico* (Albuquerque: University of New Mexico Press, 2014): 13.

<sup>19</sup> A.J. Curtis to Nathaniel Pope. Office of the Mescalero Apache Agency. Fort Stanton, New Mexico. September 18, 1871. No. 38. ARCIA (1871): 404.

<sup>20</sup> Ibid.

the multitude of problems it faced in that frontier region, the Department of the Interior proposed hosting an Apache delegation in Washington. In September 1871, the Commissioner of Indian Affairs, Ely S. Parker, attempted to elicit the interest of Cochise, the leader of the Chokonen band of Chiricahua Apache. In a letter he sent to the Superintendent in New Mexico, Parker extended his invitation to “the chief Cochise, and other chiefs as I might deem to be a proper person, on account of his influence among the tribe, to visit Washington, for the purpose of conferring with the Department.”<sup>21</sup> Cochise apparently declined, but Parker’s overture set the stage for the invitation of subsequent Apache delegations.

Like many of his contemporaries who worked for the Board of Indian Commissioners, General Oliver O. Howard believed bringing the Aravaipa Apaches and other Indian communities into closer contact with the culture and society of the eastern United States would contribute positively to their acculturation and assimilation. To his mind, a delegation would serve two purposes: “first, to cement the ties of good will, and second to show them the hopelessness of resisting a government as powerful as ours.”<sup>22</sup> By visiting urban centers such as New York, Philadelphia, and Washington, General Howard supposed the Aravaipa Apaches would be impressed by the size, strength, and vitality of the nation and would therefore abandon their resistance to U.S. western expansion. But the impressions the eastern cities left on the delegates were not entirely favorable.

On May 25, 1872, Bendell and Howard departed from Camp Grant in the company of Santo, “two Pimas, Louis and Antonio, one Papago chief, named Ascencion, two Date Creek

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<sup>21</sup> Nathaniel Pope to Committee on Indian Affairs. Santa Fe, New Mexico. September 25, 1871. No. 34. ARCIA (1871): 369.

<sup>22</sup> O.O. Howard, *My Life and Experiences among Our Hostile Indians: A Record of Personal Observations, Adventures, and Campaigns among the Indians of the West, with Some Account of Their Life, Habits, Traits, Religion, Ceremonies, Dress, Savage Instincts, and Customs in Peace and War* (Hartford, CT: A.D. Worthington & Co., 1907): 163. Edward E. Ayer Collection, Newberry Library.

Indians called in English Charlie and [Joseph], Mr. Cook, the Pima teacher, and Concepcion.”<sup>23</sup>

This party persuaded several members of the White Mountain Apache to accompany them.

These included “the principal chief . . . Es-kel-te-ce-la, who enjoyed the reputation of loving peace,” “one-eyed Meguil [*sic*], who had been a famous warrior,” and Pedro, “who constantly longed for civilized life.”<sup>24</sup>

Although Howard also attempted to convince representatives from the Chiricahua Apache to accompany them, none consented to his request. Thus, Howard’s entourage included ten Indians, Cook, Bendell, Wilkinson, the drivers of the ambulance and baggage wagons, and a few soldiers. The party intended to travel east, passing through New York and Philadelphia en route to the capital. On June 13 the *Evening Star*, a local newspaper in Washington, D.C. reprinted a letter from Howard that stated, “I have with me four Apache chiefs, two Pimas, one Papago, and two representatives of the Apache Mohaves, with an interpreter. They Indians had not left Grant or White mountain reservation. They are at peace and wish to keep it.”<sup>25</sup>

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<sup>23</sup> Ibid.: 164.

<sup>24</sup> Ibid.: 165.

<sup>25</sup> *Evening Star*, June 13, 1872.

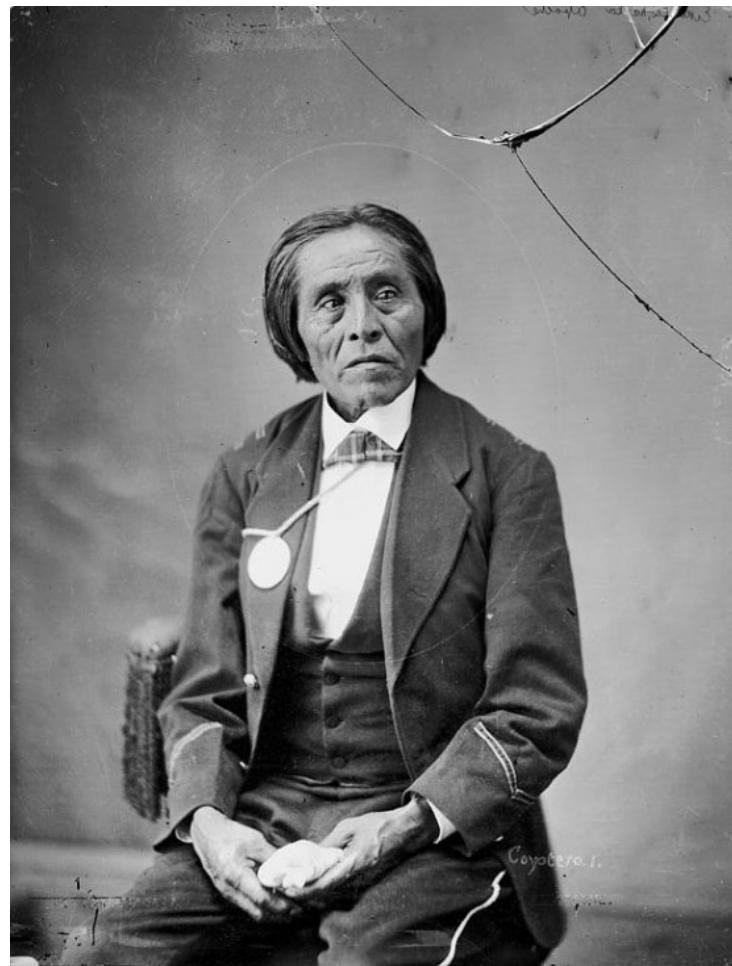


Figure 10. "Eskel-ta-sala, Principal Chief of the Coyotero Band of Apache." 8" x 10" glass-plate negative. Alexander Gardner, Washington, D.C. October 1872. National Anthropological Archives, Smithsonian Museum Support Center, Suitland Maryland. OPPS NEG 2541 A.

They arrived in the capital in early July. As classes were not in session, they slept in the dormitories at Howard University. They briefly toured the city, according to Howard, catching "glimpses of curiosities in the Capitol and in numerous other public edifices."<sup>26</sup> On July 3 they met with President Grant, Secretary of the Interior Columbus Delano, and Commissioner of

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<sup>26</sup> Howard, *My Life*: 175.

Indian Affairs Francis A. Walker. A short article in the *Evening Star* entitled “Indians at the White House,” contained a summary of the meeting.<sup>27</sup> After Grant and his cabinet members listened patiently to Eskel-ta-sala’s demands, the president proposed a solution: “they should go to the Indian country west of Arkansas, where they could have larger reservations.”<sup>28</sup> In spite of the apparent miscommunication, the *Evening Star* concluded by noting, “The Indians appeared to be much pleased with the remarks of the President, and each one took him by the hand before leaving.”<sup>29</sup>

From Washington, Eskel-ta-sala, Santo, Miguel, and Pedro traveled to New York, where they met with members of the Dutch Reform Society, including Vincent Colyer. They were encouraged to speak and “recited grievances to sympathetic ears.”<sup>30</sup> Although minutes of the proceedings were not recorded, they likely repeated the same demands printed in the *Evening Star*, namely, “to remain at peace with the whites,” “to be furnished with horses, clothing, arms, ammunition, and the means to build houses,” and “to have their reservation enlarged, that they might have more room.”<sup>31</sup>

Overall, Howard was quite satisfied by what he perceived as the success of the Apache delegation’s visit east. His satisfaction was apparent in his remark that they “wore the white man’s clothing and had made wonderful progress in the ways of civilized life.”<sup>32</sup> However, as the subsequent series of events demonstrated, their meeting with President Grant and other federal officials did little to improve conditions on the reservations in the Territory of Arizona. In

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<sup>27</sup> *Evening Star*, July 3, 1872.

<sup>28</sup> Ibid.

<sup>29</sup> Ibid.

<sup>30</sup> Howard, *My Life*: 177.

<sup>31</sup> *Evening Star*, July 3, 1872.

<sup>32</sup> Howard, *My Life*: 176.

fact, Apache relations with the U.S. government deteriorated significantly after Howard's departure east. According to special agent Edward C. Jacobs, four days after he left Prescott, Howard issued an order "abolishing the old Indian reservation at Camp Grant and establishing the 'San Carlos division of the White mountain reservation.'"<sup>33</sup> Jacobs noted this order "increased the size of the old Indian reservation very materially."<sup>34</sup> He estimated that 445 Apaches arrived at (Old) Camp Grant between June 7 and July 17, bringing the total population residing at San Carlos in September to 1,766 individuals. As the population swelled at the San Carlos reservation in 1872 and 1873, tensions between the Apaches and white settlers continued to rise. Within a short period of time, violence necessitated another cycle of negotiations, and a return to the White House.

Two years after the Apache representatives traced their steps back to the Territory of Arizona, U.S. agent William F.M. Arny led a similar diplomatic mission of Navajo delegates from the Territory of New Mexico to Washington, D.C. In contrast to the 1872 trip led by Howard, the 1874 Navajo delegation was organized at the behest of tribal leaders. According to the historian Herman J. Viola, tribal leaders first petitioned Arny to facilitate a trip in January 1874. By traveling to Washington, Navajo leaders believed they could favorably influence federal policies relating to their economic interests and cultural resources. In a letter that he submitted to the Commissioner of the Indian Affairs at that time, Arny presented their point of

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<sup>33</sup> Edward C. Jacobs to Henry Bendell, United States Indian Agency, White Mountain Reservation. San Carlos Division, Arizona Territory. September 1, 1872, ARCIA (1872): 327.

<sup>34</sup> *Ibid.*

view. The Navajo insisted, “We are as good as the Utes and Apaches, and the government has taken them to Washington.”<sup>35</sup>

Arny supported the endeavor, but he did so for reasons that betrayed his own personal interest in the venture. It seemed he was less concerned with the Navajos’ welfare than the U.S. settlement of their lands and further displacement of other Indian nations. This conflict of interest was apparent when he wrote, “a visit at this time would tend to their advancement while it would also give to the government for settlement the best land in New Mexico, and would aid much in the settlement of the Utes and the Jicarilla Apaches on reserves.”<sup>36</sup> Thus from its inception the 1874 Navajo delegation was tainted not only by Arny’s paternalistic desire to expose Navajo leadership to U.S. “civilization,” which was a prevalent aspiration among employees of the Indian Office, but also by the agent’s willingness to sell the Navajo’s land.<sup>37</sup>

When the twelve members of the Navajo delegation arrived in Washington City in the early winter of 1874, they intended to meet with President Grant, ostensibly to discuss the terms of the treaty signed at Fort Sumner six years earlier. However, within a short span of time, they were shocked to discover the actual purpose of the meeting was to authorize a title-transfer that would cede a large portion of the reservation to commercial prospectors who held influence in

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<sup>35</sup> Petition of Navajo leaders enclosed with William F.M. Arny to Commissioner of Indian Affairs, Jan. 2, 1874. Office of Indian Affairs, Letters Received, Record Group 75, National Archives, New Mexico Superintendency (C-10363). Cited in Herman J. Viola, *Diplomats in Buckskins: A History of Indian Delegations in Washington City* (Bluffton, SC: Rivilo Books, 1995): 39-40.

<sup>36</sup> Ibid.

<sup>37</sup> The 1868 treaty established the boundaries of the Navajo reservation. Article II guaranteed that “the United States agrees that no persons except those herein so authorized to do, and except such officers, soldiers, agents, and employees of the government, or of the Indians, as may be authorized to enter upon Indian reservations in discharge of duties imposed by law, or the orders of the President, shall ever be permitted to pass over, settle upon, or reside in, the territory described in this article.” Vine Deloria, Jr., and Raymond J. DeMallie, eds., *Documents of American Indian Diplomacy: Treaties, Agreements, and Conventions, 1775-1979*, Vol. 1 (Norman: University of Oklahoma Press, 1999): 201. See also Jennifer Nez Denetdale, “Naal Tsoos Saní: The Navajo Treaty of 1868, Nation Building, and Self-Determination,” in *Nation to Nation: Treaties between the United States & American Indian Nations*, ed. Suzan Shown Harjo (Washington, DC: National Museum of the American Indian, 2014): 116-131.

the capital. As reported in the local Washington newspaper, the *National Republican*, “the Indians of the Navajo tribe desire an exchange of their present occupied reservation for another strip of territory lying southward of them.”<sup>38</sup> The article further noted:

Their land, measuring sixty miles in length and thirty miles in width, and irrigated by the river San Juan, is exhaustively rich in ores of all kinds, which they cannot work out, and their proposition to exchange it for an equal extent of land, offering good pasturage for their flocks, giving the agency a central position, seems to be a fair and feasible proposition.

