THE FEDERAL INDIAN POLICY IN UTAH, 1848-1865.

By

Laura Laurenson Byrne

A.B. (Bryn Mawr College) 1912.

THESIS

Submitted in partial satisfaction of the requirements for the degree of

MASTER OF ARTS

in

HISTORY

in the

GRADUATE DIVISION

of the

UNIVERSITY OF CALIFORNIA

December, 1919.

Approved _____
Instructor in Charge

Deposited in the University Library_____
Date Librarian

THE FEDERAL INDIAN POLICY IN UTAH 1848-1865.

Contents

Contents

* * *

INTRODUCTION.

The government documents containing the official reports concerning the Indians in Utah make the federal policy towards these Indians appear conspicuous by its absence. Indeed, the term policy seems a misnomer, for frequent and repeated appeals to Congress for aid and attention give evidence of continued inactivity on the part of the government. Instance after instance of the need and misery of the Indians, and of their conflict with a constantly encroaching white population brought no effective response from Congress. From the outset the reports show an Indian problem characterized by complications due to the California and Oregon immigration, and to the Mormon settlement. But, absorbed apparently in other and more pressing affairs, the distant Congress seems to have adopted a laissez-faire policy in the case of Utah, if let-alone tactics may be termed a policy.

Before examining the instances that give weight to this conclusion, an account of Utah and its Indians will aid in an understanding of the various conditions

INTRODUCTION.

that created a special problem for the government of this Territory. Then, in detailing at length the history of the Utah Indians, this thesis will endeavor to account for the federal policy in Utah and briefly to relate it to government policy toward Indians in general.

* * *

Chapter I.

UTAH AND ITS INDIANS

The Country. The most conspicious geographical features of Utah are its great altitude, extensive desert area, snow-capped mountains and fertile river valleys. The following description of Utah by a writer in 1855 gives a vivid idea of this home of the Indians:

> "The Great Basin, about five hundred miles in diameter, lies more than four thousand feet above sea level, between the Wasatch and Nevada Mountains. It bears the character of a desert. The only fertile districts to be found are at the base of the mountains which rise to a height of about three thousand feet. In the centre of the basin there is no water. In the vicinity of the Salt Lake the country is level rising imperceptibly to the north and west until it reaches the mountains. The soil here is sandy and cannot be employed for agricultural purposes. To the north there is only

a narrow strip of arable land between the Lake and the mountains. To the east things are rather better. To the south are the lovely valleys of the Jordan and the Tuilla, well watered and covered with rich grass. When it rains in the valleys, snow frequently lies in the ravines to the depth of a hundred feet. The pasture land in the valley bottoms is adapted to agriculture. Potatoes ... and turnips flourish. If we assume that the acre of ploughed land will yield two thousand pounds of wheat flour, each square mile will support about four thousand persons, deducting one half for pasturage, and thus covering the demand for meat. The territory .. can support a million souls.

"In central Utah there are three salt lakes, the largest of which is so strongly impregnated with salt that persons bathing in its waters only sink in to their shoulders. ... At various spots springs of different temperature are found close together, some hot, some cold, some saline - others sulpuric or containing iron, while others are good for drinking."

"The mountains and valleys are thronged with game -- bears, panthers, antelopes, stags, hares. Trout and pike are in the rivers. In the ozier beds of the salt marshes are ducks and geese; on the islands of the lakes are pelicans, herons, mews and cranes. There is a great deficiency of wood. In the plain, the cotton-wood is the sole representative of the vegetable world. In the mountains are small forests of firs, cedars, dwarf maples and oaks. The more open districts are exposed to the fires lighted by the Indians to kill and roast the grasshoppers which they collect in summer and which they devour in winter. ... The atmosphere in the valley is extremely healthy ... In summer the mirage is frequently seen in the desert."[1]

Abundant game and fish, combined with the long, cold winters, tended to make the Indian inhabitants nomadic, and dependent on hunting for subsistence.

---

[1] Littell's Living Age, Vol.X, 2" Series, 1855, "The Mormons in Utah," pp. 530-531.

The Indians. The Indians of Utah belonged to the Shoshone family, which consisted of two great factions -- the Snakes, or Shoshones proper, and the Utahs. The Snakes formerly inhabited southeast Oregon, Idaho, western Montana and the northern parts of Utah and Nevada; they were sub-divided into several small tribes, and included the more considerable nation of the Bannocks. The Utahs occupied nearly the whole of Utah and Nevada and extended into Arizona and California, on each side of the Colorado River.[1] Their chief tribes were the Pah-Utes or Py-utes, and Gosh-utes or Goshutes, the Pi-Edes, the Uinta-Utes, and Yam-Pah-Utes. The word Utah originated with the people inhabiting the mountain region early in the seventeenth century when New Mexico was first talked of by the Spanish conquerors. Pah means water; Pah-guampe, salt water or sale lake; Pah-Utes, Indians that live about the water. Of various spellings --Yuta (Spanish); Youta; Eutaw; Utaw and Utah, the last was the finally accepted one.[2]

---

[1] Bancroft, Hubert Howe, Native Races, Vol.I, pp. 422 et seq.

[2] Ibid., History of Utah, pp. 34-35.

The Shoshones are described as below medium stature; the Utahs, as more powerfully built but coarser featured and less agile. Their houses were primitive, often made of brush, semi-circular, and roofless. Sometimes a cave was their residence. The Snakes made better shift by forming a conical tent out of skins stretched on long poles. Both tribes were remarkably dirty in dwelling and habits. The Snakes dressed better than the Utahs, using skins of large animals, ornamented with heads, shells, fringes and feathers, and since acquaintance with the whites, with pieces of brilliant colored cloth. Buckskin shirt, leggins and moccasins made a common costume, over which was thrown a heavy robe of fur, buffalo, wolf, deer, elk or beaver. In warm weather most of their clothing was discarded.

They were versed in the art of pottery. Agriculture was not developed; in the less fertile parts of Utah, the tribes were sometimes reduced to root-eating, to pine nuts, reptiles and insects. To avoid starvation they have been known to eat dead bodies and even to kill their children for food.[1] As a rule they had no boats;

---

[1] Bancroft, Hubert Howe, Native Races, I, p. 428.

they crossed the rivers by fording, swimming or constructing a clumsy raft. Horses constituted their wealth; these, dried fish, skins or furs were used in barter. They were very deliberate traders. They had their games and trials of strength and skill. They were especially skillful in riding; a horse-hair lariat served as a bridle; only older people used saddles like those of the white men. Gambling and drinking were frequent. They had no intoxicants themselves but enjoyed the white man's fire-water whenever available. The custom of ratifying a peace treaty by a grand smoke, common to many of the North American Indians, was observed by these tribes.

The tools of these Indians before iron and steel were introduced by the whites, were of flint, bone or horn, from which knives and wedge-shaped hatchets were made, and used to fell trees. They made water-proof baskets of hide and of grass.

Their weapons were the bow and arrow; spears were used in fishing, and clubs were the general tool and weapon of the poorer tribes. Shields possessing especial virtue from the medicine men were valuable articles

of the Snakes' equipment. Only one instance is recorded of a Utah having a shield. The tribes that had horses always fought mounted. Warfare was, of course, extremely cruel, accompanied by torture, scalping, and killing of prisoners.

The chief's power was limited, being merely advisory; no fixed laws to punish murdér or other offences. The Utahs did not hesitate to sell wives and children into slavery. Many were sold to Navahoes for blankets. Polygamy, though common, was not universal. To the women fell the hardest work; as is usual among nomadic Indians, the old and infirm were abandoned at pleasure.

Reports differ concerning the general character of the Snakes and Utahs. The better Shoshone tribes are described as brave and cunning, fierce and war-like, as dishonest and treacherous, and again as peaceful and industrious. The Utahs are described as brave and fierce, industrious and crafty; the Pah-Utes in particular, as docile, kind and unwarlike. The Bannocks were considered treacherous and dangerous; the poorer Shoshones, ignorant and degraded, subsisting on grass and insects in the spring, after a winter spent in semi-torpor in holes in the ground.

But they were lovers of their country, even the inhospitable ruts and barren plains and have been known to pine away and die when forced to remain in civilization among the whites.

So much for a general description of the Indians of Utah. More intimate acquaintance with them develops in the government reports as we shall see from time to time.

Meanwhile, for a more thorough understanding of the region which the United States took over from Mexico in 1848, a resume of the previous contact between the Indians and the white race will not be out of place.

Chapter II.

EARLY CONTACT OF THE UTAH INDIANS WITH THE WHITE RACE.

The Spaniards. The earliest recorded visit of white men to what is now Utah was in connection with the expedition of the great Spanish explorer, Coronado, when in search of the fabled rich Seven Cities of Cíbola. In 1541 Coronado sent a party under Captain García López de Cárdenas along the Colorado river where it flows through southern Utah and Arizona. Cárdenas entered only the extreme southern portion of Utah and the Indians met there have been identified with the Cocopa, a Yuman tribe, whose descendants still inhabit the lower Colorado outside the limits of Utah.[1]

The next white visitors, again Spaniards, were in 1776, the two Franciscan friars, Vélez Escalante and Francisco Domínguez. Searching for a direct route from Santa Fé to Monterey, Alta California, they made their way north as far as Utah Lake. They found no town buildings like the Moquis and Zuñis, but wild Indians who at first were afraid, but when assured of the friendliness

---

[1] Spanish Explorations in the Southern United States, 1528-1543, pp. 133 et. seq.

of the strangers, welcomed them kindly and gave them food. They were simple-minded and inoffensive, these native Yutas, ready to guide the travellers whithersoever they would go; they begged the fathers to return and establish a mission in their midst.

Winter coming, provisions low, and no news of a route to the sea being obtained from the savages, the explorers turned southwest and east, back to Santa Fé.[1] At that time Utah was considered too remote for a mission. The region between Pimería, the Colorado River, Nueva Vizcaya and New Mexico, needed yet to be explored.[2] So Utah remained undisturbed and the Indians untouched by the romance and the civilization of the early missions.

The American Fur Traders. With the coming of the American fur traders to the west, the Red Men of Utah again made the acquaintance of foreigners. In the beaver country of the Utahs, four trading posts were established. They were Fort Bridger, Robidoux's two posts on the Uintah and Gunnison rivers, and Fort Davy Crockett in Brown's Hole. One of the earliest notices

---

[1] Bancroft, H.H., History of Utah, p.12. See MS-10.

[2] Chapman, C.E., The Founding of Spanish California, p.399.

of the Bannocks is the pursuit of one of their bands in 1824 by a party under James Bridger for the purpose of retaking some horses they had stolen. It was the adventurous fur-traders of the west who gave their names to Sweetwater River, Independence Rock, Jacksons Hole, and to the tributaries of Green River and Great Salt Lake. They discovered this lake and also South Pass. They were the first to travel from Great Salt Lake southwesterly to Southern California, the first to cross the Sierras and the deserts of Utah and Nevada.[1]

Of Captain Bonneville, the French trader and explorer in the United States Army, whose activities were largely in Utah, the historian Chittenden says, in contradiction to Bancroft, that

> "if there is one characteristic of the expedition more prominent than another it was the humane treatment which Captain Bonneville always accorded the natives.[2]

Speaking of the effect of the American fur traders upnn the Indians in general, Chittender says further:

---

[1] Chittenden, H.M., The History of the American Fur Trader, vol. I, 4-33.

[2] Ibid., (Preface, vol.I, p.X)

"It is difficult to estimate the degree to which the fur trade was controlled by the Indians, while its far reaching counter-influence upon the tribes cannot, at this remote time, be adequately realized. The relation of the trader to the Indian was the most natural and congenial of any which the two races have ever sustained toward each other. Properly conducted it fitted perfectly with the Indians' previous mode of life, really promoted his happiness and gave him no cause for complaint. It enabled him to pursue his natural occupation of hunting, while it introduced just enough of the civilized customs of exchange to furnish him with those simpler articles which directly promoted the comfort of his daily life."

But that the fur trade did not always furnish ideal relations between white and Indians even Utah gave evidence. Though the fur trade is not closely related to the Indian problem there, its results are seen in the attitude of the Indians toward subsequent explorers Colonel Frémont who passed Fort Uintah in June 1844 on his second exploration recorded that the fort was attacked shortly afterward by the Utah Indians, and all its garrison massacred except Robidoux who happened

to be absent.[1] This is the only instance of a successful attack by the Indians upon a trading post of the west.[2]

Frémont describes the Indians of Utah as "wild men"[3] but for all that rather sophisticated, though the country was still largely unknown to the white man. He met the Utah chief, Walker, and his band all well mounted and carrying rifles. They were robbers of a high order, conducting their depredations upon immigration under the color of trade and toll for passing through their country. They did not attack and kill, they affected to purchase taking the horses they liked and giving something nominal in return.[4] Describing the Utah Indians further, Frémont says:

> "From all that I heard and saw, I should say that humanity appeared there in its lowest form and in the most elementary state. Dispersed in single families, without fire-arms, eating seeds and insects, digging roots - such is the condition

---

[1] Frémont, John C., Memoirs of My Life, p. 395.

[2] Chittenden, vol. III, p. 971.

[3] Frémont, J.C., Memoirs of My Life, p. 438.

