A History of Brigham Young's Indian Superintendency (1851-1857): Problems and Accomplishments

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A HISTORY OF BRIGHAM YOUNG'S INDIAN SUPERINTENDENCY
(1851-1857)--PROBLEMS AND ACCOMPLISHMENTS

A Thesis
Presented to the
Department of History and Philosophy of Religion
Brigham Young University

In Partial Fulfillment
of the Requirements for the Degree
Master of Science

by
Frederick Ross Gowans

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CHAPTER I

INTRODUCTION

Statement of the Problem: The history of the Territorial Indian Superintendency of Brigham Young during the years of 1851-1857 was the topic chosen for this research project. Purpose of the research was to determine the problems and accomplishments of the Superintendency.

Special objectives were:

1. To determine the reason for the creation of the Utah Territorial Indian Superintendency.

2. To determine the problems and accomplishments of the men within the Superintendency in regard to dealings with each other.

3. To determine the problems and accomplishments of the Superintendency with regard to the Indian people.

4. To determine the influences of other people in the Territory on the accomplishments and problems of the Superintendency.

5. To determine the amount of support the Federal Government gave the Utah Indian Territorial Superintendency.

6. To determine the outcome of the Federal investigation of Brigham Young's Indian Superintendency.
Justification of the Problem: To date there has not been a written history which dealt solely with Brigham Young's Indian Superintendency. There have been books written containing Brigham Young's Indian policies as a church leader, and some authors have mentioned Federal dealings with the Territory. This author feels that there is justification for doing this research on Brigham Young's Indian Superintendency for the benefit of those who lived in the past and for those generations which are yet to come.

Methods of Research: The author has relied chiefly on primary sources of data. The main sources of material used were official communications between the men in the Utah Superintendency and the Federal Office of Indian Affairs. Little has been written on this topic, so secondary sources were limited.

Help was given by the staff of Brigham Young University's Library in obtaining copies of Federal records.

Interviews with Brigham Young University faculty members were significantly helpful in obtaining historical works of the same time period.

This information was gathered and assembled as objectively as possible.

Delimitation of the Problem: This study dealt with the records of Brigham Young's work as Superintendent of Indian Affairs. At times, the duties of Brigham Young's official capacities as church leader, governor, and superintendent overlapped, and these instances are covered within this thesis. This thesis does not cover all the negotiations with the Indians within the Utah Territory but concentrates on one particular period and phase of these negotiations.
Other Records: The author is aware that other Federal records are available in the libraries at Washington which would open even further areas of research in this field. However, he feels the records used are a good representation of the available records to be found on this subject.
CHAPTER II

BACKGROUND OF THE UTAH TERRITORIAL
INDIAN SUPERINTENDENCY

Long before the Mormons crossed the Mississippi River and started their
trek to the mountains in the West, policies in the Federal Government were being
adopted that would play an important role in the lives of the new citizens of the
Utah Territory. Prior to the Prophet Joseph Smith's vision of taking his people
westward, the Federal Government was forming policies concerning intercourse
with the Indians in that far-western country. In 1825, under the direction of
President Monroe, it was decided that the Indian nations in the East should be
moved into the Louisiana Purchases, west of the present states of Arkansas,
Missouri, and Iowa. Government leaders felt that this would solve the Indian
problem for a long period of time. During this period, the Government dealt
with the Indians by treaty as it would deal with a separate nation.¹ Under
Monroe and Adams, moving the Indians was voluntary, but in the presidential
regime of Jackson, removal became mandatory.²

¹Frederick Logan Paxson, History of the American Frontier 1763-1893

²Joseph Smith, History of the Church of Jesus Christ of Latter-Day
reference to the Indians.)
On June 30, 1834, the Intercourse Act was passed, placing regulations on negotiations with the Indians. Among the important provisions were the following:

1. All people who traded with Indians had to be licensed.

2. Cattle could not be driven on Indian lands.

3. No purchases or grants could be made with the Indians directly.

4. Any letters or messages sent to the Indians which caused trouble would be traced and the sender would be fined.

5. Any property of friendly Indians destroyed or damaged would be replaced or paid for by the one responsible.

6. Selling of liquors to Indians was prohibited.

7. Agents from the Government were in charge of executing these provisions.  

This act of 1834 was later to be put into use in the Territory of Utah.

In 1849, Congress took the Indian office out of the War Department and put it into the newly-formed Department of Interior. This was done because many people in the Indian Department thought that Indian problems should be handled by civilians instead of military men, who were prone to use harsh methods at times. Many of these people felt that Indian problems could not be solved by force, but that they required time and patience. The Indian officials felt this new department would be better able to handle the affairs of the Indian people.  

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4 Ibid., p. 163.
During their first years in the Great Basin, the Mormons dealt with the Indians informally and as the occasion required. Brigham Young felt deeply about the numerous injustices which were being heaped upon the natives by the people who were settling the frontier of the United States. In 1850, he uttered these words:

We shoot them down as we would a dog. Now, this is all wrong, and not in harmony with the spirit of Christianity. In only one instance, that of William Penn, has Christian treatment been accorded them. But even aside from the aspect of Christian duty, I am satisfied it will be cheaper to feed them than to fight them.  

This policy was followed by the Mormons while they were crossing the plains and was found to be very successful. It continued to be taught from the pulpits of the Church year after year in the valleys of the West.  

The Mormons soon organized a proposed state and the country within its boundaries was called Deseret. On April 7, 1849, John Wilson was appointed to be the first Indian agent in California, of which the Great Basin "State" of Deseret was then a part. Aside from a few recommendations in lengthy letters he accomplished nothing of record before an early resignation.  

Prior to Territorial organization, affairs with the Ute Indians were handled mostly by the Superintendent of Indian Affairs in the New Mexico Territory who at that time was John S. Calhoun. Under his direction, a treaty was

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7Leland H. Creer, op. cit., p. 163.
signed by the Utes on December 30, 1849. This treaty provided for financial aid to Indians who would become farmers, and they were given free farming tools and machinery. For this, the Indians agreed to give white people the right to cross Indian lands unharmed. The tribes involved in this treaty were Southern Utes who lived east of the Wasatch Mountain Range, and they had little to do with the colonizing Mormons. This does show, however, that steps for peaceful relations were being taken.  

The Utah Territory was organized September 9, 1850, with Brigham Young as Governor. A few months later, the Federal Government recognized the need for a separate Superintendency of Indian Affairs in the newly-formed Territory. In February of 1851, Brigham Young was informed that Congress was extending the Intercourse Act over Utah, and that he was appointed ex-officio Superintendent of Indian Affairs.  

The newly-formed Territory included the area of the present state of Nevada, Utah, the western part of Colorado, and the southwestern corner of Wyoming. (The map on page 9 shows the boundaries of this Territory.)

The Intercourse Act of 1834 provided Superintendent Young with an Indian agent and as many subagents as needed. President Fillmore appointed Jacob H. Holeman as Indian agent with Henry R. Day and Stephen B. Rose as subagents. Holeman arrived in the Territory on August 9, 1851 followed later by the subagents. On July 2, 1851, Superintendent Young had the Territory divided into

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8 Ibid., p. 163–164.
9 Ibid., p. 168.
three agencies each headed by one of the appointees. Administrative units
included the Uintah Agency, the Parowan Agency, and the Pauvan Agency. (The
area of each of these agencies is shown on the map on page 10.) Day was
appointed over the Pauvan Agency, Rose over the Uintah, and Holeman over the
Parowan. It is noteworthy that Rose was a Mormon and Holeman and Day were
non-Mormon. The Pauvan Agency included all of the Territory west of the
Shoshone Nation, and north of the south boundary of the Pauvan Valley. The
Uintah Agency included all of the Snake and Shoshones within the Territory and
all other tribes east of the Great Basin. The Parowan Agency included all the
country lying west of the eastern rim of the Great Basin, and south of the
southern boundary of the Pauvan Valley. This administrative organization, however, proved of short duration
when Agent Day abandoned his job and his agency was cancelled. The permanent
organization as supervised by Brigham Young appears in following chapters.

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10 Ibid. (See appendix III for all the appointments in the Superintendency
and in Federal offices.)

11 Ibid.
Figure 1. Map showing "State" of Deseret and Utah Territory
Figure 2. Division of Indian Agencies in Utah Territory, 1851
CHAPTER III

PROBLEMS BETWEEN MORMON AND NON-MORMON AGENTS IN DEALING WITH THE INDIANS

This chapter will deal with the conflicts which arose between the agents, themselves, stemming from their differences of opinion on how to handle Indian problems. Much of this conflict came about because one of the agents was a Mormon and two were not. Subsequent chapters will deal with Indian affairs which involved the entire Superintendency.

It appears (through the many letters written by the agents), that there were many personal grievances between Young, Rose, Holeman, and Day. Holeman wrote to Commissioner Lea, stating:

I take the opportunity of again stating to you, as my fixed opinion that with Governor Young at the head of the Indian Department in this Territory, it cannot be conducted in such a manner as to meet the views of, or do justice to, the government. He has been so much in the habit of exercising his will, which is supreme here, that no one will dare oppose anything he may say or do. His orders are obeyed without regard to their consequences, and whatever is in the interest of the Mormons is done, whether it is according to the interest of the government or not. ¹

This letter was written on December 28, 1851, only four months after Holeman had arrived in the Territory. It was also endorsed by Subagent Day.

¹ Annual Report of the Commissioner of Indian Affairs (Washington, D. C.: Gideon and Co., 1851), p. 133-136. (Further references to this report will be listed only as "Annual Report."
In January, 1852, Subagent Day left Utah when he found that he could no
longer get along with the Mormons. In his report to Washington, Day said his
reason for leaving was that he could no longer take the abuse that was being
given to the United States and its officials by the Mormons.\textsuperscript{2}

It is not difficult to understand why problems arose between the Mormon
and non-Mormon men in the Indian Superintendency. The Mormons had suffered
too many indignities at the hands of the people when they were living in the East
to forfeit their control of matters now that they were in their mountain retreat.\textsuperscript{3}

One of the first problems to come up among members of the Indian Superintend-
cy was a disagreement between Agent Holeman and the Mormons concerning
the colonization of the more fertile areas of Utah. Holeman wondered whether
the Mormons should be allowed to move in on the rich hunting and fishing areas.

Writing to Commissioner Lea on September 21, 1851, he stated:

\begin{quote}
I find much excitement among the Indians, in consequence of the
whites settling and taking possession of their country, driving off and
killing their game, and in some instances, driving off the Indians, them-
selves! The greatest complaint on this score is against the Mormons;
they seem not to be satisfied with taking possession of the valley of the
Great Salt Lake, but are making arrangements to settle other, and
principally the rich, valleys and best lands in the Territory. This
creates much dissatisfaction among the Indians; excites them to acts of
revenge; they attack emigrants, plunder and commit murder, whenever
they find a party weak enough to enable them to do so; thereby making
the innocent suffer for the injuries done by others.\textsuperscript{4}
\end{quote}

\textsuperscript{2}Annual Report of the Commissioner of Indian Affairs (Washington,
D. C.: Robert Armstrong, 1852), p. 149-150. (Further references, "Annual
Report.")

