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INDIAN RIGHTS
ASSOCIATION

REMOVAL OF
SOUTHERN UTES

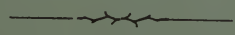
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Indian Rights Association

A FURTHER REPORT
TO THE
INDIAN RIGHTS ASSOCIATION
ON THE
**Proposed Removal of the
Southern Utes.**



FRANCIS FISHER KANE,
FRANK M. RITER,
Committee.

JANUARY 20TH, 1892.

Persons desiring to become members of the Association should present their names and addresses to the Corresponding Secretary, who will submit them to the Executive Committee for election. An annual fee of two dollars is required of members, in return for which they are entitled to all publications of the society.

HERBERT WELSH,
Corresponding Secretary I. R. A.,
1305 ARCH STREET, PHILADELPHIA.

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MAP
 OF
 PROPOSED RESERVATION,
 SHOWING ROUTE TAKEN BY COMMITTEE.

DRAWN BY
 HENRY J. TAYLOR, PHILADELPHIA.



The Removal of the Southern Utes.

A new attempt is to be made to remove the Southern Utes from Colorado, and to this end Senator Wolcott has introduced Bill No. 362. It is now in the hands of the Senate Committee on Indian Affairs. The undersigned, as a committee of the Indian Rights Association, last August visited the present reservation of these Indians and also the district to which it is proposed to remove them, and would now respectfully report as follows:—

The Southern Utes, who are really composed of three small bands, the Weeminuches, Moaches, and Capotes, at present occupy a long, narrow rectangle in the southwestern part of Colorado, extending fifteen miles north and south and one hundred and ten miles east and west, having the New Mexico line for its southern boundary and the Utah line for its western.

THEIR PRESENT CONDITION.

The Southern Utes are by no means civilized. Most of them still cling to the blanket, though all wear some article or other of the white man's dress. Few of them speak English with any fluency. They have little education and less religion. With the exception of two or three Indians who have been educated at Roman Catholic mission schools, the members of the three tribes know absolutely nothing of Christianity. The whites at the agency say that there is little drinking among them, the Doctor himself having seen but two or three drunken Indians in as many years, yet most of them have a contempt for work—a contempt difficult to overcome—and while too proud to steal,

are inordinately fond of gambling. It may be said, however, that they are fairly honest and moral when their total lack of education and religion is considered. They are gradually abandoning their superstitions, and many of them in time of sickness now place an absolute reliance on the agency physician, who has won their confidence to a remarkable extent.

The only school that has ever existed on the reservation, notwithstanding the express promises of the Government in the agreements of 1868 and 1880, has been one in which not more than thirteen children were at any time successfully educated. Finally, the walls of the dormitories became so rotten that, in order to avert the roof falling in and a catastrophe ensuing, which would have exerted a most disastrous effect on the Indian mind, the Agent, with the approval of the Honorable Commissioner, dismissed the pupils and had the building torn down.

FEW TROUBLES WITH THEIR NEIGHBORS.

What troubles we heard of as having occurred between themselves and their white neighbors along the borders of their reservation could be counted off on one's fingers, and were, in fact, so few that they need hardly be considered. What troubles do arise, occur almost always when the Indians are far away from their reservation. The Colorado newspapers give the impression that a guerrilla warfare is kept up along the northern and southern boundaries of the reserve. This is not so. The Indians have for years allowed the neighboring cattlemen to "round up" northward and southward across the reservation, till in places the grass had been eaten bare. County roads have been built, and the Denver and Rio Grande made its surveys and laid its miles of track across the reservation without any arrangement being first made with the Indians, and yet without any serious trouble with them in consequence of this neglect. The H. D. Cattle Company has had a ranch in the valley of the Pinos, just north of the reservation, and was in September about to remove its stock out of the country. Its manager said that the step was taken by his company not because of any trouble with the Indians, but because the climate had been found too severe for cattle in the winter time.

HARDLY ANY CATTLE OWNED BY THEM.

The Indians have practically no cattle. The Government employés seemed to know of only one Indian who owned any. This was a Weeminuche named Washington, who had, perhaps, three or four hundred head, but who remained most of the time in Utah, never coming to the agency. We have reason to believe that we subsequently met this mythical cattleman, and found that his white friends in Utah knew nothing of his cattle, and entirely disbelieved the piece of statistics that had been given us.

SHEEP AND GOATS.

In 1886 the Commissioner of Indian Affairs put the sheep and goats belonging to the Southern Utes at about four thousand, but they should probably at present be placed at a lower figure.

HORSES—HUNTING IN THE MOUNTAINS.

The Indians have plenty of ponies, but keep them almost entirely for sport and pleasure, never selling the good ones, and only parting with the poor ones when sadly in need of money. Their ponies are, consequently, a curse to them rather than a blessing, enabling them to continue their wild, wandering life, which must sooner or later be abandoned, and while it lasts is productive only of moral degradation and trouble with the whites. As the game has gradually diminished, their hunting has become less and less. We saw no skins, deer horns, or similar trophies at the agency, and we are led to believe that they actually do almost as much berrying as hunting when away on their excursions in the mountains.

FARMING.

In agriculture they have done very little. Among the two hundred and seventy-three braves only some thirty-two have taken to farming, the total number of acres under cultivation being something less than six hundred. Fully half of the thirty-two farms are rented on shares to Mexicans, and on the remaining half there are only about eight Indians who do their own work. In farming, however, they have had but little en-

MEADOW LAND—TIMBER—COAL.

On Cat Creek, about forty miles from the agency, we were told, was to be found the richest of natural vega or meadow land, and in coming from Juanita on the railroad we had been impressed with the magnificent pine timber that covers a large portion of the eastern quarter of the reservation. There is coal also in this part of the reserve, which, like the timber, has already excited the cupidity of the whites. Pennsylvania experts, we were informed, have examined the coal-beds and found them very rich.

INCOMPLETE AS A CATTLE COUNTRY.