[4] Ibid., p. 386.

of the greater part - others are a degree higher, and live in communities upon some lake or river that supplies fish, and from which they repulse the miserable Digger."[1]

Fremont further records friendly relations with the Utah Indians and contrasts the comparative security in which he traveled through their country with the guarded vigilance necessary among the Sioux and other Indians east of the Rockies.[1]

The Immigrants. Following the era of the fur traders came that of the immigrants. The earlier immigrants to Oregon and California, those of 1841, for the most part passed through leaving no mark. They came by the usual route up the Platte, along the Sweetwater and through South Pass to Bear River Valley. When near Soda Springs those for Oregon went north to Fort Hall while those for California followed Bear River southward until within ten miles of Great Salt Lake when they turned westward to find Ogden River.[2]

The Mormons. Not till the Mormon immigration beginning in 1847, did the Utah Indians know any permanent

---

1 Frémont, John Charles, Reports of the Exploring Expedition to the Ricky Mountains in the year 1842. Washington, Blair & Rives, printers, 1845, p. 161.

2 Bancroft, Utah -pp. 28-29.

contact with the white race. Unlike all previous intruders, the Mormons came to settle. Fleeing the persecution that had attended them in the civilized United States, because of their peculiar religion, under the leadership of Brigham Young, their president they chose an uncharted, almost unknown region beyond the authority of the United States where they could break ground, and build up their own political and religious institutions for themselves. On July 24th, the first settlement was made in the Valley of Great Salt Lake. Fortunately they settled on the war grounds of the Snakes and Utahs, that is, on neutral ground,[1] and so they were not resisted.

The Mormon Indian Policy. The Indian policy of the founders of Utah is summed up in a remark made by Brigham Young, "It is cheaper to feed the Indians than to fight them."[2] Hence, their intercourse was generally peaceable. They taught them how to till their lands; they assured them that they would suffer no wrong, but they also told them if they inflicted wrong, punishment would follow.[3]

---

[1] Littell, Living Age -1855, p. 531.

[2] Whitney, Orson F., Popular History of Utah, p. 97.

[3] Bancroft, H.H., History of Utah, p. 472.

By the time that Utah, still unmapped came under the authority of the United States, along with California, New Mexico and all the vast western territory at the close of the Mexican War, in 1848, the Mormon population in the Valley of Great Salt Lake numbered five thousand.[1] Thus, the contact of the Indians of Utah with the Mormons forms an important chapter in the history of the federal Indian policy in Utah.

---

[1] Bancroft, H.H., History of Utah, p. 284.

Chapter III.

EARLY RELATIONS OF THE UTAH INDIANS WITH THE MORMONS.

Spreading north and south, the Mormons soon began to encroach on lands which the Indians used for fishing and hunting. The Shoshones threatened an attack, but made none. Not so the Utes.[1] In April came the first reports of hostilities. Vásquez and Bridger, traders of the American Fur Company, who for five years had been proprietors of Fort Bridger,[2] wrote Young that the Utes were badly disposed toward Americans, and that chiefs Elk and Walker were urging the Utes to attack the settlements in Utah Valley. The brethren were advised to protect themselves but if the Indians were friendly to teach them to raise grain and "order them to quit stealing."[3]

---

[1] Littell, Living Age, p. 530.

[2] House Executive Documents, 32 Cong., 1 Sess., vol. 2, pt. 3, p. 1002 (636)

[3] Bancroft, Hubert Howe, History of Utah, p. 309.

In June 1849, Chief Walker and twelve of his trie tribe of San Pete Valley, where the Mormons were setling, declared themselves friendly and asked to have their people taught how to build and farm. "Within six moons I will send you a company," said Brigham Young, who conferred with them at Salt Lake City.[1]

The First Utah War. But in the autumn of 1849, the Indians commenced all sorts of annoyances; shot several head of cattle belonging to the Mormons; broke into isolated farm houses, terrifying women and children. One Indian being killed while in the act of pilfering, open hostility followed. Fort Utah which had been erected for the purpose of intimidating the Indians, became the refuge of the colonists. There they were attacked by the Indians, and after a three day skirmish, the Indians were driven from their entrenchments with rifles and cannon. The Mormons had only one man killed and several wounded. The Indians lost a great number, as measles had broken out among them, weakening their power of resistance. Some who had retreated to

---

[1] Bancroft, Hubert Howe, History of Utah, p. 313.

Table Mountain were persuaded to come down and surrender. When ordered to lay down their arms, they refused and were fired on by the Mormons and nearly all were killed. The remainder who tried to escape were pursued and cut down to a man.[1]

On January 31st, 1850, Isaac Higbee of Fort Utah reported at Salt Lake that the Utah Valley Indians had stolen 50 or 60 head of cattle and horses, threatening further depredations, and asking permission to chastise them which was granted. A military expedition set out against them and in a few days routed the Indians from Utah Valley, shooting all they could find.[2] A large number of prisoners were taken, mostly women and children. They were placed in tents under Fort Utah until they could be dispersed among the families in the valley. But this attempt to civilize them was a failure for as soon as summer came they fled to their mountain homes.[3] "Thus ended the first Indian War of Utah," says

---

[1] Littell, Living Age, p. 532.

[2] Bancroft, Hubert Howe, History of Utah, pp. 308-309

[3] Stansbury Report, p. 148, ff.

Bancroft, "which like all the others was a rather tame affair. It was the mission of the Mormons to convert the Indians, who were their brethren, and not to kill them."

It is of interest to notice more in detail this Utah war of 1850. We have an inkling of the complications arising among Indians, Mormons and the federal authorities, in the account given by Captain Howard Stansbury of the United States Army Topographical Engineers, who spent the winter of 1849-1850 among the Indians.

He writes in his official report:-

"The president (Young) was extremely averse to harsh treatment, but, after several conciliatory overtures had been resorted to in vain, he very properly determined to put a stop by force. Before coming to this decision the authorities called upon me to consult as to the policy of the measure, and to request the expression of my opinion as to what might be the view of the United States government. Knowing as I did most of the circumstances, and feeling convinced that some action of the kind would ultimately have to be resorted to, ... I did not hesitate to say that .... the expedition was a measure not only of good policy, but one of absolute necessity and self-preservation.

> "I knew the leader of the Indians to be a crafty and blood-thirsty savage who had been already guilty of several murders, and had openly threatened he would kill every white man he found alone upon the prairies. In addition to this I was convinced that the completion of the yet unfinished survey of the Utah Valley, must otherwise be attended with serious difficulty, and would involve the necessity of a largely increased and armed escort for its protection."

Lieutenant Howland of Stansbury's command with aid in the way of arms, ammunition, tents, and camp equipage accompanied the Mormon force of one hundred men.[1]

Mormon Defensive Policy. Before proceeding further in the narrative of events, legislative evidences of a defenite Indian policy of a defensive character on the part of the Mormon government are to be noted at this time.

An ordinance approved March 28th, 1850, prohibited the sale without a license of arms, ammunition, or

---

[1] Stansbury, Howard, "Exploration & c", p. 148, et seq.

[2] Utah Territory, Acts, Resolutions and Memorials, 1855, p. 63.

spiritous liquors to the Indians, and declared a penalty of a fine not exceeding $500 for such offense and also declared forfeit all the property received from the Indian.[1]

On March 6th, 1852, Indian traders were forbidden to assemble Indians in the vicinity of any white settlement, the penalty being a fine of not less than $25 nor more than $1000.[2]

Most significant was an act of March 6th, 1852, "for the further relief of Indian slaves and prisoners," virtually legalizing Indian slavery.[3] This act will be more fully noticed in connection with the Walker War of 1855.

In the meantime the Mormons continued to found new colonies; in 1849 they took possession of the Utah Valley; and the valleys of Tuilla and of San Pete. In 1850 a university was founded, four schools opened, several towns established, farms formed in the valley of the Great Salt Lake, and iron works and irrigation were begun.

---

[1] Utah Territory, Acts, Resolutions and Memorials, p. 63.

[2] Ibid., p. 174.

[3] See Chapter VI.

Chapter IV.

THE FEDERAL INDIAN POLICY AT THE TIME OF THE ACQUISITION OF UTAH.

The year 1848 marks the beginning of the United States ' authority in Utah. At the close of the Indian War, Utah by the Treaty of Guadalupe Hidalgo, passed from Mexico to the United States, as a part of the vast territory including the present states of California, Nevada, and Utah, and portions of Wyoming, Colorado, New Mexico and Arizona.[1]

Fundamental Principles. By this period of our history the Indian problem was an old story, and out of a long series of acts and policies more or less expedient, dealing with the Indians two or three stand out prominently. From our earliest existence as a Union the Indian problem was recognized as a federal matter, the authority to deal with the Indians being placed upon Congress from the time of the Articles of Confederation. As early as 1802 attempts on the part

---

1 and.
McElroy, R. McN. The Winning of the Far West, map at end.

of the government at civilization through the encour - agement of agriculture among the Indians were begun. The government sought to civilize the Indians and protect them against the aggressions of the whites, but urgency on the part of frontiersmen, and later of states, for possession of lands occupied by Indians could not continue to be resented. John Quincy Adams voiced the growing opinion of his time that the Indians could not be allowed to hold back human progress. So, by degrees, the removal policy became the solution of the problem after 1825. Under Monroe and Adams the removal was voluntary, the consent of the Indians being expressed in treaties; under Jackson it was coercive until the Indians were finally entirely moved west of the Mississippi.[1]

On July 9th, 1832, an act was passed providing for the appointment by the President of a commissioner of Indian affairs, under the Secretary of War.[2]

By an act of June 30th, 1834, the Department of Indian Affairs was organized which provided for a

---

[1] Ellison, Wm. H., Federal Indian Policy in California, Chapter I.

[2] Public Statutes at Large of United States, Act of July 9, 1832 - vol. IV, p. 564.

Superintendency of Indian Affairs for all the Indian country not within the bounds of any state or territory west of the Mississippi, the superintendents of which should live at St. Louis.[1] Dealings were carried on through the War Department until transferred to the Department of the Interior in 1849, when that department was organized.[2]

The predominating features of our Indian policy were incorporated in an act of June 30th, 1834, known as "an act to regulate trade and intercourse with the Indian tribes, and to preserve peace on the frontiers." This act provided that persons trading with Indians had to be licensed. Indians only might barter with Indians; cattle might not be driven for forage on Indian lands; settlers were to be driven off by military force; no purchasers or grants from Indians were allowed, persons sending or carrying any letters, messages, or speeches to disturb the peace would be fined; property of friendly Indians injured or destroyed must be paid for in twice

---

[1] Public Statutes at Large of the United States, Act of July 9, 1832 - vol. IV, p. 735-739.

its value; the selling or giving of spirituous liquors to Indians was prohibited; and the Indian agent and the United States Army were to see that the provisions of the Act were enforced.[1] There were then two important acts of June 30, 1834 relative to the Mormons; one provided for a department of Indian Affairs, the other outlined a policy of action and intercourse with the Indians. The latter act is particularly notable, as for half a century it remained the fundamental law in Indian relations.[2]

> "Though the method of dealing with the Indians was by treaty making as with a nation having rights of self government and capable of maintaining the relations of peace and war, this act to regulate trade and intercourse with the Indians as well as the whole Indian policy as it developed shows the assumption by the United States of sovereignty over all the lands included in the United States, and over the Indians.

---

[1] Public Statutes at Large of the United States, Act of June 30, 1834, vol. IV , pp. 729-735.

> "This assumption of sovereignty was based on precedent and from time to time as it reached greater completeness received the sanction of the Supreme Court .... Though recognized, as already owing allegiance to a foreign power with rights of sovereignty, a decision in 1831, held that they were domestic, dependent nations, while in 1846, a decision held that the country in which a certain crime had been committed, though occupied by Cherokee Indians under treaty with the United States, was a part of the United States, and not within the limits of any particulat state; that the tribe held and occupied the territory with the assent of the United States, and under its authority; that native tribes found on the continent are not independent nations, but that those within the United States are subject to its authority."[1]

From the foregoing it is clear that the policy of the United States in dealing with the Indians was in part a kind of combination of two different ideas, that of treaty making and that of wardship.

---

1 Ellison W. H. Federal Indian Policy in California, ch. 1.

By 1840, in accordance with the removal policy, most of the Indians had been removed from the frontier, which extended from the Red River and Texas to the Great Lakes, and the new frontier was thought by many to be the last one. But the annexation in Texas in 1845, the westward migration of settlers to Oregon and California, and of the Mormons to Utah broke the frontier, trespassed on Indian lands and the government had to adjust its Indian policy to a new situation.[1]

The New Responsibility. That the administration was aware of a serious responsibility in the matter of relations with the Indians in the acquirement of Utah and the rest of the country ceded by Mexico in 1848, is shown in the report of Commissioner of Indian Affairs Medill for that year.

> "The fortunate termination of the war with Mexico, and the enlargement of our boundaries by the acquisition of California and New Mexico, will increase the number of Indians in the United States, and require the appointment of additional agents for the the proper management of the affairs of this department. The knowledge possessed by this office of

---

[1] Ellison, Wm. H., Federal Indian Policy in California, pp. 36-37; Paxson, F.L., The Last American Frontier, pp. 33-34.

> the various tribes within these territories is too limited to justify it in making any specific recommendations as to the measures which should be adopted at this time. The extension over them of the laws regulating our intercourse with the other Indians of the United States, and authority and means to appoint and maintain a suitable number of agents, will enable the Department to make such suggestions next year, for the consideration of the President and of Congress, as will lead to some more definite and satisfactory action on the subject."[1]

And the same year President Polk recommended the appointment of a suitable number of Indian agents to reside among the tribes of Texas, New Mexico, and California including the region lying between our possessions in Missouri and these possessions, as the most effective means of preserving peace upon our borders and within the recently acquired territory.[2]

The next step of the government was to appoint Indian agents in the new country.

---

[1] House Executive Documents, 30th Cong., 2nd. Sess., vol. I, Doc. 1, pp. 407-408 (537)

[2] Ibid., p. 20, (537).

Chapter V.