Although the article implied tribal leaders instigated the transaction, such an arrangement seemed unlikely. When the delegation met with President Grant on December 19, 1874, the transfer of title was not accomplished. This was in part the result of an intervention made by Thomas V. Keam, a trader who had developed extensive commercial ties with the Navajo. Unlike Arny, who appeared unconcerned by the potential dismemberment of the Navajo reservation, Keam readily understood the harm such arrangements would cause.<sup>39</sup>

Despite the failure of his scheme in the White House, Arny capitalized on the visit for personal fame and profit in other venues. Shortly after meeting with President Grant, Arny publicized a lecture to be held in Lincoln Hall. As advertised on the front page of the January 9, 1875 edition of the *National Republican*, the topic of Arny’s lecture was “The Aztec Races of the Rocky Mountains.”<sup>40</sup> Arny’s lecture promised to present a view of Navajo “history, habits, [and] religion” based on his own amateur ethnological research. It served to propagate the

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<sup>38</sup> “The Navajoes: The Purpose of Their Visit-Talk with Governor Arny,” *National Republican*, December 12, 1974: 1.

<sup>39</sup> Laura Graves, *Thomas Varker Keam: Indian Trader* (Norman: University of Oklahoma Press, 1998).

<sup>40</sup> “Gov. Arny’s Lecture,” *National Republican*, January 9, 1875: 1.

racialized, assimilationist policy of the Indian Office by promoting “the proper means to be used to civilize, Christianize and make self-sustaining the Red Men of the West.” It invited audience members to reflect on this “most interesting subject . . . rendered additionally attractive by some Navajo Indians, who will supplement Gov. Arny’s remarks by discussing it in their own language.”<sup>41</sup>

Although his lecture was clearly inspired by the humanitarian ideals of Grant’s Peace Policy and the burgeoning interest in anthropological study of Indian peoples in the American West, Arny advocated policies and practices that undermined the political and economic interests of Indian communities such as the Navajo nation. As revealed by his willingness to violate the terms of the 1868 treaty to sell Navajo lands for the extraction of “rich ore,” Arny’s actions in Washington demonstrated how efforts to “civilize” Indian peoples often exposed them to the most pernicious influences of late nineteenth-century American politics and society.

When the U.S. agent John P. Clum arrived at the San Carlos Apache reservation in 1874, he brought with him letters of introduction from General Howard. Clum claimed the letters “deeply impressed” the Aravaipa Apache leaders Santo and Eskiminzin and provided assurance that he “had come to live among them as his friends and theirs.”<sup>42</sup> There were several significant violent incidents involving the Apaches residing at San Carlos in 1874. Clum believed the motivations for this violence were directly related to the 1871 Camp Grant massacre. “There can

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<sup>41</sup> Arny’s reference to “The Aztec Races of the Rocky Mountains” resonated with similar invocations of Aztlán used by the Territorial Representative from the Arizona, Charles Poston. See Mary P. Brady, *Extinct Lands: Temporal Geographies: Chicana Literature and the Urgency of Space* (Durham, NC: Duke University Press, 2002): 36. See also Ramón A. Gutiérrez, “Aztlán, Montezuma, and New Mexico: The Political Uses of American Indian Mythology” in *Aztlán: Essays on the Chicano Homeland*, eds. Rudolfo Anaya, Francisco A. Lomelí, Enrique R. Lamadrid (Albuquerque: University of New Mexico Press, revised edition, 2017): 193-210.

<sup>42</sup> John P. Clum, “Es-Kim-In-Zin,” *New Mexico Historical Review*, 3:4 (Oct., 1928): 406. General Howard’s letter, dated March 28, 1874, stated, “I hope this will find you well. I am not permitted to go & see you but my friend goes – Mr. J.P. Clum. He will tell you about me. The friends of the Indian are still working & praying and doing all they can.”

be no doubt,” he wrote, “that the memory of the cold-blooded murder by the whites of nearly one hundred of their own people, about four years before, near the same post, still rankled in their bosoms, and led them to avenge those heartless scenes of blood and death.”<sup>43</sup>

Following this incident, Clum pledged to reform the administration of Indian affairs at the San Carlos reservation. Echoing the complaints of previous agents, including Dr. Michael Steck, Clum faulted “the constant drifting between military and civil rule” for the pervasive problems at the agency. He stated, “It is my opinion that the frequent change of agents . . . to which the Indians on this reservation have been subjected to during the past two years, cannot result otherwise than detrimental to the general interests and proper discipline of any tribe or community of individuals.” To resolve this and other problems he observed, Clum appointed an Apache Indian police force, which he authorized to “arrest the insubordinate, and guard the prisoners, and do general police duty,” earning \$15 each month.

Although already over-crowded, the San Carlos reservation received a new influx of Apache refugees in March 1875. The consolidation of the Rio Verde reservation brought more than 600 Apache Yumas, Mohaves, and Tontos under Clum’s authority in the spring.<sup>44</sup> In addition to the nearly 1,000 Aravaipa and Pinal Apaches already residing there, Clum also noted his plans for “the removal of the Indians from the Camp Apache agency, which tribe consists of about eighteen hundred souls, mostly Coyotero Apaches, and usually termed the White Mountain

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<sup>43</sup> John P. Clum to Commissioner of Indian Affairs. San Carlos Indian Agency, August 31, 1874. ARCIA (1874): 296.

<sup>44</sup> W.S. Schuyler to Assistant Adjutant-General. Rio Verde Indian Agency, Arizona Territory. July 28, 1874. ARCIA (1874): 299. Schuyler wrote, “The operations of the troops during March April, and May drove in several more large bands, and at the general muster on the 28th June, 1874, the number present was 1,544, of whom 369 were Apache Yumas, 678 Apache Mohaves, and 497 Apache Tontos.”

Apaches.”<sup>45</sup> According to Clum’s estimates, the concentration of these ethnically diverse populations at the San Carlos reservation in 1875 caused the total population to reach a new peak of “nearly forty-two hundred” (4,200) men, women, and children.

Clum traveled to Washington, D.C. in May 1875 to meet with the Commissioner of Indian Affairs, Edward P. Smith. There he received instructions “to remove the Indians from Camp Apache agency to some portion of the San Carlos reservation.” Among the reasons for doing so, Clum cited: “scarcity of farming-lands about Camp Apache, the long and severe winters there, and the location being almost inaccessible except from the Rio Grande.” Moreover, he suggested the removal of the White Mountain Apaches “would avert the trade with these Indians from New Mexico to Arizona, where it properly belongs.” By the end of July, he had persuaded fifteen chieftains to relocate with their bands to the San Carlos reservation, although Petone, Diablo, and Penal would remain at Camp Apache, along with a number of women who had permission to harvest corn there.

As the population swelled at San Carlos in the summer of 1875, the police force Clum created in the previous year became increasingly critical for maintaining social order. Apache leaders, such as Es-ki-nos-pas and Es-kim-in-zin, who were members of police force and Clum’s closest confidants, also took it upon themselves to serve as diplomats and personal body-guards. As Clum recalled some years later: “During the week in March, 1875, when the newly arrived Indians from the Rio Verde reservation seemed determined to resist my authority, I found that Es-kim-in-zin had not only been counseling these Indians in a wise and diplomatic manner, but that he had organized a sort of secret service force which, on two or three occasions, he had

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<sup>45</sup> John P. Clum to Commissioner of Indian Affairs. San Carlos Indian Agency , Arizona Territory. September 1, 1875. ARCIA (1875): 215.

stationed as my special body-guard where they could render instant assistance in the event of an attack by the rebellious Rio Verdes.”<sup>46</sup>

Social conditions at San Carlos deteriorated in early 1876 and Clum took it upon himself to organize a delegation of Aravaipa and Coyotero Apaches to travel to Washington, D.C. Clum hoped the trip would help to persuade Es-kim-in-zin and other leaders of the urgency in establishing peace on the reservation, but he was also motivated by his own personal interest in traveling to the East. He admitted as much when he wrote, “The taking of the Indians was absolutely unauthorized, and I departed from the reservation without leave.”<sup>47</sup>

Although few textual sources survive documenting the activities of Clum’s Apache delegation, the entourage entered the photographic studio of C.M. Bell, who had replaced Alexander Gardner as the chief photographer for the Department of the Interior. Beginning in 1873, Bell created individual and group portraits under the direction of Ferdinand V. Hayden, director of the United States Geological Survey of the Territories.<sup>48</sup>

Photographs of the Apache and Navajo delegations that travelled to Washington City in the early and mid-1870s represented these groups as members of a “disappearing” race while at the same time demonstrating their enduring presence in the West and in the nation’s capital. From the perspective of the director of the U.S. Geological Survey of the Territories who commissioned the portraits, what made Bell’s photographs remarkable was that they captured images of these leaders during a critical period of what he perceived as their inevitable demographic decline. As Hayden stated in the preface to Jackson’s 1877 catalogue, “Many of the

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<sup>46</sup> John P. Clum, “Es-Kim-In-Zin,” *New Mexico Historical Review*, Vol. IV, No. 1 (January, 1929): 5.

<sup>47</sup> Ibid.: 6.

<sup>48</sup> Kathleen Collins, “C.M. Bell Studio Collection” in *Washingtoniana Photographs: Collections in the Prints and Photographs Division of the Library of Congress* (Washington, DC: Library of Congress, 1989): 14-23.

individuals portrayed have meanwhile died; others, from various causes, are not now accessible; the opportunity of securing many of the subjects, such as scenes and incidents, has of course passed away.”<sup>49</sup> Given these circumstances, Hayden believed the value of Bell’s photographs “for ethnological purposes cannot be over-estimated.”<sup>50</sup>



Figure 11. Delegation of Chiricahua, Coyotero, and Pinal Apaches from the San Carlos Reservation. Washington, D.C. 1876. Photograph by C. M. (Charles Milton) Bell. Negative 2560, National Anthropological Archives, Smithsonian Institution.

<sup>49</sup> William H. Jackson, *Descriptive Catalogue of Photographs of North American Indians. Miscellaneous Publications, No. 9* (Washington, D.C.: Government Printing Office, 1877): iii. Newberry Library, Edward E. Ayer Collection.

<sup>50</sup> Ibid.: iv.

For Eskiminzin and other tribal leaders, however, Bell's photographs projected their earnest efforts to broker a better future for the Indian nations they represented. Despite its crass and exploitative nature, American Indian portraiture from this period provided a rare opportunity for racially and politically marginalized individuals to become visible to colonial authorities and the public at large. Although the artificial and highly stylized environment of Bell's studio produced images of "civilized" Indians desired by white audiences, the portrait sessions reaffirmed the broader purpose of the delegations to secure the political and material support of the government.

To understand the broader significance of Bell's portraits beyond their value as visual images, it is necessary to trace the history of these Apache and Navajo delegations after they left the capital and returned to their homelands in the Southwest. However, momentous changes that occurred after 1877 clouded the history of many of these individuals. In the years after he left office, Grant's Peace Policy failed to achieve its most basic objectives of protecting Indian peoples from the ill effects of U.S. western expansion. Following the inauguration of Rutherford B. Hayes as president on March 5, 1877, ethnic and racial violence flared in the Territories of New Mexico and Arizona as a response to a surge of mining prospectors and business entrepreneurs. The political rebellion led by Porfirio Díaz that ousted Mexican president Sebastián Lerdo de Tejada in 1876 served, in the short-term, to further destabilize the U.S.-Mexico border region. These momentous changes brought new challenges to Mexican and Anglo communities alike, but none faced more severe adversity than Indian peoples who found themselves engulfed in a chaotic storm of competing interests and capitalist expansion in the late 1870s.

### *Al otro lado: Renegotiating the U.S.-Mexico Border*

The joint efforts of Vincent Colyer, General Otis O. Howard, and other members of the Board of Indian Commissioners (often called the “Peace Commission”) appeared to produce favorable results in the Territory of Arizona in the early 1870s. Upon concluding peace treaties with the Chiricahua Apache chiefs Cochise and Natiza in October 1872, their agent Thomas T. Jeffords reported, “Wayfarers can now be seen on our highways traveling alone and unarmed.”<sup>51</sup> He continued, “Farmers and miners are pursuing their labors with as much unconcern as to safety as their brothers of the East, and confidence in the good faith of these Indians appears to be universal.” However, as conditions improved in the Territory of Arizona, a different dynamic emerged across the U.S.-Mexico border in the state of Sonora. Sonoran governor Ignacio Pesqueira complained to Jeffords that “Cochise’s Indians had been engaged in raiding, robbing, and murdering in Sonora since the month of October.” Pesqueira’s correspondence with Jeffords implied that peaceful conditions on the reservations in the United States corresponded with punctuated episodes of violence in Mexico.

The permeability of the U.S.-Mexico border had been a concern for both countries since the signing of the Treaty of Guadalupe Hidalgo in 1848. The inclusion of Article XI in that treaty had obligated the United States to forcibly restrain the “savage tribes” who crossed the border and entered Mexican territory.<sup>52</sup> Through the 1850s and 1860s, Mexican residents in the northern

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<sup>51</sup> Thomas T. Jeffords to Commissioner of Indian Affairs, Edward P. Smith. Chiricahua Indian Agency, Sulpher Springs, Ariz. August 31, 1873. ARCIA (1873): 291.