As a cattle country the present reservation is probably not absolutely complete in itself, a winter range being needed. It is apparent from the maps that the valleys of the reservation run north and south, and that the water-courses are separated from each other not only by stretches of flat, mesa country, but by fairly formidable bluffs and ridges. We were informed that the western end of the reservation, that is the country beyond the Mancos River, would afford a good and sufficiently extensive winter range for the ponies that the Indians possess, were it not for the difficulties which exist in driving them eastward and westward, and also for the fact that the country continues to fall off in point of altitude after the Utah line is reached, which makes it difficult to keep stock from passing across the line. The rest of the reservation is probably too high, and therefore too cold, to afford good winter ranges. It must therefore be admitted that for the purpose of cattle-raising the present reservation is not satisfactory, and there would therefore be some reason for removing the Indians, supposing it to be desirable that they should go into the cattle business.

CLIMATE NOT TOO SEVERE FOR SHEEP AND GOATS.

On the other hand, the present reservation is apparently all that could be desired for sheep and goats, the climate not being too severe for them.

THE RESERVATION NO BARRIER TO THE WHITES.

As has already been suggested, the reservation has formed no barrier between the whites on either side of it. This has been a necessity in the past owing to the peculiar shape of the reserve, and the intercourse which has resulted with the whites has not been without its advantages. Isolation is not the cure for the troubles that these Indians suffer from. Their cousins, the Uncompahgres, have been "isolated" in Utah since 1880, very much as it is now proposed to isolate the Southern Utes, and are to-day no better off and no further advanced in civilization than the latter.

THE PEOPLE AROUND THEM.

The people along the northern boundary of the present reservation are mainly ranchmen and cattle owners, and if it be thought that the intercourse with the Mexicans on the reserve and to the south of it has been hurtful to the Indians, it should be remembered that this intercourse will certainly be kept up on the proposed reservation. The influence of the Mexican has been very far from an unmixed evil. What little instruction and help the Southern Utes have had in farming, other than the mere supply of seed and implements and the construction of a few irrigating ditches, has come to them from the wretched Mexican, who in that part of the country is always a tiller of the ground, and who often lives with the Indian in his wicky-up, and associates with him in a way that is totally foreign to our Anglo-Saxon instincts.

THE PROPOSED RESERVATION.

The district to which it has been proposed to remove the Southern Utes is about three times as large as their present reservation. It includes a territory bounded on the east by the line between Utah and Colorado, on the north by a line running due west to the Colorado River, on the west by the Colorado, and on the south by the San Juan. The "treaty"—(if such it can be called, Congress having decided in 1872 that no more treaties should be made with Indians)—the "treaty" to which the commissioners in 1888 obtained the consent of three-fourths

of these Utes, and which the last Congress refused to ratify—gives the Indians the right to hunt in the La Salle Mountains, which are some fifteen or twenty miles beyond the northern line of the proposed reservation.

A "NO-MAN'S LAND"—SCARCELY ANY SETTLEMENT—EXTREME SCARCITY OF WATER.

The greater part of the district has been, and will always be, unless it is turned into a reservation, a "no man's land," owing to the extreme scarcity of running water. But for the cattle ranges which it contains, and perhaps the gold which has been found along its western boundary, it is difficult to see why any white man should have rested within its limits. It contains, in fact, only three settlements that are in any sense worthy of the name. The largest of these is Bluff City, containing twenty-five Mormon families and about one hundred and forty people. The next in point of size is Monticello, which contains as many as twelve or fifteen families, and the third is South Montezuma, six miles from Monticello, which consists of a little saw-mill and perhaps four ranches. These are all Mormon outposts,—attempts more or less unsuccessful to bring southwestern Utah under the dominion of the Saints, and it is probable that even to-day, when much of the arid land in Utah is being subdued by gentile enterprise, not one of these places would exist were it not for the peculiar discipline and perseverance of the Mormon Church.

DRY VALLEY—CARLISLE'S.

We started in on horseback from the La Salle Mountains. The day that we crossed the north line of the proposed reservation we rode some fifteen or twenty miles through what is known as Dry Valley. The name is well deserved, inasmuch as after the month of June there is never any water to be found in it except in tanks, that is, in holes in the rocks, in which the rain collects. We spent our first night on the proposed reservation at Carlisle's ranch. Carlisle is an Englishman who established himself on the Blue Mountains some years ago. He has sold a part of his stock, and entertains a hope that the

Government will buy his improvements and turn his home-ranch into the new agency.

The upper slopes of the Blue Mountains are fairly well timbered and contain, we are told, numerous springs; yet after the month of July there is nothing worthy of the name of stream that finds its way as far as the zone of scrub oak, which in this part of the country marks an altitude of between seven and eight thousand feet. Owing to the intense evaporation and to the character of the soil, what water after July finds its way below the scrub oak entirely disappears after it has gone a distance of two or three miles. It may truthfully be said of this country that where there is sufficient water the altitude is too great for farming, and that where the altitude is not too great there is no water. Carlisle has indeed water enough to cultivate some one hundred and seventy-five acres, but this is his utmost limit, although he has nineteen hundred and twenty acres under fence.

MONTICELLO.

The Mormons at Monticello, some six miles south of Carlisle's ranch, have not more than enough water to cultivate one hundred and seventy-five acres at the utmost. Last summer they had not even water enough for their second irrigation. We rode over both places and saw the head of a small brook called the north fork of North Montezuma Creek, at the place where it is tapped by Carlisle and the water diverted in the direction of his ranch. The entire flow of water is thus withdrawn. We also saw the main trench built by the Monticello people and the south fork of the creek, just below the point where this latter trench is taken out. The arroyo was absolutely dry, proving that the Monticello people, as well as Carlisle, use up their entire supply of water. Monticello is a poor, shabby little settlement, and would certainly not have lasted so long were it not that most of its inhabitants range cattle in the vicinity, and find it cheaper to raise fodder for man and beast at home than to buy it many miles away and bring it over the country under conditions that as yet make transportation both difficult and expensive. This summer, notwithstanding an unusual rainfall, their farms only produced about half what they should have done. Farming

is necessarily on a small scale, and at a great disadvantage, where only one hundred and seventy-five acres at the utmost can be irrigated, and the nearest market, were it not for the cattle interests on the spot, would be more than sixty miles away.

STORING WATER IMPRACTICABLE.