\textsuperscript{3}Ibid.

\textsuperscript{4}Annual Report, 1851, p. 183-184.
This letter written to Commissioner Lea was not sent through proper channels (Brigham Young's office), and therefore did not carry the signature of the Superintendent of the Territory.

In a letter written to Commissioner Lea, Brigham Young spoke of a meeting he held with leading officials of the Ute and Shoshone tribes, and pointed out that he did receive permission to settle the lands of the two tribes mentioned above. The letter stated:

The pipe of peace, being first offered to the Great Spirit, was often replenished and sent around by the Shoshone chiefs, until everyone had smoked in token of lasting friendship. The Utahs were then asked if they had any objection to our settling on their lands, and if they had not, to raise their right hands; which they did unanimously. The chief of the Utes was also asked the same question. He replied that it was good for them to have us settle upon their lands, and that he wanted a house close beside us. I then asked the Shoshones how they would like to have us settle upon their lands at Green River. They stated that if we would make a settlement on the Green River, they would be glad to come and trade with us. 5

The letter written by Brigham Young was received one year after Holeman's letter concerning the Mormons settling on Indian lands. It may be that Superintendent Young received permission from the Indians to help refute the accusations of Agent Holeman. The important point, however, is that permission was given Young by the Indians to settle upon their lands.

Holeman not only complained of Mormons taking Indian lands, but also accused Young of using his office of Superintendent and the funds of that office in furthering the settlements of Mormon communities. In Holeman's letter to Commissioner Lea, he said that Government money for the Indian Superintendency

was being used to buy presents for the Indians in areas where settlements were to be made by the Mormon Church. Holeman also pointed out that Young always made it clear to the Indians that the Mormons were their friends and that the Government was their enemy. In summing up his letter, Holeman wrote, "It seems to me officially, that no Mormon should have anything to do with the Indians." 6

Another major problem arose in 1854 and 1855, which involved the missionary program of the Mormon Church. During this period, Agent Holeman had been released and Garland Hurt had taken over as acting Agent. It did not take long before there were definite conflicts between Young and Hurt. In a letter written to Commissioner Manypenny, who had taken over Lea's position, a new problem was brought to the Washington Commission. It was charged that the Mormons were sending missionaries out to all the Indian nations in America. In a letter dated May 2, 1855, Hurt stated:

> Permit me to call your attention to some facts which I do not feel myself altogether at liberty to remain silent upon. At the last semi-annual conference of the Latter-Day Saints, a large number of missionaries were nominated to go and preach to the Indians, or Lamonites, [sic] as they are here called. Now, since my arrival in this Territory, 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 first object will be to teach these wretched 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 White Spirit had sent the Mormons among them to help them recover their rights. The character of many of those who have been nominated is

6 *Annual Report*, 1851, p. 128-130.
calculated to confirm this view of the case. They embrace a class of rude and lawless young men, such as might be regarded as a curse to any civilized community. But I do not wish to excite prejudice and encourage feelings of hostility against these people; on the contrary, I think such course would be unwise and impolitic. It is possible, too, that many of them are loyal in their feelings to the United States, but perhaps this cannot be said of many of their leaders. . . . My object in writing is to suggest that the attention of all superintendents, agents, sub-agents, and all other loyal citizens residing or sojourning in the Indian country be called to this subject, that the conduct of these Mormons be subjected to the strictest scrutiny, and that the 13th and 14th sections of the "Intercourse Act" be properly enforced. 7

From this letter, it is clear that Agent Hurt had very strong feelings against the Mormons. In the postscript of the letter, Hurt continued to say of Brigham Young: "I never saw any people in my life who were so completely under the influence of one man." 8

This letter, like several previous letters written by Hurt, was not sent through the proper channels. It caused some excitement in Washington and was answered by Charles F. Mix, who was Acting Commissioner while Manypenny was on leave. Mix, in a letter to the Secretary of Interior, R. McClelland, stated:

I deem this a subject of importance, and have to suggest, for the purpose of obtaining your advice and instruction, whether the recommendation of Mr. Hurt respecting the notification of the superintendents, agents, and sub-agents within the Territory, to scrutinize the conduct of said missionaries, should be adopted, or otherwise the best course, in your opinion, to be pursued in the premises. In view of the position of Agent Hurt, I would also suggest that whatever course

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8 Ibid.
you may deem proper to pursue, be kept confidential, so that the Agent may not incur the ill-will of the Mormons.\(^9\)

In answer to Mix's letter, dated August 13, 1855, McClelland advised that Section 23 of the "Intercourse Act" be used in stopping the Mormon missionaries, and that all superintendents, agents, and subagents should be notified.

Section 23 states:

> That it shall be lawful for the military force of the United States to be employed in such a manner and under such regulations as the President may direct; in the apprehension of every person who shall or may be found in the Indian country in violation of any of the provisions of this act.\(^10\)

While the Mormons conducted an extensive missionary campaign among the Indians, the author of this thesis was unable to find any evidence that they deliberately attempted to prejudice the minds of the savages against the white people. This was also the opinion of another writer.\(^11\)

In addition to his protests concerning the Mormon missionary program, Hurt complained several times about the Mormons distinguishing themselves from the other white people in the Territory. That the Indians made a sharp distinction between Mormons and others, whom they called "Mericats," is evident. In May, 1854, the treaty ending the Walker War was signed in Chief Walker's tent, and is one such example of the distinction the Indians made between the two. Walkara said in his speech:

\(^9\)Ibid. p. 594-595.

\(^10\)Ibid., p. 595-596.

\(^11\)Leland Creer, op. cit., p. 172.
Walkara has heard all the talk of the good Mormonee chief. Walkara no like to go to war with him. Sometimes Walkara take his young men and go far away to sell horses. When he is absent, the Mericats come and kill his wife and children. Why not come and fight when Walkara at home? Mericat soldier hunt Walkara to kill him, but not find him. Walkara hear it and come home. Why not Mericats take Walkara? He not armed. Walkara heart very sore. Mericat kill Pauvan Indian Chief. And Pauvan woman. Pauvan Warriors watch for Mericats and kill them because Great Spirit say, Mericat kill Indian; Indian kill Mericats! Walkara no want to fight more. Walkara talk with Great Spirit. Great Spirit say, make peace! Walkara love Mormonee chief . . . him good man. When Mormonee come to live on Walkara's land, Walkara give him welcome. He give Walkara plenty bread and clothes to cover squaw and children. Walkara no want to fight Mormonee. Mormonee Chief very good man; he bring plenty ox to Walkara. Walkara talk last night to Paiute, to Utah, San Pitch, Pauvan . . . all Indians say no fight Mormonee or Mericats more. If Indian kill white man again, Walkara make Indian howl. 12

Another Indian leader of note, Kanosh, in speaking before the Legislative Assembly at Fillmore, on January 17, 1856, stated:

I am just beginning to get my eyes open. I know that President Young's talk is good. What he says is so. I am like the sun just rising in the East, and so with my people. We have been in the night. I have had eyes but I could not see, and ears, but I could not hear; and this has been the case of my people. Our ears could not understand. All that Brigham and Heber have said is straight; but when I talked to Colonel Steptoe, their talk was not straight; I could not believe one-tenth of their talk. It is not true. And so with the Spaniards, and all the white people until I saw the Mormons. They are the first to tell me the truth. 13

It was only natural that the Indians would learn to discriminate between those who murdered them, killed them for mere sport, and those who were indeed their friends, feeding them when they were hungry and only fighting them


13Leland Creer, op. cit., p. 172.
when their own lives and property were imperiled by the savages. 14

The writer could find no evidence as to who made the distinction, the
Mormons or the other white people. In a letter to Commissioner Denver,
Brigham Young gave a typical example of the treatment given to the Indians by
the white travelers sojourning through the Territory:

If I am to have the direction of the Indian Affairs of the Territory,
and am expected to maintain friendly relations with the Indians, there
are a few things that I would most respectfully suggest to be done. First,
that travelers omit their infamous practice of shooting them down when
they happen to see one. Whenever the citizens of this Territory travel
the roads, they are in the habit of giving the Indians food, tobacco, and
a few other presents; and the Indians expect some such trifling favor;
and they are emboldened by this practice to come up to the road with a
view of receiving presents. When, therefore, travelers from the States
make their appearance, they throw themselves in sight with the same
view and when they are shot at, and some of their numbers killed as
has frequently been the case, we cannot but expect them to wreak their
vengeance upon the next train. 15

Another statement throwing more light on this subject was made by

Orson F. Whitney:

Is it strange that in the minds of the untutored sons of the wilderness
there should grow up a distinction between the Mormon settlers and the
other white people who came among them? One class they called
Mericats Americans—and the other class, Mormons. The latter were
found fault with by some of the local Federal officials because of the
distinction made by the Indians. But it would have been far more
reasonable to have censured those who were mainly responsible in the
premises the "Mericats," who wantonly murdered the red men, and
were really more accountable than the ignorant natives, themselves,
for such lamentable and soul-harrowing tragedies as the Gunnison
Massacre. 16

14 Ibid., p. 173.


16 Orson F. Whitney, History of Utah (Salt Lake City, Utah: George Q.
This chapter has handled four problems that arose within the Superintendency. The unfortunate discord between the two sets of officials had disastrous effects. Failing in cooperation, themselves, these 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.17

17 Leland Creer, op. cit., p. 171.
CHAPTER IV

SLAVE TRADE VS. LEGAL ADOPTION

One of the most serious problems with which the Utah Superintendency was faced was that of Indian Slavery. Slavery had been a profitable business ever since the first appearance of Spanish traders in the Great Basin.

In 1851, the Spanish and Mexicans were making annual trips, commencing with a few goods, trading on their way with either Navajos or Utes for horses which they sold very cheaply, always retaining their best ones. These used-up horses were brought through and traded to the poorer Indians for children. The horses were often used for food. This trading was continued into California where the children brought on the down trip would be traded to the Mexican-Californians for other horses, goods, or cash. Many times, a small outfit on the start would return with large herds of California stock.\(^1\) All children bought on the return trip would be taken back to New Mexico and sold; boys fetching on an average $100, girls, from $150 to $200. The girls were in demand to bring up for house servants, having the reputation of making better servants than any others. This slave trade gave rise to the cruel wars between the native tribes of this country, from Salt Lake City down to the tribes in Southern Utah.

