



Humans have occupied the Uinta Basin for many centuries. Rock paintings and archaeological evidence of early Native American cultures are common. The first known and identified group in the Uinta Basin were the Fremont Indians, a variant or sub-group of the Fremont Culture. The term Fremont is a general term that fits, umbrella like, to a variety of adaptations of culture from about A.D. 550 to 1,300. All variations included a predominant farming lifestyle supplemented with foraging and hunting.<sup>1</sup> The Uintah Fremonts were the shortest lived but oldest known culture of the five major known Fremont variants found in the Great Basin. The Uintah Fremont culture started about A.D. 500 and ended as early as A.D. 950 to 1,000. This made them contemporary with the classic era of the Anasazi cliff-dwellers in the four-corners region of Utah, Colorado, New Mexico, and Arizona. There were phases of the Uintah Fremonts at Whiterocks and Cub Creek, both in Uintah County.<sup>2</sup>

The most significant Fremont Culture in Duchesne County was in Nine-Mile Canyon. This group is thought by most archeologists to be the northernmost part of the San Rafael Fremonts, circa A.D. 700-1,200. First thought to be a sub-group of the Anasazi Culture that dominated the Four-Corners region, the Fremonts have been shown to differ with unique and distinctive three piece pottery, moccasin patterns utilizing untanned leather, trapezoidal bodied figurines that are both fired and unfired, pictographs, and other cultural distinctions.<sup>3</sup> The Fremont peoples who migrated to the Tavaputs Plateau about A.D. 1,000 were likely driven there as a result of the conflict with the Numic speaking ancestors of Shoshonean hunter-gathers. The Fremont's defense orientation with masonry towers on rock outcrops and pinnacles with commanding views found in the Nine Mile region hint at refuge behavior which supports this theory. Also the side notched projectile points dating from A.D. 1,000 found in the Nine Mile region are attributed to Shoshonean peoples.<sup>4</sup>

During the Fremont's stay in the Tavaputs Plateau region, they achieved a relatively high standard of living. They thrived utilizing a combination of agriculture, hunting, and gathering lifestyle. Their simple cultivation included growing of squash and pumpkins, beans, and maize or corn. The Fremonts in Duchesne County developed a simple system of irrigation to water their fields. In some places their irrigation ditches, hand dug with wooden shovels, were several miles long. Sometimes these ditches were chiseled through hardpan and even sandstone.<sup>5</sup>

To store their grains Fremont Indians built small stone granaries. Several of these granaries are found in Nine Mile Canyon. They are usually small structures made of stone and adobe, mortared with mud. Frequently located under a cliff along a slip they are hard to access

and easy to defend. Anyone that tried to scale the cliffs to get to these granaries had to use both hands to climb and have their backs exposed while climbing. Once sealed these granaries were impervious to rodents and even insects.

The Fremont Indians lived in small rock structures with ten to twelve individual family dwellings making a village. Ruins in the Basin and elsewhere reveal that they constructed their masonry buildings on the surface as well as stone lined semisubterranean pit houses. When they found a stream with tillable land alongside, such as Minnie Maud Creek at the bottom of Nine Mile Canyon, small villages were established, some spreading along the canyon, sometimes several villages to the mile. For defense and scouting purposes, they built look-out towers on the highest peaks of the canyon walls. It is thought that the clans would share responsibility for manning their look-outs.<sup>6</sup>

For several hundred years the Fremont Indians occupied the region, living a sedentary life, cultivating small plots of land, drawing or carving rock art on the smooth sandstone canyon walls. Painted symbols of their gods, their farming, the animals they hunted, and symbols significant to them are found throughout the county. However, these symbols are still, for the most part, unintelligible to modern scholars. The rock art in Nine Mile Canyon represents some of the finest in the world and scholars from many research institutions have traveled to the area to study, photograph, and marvel.

Archaeologists have identified and investigated nearly three-hundred archeological sites in the Nine Mile Canyon area, with additional sites being discovered and studied. Stone grinders or metates, projectile points, fragmented pottery, and other artifacts and ruins are evidence of earlier cultures found in northeastern Utah.

Why the Fremont people left the region is speculative at best and is still the topic of spirited debate among archaeologists, but the Uintah Fremonts abandoned the Uinta Basin circa A.D. 900, as much as three-hundred years earlier than other Fremont Indians mysteriously left the Great Basin never to be heard of again.<sup>7</sup> The Nine Mile Fremonts disappeared around A.D. 1,200. Perhaps they were driven out by the Numic speaking ancestors of the Utes and Shoshoni. There is some speculation that remnants of the Fremont were absorbed into the Numics. Another theory suggests the Fremont Indians of the Uinta Basin suffered a similar fate as the Anasazi to the South when a long period of severe drought forced them to abandon their homeland of generations and move elsewhere.<sup>8</sup> Contemporary Indian legends of the area tell of a time when there was so little rain or snow that the springs dried up and many of the

watercourses nearly did so. Indians in the upper country benches where the Altamont area of the Basin is now located traveled to the junction of the Lake Fork and Yellowstone rivers to obtain water.<sup>9</sup> Another possible explanation about the departure of the Fremont Indians was that they left their farming villages due to droughts and became nomadic hunters and the forefathers of the Shoshonean people who later subdivided into the Shoshoni and Utes of the Great Basin. The fate of the Uintah Fremont remains unclear but archaeologists agree that the Numic-speaking Shoshone and Ute inhabited the Great Basin and the Uinta Basin beginning early in the fourteenth century, less than a century after the Fremont culture fell.<sup>10</sup>

### The Shoshonean Stage

The early Shoshonean era in the Uinta Basin, A.D. 1,400 to 1,650, also called the Canalla Phase, evidences a distinctly different culture than the Fremont. These Numic speaking ancestors of the Shoshoni and Ute tribes started entering the Basin region in the late thirteenth century and had developed a lasting culture by the fifteenth century. Numic is acknowledged not as a language but rather a group of related languages that include Shoshone and Ute languages spoken by the early inhabitants of the Uinta Basin, southwestern Wyoming and northeastern Colorado at the time referred to by archaeologists as the late Fremont and early Shoshonean stage.<sup>11</sup> Canalla Phase peoples lived in brush wickiups rather than the stone and masonry building of the Fremonts. A pedestrian hunter-gather food source replaced horticulture as the dominant subsistent strategy, brown ware ceramics became evident, and most significant was the wide range of territory occupied by the Numics; expanding to include much of the Great Basin, the Uinta Basin, Colorado Plateau, the West Slope of the Rocky Mountains and north to the Windriver Mountains of Wyoming.<sup>12</sup> As these Numic speakers settled in their respective locals they became the Ute and Shoshone tribes with their sub-variants including: many different Ute Bands, Piauxes, Gosutes, Shoshone, and Western Shoshone. After roughly A.D. 1,650 some of these peoples started acquiring horses and had interaction with Euroamericans which radically altered their lifestyles. Military superiority between these groups and jockeying for position for prime hunting and foraging territories was evident with the coming of the Spaniards.