FEDERAL BEGINNINGS IN UTAH

On April 7, 1849, John Wilson was appointed Indian agent at Salt Lake, which was then in California, with an allowance of fifteen hundred dollars a year for his own salary, five hundred for interpreters, and fifteen hundred dollars for contingent expenses, including presents to the Indians, the buying of two horses, house rent and incidentals.[1] As the cost of living was then from two to five hundred per cent higher than "in the states,"[2] we may conclude that the allowance was not munificent.

Needs of the New Region. The Act of June 30, 1834, providing for the organization of the Department of Indian Affairs, restricted the number of agents to eleven in all, including at the time of the appointment of John Wilson, two agencies which had been transferred to California and New Mexico. The appointments of these new agencies were given an appearance of legality by sections of the act,

---

[1] Senate Executive Documents, 31 Cong., 1 Sess., Vol.IX, Doc. 18, pp. 97-98 (557).

[2] House Executive Documents, 35 Cong., 1 Sess., Vol.X, Doc. 71, p. 143 (956).

empowering the President to discontinue or transfer an agency whenever he judged it expedient, and to appoint sub-agents as needed. This caused the creation of sub-agents where full agents were needed. The Commissioner of Indian Affairs at this time declared that sub-agencies should in general be dispensed with, for the Indians were now found in larger groups, necessitating from the sub-agents as great a responsibility in some cases as that of the agents, while they received only one half the amount of compensation, that is to say, seven hundred and fifty dollars. When so many Indians came under the United States jurisdiction in Texas, Oregon, California, and New Mexico, the Act of 1834 proved wholly inadequate.[1]

Another serious defect pointed out at this time also was the lack of sufficient superintendents. Mentioning the ex-officio superintendency of the governors of Oregon and Minnesota, the Commissioner declared the two-fold office undesirable. One reason, for instance, was that the location of the executive of the territory was not always the proper one for the superintendent.[2]

---

[1] Senate Executive Documents, 31 Cong., 1st Sess., Vol.II, Doc.1, p. 951 (550).

[2] Ibid.

Difficulties which we shall see long continued to complicate the Indian problem in Utah were mentioned by John Wilson in August 1849, in his first report sent from the new Salt Lake agency. He stated that the Mormon settlement in the Salt Lake Valley had not only greatly diminished the supply of fish, but, together with the emigration to California had already driven away nearly all the game so necessary to the Indians.

"It is imperative that the government put in practice some mode of relief for these unfortunate people..." he pleaded; some of whom were already engaged in cultivation of the soil. Portions of the Utah bands were reported at variance with the Shoshones, and portions of them had always been at war with the Mexicans, constantly making inroads into New Mexico and California to steal horses.

> "Here," he wrote, "the principal agency ought to be established and also the leading military post of these mountains ... If proper agents are kept among the Shoshones and a fair support provided for them, they will be easily managed."[1]

This is only the beginning of often repeated testimony to the amenable character of the Utah Indians.

---

[1] Senate Executive Documents, 31 Cong., 1 Sess., Vol.II, Doc. 1, p. 1003 (550).

bns

In December of the same year President Taylor urged Congress in his message, to legislate further for the effective extension of Indian intercourse in the new region.[1]

Utah Becomes a Territory. Meanwhile the Mormons in Utah had drawn up a territorial constitution, in which the state in formation was named Deseret, meaning Honey-Bee in the Book of Mormon. A part of the Pacific littoral was claimed within its boundaries; holding slaves was prohibited, but no other deviations from the constitutions of the other states were proposed.

In the bill which passed through Congress in September 1850, making Utah a territory, the Indian name was preferred to the Egyptian one of Deseret, and the claim upon the Pacific litoral was not considered. The boundaries of the new territory were: West, California; north, Oregon Territory; east, the summit of the Rocky Mountains; and south, the thirty-seventh parallel of north latitude. That is on the east and south was the watershed which separates the streams pouring into the basin(of the Salt Lake) from those which flow into the Rio Colorado and the Mexican Gulf."[2]

---

[1] House Executive Documents, 31 Cong., 1 Sess., Vol. III, Doc.5, p. 13 (569).

[2] Littell, Living Age, 1855, Vol.X, 3 Series, p.532. September 9, An act to establish a Territorial Government for Utah, 1850.

A map of this time shows Utah bounded on the north by Oregon Territory; on the South, by New Mexico Territory; on the west by California as it is today; and on the east by the large territories of Nebraska and Kansas.[1]

The names of Nevada and Colorado do not appear, for they were as yet non-existent, both becoming territories in 1861 By the settlement of the eastern boundary of California along the ridge of the Sierra Nevada, Salt Lake became a part of Utah, and consequently was no longer the seat of a California agency.[2]

On January 3, 1851, Brigham Young was appointed governor of Utah Territory, with the capital at Salt Lake; and, despite the advice cited of the Commissioner of Indian Affairs concerning the undesirability of the two-fold office of governor and superintendent, Young was also made ex-officio superintendent of Indian affairs for the term of four years. As governor he received fifteen hundred dollars a year, and as superintendent one thousand.[3] On February 27, 1851,

---

1 Paxson, F.L., The Last American Frontier, p. 140.

2 Senate Journal, 31 Cong., 1 Sess., p. 25 (548).

3 Bancroft, H.H., History of Utah, p. 455. Utah Territory: Acts, Resolutions and Memorials, 1851.

On February 27, 1851.

, 1851.

Congress provided one Indian agent for the new territory with an annual salary of fifteen hundred and fifty dollars.[1]

Of the federal appointments, a historian says:

> "Washington prejudiced a situation already difficult by sending to Utah officers and judges, some of whom could not have commanded respect, even where the sway of United States authority was complete."[2]

From this generalization, as will be seen, the federal Indian agents in Utah may safely be exempted.

The people of Deseret, though not entirely satisfied with the territorial arrangements, sent delegates to Congress and received the non-Mormon authorities who arrived in 1851.[3]

The Establishment of the Utah Indian Agencies. In July 1851, by virtue of the establishment of an agency and two sub-agencies by the United States, Brigham Young divided the agencies as follows:

---

[1] Statutes at Large and Treaties of the United States, Vol.IX, p. 571.

[2] Paxson, F.L., The Last American Frontier, p. 103; similar testimony in Bancroft, History of Utah, p. 456.

[3] Bancroft, History of Utah, p. 456.

The first, or Parvan agency, which was in the north included all within the limits of the Territory west of the Shoshone nation, and north of the south line of the Parvan Valley.

The second, or Uinta agency, to the east, included all of the Snakes or Shoshones within the Territory, the Uinta, and Yampah, and all other tribes south, within the Territory, and east of the eastern rim of the Great Basin.

The third, or Parowan agency, to the south, included all the country lying west of the eastern rim of the Great Basin, and south of the south line of the Parvan Valley, to the western bounds of the Territory.[1]

While Young thus divided the agencies, he had not, of course, either the powers of appointment of Indian agents, or of the appropriation of government funds.[2] These were federal matters.

To the Parvan district, Superintendent Young assigned sub-agent Henry R. Day, a non-Mormon. To the region includ-

---

[1] Utah Journal of the House of Representatives, 1851-1852, Governor Young's proclamation, p. 160

[2] Bancroft, Hubert Howe, History of Utah, p. 480, note.

ing Salt Lake was assigned Major J. H. Holeman, non-Mormon agent. The third district was in charge of sub-agent S.B. Rose who was a Mormon.

In the Parvan agency, Day succeeded in effecting a peace meeting between Walker and Sow-er-ette, Utah chiefs and the neighboring Shoshone chief, Cut-nose, with whom they had been at war for many years.[1]

In September of 1851 at Fort Laramie in the Central Superintendency was held an Indian peace meeting, under Colonel Mitchell. Some of the Shoshones of Utah attended and received presents, which gave them a friendly feeling towards the government.[2]

In accordance with Superintendent Young's instructions, Day and Holeman invited the Indians to attend the meeting at Laramie. So few from these agencies responded that Young decided they could not properly represent the tribes and so had presents made them instead of having them take

---

[1] House Executive Documents, 35 Cong., 1 Sess., Vol.X, Doc. 71, p. 100 (956)

[2] Ibid., 32 Cong., 1Sess., Doc.2, p. 372 (636).

the trip Day reported that Walker and Sow-er-ette declared they did not trust the Mormons, that the meeting plan was a plot on the part of the Mormons to murder the Indians and so they would not attend the conference.[1]

Indian Hostility to the Mormons. From the time of the formation of the Territory, with the consequent spread of Mormon civilization it becomes more apparent that, in place of the early friendly relations between the Mormons and the Indians, a hostility, due to the encroachment of the Mormon settlements, had now grown up to a degree best expressed by the exclamation of old Chief Sow-er-ette to Day. Drawing himself up to his full height, he said:

"American good! Mormon no good! American friend! Mormon kill, steal."[2]

From this time on occur reports in which Indians frequently expressed themselves emphatically against the Mormons making settlements on their lands. They sought information from the American trader and interpreter, James Bridger, whether they could prevent such intrusion. Later,

---

[1] House Executive Documents, 35 Cong., 1 Sess., Vol.X, Doc.71, p.132 (956).

[2] Ibid., p. 130 (956).

a deputation of Uintah Utes visited Major Holeman to protest against white settlments, particularly Mormon. When, in response to Chief Sauriet's (Sow-er-ette) request, traders visited his Indians, they demanded to know whether any of the white men were Mormons. Although one was a Mormon, the fact had to be denied. So great was the hostility expressed toward the Mormons that if they had been recognized as such they would have been driven away.

The Shoshones were equally opposed, and expressed their disapprobation to the Mormons settling on their lands.[1]

It is important, of course, to understand that the hostility of the Indians was not directed toward the Mormons as such, but rather because they were the most numerous settlers.[2] Fearing for their lands, the Indians also attacked the emigrants.

The "Freeman." But though it was natural the Indians should attack any of the white race as their enemies, since all whites were intruders, they were not

---

[1] House Executive Documents, 35 Cong., 1 Sess., Vol.X, Doc. 71, pp. 144-145 (956).

[2] Ibid., p. 163 (956).

the chief cause of disorder and distress in the Territory. Rather, the worst of all classes of disturbers were a set of traders called "Freemen," a mixture of all nations, settled around and among the Indians, some married to them, who attacked the emigrants through the Indians. They would get the Indians to drive off the stock of the emigrants, and then force the latter to buy back their goods from the "Freemen," at an exorbitant price.[1] Agent Holeman declared the "white" Indians were much more dangerous than the "red," and because of these marauders, not because of Indians, troops were needed to protect the emigrant trail through Carson Valley.[2] With outlaws it was impossible to treat; for them troops were needed, but with these Indians showing friendliness and good will, the government was repeatedly urged by the agents to form treaties.

The Mormons and United States Hostile. Beside the Indian hostility to the Mormons, and occasional attacks on emigrants, beside the dangerous and degrading influence of the "Freemen," there existed a mutual distrust between the

---

[1] House Executive Documents, 32 Cong., 1 Sess., Pt.3, Doc.2, p. 444 (636).

[2] Ibid., p. 153 (956).

Mormon and non-Mormon Indian agents. This unfortunate circumstance was undoubtedly the greatest deterrent to harmony among the conflicting groups of occupants of the Territory, for failing in amicable cooperation, federal and Mormon agents could not achieve even the beginning of a friendly understanding between the government and the Indians, who were bewildered by the opposing tactics of the two parties.

Both agents, Day and Holeman, suffered annoyances from the Mormons. Fearing spies, they frequently sent letters outside the Territory to be mailed. Both protested in their reports to Commissioner Lea that Young should not be superintendent, that he used the office to promote the interest of his people. Holeman recounted that Young and the Mormon sub-agent, S. B. Rose, had taken presents to placate Indians in a section of the country where Mormons were making a new settlement contrary to the wishes of the Indians of the region. These presents were provided at the expense of the federal government, not so serious an offense in itself, but the friendship purchased thereby was for the Mormons, and against the United States because the Indians were made to believe the former were their

friends and the latter their enemy.[1]

In January 1852, Day left Utah giving as his reason the public and private abuse of the government of the United States and of its officials by the Mormons. The office he held was abolished.[2] Agent Holeman, after six months, overwhelmed by the responsibilities under which he labored practically single-handed, was almost moved to give up. He wrote to the department:

> "I have no idea, with Governor Young at the head of the Indian department, that I shall be able to do anything that can be of service to the government, or to the Indians, or creditable to myself."[3]

There is no doubt as to Holeman's desire to achieve results. He saw great opportunities as well as difficulties in his position, studiously refraining from meddling in religious, political, or any other strictly Mormon affairs. Undoubtedly the ambition to win the Indians by kindness, "the best mode," held him to his post in spite of many discouragements, for he did not give up at this time, after all.

---

[1] House Executive Documents, 35 Cong., 1 Sess., Vol.X, Doc.2, p.137 (956).

[2] Ibid., p. 171 (956).

[3] Ibid., p. 152 (956).

He remained at his post till succeeded in 1855 by Dr. Garland Hurt.

From the foregoing account of the activities of the agents in the new territory it is clear that there existed a three cornered conflict of Indians, Mormons, and Americans. Before drawing conclusions concerning these complications it will be profitable to follow the trend of affairs somewhat further.

* * *

Chapter VI.

THE DEVELOPMENT OF INDIAN AFFAIRS IN UTAH FROM 1851 TO 1857.

In February 1852, Agent Holman wrote the department for information concerning its intentions and wishes in relation to the Indians of Utah Territory, and for instructions anticipatory to the spring emigration to California and Oregon, and to relations with Young and Rose who were not cooperating with him in any way.