It has been alleged that a much larger acreage at Carlisle's and Monticello might be brought under cultivation if reservoirs were built upon the slopes of the Blue Mountains, in which the water could be stored until the time of the second and third irrigations. This, however, would be very difficult and expensive, as the slopes are exceedingly steep, and would not lend themselves easily to the construction of artificial basins. It would, in fact, cost so much money to construct the necessary reservoirs that the possibility of thus increasing the irrigable acreage is entirely too remote to be considered in discussing the merits of the country as a reservation for the Indians.

PIUTE SPRING—SCARCITY OF WATER.

While at Carlisle's ranch we made a day's excursion to Piute Spring. On account of the extreme rareness of drinking holes this spring has acquired considerable celebrity, not only among the cattlemen of the vicinity, but also among those who have interested themselves in the question of removal. The commissioners in 1888 visited the spot and were apparently charmed with it. It is fifteen miles east of Carlisle and about ten miles from the Colorado line. During most of the summer months it puts forth enough water to fill two ordinary stable troughs. As we saw it, a feeble little stream, not more than an inch in diameter, was issuing from the second trough, and seemed to disappear entirely about two hundred yards from the place. Two of Carlisle's men, who were familiar with the country, told us that in a circle drawn with a radius of fifteen miles around this spring there might be as many as eight or ten other smaller springs. In the large area thus described there is after the month of July no running water other than that already mentioned.

SOUTH MONTEZUMA.

South Montezuma consists of a small saw-mill and a store, a ranch owned by the L. C. Cattle Company, on which there are a few acres of alfalfa, and two or three other little ranches—in all not more than forty acres under cultivation. There is not water enough for any more land to be brought under irrigation at this point, and at the time we were there we found that the ranches already fenced were suffering from want of water.

ONLY THREE RANCHES BETWEEN SOUTH MONTEZUMA AND BLUFF CITY.

Beyond South Montezuma there are but three points at which anything like a ranch exists outside of the Mormon settlement of Bluff City. These are: first, what is known as the Dodge ranch, which lies to one side of the road to Bluff City and only a few miles from South Montezuma, and on which there is some meadow land, affording natural hay and enabling the men who have squatted down upon it to maintain a dairy. They raise, however, no crops.

The second point is the ranch of the L. C. Cattle Company, at the junction of Johnston and Recapture Creeks. Here some ten or fifteen acres are at present irrigated. The number might be increased to twenty-five, but not further.

The third point at which there is anything like a ranch between South Montezuma and the San Juan is a small farm at the head of Comb Wash, on which, we were told, there are about six acres under cultivation, and at which as much as ten or fifteen acres might be irrigated.

SOUTH MONTEZUMA TO BLUFF CITY.

In the long stretch of thirty-five miles between South Montezuma and Bluff City we found drinkable water only in two places, both near the end of our day's journey. One was in the cañon of Recapture Creek, where we discovered some warm water, scarcely flowing, rather creeping sluggishly from pool to pool, and the other place was within a mile or two of Bluff City, in what rejoices in the name of Cow Cañon.

BLUFF CITY—GREAT DIFFICULTY IN IRRIGATING FROM THE SAN JUAN.

Bluff City is a little settlement of which the Mormons have every reason to be proud. In the face of almost insuperable obstacles a number of families were sent out in 1880 to settle the bottom land of the San Juan. Of the seventy-five or eighty families that originally came into the country but twenty-five are at present to be found there, and these are all at Bluff City. The life of the settlers has been a continual battle with the river. The latter affording the only available supply for irrigation, they were obliged to face the difficulties arising from its unstable and treacherous banks and its sudden and disastrous floods. They at first used pumps to raise the water from the river, but these were one after another destroyed and washed away, so that not one of them remains. The Bluff City people at present tap the river by means of an ordinary trench. Their first ditch was begun in 1880. It was subsequently found too low, and the present one was commenced in 1883. The task proved one of exceeding difficulty, and if we place the labor involved at a fair rate of wages, we shall be fully justified in estimating its cost at \$60,000. It is only some five and a half miles long, and yet as much as six or seven hundred dollars have to be spent annually to keep it in repair.

Bluff City irrigation presents a difficult problem. Either the trench is so low that at high water its mouth is washed away and obliterated by the river, or else the trench is so high that toward the end of the summer no water can possibly find its way into it. There seems to be no happy medium. It is almost incomprehensible how the Mormons of Bluff City have persevered in their purpose of settlement in the face of the appalling obstacles that have existed. For the first three or four years the men had to seek employment in the summer on the railroads in Colorado in order to make enough money to buy the necessary provisions to carry them through their winter's work.

THE UNGOVERNABLE RIVER—THE ACREAGE UNDER CULTIVATION ON THE BLUFF CITY BOTTOM.

The road extending up the valley of the San Juan eastward from Bluff City would do credit to a much richer settlement.

Owing to the fierceness of the floods and the precipitous character of the bluffs which line the bottom, land in places had actually to be manufactured for the road; and for miles the river bank had to be rip-rapped, that is, protected and held in place, by branches of cottonwood trees and portions of debris, so as to prevent and check the undermining to which it is subjected. The trench at its upper end, where it is taken out of the San Juan, is shielded by a wooden muzzle, consisting of pieces of timber driven into the bank in order to save the trench from the wash. As it is, notwithstanding that there are at least seven hundred acres of irrigable land around Bluff City, and notwithstanding the fact that the climate is all that can be desired, there are at present no more than two hundred acres under cultivation.

OTHER BOTTOMS OF THE SAN JUAN—MONEY WASTED—
DESTRUCTION OF PROPERTY.

The history of the other bottoms of the San Juan has been a history of complete and expensive failures. Eastward from Bluff City the first bottom was originally surveyed into fourteen lots of an acre each, and improved until 1884, when a great flood swept everything away. Mr. William Adams, a retired Bishop of the Mormon Church, whom we met at Bluff City, was the principal loser on this bottom. Thirty acres which he had taken up and had been farming were utterly ruined. His improvements, crops, vineyard, fencing, and a large and expensive current wheel were all washed away into the river. Three thousand dollars would not cover the loss that he sustained. Beyond Montezuma Wash, some distance further to the east, many acres of farming land, four current wheels, twenty houses and corrals were all destroyed by the same flood. The house of a Mr. Allen was washed into the river, together with his out-houses, corrals, and stables, and it was by the skin of their teeth that the members of his family were saved from being drowned. In going to Guillet's trading post, at the mouth of the McElmo Wash, we saw the only traces that now exist of the farms that once covered a great part of the bottoms lying to the east of Bluff City. These traces were a few ruined houses and some abandoned fencing.