### Early History: The Dominguez and Escalante Expedition

The first historical record of the area comes from the Dominguez Escalante Expedition

who traversed the Uinta Basin and parts of Utah in 1776. Fray Francisco Atanasio Dominguez led the party and was assisted by Fray Silvestre Velez de Escalante. Because Father Escalante kept the journal of the expedition his name has gained greater fame than that of Father Dominguez. The small party, consisted of the two Fathers and eight other Spaniards including Don Bernardo Miera y Pacheco, the cartographer (mapmaker) for the expedition. The Dominguez-Escalante Expedition planned to leave Santa Fe, New Mexico on 4 July 1776 but there were delays including the illness of Father Escalante. Weeks later on 29 July 1776 the expedition began its historical trek to Utah and the Great Basin. The expedition's goals were to open a northern route from Santa Fe to the newly settled Monterrey, California, and to contact friendly Ute Indians along the way who might be ready for conversion to Christianity and Spanish ways of life. Other Spaniards had previously attempted to use a direct route westward through Arizona, but deserts and hostile Yuma and Apache Indians made that route difficult and hazardous at best. The Spanish had traded with the Utes of southern Colorado for over a century by the time of this expedition, and it is likely that enterprising Spanish traders, such as Juan Maira de Rivera's 1765 expedition, had traveled north into Ute homelands of southwestern Colorado and southeastern Utah. With the exception of the Rivera expedition none of these other possible expeditions were documented and leave questions where exactly they traveled.

The Dominguez-Escalante expedition left Santa Fe and traveled north through southwestern Colorado, following the streams and rivers. The expedition eventually found its way to the Black Canyon of the Gunnison River. After becoming lost and discouraged, they found their way to friendly Ute encampments. Here they acquired the services of two Ute boys whom the Padres, unable to pronounce their Ute names, called Silvestre and Joaquin. These youths agreed to guide them to the Lake of Nuestra Senora de la Merced of the Timpanogotzis (Utah Lake) and the home of the Laguna (Uintah) Utes.<sup>13</sup> On 16 September, the expedition crossed the El Rio de San Buenaventura (Green River) near the present-day town of Jensen, Utah. It is interesting to note they killed buffalo on both the Colorado and Utah portion of the Uinta Basin.<sup>14</sup> After crossing the Green River, the party journeyed up the Duchesne River, traveling in a westerly direction. The Padres noted that Silvestre exhibited great fear while in the region, especially in what is today Uintah County. After seeing horse and human tracks, and smoke from fires, Silvestre informed the Padres that enemy Indians, "Comanches" as Escalante called them, were in the area. The "Comanches" were most likely a band of Shoshoni hunting in the area. As the expedition traveled further westward, into today's Duchesne County, Silvestre was

less fearful and when wisps of smoke were again seen, he gave the opinion that it could be from either "Comanches or some Lagunas who usually came hunting hereabouts."<sup>15</sup> From this record it appears that the Basin in 1776 was utilized by both Utes and Shoshone tribes and that hostility between the two was frequent. When the Ute and Shoshone's Numic speaking ancestors separated into the distinctive tribes and developed enmity towards each other is speculative at best, but by the first Spanish penetration into the Great Basin and the Western slope of Colorado the Utes were clearly separated from the Shoshone.

While Dominguez and Escalante were traveling up the Duchesne River, after passing the confluence of the Duchesne and Uinta Rivers, they "saw ruins ... of a very ancient pueblo where there were fragments of stones for grinding maize, of jars, and pots of clay. The pueblo's shape was circular ..."<sup>16</sup> Modern researchers of the Dominguez-Escalante Trail have been unable to locate this ancient pueblo which was likely close to the Duchesne River at about the Duchesne Uintah county line. On 17 September 1776, they camped just east of Myton, calling this campsite La Ribera de San Cosme. The next day they traveled west to the junction of the Strawberry and Duchesne rivers (El Rio de Santa Catarina, de Sena, and El Rio de San Cosme) and camped for the night in a meadow about a mile above the town of Duchesne. Reporting on the land seen that day, Escalante wrote: "There is good land along these three rivers<sup>17</sup> that we crossed today, and plenty of it for farming with the aid of irrigation -- beautiful poplar groves, fine pastures, timber and firewood not too far away, for three good settlements."<sup>18</sup> Following the Strawberry River upstream, they camped the next night near Fruitland, and the next day crossed Current Creek and pressed onward. Upon reaching the Strawberry Valley, where the Strawberry and Soldier Creek Reservoirs are now located, Silvestre informed the Padres that some of his people had lived here, but withdrew for fear of the "Comanches."<sup>19</sup>

The expedition left Duchesne County, traveled through Strawberry Valley, descended Diamond Fork to the Spanish Fork River and entered Utah Valley on 23 September 1776. Here expedition members found the Utes very friendly and after visiting for several days, the Padres promised to return the next year and build a settlement. Utah history would likely have been different had the Padres returned. Catholic missions rather than Mormon temples might have dotted Utah's landscape. Being told by the Laguna Utes about the deserts to the west beyond Utah Valley, the expedition turned south. Within a few days travel, near present-day Milford, snow and cold weather settled on the expedition. Discouraged and tired they decided to return to Santa Fe. The expedition was not successful in finding a new route to California, but they did

provide us with the first documentation of Europeans visiting Utah and the Uinta Basin. They left us a valuable record of the geography and Indians, along with the first map of the region. (See Miera's Map)

#### Other Spanish Activity in the Uinta Basin

Possibly other Spanish exploring parties came into the Uinta Basin and Duchesne County after the Dominguez-Escalante Expedition. The Dominguez-Escalante Trail became one of several branches on the Old Spanish Trail linking Santa Fe with California through Utah.<sup>20</sup> Both Ute and Uinta Basin folklore frequently relate stories of the Spanish discovering gold and forcing the Indians to work mines in the Uinta Basin. According to the legends the Utes eventually rebelled and killed all the Spaniards. There is little doubt that the Spanish were mining for gold in the Basin. Discoveries of cannon balls, bridle bits, ancient diggings, rock smelters, rusted Spanish helmets and breastplates, and tree and rock inscriptions all confirm their presence, but do not clearly establish the dates and times that they were here. Like much of the West, Duchesne County has many tales of lost treasure and gold which, if found, would make the discoverer fabulously rich. The stories of gold and the lost mines are some of the most common told folktales of the region.<sup>21</sup>

#### The Lost Rhoades Mine

The county's most famous gold story is about the Lost Rhoades Mines. A common version of the story tells that Ute Chief Wakara (Walker) went to Brigham Young not long after the Mormons arrived in Salt Lake Valley. Wakara, according to the legend, had, by right of succession, been chosen as the guardian of the gold mines located in the Uinta Mountains. These mines and the gold in them had been made sacred by the forced labor and sacrifice of past generations of Utes. In some of the accounts the Spanish treatment of Utes was so brutal that in A.D. 1650 the Utes revolted and drove the Spanish back to New Mexico. After some time, perhaps generations, the Spanish came back and again forced the Utes to work their mines. This led to another revolt near Rock Creek sometime in the mid-1800s. As the story goes all the Spaniards were killed and the mine entrances buried.<sup>22</sup>

Some of the stories even contain speculations that the Aztec riches of Montezuma were spirited away from the Aztec capitol during the Spanish invasion in A.D. 1519-21. There are county residents who believe that these riches were hidden in the Uinta Mountains of Duchesne

County.<sup>23</sup>

Wakara supposedly had been told in a dream that when the big hats, (Americans) came he was to tell them of the gold. The first Americans in the region, the mountain men, would not listen to him. When he told Brigham Young it was agreed that only one man would be chosen to go and get gold, which was supposedly so pure that smelting was not necessary. Knowledge of the gold's existence and location must be kept secret. Thomas Rhoades was first chosen. The gold was only to be used by the church and not profit any individual, and the Ute chief warned that Rhoades would be watched while in the mountains and no other would be allowed to come. If any others tried to do so they would be killed by the Utes. After a few years, Thomas Rhoades passed the responsibility to his son Calab. And with the death of Wakara in 1855, his brother Aropene assumed leadership and responsibility for watching the mines.

