

First District Court, Minute Book, 1851-1896, Series 10035, Reel 1, 26, 28, 32 UDARS.

First District Court Case Files, Series 25011, Reel 1, Box 10, Folder 12, 239, UDARS.

2. New Mexican trader Don Pedro León Luján and company are arrested, tried, and found guilty of trading without a license in First District Court in Utah Territory.

Documents

a. James S. Calhoun issued Don Pedro León Luján a License to Trade with the “Utah Indians,” August 14, 1851.¹

Territory of New Mexico

County of Santa Fe

Pedro Leon has this 14th day of August 1851 entered into a penal bond of one thousand dollars, with approved securities thereto to comply with, and cause his aids, assistants, and servants to comply with all the rules and regulations adopted, or that may be adopted by authority of the United States, for the regulation of trade and intercourse with all the various Indian tribes under the jurisdiction of said United States; in his contemplated trading expedition to the Utah Indians.

The said Pedro Leon is therefore authorized to proceed to the Utah nation of Indians, and to trade with them, and with them only, in their own localities, and on no other than his own private and individual account.

¹ First District Court Case Files, Series 25011, Reel 1, Box 10, Folder 12, 9, UDARS.

The authority to trade under this license will expire on the 14th (fourteenth) day of November 1851, but may be revoked at an earlier day.

Santa Fe, August 14th 1851.

James S. Calhoun

Superintendent of Indian Affairs

b. Sub-Indian Agent Stephen B. Rose issued a complaint against Don Pedro León Luján and Company for Trading without a License in Utah Territory, December 13, 1851.²

Stephen B. Rose sub Indian Agent of the United States for Parowan District in the Territory of Utah made affidavit and Complained on the part of the United States, that, Pedro Leon, Phillip Lew, Diego Chaves, Miguel Archuleta, Jn. Samuel Gomes, Jn. Antonio Baldineros, Jn. Albistus Mestes, and Busante Chaves, Spanish Traders from Mexico³ have unlawfully and without License or authority been trading with the Utah Indians in the said Parowan District in said Territory for their children for to take into Mexico and sale there for slaves, against the laws, peace, and dignity of the United States and of those within this territory; and further that said Spanish traders have been arrested by virtue of a warrant issued by a Justice of the Peace at San Pete in said Territory and as defendant is credibly informed, and verily believes are in Custody of an officer at that place at the present time, and therefore requests the Court to issue a writ to bring the said Spanish Traders before said Court to answer said charges—

² First District Court, Minute Book, 1851-1896, Series 10035, Reel 1, 26, UDARS.

³ For additional information on the Indian slave trade in New Mexico and on the culture of which Luján and his men were a part see Jones, *The Trial of Don Pedro León Luján*, chapters 2, 4, and 154n23. The names of the men involved in the case are not consistent across court documents and were written by men who did not speak Spanish and tended to use phonetic spellings.

c. U. S. Marshall Joseph L. Heywood announced to the Court that he held Luján and his property in custody, including eight Indian captives, December 29, 1851.⁴

Court met according to rules previously entered, in special session at ten o'clock A.M. Officers Present, Seth M. Blair, Esq. U.S. District Attorney, Appeared on the part of the U. States vs Pedro Leon & other Spanish traders & George A. Smith, Esq. as Counsel for the Defendants. Joseph Heywood, U.S. Marshall made return of writ in said case. Endorsed I have served the written writ upon the written named persons, and have them in custody. I have also attached ten mules, and six horses, with some saddles, spurs, &c, also three Indian Boys & five Indian Females.

Signed J. L. Heywood US Marshall—

d. Jury Foreman William McBride announced the Verdict, January 1, 1852.⁵

Court met at 10 o'clock A.M. Jury came into Court, names called over by the clerk, all present, when then foreman William McBride, undid the following sealed verdict, which was read by the Court, Viz.: That we find the Defendant Don Pedro indebted to the United States—and so say they all—Jury answered.

⁴ First District Court, Minute Book, 1851-1896, Series 10035, Reel 1, 28, UDARS.

⁵ First District Court, Minute Book, 1851-1896, Series 10035, Reel 1, 32; First District Court Case Files, Series 25011, Reel 1, Box 10, Folder 12, 239, UDARS.