LOWER McELMO CAÑON.

In the course of the twenty-five miles drive to Guillet's we saw no water, except that in the river, until we reached the McElmo Wash. When we crossed the latter we found that there was about an inch or two of water creeping slowly in places over its sandy bed. Guillet, the trader, said indeed that there was room and water enough for ten or twelve ranches in the cañon of the lower McElmo. Considering the extreme meagreness of the supply of water at the time of the year when it is most needed, and the character of land on either side of the wash, it is our opinion that this was an unreasonably large estimate. Bishop Hammond, of the Mormon Church, who was with us, had rated at a much lower figure the irrigable acreage of the cañon.

FROM THE McELMO WASH TO THE COLORADO LINE.

Beyond Guillet's, and between him and the Colorado line, there are only two settlers. One of them has a ranch consisting of some ten acres under cultivation, which, indeed, are not artificially irrigated, but only naturally watered by the San Juan percolating through its banks, advantage having been taken of the fact that the strip of land lies somewhat below the level of the river. The other settler has simply a trading post and does not do any farming.

ONLY ONE HUNDRED AND SIXTY ACRES UNDER CULTIVATION
ALONG THE SIXTY-TWO MILES OF THE SAN JUAN.

To the west of Bluff City there is not a single settler or ranch of any kind on the banks of the San Juan. This makes along the entire Utah frontage of the river, as it were, a distance of some *sixty-two miles*, a total of only *one hundred and sixty acres* under cultivation.

CONCLUSION AS TO THE BOTTOMS OF THE SAN JUAN: THEY MAY
BE DISMISSED FROM THE DISCUSSION.

All that your committee saw, all the statistics they were able to collect, point to the conclusion reached by many as to the difficulties of farming along the San Juan River. Unless the

Government is to stand behind each Indian and furnish him not only with materials, but with about three times as much instruction and encouragement as it has grudgingly given in the past, the country bordering on the San Juan may be entirely disregarded in considering the agricultural capabilities of the proposed reservation.

WESTERN PART OF THE PROPOSED RESERVATION—SCARCITY OF WATER BETWEEN BLUFF CITY AND THE COLORADO RIVER.

Our journey from Bluff City to the Colorado River showed us a country more arid perhaps and much more broken than that which we had traversed in coming down from South Montezuma. For the first two nights we were obliged to make dry camps, depending upon the water that we had brought with us from the one or two fresh springs that we had seen during the day. We passed not more than ten or twelve springs on our journey to Dandy's Crossing on the Colorado River, a distance of over one hundred miles from Bluff City, and most of these were alkaline, or if they were not too bad, even for our horses, were so hidden away from the trail we were following as to be almost inaccessible. Experience proved that watering horses, even when the proximity of a spring had been detected, was by no means an easy undertaking, the approaches to the springs being usually so rocky and steep that it took a long time and much coaxing to get the horses down to them.

THE COUNTRY LYING TO THE SOUTHWEST OF THE MOUNTAINS, BROKEN AND COVERED WITH PIÑON.

On our second day's ride from Bluff City we crossed a divide, from the top of which we could see a great part of the country lying between us and the confluence of the San Juan and the Colorado. It appeared to be exceedingly broken, and, like most of the country we had come through, it was almost entirely covered with piñon.

From the Government map, which was furnished us, it might be supposed that the country lying to the southwest of the Blue Mountains is a plain. As a matter of fact we found that all of

it was exceedingly broken and composed of square-cut tables dropping off precipitously into cañons. Most of it we also found was so thickly covered with piñon as, for that reason alone, to afford scarcely any winter range for cattle.

DIFFICULTY IN CROSSING THE COUNTRY.

The part of the Colorado River which, if the Indians are removed, will form the western boundary of their reservation is exceedingly inaccessible. This is due to the precipitous walls of its cañon, and also to the exceedingly sinuous character of the lateral cañons which lead into it. We heard of but three points between Grand Valley and the Arizona line where cattle or horses can be taken to the river. There must, of course, be other places where cattle can be got to it, but these are known only to a few individuals. We found that it was necessary in following the trail to go many miles out of our way on account of the broken character of the country, straight lines being absolutely impossible. As we approached the river our course became more and more sinuous, and at one time, on the last afternoon of our ride, we were probably within two miles of the river as the bird flies, and yet really as much as a ten miles' journey away from it.

THE COUNTRY TO THE WEST OF THE MOUNTAINS STILL MORE BROKEN.

Dandy's Crossing is about a mile above the mouth of Trachite Creek, and some twenty miles below Cataract Cañon. We were told that the country to the north of the lateral cañon, by means of which we had finally reached the Colorado, was if anything rougher and more impassable than the country to the south. From the brow of the Elk Mountain, which is really a high table at the foot of the Blue Mountains proper, we obtained an extensive view of this western part of the proposed reservation. We could see stretching out before us, and some two thousand feet below the altitude that we had reached, two or three cañons similar to the one which we had passed through in coming from the Colorado. In the distance we could see the

ridges of the Henry Mountains, and between us and them the long break in the surface of the country through which flowed the Colorado. This break was noticeable, however, only because of its length and continuity, for the country, as far as we could see, was indeed so broken, so cut into and worn away by the torrents of water which during the winter and early spring find their way into the river, that it would be difficult to describe it to an eastern man who has been accustomed only to the gentle and rounded surface of our Appalachian region. The entire country was almost wholly covered with piñon, and where not so carpeted the sandstone cliffs appeared to be absolutely bare of vegetation. It was plain how impossible it would have been to go directly north or south, or even in such a broken country to travel in any one direction for more than a mile at a time.

A DIVERGENCE OF FORTY MILES NECESSARY TO REACH INDIAN CREEK—THE ELK MOUNTAIN—DUTCH AND DAY'S.