On May 1, 1852, Holeman again wrote he had received no communication from the department, although the April mail from "the States" had arrived, and consequently lacking directions, he was acting on his own judgment in planning to secure peace and safety by visiting and giving presents to the marauding Indians in the Humboldt regions where the emigrant troubles were. Knowing the disinclination of Congress to make an outlay in so hazardous a matter, he took pains to assure them of

---

1 House Executive Document, 35 Cong., 1 Sess., vol. X, Doc. 7, p. 135 (956).

2 Ibid., p. 148 (956)

his continued economy. Early in the summer of 1852, agent Holman, in accordance with his letter of May 1, with the approbation of Governor Young, undertook an expedition to the various tribes occupying the region west of the Great Salt Lake, where the emigrant trains traveled by the hundreds. The object of the expedition was to prevent a recurrence of collisions between emigrants and Indians, and resulted in no more murders or robberies being reported that year.[1]

In his report of the year 1852, Brigham Young submitted an estimate of $27,300 for the needs of the superintendency, and recorded an interview with Utahs and Shoshones - "the first that had occurred of a like nature since the settlements were founded."[2] The meeting took place by means of interpreters and was for the purpose of establishing peace among the Shoshones and Utahs, and trade with the whites. Agent Holman in a separate report told he had suggested a meeting of the Indians.[3] Apparently unwilling to acknowledge Holeman's part in the peace meeting, Young wrote that it took place at the instigation of the Shoshones. Both tribes, when asked, declared in favor of the whites settling. Perhaps

[1] House Executive Documents, 32 Cong., 2 Sess., vol. 1 pt. 1, Doc. 1, p. 300 (673).

[2] Ibid., p. 438.

[3] House Executive Documents, 35 Cong., 1 Sess., vol.

they were being politic in their answer. Superintendent Young wrote further:

> "The Indians are universally fed and partially clad throughout the territory where settlements have been made according to the ability of the people, and very many children are taken into families and have all the usual facilities for education afforded other children."

The Utah Act of 1852. How Indian children were taken into Mormon families and cared for may be further understood from the Utah Act of 1852.[1] Though the act was a virtual legalization of slavery, Richard F. Burton who travelled in Utah at the time wrote in reference thereto:

> "The Mormons treat their step-brethren with far more humanity than other western men; they feed, clothe and lodge them, and attach them by good works to their interests."[2]

---

[1] The City of Saints, p. 297.

[2] Ibid.

The act stated that from time immemorial Mexican traders had supplied the Indians with horses, fire-arms and ammunition, often taking in exchange Indian women and children, who were afterwards sold into slavery. To remedy this evil, the enforced apprenticeship of Indian children was legalized, when for the purpose of purchasing those who would otherwise have been sold to the Mexicans or abandoned by their parents.[1]

The reason for such legislation by territorial authority was explained as follows in preamble to the act which is interesting because it shows the peculiar status of Utah that made settlement there a problem in connection with the Indians:

> "The acquisition and organization of Utah as a territory by Act of Congress gives a unique character to the government of that territory. It is really Indian territory so far as the right of soil is involved; it is a white legalized government on Indian lands, because the United States laws in relation to intercourse with Indians are designed for and applicable only to

---

[1] Utah Territory. Legislative Acts of March 6th, 1852.

territories and countries under the sole and exclusive jurisdiction of the United States, the territory saw fit to legislate independently in the matter of Indian slavery.

"From time immemorial the practice of purchasing Indian women and children of the Utah tribe of Indians by Mexican traders has been carried on. The Indians gamble away their own families, or steal or conquer those of others. Robbery, murder, ill-treatment are incident to this inhuman trade.

The act was the result of the coming of a party of Mexicans traders into San Pete Valley who were trading horses for Indian children and firearms. Their leader, named Pedro León, showed a license dated Santa Fé, August 14th, 1851, and signed by James S. Calhoun, governor and Superintendent of Indians in New Mexico, authorizing them to trade with the Ute Indians, "in all their various localities." By virtue of his authority as governor and superintendent, Brigham Young forbade all trading of this nature, and told the Mexicans their license was not valid. The Mexicans, ordered to leave the territory, avenged themselves by stirring up the savages against the settlers. They furnished the Indians with guns and ammunition,

contrary to the laws of Utah and of the United States. The situation became so serious that Governor Young, in April 1853, issued a proclamation, calling attention to the tactics of the slave traders, and ordering Captain Wall, with thirty mounted men to reconnoitre the southern country and arrest every strolling Mexican party or any other suspicious-looking persons whom he might encounter.

The Walker War. These preceedings were one of the causes of the Walker War. Chief Walker, who had at first been friendly to the Mormons, began to hate them as he saw his best lands being occupied by them, the game disappearing and his Indians being shot down. The conciliatory methods of the Mormons, observed by the writer Burton gave way to force after they gained a foothold, so that the Mexicans found ready material for insurrection. Walker now justified and defended the Mexicans against the Mormons. The Indian uprising began in July, 1853.[3] Attacks were made at various points; during the year

---

[1] House Executive Documents, 35 Cong., 1 Sess., vol. X, Doc. 71, pp. 136-6956.

[2] Bancroft, Hubert Howe, History of Utah, pp. 474, 5,6. Whitney, Orson F., Popular History of Utah, pp. 98-9.

[3] House Executive Documents, 35 Cong., 1 Sess., vol. X, Doc. 71, p. 162 (956)

twelve Mormons were killed, a number wounded and about four hundred cattle and horses stolen. Many Indians also were killed. The expense incurred in building forts and removing settlements amounted to about $200,000.[1]

The Gunnison Massacre. An episode of the Walker War was the tragedy known as the Gunnison Massacre. Captain John W. Gunnison, who as Lieutenant of Topographical Engineers had visited Salt Lake Valley with Captain Stansbury in 1849, returned li 1853, at the head of a surveying expedition. While he and his party of twelve were at breakfast they were surprised by a volley of rifles, a flight of arrows and the yells of a band of Pah-Utes, who had crept under cover of the bushes to within twenty-five yards of the spot. Gunnison, running out from his tent, called out to the Indians that he was their friend. He fell, pierced by fifteen arrows. Only four of the party escaped. The Gunnison Massacre was the result of the wanton killing of some poor and friendly Pah-Ute Indians, by emigrants from Missouri to California. In Indian fashion, their avengers attacked

---

[1] House Executive Document, 35 Cong., 1 Sess., vol. X, Doc. 71, p. 162 (956).

the first available party of white men passing through their country. Accusations against the Mormons for the massacre seem groundless; Gunnison, who wrote a reliable history of the Mormons, was a favorite with them; moreover one of the slain was a Mormon guide.[1]

Upon investigation by federal authorities of the Gunnison Massacre, three Indians were tried, convicted and sent to the penitentiary. The court was held under the protection of United States troops, owing to the presence of about five hundred Ute Warriors, who were encamped nearby, watching with keen interest the progress of the trial.[2] The judge charged the jury that e they must either be found not guilty or guilty of murder; and the Mormon jury returned a verdict of manslaughter; three years' imprisonment was pronounced, but the murderers escaped "by oversight" of their jailers, and regained their tribes, where they remained undisturbed.[3]

In May, 1854, Young and other leading men, by means of presents, regained friendship and peace with Chief

---

[1] Bancroft, Hubert Howe, History of Utah, p. 470. Whitney, Orson F. Popular History of Utah, p. 102.

[2] Whitney, Orson F., Popular History of Utah, p. 107.

[3] Dunn, J.P. jr., Massacre of the Mountains, p. 279.

Walker and his tribesmen, and a treaty was entered into, by which the Walker War was ended.[1] In January, 1855, the leading spirit of the Utahs, Chief Walker, died, at peace with the Mormons. He was succeeded by three brothers in turn, Arapeen, Sanpitch, and later Tabby.[2]

The Disposition of the Indians. The Walker War was in no sense a real war, and depredations notwithstanding, the Indians were pliant and approachable. On the condition of the Indians in Utah, the following account of Agent Holeman, dated September 26th, 1852, furnishes firsthand testimony:

> "The Indians in this section of the Territory (the Humboldt Valley) although they appear to be in a savage and wild state, seem to have a very correct idea of the power and importance of our government .... I think it important that government should establish posts on this route: one on the Humboldt .... and one at the Mormon station in Carson Valley ..... There are white men who are more desperate and who commit more

---

[1] Whitney, Orson F., Popular History of Utah, p. 106.

[2] Bancroft, Hubert Howe, History of Utah, p. 478.

depredations, it is thought, than the Indians, and who keep the Indians in a state of excitement.

"I have therefore recommended that a treaty should be held with the Indians in this Territory. I earnestly repeat the recommendation ... If something is not done, ... in the course of a few years the Indians will be compelled to give up their present locations to an emigrating population, and be driven forth to perish in the plains. The Indians seem friendly disposed, and will at no time be better prepared for friendly negotiations than at present."[1]

Even during the year of the Walker War, the majority of the Indians were friendly -

"With the exception of Indian Walker and his band, the Indians within our borders profess friendship."[2]

Agent Holeman, in another expedition among the Indians on the Humboldt and Carson rivers, in the year

---

[1] House Executive Documents, 32 Cong., 2 Sess., vol. I, pt. 1, Doc. 1, p. 445 (673).

[2] Senate Executive Documents, 33 Cong., 1st Sess., vol. I, p. 442 (690)

1853, found them disposed to be friendly. Again he found the chief instigator of trouble to be white men, traders from California, whose chief stock was liquor, who killed and robbed Indians and emigrants alike. They

> "steal and commit more depredations than the Indians, all of which they manage to have charged to the Indians ..... I feel satisfied that until government throws protection over this route and places the means within the reach of the officers to enforce their authority and the laws there can be no safety to travel."[1]

Hindrances, Delays and Depredations. To the various reports and admonitions the government did not reepond; and in addition to the various and repeated causes of disturbances in Utah, was the fundamental one of no provision having been made for land indemnification. Commissioner Manypenny, in his reports for this year and the next, 1853 and 1854, urged as remedies that new treaties be made, and that capable commissioners be appointed to study the whole subject of Indian relations in Utah and elsewhere.[2]

> "Our citizens ought to have proper protection from Indian depredations; but in the present state of things on these Territories (New Mexico

---

[1] Senate Executive Document, 33 Cong., 1st Sess., vol. 1, Doc. 1, p. 447.

[2] Ibid., p. 443.

and Utah), this is impossible. All the military force that could be sent there could not prevent such depredations, otherwise than by the extermination of the Indians. Without implements or stock, and untaught and unassisted in the art of husbandry, they cannot support themselves otherwise than they do ..... They must either subsist to a considerable extent by plundering the white inhabitants, or they will have to be exterminated; or else they must be colonized in suitable locations, and to some extent at least, be assisted by the government, until they can be trained to such habits of industry and thrift as will enable them to sustain themselves. This system is in operation in California with some prospect of success. It is about being commenced in Texas, and its adoption in New Mexico and Utah, should be no longer delayed."[1] Unfortunately it was delayed for some time.

"In New Mexico, Utah, Washington, and Minnesota, the supervision of our Indian affairs is given

---

[1] Indian Affairs Report, 1854, p. 14.

> to the territorial executive, who, by law is made the superintendent; and in Oregon, Kansas, and Nebraska, the same is confided to an independent officer, denominated the Superintendent of Indian affairs. I am satisfied that the harmony and efficiency of the Indian service would be promoted by placing our Indian affairs in the first, on the same footing in this respect that they now occupy in the last named Territories."[1]

This advice, tendered more than once,[2] Congress continued to ignore, in the case of Utah.

At the time of this writing, an appropriation of $40,000 had been made by Congress to negotiate treaties with the Indians of Utah, but these appropriations were delayed until it was too late in the season to send out the goods and other presents.[3]

Another hindrance to the improvement of the state of affairs in Utah, which may be attributable to the remoteness of the frontier, was nearly a year's delay

---

[1] Indian Affairs Report, 1854, p. 17.

[2] House Executive Document, 35 Cong., 1 Sess., vol. X, Doc. 71, p. 125 (956).

[3] Indian Affairs Report, 1855, p. 13; House Executive Document, 35 Cong., 1 Sess., vol. X, Doc. 71, p. 169 (956)

in the report from Governor Young, who had been called upon to furnish information concerning the condition of the Indians and articles necessary for presents for them. Young's report dated October 1854 was not received until July 27th, 1855.[1]

For his own part Young wrote the department on June 26, 1855, that from the very beginning he had sought instructions from the department in relation to the policy wished to be adopted and carried out by the government towards and with the Indians of this Territory:-

> "It was one year after I commenced the discharge of my official duties before I obtained even an office copy of the laws, regulations and intercourse with the Indians, and forms were frequently solicited; finally after much solicitation I received a letter from Commissioner Lea from which I make the following extract:
>
> > The remoteness of Utah from Washington, and the little that is known here of the Indians in that Territory, render it necessary that the management of our Indian affairs in that quarter be left almost entirely to your discretion and judgment.

This letter is dated Feb. 20-1852. Young pointed out

---

[1] House Executive Documents, 35 Cong., 1 Sess., vol. x, Doc. 71, p. 171 (956).

that while the department thus held him responsible for the Indian affairs in Utah, it did not furnish him with the necessary instructions or usual facilities of other Territories to aid in the performance of his duty.[1]

More important still was the continued lack of sufficient agents, testified to by Young and Holeman both.[2]

However the department or Congress may have felt towards the Mormons as a result of the agents reports Young according to his own account was not notified up to this time of any dissatisfaction on the part of the government.[3]

Meanwhile Young and the agents continued their activities. In his report for the year 1855 (September 29th.), Young stated that peace prevailed among the Indians themselves and with their white neighbors and the emigrants. However, the expense of keeping peace through gifts was being largely borne by settlers.