As the stories go, gold from the Rhoades mines was used by the church to mint their gold coins and to plate the angel Moroni atop the temple in Salt Lake City. Although no known records exist in church archives, Brigham Young supposedly promised Wakara and Aropene, in the name of the Lord, that the gold would not be discovered by anyone and kept secret until the *last days* when it would come forth to benefit the church and the Utes in a time of great need. Many of the folktales on the subject contain warnings of supernatural powers and heavenly intervention preventing anyone from finding the gold stores and mines. Other stories tell of people who have found one of the several mines and were then suddenly struck by heart attacks or other ailments, or warned by ghostly Ute warriors to leave and never return. The truth of these stories will possibly never be determined but many people in the county believe them, and they are retold by each new generation of county residents. Regardless of the truth of the stories, hundreds of people each year go to Rock Creek and other locations throughout the Uintas to search for gold and the lost mines. To date no significant finds of gold have been discovered, but, then, if the stories are true, no one will until the Lord wills it. Thus the legends of the Lost Rhoades Mines are passed down and many of those who believe the stories will not look for the gold believing it will not be found until providence directs it; others believe the part of the stories about the gold's existence and they seek for the mines and hidden caches hoping they can find and keep the gold for themselves regardless of the legend's warnings. Given the absence of corroborative evidence of the Spanish mining in Duchesne County accounts of the lost mines must remain a part of Uinta Basin folklore.<sup>24</sup>

## The Mountain Men

Dominguez and Valez de Escalante provide the first record of to early Indian occupants of the Uinta Basin. They recorded that their guides were frightened to such an extent that they would not even sleep in camp while passing through the Basin. Upon questioning them, the Franscians were told that enemy Indians occupied and claimed the country. The Fathers did not see any other Indians, but observed unshod horse tracks with human footprints alongside and smoke from distant camp fires. They termed these Indians "Comanche", but it is more probable that the equestrian Indians occupying the Uinta Basin in 1776 were Shoshoni, a similar family group to the Comanche Indians. To the Spanish, "Comanche" meant "wild enemy Indian," and this is the most likely explanation of who possessed the Basin in 1776.<sup>1</sup> Indian ethnologists place the Comanche Indians' origins in the mountain regions of Wyoming and Idaho, and they suggest that they were originally one people with the Shoshoni.<sup>2</sup> It is possible that the Uinta Basin was occupied by a branch of Comanche who had not migrated to the plains of Texas with the earlier groups. This group probably moved into the Uinta region following the buffalos' receding range. When they left the Basin, sometime after 1776 and before 1825, probably around the turn of the century, the Utes then moved into and took possession of the land. The Utes and Comanches were traditionally enemies, as were the Utes and Shoshoni.<sup>3</sup>

In its early history the Ute Nation was divided into several smaller bands. Each of these bands claimed a separate territory and had chiefs or headmen to offer council and leadership to the specific band. Of these various bands, the most significant to the history of the Uinta Basin was the Yamparika, which occupied the Yampa River region, the Uinta Ats, who claimed the

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Ibid. 42-47.

Arrell Morgan Gibson, The American Indian; Prehistory to Present, (Norman: University of Oklahoma Press, 1980), 78.

Lyman Tyler, "The Spaniard and the Ute," Utah Historical Quarterly, vol 22, #4. (Oct. 1954), 49. See also, Omer Stewart, "Ute Indians: Before and After White Contact" Utah Historical Quarterly, vol 34, #1. (Winter 1966), 49,51. The question raised by these articles and historians is largely a matter of semantics because a Comanche who had not migrated from the mountains to Texas would be a Shoshoni. The discussion was included however, because of its merit in offering a possibility of when, and under what circumstances, the Basin was abandoned by the Shoshoni/Comanche and possessed by the Utes.

Uinta Basin after the Shoshoni vacated the area, and the Tumpnawach, whom the Franscian Padres referred to as Timpanogoes Utes, who lived along the shores of Utah Lake.<sup>4</sup>

The Ute Indians of Western Colorado, from whom Dominguez and Valez de Escalante obtained their guides, had been trading with the Spanish out of Santa Fe since the seventeenth century. They had gained access to both guns and horses since the reconquest of the Pueblo lands by Don Diego de Vargas in the 1690's, and possibly years before that. But the Timpanoges Utes of central Utah, cousins to the Colorado Utes, had neither horses nor guns when the Spaniards met them in 1776. It seems strange that the Utes of central Utah were not in possession of horses when the Ute boys who guided the Fathers knew the way from Colorado into Utah Valley. If visits between the two branches of the Ute tribe had occurred prior to Dominguez's trek to Utah Valley, why had horses not been traded to the Utah Utes by their Colorado cousins who had possessed horses for nearly one-hundred years? If visits had not occurred, how did Joaquin know the route from Colorado to Utah Lake? The Utes living near Utah Lake had heard of horses and were anxious to try riding when the Spaniards rode into their homelands, but the majority had never seen one before.<sup>5</sup> It is usually thought by historians that Silvestre and Joaquin were from the Utah Lake region and willingly guided the Dominguez and Escalante so they could return to their home and families. The lack of horses possessed by the Timpanoges Utes would suggest that horses spread very slowly into Utah, and though the southern Colorado Utes had possessed horses since the seventeenth century, they did so in too limited numbers to trade any to their Western cousins. Perhaps the Utes' fear of the Shoshoni/Comanches who occupied the Uinta Basin prevented their taking horses past them.

During the 17th Century, Spanish traders seeking gold and other wealth traveled into Utah. Archeological evidence such as old Spanish-made bridle bits and spurs have been found in the Uinta Basin.<sup>6</sup> Indian stories tell of Spaniards coming into their country and forcing them to work

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For a more detailed discussion of the various bands of Utes and the territory they claimed see Fred Conetah, A History of the Northern Ute People, edited by Kathryn MacKay and Floyd O Neil. (Salt Lake City: University of Utah Printing Press, 1982), 23-26.

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Dominguez and Escalante Journal, 55.

Gale Rhodes and Kerry Ross Boren, Footprints in the Wilderness, (Salt Lake City: Publishers Press, 1971). The authors' document many Spanish artifacts that have been found in

in gold and silver mines which the Spaniards found. Old mines are occasionally found in the Uinta Basin, but none of them have yet produced rich ore. The Uinta Basin, like most of the West, has fables of lost gold mines, which, if found, would make the discoverer fabulously wealthy. But, unfortunately, no documents of Spanish expeditions or mines in the Uinta Basin region have come to light to enable historians to ascertain the extent of Spanish activity in the area during the 17th and early 18th Centuries.

There is a near fifty year lapse in time between Escalante and the next account of the Indians who inhabited the Uinta Basin. This sketchy era, though lacking in any documentation, is vital to the future history of the region. As the Utes gained the upper hand in the Uinta Basin, they welcomed the fur traders of the next generation. Jedediah Smith, one of William H. Ashley's employees, had led a group of trappers into the Green River and north slope of the Uinta Mountain region in 1824. They stayed the year to trap and sent a message to Ashley to bring the goods to the mountains so they could stay and continue to trap. Ashley packed the supplies onto horses and left St. Louis, arriving at the Green River in May. Sending a message to his men to meet him on July 1, at "Randavouze" Creek, a small tributary of the Green River, Ashley cached most of his goods and set out to explore. Ashley and a small group of men followed the Green River south from Wyoming and entered the Uinta Basin in June 1825. He met Ute Indians in the Ashley Valley, a small valley in the Uinta Basin along Ashley Creek and the site of present day Vernal, Utah. These Utes, unlike their ancestors fifty years earlier, were mounted and about half their number possessed guns of British make.<sup>7</sup> During the forty-nine year interval between Escalante and Ashley, the Utes had obtained both the horse and gun and had taken possession of the Uinta Basin north to the Uinta Mountains.