\(^1\)Daniel W. Jones, \textit{Forty Years Among the Indians} (Salt Lake City, Utah: Juvenile Instructor Press, 1890), p. 49-50.
Walkara and his band raided on the weaker tribes, taking their children prisoners and selling them to the Mexicans. Many of the lower classes inhabiting the southern deserts would sell their own children for a horse, then would kill and eat it. "The Mexicans are as fully established and systematic in this trade as were the slave-traders on the seas and to them it was a very lucrative business."\(^2\)

On March 7, 1852, the Legislative Assembly of the Territory of Utah passed an act legalizing Indian Slavery.\(^3\) This act legalizing slavery was to induce the Mormons to buy Indian children who otherwise would have been abandoned or destroyed by sick or starving parents. It provided that Indian children under proper conditions, could be legally bound over to suitable guardians for a term of indenture, not exceeding twenty years. The master was required to send the Indian children between the ages of seven and sixteen years, to school for a period of three months during each year, and was answerable to the Probate Judge for the treatment of his apprentices.\(^4\)

Many families took small Indian children into their homes to protect them from slavery or from being left destitute to die in the wilderness. From the diary of John D. Lee, we read:

Thursday, June 18th, 1858. By sunrise, some 20 Indians were at my home. After smoking around, we had friendly talk. They brought

\(^2\)Ibid.

\(^3\)Leland Creer, op. cit., p. 174.

\(^4\)Ibid.
me 2 more girls for which I gave them 2 horses and named the girls Annette, Elnora.  

From this quote, it should be noted that Lee had bought other Indian children, some of which were still living with him at the time he bought these children.

The act of the Legislative Assembly legalizing Indian slavery was the immediate result of the actions of a party of Mexican traders in San Pete Valley, who were trading horses and firearms for Indian children. As early as November, 1851, the Deseret News had called attention to the fact that one Pedro Leon and a party of about twenty Spanish-Mexicans were in San Pete Valley, and that they held licenses, "spurious or genuine," signed by John S. Calhoon, Governor and Superintendent of Indian Affairs for New Mexico, purporting to authorize them to trade with the Utah Indians. Pedro Leon also had in his possession, a blank license, dated July 30, 1851, signed by John S. Calhoon. This license authorized the holder to proceed to the Salt Lake area for the purpose of trading with the Utah Indians in said region.  

Daniel W. Jones' own story of this incident sheds one light on the happening:

When this party of traders spoken of, arrived, Governor Young was notified and came to Provo. The leaders of this company came to see the Governor, I acting as interpreter. Mr. Young had the law read and explained to them showing them that from this day on, they were under obligations to observe the laws of the United States, instead of Mexico; that the treaty of Guadalupe de Hidalgo, had changed the conditions and that from this day on they were under control of the United States.

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6 Orson Whitney, op. cit., p. 509.
He further showed that it was a cruel practice to enslave human beings, and explained that the results of such a business caused war and bloodshed among the Indian tribes. The Mexicans listened with respect, admitting that the traffic would have to cease. It was plainly shown to them that it was a cruel business which could not be tolerated any longer; but as it had been an old established practice, they were not so much to blame for following the traffic heretofore. Now, it was expected that this business would be discontinued. All seemed satisfied and pledged their word that they would return home without trading for children. Most of them kept their promise; but one small party, under Pedro Leon, violated their obligations and were arrested and brought before the United States court, Judge Snow presiding.  

George A. Smith defended the prisoners, and Colonel Blair prosecuted with great wisdom and tact. They were found guilty and were fined. The fines were afterwards remitted, and the Mexicans were allowed to return home.  

It was thought that this would end the trouble, but it did not. Some of the slave traders felt revengeful, and forthwith went to work stirring up the savages against the Utah settlers. These tactics brought about defensive actions by the Mormons, and early in 1853 the following proclamation was issued by Superintendent Young:  

Therefore, I Brigham Young, Governor and Superintendent of Indian Affairs for the Territory of Utah, in order to preserve peace, quell the Indians and secure the lives and property of the citizens of the Territory, hereby order and direct as follows:  
1st. That a small detachment consisting of thirty men under the charge of Captain Wall, proceed south through the entire extent of the settlements reconnoitering the country and directing the inhabitants to be on their guard against any sudden surprise.  
2nd. That said reconnoitering officer communicate with the expedition now traveling south, as often as any information of importance is obtained, that I may be kept advised of every transaction.  

7Daniel Jones, op. cit., p. 51-52. (The law read did not have reference to the new act passed on slavery.)  
8Ibid.
3rd. The officer and party hereby sent upon this service are hereby authorized and directed to arrest and keep in close custody every strolling Mexican party, and those associating with them, and other suspicious persons or parties that they may encounter, and leave them safely guarded at the different points of settlement to await further orders, as circumstances shall transpire and the laws direct.

4th. The militia of the Territory are hereby authorized to be in readiness to march to any point to which they may be directed at a moment's notice.

5th. All Mexicans now in the Territory are required to remain quiet in the settlements and not attempt to leave under any consideration, until further advised; and the officers of the Territory are hereby directed to keep them in safe custody, treating them with kindness and supplying their necessary wants.

6th. While all the people be on their constant guard, they are also requested to remain quiet and orderly, pursuing their various avocations until such times as they may be called upon to act in their own defense.

7th. The officer in command of the reconnoitering detachment is hereby directed to move with caution, that he may not be taken in ambush or surprise; to preserve his men and animals, and still be as expeditious in his movements as possible; and the people at the various settlements are hereby requested to furnish him such aid and assistance as shall be necessary. 9

This proclamation was dated in Provo April 23, 1853.

Stopping this slave trade business tended to "sour" some of the Indians who had made a practice of raiding the Pahutes and lower tribes, taking their children and selling them to the Mexican slave trade. 10 The Indians, aware of the Mormon's regard for human life, occasionally killed their would-be slave children, blaming the death on a reluctant buyer. A typical example of this is given in the life of Arapine, the brother of Walkara.

Arapine, Walker's brother, became enraged saying that the Mormons had stopped the Mexicans from buying these children; that they had no right to do so unless they bought them themselves. Several of us were present when he took one of these children by the heels and

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10 Daniel Jones, op. cit., p. 53.
dashed its brains out on the hard ground, after which he threw the body towards us, telling us we had no heart, or we would have bought it and saved its life. This was a strange argument, but it was the argument of an enraged savage.\textsuperscript{11}

After Governor Young legalized Indian slavery and issued his proclamation against Mexicans within the Territory stirring the Indians up to revolt, Daniel Jones made this statement, "I never heard of any successful attempts to buy children afterwards by the Mexicans. If done at all, it was secretly."\textsuperscript{12}

\textsuperscript{11}Ibid.

\textsuperscript{12}Ibid.
CHAPTER V

PROBLEMS AND ACCOMPLISHMENTS OF THE TERRITORIAL SUPERINTENDENCY WITH THE INDIANS

The following two chapters will deal solely with the problems which arose between the Utah Territorial Superintendency and the Indians. The difficulties will be handled in chronological order, starting in 1851 and running to 1857.

Agent Holeman arrived in Salt Lake City on August 9, 1851. After reporting himself to the Territorial Superintendent (Brigham Young), Holeman returned to Fort Laramie, where a treaty was being arranged with the Indians living in that area. In a letter dated September 21, 1851, written from Fort Laramie, Holeman stated that he had been successful in getting sixty of the head men of the Shoshone tribe to go to this meeting and represent the Shoshone tribe. This group, under the direction of Agent Holeman, arrived in Fort Laramie on September 1, 1851. Holeman continued his letter stating that Colonel Mitchell, who was heading the treaty arrangements, had excluded the Shoshones from the talks, for he felt they should not be included in the treaty being developed for that area. Holeman felt that a great mistake had been made, because of the friendly nature of the Shoshone nation to the white people. Holeman also stated that presents were given to the sixty Shoshone men and that he hoped this would
help continue the good relations with this tribe.  \(^1\)

In the same letter to Commissioner Lea, Holeman expressed his feelings about another problem in the Utah Territory. This was the problem of the so-called, "Freemen."

I find, also, another class of individuals--a mixture of all nations--and although less powerful in number, equally injurious to the country and the Indians. These are a set of traders called "Freemen", who are settled around and among the Indians; some have married among them; all, however, have an influence, which is exerted to serve their particular personal interest. This is operating against the interests of the Indians and the country, and tends greatly to prevent the agents from doing that which is required by the Department. These scenes are transacted so far from the officers of the law and by a set of men who are somewhat lawless, that it will require extreme measures and some force to relieve the country of them. With regard to all these matters, I would like to have particular instructions. I am of the opinion that it would be greatly beneficial to the interests of the Indians to have an agency established for the Shoshone Tribe, and located on the Green River, at or near, the ferry or crossing. It is on the main road, and is one of those places where the "Freemen" generally collect in the spring to prey upon the misfortunes and necessities of the emigrants. The Indians are consequently drawn there; and I am informed that they have induced Indians to drive off the stock of the emigrants, so as to force them to purchase of the "Freemen" at exorbitant prices; and, after the emigrants have left, make a pretended purchase of the Indians for a mere trifle, and are ready to sell again to the next train that may pass, and who may have been served in the same manner.  \(^2\)

Holeman also requested that a treaty be made with the Indians within the Territory of Utah to suppress them, and help eliminate their excitement against the whites, and "ultimately save the Government from much trouble and expense."  \(^3\) The letter further stated that if the Government and Congress agreed

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\(^1\) Annual Report, 1851, p. 182-183.

\(^2\) Ibid., p. 184.

\(^3\) Ibid.
upon this recommendation, that he would have them assembled at any point in
the Territory, during the next spring and summer.  

Agent Holeman had one other recommendation in his letter written from
Fort Laramie, and it stated:

It would be of great importance to order a delegation of principal
men, say two or three from each tribe, to visit the States, and Wash-
ington City during the session of Congress. They have no idea of the
power of the Government; many think that the emigration they see pass-
ing and repassing through their country comprises the principal portion
of our population.  

Again, in 1852 and in 1853, Agent Holeman recommended to Washington
that some steps be taken to stop the depredations of the "Freemen." The writer
could find no evidence that Washington ever answered Holeman or took steps to
overcome this problem. As for sending Indians of different tribes back to Wash-
ington to see the power of the country as Holeman had suggested, the Government
left Holeman with no answer. Although the treaty was never obtained that Holeman
asked for, Subagent Day, before leaving the Territory, was successful in nego-
tiating a peace talk between Sowiette and Walkara of the Ute Tribe, and Cut-Nose
of the Shoshone Tribe.  

The reports that reached Washington in the year 1852, concerning the
Utah Territorial Indian Superintendency were reports of peace and few Indian
depredations. In a letter dated September 29, 1852, Brigham Young reported a
peace talk which was held in Salt Lake City between the Utes and Shoshones.

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4 Ibid.