---

1 House Executive Documents, 35 Cong., 1 Sess., vol. X, Doc. 71, p. 170 (956).

2 Ibid., pp. 153 and 171

3 Ibid., 171

On the 7th of August of that year,

> "large bands of Shoshones (Snakes) and Utahs met in council in this city (Salt Lake City) where they made a good peace which I hope will prove lasting."[1]

In the report of Indian affairs this treaty was recorded as a treaty for "peace and friendship" with the Shoshones, and the passage of citizens through their country; three thousand dollars was paid to the Shoshones; nothing was paid to the Utahs - no territory was acquired. The treaty was not ratified and only a copy of it was received at Washington.[2]

In characterizing the Indian affairs of Utah as peaceful, Young allowed the accompanying letter of sub-agent Armstrong, who came to the Territory in 1855, to speak for itself. This letter gives a detailed account of a typical instance of retaliation on the part of a band of Utahs near Provo city, led by Chief Tintick who claimed that his mare and colt had been killed by whites. Investigation and promises of compensation were apparently unavoidably so long of fulfilment that

---

[1] Indian Affairs Report, 1855, p. 196

[2] Bancroft, Hubert Howe, History of Utah, p. 477; Indian Affairs Report, 1856, p. 867.

The Indians grew impatient. The whites lost five head of cattle and a horse during the delay in settlement. But when paid for their loss, the Indians withdrew peaceably, returning to the agent's office only to beg for flour and plead for fishing grounds.

Again the government was warned that Indian depredations could not but continue, owing to the destitute condition of the Indians.

Farms Established. Agent Armstrong further recorded that Indians near Palmyra, Springville and Provo desired to

> "engage in agricultural pursuits, were any facilities afforded them by the government for so doing ... Pe-teet-weet, the chief of the band of Palmyra has made a selection of a very large tract of land for a pasture (about one thousand acres) a very large portion of which is very excellent farming land."

Proving the eagerness and friendliness, the Utah chiefs, Sanpitch and Tabba helped the agent to restore to their white owners, two horses that had been stolen by Indians. Agent Armstrong told of meeting the ancient Utah Chief Sawriet who had been absent from the

Provo region for two years, having left it when refusing to take part against the whites in the Walker War. His band numbering seventy lodges

> "are the most harmless and friendly of any of the Utah Indians," but like all the others were in great distress.

With the same report, a letter from Garland Hurt who had succeeded Holeman[1] enumerated instances of gift-giving which seem to have little significance other than temporarily bought peace. He emphasized that delay in treaty making concerning Indian lands occupied by whites made titles insecure and was very unjust to the Indians causing them to demand tribute.[2]

Within three days four hundred Indians had visited his camp in the Humboldt Valley, complaining of hunger. Many had travelled a hundred miles without food. At his request the chiefs assembled their people, and from their great desire to establish peaceful relations, the agent thought it best to negotiate with them a written treaty:

---

[1] Bancroft, Hubert Howe, History of Utah, p. 478 - Note 25.

[2] Indian Affairs Report, 1855.

"As my expenditures in presents and provisions were larger than may be anticipated, it may be necessary to state the reasons which induced me to make them. It was well understood among the Indians of this Territory, as early as last spring, that large appropriations had been made by Congress for the purpose of making presents to and treaties with them. ... The Snakes complained that they had permitted the white people to make roads through all their lands and travel upon them in safety, use the grass, and drink the water, and never received anything for it, although the tribes around them had been getting presents. Under these circumstances I saw no way to retain their confidence but to meet their expectations. And as they succeeded in making peace among themselves, and renewed their pledges of friendship to the whites, we have reason to hope that harmony will prevail for a season."[1]

The results of Agent Hurt's efforts are testified to in Commissioner Manypenny's report of the next year 1856.

---

[1] Indian Affairs Report, 1856, p. 198, et seq.

"The Indians in the Territory of Utah have, with but few exceptions, continued quiet and peaceable ... Agent Hurt, without instructions, entered into an agreement of peace and friendship, as the department was advised in August 1855, with the Shoshone tribe, but the original instrument has never reached here.

"That agent has also taken the responsibility of collecting Indians at three several locations within the Territory of Utah, and commenced a system of farming for their benefit. As the enterprise has not been sanctioned or provided for by appropriations for that purpose, and was believed to involve a larger expenditure than existing appropriations would warrant, without condemning his action in this respect, I have felt constrained to withhold an expression of approval of his course."[1]

The farms alluded to were three Indian reservations made by Agent Hurt, viz: one on Corn Creek in Milliard county, another on Twelve-mile Creek in San Pete County, and the third near the mouth of the Spanish Fork in Utah county.[2]

---

[1] Indian Affairs Report, 1856, p. 16.

[2] Ibid., p. 225.

The "unsettled condition of governmental affairs" in Utah continued to be the reason given by Commissioner Manypenny for delay in prosecuting negotiations with the tribes there; another reason also was that the Senate had not ratified treaties with the tribes in New Mexico which were similar to those designed by the department for Utah.[1]

Utah was at that period the abode of more than forty thousand citizens,[2] and the highway of travel over the continent, yet the Indians were supposedly still the owners of the land. The number of Indian inhabitants was estimated at twelve thousand.[3]

A Lost Opportunity. Complicated and unsettled as were the three cornered relations of Indians, Mormons, and Americans in Utah, the fact stands out that the policy of Congress was a stand-off, aloof one. Superintendent Young and the federal agents by their reports again

---

[1] Indian Affairs Report, p. 16.

[2] Senate Executive Documents, 33 Cong., 1st Sess., vol. 1, Doc. 1, p. 259 (690).

[3] Ibid.

and again showed the urgency of treating with the Indians, their appeals were again and again ignored. Though the making of treaties and the establishment of farms were in line with the stated general federal policy, as we have seen,[1] such efforts as were made for these ends were made single-handed by the agents, of their own initiative without support of approval from the government. Agent Hurt's farms were grudgingly allowed to exist. The treatise made were only a temporary make shift because unratified by Congress.

By failing to render adequate aid to the officers of the Utah superintendency, the government lost an opportunity for federal influence with the Indians who while resenting encroachments on their lands by Mormons were nevertheless disposed to be peaceful and friendly. The Mormons because of this neglect were able to renew their friendship and to increase their influence with the Indians, much to the disadvantage of the United States, as later became more apparent. Observing the indifference of the federal government to the Indians, and the clever

---

[1] Chapter IV, p. 24.

conciliatory methods of the Mormons with them, a Frenchman who was travelling in Utah at this period, thus comments on the situation.

> "The Indians, noting the contrast between this (the Mormon policy) and the very different treatment they receive from the Americans, but very rarely molest the Mormons, and to such an extent do they carry their good-will, that the mere fact of a man being one of Brigham's disciples has been a passport amid hordes of savages let loose against the whites."[1]

Of the relations of the United States and the Mormons more will be noticed subsequently, for in these relations the Indian policy became swamped.

---

[1] Ramy and Branchley, A Journey to Great Salt Lake vol. II, p. 248.

Chapter VII.

THE UNITED STATES AND MORMON HOSTILITIES

While it is not the purpose of this thesis to relate the political history of Utah, a knowledge of the relations between the United States and Mormon governments is necessary to the understanding of the Indian situation. The Utah war of 1857 may be regarded both as an acute expression of federal and Mormon hostility and as a phase of the Indian problem. This war was the culmination of the antagonism between the Americans and Mormons, noticeable in the reports of the Indian agents in Utah, an antagonism which increased as time went on with the Indian land title remaining unextinguished by the government.

The Land Title. As early as 1852, the Mormon legislature sent a memorial to Congress requesting the survey of the southern boundary of Utah.[1] In 1853 we again find allusion to Utah's needs in the President's message to Congress. President Pierce recommended that the

---

[1] Utah Territory: Acts, Resolutions, and Memorials, March 6, 1852, p. 405.

land system be extended over Utah with such modifications as the peculiarities of that territory might require.[1] About a year later an act was passed authorizing the appointment of a surveyor-general for Utah.[2] In July 1855 David H. Burr arrived in Salt Lake City to enter upon the duties of that office. In his report covering a year's work, he wrote:

> "The unsettled state of the country makes it necessary to keep a constant watch over camp and animals, compelling the surveyor to employ, besides the usual assistants, men to herd the animals by day and stand guard by night .... Many of the corner posts have been removed and the mounds destroyed; this is done in some instances by the cattle, but more frequently, I regret to say, by persons either with some evil intent or through wanton mischief ... I hope, however, when the settlers learn how important it is to them to perpetuate these corners that they will see that they are preserved. Unfortunately at present most of

---

[1] House Executive Documents, 33 Cong., 1 Sess., vol. I, pt. I, Doc. 1, p. 12 (690).

[2] Bancroft, Hubert Howe, History of Utah, p. 485.

them look upon the surveyors as intruders, and feel inimical to their work.[1]

According to the foregoing accounts it is evident that though the Mormons wanted title to the country, yet they resented the presence of federal authority.

Mr. Burr further wrote:

> "The exclusive right to every conceivable canon has been granted by the legislature to the favorites of the Mormon church, who compel the settlers to pay high prices for the privilege of getting their wood from them. They have erected saw mills in many of them, and the timber is fast disappaaring."

Mr. Burr submitted an estimate of $61,000 for expenses incident to the survey of the public lands in the Territory of Utah, for the fiscal year ending June 30, 1858.[2]

Though large tracts were surveyed, the Indian title remained unextinguished for a number of years to come.[3]

---

[1] House Executive Documents, 34 Cong., 3d. Sess. Pt. I, Doc. 1, p. 543 (893).

[2] Ibid., p. 549.

[3] Bancroft, Hubert Howe, History of Utah, p. 485, Utah Territory: Acts, Resolutions and Memorials, March 6, 1852, and Jan. 6, 1862.

But even if the Mormons were ready to purchase and could not legally do so because the government continued to do nothing,[1] they surely did not seek to make matters easier for the government to act.

Mormon Disloyalty Charged. In the Indian Affairs Report of 1857, Dr. Garland Hunt, agent in the territory since February 1855,[2] tells of Mormon missionaries among the Indians:

> I have become satisfied that these saints have either accidentally or purposely created a distinction in the minds of the Indian tribes of this Territory, between the Mormons and the people of the United States that cannot act otherwise than prejudicial to the interests of the latter, and what, sir, may we expect of these missionaries? There is perhaps not a tribe on the continent that will not be visited by one or more of them. I suspect their final object will be to teach these wretchdd savages that they are the rightful owners of the American soil, and that it has been wrongfully taken from them by the whites, and that the Great Spirit has sent the Mormons among them to help them recover their rights.

---

[1] Bancroft, Hubert Howe, History of Utah, p. 485.

[2] Whitney, Urson F., History of Utah, vol. I, p. 540.

The missionaries are described as "rude and lawless young men," but the agent does not wish to arouse hostilities against the Mormons, for they "thrive by persecution." "It is possible," he continued "that many of them are loyal in their feelings to the United States, but perhaps this cannot be said of their leaders." He urges that the conduct of the Mormon missionaries be subjected to the strictest scrutiny, and that the 13th & 14th sections of the "Act to regulate trade and intercourse with the Indian tribes, and to preserve peace on the frontier," be properly enforced.

In a postscript he adds that he could only get an interpreter by imploring permission of Young, for all were being used by the missionaries. "I never saw any people in my life so completely under the influence of one man."[1]

The intercourse act of 1834 to which Dr. Hurt alluded and which has been summarized in Chapter IV, provides, section 13,

"that if any citizen or other person, residing

---

[1] United States Statutes at Large, 33 Cong., 1 Sess., ch. 16; Act of June 30, 1834. Indian Affairs Report, 1857.

within the United States or the territory thereof, shall send any talk, speech, message, or letter to any Indian agent, tribe, chief, or individual, with an intent to produce a countravention or infraction of any treaty or other law of the United States,or to disturb the peace or tranquillity of the United States, he shall forfeit and pay the sum of two thousand dollars ..... or in case any citizen or other person shall alienate or attempt to alienate, the confidence of any Indian or Indians from the government of the United States, he shall forfeit the sum of one thousand dollars."

Section 14 provides for a fine of one thousand dollars for the carrying or delivering of "such talk, messages, speech or letter to or from any Indian agent," and so on.

The act further provides, Section 23,

"that it shall be lawful for the military force of the United States to be employed in such manner and under such regulations as the President may direct, in apprehension of every person who shall or may be found in the Indian country in violation of any of the provisions of this act."[1]

---

[1] United States Statutes at Large, 23 Cong., 1 Sess., Ch. 16; Acts of 33 Cong., 1 Sess; Act of June 30, 1834, 161

Quoting sections 13 and 23 in reference to Agent Hurt's report, Acting Commissioner Charles E. Mix, sent memoranda to the Secretary of the Interior, that it might be necessary

> "as a precautionary step to preserve the harmony of our relations with the Indian tribes, to instruct the superintendents, agents, and sub-agents to scrutinize the conduct of Mormons and all others suspected of having a design to interrupt the peace and tranquillity between the Indians and the government."[1]

Federal Distrust. The unpopularity of Young with the federal government had been shown when, in 1855 at the expiration of Young's term of office, President Pierce had tendered the appointment of superintendent of Indian affairs and governor of Utah to Colonel E.J. Steptoe. However, he, knowing Young was the people's choice, declined the position, and signed the Mormon Memorial to the President requesting the reappointment of Young.[2] Finally after the governorship had been refused by several persons, it was accepted by Alfred Cumming in July 1857,

---

[1] Indian Affairs Report, 1857, pp. 307-8.