The acquisition of horses and guns, and their impact upon the various Indian tribes, is one of the most interesting phases of Western history. But few records exist to document those events. It is speculative where the Utes that Ashley met had obtained their horses or guns. Their guns were British made, which indicates but does not prove that the guns came from the North where the British Companies traded, possibly by way of the Shoshoni. If the guns had come from the Colorado Utes they would have been Spanish made. The horses

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the region of the Uinta Basin.

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Morgan, The West of William Ashley, 115,116,277-280.

possessed by the Utes in the Uinta Basin most likely they came from trading with the Utes of Colorado. Once the Uinta Utes,<sup>8</sup> who were the descendants of the Uinta Ats Band, were mounted and were on a parity with the Shoshoni, victory in and possession of the Basin became possible to the Utes from central Utah. The Utes who occupied the Basin in 1825 were from Utah Valley not Colorado. This is evidenced by the continual annual migrations into the Basin in the summer and back to the Utah Lake region for the winter. These migrations continued until the Uinta Basin was made a reservation and the Utes were permanently removed from the Wasatch front to the Basin in the 1860's.<sup>9</sup>

The acquisition of horses and guns brought a great transformation to the Utes from central Utah. These Indians had changed from a subsistence survival state where they hunted small game and fished Utah Lake, to nomadic hunters, who, when mounted on horses, were capable of traveling great distances in search of game and trade opportunities. The equestrian Utes and their less fortunate cousins, the Paiutes, originated from the same people. The mountain men referred to the Paiutes, as well as the other Indians of the Great Basin region, as "Digger" Indians. Their diet consisted of anything from insects and pinenuts to an occasional rabbit and was eked out of the desert.<sup>10</sup> The difference in the lifestyle between the Utes and Paiutes was the horse. And as the generations passed that separated the Utes from the Paiutes, that lifestyle became more pronounced, especially as the Utes began trade with the whites and obtained not only horses but guns. The Utes of the Uinta Basin at the time the first trappers and traders came were similar to the Utes Thomas James encountered in Santa Fe in 1821. He noted, "they were mounted upon the most elegant horses I had ever seen...Their leader was a

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Today on the Uinta/Ouray Reservation, within the Uinta Basin, are only three bands of Utes: The Uinta, who are descendants from the Timpanoges, and Uinta Ats bands, the White River Band, and the Uncompahgre band. The White River and Uncompahgre bands were originally from Colorado.

Fred Conetah, A History of the Ute People, edited by Kathryn MacKay and Floyd O'Neil, (Salt Lake City: University of Utah Press, 1982), 25.

Osborne Russell, Journal of a Trapper, ed. Aubrey Haines, (Lincoln: University of Nebraska Press, 1955), 122.

young man of about thirty and of a right Princely port and bearing."<sup>11</sup>

As the mountain men and fur traders came into the Uinta Basin, they found many rivers and streams filled with beaver. In addition to beaver-rich streams, they also encountered willing trade partners, the Utes, who were in possession of the Basin. The Utes were friendly and willing for the Americans to come into their lands. Out of this background the first mountain men entered the region in 1824.

Dominguez and Valez de Escalante provide the first record of to early Indian occupants of the Uinta Basin. They recorded that their guides were frightened to such an extent that they would not even sleep in camp while passing through the Basin. Upon questioning them, the Franciscans were told that enemy Indians occupied and claimed the country. The Fathers did not see any other Indians, but observed unshod horse tracks with human footprints alongside and smoke from distant camp fires. They termed these Indians "Comanche", but it is more probable that the equestrian Indians occupying the Uinta Basin in 1776 were Shoshoni, a similar family group to the Comanche Indians. To the Spanish, "Comanche" meant "wild enemy Indian," and this is the most likely explanation of who possessed the Basin in 1776.<sup>12</sup> Indian ethnologists place the Comanche Indians' origins in the mountain regions of Wyoming and Idaho, and they suggest that they were originally one people with the Shoshoni.<sup>13</sup> It is possible that the Uinta Basin was occupied by a branch of Comanche who had not migrated to the plains of Texas with the earlier groups. This group probably moved into the Uinta region following the buffalos' receding range. When they left the Basin, sometime after 1776 and before 1825, probably around the turn of the century, the Utes then moved into and took possession of the land. The Utes and Comanches were traditionally enemies, as were the Utes and Shoshoni.<sup>14</sup>

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Thomas James, Three Years Among the Indians and Mexicans; (Philadelphia and New York, J.B. Lippencott Company 1846 edition, unabridged), 90,91. See also Stewart, "Ute Indians Before and After White Contact," 52.

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Ibid. 42-47.

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Dominguez and Escalante Journal, 55.

Timpanoges Utes would suggest that horses spread very slowly into Utah, and though the southern Colorado Utes had possessed horses since the seventeenth century, they did so in too limited numbers to trade any to their Western cousins. Perhaps the Utes' fear of the Shoshoni/Comanches who occupied the Uinta Basin prevented their taking horses past them.

During the 17th Century, Spanish traders seeking gold and other wealth traveled into Utah. Archeological evidence such as old Spanish-made bridle bits and spurs have been found in the Uinta Basin.<sup>17</sup> Indian stories tell of Spaniards coming into their country and forcing them to work in gold and silver mines which the Spaniards found. Old mines are occasionally found in the Uinta Basin, but none of them have yet produced rich ore. The Uinta Basin, like most of the West, has fables of lost gold mines, which, if found, would make the discoverer fabulously wealthy. But, unfortunately, no documents of Spanish expeditions or mines in the Uinta Basin region have come to light to enable historians to ascertain the extent of Spanish activity in the area during the 17th and early 18th Centuries.

There is a near fifty year lapse in time between Escalante and the next account of the Indians who inhabited the Uinta Basin. This sketchy era, though lacking in any documentation, is vital to the future history of the region. As the Utes gained the upper hand in the Uinta Basin, they welcomed the fur traders of the next generation. Jedediah Smith, one of William H. Ashley's employees, had led a group of trappers into the Green River and north slope of the Uinta Mountain region in 1824. They stayed the year to trap and sent a message to Ashley to bring the goods to the mountains so they could stay and continue to trap. Ashley packed the supplies onto horses and left St. Louis, arriving at the Green River in May. Sending a message to his men to meet him on July 1, at "Randavouze" Creek, a small tributary of the Green River, Ashley cached most of his goods and set out to explore. Ashley and a small group of men followed the Green River south from Wyoming and entered the Uinta Basin in June 1825. He met Ute Indians in the Ashley Valley, a small valley in the Uinta Basin along Ashley Creek and the site of present day Vernal, Utah. These Utes, unlike their ancestors fifty years earlier, were mounted

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Gale Rhodes and Kerry Ross Boren, Footprints in the Wilderness, (Salt Lake City: Publishers Press, 1971). The authors' document many Spanish artifacts that have been found in the region of the Uinta Basin.

and about half their number possessed guns of British make.<sup>18</sup> During the forty-nine year interval between Escalante and Ashley, the Utes had obtained both the horse and gun and had taken possession of the Uinta Basin north to the Uinta Mountains.

The acquisition of horses and guns, and their impact upon the various Indian tribes, is one of the most interesting phases of Western history. But few records exist to document those events. It is speculative where the Utes that Ashley met had obtained their horses or guns. Their guns were British made, which indicates but does not prove that the guns came from the North where the British Companies traded, possibly by way of the Shoshoni. If the guns had come from the Colorado Utes they would have been Spanish made. The horses possessed by the Utes in the Uinta Basin most likely they came from trading with the Utes of Colorado. Once the Uinta Utes,<sup>19</sup> who were the descendants of the Uinta Ats Band, were mounted and were on a parity with the Shoshoni, victory in and possession of the Basin became possible to the Utes from central Utah. The Utes who occupied the Basin in 1825 were from Utah Valley not Colorado. This is evidenced by the continual annual migrations into the Basin in the summer and back to the Utah Lake region for the winter. These migrations continued until the Uinta Basin was made a reservation and the Utes were permanently removed from the Wasatch front to the Basin in the 1860's.<sup>20</sup>

The acquisition of horses and guns brought a great transformation to the Utes from central Utah. These Indians had changed from a subsistence survival state where they hunted small game and fished Utah Lake, to nomadic hunters, who, when mounted on horses, were capable of traveling great distances in search of game and trade opportunities. The equestrian Utes and their less fortunate cousins, the Paiutes, originated from the same people. The mountain men referred to the Paiutes, as well as the other Indians of the Great Basin region, as "Digger" Indians. Their diet consisted of anything from insects and pinenuts to an occasional rabbit and

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Morgan, The West of William Ashley, 115,116,277-280.