<sup>52</sup> Article XI of the 1848 Treaty of Guadalupe Hidalgo stipulated, among other provisions: “Considering that a great part of the territories which, by the present treaty, are to be comprehended for the future within the limits of the United States, is now occupied by savage tribes, who will hereafter be under the exclusive control of the Government of the United States, and whose incursions within the territory of Mexico would be prejudicial in the extreme; it is solemnly agreed that all such incursions shall be forcibly restrained by the Government of the United States, whenever this may be necessary; and that when they cannot be prevented, they shall be punished by the said Government, and satisfaction for the same shall be exacted: all in the same way, and with equal diligence and energy, as if same incursions were meditated or committed within its own territory against its own citizens.” Richard

states of Sonora, Chihuahua, Coahuila, and Nuevo León decried the devastating effect of raids led by Apache, Comanche, Kiowa, and Kickapoo Indians that depopulated the isolated ranches and haciendas. Through the periods of political instability under Antonio López de Santa Anna, the Reform War, and the French intervention, the Mexican federal government was too preoccupied with maintaining order in the center of the nation to dedicate scarce resources to the periphery.<sup>53</sup> Beginning under Benito Juárez (1858-1872) and continuing under Sebastián Lerdo de Tejada (1872-1876), however, authorities in Mexico City took a more active role in holding the United States accountable for failing to uphold its treaty obligations. In the early 1870s, the Mexican government defended the claims of Mexican citizens who lost property to Indian raids and filibustering expeditions and organized bilateral military campaigns against the Indian communities in the borderlands whom they regarded as enemies of the state.

In 1871 the Mexican government established the Mexican Committee of Investigation for the Northern Border (*Comisión Pesquisidora de la Frontera del Norte*) to document the damage caused by Indian raids on settlements in northern Mexico. Following the publication of the committee's reports in 1874 and 1875, Mexican officials put new pressure on the U.S. government to control the movement of the Apaches recently placed on the reservations in the Territories of New Mexico and Arizona. The authors of those reports emphasized that Apache raids were a serious issue, but they were not the only source of social instability in the border region. Along with the Mexican diplomat José María Lafragua, they also emphasized the criminal activity of smugglers who evaded custom duties and brought large quantities of stolen

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Griswold del Castillo, *The Treaty of Guadalupe Hidalgo: A Legacy of Conflict* (Norman: University of Oklahoma Press, 1990): 190.

<sup>53</sup> María Elena Pompa Dávalos, *De la guerra a la paz por la frontera: México-Estados Unidos, 1836-1876* (México, DF: De La Salle Ediciones, 2013). Juan Mora-Torres, *The Making of the Mexican Border: The State, Capitalism, and Society in Nuevo León, 1848-1910* (Austin: University of Texas Press, 2001): 11-52.

livestock and other contraband into Texas. Tensions between the two countries ran high through the mid-1870s as officials in both countries blamed each other for failing to enforce the law and turning a blind eye to the crimes committed against their citizens.<sup>54</sup>

Lafragua and his U.S. counterpart Thomas H. Nelson, who served as U.S. minister of foreign affairs to Mexico between 1869 and 1873, displayed a mutual interest in resolving problems along the border. But the Mexican and U.S. diplomats viewed the question of Indian raids in a different light than local officials. Whereas agent Jeffords had known the Chiricahua Apaches for several years and had become familiar with their fraught situation in the Sonora-Arizona borderlands, Lafragua and Nelson gathered what knowledge they could from local newspaper reports, which often presented exaggerated accounts of Apache “savagery.” Jeffords presented a more nuanced perspective, noting, “a few years ago they were at peace in Sonora, and the people there used to encourage them to come here to steal, telling them they would pay big prices for American’s horses, as they were all large and fine.”<sup>55</sup> Jeffords claimed it was the Apaches who lost their lives in these situations as the Sonoran residents “would ply them with whiskey, get them drunk, take their plunder away from them, and murder them in their houses.” U.S. agents of the Indian Office such as Jeffords sympathized with the plight of Indian communities, depicting them as unwitting victims of borderlands violence. In contrast, the

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<sup>54</sup> México, Comisión Pesquisidora de la Frontera del Norte, *Informes que en cumplimiento del decreto de 2 de octubre de 1872 rinde al ejecutivo de la union la Comision pesquisidora de la frontera del norte sobre el desempeño de sus trabajos* (México: Impr. de Diaz de Leon y White, 1874). Everett D. Graff Collection, Newberry Library.

México, Comisión Pesquisidora de la Frontera del Noroeste, *Informe general de la Comisión Pesquisidora de la Frontera del Noroeste, al ejecutivo de la union: en cumplimiento del articulo 3. de la ley de 30 de setiembre de 1872* (México: Impr. del "Eco de Ambos Mundos", 1875). Everett D. Graff Collection, Newberry Library. The 1874 report was translated and published in English as *Reports of the Committee of Investigation Sent in 1873 by the Mexican Government to the Frontier of Texas* (New York: Baker & Godwin, 1875). Everett D. Graff Collection, Newberry Library.

<sup>55</sup> Thomas T. Jeffords to Commissioner of Indian Affairs, Edward P. Smith. Chiricahua Indian Agency, Sulpher Springs, Ariz. August 31, 1873. ARCIA (1873): 292.

Mexican and U.S. diplomats characterized them as “barbarians.” Nelson described the Kickapoo Indians living in Coahuila as “marauders upon the Mexican frontier, whence they constantly and with impunity wage a predatory warfare upon the cattle-farms of Texas.”<sup>56</sup>

Nelson’s successor John W. Foster continued to receive reports during the summer of 1873 of “[s]erious depredations in the state of Sonora by the Apache Indians of Arizona Territory, United States.”<sup>57</sup> Foster described complaints “made by the Mexican press against the location of these Indians on reservations so near the Mexican border, and the little restraint which it is alleged is expressed by the military forces in the United States to pursue their plundering and murdering incursions into Mexican Territory.”<sup>58</sup> He submitted articles from *The Two Republics*—an English-language newspaper published in Mexico City—and *La Estrella de Occidente*—the official newspaper of the government of Sonora. *The Two Republics* denounced “the most exaggerated accounts” of Indian raids in Texas, arguing they “bear no comparison with those committed on the people of Sonora.” The article continued, Texan “claims for stolen cattle have been inflated until the principle [sic] and damages have been aggregated to over 40 millions of dollars, while the census shows that in all the counties bordering on the Rio Grande, the assessed personal property in 1870 . . . amounted to only \$2,500,000 . . .” The newspaper reported that twenty-seven men and women had lost their lives between October 18, 1872, and

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<sup>56</sup> Thomas H. Nelson to Secretary of State, Hamilton Fish. Legation of the United States, Mexico. April 24, 1873. No. 727-A. Enclosing Correspondence with Mexican Government on Removal of Kickapoo Indians. Thomas H. Nelson to José María Lafragua. Mexico. April 22, 1873. National Archives Microfilm Publications. Microcopy No. 97. *Despatches from United States Ministers to Mexico, 1823-1906* (hereafter cited as *Despatches*). Reel 49.

<sup>57</sup> John W. Foster to Secretary of State, Hamilton Fish. Legation of the United States, Mexico. June 18, 1873. *Despatches*, Reel 49.

<sup>58</sup> *Ibid.*

March 7, 1873, and that Mexican authorities in Sonora were powerless to prevent or impede such raids upon the isolated communities “on account of the lack of arms.”<sup>59</sup>

Lafragua and Foster were unable to resolve the question of how to prevent the Chiricahua and Warm Springs Apache from crossing the Arizona border into Sonora. However, the diplomats found common ground in their joint efforts to expel the Kickapoos, Comanches, Lipan and Mescalero Apaches from the state of Coahuila. After a series of negotiations, Lafragua consented in June 1875 to “the idea of appointing Commissioners that should come and, in a peaceful manner, treat with these Indians, and make arrangements with them for their transportation to the reservations to which they had been assigned.”<sup>60</sup> This solution seemed to be the most agreeable to both nations, as Lafragua explained: “The Mexican Government, which has no interest in these Indians remaining in Mexico, not only approved with pleasure that proposition, but . . . instructed the local authorities of Tamaulipas, Nuevo León, and Coahuila to facilitate the removal . . . of the tribes that were to be transferred to Texas.”<sup>61</sup> A letter from the Secretary of Coahuila, Jesús del Moral, certified “the result of the interviews had between the American Commissioner H.M. Atkinson and the chiefs of the tribes of Kickapoos, Lipanes, Mezcaleros and Comanches concerning their transfer to the American reservations.”<sup>62</sup> According to Moral, after a meeting with Atkinson near Zaragoza, Coahuila, the leaders agreed to accompany him on his return to the United States. Those consenting to their removal included “Captain Mosquito of the Kickapoos, Guacha Viejo of the Lipanes, Colorado and Henrique of

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<sup>59</sup> *The Two Republics*, Mexico City, Saturday, August 23, 1873.

<sup>60</sup> José María Lafragua to John W. Foster. Department of Foreign Affairs, Mexico. June 19, 1875. No. 307—Enclosure No. 1. *Despatches*, Reel 52.

<sup>61</sup> *Ibid.*

<sup>62</sup> José María Lafragua to John W. Foster. Department of Foreign Affairs, Mexico. June 19, 1875. No. 307—Enclosure No. 2. Jesús del Moral, Secretary of the State of Coahuila. Zaragoza. April 7, 1875. *Despatches*, Reel 52.

the Mescaleros, and Jaquifraf of the Comanches.” Several weeks later, Moral confirmed the departure of “115 Kickapoos, men, women, and children; 9 Comanches; 26 Mescaleros; 5 Lipanes” from Zaragoza on April 20, 1875.<sup>63</sup> However, a number of Kickapoos remained in Coahuila, including, “for the most part women . . . at the Nacimiento District of Monclova, a few more at the Hacienda de la Cadena, near Durango and some Lipanes at the Remolino, with whom the American Commission was not able to make any arrangements.”

This episode illustrated how local and federal officials in Mexico and the United States cooperated in Indian removal campaigns. Although the legacy of conflict, distrust, and misunderstanding lingered for years after the signing of the Treaty of Guadalupe Hidalgo in 1848, by the mid-1870s the governments of both countries agreed to pursue a common objective: removing Indian communities from their close proximity to international boundary. Under the administration of Ulysses S. Grant in the United States and Sebastián Lerdo de Tejada in Mexico, the two nations crafted a new set of arrangements that permitted U.S. intervention on Mexican soil. Over the course of several years, as politicians and elected officials on both sides of the border railed against Indian raids and attacks on their citizens, Mexico and the United States orchestrated a more sophisticated international policy. These negotiations culminated with a reciprocal border crossing agreement in 1882 that intended to immobilize, “pacify,” and “civilize” the Apachean peoples who had dominated the region for generations.<sup>64</sup>

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<sup>63</sup> José María Lafragua to John W. Foster. Department of Foreign Affairs, Mexico. June 19, 1875. No. 307—Enclosure No. 3. Jesús del Moral, Secretary of the State of Coahuila. Zaragoza. April 20, 1875. *Despatches*, Reel 52.

<sup>64</sup> Memorandum of an Agreement Entered into in Behalf of Their Respective Governments, by Frederick T. Frelinghuysen, Secretary of State of the United States of America, and Matias Romero, Envoy Extraordinary and Minister Plenipotentiary of the Republic of Mexico, Providing for the Reciprocal Crossing of the International Boundary Line by the Troops of the Respective Governments in Pursuit of Savage Indians, Under the Conditions Hereinafter Stated. 22 Stat. 934; Treaty Series 221. Charles I. Bevans, comp., *Treaties and Other International Agreements of the United States of America, 1776-1949*, V. 9, Department of State Publication 8615 (Washington, DC: GPO, 1972): 847-849.

### *Indigenous Geographies: Territorial Expansion in the Age of Capital*

While joint U.S. and Mexican military campaigns continued in the years following the 1882 reciprocal border crossing agreement, the Apaches who chose to remain on the reservations in New Mexico and Arizona faced a new set of challenges. Under the administration of Chester A. Arthur (1881-1885), the diverse groups of Apaches found the Southwest Territories were rapidly becoming more populated with emigrants from the eastern United States.

Maps of the U.S.-Mexico borderlands from the 1870s and 1880s illustrated these dramatic demographic, political, and economic transformations. They showed how the border region became increasingly connected to the national economies of both countries, how the township and range system partitioned the land into a standard grid, and how closely the success of communities was tied to their proximity to the new web of railroads in the West. However, these maps also concealed the on-going process of Indian displacement and dispossession that the federal government facilitated during the period that Mark Twain and Charles Dudley Warner pejoratively labeled as “the Gilded Age.”<sup>65</sup> With the second industrial revolution picking up speed, the Apaches and other Indian nations found themselves surrounded by ever-greater numbers of white settlers, privately-owned corporations, and government employees scrambling to claim the land and the abundance of natural resources that it contained.