[2] Bancroft, Hubert Howe, History of Utah, p. 492.

who was superintendent of Indian affairs on the Upper Missouri.[1]

About the same time Jacob Forney of Pennsylvania was appointed the superintendent of Indian affairs for Utah[2] and so that office was now at last separate from that of governor in accordance with an act for that purpose passed March 3, 1857.[3]

In July 1857 the first division of the "army of Utah", which numbered in all about 2500 men, arrived in Salt Lake City, sent by President Buchanan, ostensibly as a posse comitatus to sustain the authority of the newly appointed governor who was to supersede Brigham Young.[4]

In the report of Secretary of War Floyd for December 3, 1857 was named among the causes for this expedition, in addition to the seditious nature of the Territorial government of Utah, the accusation against the Mormons of encouraging the Indians against immigrants:-

---

[1] Bancroft, Hubert Howe, History of Utah, p. 500.

[2] Ibid., p. 539.

[3] Statutes at Large and Treaties of the United States, vol. XI, p. 185.

[4] Bancroft, Hubert Howe, History of Utah, p. 495.

"Of late years, a well-grounded belief has prevaled that the Mormons were instigating the Indians to hostilities against our citizens .... It has, nevertheless always been the policy and desire of the federal government to avoid collision with this Mormon community... But their settlements lie in the great pathway which leads from our Atlantic States to the new and flourishing communities growing upon the Pacific seaboard. They stand a lion in the path ... encouraging, if not exciting, the nomad savages .. to the pillage and massacre of peaceful and helpless emigrant families traversing the solitude of the wilderness.

"From all the circumstances surrounding this subject at the time, it was thought expedient during the past summer to send a body of troops to Utah with the civil officers recently appointed to that territory. As the intention then was merely to establish these functionaries in the offices to which they had been commissioned, and to erect Utah into a geographically military department, the force then despatched and now enroute to the Territory was thought to be amply sufficient for those purposes. Supplies were abundant there, and the position was favorable for holding the Indians in check throughout the whole circumjacent region of country."[1]

---

[1] Senate Executive Documents, 35 Cong., 1 sess., vol. 2

In another part of his report Secretary Floyd says:

"The temper and spirit of the Indians are entirely unknown to the War Department, except through communications from the Department of the Interior - which, of course, would never be made except when forces are deemed necessary for the public safety.[1]

Superintendent Young's report of 1857, is in part a summary, or a reiteration of the complicated state of Indian affairs in Utah:

"The Indians in Cache Valley have received but little at the expense of the government, although a sore tax upon the people west and along the line of the California and Oregon travel, they continue to make their contributions, and, I am sorry to add, with considerable loss of life to the travellers. This is what I have always sought by all means in my power to avert; but I find it the most difficult of any portion to control. I have for many years succeeded better than this. I learn by report, that many of the lives of the emigrants and considerable quantity of property

---

[1] Senate Executive Document, 23 Cong., 1 Sess., vol. 2, Doc. 11, pp. 12.

have been taken. This is principally owing to a company of some three or four hundred returning Californians who travelled these roads last spring to the eastern states, shooting at every Indian they could see -- a practice . . . . which has been indulged to a great extent by travellers to and from the eastern states and California; hence the Indians regard all white men alike their enemies, and kill and plunder whenever they can do so with impunity, and often the innocent suffer for the deeds of the guilty.

"This has always been one of the greatest difficulties that I have had to contend with in the administration of Indian affairs in this Territory. It is hard to make an Indian believe that the whites are their friends, and the Great Father wishes to do them good, when perhaps, the very next party which crosses their path shoots them down like wolves.

"This trouble with the Indians only exists along the line of travel west, and beyond the influence of our settlements.

"The Shoshones are not hostile to travellers, so far as they inhabit this territory, except perhaps a few called "Snake Diggers," who, inhabit as before stated, along the line of travel west of the

settlements .....

"The report that troops were wending their way to this Territory has .. had its influence upon them. In one or two instances this was the reason assigned why they made the attacks which the did upon some herds of cattle; they seemed to think if it was to be war, they might as well commence, and begin to lay in a supply of food when they had a chance."

As director of Indian affairs in Utah, Young requested three courses of actions: first, that travellers cease their wanton shooting of Indians, second, that the government make a more liberal appropriation for presents; third, that troops must be kept away, because they excited the Indians.

Young concludes:

"In regard to my drafts, it appears that the department is indisposed to pay them, for what reason I am at a loss to conjecture. I am aware that Congress separated the office of Superintendent of Indian Affairs from that of Governor, that the salary of governor remained the same for his gubernatorial duties, and that

the superintendent's was fifteen hundred. I do think that, inasmuch as I perform the duties of both offices, I am entitled to the pay appropriated for it, and trust that you will so consider it...

"The department has often manifested its approval of the management of Indian affairs in this superintendency, and never its disapproval. Why, then, should I be subjected to such annoyance in regard to obtaining the funds for defraying its expenses."[1]

Severe indeed is the letter of Commissioner Denver in reply to this report of Young:-

"As the superintendent of Indian affairs for Utah Territory it was your duty to keep a supervisory control over the different agents, and to see that they did not exceed their authority. It was your duty ... to keep them within the appropriations made for your superintendency....

"Knowing that money could not be taken out of the treasury without an act of Congress, you have alloded the drafts to exceed the appropriations to the amount of $31,380.60, to the close of the fiscal year ending

---

[1] Indian Affairs Report - 1857, pp. 310, 311, 312.

June 30, 1857 .....

"You have studiously endeavored to impress on the minds of the Indians that there was a difference between your own sect, usually known as Mormons and the government, and other citizens of the United States; that the former were their friends and the latter their enemies. ...

"You have been denouncing this government and threatening an armed resistance to the authorities sent out by the President. Indeed, unless you and your coadjutor are most grossly misrepresented and your language misquoted, the appearance of those authorities among you is all that is necessary to prompt you to an overt act of treason."....

"The troops are under the direction of the President and it is fair to presume that he would not send them to help Utah Territory unless there was a necessity for so doing and if it be true that wherever the greatest number of troops are, there are to be found the greatest number of hostile Indians, it arises from the fact that the troops are necessary at such places to preserve the peace and to keep the Indians in subjection....

"Your claim for double salary cannot be allowed, for, even if it did not come in conflict with the general rule which forbids the payment of two salaries at the same time to the same person, yet you could not be entitled to it, for the reason that you became superintendent of Indian affairs by virtue of your appointment as Governor of the Territory; and although these offices have since been separated, yet you had not, at the date of your communication, been relieved from the duties appertaining to them. Your other accounts will be examined into, and, whenever it shall be ascertained that the expenditure was properly made, they will be paid, should Congress make an appropriation for that purpose."

Finally, Young's claim of the department's approval is denied by a quotation from one of his previous communications, dated June 26, 1855 he complained:

"For the last two years I have experienced the greatest difficulty in getting my accounts adjusted at the department, and then they have finally been so adjusted that it has been done by suspending and disallowing a great portion thereof."[1]

---

[1] Indian Affairs Report, 1857, p. 312 et seq.

Inadequate Appropriations of Congress. In answer to these charges and countercharges, the following quotation concerning the financial difficulties in Utah may at this point prove enlightening:-

"Between July 1853 and August 1856, more than eleven million dollars were expended for the recuperation and acquisition of Indian territory.[1] Of this total less than the three hundredth part of one per cent was paid to the Shoshones and to the Utahs.[2] For the five years ending June 30th 1855, the sum paid to the Mormons for losses incurred through Indian depredations, for the expense of suppressing Indian outbreaks and of negotiating treaties, amounting probably to not less than $300,000 was $95,940.65, and small as it was, when drafts were presented at the treasury, excuses were found for not paying them. The cost of the Walker-War, apart from losses incurred was $70,000; this was cut down to $40,000 after

---

1 Bancroft, Hubert Howe, History of Utah, p. 479; Indian Affairs Report, 1856, pp. 6-7.

2 This alludes to the $3000 paid the Shoshones at the treaty of August 7, 1855.

special agents had been sent to investigate and was not paid till ten years afterwards. A memorial of the Utah legislature for an appropriation to cover the expense of Indian expeditions was referred to the House Committee on Military Affairs, in January 1853. It reported in January 1855 that it had not sufficient data to advise on refunding to Utah her expenses in suppressing Indian outbreaks. In March 1857, the United States voted against a motion authorizing the secretary of war to settle the accounts of Utah Territory for moneys drawn in suppressing hostilities in 1853. The occupation of territory under such conditions was of course resented by the original owners of the soil, and it is no matter of surprise that the small detachment of United States troops lost more in number between the years 1853 and 1856 than did the Mormons."[1]

---

[1] Bancroft, Hubert Howe, History of Utah, p. 479.

The Position of the Indians. The three cornered situation of federal-Mormon and Indian relations at this time presents itself clearly in Brigham Young's remark to Captain Van Vleet, U.S.A.:-

"If they (the United States) dare to force the issue, I shall not hold the Indians by the wrist any longer for white men to shoot at them; they shall go ahead and do as they please. If the issue comes, you may tell the government to stop all emigration across the continent, for the Indians will kill all who attempt it."[1]

"If Brigham Young had carried out his threat of letting loose the Indians," says Bancroft, "the United States forces would have been hopelessly outnumbered."[2] Here it is evident that in the Indians eyes , the Mormon's Indian policy still remained better than that of the United States.

The Mountain Meadows Massacre. That most unfortunate and tragic horror, the Mountain Meadows Massacre which

---

[1] Woodruff's Journal Ms. Cited in Bancrofts, Hubert Howe, History of Utah, p. 507.

[2] Bancroft, Hubert Howe, History of Utah, p. 510.

occurred at this period was an instance of the Mormons' influence with the Indians. On September 9, 1857, more than one hundred inoffensive emigrants on their way from Arkansas to California were brutally massacred by Indians and Mormons. Under fanatical religious pretenses, the massacre was directed and carried out by Mormons, notably John D.Lee, who incited the Indians to aid in robbing and killing emigrants.[1] While it is accepted now that the Mormon church had no part in this terrible deed,[2] the fact remains that it is a striking instance of the Mormon influence over the Indians and shows how little the Indians had learned to regard the citizens of the United States. However, it is clear from the fact that the government had done so little for the Indians, that the Mormons were not alone responsible for the Indians' lack of loyalty to the United States.

Conclusion Concerning the Utah War. Yet, for all the Mormon sway over the Indians, the influence of a

---

1 Indian Affairs Report, 1857, p. 369 ff.; Bancroft, Hubert Howe, History of Utah, 543-571; Whitney, Popular History of Utah, p. 128 ff., 304; Dann, J.P.Jr., Massacres of the Mountains, 272-353.

2 Bancroft, Hubert Howe, History of Utah, p. 544.

loyal federal representative with the Indians is shown in their treatment of Dr. Garland Hurt. Dr. Hurt after martial law was proclaimed by Young on September 15, 1857, was the only gentile official left in Utah. Unwilling to apply to the Mormon leader for a passport, Hurt was on the point of leaving his agency on the Spanish Fork to join the federal camp on the Sweetwater, when he was warned by the Indians that a party of Mormons were going to kill him. He was assisted by friendly Indians in making a very thrilling escape as he described it, concluding:-

> "I felt it a duty which I owe to the Utahs to make a fair and candid explanation of these facts; for I doubt if ever an agent of the government in the Indian service witnessed similar attachment for his person, or more loyalty to those laws and regulations which have been instituted for their government, than has been manifested on this occasion."[1]

If the whole federal policy had been as friendly to the Indians as was Dr. Hurt, their devotion would have been not merely for him as an individual but for all

---

[1] House Executive Documents, 35 Cong., 1 Sess., vol. X, Doc. 11, p. 208 (956)

loyal citizens of the Great Father. If, as suggested by the previously cited advice of Commissioner Manypenny, teachers and guides had been sent instead of troops, great things might have been accomplished and respect and trust engendered for federal government.

Congress made the mistake of acting only on the unfavorable reports concerning Mormon activities among the Indians, instead of heeding the crying needs of the Territory, voiced alike by Young and the agents, Mormon and non-Mormon. Studied from the angle of the Indian policy, it becomes clear why the Mormon War of 1857 was called "Buchanan's Blunder." "The Utah War cost several hundred lives, and at least fifteen million dollars . . . . and accomplished nothing save that it exposed the President and his Cabinet to much ridicule."[1]

What a saving and an honor to the United States if, instead, only a fraction of this sum had been added to the work of solving the Indian problem in Utah. If, instead of attacking the Mormons for teaching the Indians to distinguish in their favor between Mormons and the

---

[1] Bancroft, Hubert Howe, History of Utah, p. 538.

United States,Congress and the President had done more to prove the United States really was a friend of the Indians, more might have been accomplished for the Indians, and for peace and harmony all around.

Chapter VIII.

RESERVATIONS

Dr. Hurt's Efforts. A more purposeful and constructive policy toward the Utah Indians than heretofore evidenced, is noticeable in the progress of the farms initiated by Agent Garland Hurt in 1856, as recorded.[1] In the Indian affairs report of that year occurs again the old story of trials and troubles, the misery of the Indians, and the consequent attacks on emigrant trains. After a very severe winter, the Indians presented a sad state of destitution, their poverty and distress causing them to commit depredations on the emigrants. It was under this urgency that Dr. Hurt undertook the establishment of farms. His explanation of this undertaking shows the continued indifference manifested towards the Indians, and his apologetic attitude shows the disadvantage under which he was striving in working for a government reluctant to aid. He wrote in part:

---

[1] See Chapter VI, p.