Today on the Uinta/Ouray Reservation, within the Uinta Basin, are only three bands of Utes: The Uinta, who are descendants from the Timpanoges, and Uinta Ats bands, the White River Band, and the Uncompahgre band. The White River and Uncompahgre bands were originally from Colorado.

Fred Conetah, A History of the Ute People, edited by Kathryn MacKay and Floyd O'Neil, (Salt Lake City: University of Utah Press, 1982), 25.

was eked out of the desert.<sup>21</sup> The difference in the lifestyle between the Utes and Paiutes was the horse. And as the generations passed that separated the Utes from the Paiutes, that lifestyle became more pronounced, especially as the Utes began trade with the whites and obtained not only horses but guns. The Utes of the Uinta Basin at the time the first trappers and traders came were similar to the Utes Thomas James encountered in Santa Fe in 1821. He noted, "they were mounted upon the most elegant horses I had ever seen...Their leader was a young man of about thirty and of a right Princely port and bearing."<sup>22</sup>

As the mountain men and fur traders came into the Uinta Basin, they found many rivers and streams filled with beaver. In addition to beaver-rich streams, they also encountered willing trade partners, the Utes, who were in possession of the Basin. The Utes were friendly and willing for the Americans to come into their lands. Out of this background the first mountain men entered the region in 1824.

#### EARLY FUR TRADE, MOUNTAIN MEN AND EXPLORERS

The fur trade of North America had great impact upon the exploration and settling of the continent. Starting in the early sixteen-hundreds, when the French discovered a wealth of fur in eastern Canada and the Great Lakes region, trading for furs became one of the earliest and largest industries of the New World. From the time the French started trading with their Indian allies, until the first rendezvous in 1825, the basic method of fur trade remained virtually unchanged.

In the early fur trade only the Indians trapped the beaver. The French then traded European goods to the Indians for their furs. The Indians, realizing the superiority of steel knives and axes, metal cooking pots, and guns over their traditional implements and weapons, were eager to trap and trade with the Europeans. In fact in any one factor could be pointed out as the most significant that led to the decline of the Native American culture after initial contact with

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Osborne Russell, Journal of a Trapper, ed. Aubrey Haines, (Lincoln: University of Nebraska Press, 1955), 122.

Thomas James, Three Years Among the Indians and Mexicans; (Philadelphia and New York, J.B. Lippencott Company 1846 edition, unabridged), 90,91. See also Steward, "Ute Indians Before and After White Contact," 52.

Europeans, it was the Indians' extreme desire for trade goods. Thus they welcomed the whites to their lands, trapped and traded, and lost their traditional lifestyles. With many lakes and rivers in the eastern parts of Canada and the United States, the easiest and most frequent mode of transportation of furs and trade goods was canoes. To facilitate easier trade and encourage the Indians to consistently trap and trade, entrepreneurs established permanent forts or trade houses at key locations, usually on a river or lake that was connected with other rivers. This allowed the Indians to know where the traders would be and enabled traders to get the goods and furs into and out of the wilderness. This was the standard method of trade for over two-hundred years.

After Lewis and Clark returned from their successful exploring expedition to the Pacific coast, St. Louis was ablaze with excitement over the prospect of trading for fur on the upper Missouri. Manuel Lisa, Andrew Henry, John Colter, and others were the first to trap and trade with the Indians of that beaver rich area. Ever on the lookout for an opportunity to expand his fur empire, John Jacob Astor soon dominated trade on the Missouri. After losing interest in the Pacific Northwest during the War of 1812 when the British had taken his fort on the Colombia River, Astor concentrated on the Missouri River trade. At the end of the War he focused his American Fur Company's efforts solely on the Missouri River region. By 1821, under Ramsay Crooks, Astor's manager of the western division, the American Fur Company dominated the fur business. Those who traded on the Missouri River utilized a trading procedure similar to that the French had used: Indians were the primary trappers, rivers were used as the major transportation routes, and forts were built as the places where Indians traded their furs for goods.<sup>23</sup>

In 1821, William Ashley and Andrew Henry, both of St. Louis, formed a company hoping to become wealthy by fur trading on the Missouri River. Ashley, Lt. Governor of Missouri with aspirations to become governor, hoped to gain enough money to further his political career, and the fur trade appeared to be the fastest route available to him. Henry had been on the upper

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David Lavender, The Fist in the Wilderness, (Garden City, New York: Doubleday & Company, 1964). Contains the most complete account of the American Fur Company's western business including the Pacific Fur Company, Astor's challenge to the British in the Northwest just before the War of 1812, up to and through the Missouri trade. See also James P. Ronda, Astoria and Empire, (Lincoln: The University of Nebraska Press, 1990).

Missouri from 1809 to 1811 with Manuel Lisa. The partners hoped that between them they had the right combination of leadership and experience that would prove profitable.<sup>24</sup> The partnership advertised for 100 enterprising young men to trap and trade. From the beginning of the Ashley-Henry Company, the partnership planned to use their "enterprising young men" as trappers, a novel idea at the time. With their recruits, Ashley and Henry tried to trade on the upper Missouri River. Hardship and bad luck plagued their efforts until 1823 when, by a mere fluke, Ashley sent Jedediah Smith, a young man of daring and leadership, west from the Missouri River past the Black Hills to the Bighorn River to find the Crow Indians. Ashley desperately hoped Smith could convince the Crows to go to the mouth of the Bighorn River in the spring to trade with Ashley and Henry who would have goods there. After spending the winter with the Crow or, as the mountain men called them, the Absoraka Indians, during the winter of 1823-24, Smith and his party went south and west to the Green River. Having been told by the Crows that the Green River and neighboring regions were rich in beaver and that the Indians who occupied the area, the Shoshoni, did not trap, Smith thought he and his men could trap the beaver themselves. The region was as productive in fur as they hoped, so Smith and his party stayed and trapped the whole year. Not wanting to spend precious time traveling to get the fur packs out of the mountains when they could be trapping more pelts, Smith sent a message for Ashley to meet him next summer with supplies. When Ashley met Smith and the other trappers to exchange furs for goods, the fur trade was revolutionized.<sup>25</sup> The rendezvous was born. Now the mountain men, or men who stayed in the mountains year round, became the primary trappers of beaver. The rendezvous replaced the permanent trading posts as the place where furs and pelts were exchanged for goods and money. Overland pack caravans replaced the river boats as

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For more information about Ashley and his role in the fur trade see, Richard Clokey, William H. Ashley, (Norman: University of Oklahoma Press, 1980), also see Linda Harper White and Fred R. Gowans, "Traders to Trappers," Montana: The Magazine of Western History, 43, (Winter 1993), 59-65. There is evidence that some of the Manuel ALisa men such as John Colter trapped for beaver themselves rather than relying solely on Indian trade, but until the Ashley-Henry Fur Company began the major thrust of fur trade centered around Indians trapping the fur and trading them to the whites.

