

4-1-1970

The Governor and the Indian Agent: 1855-1857

Michael D. Heaston

Follow this and additional works at: <https://digitalrepository.unm.edu/nmhr>

Recommended Citation

Heaston, Michael D.. "The Governor and the Indian Agent: 1855-1857." *New Mexico Historical Review* 45, 2 (). <https://digitalrepository.unm.edu/nmhr/vol45/iss2/4>

This Article is brought to you for free and open access by UNM Digital Repository. It has been accepted for inclusion in New Mexico Historical Review by an authorized editor of UNM Digital Repository. For more information, please contact amywinter@unm.edu, lsloane@salud.unm.edu, sarahrk@unm.edu.

THE GOVERNOR AND THE INDIAN AGENT: 1855-1857

MICHAEL D. HEASTON

SINCE the Superintendent of Indian Affairs for New Mexico Territory was appointed by the President of the United States, it was only natural that the subordinate Indian agents were included in the political spoils system. Governor David Meriwether's recommendation of his son-in-law, Captain Edmund A. Graves, in May 1853, was an ordinary example.¹ When, soon after Meriwether was named Governor and Superintendent of Indian Affairs, Captain Graves wrote to him requesting such a position, Meriwether passed the letter on to Secretary of Interior Robert McClelland, referring McClelland to James Guthrie, then Secretary of the Treasury, a personal acquaintance of Graves. McClelland replied: "If Mr. Guthrie says so, he will be appointed."² Hopefully, the appointment of agents belonging to the same political party as the Superintendent of Indian Affairs would ensure harmony between them and their superintendent. But this did not always follow in New Mexico, where verbal and written conflicts among them were frequent.

Governor Meriwether took two new Indian agents with him to New Mexico, Captain Graves and James Smith. A year later another, Abraham G. Mayers, was appointed. Commissioner of Indian Affairs George Manypenny notified Mayers on November 2, 1854. He was to report to Meriwether in Santa Fe for instructions and transmit all agency correspondence to Manypenny through the Governor.³ Mayers reached Santa Fe on August 4, 1855, and from then on to December 1856 his relations with Meriwether and

William Watts Hart Davis, acting governor and superintendent of Indian Affairs during Meriwether's absence,⁴ were characterized by considerable disagreement.

Meriwether instructed Mayers to act as Indian agent for the Pueblos, a large assignment in view of the scattered Pueblo locations. After opening his agency Mayers wrote to the governor about the Pueblo need for agricultural implements and recommended that the balance of the \$5,000 appropriated by Congress for such purposes be applied to purchasing them.⁵ Shortly thereafter Meriwether departed to visit his home in Louisville, Kentucky, leaving Davis in charge of the Indian superintendency. There seemed to be some lack of understanding as to precisely how Mayers was to go about making purchases. Davis advised Manypenny that, although this was expressly against Meriwether's policy that all purchases were subject to his approval and agents were never to buy on credit,⁶ Mayers intended to draw upon the Treasury Department for purchases. Manypenny notified Mayers that his draft would not be honored without prior approval by Meriwether.⁷ Mayers replied on January 28, 1856, shortly after he received Manypenny's letter: "I find that the superintendent seems to Express fears that I will do so [draw upon the Treasury Department] without his consent, or that I will violate customs heretofore Established &c." Mayers was against using funds appropriated for the Pueblo Indians for purchases from Santa Fe merchants, who charged a twenty per cent commission in addition to exorbitant prices. He had told Meriwether that he believed that Congress had appropriated the money for "the Indians & not the Speculator . . . this led to the Remark that if any more agricultural implement was to be purchased for these Indians that I was the Proper Person to make the purchases, and that I would inform your department of the facts, which I have done." Mayers stated that he had drawn upon the Treasury only for his salary and had made no purchases for the Pueblo Indians without the superintendent's approval. He concluded by saying: "I shall do no act by which I may place that officer in an unpleasant situation, I will do all I can to carry out his views and that of the Government."⁸ At this time Meriwether had

not yet returned from Kentucky and was unaware of the situation developing in New Mexico.