Salvirio

"I desire to allude .. to the course which has been pursued towards the Indians in the immediate vicinity of the settlements of Utah. Having become fully satisfied of the impracticability of sustaining peaceful relations with these tribes, by a course of policy which, at every step of its progress, was calculated to fill their minds with expectations that could not be realized, and which instead of bettering their condition, tended rather to lull them into supineness, and leave them in the end in a worse condition than they were when we found them, I was admonished of the necessity of adopting some more practical course for their civilization.

"Prior to my report of December 13, 1855, it became evident that our relations with the Utahs were of a most delicate character, and but for the timely intervention of propositions which I made them for designating certain tracts of land as their future permanent homes, and to assist them in opening farms and putting in crops, there is scarcely a doubt that a general state of hostilites would have been commenced before this time, exposing

> the exterior settlements to the most savage havoc, and rendering the prosecution of the United States surveys in the Territory impossible without the aid of an armed force. But, without authority from government for making permanent arrangements of this kind, the adoption of such a course was, to say the least of it, assuming high responsibilities. But the only apology I shall offer is, that the circumstances left me without an alternative."[1]

Dr. Hurt's account of the efficacy of the farms, incidentally reveals his disinterested attitude toward the Indians and shows an understanding of their teachable character:

> "The most encouraging feature in this new policy is the happy influence it has exerted upon the conduct and condition of the Indians... The frowning aspect of discontent portending mischief has passed away, and a smile of joy now lights their dingy features. ... That he is a being susceptible of civilization and when civilized capable of erecting, sustaining, and perpetuating the institutions of

---

[1] Indian Affairs Report, p. 231.

civilized man, is a desideratum upon the solution of which depends the future policy of government toward him."[1]

The Efforts of the Indians. The significant fact about these farms that substantiates Dr.Hunt's hopeful judgment is that the Indians themselves desired them,[2] and where it was impossible for them to receive aid, undertook farming on their own account with such poor tools as they had. This was true of the Piede Indians in Washington and Iron counties in southern Utah. They showed themselves to be peaceable and industrious and glad of instruction in farming from the citizens, who lent or furnished the tools.[3]

In Washington county, then the extreme southwest corner of the Territory, the efforts of the Piede Indians who until 1856 were never visited by an agent, were particularly appealing. Suffering misery and famine due to the destruction of their crops by grasshoppers, they

---

1 Indian Affairs Report, 1856 p. 232.

2 Ibid., p. 225.

3 Ibid., p. 234.

yet persevered with great labor and difficulty in cultivating the land. Chief Que--o-gan constructed an irrigating ditch a half mile long, four feet wide and four feet deep. The ditch was dug through a great bed with wooden spades hewn with a knife from cottonwood trees. The dirt was thrown out by the squaws and children with their hands, while the men dug.[1]

One chief of a destitute and friendly band of Piedes protested that for years white people had been passing through his land to and from California and he had never received anything for the privilege. The only answer he received, besides a few gifts of clothing, farming implements, seed and tobacco from the agent, was a promise that so long as they remained peaceable the government would have a care that their rights should not be trampled upon.[2]

Where allowed a test, the hopeful prophecies of the agents interested in the farms found proof of their wisdom and good judgment, as time went on. Agent Armstrong

---

[1] Indian Affairs Report, 1856, p. 234.

[2] Ibid., 235.

the next year, 1857, was surprised at the results achieved by Chief Ammon in Beaver county, in the southwest part of the Territory. With no assistance from white people or government this chief had cleared twenty acres on which wheat was growing after undergoing irrigation. On receiving farming implements from the agent, Ammon intelligently observed that they were a great inducement for further industry, and an evidence of the friendly feeling of the United States. Returning later to the farm the agent found twelve additional acres cleared and planted.

In describing the industry and aptitude of the Indians, particularly the Piedes, Agent Armstrong wrote:

> "Other instances of a similar kind might be cited, but I believe sufficient has been given to show that by proper management, in a very few years these red children of the mountains might be made very useful members of society."[1]

---

[1] Indian Affairs Report, 1857, p. 309.

The Results of Cooperation. Of the efficacy of Hurt's policy and the sincerity and devotion of his work, Agent Forney, the newly appointed superintendent[1] gave high testimony in a communication to the department, in December 1857:

> "I have examined the report carefully, and have talked with men of unquestionable integrity who have seen the Indian farms, and, so far as I have been able to investigate the matter, justice compels me to bear favorable testimony to the policy of Dr.Hurt, in introducing agriculture among these tribes. Dr. Hurt has undoubtedly given his entire time and energies to improve the condition of the tribes in his neighborhood and has, by his devotion to their interests, endeared himself much to them, and also stimulated other tribes, who have come many miles to visit these farms, and are asking instructions. Dr.Hunt has accomplished all this without any assistance from those around him, but in many instances had to encounter obstacles thrown in his way. "

---

[1] House Executive Documents, 35 Cong., 1st Sess., Vol.X, Doc.71, p. 199 (956). J. Forney, Superintendent, December 1857.

Of the three farms originally started by Dr.Hunt for the Utahs,[1] Superintendent Forney gave specific accounts in his report of 1858.

Upon the Corn Creek farm in Millard County eighty acres of wheat were raised by the Pah-vants.

The San-Pete farm, well watered and well timbered with a sufficiency of good grazing land, contained one hundred and ninety-five acres of land under cultivation, with a prospective crop of twelve hundred bushels of wheat, besides small quantities of corn and potatoes.

The Spanish Fork farm he found to be an object of controversy with the neighboring numerous Mormon population in Spanish Fork City. "Years ago," wrote Forney,

> "at the request of the then superintendent (Brigham Young), Agent Hunt commenced the Indian reservation precisely where indicated - has made improvements from time to time at a cost of from $15,000 to $20,000, and now, for the first time, is required to give an account of his'stewardship' to the inhabitants of Spanish Fork City. I am clearly

---

[1] See Chapter VI, p.

of the opinion that this claim is unfounded, from the letter of Agent Hunt as well as from my own observation. I shall, therefore, proceed to have the reserve enclosed as soon as possible."[1]

The superintendent also planned to improve the method of managing the Indian farms by having entirely Indian labor, in place of white labor which had a bad effect on their self dependence, and he strenuously urged more reservations.

"In my opinion," he declared, reservations should be made without delay."

The reservations so far undertaken were all for Utah Indians. Forney observed that the Shoshones were in extreme need. The territory claimed by them included Salt Lake, and the Bear river, Weber river, and Cache valleys, to the east. Nearly all this land was occupied by white settlers under legislative grants.

---

[1] Indian Affairs Report, 1858, p. 211.

"I can learn of no effort having been made to locate any portion of this tribe ... There is no tribe of Indians in the Territory with whom I have any acquaintance that have been so much discommoded by the introduction of a white population as the Sho-Sho-nes. For the past few years they have been compelled to live in the mountains (as the game has all been driven off the lowlands) where the snow frequently falls to such depths as to be destructive to man and beast. But notwithstanding all the disadvantages under which they labor ... I cannot learn that they have ever molested any of our citizens, but, on the contrary, have always been friendly."[1]

Further testimony to the tractable character of the native occupants of Utah follows in the description of Wash-a-kee, chief of a tribe of twelve hundred Snakes, who roamed the east of the Territory.

"He has perfect command over them, and is one of the finest looking and most intellectual Indians I ever saw. He prides himself that neither he, nor any of

---

[1] Indian Affairs Report, 1858, p. 310.

his tribe, have ever molested a white, although the great overland route from the states to California passes immediately through their country."[1]

A little story sustaining his peaceable reputation and indicative of his noble character is told of Wash-a-kee. During his last years, spent on an Indian reservation in Wyoming, President Grant sent him a handsome saddle. The chief was silent in his appreciation and when questioned, replied:

"Whiteman's gratitude is in his head, and the head can speak; Indian gratitude is in the heart, and the heart has no tongue."[2]

At the time of Superintendent Forney's report, another peace meeting had been effected between the old-time enemies, the Snakes and the Utahs. On May 13, 1858, Wash-a-kee, of the Snakes, and White-eye, Son-a-at, and San-Pitch, of the Utahs with sub-chiefs of the different tribes, and also several Bannack chiefs assembled in council at Camp Scott, and after much talk and smoking, declared peace.

---

[1] Indian Affairs Report, 1853, p. 312.

[2] Whitney, Popular History of Utah, note p. 98.

Superintendent Forney's observations, plans and activities show that at last reservations, the only alleviation of the unfortunate state of Indian affairs in Utah, had become an active policy of the government in that Territory as well as elsewhere. But this policy should have begun earlier. It came too late to serve the Indians adequately, and to make conditions in Utah secure and peaceful. Also the appropriations should have been more liberal.

Deterrents to Progress. Superintendent Forney continued the plea for a liberal appropriation; more Indians wished work than he had supplies for. Though several new farms were opened in different localities by the year 1859, with Shoshones and Utahs both at work, they were not extensive enough to change the old recurrent troubles of distress among the Indians with consequent depredations upon emigrants.[1]

Crop failures, insect pests, and unusually severe winters, added to their crowding out by an ever increasing population, reduced the Indians in Utah to a state of

---

[1] Indian Affairs Report, 1859, pp. 22, 369.

starvation and distress hitherto unequalled in the reports of the agents. It was a common circumstance to find Indians frozen to death. In addition to their utter misery their degeneration was rapidly being effected by whiskey shops established under the pretense of being "trading posts."[1]

Dr. Hurt, whose commission as agent did not expire till August 1858, commented in one of his late reports that

> "it seems to be a common error of those who have undertaken to localize and civilize the wild tribes to labor under the impression that time and patience form no part of the system, and are not necessary to its success."[2]

Dr. Hurt's observation seems to be verified by the fact that it was the presence of the military in Utah rather than the constructive policy of reservations which was relied upon to check outrages; while the animosity of Mormon and United States officials continued as a

---

[1] Indian Affairs Reports, 1859, pp. 376-377; 1860, p. 170; 1861, p. 21.

[2] Ibid., 1859, p. 381.

hindrance to an effective solution of the Indian problem.[1]

The urgency of immediate action in treating with the Indians was again emphasized to Congress by Agent Humphries, successor to Dr.Hurt, in the following words:

> "The lands adapted for cultivation in the Territory are limited, and are those best qualified for the gratuitous support of its original inhabitants, being the only spots upon which they can subsist during the accumulated snows of winter, in the mountains. These localities, if permitted, will all soon be taken up by the white settlers; and what is to be the future destiny of these destitute creatures, is for the wisdom of Congress to determine."

And despite the continued detailed information and practical suggestions which came from those in close touch with the Indians, Congress remained inactive, while the Indians destitute of shelter and dying of want, lost confidence in the government and people of the United States.[2]

---

[1] Indian Affairs Report, 1859, p. 22.

[2] Ibid., 1861, p. 1297.

Inadequacy of Appropriations. The amount disbursed in Utah for Indian purposes from 1853 to July 1858 was, according to the Commissioner's report of the latter year, $172,000.[1]

This sum, averaging less than thirty-five thousand dollars a year for a period of five years, is at once shown to be inadequate in face of Superintendent Davies' careful estimate of $100,000 for the needs of the Utah Indians in the year 1861.[2] Moreover the complaint had long ago been voiced that Utah received less than other agencies where labor and expenses were no more arduous or costly than in Utah.[3]

Not until 1860 did Congress apparently recognize the insufficiency of its appropriations, when it voted $53,007.35

> "to supply deficiencies in the appropriations for payment of the late Indian agents in Utah (Hurt, Armstrong, Rose and Bedell) upon settlement of their accounts."

---

[1] Indian Affairs Report, 1858, p. 9.

[2] Ibid., 1861, p. 133.

[3] House Executive Documents, 35 Cong., 1 Sess., Vol.X, Doc.2, p.154 (956).

In the same year $45,000 was also appropriated for general expenses; and $1,200 for surveying and mapping four farms and reservations. These sums made the largest total for any one year up to that date, and until 1864, when again a deficit of $15,000 was voted, in addition to other items, as recorded in the Statutes at Large of the United States for these years.[1]

Unfortunately, financial affairs were made worse by the mismanagement of Superintendent Forney who allowed debts to accrue to the extent of injuring the credit of the department. Superintendent Forney was removed and from September 1859 to November 1860 Utah was without a superintendency because of the delay of his successor in reaching his post. In sheer desperation Agent Humphries went personally to Washington to plead for the Indians in 1860. There he got five thousand dollars, which paid the debts and brought some relief in the form of food and clothes to the Indians.[2]

---

[1] Statutes at Large of the United States, Vol.X, p. 330; Vol.XI, pp. 79, 183, 698, 400; Vol. XII, pp. 19, 58, 237, 629, 791, 792, 793; Vol. XIII, p. 558.

[2] Indian Affairs Report, 1861, p. 140 et seq.

Mormon Appeals. In 1861 and again in 1862, the Utah legislature sent memorials to Congress requesting action. In the memorial of 1861, dated January 18, the Mormons reminded Congress that:

> "Indians in this Territory have never received any compensation from the United States for the soil occupied by the citizens; in consequence thereof the settlements are subjected to constant annoyances from the natives, who regard the settlers as intruders upon their lands ...."

And they also expressed their opinion concerning the farms:

> "The location of Indian reserves and opening farms thereon, within the settlements, so far as benefiting the Indians is concerned, has proved an entire failure." The reserves are "intolerable nuisances" - badly managed, so that Indians still plunder.
>
> "The location of the Indians in the upper valleys of the Sevier River would remove them from

> the vicinity of the settlements, and to award them a just compensation for their lands occupied by the whites would afford an annuity sufficient to supply their wants."[1]

The memorial of 1862 dated January 6 requested an act authorizing treaties with Indians and the extinguishment of the Indian title to agricultural lands and for Indians.[2] This was substantially a repetition of a memorial addressed to Congress, ten years before, in March 1853.