Stumbling into the Apachería in the latter half of the nineteenth-century, surveyors, cartographers, and topographical engineers struggled to find accurate ways of describing the ecologically diverse and culturally complex landscape they encountered. While employees of the General Land Office did not lack the technology to accurately gauge the precise location of

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<sup>65</sup> Mark Twain and Charles Dudley Warner, *The Gilded Age: A Tale of Today* (Hartford, CT: American Publishing Co., 1873).

territorial boundaries, they often ran short of funding to do so. As Hiram Price, the Commissioner of Indian Affairs during Arthur's administration, stated, "There are thousands of miles of reservation boundaries that have never been defined and marked by official survey, and the wonder is that the conflicts between the Indians and settlers are not more frequent than they are, when it is considered that in very many instances it is found absolutely impossible to determine which party is in the right."<sup>66</sup> Moreover, as David L. Caffey has observed in his analysis of the so-called "Santa Fe Ring" in Territorial New Mexico, federal employees often created fraudulent surveys of Spanish, Mexican, and other private land grants.<sup>67</sup> Under these circumstances, it is not surprising that the borders of Indian reservations remained ambiguous. Even though many Indian nations signed treaties stipulating the specific geographical boundaries of reservations, federal employees often revised them and their precise location was a matter of interpretation.

Under these circumstances, the diverse populations of Chiricahua and Western Apaches residing at the San Carlos reservation in the Territory of Arizona became vulnerable to exploitation by government officials, business interests, and settlers. Following the policies first institute at Bosque Redondo in the mid-1860s, the Indian Office imposed a strict labor regime at San Carlos. In his first annual report of 1883, the U.S. agent P.P. Wilcox described the conditions on the reservation in the following terms:

The season had been passed in idleness, no effort having been made for self-support.

Farms along the Gila and San Carlos rivers were overgrown with weeds, and miles of

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<sup>66</sup> Report of the Commissioner of Indian Affairs, H. Price. Department of the Interior, Office of Indian Affairs, Washington. October 10, 1883. ARCIA (1883): xvii.

<sup>67</sup> Among the most notorious of the fraudulent surveys submitted in these years to the General Land Office was that completed by Henry M. Atkinson on behalf of the New Mexico Land and Livestock Company. David L. Caffey, *Chasing the Santa Fe Ring: Power and Privilege in Territorial New Mexico* (Albuquerque: University of New Mexico Press, 2014): 114-115.

irrigating ditches, constructed at great cost, were neglected and unserviceable. Having no resources of their own, the Indians needed full rations from the agency; failing to obtain them, they must beg, or steal, or go hungry.<sup>68</sup>

The emphasis that Wilcox placed on the “idleness” of the population, the dilapidated and “neglected” state of the farming equipment, and the shortage of food underscored his conviction that Indian labor was necessary to sustain the reservation. Along with many other employees of the Indian Office, Wilcox believed hard work was critical to the success of the enterprise. When Wilcox observed Apache men, women, and children laboring, he spoke admiringly of their industry. He noted “the men are often sought by ranchmen living near the reservation, and some of them are said to be quite efficient at ditching, wood chopping, adobe making, and other unskilled labor.”<sup>69</sup> In this manner, the labor of maintaining the reservation became another means of assimilating the Apaches into the mainstream.

In the following year, Wilcox submitted an optimistic assessment of conditions at San Carlos. “For the first time in the history of this agency,” Wilcox claimed in August 1884, “a year of uninterrupted peace, free from exciting rumors of threatened outbreak, has been realized.”<sup>70</sup> Citing their productivity in raising crops, tending cattle, and constructing an irrigation system, Wilcox expressed hope that “the Apaches at this agency can be made entirely self-sustaining at

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<sup>68</sup> Wilcox continued, “The Indians complained that issues were irregular, uncertain, and short; citizens asserted the shortage was made good by them, through beggary and theft. To correct these evils, subject the Indians to obedience, restore confidence, and prevent further cause of complaint on a reservation occupied by five thousand savages, and surrounded by a large and constantly-increasing population of irrepressible whites, was the work expected of me by the Department and demanded by the people.” P.P. Wilcox to Commissioner of Indian Affairs, Hiram Price. San Carlos Indian Agency, Arizona Territory. August 9, 1883. ARCIA (1883): 7.

<sup>69</sup> Ibid.: 8. Among other tasks at San Carlos was “the work of gathering hay . . . performed by women and children, who cut it with common butcher knives and grass-hooks, and pack it on their backs, often long distances, in bundles weighing from 50 pounds to 100 pounds each.”

<sup>70</sup> P.P. Wilcox to Commissioner of Indian Affairs, Hiram Price. San Carlos Agency, Arizona. August 15, 1884. ARCIA (1884): 7.

an early period in the future.”<sup>71</sup> Yet, there was dissatisfaction among many of the Chiricahua Apaches, who regarded such labor as demeaning and demoralizing. When authorities at the reservation banned consumption of *tiswin* (an intoxicant made from fermented corn), a large group of the Chiricahua Apaches left the reservation in the spring of 1885. Led by Geronimo (Ko-yáthle), they fled to the Sierra Madre Mountains in Mexico.

The Chiricahua Apaches’ decision to leave the San Carlos reservation signaled their rejection of the “civilization” programs that Wilcox and other employees of the Indian Office endorsed. Unlike the Aravaipa Apaches, the Chiricahua Apaches never tried to curry the favor of the U.S. administration. While Mangas Coloradas initially maintained friendly relations with the first Anglo-Americans entering the Apachería in 1851 as part of the Joint Boundary Commission, his betrayal and brutal murder by U.S. soldiers in 1863 turned his people firmly against the government. Cochise, the leader of the Warm Springs band, had refused to submit to the orders of the Indian Office in 1871 and 1872 to settle on reservations in New Mexico or Arizona. Thus, Geronimo’s decision to leave the reservation in 1885 was the culmination of multiple decades of resistance to U.S. military rule, which had been forged in previous eras by his ancestors’ refusal to submit to Mexican or Spanish authorities. However, as addressed in the Conclusion, the long history of territorial sovereignty and political self-determination among the Chiricahua Apache came to end in the following year with Geronimo’s surrender to U.S. forces and the deportation of all related bands—including those who had served as auxiliaries or “scouts” during the military campaigns—to the military barracks at Fort Marion, Florida, and the Indian boarding school in Carlisle, Pennsylvania.<sup>72</sup>

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<sup>71</sup> Ibid.

<sup>72</sup> Alicia Delgadillo, ed., *From Fort Marion to Fort Sill: A Documentary History of the Chiricahua Apache Prisoners of War, 1886-1913* (Lincoln: University of Nebraska Press, 2013).

Further north, on the Navajo reservation that straddled the New Mexico-Arizona border, tribal leaders took a more active role in the administration of day-to-day affairs and in redefining their relationship with the federal government. Following their return of the Navajo delegation from Washington in 1875, Manuelito, Barbas Huero, Narbona and others began to lose faith in Arny's ability to serve as their agent. Shortly after "the Navajo delegation returned to Navajo Land in 1875, Navajo leaders forced the Indian agent's hasty departure after accusing him of stealing annuities provided for them under the Treaty of 1868."<sup>73</sup> Arny's 1875 report to the Commissioner of Indian Affairs revealed the erosion of his authority. He complained of the Navajo being "allowed to visit at their pleasure the military reservation of Fort Wingate."<sup>74</sup> He further claimed, "no agent can accomplish anything with them till the reservation and its surroundings are made clear by the removal and punishment of the whiskey-sellers and squaw-men; and until the order of General Pope is enforced, and all the Indians are compelled to go on their reservation and live there, especially Manuelito, Marianna, and Delgadito, who have never lived on the reservation, and who, at their will, are allowed to visit the Wingate military post, and the Mexican towns where whisky is furnished to them."<sup>75</sup>

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<sup>73</sup> Jennifer Nez Denetdale, *Reclaiming Diné History: The Legacies of Navajo Chief Manuelito and Juanita* (Tucson: University of Arizona Press, 2007): 99.

<sup>74</sup> W.F.M. Arny to Edward P. Smith. Santa Fe, New Mexico. October 19, 1875. ARCIA (1875): 311

<sup>75</sup> *Ibid.*

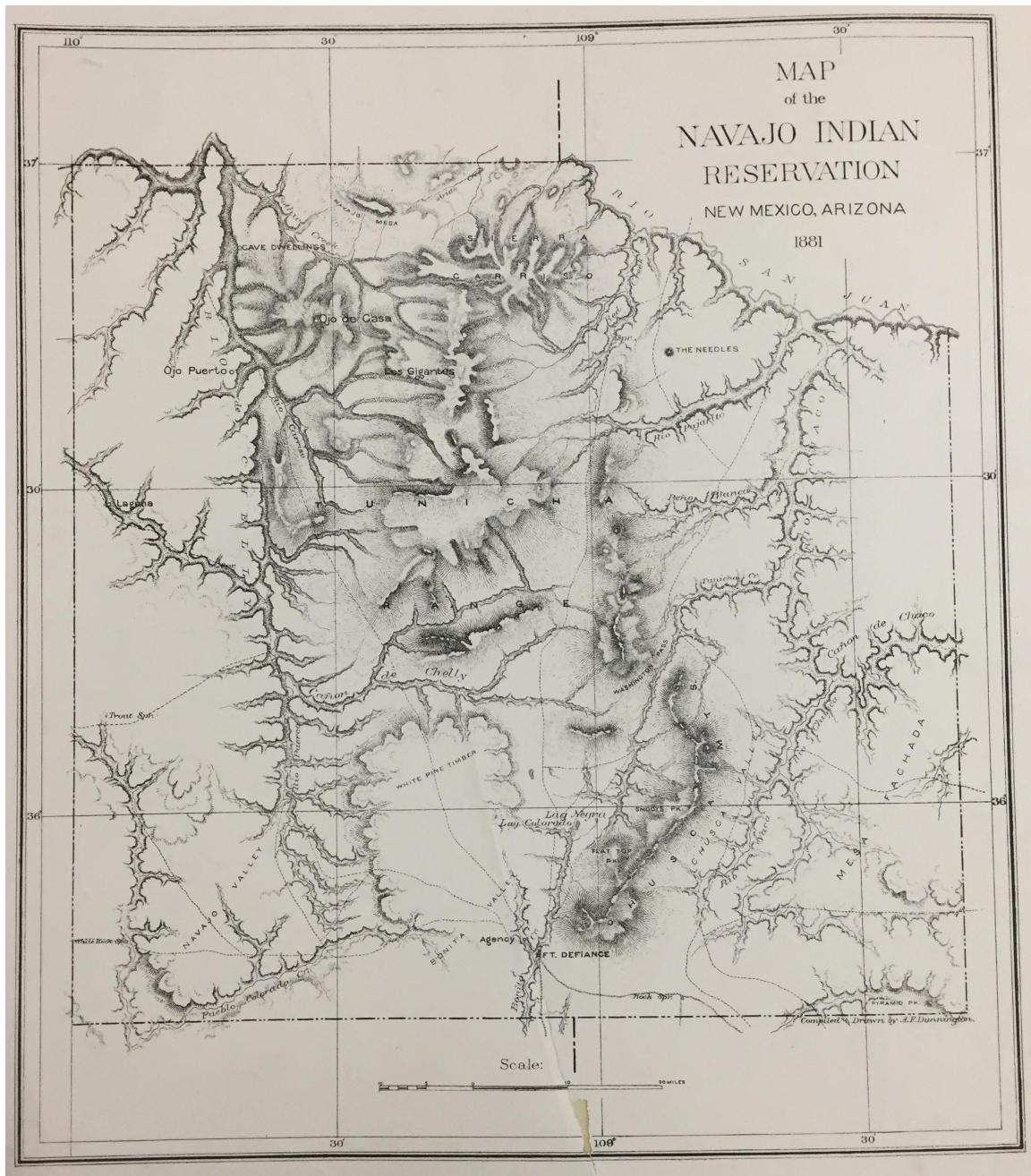


Figure 12. *Map of the Navajo Indian Reservation*. New Mexico, Arizona, 1881. Records of the Bureau of the American Ethnology, Map Collection, 399, National Anthropological Archives, Smithsonian Institution.

