

and to my letter, September 12. 1887,  
noticing you that in accordance  
with your request of August 17.  
1887 and the direction of the Hon.  
the Secretary of the Interior,  
18<sup>th</sup> item, Special by order Spear  
on duty at Tucson, Arizona,  
had been instructed to thor-  
oughly investigate and report  
on the said matter.

I transmit herewith  
for your consideration and con-  
clusion as you may deem neces-  
sary report in duplicate by Speer  
Spear, dated April 3<sup>d</sup> current.

Very respectfully

D. M. Blackman

Commissioner

Sheet B.

While the evidence seems to indicate that  
Dr Weston has guilty knowledge of the nature  
of the action yet it may be difficult to  
convict him thereon as to procure  
criminal conviction.

At Boston, the Roberts are Dr Weston  
in 1887 was arrested, arrested and imprisoned  
for their part in the matter, and also some of the  
indictments were arrested but not imprisoned as  
I understand it. This all occurred before the  
matter was referred to me

The U.S. Attorney has not thought it best under the  
circumstances to make indictments arrests among  
the indictments are I certainly agree with being on  
this point. As a rule they are not the persons guilty  
of wrongful trespass, but the tools in the hands of  
others. My opinion is that, except in special  
cases, the arrest of the persons should not be  
ordered, because such actions tend to show that  
they are above at fault, while  
the guilty persons go free.  
(See enclosure page 2)

Sheet B continued

W. J. Attorney, Walker seems to have acted wisely in these matters and has conferred with me most kindly and freely.

His exposure with the Indians and their actions leads him to doubt the ability of the Government - to prove all that is alleged while he is of the opinion that the generally alleged is by those who are necessary been cut and sold to Weston, hence my recommendation on Sheet A.

Dr Weston said to me March 26<sup>th</sup> 1878, that he has always been careful in his dealings with the Indians and to buy of them unless they had permits and that if they had such a permit he either he has no knowledge of it. What if the Government had a claim against him he would pay it without quit, but I see no way of proving at all the facts to my liking a suit where the W. J. Attorney can show a fair opportunity to draw out the entire transaction between the Indians and Dr Weston. Show this attempt to gain on my a history of the matter as possible for the information of the Commission.