After leaving the Colorado River our objective point was Indian Creek, on which we had been told there was a certain amount of irrigable land; to reach it we had to go at least forty miles out of our way, as it was absolutely impossible to traverse the interlying country more directly. The detour gave us an opportunity of seeing the Elk Mountain, which affords an excellent summer range for cattle, and a small ranch familiarly known as Dutch and Day's, in what is called Dark Cañon. The owners of this ranch have some fine natural meadow land and about ten acres under cultivation. They raise a little grain and potatoes, but their corn is not a success, the altitude being too great and the cañon too narrow. Twenty-five acres would probably be the maximum that could be brought under cultivation at this point.

ONLY ONE LITTLE PATCH OF IRRIGABLE LAND BETWEEN INDIAN CREEK AND THE JUNCTION OF THE SAN JUAN AND COLORADO.

Between the ranches on Indian Creek and Dandy's Crossing, or, for that matter, between the ranches on Indian Creek and the junction of the San Juan and Colorado, there is not, as far as we

could learn, a single piece of irrigable land except this ranch and a little strip on Salt Creek, where John Brown, one of the ranchmen on Indian Creek, had fenced in a strip of meadow and harvests annually some natural hay. He might at this point, if he chose, irrigate some fifteen or twenty acres. Except for the purpose of stock-raising the entire country between Indian Creek and the San Juan is absolutely good for nothing.

THE INDIAN CREEK COUNTRY: TWO LITTLE STREAMS ALMOST EXHAUSTED BY A HALF DOZEN RANCHES.

The Indian Creek country is really composed of three ranches on Cottonwood Creek and three on Indian Creek proper. The last of the three on Indian Creek is situated at what would be its junction with Cottonwood Creek if the latter were not wholly used up by the two ranches which draw their water from it. Indian Creek itself is almost entirely exhausted by the three ranches on its banks, and after the month of July cannot be seen some two miles below the last ranch. Toward the end of August the creek usually stops at this ranch, and except for a few weeks in the spring it never reaches the Colorado River.

ITS IRRIGABLE ACREAGE VERY SMALL—TWO HUNDRED AND TEN ACRES AT THE UTMOST.

The total amount of land under irrigation upon the two streams, if streams they can be called, amounts at the very most to some one hundred and sixty acres, and under no circumstances could this total be increased to more than two hundred and ten acres. Both Indian Creek and Cottonwood Creek would be considered in most parts of the west forlorn little streams, and the farming which is actually done in the cañons through which they flow would never probably have been attempted had it not been for the cattle interests of the country. With perhaps two exceptions, the men who own these six ranches make their living from the cattle that they own, and what little grain and farm produce they raise and do not consume is sold to the Pittsburgh Cattle Company, whose home-ranch is not more than sixty or seventy-five miles distant from them.

CONCLUSION AS TO IRRIGABLE LAND WITHIN THE LIMITS OF
THE PROPOSED RESERVATION.

The road which we took will be seen from the rough map prefixed to this report. We had been furnished by Adair Wilson, Esq., of Durango, who is one of the chief advocates of the removal, with a list of places to be visited. We did our best to do justice to this itinerary, and visited every locality that he mentioned. In a district as large and as thinly settled as that comprised in the limits of the proposed reservation it would seem impossible that all the available spots have been brought under cultivation. On the other hand, the best localities certainly have by this time been discovered, and if our figures as to the total amount of irrigable land are necessarily inexact, it must nevertheless follow from the facts of the case that they are sufficiently near the truth as to be of value. It may properly be inferred that the settlements have been made on the best spots, and that in following the known trails we necessarily avoided the rougher ground, and saw more springs than we would have been likely to see if we had attempted to travel across the country otherwise. Any other course than that of following the known trails would have been practically impossible.

A TABLE GIVING ACREAGE UNDER CULTIVATION AND THE
ACREAGE THAT MIGHT BE IRRIGATED.

We have set forth in the following table the several points within the limits of the proposed reservation at which there is any land under cultivation, or at which there is any irrigable land. Where ranches actually exist we have stated the acreage under irrigation, and in the case of each locality we have added what we consider to be the most liberal estimate consistent with the facts of the acreage that might be brought under irrigation, should the Indians be removed. For reasons already given we have omitted from our computation the irrigable acreage on the bottom lands of the San Juan, and also any increase in the irrigable acreage conditioned upon the construction of reservoirs on the Blue Mountains:—

	<i>Acres under Cultivation.</i>	<i>Irrigable.</i>
Carlisle's Ranch,	150	175
Monticello,	175	175
South Montezuma,	40	40
The Dodge Ranch,	—	10
The L. C. Co.'s Ranch at Johnston and Recapture Creeks,	15	25
Bluff City,	200	—
Lower McElmo Cañon,	—	150
Berlin's Ranch,	10	15
Ranch at head of Comb Wash,	6	10
Dutch and Day's Ranch,	15	30
John Brown's Ranch on Salt Creek,	—	20
Ranches on Cottonwood Creek :—		
Goodman's Ranch,	5	5
Wellborn's Ranch,	10	10
Ray's Ranch,	40	40
Ranches on Indian Creek :—		
Gilligan's Ranch,	40	40
Cooper and Turner's Ranch,	12	62
John Brown's Ranch,	50	50
	<u>768</u>	<u>857</u>

Your committee went over the proposed reservation at what is perhaps the driest season of the year. We were actually within its limits between the 7th and the 24th of last September. It is to be remembered, however, that the rain-fall during the spring and summer had been unusually large, as, indeed, it had been in most portions of the west.

ONE THOUSAND TO THREE MILLION NOT AN ENCOURAGING
PROPORTION.

When it is considered that the proposed reservation contains nearly three million acres it will be seen that the proportion of irrigable land to the entire amount is not encouraging. To one looking at the map of San Juan County, Utah, the estimate which we have made will probably seem extraordinary, in view of the numerous water-courses which are so skillfully delineated, but it is to be remembered that these water-courses become absolutely dry after July in every case except the following: Indian Creek, the North Montezuma, the South Montezuma, and the McElmo. We, of course, leave out the Colorado and San Juan.

ANOTHER ASPECT OF THE PROPOSED RESERVATION: A FEARFUL
DISTRICT FOR INDIAN FIGHTING.