Manuelito and other Navajo leaders compelled Arny to leave the reservation in the fall of 1875. When Alexander G. Irvine assumed control of the Navajo agency at Fort Defiance in

December, he reportedly “found everything in confusion, the Navajoes having driven their last agent and his family away from the agency.”<sup>76</sup> While the Navajo leadership had lost faith in Arny, they still believed it was possible to advance their interests vis-à-vis their Indian agent and the federal government. Manuelito and others were particularly interested in petitioning the government for an enlargement of the Navajo reservation. On April 6, 1876, “a full council of the Navajo tribe, represented by their chiefs and headmen,” requested Irvine “to make a request in behalf of the Navajoes for an extension of their reservation.”<sup>77</sup> Irvine noted, however, that “fully one-half of the extension asked for is covered by the grant made by Congress to the Atlantic and Pacific Railway.”<sup>78</sup> Moreover, the extension they requested included a tract of land near the San Juan River that was vulnerable to “the depredations of the Ute Indians, who make descents upon their sheep-herds whenever they venture there seeking pasture.”<sup>79</sup>

The proposed enlargement of the Navajo reservation was regarded positively by Manuelito and the tribal council as well as by the federal agency. As the Navajo population had increased significantly—Irvine estimated it to be between 12,000 and 15,000 in his 1877 report—an extension of the reservation would allow a greater number of families to settle and graze their livestock along near the banks of the San Juan River.<sup>80</sup> Irvine also argued since the Navajo treaty was to expire in 1878 “it is absolutely necessary to place these people upon an independent footing, as a matter of economy to the Government and to save further annuities.”<sup>81</sup>

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<sup>76</sup> Alex. G. Irvine to Edward P. Smith. Navajo Indian Agency, Fort Defiance, Arizona. October 1, 1876. ARCIA (1876): 109.

<sup>77</sup> Ibid.

<sup>78</sup> Ibid.

<sup>79</sup> Ibid.

<sup>80</sup> Alex. G. Irvine to Edward P. Smith. Navajo Indian Agency, Fort Defiance, Ariz. September 1, 1877. ARCIA (1877): 160.

<sup>81</sup> Ibid.

Irvine looked favorably upon the growth of the Navajo's pastoral economy, which brought 200,000 pounds of wool to market in the previous year, along with large quantities of Navajo blankets.<sup>82</sup> Although the proposed extension of the reservation would not be addressed for a number of years, the Navajo gained the admiration of federal agents such as Irvine as a result of their ability to engage the federal government in negotiated settlements and their interest in acquiring a degree of economic, if not political, independence.

As the Navajo demonstrated greater economic productivity, authorities in the Indian Office became more willing to grant them greater autonomy and expand the boundaries of their reservation. The agent John C. Pyle applauded their industry in 1878 and, in order to make more land available to them, recommended "the removal of the Utes from Southern Colorado, or the locating of the proposed new Navajo agency in the valley of the San Juan River." Pyle asked rhetorically, "Cannot our government afford to be a little magnanimous and give to a peaceable and industrious tribe of Indians a few more square miles of barren land?"<sup>83</sup>

The Navajos' success in obtaining multiple tracts of land set them apart from their counterparts in the Southwest. In 1878 and 1880, President Rutherford B. Hayes authorized extensions of the Navajo reservation through a series of Executive Orders. As illustrated by Paul Brodie's map of the reservation (below), compiled for the Office of Indian Affairs in 1886, the Navajos extended their claims well beyond the boundaries stipulated by the 1868 treaty. In particular, Brodie's map showed the effect of the Executive Order of May 17, 1884, which extended the northwest boundary to the San Juan River and included Navajo Mountain, the

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<sup>82</sup> Ibid.

<sup>83</sup> John C. Pyle. Navajo Indian Agency, Fort Defiance, Ariz. August 3, 1878. ARCIA (1878): 108.

Calabasa Mountains, and White Mesa.<sup>84</sup> The new boundaries abutted the Moqui Indian reservation on the south and the original Navajo Indian reservation on the west. However, as the Navajos expanded their domain, a dispute arose with their Ute neighbors to the north. At the northeast corner of the reservation, where the San Juan River marked the boundary between the 1880 extension of the Navajo reservation and the Southern Ute reservation, there were tracts of land claimed by multiple parties. To resolve this dispute, Township 29 North Ranges 14, 15, 16 West of the Principal Meridian of New Mexico were opened by Executive Order of May 17, 1884, and were again withdrawn and included in the Ute Reservation by an Executive Order dated April 24, 1886.<sup>85</sup>

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<sup>84</sup> *Executive Orders relating to Indian Reserves: 876-878.* Klaus Frantz, *Indian Reservations in the United States: Territory, Sovereignty, and Socioeconomic Change* (Chicago: University of Chicago Press, 1999): 49.

<sup>85</sup> Map of the Navajo Indian reserve. Compiled from official sources. Headquarters District of New Mexico. Santa Fe, New Mexico. Note T29N, RS 14, 15, 16 W of the Principal Meridian of New Mexico opened by Executive Order of May 17, 1884, were again withdrawn & included in the Ute Reservation by an Executive Order dated April 24, 1886. Reproduced from Benjamin Henry Grierson Papers, Southwest Collection/Special Collections Library, Texas Tech University. Call Number: VAULT drawer Ayer MS 3039 map 11. The coordinates of this map are W 111°50--W 107°30/N 37°30--N 35°00.

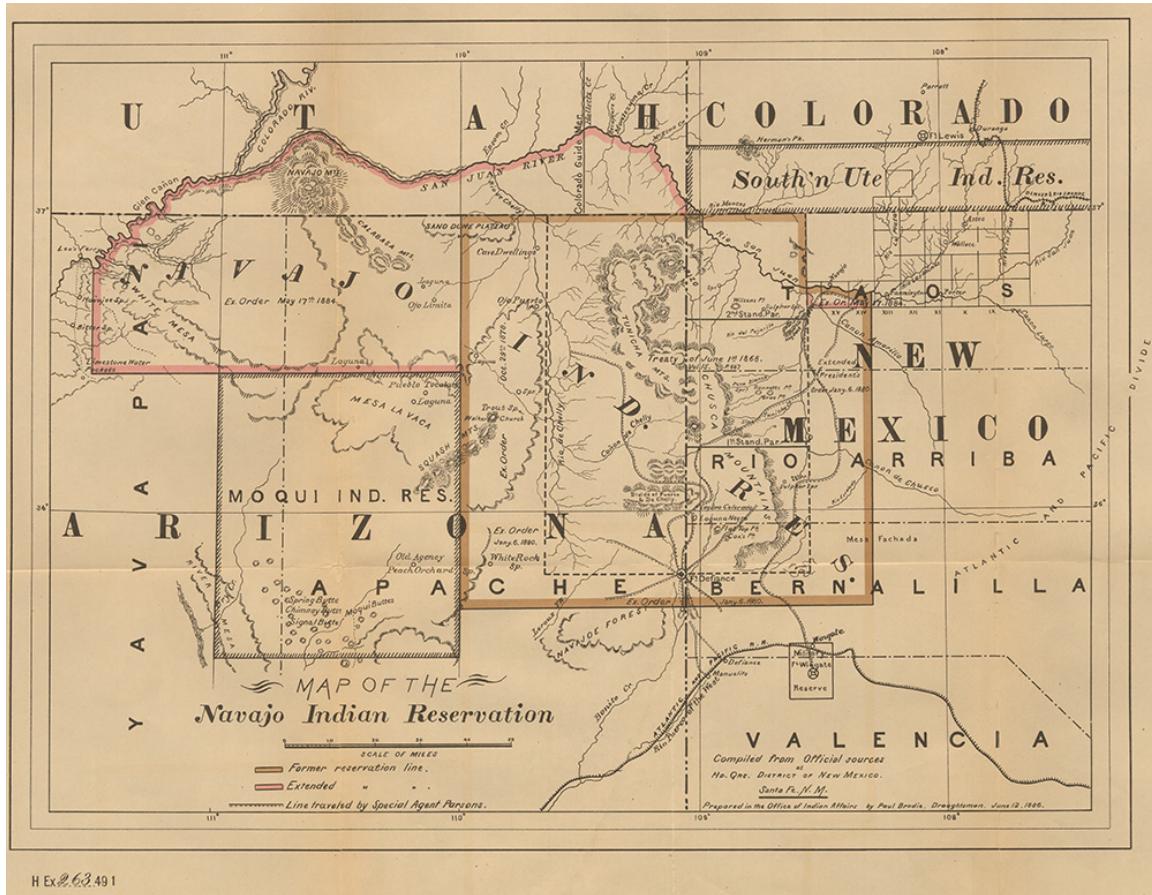


Figure 13. Paul Brodie, *Map of the Navajo Indian Reservation: Compiled from Official Sources at Hd. Qrs. District of New Mexico, Prepared in the Office of Indian Affairs. June 12, 1886.* Southwest Collection, Texas Tech Collection.

The Navajos' positive outcome in the 1880s contrasted with experience of the Mescalero Apaches, whose reservation was reconfigured to suit the interests of Anglo-American miners. The agent at the Mescalero Apache reservation viewed this decision as a punitive response to their defiance of the government's authority. A significant number of the Mescalero Apaches living in the Sacramento Mountains of southern New Mexico had disobeyed orders of the Indian Office and the U.S. Army to remain within the boundaries of the reservation through the early 1880s. As a result of their perceived insubordination, the Department of the Interior

recommended adjusting the size of the reservation. President Arthur approved the adjustment of boundaries by an Executive Order of May 19, 1882.<sup>86</sup> As William H.H. Llewellyn noted, the changes resulted in “the mining portion on the north and a strip six by fifteen miles on the southwest being excluded and restored to the public domain, and a section of country nine miles wide and twenty-one miles long added to the reservation on the east.”<sup>87</sup> Llewellyn further noted the adjustment of the reservation’s boundaries reflected the findings of a government report that favored “the mining element of the community.”<sup>88</sup>

The restoration of that parcel of land to the public domain was the first in a series of actions that undercut the tribe’s control of their land. A delegation of fifty Mescalero Apaches visited Santa Fe in July 1883 during the Territory of New Mexico’s Tertio-Millenial Exposition with hopes of securing title to territory they claimed. They met with prominent political figures, including Hon. John A. Logan, Congressman William L. Springer, and “other distinguished gentlemen,” to whom they presented “their claims and requests for a patent for their reservation.”<sup>89</sup> However, despite their diplomatic efforts in Santa Fe and in Washington, the Department of the Interior ignored their requests and instead ordered the consolidation of the Mescalero and Jicarilla Apache reservations. The decision to concentrate both tribes within a restricted area representing only a fraction of their former territories could be seen as nothing less than an assault on their livelihoods and an affront to their human dignity.

In August 1883, the U.S. government removed the Jicarilla Apaches from their lands in the Sangre de Cristo Mountains and forced to resettle along the margins of the Mescalero

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<sup>86</sup> *Executive Orders relating to Indian Reserves*: 75.

<sup>87</sup> William H.H. Llewellyn. Mescalero and Jicarilla Agency, New Mexico, September 1, 1882. ARCIA (1882): 123.

<sup>88</sup> *Ibid.*

<sup>89</sup> William H.H. Llewellyn. Headquarters Mescalero and Jicarilla Apaches, South Fork, N. Mex., August 15, 1883. ARCIA (1883): 118.

Apache reservation in southern New Mexico. During yet another trip to Washington, both the Mescalero and Jicarilla Apache pressured federal officials to protect their claims. As their agent Llewellyn stated, “while I was in Washington with a delegation of the principal men of my Indians, they urgently requested that something be done to permanently secure these lands to the tribe by title.”<sup>90</sup> Llewellyn lobbied on their behalf, but he was unsuccessful in preventing the further diminution of their territories.

The inefficacy of the Indian Office confirmed the Jicarilla Apaches’ negative feelings toward the government. As he pointed out, “this last move from Amargo to this reserve is the fifth one within fifteen years rather demonstrates the truth of the sayings of these people.”<sup>91</sup> Llewellyn’s work at the Mescalero Apache reservation in the early 1880s revealed his desire to reform the administration of Indian affairs in a manner that promoted the interests of the community. He styled himself an advocate for the Indians and he made his position clear when he stated, “I am in favor of the entire disarmament of all wild Indian tribes, and immediate abolition of the present agency system, the patenting of their lands to them, compulsory education and labor, and full citizenship at an early date.”<sup>92</sup> While none of these relatively liberal objectives would not be accomplished for many years, the fact that he supported this program indicated progressive trends in the development of federal Indian policy at that time.

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<sup>90</sup> William H.H. Llewellyn. United States Indian Service, Mescalero and Jicarilla Agency, South Fork, N.M., Aug. 15, 1884. ARCIA (1884): 132.

<sup>91</sup> *Ibid.*

<sup>92</sup> William H.H. Llewellyn. Mescalero and Jicarilla Apache Agency, South Fork, New Mexico, August 20, 1885. ARCIA (1885): 153.

Yet, for the population of 1,202 Mescalero and Jicarilla Apaches squeezed onto small plots of land west of the Sacramento Mountains, Llewellyn's optimism was misplaced.<sup>93</sup> The Ollero band of Jicarilla Apaches requested they be permitted to return to their traditional territory, petitioning territorial governor Edmund G. Ross to write a letter to the Indian Office on their behalf.<sup>94</sup> When the government failed to reply to their request, they decided to abandon the reservation. Huerito, the leader of Ollero band, fled with a group of his people and set up a camp near the San Ildefonso Pueblo, 30 miles outside of Santa Fe.<sup>95</sup> Within a short period of time, another contingent also decided to leave, causing the government to pursue a different course of action.

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<sup>93</sup> Fletcher J. Cowart to Commissioner of Indian Affairs. Mescalero Agency, New Mexico, August 12, 1886. ARCIA (1886): 198.