5 Ibid.

Wachor, representing the Ute Tribe, and Wash-o-kig, representing the Shoshones, were there. Brigham Young stated:

I led off by asking Wachor and Wash-o-kig if they wished to make peace and be friends with each other. They replied they did. "Will you make good peace that will last?" Answered yes. I then said to Wachor, "Tell all of your tribe this, and ask them if they will do the same; and, if so, let every one arise and hold up his right hand." It was done unanimously. And the same explanation being made to the Shoshones by their chief, they also responded unanimously in the same manner. I then told them that they must never fight each other again, but must live in peace, so that they could travel in each other's country, and trade with each other. I then asked the Utes if we had been friends to them and if they loved us? As soon as the question was explained to their understanding, they answered in the affirmative by acclamation, with evident signs of joy and good feeling. The same question was then asked the Shoshones, and they answered in the affirmative with signs of good feeling. 

Also in this peace talk, a problem which arose from a fight between the two groups a year prior was straightened out, and all left with good feelings toward each other.

Holeman's September report of 1852 contained the proceedings of a trip to Carson Valley to investigate Indian depredations which had been reported to the Territorial headquarters in Salt Lake City.

These reports, however, I am pleased to say, were untrue. I found the Indians on the whole route disposed to be friendly, or at least they professed to be. They said they had no wish to be at war with the whites, but that the whites were always at war with them; that they could not hunt or fish on the rivers but the whites were shooting at them; that the whites would persuade them into their camps, professing great friendship and without any cause or offence on their part, would shoot them down. This conduct on the part of the whites, they said, was sometimes revenged by the Indians; but if the whites would let them alone, they would be glad, and would not disturb them in the future.

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7 Wachor was another name used to signify Chief Walkara.

8 Annual Report, 1852, p. 147.
I found the Indians on the Carson River laboring under the same difficulties. They said they had killed as many whites as the whites had killed Indians, and taken as many horses from the whites as the whites had taken from them, and no more. As I returned I met upon an average about three hundred wagons daily from the time I left the link of the Humboldt until I reached the Goose Creek Mountains—a distance of upwards of four hundred miles. I inquired particularly in regards to the conduct of the Indians. The almost universal reply was that they had seen but few Indians; all of whom appeared friendly, and that the Indians on the route had been far less troublesome than the white men.  

Holeman returned to Salt Lake City with a suspicion that the troubles in the western part of the Territory were not being caused by the Indians, but most of the blame fell on the whites. Holeman definitely found that the problem of "Freemen" was becoming a threat throughout the Territory. After the 1852 trip, there was only a suspicion as to whom the blame should fall upon, but after the 1853 trip to Carson Valley and the surrounding area, there was no question left in the mind of Holeman as who was to blame for the troubles in that area. In Holeman's report of September 30, 1853, he stated:

In my last annual report I gave it as my opinion that it was very important to the peace and safety of travel on this route that the Government should establish a post on these rivers; without which, I firmly believe, there will be no safety to emigration. The road is lined with trading posts from California to within 150 miles of this city, (Salt Lake) principally by men from California. They station themselves at every point where good food is to be found. Their stock in trade consists principally of liquors; scarcely an article is found that the emigrants stand most in need of. By unkind treatment to the Indians, they make them unfriendly towards the emigrants; situations arise which they take advantage of, and steal, and commit more depredations than the Indians, all of which they manage to have charged to the Indians. I was told by the Indians that some of these traders had proposed to them to steal stock from the emigrants, and run them off into the valleys in the mountains, and after the emigration had ceased passing, 

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9 Ibid., p. 151-152.
they would bring out guns, ammunition, blankets, etc; and trade with
them for the stock stolen.\textsuperscript{10}

In summing up his report, Holeman stated:

From my recent trip I am more strongly impressed with its importance;
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. The whites
who infest the country are far more troublesome than the Indians.\textsuperscript{11}

As before, Holeman's appeal for help from the Government was of no
avail.

While Holeman was heading westward to the Carson Valley District in
July of 1853, trouble was brewing fifty miles south of Salt Lake City which
eventually exploded into the "Walker War." Several books and references con-
tain details on this war.\textsuperscript{12} In Brigham Young's September 1853 report to
Commissioner Manypenny, he stated:

On the 18th of July ultimo, Indian Walker and his band gave vent
to their evil feeling, and disregardless of uninterrupted and long-
continued acts and expression of the utmost kindness, commenced upon
hostility by menacing the people of Springville, and killing a citizen of
Payson. Since that date, the Indians have killed three other persons,
and wounded several more, and driven off between three and four thou-
sand head of cattle and a large number of horses, and are still prowling
around the weaker settlements, watching their opportunity to kill
defenseless and unarmed persons, and commit such other depredations
as their necessities or fancies may dictate.\textsuperscript{13}

\textsuperscript{10}Annual Report of the Commissioner of Indian Affairs (Washington,
D.C.: Robert Armstrong, 1853), p. (206-207). (Further reference to this work
will be cited only as "Annual Report."!)

\textsuperscript{11}Ibid.

\textsuperscript{12}Leland Creer, op. cit., p. 176-180. Orson Whitney, op. cit.,

\textsuperscript{13}Annual Report, 1853, p. 201-202.
This incident was the beginning of the Walker War which lasted intermittently until May of 1854. After the treaty, Walkara remained friendly with the Mormons until his death on January 29, 1855. Brigham Young had this to say about Walkara:

Allow me to say a word in behalf of Walker. I tell this congregation and the world that "Indian Walker" as he is called, has not been at the foundation of the difficulties we have had. He has had nothing to do with them. I told you so last summer, and I tell it to you now. I know it from that which is within me. Has he done no wrong? I did not say he had done no wrong. He has been angry, and felt at times that he would like to destroy this people; but I do know that he had been held by a superior power. At the very commencement of the fuss, he was not in favour [sic] of killing the whites. When Kiel was killed, the Indians were still in the kanyon; [sic] and when the whites followed them, they could have killed every man; but Walker said, "No, they shall not be killed." Arapeen took his San Pete squaw and his favorite horse and killed them, and said, "If God is satisfied, I am." Who are the guilty Indians? A few bad men, who thirst for blood, who do not have the Spirit of the Lord, but love to steal Indian children and kill one another; who love to steal from each other and kill anybody and everybody. A few of them we know. But I tell you, Walker has not been the cause of the Indian war. But the Lord will work out the salvation of his people, if they do as they are told. I tell the brethren who live out from this City that the Indians are friendly and wish to make treaties. 14

During the Walker War on October 26, 1853, the Gunnison surveying party was massacred on the Sevier River. The cause of this massacre was blamed on some California emigrants who a few days previously had killed the father of Chief Moshoquop. Because of this, the Indians took their revenge on the first white people they met. Eight of the twelve members of the surveying party were killed. 15


15 Orson Whitney, op. cit., Chapter 25.
In the latter part of 1853, Agent Holeman was released and E. A. Bedell was sent to fill the position of Agent in the Territory. Brigham Young stated:

Major E. A. Bedell, of Warsaw, Indian agent for Utah, Vice-Major Holeman, removed; arrived in this City on the 15th of August, ultimo, and reported himself ready for duty on the same day, but could not relieve Major Holeman, according to the strict letter of instructions from you, dated the 6th of last June, as Major Holeman was absent on a trip to Carson Valley and did not return until last evening. Owing to this circumstance, I instructed Major Bedell to enter immediately upon the duties of his office, and divided the Territory into two districts, the eastern and western, for the better conduct of the business of this Superintendency, assigning the region east of the North and South Territorial Ward to Agent E. A. Bedell, and the region west of said Ward to Sub-agent S. B. Rose. I have chosen the above-named Ward as the best line of division for the present; dividing the country into nearly equal parts, being a line already determined and easily recognized.16 [See map on page 34]

From his work it appears that Agent Holeman was a man of honest intent, with a strong desire to make the Territory a safe place for travelers. He did a great deal of work in the Carson Valley area, and there established peace between the Indians and white settlers, with only the "Freemen" interfering at times, causing conflict between the settlers and the Indians. Holeman made several recommendations to Washington, trying to obtain safe passage for the travelers; but his desires were never attained during his term as agent.

E. A. Bedell finished out the year of 1853 and was agent during the year of 1854. Little is said of the work accomplished during his term of office. He died in the latter part of 1854, and Garland Hurt was made agent in 1855.17

Figure 3. Division of Indian Agencies in Utah Territory, 1853
Also, Subagent Rose was released and George W. Armstrong arrived on April 27, 1855, and took over the responsibilities of Subagent. Armstrong was the first of any of the agents or subagents not to settle in Salt Lake City; he settled in Provo. Agent Hurt took over the western agency and Subagent Armstrong, the eastern.

In 1855, a common problem arose throughout the Territory because the Indians had been led to expect presents from the Government. Agent Hurt was informed that many of the Indians were becoming restless and were starting to steal because they had not received their presents. Hurt immediately left for Carson Valley, taking with him as many presents as his wagons could carry. Both on the journey to and from this area, Indians would ride for miles to meet his wagon when they heard he was in the vicinity, to "collect" their presents. In speaking with the Indians, Hurt discovered that his predecessor had promised the Indians many presents that year. This created another problem for the Government had not sent money for such purchases, and the Government officials denied sending word that they would do so. It is interesting to note that the Indians in the eastern agency were aware of this promise. The Indians stated that they were told by emigrants that the Great White Father was sending many presents for the Utah Indians. In fact, this story drifted as far as Santa Fe in the New Mexico Territory, where Sowiette had been camping for the two previous years, not having any part in the Walker war and refusing to fight white settlers.

\[18^{ibid.}, \text{p. 201}\]

\[19^{ibid.}, \text{p. 197-201}.\]
Sowiette traveled back from Santa Fe and confronted Subagent Armstrong with the question, "Where are my presents and presents for my people?"\(^{20}\) Of course, this caused a problem with Armstrong because he did not have presents for Sowiette's people. Armstrong promised the Chief that he would have them to his people in a week's time, which he did.\(^{21}\)

Another problem which faced the Utah Indian Superintendency was that of famine. There were years of severe drought and plagues of grasshoppers. In 1855, the skies were actually blackened by these crop-destroying pests. The valleys took on the appearance of having been scorched by fire, due to the lack of water. What farming and herding the Indians did was of little consequence. Those who traveled through the Territory told stories of the destitute nature of the Indians. Armstrong wrote:

Measures should be immediately taken in some way to appease their hunger, as they are already in a very destitute condition and are constantly making loud and clamorous appeals to the settlers for provisions, and that, too, I am credibly informed in some of the settlements where they have not enough for themselves to subsist upon; and the coming harvest admonishes them that their own supply, in many instances, will be cut off, and that scarcity and high prices will unavoidably deprive many of the common necessities of life during the coming year, who heretofore had plenty for themselves, and some to spare for the Indians. I cannot drop this part of the subject without endeavoring to impress upon the department the great necessity for immediate action on this one very important matter. The game, which in former years was considerable, and upon which the Indians in part depended, is rapidly diminishing, which will increase their difficulties in obtaining the subsistence; and, if left to their own resources, will I fear, impel

\(^{20}\)Ibid.

them to the frequent commission of petty thefts; a source of great annoyance, loss, and irritation to the settlers.\textsuperscript{22}

This letter was written on June 30, 1855. Again on June 30, 1856, Armstrong lamented to the Government, the deplorable state of affairs:

The situation of the Indians on this river was truly lamentable, being almost naked, while want, destitution and misery were plainly depicted in their countenances; produced in a great measure by famine, caused by the destruction of their crops by grasshoppers during the past years. And, their appeals to me for bread to satisfy the cravings of hunger were such that I could not withstand administering to their wants which I did, as far as circumstances would admit, their only provision being snakes, lizards, and buds of the cottonwood tree.\textsuperscript{23}

Because of the destitute nature of the settlers, themselves, they were of little help to the Indians.