25

Dale Morgan, Jedediah Smith and the Opening of the West, (Lincoln: University of Nebraska Press, 1953). 19-174.

transportation.<sup>26</sup>

Before Smith explored the region south of the Missouri River and north of the Uintas, the only known white exploration of that country was by the Astorians, who were there in 1811 and 1812. Prior to that the entire central portion of the Rocky Mountains was a blank spot on the map. By 1840, the year the last rendezvous was held, the entire region was explored and named, and the beaver virtually trapped out. Every river, lake, mountain pass and Indian tribe was known to the mountain men. The mountain men's contribution to the settling and claiming of the continent under the broad banner of "manifest destiny" was of great significance to the growth of the young nation. They were the only representation the United States had in the mountains, and they led the move towards the Pacific Northwest. Among the localities recognized as significant was the Uinta Basin.

#### NORTH FROM TAOS AND WEST FROM ST. LOUIS INTO THE UINTA BASIN

While many were competing for the upper Missouri trade, others started looking for other regions in which to trap themselves and/or to trade with the Indians for furs. In 1824, at the same time Jed Smith was pushing south toward the Green River, at least three other trapping parties entered the Uinta Basin for the first time in search of a new expanse for beaver trade. Etienne Provost traveled north out of New Mexico and entered the Uinta Basin following the route Dominguez and Escalante used forty-eight years earlier. Provost probably ranged through the Basin and proceeded to the Salt Lake Valley by way of the Weber River. Traveling south, he and ten men were attacked by Shoshoni Indians on either the Jordan or Provo River. They had met a band of Shoshoni under Chief Bad Gocha, which means "Bad Left Handed One."<sup>27</sup> The Indians invited the trappers to lay down their arms and smoke with them. When Provost and his men did so, the Indians attacked the whites with knives they pulled from under their blankets.

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For a more detailed account of the rendezvous and general fur trade see: Fred R. Gowans, Rocky Mountain Rendezvous, (Layton, Utah: Gibbs M. Smith, pub., 1985). Also see, David J. Wishart, The Fur Trade of the American West, (Lincoln: The University of Nebraska Press), 1979.

27

Warren A. Ferris, Life in the Rocky Mountains, ed. LeRoy R. Hafen. (Denver: The Old West Publishing Company, 1968), 134.

The group was all killed except Provost and one other man.<sup>28</sup> Provost and his companion fled the area, most likely going up either Provo or Spanish Fork Canyon, across Strawberry Valley and down the various rivers back to the Green. There they joined the men Provost had left in the Basin to trap and trade there.<sup>29</sup> With the assistance of friendly Ute Indians, Provost and his men spent the winter of 1824-25 on the Green. Sometime during that season they were joined by Francois Leclerc, who brought more men and supplies from Taos. The next spring Provost again traveled to the Wasatch front to trade with the Utes who lived there. Upon his return trip to the Green River, he met William Ashley on the Strawberry River in June of 1825.<sup>30</sup>

Antoine Robidoux also led a trapping party into the Green River region in 1824.<sup>31</sup> He obtained a trapping license from William Clark the next year and traveled across the plains into the Basin by way of the Spanish towns of New Mexico.<sup>32</sup> Of Robidoux's success or travels there is no record, nor is it known if he met Provost in the Basin that year. It is possible that Robidoux and Provost may have actually traveled into the Basin together in 1824, and Robidoux split off from Provost to trap during the winter.<sup>33</sup> It is known that Provost did business with the Robidoux brothers at different times and purchased supplies from Joseph Robidoux that year. Joseph

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28

The sources differ on the number of survivors. Some say only one and others claim three or four survived with Provost. See Dale Morgan, Jedediah Smith, 149, and David Weber, The Taos Trappers, 76.

29

LeRoy Hafen, "Etienne Provost," Utah Historical Quarterly,

30

Morgan, The West of William Ashley, 278.

31

"Missouri Intelligencer," Sept. 25, 1824 contains an article detailing Robidoux leading a trapping party to the Green River and back to St. Louis that year.

32

Permit signed by William Clark, Superintendent of Indian Affairs, June 29, 1825, Ritch Papers, No. 83.

33

David Weber, The Taos Trappers, (Norman Oklahoma: The University of Oklahoma Press, 1968), 74.

may have actually invested in Provosts' trading that winter; if so, Antoine and Provost may have had greater involvement than merely traveling together.

Robidoux's trapping success for 1824 is unknown, but he fell into misfortune before he got out of the mountains that year. William Huddard, a Missourian who had been in the Southwest since 1823, also led a trapping expedition to the Green River in 1824 and encountered Robidoux there. He said in a brief account contained in the Missouri Intelligencer, April, 1825 that he "accidentally fell in with five other Americans, among whom was Mr. Rubideau(sic)." He went on to say that after the parties separated, a large band of Arapahoe Indians attacked and killed Nolan, one of Robidoux's party, and robbed the others, leaving Robidoux and his men in the mountains without a single mule.<sup>34</sup> Sometime after the attack and loss of his mules, Robidoux met up with about twenty-five of Provost's men. The two groups traveled to Taos and arrived in February, 1825.<sup>35</sup> The year 1824 marked the beginning of the Uinta Basin fur trade. Robidoux returned to build his forts and dominate the Uinta Basin fur trade for the next twenty years, making him the central figure in the Basin fur trade.<sup>36</sup>

The next year, 1825, Ashley entered the Uinta Basin and met the Utes in Ashley Valley. It is interesting to note that Ashley observed and found significant enough to record in his journal that the Utes were adorned with pearls and sea shells.<sup>37</sup> This demonstrates the existence of great trading systems developed by the Indians, even if shells from the California Coast may have taken several generations of Indian trading to find their way into the Uinta Basin. Ashley and his party entered the Basin by traveling down the Green River from Rendezvous Creek in bull boats. Bull boats were made by making a willow frame and then stretching a buffalo hide, preferably

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34

"Missouri Intelligencer" April 19, 1825. (Franklin Missouri). There is no further information on who Nolan was.

35

Frank Eddy, Supervisor, et al. The Archeological Mitigation Program and Excavations at Site 5MF605, Brown's Park National Wildlife Refuge, Moffit County, Colorado. U.S. Department of the Interior Study, (Boulder: Science Applications, Inc., 1982), 29.

36

Hill, "Antoine Robidoux; Kingpin in the Colorado River Fur Trade."

37

Morgan, The West of William Ashley, 115.

fresh, up around the frame making a cup-shaped boat. This created a buoyant, easily constructed craft, that could carry surprisingly large cargos. Ashley and his men floated down the Green River past the point where the White River merges and then returned upstream to the confluence of the Green River and Ashley Creek. There they left the Green River and Ashley purchased horses from both the Utes and Provost's men who remained in the area. The Utes expressed great friendship toward the Americans and impressed Ashley with their "great familiarity and ease of manner." He noted that "they were clothed in mountain sheep and buffalo robes superior to any band of Indians in my knowledge west of Council Bluffs."<sup>38</sup>

Once mounted, Ashley and his men traveled up the Duchesne River, then up the Strawberry River where he met Provost on Red Creek, near present day Fruitland, Utah. Provost was returning from trading with the Utes on the Wasatch Front. He was traveling toward the Uinta Basin by way of the Weber river, and it was there the famous meeting occurred between Peter Skeen Odgen from the Hudson Bay Company, Johnson Gardner, an Ashley employee, and Provost, who was trapping with a Mexican license. In this meeting Odgen and Gardner loudly denounced each other as interlopers into territory held by their respective countries.<sup>39</sup> In reality only Provost had the legal right to be trapping there, for the Weber River and surrounding area were south of the 42nd parallel and thus in Mexican Territory.