As to the Mormon accusation that the farms were failures, that opinion was indeed not unjust, for though Congress had, as it were, been jolted into making appropreations they were so inadequate that the San Pete farm was abandoned as worthless in 1860;[3] and the Commissioner of Indian Affairs declared in his report of 1862:

---

[1] Acts, Resolutions and Memorials, Utah Legislature, Tenth Session, 1861, p.41.

[2] Ibid., Eleventh Session, 1862, p. 55.

[3] Indian Affairs Report, 1861, p. 140.

> "Indian service in Utah cannot be otherwise than discreditable to the government, unless Congress shall by liberal appropriations enable our agents to conduct operations upon a scale in some measure corresponding with the absolute necessities of the Indians under their charge."[1]

And even as late as 1864 came the time-worn appeal:

> "The farmer, with the plough, hoe and axe will, if used at the first, be more efficient in keeping peace on our frontier than the soldier with cannon, musket, and bayonet.."[2]

The Indians themselves, moreover, desired treaties. In consultation with both Shoshone and Utah chiefs the Superintendent (Wood) found them fully intelligent of the nature and effect of a treaty, and moreover, they expressed their willingness to cede to the United States all the lands they claimed in the Territory, with the exception of reservations necessary for their homes, and, in addition, small annuities.[3]

---

1 Indian Affairs Report, 1862, p.33.

2 Ibid., 1864

3 Ibid., 1861, p. 136.

Congress in 1862 made an appropriation for the purpose of negotiating treaties with the Indians of Utah. A commission was appointed to effect the neogtiation, consisting of Superintendent Doty, Agent Mann, and Henry Martin.[1]

Superintendent Doty, with General Connor, commanding officer of the Utah military department, made oral treaties with various Utah bands, being without instructions from the department. Consequently their work was of only a very temporary character, to secure peace for the moment.[2]

Warfare Again. Meanwhile, the opportunity to make good with the reservations had been so long neglected that from 1857 to 1862 outbreaks were of frequent occurrence and were only successfully resisted by volunteers. In 1863, Connor put down, with terrific slaughter, the Shoshones and Bannacks in Northern Utah, where for fifteen years the northern tribes had infested the overland mail route. In the same year Colonel G. S. Evans defeated the Utahs in an outbreak near the Spanish Fork.[3]

---

[1] Indian Affairs Report, 1862, p. 32.

[2] Ibid., 1863, p. 393.

[3] Bancroft, Huber Howe, History of Utah, p. 630.

Treaties. In October 1863, the commission succeeded in concluding treaties with the Shoshones and Bannacks, whereby travel on the principal route to Nevada and California was rendered secure. The stipulations were faithfully observed and the Indians received in return an annuity of foods of the value of $21,000 for a term of twenty years.[1] The governor of Utah, in his message to the legislature, December 12, 1864, said:

> "These were the first treaties ever made by the United States with the bands of Shoshones, and it is somewhat remarkable that they have adhered to their stipulations with a fidelity equal to that of a most civilized nation."[2]

The Uintah Reservation. In January 1864, a memorial was received from the legislature of Utah asking that the smaller reservations might be surveyed and opened to the whites for settlement. By acts of Congress, May 5, 1864, provision was made for their

---

[1] Indians Affairs Report, 1864, p.16; Bancroft, History of Utah, p. 634.

[2] Utah: Journal of the Legislature, 1865, pp.11-13, cited in Bancroft, History of Utah, p.634, note.

survey, for the extinguishment of the Indian title to the lands and their opening to settlement, and for the permanent reservation of the Uintah Valley as a home for the Indians of Utah. An appropriation of $30,000 was also made for the purpose of preparing homes on the reserve for those Indians who should be removed to it, and for aiding them in becoming self-supporting by means of agriculture.[1]

The Uintah Valley had been by order of President Lincoln set apart for the exclusive occupation of the Indians as early as October 1861, but because of the imperfect geographical knowledge of the country, the exact limits could not be defined.[2] The next important step before the government was pointed out to be the survey of this area; any white settlers on the tract must move.

In June 1865, Superintendent Irish accomplished a great work in convening the leading men of the various tribes of Utah, and making a treaty with them by which they consented to remove within one year to Uintah Valley

---

[1] Indian Affairs Report, 1865, pp.150, 151; United States Statutes at Large, Treaties and Proclamations, Vol.XIII, p.63.

[2] Kappler, Charles J., Indian Affairs, Laws and Treaties, Vol.I, p. 900.

and cede their right of occupancy of all other lands in the Territory, receiving as compensation $35,000 annually for the first ten years ,$30,000, for the next twenty, and $15,000 for the thirty years thereafter.[1]

The treaty ceded nearly the whole of Utah territory, excepting only the Uintah Valley, and a strip along the south end of the Territory, belonging to the very poor Pi-edes, who later were persuaded to cede it.

The appropriations were to be made on the supposition that the Indian tribes would muster 5,000 souls, and were to be increased or diminished in proportion to their numbers. Annuities were also to be granted to the chiefs, dwellings erected for them, and lands ploughed, enclosed, and supplied with live stock and farming implements. A school was to be maintained for ten years, during the nine months in the year, grist and lumber mills and mechanics' shops were to be built and equipped at the expense of the government, and $7,000 voted annually for ten years in aid of various industries. The Indians were to be protected on their

---

[1] United States Statutes at Large, Vol.XIII, p. 433.

reservation, must not make war except in self defence; and must not steal or if they did, the stolen property must be returned, or its value deducted from their annuities. Under these stipulations, though the treaty was not formally ratified many of the Utahs were gathered and dwelt in peace on the reservations.[1]

---

[1] Indian Affairs Report, 1865, pp.19, 151, et seq.; Bancroft, Hubert Howe, History of Utah, p. 635.

***

CONCLUSION

***

The study of the reports of Indian affaird in Utah from 1848 to 1865 does not lead to happy conclusions concerning the federal Indian policy in that territory. Summing up affairs, what were the conditions, favorable and unfavorable in Utah? Taking the Indians themselves first, we find that they were nearly all unusually tractable, even docile, attacking the whites only under stress of famine. Their country was a favorable locality in which to deal with them, geographically considered, for it afforded opportunities for agricultural development sufficiently remore from white civilization to admit of a definite policy of action in their behalf.

Why was it then, that five years elapsed from the time of the establishment of the Utah Superintendency before even temporary farms were started for the Indians? Why was it that, even then, the agents had to urge Congress again and again for adequate means to carry on work which, though in line with federal policy elsewhere, was really in Utah independently initiated by the federal agents? Why, before the Uintah Reservation was finally provided for

in 1864, were the Indians, in the meantime, permitted to starve and die and lose their lands by the encroachment of white settlers? Why did the government wait seventeen years before making treaties with the Indians to extinguish their title to the land in Utah. And, why, meanwhile were mutual depredations of whites and Indians allowed to go on?

No previous foreign civilization existed to a degree to cause embarrassment in dealing with the Indians, as in the Spanish country further to the south and west. Here for the most part were capable and conscientious federal officials, notably Dr. Garland Hurt; the reports of the agents kept the government informed of what was taking place in the territory. These facts, would seem to indicate that the United States had in truth an unusual opportunity to make effective the best provisions of the already existing Indian policy at large, relative to treaties, as well as to overcome such specific difficulties as might appear.

Though there were many conditions favorable to successful Indian policy in Utah there was one especially unfavorable phase of the situation and that phase outweighed all advantages. Utah was, of course, frontier,

and the usual frontier difficulties of the west, the severe winters, the bad roads, delayed mails and other similar trials, could no doubt have been easily met had there not been over and above all, the political and religious hostility between the Mormon and the United States governments.

In exoneration of this country's "century of dishonor," it has been pointed out that the ever changing fromtier made the Indian problem too big and confused for the United States to solve; that she did not neglect; she simply did not understand.[1]

It cannot be said, surely in the case of Utah that she did not neglect; and whether failure to understand can be considered an explanation or not is a question. It is evident that in Utah the mutual hostility of Mormons and the United States was the cause of the neglect and delay of the federal government to solve the Indian problem there. The Mormons indeed made themselves a decided hindrance in treating with the Indians. On the

---

[1] Ellison, Wm. H., Federal Indian Policy in California, MS. in University of California. Introduction.

other hand, the United States was not sufficiently interested in a group of settlers regarded as un-American and unpatriotic, to make appropriations and plans adequate for the establishment of those people in a new Indian country - a country which "had been abandoned to the Mormons for its worthlessness."[1] Consequently the Indians suffered. That this one unfavorable circumstance should have outweighed the better conditions in Utah is indeed not a happy conclusion concerning the management by Congress of the Utah Indian policy. Still more unfortunately it seems to agree with our failure in general to make the federal Indian policy a success in a humane and systematic manner. For, showing a general indifference to Indian affairs the United States from 1837 till the Civil War made no codification of Indian treaties, and allowed the law of tribal relations to remain scattered through a thousand volumes of government documents.[2]

And speaking of the federal Indian policy in general, Commissioner Dole in the Indian Affairs Report of 1864,

---

[1] Bancroft, Hubert Howe, History of Utah, p. 453.

[2] Paxson, F.L., The Last American Frontier, p. 299.

wrote:

> "In spite of the usufruct right of Indians supposedly guaranteed them in our administration our relations have been dictated by circumstances rather than by a well-settled policy."

Thus it appears that aside from the complication of affairs due to the presence of the Mormons. Utah presented little concerning the Indians that was new and difficult of solution, and the failure of the government to maintain peace and order there after assuming responsibility in 1848 is proportionately disappointing and distressing.

---

[1] Indian Affairs Report, 1864, p.3.

BIBLIOGRAPHY

***

Primary Sources

United States

Senate Executive Documents

31 Congress, 1 Session, Volume II, Serial 550.

31 Congress, 1 Session, Volume IX, Serial 557.

33 Congress, 1 Session, Volume I, Serial 690.

House Executive Documents

30 Congress, 2 Session, Volume I, Serial 537.

31 Congress, 1 Session, Volume III, Serial 569.

32 Congress, 1 Session, Volume II, Part III, Serial 636

32 Congress, 2 Session, Volume I, Part III, Serial 673

35 Congress, 1 Session, Volume X, Serial 956.

Senate Journal

31 Congress, 1 Session, Serial 548.

Report of the Commissioner of Indian Affairs Accompanying the Annual Report of the Secretary of the Interior for the years 1854, 1855, 1856, 1857, 1858, 1859, 1861, 1862, 1863, 1864, 1865.

United States

The Public Statutes at Large of the United States, 1789-1845. Edited by Richard Peters, Esq. Published by Chas. C. Little and James Brown. Boston, 1846. Volumes I to VIII inclusive.

The Statutes at Large and Treaties of the United States, 1845-1855. Edited by George Minot, Esq. Published by Chas. C. Little and James Brown. Boston, 1855. Volumes IX, X.

The Statutes at Large and Treaties of the United States, 1855-1859. Edited by Minot and Sanger. Published by Little, Brown and Company. Boston, 1859. Volume XI.

The Statutes at Large, Treaties, and Proclamations of the United States, 1859-1863. Edited by George P. Sanger. Published by Little, Brown and Company, 1863. Volume XII.

The Statutes at Large, Treaties and Proclamations of the United States, 1863-1865. Edited by George P. Sanger. Published by Little, Brown and Company. Boston, 1866. Volume XIII.

Utah Territory

Acts, Resolutions, and Memorials. Joseph Cain, Public Printer. Great Salt Lake, 1855.

Journal of the House of Representatives. Brigham H. Young, Printer. Great Salt Lake City, 1852.

Narrative of the Expedition of Castaneda ... in Spanish Explorations in the Southern United States, 1513-1543. Edited by F.W.Hodge. Scribner's, New York, 1907.

Littell's Living Age, "The Mormons in Utah." Volume X, Second Series. Little, Brown and Company, 1855.

Burton, Richard F.

The City of the Saints. Longmans, Green and Company. London, 1861.

Fremont, John C.

Memories of My Life. Belford, Clarke and Company, Chicago and New York, 1887.

Fremont, John C.

Report of the Exploring Expedition to the Rocky Mountains, 1842. Blair and Rives, Printers. Washington, 1845.

Kappler, Charles J.

Indian Affairs, Laws and Treaties. Washington, 1904. Two Volumes.

Remy and Brenchley

A Journey to Great Salt Lake. W. Jeffs. London, 1861. Three volumes.

Stansbury, Howard

Exploration and Survey of the Valley of the Great Salt Lake of Utah. Pippincott, Grambo and Company. Philadelphia, 1852.

Secondary Sources

Bancroft, Hubert Howe

History of Utah. The History Company, San Francisco, 1889.

Native Races. The History Company, San Francisco, 1886.

Chapman, Charles E.

The Founding of Spanish California. Macmillan, New York, 1915.

Chittenden, H. M.

The American Fur Trade of the Far West. Francis P.Harper, New York, 1886.

Dann, J. P. Jr.

Massacres of the Mountains. Harper Brothers, New York, 1886.

Ellison, Wm. H.

Federal Indian Policy in California. MS. University of California. 1919.

Hodge, Francis Webb

Handbook of American Indians North of Mexico. Government Printing Office, Washington, 1907. Two Parts.

McElroy, R. Mc N.

The Winning of the Far West. G.P.Putnam's Sons. New York and London, 1914.

Paxson, Frederick W.

The Last American Frontier. Macmillan, New York, 1911.

Whitney, Orson F.

History of Utah. Cannon & Son, Salt Lake City, 1892. Four volumes.

Popular History of Utah. The Deseret News, Salt Lake City, 1916.