<sup>94</sup> Emily Greenwald, *Reconfiguring the Reservation: The Nez Perces, Jicarilla Apaches, and the Dawes Act* (Albuquerque: University of New Mexico Press, 2002): 103.

<sup>95</sup> Ibid.

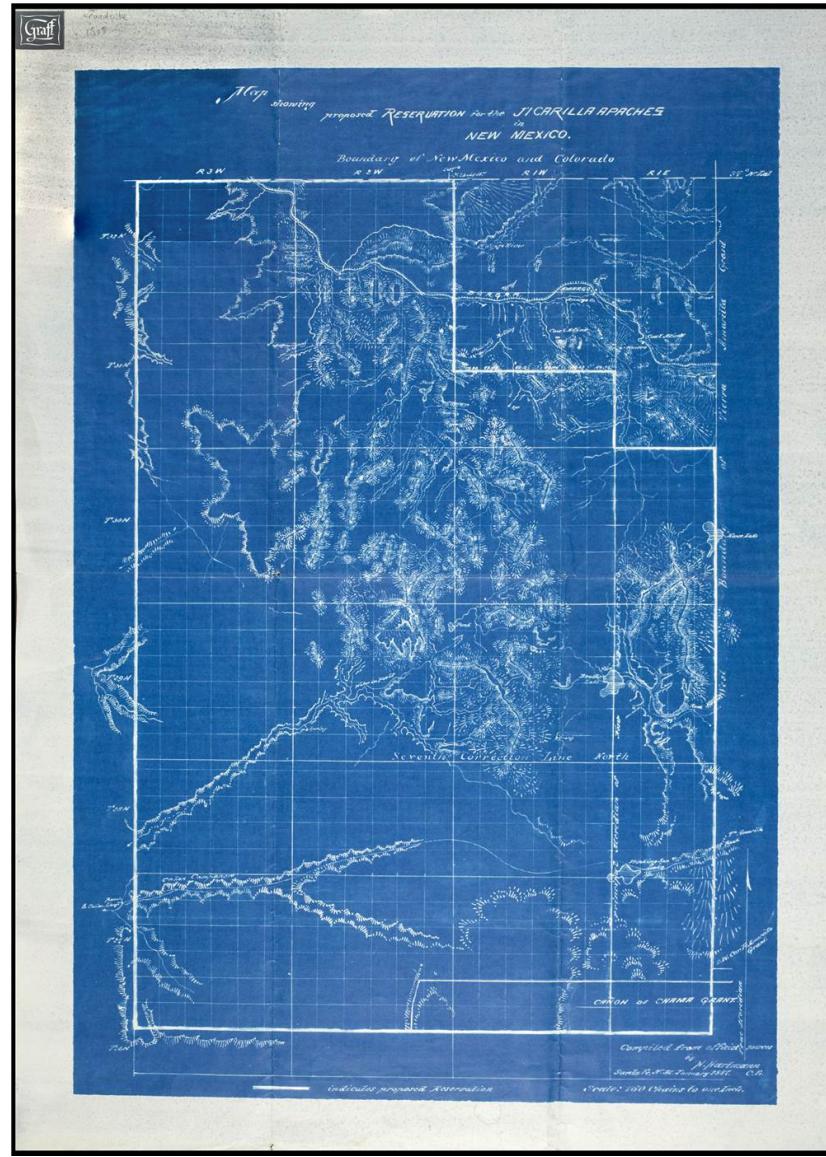


Figure 14. H. Hartmann, *Map Showing Proposed Reservation for the Jicarilla Apaches in New Mexico*. Santa Fe: H. Hartmann, 1887. Everett D. Graff Collection, Newberry Library.

The departure of the Ollero band of Jicarilla Apaches from the reservation prompted the Indian Office to restore their access to a tract of land in northern New Mexico. On April 25, 1887, the remaining Jicarilla Apaches departed from the Mescalero Apache reservation, traveling through Santa Fe, and settled on a newly established reservation headquartered at Amargo, later renamed Dulce, a depot on the Denver & Rio Grande Railroad. H. Hartman's *Map Showing*

*Proposed Reservation for the Jicarilla Apaches* (above) indicated the eastern edge of the reservation as defined by the Tierra Amarilla land grant in Rio Arriba County.<sup>96</sup> Shortly after their arrival, it became necessary for their agent H.S. Welton to request the military's assistance in the removal of Mexican and Anglo settlers from the new reservation. In a highly unusual turn of events, U.S. officials acted to forcibly remove non-Indian peoples from lands designated for the Jicarilla Apache. This episode underscored the pervasive humanitarian impulse that unevenly guided the administration of Indian affairs in this period as well as the stark differences between the treatment of the different Apachean populations.

In a lengthy complaint that Colonel Benjamin H. Grierson composed in October 1887, he laid out his plans to eject certain unsavory characters from the reservation and recommended compensating several Hispanic residents who had "bona fide" claims within its boundaries. Settlers who had not made substantial improvements to the land, "fraudulent settlers and other trespassers" were forced to leave, and, in Grierson's words, "the ejection was quietly and promptly effected."<sup>97</sup> Among those pushed out of the reservation were Manuel Garcia, whom Grierson described as "a politician, skillful in manipulating the Mexican vote," and Eudora Cordova, whom Grierson anticipated would soon sue the government for her losses. "Bona fide" settlers, such as Gabriel Lucero and Eugenio Gomez, received payments of \$461 and \$1,645, respectively, for their property. While Grierson acknowledged the "bitterness and dissatisfaction" this caused the Gomez family, he claimed a spring located on their property was "an absolute necessity to the Indians [sic], and the water thereof will be permanently required for

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<sup>96</sup> H. Hartmann, *Map Showing Proposed Reservation for the Jicarilla Apaches in New Mexico*. Boundary of New Mexico and Colorado. Compiled from Official Sources by H. Hartmann, C.E., Santa Fe, N.M. January 1887. Everett D. Graff Collection, Newberry Library.

<sup>97</sup> Colonel Benjamin H. Grierson, *Removal of Intruders from the Jicarilla Apache Indian Reservation*. October, 1887. Everett D. Graff Collection, Newberry Library.

use at the agency.” Moreover, he maintained that to permit it “to remain in the possession of the present occupants . . . will surely lead to constant friction and in the end probably result in serious trouble.”<sup>98</sup>

Grierson’s complaint showed how the fate of Jicarilla Apaches became intertwined with the lives of Mexican and Anglo settlers immediately upon their return to northern New Mexico. As in Arizona in the early 1870s, when U.S. agents of the Indian Office intervened on the behalf of the Western and Chiricahua Apaches, the white population met federal intervention with stiff resistance. The fraudulent settlers and other trespassers “grumble[d] and ma[d]e complaints” about their mistreatment by the government. Yet, as Grierson emphasized, corrupt employees were also to blame. In particular, Grierson pointed to C.F. Stollsteimer, who served as the U.S. agent to the Jicarilla Apaches. Grierson accused him of being “thoroughly allied to the stockmen and Mexicans and under the control of the Archuletas, who have large mercantile and stock interests in southern Colorado in New Mexico.”<sup>99</sup> Grierson continued, “Mr. J.R. Archuleta, the business manager of the firm, is the son-in-law of Agent Stollsteimer, and the latter dare not do anything to conflict with the expressed wishes of that wealthy and influential family.” Grierson further noted, “It was through the influence of the Archuletas that the Jicarillas were removed from their reservation in 1883, in order that said firm might have a larger range for their immense herds and that the territory of which the Indians [sic] were forcibly deprived might be opened up to settlement under their righteous supervision.”<sup>100</sup>

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<sup>98</sup> Ibid.: 2-3.

<sup>99</sup> On the political strength of Hispanic ranching families such as the Archuletas, see David Correia, *Properties of Violence: Law and Land Grant Struggles in Northern New Mexico* (Athens: University of Georgia Press, 2013).

<sup>100</sup> Grierson, *Removal of Intruders*: 4.

Grierson's accusations revealed how vulnerable the Jicarilla Apache remained to exploitation by dishonest agents, such as Stollsteimer, who were willing to abuse their power in order to advance their own economic interests and those of their associates. The fact that "squatters rejoiced openly when the Jicarillas were attached to the Ute Agency" in 1883 further illustrated how public-private partnerships in the Territory conspired to dispossess this marginalized population.<sup>101</sup> "It is unfortunate for the Jicarillas," Grierson wrote, "that they have been attached to the Ute Agency as everything Stollsteimer has done or will do of his own volition, will prove detrimental to the interest of those Indians [sic] and tend to the benefit of his Mexican friends and relatives by whom he is surrounded and controlled [sic]."<sup>102</sup> As an advocate for the well-being and the prosperity of the Jicarilla Apache, Grierson may have set himself apart from many of the career military officers and appointed agents of the Indian Office. But his sympathy for "the poor Jicarillas [who] have been pushed about the country . . . to suit the whims and wishes of their enemies . . . until they have become a disheartened, roaming, homeless people" resonated with Grant's Peace Policy introduced nearly two decades earlier.<sup>103</sup>

Along with Special Agent H.S. Welton, Grierson embodied the progressive values of Gilded-Age reformers who aspired to again recast the image of the Indian in the popular

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<sup>101</sup> David L. Caffey, *Chasing the Santa Fe Ring: Power and Privilege in Territorial New Mexico* (Albuquerque: University of New Mexico Press, 2014) examines the varieties of corruption among federal employees in the Territory, analyzing the haphazard process of surveying and confirming private land grants, and the contested nature of territorial boundaries and the law. See also Victor Westphall, *The Public Domain in New Mexico, 1854-1891* (Albuquerque: University of New Mexico Press, 1965) and Malcolm Ebright, *Land Grants & Lawsuits in Northern New Mexico* (Albuquerque: University of New Mexico Press, 1994).

<sup>102</sup> Grierson, *Removal of Intruders*: 5.

<sup>103</sup> Grierson's complaint also resounded with the prevailing sentimental view of Indian life publicized through Helen Hunt Jackson's popular writing. Helen Hunt Jackson condemned the conditions of the mission Indians of California in *Century of Dishonor: A Sketch of the United States Government's Dealings with Some of the Indian Tribes* (New York: Harper & Bros., 1881). See also Helen Hunt Jackson, *Report on the Condition and Needs of the Mission Indians of California, Made by Special Agents Helen Jackson and Abbott Kinney, to the Commissioner of Indian Affairs* (Washington, DC: Government Printing Office, 1883). Edward E. Ayer Collection, Newberry Library.

imagination. Much like C.M. Bell, who depicted Eskiminzin, Eskayelah, and other Apache leaders as modern Christian citizens, he strived to uphold “the just claims of the Jicarillas” and to ensure their rights of “obtaining homes in severalty, in accordance with their just deserts and the present well-known policy of the Government.” However, as demonstrated by the toxic effects of “civilization” programs that ripped children away from their parents in the name of Indian education, the presumably progressive values of Gilded-Age reforms could also be quite devastating in their effect, if not in their intent.<sup>104</sup>

### *Conclusion*

The humanitarian impulse that inspired Ulysses S. Grant’s “Peace Policy” profoundly shaped the administration of Indian affairs through the end of the nineteenth century. Through an analysis of the consolidation of the reservation system in the early 1870s, it is possible to understand how that policy contributed directly to the mass displacement and dispossession of Apachean peoples in the Territories of New Mexico and Arizona. Responding to the pressures of U.S. western expansion, tribal leaders developed new strategies of survival to protect their sovereignty, the integrity of their communities, and their economic resources. Although scholars have tended to stress violent reactions against U.S. intervention in the Apachería, this chapter has emphasized the often-overlooked role of diplomacy as a strategy of survival and self-determination.

The men and women who traveled to Washington, D.C., during the mid-1870s, such as Santo, Manuelito, Eskiminzin, engaged the Board of Indian Commissioners, the Department of

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<sup>104</sup> David W. Adams, *Education for Extinction: American Indians and the Boarding School Experience, 1875-1928* (Lawrence: University Press of Kansas, 1995).

the Interior, and other federal agencies in discussions of how to protect their land, the natural resources it contained. They also demonstrated their interest in maintaining their personal safety and cultural autonomy. These tribal leaders leveraged what power they had as cultural intermediaries in their negotiations with federal officials, thereby maintaining their land base and the boundaries of the reservations while also acquiring protection from the government in the form of legal agreements, annuities, and other material goods.

Diplomatic relations between Mexico and the United States also proved consequential. In 1877, with the end of Reconstruction in the United States and the rise of Porfirio Díaz in Mexico, there began a new era of violence, bilateral cooperation, and capital expansion that diminished the former power of the Apachería. The Mexican government developed more sophisticated policies to regulate cross-border traffic through the 1882 reciprocal border crossing agreement with the United States. As a result, the Apaches and other Indian nations lost ground to northern caudillos such as Luis Terrazas, who became willing partners in Mexican and U.S. military campaigns. As this broad-based coalition gained support from political elites in both countries during the mid-1880s, it accelerated the process of displacement and dispossession in the U.S.-Mexico borderlands first initiated by the consolidation of the reservation system a decade earlier.