Upon their meeting, Ashley, having been able to purchase only enough horses to ride and lacked pack animals, persuaded Provost to return to Ashley Creek to dig up the goods which had been cached there and then bring the supplies back. Ashley waited for Provost's return at Red Creek, and while waiting his group caught three beaver and fifteen or twenty fish. The two parties then traveled up the Strawberry River and across Strawberry Valley to the headwaters of the Strawberry River. They then crossed Kamas flats and went north and east, by way of Chalk Creek to the north slope of the Uintas back to Rendezvous Creek where they held the first mountain man rendezvous.

Ashley hoped to discover more prime trapping area by exploring the Uinta Basin. He was favorably impressed with the region and saw plentiful beaver sign. His men trapped a few

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38

Ibid, 115,116.

39

Ibid.

beaver while traveling through the region, but they were traveling too fast to stop and trap extensively. They were also traveling during the summer when furs are inferior in quality compared to the thick pelts taken during the winter months when animals' fur thickens to protect against the cold.<sup>40</sup> After the 1825 rendezvous, Provost probably returned to trap the Uinta Basin for the next three years.<sup>41</sup> Other than this possibility, the events of the fur trade within the Uinta Basin during the years of 1825 and 1832 have been obscure. To what extent trappers entered the region between 1825 and 1832 have been subjects of speculation and little information until new evidence has recently come to light.

### THE REED TRADING POST

In the summer of 1828, Kentuckian William Reed teamed up with veteran fur trader Denis Julien to travel north from Taos into the Uinta Basin and establish the Reed Trading Post at the confluence of the Whiterocks and Uinta rivers.<sup>42</sup> Reed and Denis were accompanied by William's twelve-year-old nephew, James Scott Reed. It is unknown whether they planned to trap, trade for the season, or set up permanent headquarters, but upon their entry into the area, they found enough success to warrant staying and building a trading post. The post remained in operation until 1832 when Antoine Robidoux bought the location and business from Reed.<sup>43</sup>

A year or two after setting up the post, the Reeds and Julien were joined by another youth, Auguste Pierre Archambeau, who had run away from his St. Louis home at the age of twelve or

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40

Ibid. 115.

41

Ibid. fn. 279.

42

Denis Julien had been involved with fur trade as early as 1805 on the Missouri River when he was employed by J.H. Marie as a clerk. See entry under date of 10/21/1805 in the Pierre Chouteau Collection, Missouri Historical Society, St. Louis Missouri.

43

Julius Orn Murry, interview by the author, 3 Oct. 1988, Alton, Utah. Murry is the grandson of James Reed and remembers his grandfather telling him about setting up the Reed Trading Post and selling it to Robidoux in 1832.

thirteen and gone "west to live with the Indians in the mountains."<sup>44</sup> Archambeau gained fame in the 1840's by serving as a guide to the exploration parties of both John C. Fremont and Howard Stansbury. Fremont said of Archambeau, "he was a hunter in the class of (Kit) Carson."<sup>45</sup> In fact it was at Fort Uinta, Robidoux's fort on the location of the earlier Reed Trading Post, that Fremont hired Archambeau.

Stories told locally in the Uinta Basin about the fur traders of the region identify William and James Reed, Denis Julien, and August Archambeau as the founders of the Reed Trading Post. Like most oral tradition, this is partially correct with some errors. Archambeau, having been born in 1817,<sup>46</sup> probably arrived in the Uinta Basin about 1830 and was not there for the founding of the post. It is reasonable to assume that he made his way west to the Basin after leaving St. Louis and found companionship there with Jimmy Reed, who was only two years his senior. It is hard to imagine that an inexperienced youth could find his way across the plains to get to eastern Utah on his own. One possibility is that when the Reeds were in St. Louis to get supplies Archambeau talked his way into their party.

Jimmy Reed and Auguste Archambeau's participation in the mountain fur trade in the Uinta Basin makes them the youngest mountain men in the history of the fur trade. Historians

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44

Margaret Archambeau, interview by D. Robert Westover, 9 May 1989. Ms. Archambeau is the youngest daughter of the youngest son of Auguste. She has done sufficient research on Archambeau to have his home in Florissant, Mo., entered on the National Historical Register. According to Ms. Archambeau, her grandfather ran away from home at the age of 12 or 13 to live with the Indians. The next documented account of him was made by Captain Fremont in 1844 when he hired Archambeau as a guide for his expedition. The Archambeau family had stories about a Jimmy Reed that were handed down by their grandfather but did not know the circumstances of the Reed Trading Post.

There are several spellings for the name Archambeau which include Archambeaux, Archambault, Archambeau. All have been used in connection with Auguste.

45

John C. Fremont, Narrative of an Exploring Expedition to the Rocky Mountains, (London: Wiley and Putnam, 1846), 305.

46

See 1850 St. Louis, Missouri Census.

have mentioned Jim Bridger's youth at the time he started trapping for William Ashley, referring to him as the youngest mountain man. Hugh Glass forgave Jim, because of Bridger's youth and inexperience, for abandoning him in the wilderness after being mauled by a grizzly bear.<sup>47</sup> Jim Bridger was seventeen at the time. Both Reed and Archambeau were twelve or thirteen when they began working at the Reed Trading Post. Limited details of the Reed Trading Post have been recorded in regional and local histories of the Uinta Basin, and knowledge of the post is common in oral traditions of Utes living in the area who claim knowledge of its existence and of the traders who lived among their ancestors. Brief shreds of information hint of the post without firmly establishing its existence. A brief account given by James Reed states, "I came out West with my uncle, William Reed, when he set up the trading post, I was about 12 years old, I guess, and we come all the way from Kentucky."<sup>48</sup> Nauhan, the son of Chief Tabby of the Utes, recalls; "We knew of an earlier trading post [Earlier than Fort Uinta]. There was a white man the Indians called 'Sambo' and the other one called 'Julie'."<sup>49</sup> The connection with these names to Archambeaux and Julien are obvious. The account goes on to quote James Reed Jr., the son of James Reed, who said in 1902 that "Aug. Archambeaux later had a trading store

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The Hugh Glass story is found in several books dealing with the fur trade. One of the best accounts of Bridger's role in the Glass saga is contained in the classic by Dale L. Morgan, Jedediah Smith and the opening of the West, (Lincoln: The University of Nebraska Press, 1953), 97-102. Another mountain man that is remembered for his youth was Miles Goodyear who came west with the Whitman-Spalding missionary company and stayed upon reaching Ft. Hall. He was nineteen at his initiation to fur trading.

48

Gale Rhodes and Kerry Ross Boren, Footprints in the Wilderness, (Salt Lake City, Utah: Publishers Press, 1971.), 317. This study mainly concerns the mining and prospecting done in the Uinta Basin in its early era. The authors mention some of the mine claims that Reed staked out years later and added this brief account on Reed's entry into the region.

49

Otis D. Marston, "Denis Julien," LeRoy R. Hafen ed. The Mountain Men and Fur Traders of the Far West, (Glendale California: The Arthur Clark Co., 1968), 7:186.

somewhere in the vicinity of old Fort Uintah."<sup>50</sup> Mary Reed Harris, the daughter of Jim Reed said:

In the year 1828, four white men -- Toopeechee Reed, young Jim Reed, a nephew of the older Reed; Denis Julien and Augustus Archambeaux, French traders from Kentucky -- entered the Uintah country and set up a trading post near a spring of water just south and east of the present settlement of Whiterocks. They brought in the first butcher knives, coffee beans, and other articles ever traded to the Indians for furs."<sup>51</sup>

In another interview Mrs. Harris related:

My father was born in Kentucky ... he came west with his uncle ... he and Sambo made several trips back to the states for goods on pack mules from the states. I've heard the Indians here say lots of times, the old ones, that is, they used to say, 'Jim Reed brought the Uintahs first butcher knives, first gin, first coffee.' They tried to cook that coffee. They thought it ought to boil like beans, until it was soft enough to eat. I've heard father laugh about that.<sup>52</sup>

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LeRoy Hafen, ed. The Mountain Men and Fur Traders of the Far West, vol VII, 186.

