

Making an official complaint concerning the trains alluded to. The affidavit asserted that the train was the source of the supply of intoxicating liquors to escorts and guards.

This affidavit together with corroborative evidence of soldier from whom affidavits will be ~~for the command~~ <sup>forthcoming</sup> if considered necessary and ~~desired~~ <sup>desired?</sup> decided me to act in the matter. I accordingly ordered Lieutenant Philip Reade, 3rd Infantry, to proceed to the train and destroy all intoxicating liquors found in the train or its vicinity.

Liquor was not dealt out in small quantities, but sold, as can be abundantly proved, to escorts and guards and Ranch Men by the gallon. Sometimes ten gallons at a time (~~six~~ affidavit of James D. Newcomb hereunto appended)

Lieut. Reade states to me that some of the barrels containing <sup>the liquor</sup> though marked as containing the number of gallons reported destroyed had auger holes bored into them, and when opened did not contain the amount marked by many gallons--he reported the quantity destroyed according to the mark on the head of the barrel, because he did not know ~~how~~ many gallons remained. The ~~action~~ of destroying the liquor was not an ~~action~~ of wanton injury, but an ~~action~~ of duty rendered so by the conduct of the men belonging to the train--escort duty in a hostile Indian country is too important a matter to <sup>be</sup> interfered with by <sup>an</sup> illegitimate traffic of whiskey and I believed myself bound by the highest obligations of duty to put a stop to it.

The right to transport liquor, which is maintained by Mr. Cheate's letter, I have not in this action disputed--but when those in charge of trains "~~by~~ <sup>by</sup>" no matter for what cause and give away, traffic, <sup>or</sup> or sell liquor in an Indian country and without license--it is clear to me that the 20th Section of ~~Act~~ of Congress approved 30th of June, 1834, in relation to the introduction and sale of spirituous liquors in the Indian country is