

Michael Gans
Clerk of the Eighth Circuit
Court of Appeals
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September 6, 2019

Re: Correction to my letter

Dear Mr. Gans: My letter of August 30, 2019 was inaccurate as to one fact. Apparently, there were no pre-existing irrigation canals in or around El Paso before the arrival of the Americans to the area. Neither El Paso irrigation district cites to any pre-existing canals on their websites and both have initial construction dates for their respective canals.

After I finished the letter and sent it I was reminded by my former client in the Abousleman litigation Tuesday afternoon that the Spanish/Mexicans had not even thought to dig a well in Albuquerque until the Americans began to arrive. I did not tell her about the letter, we were talking about problems with the Aamodt settlement when she reminded me how we had used the fact about the well to contrast to the Pueblo Indians who had extensive irrigation in place in Northern New Mexico some 1500 years before the first well in Albuquerque.

The lie about the irrigation canals would have justified the use of the war embargo power under the 1871 federal Indian Policy. The only person that would have known how the 1871 Indian policy was designed by former Secretary of War Edwin Stanton to preserve the Civil War powers was Colonel Anson Mills. Major Anson Mills was a hero of the Sioux Indian wars and acting officer in the enforcement of the 1871 Indian policy for the United States Army. It is likely he taught A.B. Fall how the 1871 Indian policy as codified in the Revised Statutes could be used against non-Indians within any area considered Indian country. This would have been a very good reason to make up such a big lie about pre-existing irrigation canals.

Please transmit my correction to the Special Master.

Lana E. Marcussen