Besides its agricultural possibilities, or rather its agricultural impossibilities, there are other features of the proposed reservation which should be considered. It is not only a huge "no man's land," that being, as past experience gives us a right to infer, a reason for its having been picked out for the Indian, but it also contains some of the roughest and most ragged country in Utah. It is not only a piece of territory in which springs or drinking-holes are exceedingly rare and infrequent, but a large portion of it is so broken and irregular as to make it a fearful district for Indian fighting. In White Cañon, on our ride to the Colorado, we saw a rough gravestone at a point called Soldiers' Crossing. Some years ago a band of Utes and Piutes, after stealing some cattle, was chased through this part of the country by the military. Two scouts of the latter were in advance of their companions only a few hundred yards when they reached the point to which we have referred. The Indians, who were ensconced on either side of the cañon, hidden probably in the dense growth of piñon, shot and wounded the two scouts. The character of the country was such that their companions realized how hopeless it would be to go to the rescue, and at once turned back, leaving the scouts to die where they had fallen. It was over a year afterward that two prospectors, going through the country, put the bones into a gunny sack and buried them at a point not far from the place where the scouts had been shot. Many other illustrations might be added of the futility of pursuing red men, or even white men for that matter, into this part of the country. A few Indians knowing the watering places could easily keep a large force of regulars at bay.

A SECURE RETREAT FOR FUGITIVES FROM JUSTICE.

The Blue Mountains, indeed, and the country beyond them, as every inhabitant of Western Colorado knows, have a reputation by no means enviable. When a train is held up, or any other daring robbery committed, the Blue Mountains are immediately fixed upon as the probable refuge to which the

offenders have fled. Thus, when one of the trains going into Denver was stopped and robbed on the first day of last September, only a few days before we reached the proposed reservation, it was generally assumed by the people of western Colorado that "the boys" had sought concealment in the Blue Mountain country. The character of the region is such that when an armed outlaw succeeds in reaching it, it is almost impossible to overtake and capture him. Last July, at the little town of Monticello, a man named Roach killed one or two people at an evening party and escaped, as everybody thought, to the country lying to the west. About three days were spent in his pursuit, but without success, and, as far as we know, he has not yet been brought to justice.

A BAND OF "PIUTES" ALREADY ON THE PROPOSED RESERVATION.

In this connection it is to be remembered that there are already roaming through the proposed reservation a band of some fifty Indians who are locally known as "renegades." They are perhaps properly called Piutes, although the other name truthfully describes them. They have, we believe, never had any treaty relations with the United States Government, and are even wilder than the Weeminuches, who are indeed the least civilized of the three tribes of the Southern Utes. These "renegades" have in times past given the whites around them no little trouble, and it is now proposed to "round them up," as it were, by driving in among them the Southern Utes, who have had advantages which they have not had, and who, as a consequence, are further advanced along the road to civilization. If this is no injustice as regards the Weeminuches, it certainly is an outrage on the other two tribes, who have made at least a start toward civilization, and of whom nearly thirty-two families out of a total of about one hundred and thirty-six are now settled upon farms.

MINING CLAIMS ON THE WESTERN BOUNDARY.

A large number of placer mining claims have been taken up along that part of the Colorado River which, if the Indians are removed, will form the western boundary of their reservation.

We found that these in all numbered about one hundred and eighty, about one hundred being located along the western, and about eighty along the eastern bank of the river. Three or four appeared to have been taken up along the north bank of the San Juan. Those on the eastern side of the Colorado ran from March 27, 1887, to July 21, 1891, and covered an area of about four thousand acres. These figures are the result of a personal examination of the books at Dandy's Crossing kept in the Recorder's Office for the White Cañon Mining District.

We were told that all the bars of sand which are not too high for the use of water from the river are taken up from the mouth of the Dirty Devil, twelve miles north of Dandy's Crossing, southward as far as Lee's Ferry, a distance of about one hundred and thirty miles, and it was represented to us upon what seemed to be reliable authority that many of the bars would yield between twenty-five and fifty cents of gold to the cubic yard. In answer to the fact that but a small number of these bars have as yet been worked, it was said that the difficulties in the way of getting water on them were considerable, that the fall of the river was so slight and the walls of the cañon so precipitous as to make the construction of trenches almost impracticable, and that the system of raising the water by pumps had therefore been adopted.

MINING COMPANIES ALREADY IN THE FIELD.

We were informed that the Colorado River Placer Mining Company had already entered upon active operations; that it had spent in all between twenty-five and thirty thousand dollars, and as much as twelve thousand dollars for one plant alone. We were told of a California company which had bought up some claims along the eastern side of the river, and had spent upon them as much as six thousand dollars. We were further informed of one or two other corporations now in existence and possessing the right to purchase and operate claims along the Colorado River north of the San Juan. Our information concerning these companies, with the exception of the California one, was obtained in each case from officers or directors whom we saw in Denver after our journey was over.

Knowing how little one can rely upon the statements of persons interested in the development of mining claims, and how difficult it is for any one not an expert to decide upon their value or their worthlessness, we shall not attempt to draw any conclusions from what we heard or saw as to the ultimate success of this part of the Colorado River as a mining region.

EXISTING FACTS, MOST UNFORTUNATE FOR THE INDIANS.

Quite apart, however, from any conclusions which might be drawn, the facts in themselves necessarily enter into the question of the removal of the Indians. The effect of the bill before Congress is to except and reserve these claims from the operation of the "treaty." It will not be feasible for the United States to purchase them, and the holders cannot, therefore, be got rid of. If the Indians are removed, they will therefore have along their western boundary a population (whether numerous or not, it matters but little) composed of the mining prospector and boomer, and perhaps later on that most undesirable element which invades almost every mining camp, bringing with it exactly what should be kept furthest from an Indian reservation. It will be simply impossible to check the smuggling of whiskey, as the opportunities of selling it to the Indians will be ever present. Quarrels will be innumerable and violence will be unpunishable.

It has been said that there will be little to attract the Indians toward the river, owing to the extremely arid and broken country lying between it and the mountains. On the other hand it is to be said that the Indian thinks nothing of making journeys requiring an endurance of which the white man is incapable, and is frequently found with his wicky-up in places that seem uninhabitable.

THE TREATY.

ITS HISTORY.

The history of this removal business has been disgraceful from the start. The three Commissioners appointed by the Act of May 1, 1888, spent nearly four months with the Indians before obtaining the consent of three-fourths of them to the removal.