In a speech by Brigham Young in reference to Indian troubles and their solutions, he stated:

If the inhabitants of this Territory, my brethren had never condescended to reduce themselves to the practices of the Indians, to their low, degraded condition, and in some cases even lower, there never would have been any trouble between us and our red neighbors. This is the key to the whole of it. Young men, middle-aged and boys have been in the habit of mingling with the Indians; of going to the camps and trading with them a little; and they have tried to cheat them. They have sat down in their wickups and talked with them in the most ludicrous manner; they have gambled with them and run horses with them, and then have taken a game of fisticuff with them. If they had treated them as Indians and as their degraded conditions demanded, it would have manifested their superiority, and a foundation for difficulties would not have been laid. As I have done all the time, I tell you again today. I will not consent to your killing one Indian for the sin of another. If any of them commit a depredation, tell the Tribe to which they belong that they may deliver up the man or men to be tried according to law, and you will make friends of the whole tribe. They came pretty close to starving to death last winter; and they now see if they are driven

\textsuperscript{22} *Annual Report*, 1855, p. 203-204.

\textsuperscript{23} *Annual Report*, 1856, p. 234.
from these valleys in winter they must perish; therefore, they now want to make good peace. Treat them kindly, and treat them as Indians; not your equal. I have fed fifty Indians almost day by day for months together, I always give them something, but I never forget to treat them like Indians; and they are always mannerly and kind, and look upon me as their superior. Never let them come into your houses, as the whites did in Utah county. There they would let them lounge upon their beds, until finally they would quarrel and become angry if the women would not let them lounge upon their beds. Great big athletic fellows would want to go into the wickups of the Mormons and lounge upon their beds and sit on their tables and on their chairs, and make as free as though they belonged to the family. When familiarities became oppressive to the whites, and they desired them to leave their houses, it made them angry and I knew it would. This is the true cause of the Indian difficulties in Utah. 24

Thus, the Superintendency had many problems to contend with in their dealings with the Indians during these years; problems with not only the Indians, but with nature, other white settlers, and last, but certainly not least, themselves.

CHAPTER VI

INDIAN FARMING

Being leader of the Mormon Church and Governor of Utah Territory, as well as Superintendent of Indian Affairs, Brigham Young was involved with the Indians in three different capacities. There is no question that his policies and dealings with the Indians overlapped at times in each of these capacities. One such example was the policy he set up of teaching the Indians to farm. The purpose of Indian farming was mainly to show them a way wherein they could help themselves overcome their destitute condition and become self-sustaining.

Under the direction of Brigham Young, the Mormons were sent into the southern regions of the Territory (which is now the southwest corner of the State of Utah), to set up a mission for the Indians. Consequently, in the early part of 1854, Mormon missionaries were found among the Indians, trying to help them in all phases and forms of civilized living.\(^1\)

The first objective was to teach the Indians how to farm properly. And, although Brigham Young definitely started the policy of Indian farming, it was later carried over into the Indian Superintendency and used under the direction of Agent Hurt and Subagent Armstrong.\(^2\) Hence, before the Superintendency

\(^1\)Milton R. Hunter, \textit{op. cit.}, p. 322-336.

set up the Indian farm policy, Indian farming was well underway under the direc-
tion of the Mormons, and Brigham Young is recognized and given credit for
teaching the Indians to farm. In a letter to the Commissioner of Indian Affairs
dated June 30, 1856, Subagent Armstrong made this statement after he had
visited the Indian territories under Mormon supervision:

Since my last report, and in compliance with your instruction, I have visited various bands of the Pie-de Indians, south of Fillmore City, located on Shirt's Creek and Wood Creek, in Iron County, and also those on Santa Clara, Rio Virgin, and Muddy Rivers in Washington County, and if I am correctly informed, this is the first time that the Indians in Washington County have been visited by an agent of the general Government. Those on Shirt's Creek, (though few in number), I found mostly engaged in locating a small farm, under their Chief, Ying-guith, assisted by some of the citizens of Cedar City. They were chiefly occupied in making fence, preparing the ground, and planting corn. They appeared much pleased with the idea of farming on their own account, and the prospect they had of raising grain and vegetables for their own subsistence, notwithstanding they were in great want of the necessary implements to prosecute their work, even on a small scale, the few they had being loaned or furnished them by citizens of Cedar City; and as I had been previously informed by good authority of their desire to engage in agricultural pursuits, I took with me a number of farming implements. I presented them with a few spades, hoes and shovels, some clothing, a little tobacco and other presents, with which they were pleased; and I soon discovered that those articles would be a great inducement for them to prosecute their work to comple-
tion, as well as an evidence of friendship on the part of the general Government towards them.

On Wood Creek I found many of them engaged in the same manner, assisted by some citizens of Fort Harmony, which is also situated on this creek, but like those on Shirt's Creek, being destitute of the neces-
sary implements to prosecute their work with much success; the few spades and other tools which they had, belonged to the citizens of the fort. I learned from the citizens of the fort that the Indians in general in this section of the country are very willing to be instructed in farm-
ing, and many of them are very industrious, and will perform as much labor on a farm as many of the whites. The Indians at these places have learned much from the citizens who have set them a good example, teaching them that it is much better to be industrious and learn the arts of civilized life, than to indulge in their old habits of stealing, and depending on the chase for a living; and they certainly merit the esteem of all true philanthropists for the interest they have taken in ameliorating
the condition of those Indians. At both places I noticed squaws engaged in washing, ironing, and other housework. One instance I will mention, which shows the industry and perseverance of this band came about when one of the chiefs, Queogan, took me to his farm and showed me the main irrigating ditch which was to convey the water from the river on his land, which I found to be half a mile long, four feet wide, four feet deep, and had been dug principally through a gravel bed with wooden spades, (rough stick taken from the cottonwood tree, and hewn with a knife something in the shape of a spade), and the dirt thrown out with their hands--the last being performed by the squaws and children while the men were employed in digging. He also showed me a dam, constructed of logs and brushwood, which he had made to turn a portion of the water from the river and convey it to his farm through this ditch; and I must say, that the labor would do credit to more experienced hands. I saw other of similar things, but these I have noticed more particularly to show that, with proper assistance from the general government, these Indians could, in a few years, be taught the arts of civilized life, and would depend upon their own labor for support.  

After this visit to the southern settlements, Armstrong, seeing the work that could be accomplished with the Indians, made this plea at the end of his letter:

I do not feel at liberty to close this report without renewing my recommendations made in former ones, that suitable reserves be made for these southern Indians, and that competent farmers be employed to instruct them in agricultural pursuits and other arts of civilized life; for I am well assured, and close observation for the last twelve months warrants me in saying, that this is beyond doubt, the most economical, as well as the best policy that can be pursued towards them.  

In 1856, under the direction of Agent Hurt, three farms were established: on Corn Creek in Millard County, on Twelve-Mile Creek in San Pete County, and on Spanish Fork Creek, in Utah County. Brigham Young, in a letter to Commissioner Manypenny, dated June 30, 1856, said:

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3Ibid., p. 232-234. (See map on page 48 for illustration of rivers.)
So far as I am informed, the Indians within this superintendency have, during the past quarter, been entirely peaceful in their conduct towards the whites and with each other; and I am happy in being able to state that several are turning their attentions to agricultural pursuits, and appearing desirous of forsaking their idle and predatory habits, and of becoming familiar with the labor and duties pertaining to civilized life. Farming is being successfully conducted on three of the Indian reservations made by Agent Garland Hurt, on Corn Creek, in Millard County; on Twelve-mile Creek in San Pete County; and near the mouth of Spanish Fork in Utah County. It is to be hoped that these laudable efforts will be crowned with desired success, that the red men will be successfully induced to materially contribute to their own support, and thereby not only relieve the whites, with whom they come in contact, of a constant, harassing, and great expense, but steadily advance themselves in the habits, means, and appliances of civilized life.

In a letter dated September, 1856, Agent Hurt remarked on the farm program stating:

But 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, giving strong assurances of a permanent change in their life and habits. Fifty per cent of the amount expended this season will produce in another year twice the amount of crop, and all things considered, it does appear that it would be the most consummate folly to pursue any other policy with these Indians.

The three farms set up by Agent Hurt were without the approval of the Federal Government, therefore this step was taken with the full responsibility on his shoulders. His act was recognized by Commissioner Manypenny and in his report dated November 22, 1856, he stated:

The Indians in the Territory of Utah have, with but few exceptions, continued quiet and peaceable. According to recent reports, some of them have manifested an aptitude and disposition for agricultural labor beyond the general expectation. For reasons adverted to

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5Ibid., p. 225. (See map on page 46 for county boundaries.)

6Ibid., p. 232.
in my annual report for 1855, instructions were not given for entering into negotiations with the Indians in Utah, as had been contemplated in accordance with the act appropriating money for that purpose. And, as the department designed for these tribes articles similar in the treaties negotiated with the latter were not ratified by the Senate, it has been deemed proper to prosecute negotiations with treaties in Utah. Agent Hurt, however, 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 been received 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 express approval of his course. 7

However, it is found that Congress "grudgingly allowed the farms to exist." 8

Even though the Federal Government was not officially backing the Indian farm policy, the Utah Territory went ahead with plans of organizing and maintaining such farms. In 1857, on his annual trip to southern areas in the Territory, Subagent Armstrong found that the policy was paying off and that the Indians were doing better and that improvements had been made on the Indian farms. In 1857 he wrote:

Sir: In compliance with your official letter to me, dated 14th of March last, I have revisited the southern Indians located on Beaver River, Beaver County; as well as those near Fort Harmony on Ash Creek, Santa Clara, Rio Virgin Rivers, Washington County; and have found them more or less engaged in agricultural pursuits.

The first instance which came under notice was a band of Utah Indians under their Chief, "Ammon" on Beaver River. On my arrival at that place, I was visited by the chief in person, who informed me

7 Annual Report, 1856, p. 16.
8 Leland Creer, op. cit., p. 182.
that himself and a number of his band had, during the spring, cleared about twenty acres of bottom land in the river, and with the aid of one yoke of cattle, for which he had traded one of his ponies and old plough, which he had obtained from some of the citizens of Beaver City, had ploughed and sowed that number of acres in wheat. He invited me to walk with him to his farm about one mile distant from my camp, and view his improvements; with which I complied, and on my arrival there, found his statement correct.