In 1856 the investigation of Pueblo Indian land claims and boundary disputes became a major concern. In March and April correspondence of Mayers, Manypenny, and Davis deals with the cost of the necessary surveys and the problems of settling disputes between certain Indian pueblos and between Pueblo Indians and Mexicans who had encroached upon their lands.⁹ After Meriwether returned to Santa Fe, Mayers wrote to him on May 27 that only eight pueblos had filed their titles. He offered to go to collect them.¹⁰ On June 2 Meriwether instructed him to write to Kit Carson, then Indian agent for the Ute, "to procure and transmit to you the grants of the Pueblos of Taos, Pecuris; and you are at liberty to visit for the purpose of procuring their grants the Pueblos of San Ildefonso, Nambe, Pujoaque and Santa Clara." Meriwether expected to be in the vicinity of Sandia, Isleta, Zuñi, and the Hopi pueblos during the summer and would endeavor to obtain their documents himself. The Laguna grant was on file with the county clerk of Socorro, and the governor instructed Mayers to see Judge Watts and find some way of getting the original or a certified copy. The conflict between the Acoma and Laguna claims had led to a suit, and no action should be taken by the Surveyor General before both grants were filed with him.¹¹ Mayers wrote to Carson on June 3 telling him about Meriwether's instructions.¹²

Mayers encountered some difficulty in carrying out his assignment. The San Ildefonso documents were "lost or mislaid;" high water prevented his reaching Santa Clara; Pojoaque and Nambe knew nothing about their titles; but the governor of Tesuque did promise to bring his pueblo's documents into Santa Fe within a few days. Apparently Governor Meriwether complained of the inadequacy of Mayers' statistical reports, and the latter, as usual, was on the defensive: "I did not suppose it was so unintelligible as you seem to find it,"¹³

Meriwether's objections to the contingent expenses of Mayers' office exacerbated the situation still further. The lack of suitable accommodations for himself and his agency was a particularly sore

point with Mayers. Late in June he wrote to Manypenny arguing his side of the disputes:

Sir I find much difficulty in giving satisfaction to the superintendent. I find that nothing I do meets with the approval of that officer, he has yet to coincide with me in any important suggestions which I have made. . . . If I have not fulfilled my mission, I can say that I Honestly Endeavoured to do so.¹⁴

More strife developed when Carson wrote Mayers that he had obtained the grant and information needed from Taos Pueblo, but that he did not intend to go to Picuris. As Carson put it: "I am not going to Picons have to incur expenses and they would not be allowed." Meriwether had earlier disallowed expenses on one of Carson's accounts.¹⁵ The letter went to Meriwether, who replied that "letters of such character as yours to Agent Mayers will not deter me from a proper discharge of my duties."¹⁶ The distance to Picuris was not excessive and could be traveled in one day. Moreover, Meriwether stated that he had never disallowed necessary travel expenses. Although Carson had said, "I cannot see how the Govr. could expect me to go to Santa Fe when he had caused my account for former expenses to be stopped," Mayers' letter to Carson had not asked him to do so; there was no need for him to deliver his accounts when it cost only a dime to send them by mail.¹⁷

In his reply Carson said that he had seen nothing wrong in dispatching his letter to Meriwether by Mayers. Moreover, "I was not aware that it was requested by your Excellency that an officer through courtesy should neglect the duties of the office to which he was appointed for the purpose of performing those of another."¹⁸ Since Carson was not literate, this rather sarcastic letter was probably penned by John Mostin.

In the meantime Mayers had also involved himself in the affairs of James L. Collins and W. W. H. Davis in regard to the *Santa Fe Weekly Gazette*, which printed public documents for the Territory of New Mexico.¹⁹ Mayers wrote several letters to George Manypenny complaining that Davis was using his official position as

Secretary of the Territory to secure this material for the newspaper.²⁰ The question was officially settled when Robert McClelland wrote to Manypenny: "I return Mr. Mayers' letter and request that you will inform him that the Department of Interior has no control over Territorial Secretaries."²¹ Nevertheless, Mayers would later return to the attack on Davis as part of his quarrels with Governor Meriwether.

Meanwhile, Mayers' determination to obtain agricultural implements for the Pueblo brought about another head-on collision with Meriwether. Although his recommendation that such articles be purchased in the States had been heeded and orders given to the Superintendent of Indian Affairs in St. Louis to buy them, Mayers apparently became impatient with what he considered unnecessary delay. Therefore he used funds given him for the contingent expenses of his office. Meriwether ordered him to return the tools and arrange to get a refund from the merchant. "You will make no further expenditure for any simelar purpose, or out of this special appropriation untill further instructions from this office."²² Mayers felt that his honesty had been impugned and was even more aggrieved because Meriwether had not only assigned some of the duties of his agency to Carson, but, on July 21, appointed his son, O. R. Meriwether, subagent "to visit a part of the Indians over which I Preside."²³ On August 30 he complained to Manypenny that he had found it impossible to exercise the functions of his agency and the Meriwethers' actions had destroyed his usefulness. On September 10 he reiterated this complaint and forwarded to Manypenny copies of his correspondence with Meriwether. He was ready to stand the most rigid investigation of his conduct in his efforts to see that his Indians received justice. "I defy any man to say that I have not acted Honestly."²⁴