The Commissioners were indefatigable. They brought every argument to bear to make the Indians admit their condition was intolerable, that the troubles with their neighbors were frequent and disastrous, and that, in short, their present reservation was in every way ill-suited to their wants. It is but charitable to assume in extenuation of their conduct that, not only were the Commissioners absolutely ignorant of the real wants of these Utes, but unversed in the true interests and needs of Indians in general. The Commissioners appealed to the Indians' love of hunting, to the obstacles that existed on the present reservation in the way of successful pony raising. On the other hand, they said scarcely one word to the Indians about their farming, and in general they manifested even an absurd ignorance of the conditions of the Indian problem. Perhaps we ought to add that they knew little of the proposed reservation. When, after three months of patient arguing, their success seemed as far away as at the beginning, they decided to take some of the Indians to see the district to which it was proposed to move them. They then went through only its northeastern part, and so perhaps are still entirely ignorant of the expanse of absolutely dry and useless country which forms the greater part of the proposed reservation.

ITS PROVISIONS—MONEY AND SHEEP TO BE GIVEN TO THE
INDIANS.

The agreement with the Indians, which it is proposed that Congress shall ratify, gives the Indians, over and above the new territory assigned to them, the sum of fifty thousand dollars, to be paid in equal installments for ten years to the Indians per capita, irrespective of age and sex, and twenty thousand dollars' worth of sheep. It is simply ridiculous to contend that this makes the exchange a fair one and that the Indians will not be defrauded if the report of the Commission is ratified on these conditions. Not only, however, will the Indians be grossly cheated, but their advance toward civilization will be hopelessly retarded. The provisions of the "treaty" are most ill-advised—in fact, they are entirely out of harmony with the avowed policy of the Government. Not a single provision can be said

to look toward their development in civilization. They are to be pauperized. A large sum of money and several thousand dollars' worth of sheep are to be divided among them, and moreover, as will be seen by Article V of the agreement, their chiefs are to be singled out for special favor. This was, of course, to obtain their assent to the treaty and enlist their influence in its favor. The Government thus goes out of its way to emphasize the tribal dominion of the chiefs, when it is admitted on all sides that their authority should in all possible cases be ignored. We are under this "treaty" to continue to view the Utes as the subjects of a foreign nation rather than our wards. In regard to the particular head-men who have thus been bribed, it should be known that only one of them is entitled to the white man's respect and to the position of influence which he holds among his fellow Indians. It was a matter of common talk at the agency that one of these chiefs had within six months been concerned in an atrocious murder and had not been brought to justice.

HUNTING PRIVILEGES GRANTED.

As we have already said, the agreement gives the Indians the right to hunt over the La Salle Mountains, to the north of the proposed reservation, a privilege which will be worth very little after a few years of its enjoyment, considering the way in which the game has already been killed in that part of Utah. Moreover, the Indians, if removed, will still retain their present hunting rights, which are by no means inconsiderable. As we have already suggested, trouble with the Indians in almost every case arises when the Indians are hunting off their reservations. Every extension of the privilege to hunt is therefore deeply to be regretted. The Executive should in every way seek to dissuade the Indians from availing themselves of their hunting rights, and Congress should embrace every opportunity to abridge and curtail, rather than enlarge, the privileges that have already been granted.

In regard to the La Salle Mountains in particular, the provision contained in the agreement is exceedingly unfortunate. This provision appeared to be a necessity after the Commissioners had discovered that the La Salle system could not be included within

the limits of the proposed reservation, but it should be remembered that the slopes of these mountains are already roamed over by cattle and cowboys in charge of them. The Pittsburgh and Stevens Cattle Companies, together with the ranchmen of Moab, owning in all some 20,000 head, use the La Salle Mountains as their summer range.

APPROPRIATION FOR INDEMNIFICATION OF SETTLERS NOT HAVING
STATUTORY RIGHTS GROSSLY INADEQUATE.

The bill before Congress appropriates \$50,000 for the removal and indemnification of settlers at present established on the site of the proposed reservation. There are two classes of settlers: First, those who have made entries under the "Desert Land" Act of March 3, 1887, and who therefore cannot be compelled to sell their titles and improvements; the purchase of these by the Secretary of the Interior being necessarily conditional upon his making such terms with the holders as shall be satisfactory to both. Secondly, those who, not having entered under any act of Congress, have no legal rights. They are far the larger number, and the value to them of their homesteads and improvements, the injury that they will suffer in being disturbed and driven from their homes, will in no sense be covered by the balance of the \$50,000 that remains after the purchase of the legal titles. Unless at least \$150,000 be appropriated for the compensation of those who are removed and the purchase of these legal titles, a great wrong will be done the former, who, while they cannot prove statutory entries, are yet equally entitled on equitable grounds to the consideration of the Government.

OTHER ITEMS OF EXPENSE TO BE CONSIDERED.

The actual payments in money and sheep to the Indians under the agreement amount to \$72,000. To meet the cost of such new agency buildings as will have to be constructed, the bill before Congress provides for an appropriation of \$15,000, and for removing the Indians from their present reservation and making such surveys as may be found necessary on the new reserve, the sum of \$10,000 is appropriated.

In computing the cost of the removal, one must also take into account the expense involved in the erection of the new army post rendered necessary by the character of the proposed reservation and the distance that the new agency will be from any settlements. This will be at least twenty or twenty-five thousand dollars. To this should be added the \$10,000 already set aside by the act creating the Commission in consideration of its services. A most moderate estimate of the immediate cost of the removal would thus place the total at at least \$275,000, if the Government is to respect the claims of those who are to be removed from the proposed reservation.

COST OF TRANSPORTATION TO BE CONSIDERED.

In considering the ultimate increase in expense, one must take into account the cost of transportation to points on the proposed reservation. It is true that during the last year the railroad has been extended and will shortly reach what is known as the "Great Bend" of the Dolores River, but this will still leave more than sixty miles of bad wagon road between the new agency and the locomotive. The present agency is within five miles of the railway.

A POOR CHANGE OF INVESTMENT FOR THE INDIANS.