His wheat was about two inches high and had undergone one process of irrigation; his water ditches were well and substantially made, and answered well the purpose for which they were intended. He labored under great disadvantages, however, for the want of proper implements to prosecute his work successfully. I presented him with one of Hodge's patent steel ploughs, some spades, shovels and hoes, some blankets and clothing, together with a small quantity of powder and lead; for the benefit of himself and band, with which he was highly pleased, remarking at the time that the presents would be of a great inducement for greater advancement in agricultural pursuits, as well as an evidence of the friendly feelings on the part of the government of the United States towards them. On my return I visited his farm again, and was surprised to find that he had cleared twelve additional acres, and planted them with corn and potatoes, giving assurance that the implements he had received were applied to the purpose for which I had intended them.

Considerable improvements have been made by the Indians on Ash Creek in farming since my visit last year; and should their crops escape the ravages of the grasshoppers, which have devastated a portion of the Territory, I have no doubt but that they will be amply repaid for their labor.

On the Santa Clara River, much greater improvements have been made in farming in the last year by the Indians. 9

In 1857, Superintendent Young was released and Jacob Forney received his commission on September 9, 1857, to take over the responsibilities as Superintendent. Because of the weather and the conditions in the Territory at the time, Forney was compelled to stay at Camp Scott near Fort Bridger, during the winter of 1857 and 1858. Upon entering the Valley and taking over his full responsibility, Commissioner Forney stated that he was well pleased with the

farm program set up among the Indians by the previous superintendency, and that he was planning to continue this program with more expansion. Forney did feel, however, that too many white people were working on the farms, and if this program was going to teach the Indians to work for themselves and help make the Indian people industrious, that he intended to remove all whites from the farms except those who were in charge. 10

During Forney's Superintendency and Davies' who followed, Brigham Young's Indian farm policy was agreed upon, nevertheless the farms gradually deteriorated and disappeared.

10 Annual Report of the Commissioner of Indian Affairs (Washington, D.C.: William A. Harris, 1858), p. 204-214. (Further references to this work will be cited only as "Annual Report.")
GW - Greasewood
Des - Desert
BE - Box Elder
Ce - Cedar
C - Cache
W - Weber
D - Davis
S - Summit

Map by courtesy of Gustive Larson.

Figure 4. Counties of Utah Territory in 1860
Figure 5. Geographical Locations in Utah Territory
CHAPTER VII

THE TROUBLESOME TRIANGLE

Not only were problems found within the Superintendency itself, as well as with the Indians, but there was also a major problem facing them in their dealings and negotiations with the officials of the Federal Government. These Federal men (in the opinion of the men in the Superintendency) utterly failed in their responsibility of negotiating treaties with the Indians, as well as "shamefully" neglecting to support the Superintendency, financially.¹

Only one treaty was negotiated with the tribes of the Utah Territory before 1864, and this was on August 7, 1855, with the Shoshone Tribe. This treaty gave the Shoshone Tribe three thousand dollars in exchange for peaceful and friendly relationship shown towards the citizens of the United States, with safe passage guaranteed to these persons through Indian lands. Reference to this treaty was made by Subagent Armstrong to Commissioner Many penny in a letter dated September 30, 1855.

On the first of the present month a treaty of peace was held at Great Salt Lake City between the Shoshone or Snake Indians and the Utes. I was not present at the treaty, my presence being required at the time in the more southern section; and as I presume a full report will be made to the Department of Indian Affairs by your Excellency,

¹Leland Creer, op. cit., p. 174.
as well as by the Agent, Dr. Garland Hurt, I deem it unnecessary to say anymore on this subject.\(^2\)

Although this treaty was negotiated by Agent Hurt, the Federal Government never sanctioned it. In Commissioner Manypenny's Annual Report of 1856, he stated that Hurt made this treaty without instruction from his office to do so and that the treaty was never ratified. Furthermore, only a copy of the original treaty was sent to Washington.\(^3\)

Often, in reports from men in the Superintendency, there were recommendations for treaties. In a report dated September 30, 1855, Agent Hurt wrote:

> I would take occasion to suggest here that treaties ought to be negotiated with these tribes, as early as possible, for the title to their lands, which are now held and occupied by the whites. It is a thing almost unprecedented in the history of our Indian policy to go into any State or Territory and make extensive and permanent improvements upon soil claimed by Indians without extinguishing those claims by treaty.

> This delay is not only unjust to the Indians by depriving them of their wandering and hunting grounds, without paying that respect to their claims which is due them according to our usage with other tribes, but it is equally so to the pioneer settler, who is forced to pay a constant tribute to these worthless creatures, because they claim that the land, the wood, the water and the grass are theirs, and we have not paid them for these things. The funds which would fall due these tribes by the negotiation of such treaties if properly managed, would go far to remove from the people, the burden which is consequent upon their support.\(^4\)

As early as September 25, 1852, Agent Holeman was aware of the neglect of treaties, and he suggested:

\(^2\)Annual Report, 1855, p. 206.

\(^3\)Annual Report, 1856, p. 16.

\(^4\)Annual Report, 1855, p. 201.
I recommended that a treaty should be held with the Indians of this Territory. I earnestly repeat the recommendation; for until some measure is adopted by which the Indians, as well as the whites, may know their respective rights and privileges, it is vain to expect that the Indian Affairs of this Territory can be placed on an amicable footing, such as will be satisfactory to both parties. If something is not done to effect this object, in the course of a few years the Indians will be compelled to give up their present location to an emigrating population, and be driven forth to perish on the plains or the Government will find herself embroiled in a war with all these mountain tribes.  

As early as November, 1850, Brigham Young asked Congress to do away with Indian land titles and move the Indians to a "suitable" reservation. This appeal was never answered until 1865, when the Indian land title was extinguished. This proposed treaty in 1865 was never ratified. 

On March 7, 1852, the Territorial Legislature requested Congress to pass an act which would give the Superintendent the authority to make treaties with the Indians and would provide funds to cover such treaties. 

The need for treaties and Indian land titles were problems that plagued Brigham Young's Superintendency for seven years. Leland Creer had this comment: 

The request for the extinguishment of the Indian land title, probably was the most marked grievance within the Territory, and was embodied in practically all of the official reports directed to the Government during this period.

Brigham Young seemed rather caustic on the matter when he wrote:

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7. Ibid.

8. Ibid.
You will at once perceive that not only myself, but the subordinate officers of this Superintendency find it impossible, as proven by our united best endeavors and judgement, to carry out your admirable policy which we all most heartily coincide with, except at considerable expense; hence may I not rely upon your powerful mediation with the next Congress for appropriations commensurate with the justice of the case and the magnanimity of our nation?  

This was written by Brigham Young on September 29, 1855, to the Commissioner of Indian Affairs in Washington. This excerpt from his letter sets forth another major problem of the Superintendency; that of insufficient funds.

In 1853, the Utah Territorial Legislative Assembly petitioned Congress for an appropriation to cover the expense of the depredations of the Indians. Also, in 1854, a petition was sent for Congress to send money to cover the expense of the Indian problems and the Walker War which was then being fought.

Brigham Young, in a letter dated September 30, 1853, said:

Up to the present, we have continued to act entirely on the defensive, using all diligence to secure our crops, our hay, and winter fuel, in making forts and yards for the security of our families and stock, and in tearing down houses and putting them up inside the forts at the cost of some two-hundred thousand dollars. These labors, with the additional duty of standing guard and being always on the alert, have placed us under an exceedingly expensive and onerous burden. Unavoidable circumstances have thrown a large portion of this expenditure upon the Superintendency.

Congress took no action on these petitions and letters. In his annual report in 1854, Commissioner Many penny asked Congress for financial help,

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9 *Annual Report*, 1855, p. 196-197.  
but his request was ignored.\textsuperscript{11}

In 1854, Congress did appropriate $45,000.00 to the Utah Territory for negotiating treaties and buying the needed necessities for the Indians. However, in 1856 Brigham Young wrote this discouraging note to the Indian Commission:

In this connexion \textit{[sic]} it may not be amiss for me to state that nearly two years have elapsed since Congress appropriated over forty-thousand dollars for the express purpose of making treaties, and etc., with the Indians in Utah, that their lands have been traversed by Government surveying parties now almost a year, and still not one dollar of that appropriation has yet been expended within this superintendency, and for aught I know, is still fast in the coffers at Washington. Is this just? Has it any precedent in use toward tribes in any other State or Territory? More especially when the reliable conduct, facilities, and advantages of the various tribes are taken into account.\textsuperscript{12}

Not only was there a lack of financial help from the Government, but often there seemed to be neglect shown towards the Territory by the officials of the Federal Government. In 1855, Brigham Young stated that he had been in the office of Superintendent one year before he ever received a copy of the laws and regulations governing his office. It was two years before he received any word from Washington on what policy should be carried out with the Indians, and then Commissioner Lea left most of the answers up to Brigham Young, because of the great distance between Utah Territory and Washington. Brigham Young went on to say that he had never once received forms and blanks from Washington for his official business.\textsuperscript{13} Young complained about the neglect that had been shown the Territory with the deficiency of agents and subagents. Since the Territory

was organized, there had been only one agent on duty half of the time, and the
Territory had never had more than one subagent since Day had left. 14

On September 12, 1857, Brigham Young complained again:

The Government should make more liberal appropriations to be
expended in presents. I have proven that it is far cheaper to feed and
clothe the Indians than to fight them. I find, moreover, that after all,
when the fighting is over, it is always followed by extensive present
giving, which if properly distributed in the first instance, might have
been averted. In regards 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 Superin-
tendent'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. I have drawn again for the
expenditure of this quarter, as above set forth. Of course you will do
as you please about paying, as you have with the drafts for the two last
quarters. The department has often manifested its approval of the
management of the Indian Affairs in this Superintendency, never its
disapproval. Why then, should I be subjected to such annoyance in
regard to obtaining the funds for defraying its expenses? Why should
I be denied my salary? Why should appropriations made for the benefit
of the Indians of this Territory be retained in the treasury and individ-
uals be left unpaid? 15

Brigham Young definitely felt that the Utah Territorial Superintendency
was being neglected in manpower and in financial aid. Not only was neglect
shown in these areas, but Young also felt that his salary was being neglected.

In answer to his letter, Commissioner Denver stated:

Your claim for double salary cannot be allowed; for even if it
did not come in conflict with the 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;

14 Leland Creer, op. cit., p. 186.

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 expenditures was properly made, they will be paid, should Congress make an appropriation for that purpose.

