

### Depredation and Deceit: The Making of the Jicarilla and Ute Wars in New Mexico

Joseph Sánchez  
*University of New Mexico, [jpsa@unm.edu](mailto:jpsa@unm.edu)*

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## Review

Sánchez, Joseph P.

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**Michno, Gregory F.** *Depredation and Deceit: The Making of the Jicarilla and Ute Wars in New Mexico*. University of Oklahoma Press, \$32.95 ISBN 0806157690

Gregory F. Michno's book fills an important historiographical gap in New Mexico's history regarding Native American tribes and related Indian policies during New Mexico's early Anglo-American territorial period (1848-1912). Long before that time, Spanish colonial (1598-1821) and Mexican territorial (1821-1848) officials had enforced a dual Indian policy, one for mountain and plains tribes, another for Indian pueblos. Fearing a deal gone wrong in which New Mexico could be overrun by numerous plains or mountain tribes, Spanish officials and, later, Mexican officials in New Mexico, banned trade with such tribes as the Utes, Apache and Comanche, with the exception of the Pueblo Indians, within the region. Since the late 16<sup>th</sup> century, unauthorized New Mexican frontiersmen had been trading with the Utes as far northwest as the Great Salt Lakes and with the Apache and other Great Plains tribes along the eastern edge of New Mexico. Thus, for nearly 250 years, trade between New Mexicans and the referenced tribes had been a part of the long history of the region. Unlike the Anglo-American period in which property owners could be compensated by making depredation claims dealing with Indian raids, the earlier periods did not have such advantages. Between war and peace, Spanish colonial and Mexican territorial frontiersmen relied on punitive expeditions against raiding warriors to retrieve stolen property or captive kinsmen.

Although issues and problems related to trade were not the only causes of war with regional tribes, Michno thematically deals with an aspect of Anglo-American-Indian relations as they concern trade and problems stemming from legislation by the national government to monitor trade with tribes. Between depredation and deceit, both Native American groups and their European counterparts were well aware of the perils of the marketplace in which deceit by all involved had forever been a norm and a value. In dealing with a yet darker side of deceit, the author writes that the Jicarilla and Ute Wars from 1849-1855 “were caused in major part by American and Mexican greed and were bolstered by a depredation claims indemnification system that almost guaranteed war” (p. 3). Yet, greed, in this instance, as a cause of war would need to be defined and qualified to support such a statement. To that end, Michno writes “What I found in studying the claims of depredations in New Mexico in the years following the American invasion in 1846 led me to hypothesize that perhaps the 'wars' against the depredating Indians, with my focus on the Jicarillas and Utes, were bogus, stirred up for little other reason than greed” (p. 9). Furthermore, Michno notes that following 1849, Anglo-Americans and New Mexicans, “now 'freed' from Mexican control and enjoying the fruits of U.S. citizenship, had found a sly new way if not to get rich then at least to enhance their economic situation” (p. 9). He explains that by making false depredation accusations against the tribes, war made it easier for U.S. entrepreneurs to acquire more Indian land and increase their wealth. The question, left unanswered, who exactly were the U.S. entrepreneurs who prospered from war in the way described?

While Michno deals with many other themes within the context of the times, he acknowledges that distrust between Hispanics and Anglo-Americans was a common theme that affected their

relationships throughout the period. On the contrary, not all New Mexicans were involved in the Indian trade, and not all New Mexicans distanced themselves from Anglo-Americans. For example, intermarriages between the two groups took place and the Territorial Legislature had its share of Hispanic representatives who participated in the decision-making processes with their counterparts. Therefore, absolute statements do not necessarily apply in describing the role of Hispanic New Mexicans in that new society during the period. Defense, for example, was a common concern. While, the U.S. Army maintained, as Michno points out, a minimum number of troops, probably as low as 500 men (p. 41) in the early years, to keep the peace over a large area, New Mexicans had, throughout their history dating to 1598, maintained a militia, that, during New Mexico's Territorial Period, cooperated as units augmenting the manpower of certain U.S. commands.

In his examination of U.S. history and tradition, Michno does support his thesis with a well-researched and documented narration that strongly supports the idea that issues and problems were, since the early days of the Republic, in part, generated by the enactment of well-intended U.S. national legislation aimed at regulating trade between U.S. citizens and tribes. Generally, the legislation advocated fairness in commercial activities as well as respect for Indian lands and peoples. To that end, while such trade and intercourse acts were promulgated to improve trade relations with tribes, they also added to problems associated with relationships between settlers and tribes that led to conflicts such as the Jicarilla and Ute Wars. Michno references such acts with titles as “An Act to Regulate Trade and Intercourse with the Indian Tribes and to Preserve Peace on the Frontiers,” which acknowledged and prescribed the positive intent of such laws. The laws provided that traders who violated the laws would suffer the consequences in the litigation that followed. However, the laws were also clear that while Indians could complain through a stipulated process, their grievances would be heard and honored. If, however, the injured tribe or individual attempted to exact revenge through violent depredating acts in seeking satisfaction for wrongs against them, war would be the inevitable result. Anti-Indian prejudices, also played a role in the justification of war. In the end, such wars ended similarly for the defeated tribes who lost land and other property and ultimately suffered removal from their homelands.

Michno’s study is extremely well-researched, documented, and written. He deals with the cycles surrounding deceit in order to ferret out an answer to the question, what is truth? Within the context of the times, he notes the main issue with depredation claims and related compensation confounded the truth behind the claims and the causes of antagonisms and resentments held by the tribes. In deciphering “what is truth” Michno filtered through the many documents related to the issues that he examined. Basically, he concludes that “43 reports of depredations proved to be true...85 out of 108 reports of Indian raids were bogus to a lesser or greater extent—about 79 percent. Of the 325 depredations claims listed...the great majority were unadjudicated...Of the 79 decided, 50 were denied and 29 approved—a 65 percent denial rate” (p. 253). Admittedly the ratios do not provide a true picture regarding which claims were meritorious, but Michno has demonstrated that “about three-quarters of the allegations of Indian raids were deceitful.” Admittedly more work remains to be done to substantiate the complete story, especially as it relates to other tribes. Overall, Michno has authored an important historiographical study in which he has pointed the direction for future researchers.

Aside from the general reader, this work is highly recommended for classroom use at community college and university levels. With this book, students, researchers and teachers of New Mexico history have an opportunity to examine this much-overlooked, but important, historical theme related to New Mexico during the territorial period.

*Joseph P. Sánchez, PhD*  
*Director*  
*Spanish Colonial Research Center*  
*University of New Mexico*