By this time the rift between Mayers and Meriwether was so great that no compromise was possible. Early in September they exchanged some bickering communications about the points in dispute. Meriwether claimed that he had not divided Mayers' agency and that the latter should inquire about the facts before protesting. Also, if he had objected to having Carson pick up the

Taos and Picuris grants two months earlier, why had he not made his protest then? Young Meriwether had received no appointment as subagent to Mayers. Since he was going to Laguna Pueblo to attend to some business for Agent Henry Dodge, his father had instructed him to take a message to the governors of Sandia and Isleta asking them to send in or deliver their land grants. Mayers was ill at the time. With the hope that these explanations would quiet Mayers' unfounded jealousy, Meriwether invited him to take matters up with higher authorities.²⁵

Mayers refused to be placated, quoting the governor's instructions to O. R. Meriwether:

As you will pass in the vicinity of the Pueblos of Sandia and Isleta, you will request the govrs. those Pueblos to send me (you) the grants of their land, to be filed in the surveyor Genl. office. be particular to explain to these Indians, that my object is not to deprive them of their lands, but to perfect their Titles &c. &c.

Now sir what is this but the appointment of a sub agent over me, to send your son to perform a portion of my duty. I deny your power to do this, and ask you to show me your power to devide the duties of my agency out among others. Sir I should not complain of this course, if I thought it was best to have three or four different Persons who Shall perform the duty of Pueblo agent, but neither your Excellency nor acting Govr. Davis ever permitted me to perform the functions of my office,²⁶

Mayers firmly believed that Governor Meriwether was creating positions for his son, and stated that instead of saving expense, young Meriwether had cost the government "forty Dollars while the services performed amounted to *nothing*."²⁷

James L. Collins supported Mayers in his accusations of collusion between Davis and Meriwether in the matter of the *Santa Fe Weekly Gazette*. Early in October he wrote to Mayers that the Governor had been sending false information to Washington on this subject.²⁸ There is no doubt that Collins was jealous of both Meriwether and Davis. Collins, who had assumed financial control of the *Gazette* early in 1850, had been very active in the

campaign to discredit James S. Calhoun, New Mexico's first territorial governor. Collins and the editor of the *Gazette*, William G. Kephart, had been strong abolitionists. But when President Franklin Pierce took office in 1853 and made it clear that he did not take a favorable view of factional quarrels and charges against government officials, Collins, who hoped for a federal appointment, decided that the time was ripe to adopt a more conciliatory attitude. A few months after he dismissed Kephart he appointed Davis as editor.²⁹ The irony of the situation was that Davis, not Collins, received the post of Secretary of New Mexico Territory.

Mayers left Santa Fe on November 1, 1856, for a ninety-day leave of absence granted him the previous spring, leaving John Ward in charge of his agency.³⁰ During December 1856 and January 1857 he corresponded with Manypenny about agency problems, including the purchase of agricultural implements and Pueblo land grants and surveys. He asked for an extension of his leave, which was granted.³¹ Then, in April 1857, Charles E. Mix, Acting Commissioner of Indian Affairs, notified him that his resignation had been accepted and a successor appointed.³² Governor Meriwether left Santa Fe in May 1857, although his term of office did not expire until October.³³

Although his complaints against the Governor seem to have fallen on deaf ears in Washington, Mayers was still determined to obtain a hearing and justice as he saw it. On November 9, 1857, he wrote Indian Commissioner James Denver about his accounts and the items overruled by Meriwether. He complained again that he had never had an agency, saying that Meriwether and his son had tried to destroy him because he knew too much about the misconduct of Davis and Meriwether. He also claimed that Meriwether's son had used his father's office to profit from claims filed on Indian depredations, and that Meriwether himself had brought dimes into New Mexico Territory, where he exchanged them at the rate of eight to a dollar. His final comment on his old enemies was that he did not desire "to mix up with creatures as foul as David Meriwether and his friend W. H. Davis. The first is a plausible smooth tongued slander [*sic*] and hypocrite, and the lat-

ter is a cowardly dog."³⁴ Nevertheless, neither the Secretary of Interior nor the Indian Commissioner appear to have taken any action. Since there was a change of presidential administrations in 1857, the issue was most likely pigeonholed.

NOTES

1. David Meriwether, *My Life in the Mountains and on the Plains*, ed. and with an introduction by Robert A. Griffen (Norman, 1965), p. 166.