You say: "The department has often manifested its approval of the management of the Indian affairs in this Superintendency, and never its disapproval." The reverse of this is the fact. This office has often found fault with your conduct, and to prove this, it is only necessary to quote your own language. One extract from your communication to this office, dated, "Great Salt Lake City, June 26, 1855," will suffice. You then say, "For the last two years I have experienced the greatest difficulty in getting my accounts adjusted at the department, and, when they have finally been so adjusted, that it has been done by suspending and disallowing a great portion thereof." Many similar extracts might be given, but this is sufficient to establish the incorrectness of your statement that his office had never manifested its disapproval of your conduct.\(^{16}\)

It is evident that officials in Washington felt they were just as right as Brigham Young in the manner in which they were handling the Indian affairs, including different appropriations. It is impossible to say which of the two parties was right. It is possible, however, for one to look at the actual appropriations given to the Utah Territorial Indian Superintendency by Congress, and then form an opinion.

Superintendent Forney wrote to Congress that it would take $150,000.00 to care for the Indians of the Utah Territory. There was no response to this appeal.\(^{17}\)

In Commissioner Mix's report of 1858 is written the expenditures of several of the Indian Superintendencies. The California Superintendency had

\(^{16}\)ibid., p. 602.

received $1,173,000.00 since 1852, and Texas $301,833.73, during the same
said period. Washington Territory had received $1,323,000.00 and New Mexico,
$212,506.00 over the same six years. During this same period of time, Utah
Territory had received but $172,000.00. 18

On page 57 is the list of expenditures paid out by the government for
treaties, and the purchasing of land titles from the Indians. These expenditures
cover a three-year period, starting with March 4, 1853, and run to October 16,
1856. These statistics show that $11,184,203.00 were spent during this period
of time to the various tribes and territories. Washington Territory was given
$1,294,350.00, and New Mexico Territory received $478,000.00; while Utah
Territory was given only $3,000.00, which is less than one three-hundredth
part of 1 per cent. 19

In June of 1855, an estimate of $300,000.00 had been spent in the Terri-
tory, during the previous five years on losses and damages caused by the
Indians. Congress had allowed $95,940.00 to be set aside to repay the Territory.
When a note was presented before the treasury for payment, excuses were found
for not paying it. 20

After the Walker War, General Wells estimated that its cost was around
$70,000.00. When this amount was asked for by the Territory, Congress cut it
down to $40,000.00, and this was not paid until 1861; seven years after the

18 Annual Report, 1858, p. 9.
19 Ibid., p. 264-267.
20 Leland Creer, op. cit., p. 188.
TABLE 1

Expenditures (in dollars) paid out by the Government for treaties, plus a listing of acreage in each state and territory

<table>
<thead>
<tr>
<th>Where located</th>
<th>No. of acres which Indian title has been extinguished</th>
<th>No. of acres reserved</th>
<th>Consideration in dollars</th>
</tr>
</thead>
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<tr>
<td>Kansas</td>
<td>2,180,000</td>
<td>60,000</td>
<td>180,000.00</td>
</tr>
<tr>
<td>Oregon</td>
<td>452,000</td>
<td>60,000</td>
<td>60,000.00</td>
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<tr>
<td>Nebraska</td>
<td>1,840,000</td>
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<td>450,000.00</td>
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<tr>
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<td>881,000.00</td>
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<td>10,000.00</td>
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<tr>
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<td>1,400,000</td>
<td>200,000</td>
<td>829,000.00</td>
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<td>Wisconsin</td>
<td>382,000</td>
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<td>242,686.00</td>
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<tr>
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<td>48,000.00</td>
</tr>
<tr>
<td>Kansas</td>
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<td>32,800</td>
<td>48,000.00</td>
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<td>1,600,000</td>
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<td>Where located</td>
<td>No. of acres which Indian title has been extinguished</td>
<td>No. of acres reserved</td>
<td>Consideration in dollars</td>
</tr>
<tr>
<td>-------------------------</td>
<td>-------------------------------------------------------</td>
<td>------------------------</td>
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</tr>
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<td>1,920,000</td>
<td>72,000.00</td>
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<td></td>
<td></td>
<td>578,400.00</td>
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<tr>
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<td></td>
<td></td>
<td>200,000.00</td>
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<tr>
<td>Utah Terr.</td>
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<td></td>
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*Annual Report of the Commissioner of Indian Affairs, 1857, p. 264-267. This report covers the period of time from March 4, 1853, to October 16, 1856.*
conclusion of this war.\textsuperscript{21}

Not only was Utah Territory being neglected in financial help, but the listings on pages 57 and 58 show that thousands of acres had been placed in reserve for the Indians in many of the territories. In some cases, even millions of acres were placed in reserve. On the other hand, in Utah during this same period of time, no acreage had been placed in reserve for the Indians.\textsuperscript{22}

It is not difficult to understand why the letters of Superintendent Young and his agents contained complaints against the Federal Government for its neglect to the Utah Territory.

In 1857, Superintendent Young was released from his duties of said office. On August 6, 1860, Brigham Young received a letter from Superintendent Davies stating:

Sir: I have to respectfully inform you that your accounts as Superintendent ex officio of Indian Affairs for Utah Territory, which have been suspended by the Commissioner of Indian Affairs and remain unsettled, have been placed in my charge and I am specially authorized to investigate said accounts with a view to their immediate adjustment and settlement by the Government of the United States. I shall be pleased to proceed with said investigation at the office of the Superintendent of Indian Affairs of Utah Territory in this city as soon as it may suit your convenience.\textsuperscript{23}

Upon receiving this letter, Brigham Young answered:

Sir: I am just in receipt of your letter of even date, and in reply, beg to state that my chief clerk, Mr. D. O. Calder, the bearer of this

\textsuperscript{21}Ibid.

\textsuperscript{22}Annual Report, 1858, p. 264-267.

letter, will wait upon you at any time you may be pleased to appoint to the investigation of my accounts with the Indian Department. 24

Brigham Young did not receive further word on this matter until February 4, 1861. This letter read:

Sir: I had the honor to advise you, in my letter dated November 24, 1860, that I had been directed by the Indian bureau, to investigate and settle your unsettled accounts with that department. You replied in your answer of the same date, that you would be ready to proceed with said investigation at any time I might be pleased to appoint. I regret to state that the pressing and complicated duties of my office have rendered it impracticable for me to do so at an earlier period; and, indeed, I am so much crowded even now that it is almost impracticable to spare the time necessary to transact this business. But from a desire to facilitate your interest, I propose to commence this investigation at this office on Thursday, the 7th, instant at ten o'clock a.m., when I hope it may suit your convenience to attend. 25

In answer to this letter, Brigham Young wrote:

Sir: I was gratified to learn from your note of the 4th, instant received on the afternoon of the 5th, that the condition of your other official duties has enabled you to appoint Thursday, the 7th, instant, at ten o'clock a.m., in your office, for the investigation of my unsettled accounts with the Indian department at Washington, D.C.

Mr. David O. Calder, my chief clerk, who is perfectly familiar with those accounts, is hereby deputed and authorized by me to attend on my behalf, such investigation thereof as you may be pleased to institute, at the time and place you have named.

In the investigation, should any question arise requiring my personal attentions, by letter otherwise, I shall endeavor to promptly facilitate your labors so far as in my power; but Mr. Calder is so familiar with the whole subject that I presume he will be fully competent to furnish you all the information you may wish. 26

On February 18, 1861, Superintendent Davies wrote the Commission in Washington giving his report on his finding in the investigation and its outcome.

24 Ibid.
25 Ibid.
26 Ibid.
Sir: In obedience to instructions contained in your letter to me dated August 6th, 1860, I addressed a letter to Brigham Young, late Governor and ex officio Superintendent of Indian Affairs of Utah Territory, on the 24th day of November last, informing him that his accounts were in my hands for adjustment, and that I should be prepared to proceed there with at any time that might suit his convenience; to which he replied by letter of that date, copies of which letters are here with presented and marked A and B.

On the 4th instant I addressed him a second note, designating the 7th instant as the time to commence said investigation at this office, to which he responded on the 6th instant, and copies of these marked C and D are likewise forwarded. On the day named we proceeded to investigate accounts by the examination of witnesses, whose statements were reduced to writing, sworn to, and duly signed before John F. Kinney, Chief Justice of the United States District Court for this Territory.

The items of the accounts and the receipts signed as evidence of payment were by myself, exhibited to the witnesses, and their attention was immediately directed to these various items separately. Various experiments were resorted to by myself to test their memory and detect drilling preparatory to their being called to testify; had such been the case, and I am constrained to say that in a practice of many years at the bar, I have no recollection of a single instance in which so many witnesses, (testifying, as they often did in the absence of each other, and without knowing what had been stated,) concurred with such precision and exactitude. The manner of these witnesses and the familiarity with which they each alluded to the various occasions and circumstances referred to in the accounts, and their perfect recollection of the persons and articles named and described, could not have failed to convince the most skeptical of the truthfulness of their statements.

Although subjected by me to a "rigid" and "searching" examination in the nature of cross-examination, I detected no evasiveness, no equivocation, or efforts to conceal anything. Straight forwardness, candor, and apparent conscientiousness characterized those who testified in behalf of Superintendent Young, and whether the same may be said of all who were called in behalf of the United States is respectfully submitted. . . .

The witnesses were not restricted by the technical rules of evidence as observed in courts of law and the largest latitude was allowed for the purpose of detecting error or fraud, if such existed, and also to secure a fair administration of truth, justice and equity.

I have, as directed by the Commissioner of Indian Affairs, endeavored to avail myself of "all the reliable sources of information within my reach" and have instituted a "searching scrutiny" into these accounts for the purpose of ascertaining:
1st. Whether the goods, wares, and merchandise named therein were necessary for the Indian service in this superintendency.

2nd. Whether they were of the kind and description usually given to the Indians.

3rd. Whether they were really purchased for the Indians and were in good faith distributed among them as presents.

4th. Whether the prices paid for said articles were in accordance with the then current rates of the country, and

5th. Whether the senders of said articles had been duly accounted to for the same by Superintendent Young.

6th. Whether the services charged for in said accounts as having been rendered to the Indian service, had been really performed.

7th. Whether the same were necessary for its interest.

8th. Whether the parties who performed said service were accounted to for the same by Superintendent Young.

9th. Whether the prices paid for said services were in accordance with the then usual rates of the country.

This, I believe, covers the full extent of my instructions, as contained in your letters to me on the subject, dated respectively August 6th and August 8th, 1860; and after carefully considering all the evidence adduced, and all the circumstances attending the transactions embraced in the accounts, connecting there with my personal observation and experience in the Indian service in this meridian, my mind is directed to the following conclusion, to wit:

First. The "disbursements charged for were actually made for the Indians service within the Superintendency."

Second. That the goods, wares, and merchandise embraced in the accounts of Superintendent Young were of the usual kind, quality, and description generally given by the government to the Indians.

Third. That the services charged for in said accounts were actually performed by the parties therein named, and that "the various charges for supplies, services, and etc;" as stated in said accounts were current rates of the country, and that the same were necessary for the "true interest of the Indian service." In this Territory, and that said parties were actually accounted to for the same by Superintendent Young.