## Conclusion

At the end of the nineteenth century, the governments of Mexico and the United States agreed to cooperate in operations to remove the Lipan, Mescalero, and Chiricahua Apaches from the border region. Whereas in earlier periods, Mexico's government had objected to the presence of U.S. troops on Mexican soil, two generals from either country discussed making an informal agreement in 1877 that would allow their personnel to cross the international boundary in locations where they were unlikely to encounter each other's troops.<sup>1</sup> General Gerónimo Treviño and Brigadier General Edward Ord discussed permitting the reciprocal crossing of troops, but only under exceptional circumstances. Their discussion served as the basis for subsequent diplomatic negotiations that united the two countries in their efforts to prevent the Apaches from crossing the U.S.-Mexico border.

In 1880, Treviño and Ord coordinated a campaign against members of the Warm Springs band of Chiricahua Apaches led by Victorio. Since refusing to settle at the San Carlos reservation in Arizona during the previous year, Victorio and his people had evaded local authorities while raiding ranches in southern New Mexico, Chihuahua, and Sonora. Treviño reported that he was responsible for the death of 150 Mexicans in Chihuahua and the loss of five thousand head of cattle, which Victorio had reportedly sold in the United States in exchange for arms and ammunition.<sup>2</sup> In early September, the Governor of Chihuahua Luis Terrazas and his son Colonel Joaquín Terrazas requested the assistance of U.S. troops under the command of

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<sup>1</sup> John W. Foster to William M. Evarts. Legation of the United States. Mexico, July 13, 1877. General Treviño's report of his interview with General Ord. Constitutional Army, Headquarters of the North, Monterrey, June 30, 1877. *Papers Relating to the Foreign Relations of the United States* (1877): 424.

<sup>2</sup> Shelley B. Hatfield, *Chasing Shadows: Indians along the United States-Mexico Border, 1876-1911* (Albuquerque: University of New Mexico Press, 1998): 36.

Colonel George P. Buell. Although Buell withdrew his men from Mexico before Joaquín Terrazas defeated Victorio and 86 of his warriors at Tres Castillos, Chihuahua, on October 15, the international cooperation of nearly 3,000 soldiers from both countries was paramount for the campaign's perceived success.<sup>3</sup>

While Mexican President Porfirio Díaz and U.S. President Rutherford B. Hayes proclaimed the Battle of Tres Castillos as the end of Apache depredations, the remaining members of Victorio's band returned to the San Carlos reservation and resumed their raiding activities in 1881. Victorio's successor Nana convinced many of the other prominent warriors, including Geronimo, Juh, Loco, and Naiche, to join him. Their forays into Sonora and Chihuahua compelled the U.S. army to deploy 2,500 troops to the border in May 1882 to assist General Treviño's replacement, General Bernardo Reyes. Following negotiations between Mexico's Minister of Foreign Affairs Matías Romero and U.S. Secretary of State Frederick T. Frelinghuysen, the Mexican Senate approved the reciprocal crossing agreement on May 11.<sup>4</sup> Employing similar language as Article XI of the Treaty of Guadalupe Hidalgo, the agreement stipulated that "the regular federal troops of the two Republics may reciprocally cross the boundary line of the two countries, when they are in close pursuit of a band of savage Indians."<sup>5</sup> The new policy underscored the positive diplomatic relations of the new administrations led by

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<sup>3</sup> Ibid.: 38-39. See also Ricardo León García and Carlos González Herrera, *Civilizar o exterminar: tarahumaras y apaches en Chihuahua, siglo XIX* (México: Centro de Investigaciones y Estudios Superiores en Antropología Social, 2000): 190-194.

<sup>4</sup> Memorandum of an Agreement Entered into in Behalf of Their Respective Governments, by Frederick T. Frelinghuysen, Secretary of State of the United States of America, and Matias Romero, Envoy Extraordinary and Minister Plenipotentiary of the Republic of Mexico, Providing for the Reciprocal Crossing of the International Boundary Line by the Troops of the Respective Governments in Pursuit of Savage Indians, Under the Conditions Hereinafter Stated. 22 Stat. 934; Treaty Series 221. Charles I. Bevans, comp., *Treaties and Other International Agreements of the United States of America, 1776-1949*, V. 9, Department of State Publication 8615 (Washington, DC: GPO, 1972): 847-849.

<sup>5</sup> Ibid.: 847.

Mexican President Manuel González and U.S. President Chester A. Arthur, who were equally interested in the region's economic prosperity, which they envisioned would be accomplished by eliminating the Apaches and constructing railroads in northern Mexico.<sup>6</sup>

But their combined military forces still proved insufficient to prevent various bands from traveling freely between Arizona and Sonora. In March 1883, they attacked settlements in Sonora near Arizpe, Moctezuma, Sahuaripa, and Ures, killing four American prospectors. The death of Judge H.C. McComas and his wife, with their six-year-old son being taken captive, on March 28 renewed efforts to apprehend the raiding parties. Led by Indian scouts, U.S. General George Crook launched an expedition in the summer of 1883 into the Sierra Madre Mountains and persuaded a number of the rebels to return to life on the reservation. Those who returned to San Carlos were transferred to Fort Apache in 1884, but restrictions placed on the consumption of *tiswin* (an alcoholic drink made from fermented corn) caused another mass departure in May 1885. This pattern of fleeing and returning to the reservations in southeastern Arizona continued through the following year, with increasing involvement by members of the Mexican and U.S. military to intercept their illicit excursions across the border.<sup>7</sup>

Not all of the Chiricahua Apaches were interested in continuing the conflict. In 1886, a delegation of thirteen Chiricahua Apaches led by Chatto and Loco traveled to Washington, D.C. to negotiate the terms of their previous surrender to General Crook.<sup>8</sup> However, by the time they

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<sup>6</sup> Ricardo León García, "El ferrocarril y la nueva visión de la frontera" in *Introducción e impacto del ferrocarril en el norte de México*, ed. R.B. Brown (Ciudad Juárez, Chihuahua: Universidad Autónoma de Ciudad Juárez, 2009): 173-192.

<sup>7</sup> The events of 1885-1886 were sensationalized in a series of articles by Charles F. Lummis published in the *Los Angeles Times*. See Charles F. Lummis, *General Crook and the Apache Wars*, ed. Robert A. Griffen (Flagstaff, AZ: Northland Press, 1966).

<sup>8</sup> John K. Hillers photographed the thirteen members of the Chiricahua Apache delegation for the Department of the Interior. See Don. D. Fowler, *Myself in the Water: The Western Photographs of John K. Hillers* (Washington, DC: Smithsonian Institution Press, 1989).

arrived in the capital, Crook had been replaced by Brigadier General Nelson A. Miles, who did not honor their previous arrangements. As the hostilities between the U.S. military and the Chiricahua Apache intensified, U.S. President Grover Cleveland ordered the deportation of all Chiricahua Apaches from the Territory of Arizona—including the Indian scouts who had participated in U.S. military campaigns.<sup>9</sup>

In April 1886, the first group of 77 Chiricahua Apache prisoners of war arrived at Fort Marion, Florida, a decaying seventeenth-century Spanish fortress that was unsuitable for habitation. Geronimo and a small group of followers continued to evade U.S. and Mexican authorities in the Sierra Madres Mountains of Sonora until the late summer. Geronimo's surrender to General Miles on September 3 marked the ultimate stage in the extended conflict between the Chiricahua Apaches and military forces that began well before Mexico or the United States existed as nations. Two weeks later, 383 men, women, and children were loaded onto boxcars at Holbrook, Arizona, and sent to join the remainder at Fort Marion.<sup>10</sup>

The decline of Apache power in the 1880s was not simply the result of the military triumph of two “modern” nation-states over a “traditional” ethnic minority, as some military historians have argued. Rather, as this dissertation has demonstrated, the concatenation of events that culminated with the Reciprocal Border Crossing Agreement in 1882 and the forced removal of the Chiricahua Apaches as prisoners of war in 1886 were the result of nearly three centuries of Apache resistance and adaption to colonial rule.

One of the principal arguments advanced in these pages is that throughout that period of time—from the earliest stages of Spain’s colonization of the Kingdom of New Mexico in 1598,

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<sup>9</sup> Paul A. Hutton, *The Apache Wars* (New York: Crown, 2016): 380.

<sup>10</sup> Alicia Delgadillo, *From Fort Marion to Fort Sill: A Documentary History of the Chiricahua Apache Prisoners of War, 1886-1913* (Lincoln: University of Nebraska Press, 2013): xxxii.

during the reorganization of the region as the Interior Provinces of New Spain in 1776, under Mexico's administration of the territory after 1821, and the United States' occupation of the region in 1848—the diverse populations constituting the Apachería repeatedly refused to submit to foreign domination. While they were forced to adapt to changing conditions in their homelands, they developed strategies not only to for survival but for the extension of their tribal territories well beyond their original boundaries. Although the Apaches' diffuse social organization in matrilocal bands and clans precluded large-scale political coordination, they established wide-ranging and highly sophisticated trading and raiding networks that allowed them to flourish along the edges of colonial and national domains. Moreover, their position in the periphery of more densely populated settlements provided unique opportunities for the extraction of valuable resources. They claimed horses, cattle, and manufactured goods as well as human captives, who were sold as slaves or integrated into the band's structure of kinship relations. This extractive economy supplied the basis for their demographic and territorial expansion in the eighteenth century, but it also exposed them to violent attacks by Indian nations competing for access to the same resources and punitive campaigns led by local militias.

Among the earliest historical accounts of the Apaches in the sixteenth century, there were clear indications of their unique status as intermediaries between settlements in the upper Rio Grande valley and distant trading centers on the Great Plains. As relatively recent arrivals to the region, they were able to create a broad spectrum of economic and cultural connections across different regions. Spanish colonial efforts to colonize the Kingdom of New Mexico strengthened the Apaches' ties with the Pueblo Indians during the seventeenth century.<sup>11</sup> Similarly, when the

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<sup>11</sup> For example, in 1696 an Indian prisoner from San Juan Pueblo described how the residents from Santa Clara Pueblo had allied themselves with the "Navajo Apaches" after the 1680 Pueblo Revolt. When asked, "where the Indians from Santa Clara were, he said what he knew was that some had gone away to the Navajo Apaches and

Apaches became the victims of Comanche violence on the Southern Plains in the early eighteenth century, they turned to the people of Taos, Picuris, and Pecos for protection. At the same time, the Lipan, Mescalero and Chiricahua Apaches extended their tribal territories well beyond the Southern Plains and the Colorado Plateau and were firmly situated along the edges of Spanish settlements in Nueva Vizcaya and Sonora by the 1750s.<sup>12</sup> They absorbed Jumano, Concho, Pima, and Papago Indians from surrounding missions into their bands, pushing further south into more densely settled regions where they encountered organized resistance from the Spanish population.

In 1772, under recommendations from military planners and topographical engineers who had inspected the northern kingdoms and provinces, Spanish King Charles III approved reorganizing the line of military garrisons or presidios to counter the southward advance of the Apaches, Comanches, and other Indian nations that endangered the lucrative silver mining districts. Raids led by Gileño and Mescalero Apache on the mining operations—particularly those at Bacanuchi, Bácoachi, and Cieneguilla in Sonora and Santa Eulalia, Santa Barbara, and Parral in Nueva Vizcaya—threatened to cut off a vital source of wealth for the Spanish empire. The raiding parties were not interested in acquiring the precious metals that fueled Spain's global empire. Rather, the Gileños and Mescaleros lusted for the powerful beasts of burden—horses, oxen, mules, and sheep. Those animals provided the means of transportation, subsistence, and a

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others to Moqui. All the people had left Santa Clara; no one remained. None of the families had left the three pueblos of San Juan, Taos, or Picuris. As for all the rest of the pueblos, very few families had stayed. They had all gone away, some to Moqui and others to live with the Navajo Apaches." This first-person account of the residents from Santa Clara Pueblo choosing to live with the "Navajo Apaches" after the 1680 Pueblo Revolt indicated one of the ways in which the Navajos acquired Puebloan cultural practices. John L. Kessell, et al., *Blood on the Boulders: The Journals of Don Diego de Vargas, New Mexico, 1694-97*, vol. 2 (Albuquerque: University of New Mexico Press, 1998): 1003.

<sup>12</sup> Griffen, *Culture Change and Shifting Populations in Central Northern Mexico*: 71.

form of currency that they exchanged with Spanish and Indian trading partners in New Mexico and the Southern Plains.