To meet the figures contained in the bill, it is therein provided that the lands comprised within the present reservation shall be parted with to settlers under "the pre-emption, homestead, and town-site laws, and the laws governing the disposal of coal and mineral lands," but at not less than \$1.25 per acre, and that the proceeds of these sales shall be set apart for the expense involved in the removal. The balance of the money so obtained is to be held in trust by the Government for the use of the Indians. Without attempting to predict the actual results of this arrangement from a financial point of view, it is to be noted that it cannot be commended from the standpoint of the Indian. The Government, by the removal, robs its wards of the best possession they can have, to wit, good agricultural land, and substitutes for it what is in no sense its equivalent—a large strip of

almost desert land, and a money balance which, under the circumstances, will probably have to be spent in the further pauperization of the beneficiaries, the proposed reservation not being a place where they can successfully be trained toward civilization.

CONCLUSION.

It has been held by some that tending cattle must come before agriculture. This is not so. Whatever may have been true of the pre-historic development of our race, it is ridiculous to contend that the same must be true of the development of detached tribes of Indians living in the nineteenth century and surrounded by civilization. The Southern Utes are not a part of a great race existing alone unaided on the steppes of Asia to work out by themselves a gradual civilization. They are the wards of an intelligent nation. Expediency as well as honor demands that the Government should train them as rapidly as possible to meet the responsibilities of civilized life. Experience on a great many reservations has already proved that there is nothing inherent in the Indian's nature to prevent his becoming a farmer, however inconsistent that life may be with some preconceived notions of the red man.

There can be no doubt at all that little would be gained in the case of the Utes if they could be induced to take up cattle raising as a business. Apart from the fact that the cattle business, without a large expenditure of capital and an organization of labor of which the Utes would not be capable, cannot be carried on with any profit, it may be safely concluded that if they could be made to take to cattle raising as a business, the Government would then find it no less difficult to induce them to lead industrious and civilized lives and to send their children to school than it does at present, while they are following bands of ponies or hunting and going after berries in the mountains. The Navajos at present have large numbers of cattle as well as horses and ponies, and yet the same difficulties are at present encountered in inducing them to send their children to school and adopt the ways of civilization.

As we have already said, troubles with such Indians as the

Southern Utes do not take place upon their reservations, but rather away from them, and miles distant from the agencies. This must be plain to any one who reads the newspaper reports, sensational as they often are, of disputes arising between cowboys and Indians who are off their reservations. It is true that under the most favorable circumstances it will be some years before the Southern Utes can be induced to lead industrious lives and take up land in severalty. But if this is the object of the Government, if this is the best thing that can be wished for for the Utes, there can be no doubt that not only is their present reservation in every way suited for their occupancy, but that a worse place could hardly be found for them than the district to which it is proposed to move them. It is not merely that their taking up land in severalty will be thereby indefinitely postponed, but that the agricultural possibilities of the district which it is proposed to set apart for them are so meagre that an allotment of the land to individuals will be practically impossible. And yet, in order to gratify the demand of the people in southern Colorado, the Government is asked to ignore this fact and to take a step which will render it necessary to support these Indians as paupers for all succeeding generations.

Note that it would be practically impossible to maintain the discipline which these Indians at present sorely need in the country to which it is proposed to take them. At present they are brought into contact with civilization, and if the sanctions of law which exist among the whites are unknown to the Indians, it is not due to their distance from civil authority and the administration of justice. In Utah, however, the evil element among them would be master of the situation. Not only will the danger of outbreaks be greatly increased, but if they occur they will prove to be much more serious and extended. At all times the obstacles in the way of patrolling their reservation will be very great. Apart from the difficulty that their agent will experience in holding them near the little spots of agricultural land susceptible of cultivation, his task in inducing them to send their children to school will be an almost hopeless one.

It is claimed that the Indians are unanimous in their desire to go to the Blue Mountains, and that if their wish is not granted by the Government it will not only be very difficult for their

agent to influence them in the future, but that there will actually be a serious outbreak and uprising. This assertion is not supported by facts. The Capotes and Muaches, who together form about one-half of the Southern Utes, and among whom are nearly all the thirty-two men who have taken up farms, are not anxious for the removal, or, at any rate, are half-hearted with regard to it. The Weeminuches, indeed, seem desirous of going to the Blue Mountains. They at present pass much of their time in Utah, and as long as any game lasts, and until they can be induced to settle down on farms, they will, as heretofore, be continually roaming over unoccupied lands. These are disagreeable features of the problem that must be faced. That there will be any serious trouble among them is almost inconceivable. They did not want to go at first, and their desire for removal at present is not so great that the Government will do them any injury by ignoring it. As a good guardian, the Government is bound to disregard their wish, founded, as it is, upon allurements which should have never been held out.

As the game becomes scarcer there will be less and less hunting, and if the Government will only throw round these Indians inducements to farm and send their children to school, we believe that the next generation in Colorado will see the Ute Reservation blotted from the map. In the agreement made with all the Utes in 1880, an allotment of land in severalty was provided for, and under this agreement or under the Dawes law it will be possible, if the Government acts wisely toward them, to bring about before long a division of part of their present reservation among the members of the tribes and an opening of the remainder to the whites around them. Notwithstanding their unfitness at present for such a change, we believe that it would be far better to make it immediately than to remove them to the proposed reservation, where such an allotment could never be accomplished without inflicting great wrong and suffering.

Finally, it should be remembered that if these Indians are removed, it will be by the Government's reverting to the old and vicious habit of shoving Indians further and further west,—a habit abandoned, it was hoped,—a habit which in the past has

only increased the expenses of the Government and wrought injustice and disaster to the Indian. The question raised by this removal is therefore one of vital importance, and should interest keenly not only Colorado, but the whole United States.

FRANCIS FISHER KANE,
FRANK M. RITER.

The Indian Rights Association is a non-partisan, non-sectarian organization for promoting the civilization of the Indian and for securing his natural and political rights. To this end it aims to collect and collate facts, principally through the personal investigations of its officers and agents, regarding the Indian's relations with the Government and with our own race, concerning his progress in industry and education, his present and future needs. Upon the basis of facts, and of legitimate conclusions drawn from them, the Association appeals to the American people for the maintenance of such a just and wise policy upon the part of the Executive and Congress in dealing with these helpless wards of the Nation as may discourage fraud and violence, promote education, obedience to law, and honorable labor, and finally result in the complete absorption of the Indian into the common life of the Nation.