Fourth. That the prices purporting to have been paid for the goods, supplies and services stated in said accounts, were so paid or accounted for to the parties named therein; and the goods, wares, supplies, merchandise, named in said accounts, as having been distributed among the Indians at various times and places within this Territory, were actually so distributed under the direction and by the authority of Superintendent Young . . . .

Having endeavored to comply strictly with my instructions in this investigation and exhausted all the means within my reach in obtaining data to enable me to arrive at just conclusions and to make an impartial
disposition thereof, I have the honor to submit what I have done, and this is my opinion thereon. 27

Thus, three and one-half years after Brigham Young was released from the Indian Superintendency, his accounts were closed by the Federal Government, marking another milestone in the so-called "Troublesome triangle." This was a troublesome triangle which involved relationships between Mormons, Indians, and Government officials; and had grown to such proportions that little could be accomplished by them in behalf of the Indians. Not only was there friction within the Superintendency, because of Mormon and non-Mormon relationships, but there was definite neglect on the part of the officials in the Federal Government in supporting the Utah Territory. Yet, in reviewing the accomplishments of this Superintendency, it becomes apparent that great strides were made in obtaining peaceful relations with the Indians. It appears that in spite of the lack of interest and support from the Federal Government, the men in the Superintendency sincerely strove for progression in Indian civilization and improvement of their destitute conditions. Indian welfare was uppermost in the minds of these men, and who could say what may have been accomplished had they not encountered these difficulties? One can only reflect; and in reflection, will have to concede that great aid was given to the Indians in many areas, during these troublesome years by the Indian Superintendency. This was independent of any Federal aid.

27 Ibid. (See appendix II for extracts from Commissioner Greenwood's letter of August 6th and 8th.)
CONCLUSION

When the Federal Government appointed Mormons and non-Mormons to work together in the Indian Superintendency, friction in Indian policies formed by these men became virtually unavoidable, due to their different points of view, stemming partly from religious backgrounds. The settling of Indian lands by the Mormons caused concern and agitation within the Superintendency. The missionary program of the Mormon Church caused distrust among Washington officials, as they were led to believe that these missionaries might teach rebellion to the Indians. Time and time again, Young was accused by the non-Mormons in the Superintendency of using his office of Superintendent to further the settlements of the Mormon Church. Perhaps one of the most serious problems was the distinction the Indians had made between Mormons and other white people in the Territory. The Mormons were accused of making this distinction deliberately, to help their cause with the Indians in colonizing.

The presence of "Freemen" throughout the Territory was a serious factor, causing much alarm and appeals for Federal help from the Superintendency. Help was never obtained.

Legalizing slavery was a measure which was taken by the Utah Superintendency in order to spare the lives of many Indian children who would otherwise be sold into slavery or abused and neglected by their parents. The Indian Slave
policy set up by the Superintendency was to give homes, food, and education to these Indian children.

Even though all these were serious problems, the most serious by far, was the neglect of the Federal Government to give sufficient aid and assistance to the Utah Territory. During the same time period, some superintendencies had received millions of acres for the Indians, and had acquired thousands of dollars for the support of the Indians. Yet within the Utah Territory, not one single acre had been placed in reserve, and only a minute sum of money had been received for Indian support. Young's request for necessary legal forms and data were also ignored by the Government.

An investigation, made upon the assumption that Brigham Young had been dishonest in his transactions with the Indians, served instead to clear him, as no evidence to that effect could be found.

There were many serious problems both from within and without the Superintendency. It would be difficult to determine what may have been accomplished with the Indians if the Federal Government had given support to the Superintendency, or if the men in the Superintendency would have had unified goals in their dealings with the Indians. Credit must be given to this group of men who made up the Superintendency, for the success they had in helping to civilize the Indians in the Utah Territory.
APPENDIX I

HIGHLIGHTS IN THE UTAH TERRITORIAL
INDIAN SUPERINTENDENCY

1834 June 30: The Intercourse Act was passed by Congress.

1849 Congress took the Indian office out of the War Department and put it into the newly-formed Department of Interior.

1849 December: Treaty was negotiated with some of the Southern Ute tribes by Superintendent John C. Calhoun.

1849 April 7: John Wilson was appointed first Indian agent in California of which the Great Basin was then part.

1850 September 9: Brigham Young was appointed Governor and Indian Superintendent over the Territory of Utah.

1851 February: Intercourse Act was extended over Utah Territory.

1851 July 2: Brigham Young divided the Territory into three agencies.

1851 August 9: Agent Holeman arrived to take over his responsibilities.

1851 September 1: Agent Holeman took Shoshone representatives to a treaty held at Fort Laramie, but found that they were not included in the treaty because of not living in the area adjacent to the Fort.

1851 September 21: Letter from Holeman accused Mormons of taking Indian lands; also problem of "Freemen" caused concern.

1851 November: Pedro Leon was found in the Territory buying Indian slaves and was tried for his crime.

1851 December 28: Holeman accused Young of not being fit to be Superintendent of Indian Affairs in Utah
January: Subagent Day left Utah because of his conflicts with the Mormons.

March 7: Indian Slavery was made legal in Utah Territory.

April 23: Brigham Young ordered a proclamation ordering troops into Southern Utah to pick up any Mexicans causing trouble with the Indians.

July 18: Walker War started in Utah County.

Agent Holeman was released from his duties, and E. A. Bedell was appointed the new agent.

August 15: Brigham Young divided the Territory into two agencies.

September 30: Holeman in his last official report recommended that military posts be placed along the route to California to protect the travelers from the depredations of the whites.

October 26: The Gunnison Massacre took place on the Sevier River.

May: The Walker War ended.

Agent Bedell died and Garland Hurt was appointed in his stead.

January 29: Chief Walkara died.

April 27: The new subagent relieving Subagent Rose, arrived in the Territory. This was George W. Armstrong.

May 2: Hurt wrote Washington to complain of the Missionary program of the Mormon Church.

June 30: Subagent Armstrong told of destitute nature of the Indians and recommended financial help immediately.

August 7: The only treaty made in Utah Territory during Young's Superintendency was made with the Shoshone Tribe.

Indian farms started under the direction of Agent Hurt.

June 30: Armstrong reported on the Indian farm policy under the direction of the Mormon missionaries.

November 22: Commissioner Manypenny in his annual report stated that the Indian farm policy did not have the acknowledgment of his office.
1857 September 9: Young released as Superintendent, and Forney was appointed in his place.

1861 February 7: Investigation started on Brigham Young's Indian Superintendency and his unsettled accounts.

1861 February 18: Letter written to Washington by Superintendent Davies which told them that the investigation had cleared Young's unsettled accounts.
APPENDIX II

EXTRACT FROM THE LETTER OF INSTRUCTIONS TO

BENJAMIN DAVIES. AUGUST 6, 1860

At the last session of Congress, an estimate was laid before that body to supply certain deficiencies for the settlement of the accounts of Brigham Young, esq., late ex officio Superintendent of Indian Affairs, and of certain agents, but for the former, no appropriation was made on the ground that it was requisite that the accounts of Governor Young should have, first, a due and proper examination as to their merits; and with a view to such examination, I have to direct that you will, as early as may be compatible with your other duties, institute a rigorous scrutiny of all the claims and accounts in question, copies of which are herewith for that purpose, and report in full and in detail with reference thereto in time to have every necessary information in connection with the same in season to be laid before Congress at its next session, should the department deem it proper and adviseable.

Commissioner A. B. Greenwood

EXTRACT FROM THE LETTER OF INSTRUCTIONS TO

BENJAMIN DAVIES. AUGUST 8, 1860

The investigation should be managed with a searching scrutiny without, however resorting to any formal or legal court of inquiry; availing yourself of all reliable sources of information from parties of standing and respectability who may have had some knowledge of these past transactions; it is presumed you will be able to arrive at conclusions sufficiently satisfactory to enable you to report in the premises as required of you in letter from this office of the 6th instant.

Commissioner A. B. Greenwood
APPENDIX III

MEN INVOLVED WITH THE UTAH TERRITORIAL INDIAN SUPERINTENDENCY
DURING THE YEARS OF 1851-1858

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<td>J. Forney</td>
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PUBLIC DOCUMENTS


A HISTORY OF BRIGHAM YOUNG'S INDIAN SUPERINTENDENCY

(1951-1857)--PROBLEMS AND ACCOMPLISHMENTS

An Abstract

Presented to the

Department of History and Philosophy of Religion

Brigham Young University

In Partial Fulfillment

of the Requirements for the Degree

Master of Science

by

Frederick Ross Gowans

July, 1963
ABSTRACT

The problem of this study was two-fold: first, to determine the accomplishments of the Utah Territorial Indian Superintendency during Brigham Young's term in office; and second, to study the difficulties which hindered this superintendency from functioning in a manner which would be most beneficial to the Indian people. These difficulties fit into three major groups: friction within the superintendency, Indian depredations, and lack of cooperation on the part of the Federal Government.

The main sources of information for this study were the official letters sent by the superintendency to the Indian Commission in Washington. Letters sent from Washington to the superintendency as well as letters circulated in Washington, were also used. Books written by contemporaries along with the best available historical works of that period were also helpful in this study.

The Indian Commission in Washington put both Mormons and non-Mormons in the superintendency, which resulted in some friction. Conflicts developed among members of the superintendency concerning: the Mormon missionary system, Mormon colonization of Indian lands, distinctions made between Mormons and non-Mormons by the
Indian people, and the charge that Brigham Young used his office of Superintendent and Government money for the purpose of helping the Mormon Church.

The Territory was plagued with a group of people known as "Freemen" who made trouble and caused more depredations on the whites than the Indians did, although the Indians received all the blame. Indian Slavery was legalized in Utah Territory, without recognition from Washington, to help some of the Indians in their deplorable conditions. Only one treaty was made during Young's Superintendency, and Congress would not let the Utah Territory buy the Indians' land to extinguish Indian land titles. Congress neglected to give financial help to the Utah Territory, also.

The Utah Territorial Superintendency was always undermanned, having only one agent and subagent. Each man in the superintendency had the Indians' welfare at heart, and each of the men strove sincerely for the betterment of this people's condition. Farms were created by the superintendency to help the Indians turn their idleness to progressiveness. Many peace talks were held and peaceful conditions improved.

Three years after his release, Brigham Young's accounts were investigated by Congress under the direction of Superintendent Davies. Any suspicions that Brigham Young had misused his office as Superintendent for the welfare of the Mormon Church were stilled, as the investigation failed to turn up any such evidence.
The superintendency was able to accomplish much for the Indian people, even though the question still remains unsettled as to what might have been accomplished had the Federal Government shown more interest in the demands and recommendations of the men of the Utah Territory.

APPROVED:

[Signature]
Chairman, Advisory Committee

[Signature]
Member, Advisory Committee

[Signature]
Chairman, Major Department