Given the significance of the mining operations for Spain's economic prosperity, the colonial administration established a new territorial jurisdiction known as the General Command of the Internal Provinces of Northern New Spain in 1776. The Interior Provinces stretched from Upper and Lower California, through Nayarit, Culiacán, and Sonora on the Pacific Coast, and included New Mexico, Nueva Vizcaya, Coahuila, and Nuevo León, as well as Nuevo Santander and Texas on the Gulf of Mexico. As the first General Commander of the Interior Provinces, Teodoro de Croix launched a series of aggressive military campaigns aimed at destroying the Apache homeland. Over the course of the conflict in the 1770s, Spanish military officers such as Croix came to rely on the knowledge and abilities of indigenous auxiliaries, including detribalized Indians who joined the frontier militias as *genízaro*s. However, the costly campaigns against the Apaches bore little fruit for Croix and his successors. In fact, it ignited a war with the Apaches and the Comanches that burned through the middle of the next decade when the viceroy, Bernardo de Gálvez, introduced a new policy intended to "pacify" the Interior Provinces with the distribution of rations, manufactured goods, and other symbolic gifts. By purchasing peace rather than waging war, Gálvez believed it would be possible to restore order to the north. To the extent that the cessation of military campaigns reduced violence, the new policy was considered a success. But through the end of the colonial period the stability of the Interior Provinces depended upon the regular delivery of goods to the colonial administration's former enemies.<sup>13</sup>

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<sup>13</sup> Matthew Babcock, *Apache Adaptation to Hispanic Rule* (New York: Cambridge University Press, 2016).

After Mexico's independence from Spain in 1821, the policies and diplomatic protocols that took shape in the northern periphery resembled those implemented in the late eighteenth century under colonial rule. The practice of gifting, the establishment of peace settlements, and the negotiation of peace treaties were familiar to Indian leaders. The continuity of these policies contributed to the relative tranquility of New Mexico in the early nineteenth century, but their efficacy depended upon the state's limited fiscal capacity. When Mexico's government encountered financial difficulties, local authorities found they could no longer afford to entice the Apaches or the Comanches with gifts. As a result, these groups resumed their traditional practices of hunting and gathering, as well as raiding and trading, which led to further erosion of the state's already precarious position of authority.

Under the Mexican administration, the logic of Indian diplomacy in New Mexico contrasted with the situation in Texas. In the 1820s and 1830s, the influx of Anglo-American and Indian emigrants belonging to the so-called "civilized tribes" in the southeastern United States overwhelmed the fledgling bureaucracy in Texas. Their arrival prompted the Mexican government to re-evaluate the country's colonization policy. The passage of the Indian Removal Act in 1830 and related anti-Indian legislation drove tens of thousands of Cherokee, Choctaw, Creek, Delaware, Kickapoo, and other tribes into "Indian Territory" and Texas. Anglo-American settlers responded angrily to their arrival, as they believed the Indians would claim the most desirable tracts of land. Mexico's liberal laws granting Indians rights as citizens and prohibiting the importation of slaves also drew the ire of the Anglo-Americans. The complaints they submitted to the Mexican government revealed their dissatisfaction with the situation in Texas in the early 1830s. While authorities in Mexico City had hoped the Indian emigrants from the United States would act as a buffer to the Comanches and Lipan Apaches, the rebellion against

the centralist government in 1836 significantly reduced the number of “civilized tribes” seeking to settle in Texas.

With the northern periphery thrown into disarray by uprisings against President Antonio López de Santa Anna, Apache raiding and trading activities increased significantly in the 1830s. Along with Comanche, Cheyenne, Kiowa, and other Plains Indians, the Apaches led attacks on frontier populations throughout New Mexico, Sonora, Chihuahua, Coahuila, and Nuevo León. While local leaders begged for the means to defend their communities, the bankrupt and politically divided central government could do little to assist people in the periphery. This lack of support led many Mexican citizens to seek assistance from other sources, including U.S. traders whose presence along the St. Louis–Santa Fe–Chihuahua trail had reoriented regional trade networks. The resulting economic integration raised demand for manufactured goods, especially arms and ammunition, further escalating violence during the early 1840s.

The U.S. annexation of Texas in 1845 and the outbreak of war between Mexico and the United States all but totally destroyed earlier efforts of diplomacy between local authorities and the Apaches. During the negotiation of the Treaty of Guadalupe of Hidalgo that ended the U.S.-Mexican War (1846–1848), the Mexican government insisted upon receiving restitution for the damages that had been inflicted by their cross-border raids. Article XI of the treaty obligated the U.S. government to prevent incursion on Mexican soil by “savage tribes” and to return any stolen property, including human captives. However, the Apaches’ ability to out-maneuver U.S. forces, the lack of understanding of conditions along the U.S.-Mexico border, and the desire to obtain a route for the Southern Pacific Railroad all contributed to the U.S. government’s decision to cancel the provisions of Article XI with the Gadsden Treaty in 1854. The United States’

decision to abrogate that article underscored the enduring power of Apachean peoples and other Indian nations, as it was an implicit acknowledgment of the Apaches' territorial sovereignty.

After 1848, Mexico sought to reinforce its northern border with the United States through the establishment of military colonies. In Texas and New Mexico, Anglo-Americans settled regions previously considered off-limits because of their proximity to the Apachería. These new developments in the region posed a direct threat to the Mescalero and Lipan Apaches who claimed territories along the U.S.-Mexico border. On the Mexican side, Apache and Comanche raids continued to force people from their homes. On the U.S. side of the border, what came to be known generically as "Indian depredations" caused significant disruptions in the local economy. The continuing indifference of U.S authorities to Apache raiding and trading in Mexico led to the deterioration of diplomatic relations and set the stage for the controversies surrounding Indian depredations and other forms of criminalized behavior.

The economic integration of the United States contributed to the illicit trade in livestock taken from the haciendas and ranches that had long been the targets of Apache, Comanche, and Kiowa raids. Indeed, these groups were able to expanding their raiding and trading networks after 1848 by connecting zones of extraction in northern Mexico with emerging markets for contraband goods, particularly horses, cattle, and leather goods, in the United States. Officials in Texas had turned a blind eye to this phenomenon for decades until it began to deplete their own homesteads. Texas authorities called upon the Office of Indian Affairs to intervene, but when that failed they turned to the Department of State. They blamed the Mexican government for lawlessness of the border region, accusing it for the loss of more than \$48 million in property. In response, the Mexican government authorized the creation of the Mexican Committee of Investigation for the Northern Border. Drawing from its knowledge of the region, that

organization compiled evidence of the vast spatial dimensions of the illicit trade and how deeply intertwined the Apaches, Comanches, and Kiowas had become in the region's political economy. Although the dueling investigations of this period caused rancor in Mexico and the United States, they stimulated interest in bilateral cooperation. As a result, the U.S. military received permission from the Mexican government to pursue Indian across the border, under a limited set of circumstances.

While Lipan and Mescalero Apaches were drawn to the center of diplomatic controversies between the United States and Mexico in the mid-nineteenth century, further west in the Territory of New Mexico the largest perceived threat posed to the state's authority was the Navajo nation. Although local authorities had attempted to mitigate the effects of the retributive violence between the Navajos, Pueblo Indians, the Hispanic settlers west of Albuquerque through the negotiation of treaties in the 1850s, residents had little faith in the treaty system. Many New Mexicans believed the U.S. treaties conceded too much power and privilege to the Navajos and Apaches and they demanded that the government put an end to the practice of delivering gifts to them. The Legislative Assembly repeatedly petitioned Congress to reform the administration of Indian Affairs and to create Indian reservations. The outbreak of the Civil War amplified concerns that the Navajos and the Apaches would take sides with the Confederate troops who invaded the Territory of New Mexico in 1861. Such an alliance never materialized, but the chaotic circumstances and simmering resentment among the local populations prompted a forceful response from the U.S. military. Campaigns against the Mescalero Apaches and the Navajos destroyed their livestock, burned their cornfields, confiscated their property, and held men, women, and children as prisoners of war.

The establishment of the Bosque Redondo Indian reservation in 1862 marked the nadir of U.S. relations with Mescalero Apaches and the Navajos. After a brief and unsuccessful attempt to cultivate the infertile ground at the reservation near the Pecos River in southeastern New Mexico, four hundred of the Mescalero Apaches fled across the border to Mexico in 1864. In the following years, the U.S. military brought more than eight thousand Navajos to the same location, intending to create a “self-sustaining community” of industrious horticulturalists. However, within a short span of time, it became obvious to them and U.S. authorities that the alkaline soil at the location was entirely unsuitable for growing sufficient crops to feed the population. The inhumane conditions at Bosque Redondo caused many of the Navajos to flee, even though they risked being punished or killed for leaving the reservation. Realizing the proposed enterprise was untenable, the U.S. government negotiated a treaty with the Navajo nation that restored their right to return to their former homeland in 1868. While officials and Navajos agreed that Bosque Redondo was a tragic failure, the Office of Indian Affairs continued to endorse the establishment of reservations elsewhere in the U.S. Territories of New Mexico and Arizona.

At each stage in this historical process, the balance of power between the Apaches and their adversaries was negotiated through the redefinition of cultural and political borders. The Apaches’ intimate knowledge of the region’s geography, their close ties with raiding and trading partners on both sides of the border, and their ability to out-maneuver their enemies allowed them to thrive in the periphery of northern New Spain and in the border region between New Mexico and the United States.

This dissertation urges scholars to reconsider the broad cross-section of relationships that the Apaches developed with other Indian nations, Spanish colonists, and settlers from Mexico

and the United States. In the long stretch of time examined here, the borders drawn in the region did not foreclose the open-ended possibilities of reinventing the relationships that existed between different cultures. This research also seeks to change how historians think about the overlapping territories, homelands, and administrative jurisdictions that constituted the Apachería, the Interior Provinces of New Spain, northern Mexico, and the southwestern United States. Each of those spaces contained different meanings for the people who named and claimed them as their own.<sup>14</sup>

The historical construction, expansion, and decline of the Apachería as a sovereign space outside of colonial and state control also offers theoretical insights on the contested geographies of Borderlands as a category of analysis.<sup>15</sup> In this context, Borderlands were sites where different societies interacted with each other and developed new articulations and representations of themselves and their counterparts through actions, speech, and exchange of goods. They constituted fields of social interaction where meaning, value, and consequences of human activities were generated by the specific circumstances in which they occurred. Moreover, these interactions had the capacity to create and multiply meanings and potential misunderstandings, producing hybrid forms of cultural expression as well as disagreements and conflicts.<sup>16</sup>

The emphasis placed here on the political geography of the Apachería, the ways it changed shape over time and intertwined with other indigenous, colonial, and national territories,

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<sup>14</sup> Arthur J. Ray, *Aboriginal Rights and the Making and Remaking of History* (Montreal: McGill-Queen's University Press, 2016).

<sup>15</sup> Paul Readman, Cynthia Radding and Chad Bryant, eds., *Borderlands in World History, 1700-1914* (New York: Palgrave Macmillan, 2014).

<sup>16</sup> María Josefina Saldaña-Portillo, *Indian Given: Racial Geographies across Mexico and the United States* (Durham, NC: Duke University Press, 2016). María Josefina Saldaña-Portillo, “Indigenous but not Indian? Chicana/os and the Politics of Indigeneity” in *The World of Indigenous North America*, ed. Robert Warrior (New York: Routledge, 2015): 549-568.

suggests several broader conclusions. First, there remained a tension between conceptions of its seemingly ephemeral, transitory nature and its persistent, often-exaggerated presence. But the lack of fixed dwellings and permanent architecture should not preclude understanding its existence as a historically constructed place and as a potent political force. Second, the malleability of its geographical boundaries, evident in archaeological and historical records, demonstrated how the extent of the Apachería—much like other indigenous spaces in North America, such as the Comanchería or the Pimería—ebbed and flowed over time and space. Indeed, the various stages of its expansion and contraction were correlated with parallel developments in adjacent societies. Third, the imbrication of Apachean tribal territories with homelands claimed by other indigenous societies and settler states underscored how use and occupancy of the natural and built environments should not be considered mutually exclusive but necessarily interdependent. Finally, the reconfiguration of the region as kingdoms, provinces, reservations, and other administrative jurisdictions emphasized how the naming of territory in the colonial and early national periods constituted an essentially political act.

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AHAD	Archivos Históricos del Arzobispado de Durango
AMCJ	Archivo Municipal de Ciudad Juárez
ARCIA	Annual Report of the Commissioner of Indian Affairs
BA	Béxar Archives
BL	Bancroft Library
BN	Biblioteca Nacional de México
CSWR	Center for Southwest Research, University of New Mexico
DR	David Rumsey Historical Map Collection
DRSW	Documentary Relations of the Southwest
FAC	Fray Angélico Chávez History Library
FRUS	Foreign Relations of the United States
HL	Huntington Library
JCB	John Carter Brown Library
LOC	Library of Congress, Prints and Photographs Division
NAA	National Anthropological Archives
NARA	National Records and Archives Administration
NL	Newberry Library
LE	Leguajes Encuardenados
MANM	Mexican Archives of New Mexico

MOB	Mapoteca Manuel Orozco y Berra
NMSRCA	New Mexico State Records Center and Archives
NYPL	New York Public Library
RGHC	Río Grande Historical Collections, New Mexico State University
SANM	Spanish Archives of New Mexico
SMGE	Sociedad Mexicana de Geografía y Estadística
SRE	Secretaría de Relaciones Exteriores, Archivo Histórico Genaro Estrada
TANM	Territorial Archives of New Mexico

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