2. *Ibid.*, p. 143.

3. Manypenny to Mayers, Nov. 2, 1854. Alban W. Hoopes, ed., "Letters to and from Abraham G. Mayers, 1854-1857," NMHR, vol. 9 (1934), p. 291.

4. William Watts Hart Davis was appointed U.S. Attorney for New Mexico Territory in 1853; when William S. Messervy, Secretary of the Territory, resigned during the summer of 1854, Davis succeeded him, taking office Aug. 1, 1854. He also acted as Governor Meriwether's secretary. W. W. H. Davis to L. Cass, Sept. 25, 1857, State Department Territorial Papers, New Mexico 1851-72 (T-17, R-1, Records of the New Mexico Territorial Papers, National Archives). Hereafter cited as SDP, NM.

5. Mayers to Meriwether, Sept. 25, 1855. Hoopes, p. 298.

6. Meriwether to A. Greenwood, Feb. 11, 1860. Letters Received by the Office of Indian Affairs, 1824-81 (M-234, R-550, Letters from the New Mexican Superintendency, 1849-80, National Archives). Hereafter cited as OIA.

7. Manypenny to Mayers, Dec. 6, 1855. Hoopes, p. 300.

8. Mayers to Manypenny, Jan. 28, 1856, OIA (M-234, R-548); Hoopes, pp. 300-03.

9. *Ibid.*, pp. 303-08.
10. *Ibid.*, pp. 312-13.
11. Meriwether to Mayers, June 2, 1856, *ibid.*, pp. 313-14.
12. Mayers to Carson, June 3, 1856, OIA (M-234, R-548).
13. Mayers to Meriwether, June 13, 1856, Hoopes, pp. 314-16.
14. Mayers to Manypenny, June 28, 1856, OIA (M-234, R-548); Hoopes, pp. 316-18.
15. Carson to Mayers, July 30, 1856, OIA (M-234, R-548).
16. Meriwether to Carson, Aug. 3, 1856, *ibid.* There had been some disagreement between Carson and Meriwether over Carson's use of his interpreter, John Mostin, for clerical help. Funds for Mostin's pay were to be cut off and Carson was to hire a good interpreter from Taos Pueblo. Meriwether to Manypenny, Sept. 1, 1855, OIA (M-234, R-547). See also Marshall D. Moody, "Kit Carson, Agent to the Indians in New Mexico, 1853-1861," NMHR, vol. 28 (1953), pp. 8-9.
17. Meriwether to Carson, Aug. 3, 1856, OIA (M-234, R-548).
18. Carson to Meriwether, Aug. 5, 1856, *ibid.*
19. W. W. H. Davis to L. Cass, Sept. 25, 1857, SDP, NM (T-17, R-1).
20. *Ibid.* Over a year later Davis wrote to Cass about the printing affair claiming that the Comptroller of the U.S. Treasury, Elisha Whittlesey, saw no conflict of interest in Davis' case because the contract had been made with the former Secretary of the Territory William S. Messervy. Moreover, Meriwether was in favor of it.
21. McClelland to Manypenny, April 7, 1856, OIA (M-234, R-548).
22. Meriwether to Mayers, July 30, 1856, Hoopes, pp. 319-20.
23. Instructions to O. R. Meriwether in correspondence between Mayers and Meriwether forwarded by Mayers to Manypenny, Sept. 10, 1856, *ibid.*, p. 323.
24. Mayers to Manypenny, Aug. 30, 1856, OIA (M-234, R-548); Hoopes, pp. 320-26.
25. Meriwether to Mayers, Sept. 4, 1856, and Mayers to Meriwether, Sept. 10, 1856, OIA (M-234, R-548); Hoopes, pp. 323-28.
26. Mayers to Meriwether, Sept. 10, 1856, *ibid.*, pp. 327-28. A second letter to Meriwether of the same date is in OIA (M-234, R-548). See note 25, *supra*.
27. Mayers to Manypenny, Sept. 10, 1856, Hoopes, p. 325.
28. Collins to Mayers, Oct. 6, 1856, OIA (M-234, R-548).
29. Loomis M. Ganaway, "New Mexico and the Sectional Controversy, 1846-1861," Chapter III, NMHR, vol. 18 (1943), pp. 224-28.

30. Hoopes, p. 328.
31. *Ibid.*, pp. 329-34.
32. *Ibid.*, p. 335.
33. Meriwether, p. 263.
34. Mayers to Denver, Nov. 9, 1857, OIA (M-234, R-549).