51

Mildred Miles Dillman, Early History of Duchesne County, Springville, Ut. The Art City Publishing Company, 1948, p. 67,70. Mrs. Harris related the above to Mrs. Dillman in an oral interview. Whether Jim Reed told his children that he and his uncle were the first to trade with the Utes, or if that was their own embellishment, they are incorrect. See page 36.

52

Mary Reed Harris, interview by Jay Monahan for the Civil Works Administration, Moffat County, Colorado. (Microfilm copy found on The State Historical Society of Colorado, Pamphlet #356: Document 10), 36,39. Of the scholarly books and articles that deal with the history of the fur trade within the Uinta Basin only two mention the existence of the Reed Trading Post but neither offers much detail. Lyman Pederson, "Early Penetrations of the Uintah Basin," The Journal of the West. 11 (Oct. 1972), 601. Pederson cites the Harris quotation from the Dillman's Early History of Duchesne County as his only source. David Lavender mentions that Robidoux purchased the site of Fort Uinta from the Reeds but offers no documentation. See David Lavender, Colorado River Country, (Albuquerque: The University of New Mexico Press, 1982), 43. The author published the first article bringing the existence of the Reed Trading Post to historical attention, see John D. Barton, "Fort Uintah and the Reed

The most significant source to substantiate the existence of the Reed Trading Post and validate the above sources is an oral interview with Julius Murry conducted by the author.<sup>53</sup> Murry, born in 1917, is the grandson of Jimmy Reed, the young boy who helped establish the Reed Trading Post in 1828. Murry remembers his grandfather telling him of coming to build the post and then selling out to Robidoux in 1832. Reed's story, as told by Murry, has him moving north into Wyoming after the sale of the post. From there he went to California and stayed to prospect for gold during the rush era. After the gold rush in California declined, Reed traveled back to Wyoming and later Montana to look for gold. Having had no luck at finding gold, Reed established a trading post in Wyoming in 1860.<sup>54</sup> After leaving the post, about three years later, Reed moved to Brown's Hole on the Green River. The next year he married a Shoshone Indian girl who had been baptized and named Margaret by Brigham Young. Reed usually called his wife Maggie, but Murry remembers her Shoshone name as WahVe Dah (phonic spelling by the author). According to Murry, Maggie was a survivor of the Bear River Massacre and had been wounded in the leg during that encounter which killed the rest of her family. Maggie limped the rest of her life as a result of the injury she received. Reed and Maggie lived in Brown's Hole for several years and then sold their cabin and moved to Whiterocks.<sup>55</sup> Here they reared their

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Trading Post," Montana: The Magazine of Western History, 43 (Winter 1993), 50-57.

53

Julius Orn Murry, interview by the author, 3 Oct. 1988, Alteria, Utah. Murry is the grandson of James Reed and remembers his grandfather telling his about setting up the Reed trading Post, and the sale of that post the Robidoux in 1832.

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Murry's account is corroborated by Wilson Rankin's diary, Reminiscences of Frontier Days, (Denver: Photolithographed by Smith-Brooks), 126. Rankin says; "An old white trapper and fur trader by the name of Reed had built a one-room log fort on Spring Creek in 1860. A post office was established at Reed's Fort, acquiring the name of Lewis in honor of Colonel William H. Lewis, who was in command of two troops of the 7th Infantry, which make camp near Reed's Fort in 1874 ... A town was started at Reed's Fort and the name of Lewiston was given to it."

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Murry's account is supported by John Rolfe Burroughs, Where the Old West Stayed Young, (New York:Bonanza Books Inc. 1959), 34,35. See also Kerry Ross Boren, The High Uintahs, (Unpublished manuscript held in Uintah County Library, regional room), 155.

family and Jimmy showed his grandson, Julius Murry, the place where he had helped build the Reed Trading Post eighty-five years earlier. James Reed died in September of 1925, just one month short of 110 years of age.<sup>56</sup> Not only was James Reed a novelty in the fur trade for his youth; he outlived all other mountain men of whom the author is aware.

Calvin Hackford, a part-blood Ute who lives in Whiterocks, also claims knowledge of the Reed Trading Post. Hackford relates:

The Jim Reed Post was set up by Kentucky Traders. They came up the Old Spanish Trail and crossed the Bookcliff Mountains at Omay and Moon Bottoms. The old post

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56

Department of Commerce and Labor. Bureau of the Census. 13 Census of the United States; 1900 and 1910 - Indian Population. District 244, sheet 1A #8001, A-R film #0001768, Family History Center, Roosevelt, Utah, (microfilm, Genealogical Society, Salt lake City, Ut.)

The Indian census lists a James B. Reed, 42 years old, born in Wyoming, father born in Kentucky, mother born in Wyoming; also a Charles Reed, mother and father same. Sheet #8041 lists a Maggie Reed, 60 years old, born in Wyoming, half Shoshone and half Ute. Indian census rolls 1885-1940 list Maggie, Charley, Annie (Annie is the mother of Julius Murry), Margaret, John, Threasa, James, and Lydia Reed. James Reed Sr. does not show up on the Indian census rolls, but being non-Indian that is expected. Unfortunately, he does not show up on any census, but at the time he lived with his daughter who was an Indian and the non-Indian census takers may have missed him. The records listing the father of the Reed children as coming from Kentucky does help substantiate Murry's claims about his grandfather.

The 1900 census lists Maggie as a widow. At this time she and Jimmy had been separated for several years. It is thought by some family members Maggie listed herself as a widow because of this separation. On April 16, 1913, Maggie made out a will and left her possessions to her son Charles. To make the will legal and binding the Indian agent, F.A. Baker, questioned her on the will and in this interview she confirmed that her husband was alive but that they had been separated for so long she did not wish anything to go to him. See the will of Maggie Reed, Uintah Ute allottee No. 436, BIA Allotment Files, Ft. Duchesne, Utah. Maggie lived until 1920, when she died of the flu.

The death of James Reed is confirmed in the Randlett Episcopal Church records as September 1925. No day entered. Longevity ran in the family, Mary Reed Harris, James's daughter, lived to be 102 years of age.

William Reed is not mentioned again in Western History. There was a William Reed with Jed Smith's 1826 expedition to California, but it could not have been the same William Reed. The descendants of Jimmy Reed claim that after the sale of the post, William returned to Kentucky where he farmed for the rest of his life. Examination of the Kentucky census reveals dozens to William Reeds that lived in Kentucky's several counties. There is no way to determine, without additional information, which was William Reed of the Reed Trading Post.

itself was made out of logs. When I was a kid ... about half of it was standing."<sup>57</sup>

Hackford claims that the Reed Trading Post was located right at the fork of the rivers and consisted only of a single cabin which served as trading post and living quarters. When Robidoux purchased the business from the Reeds, he built his fort about one hundred yards north to avoid the spring floods which threatened the Reed Post yearly. Both Hackford and Murry have in their possession old historical plaques detailing the Reed Trading Post. These plaques were made in the 1920's as historical markers for local citizens who were interested in seeing that the existence of the Reed Trading Post was not forgotten. (See photos 1 & 2).

Many of the oral sources refer to Toopeechee and William Reed as the same individual.<sup>58</sup> It is more likely that Toopeechee referred to James not his uncle. In the Ute language Toopeechee means "Small One."<sup>59</sup> Even as an adult Jimmy Reed was only about five feet three inches.<sup>60</sup> Toopeechee is also used in connection with Auguste Archambeau. When mature Archambeau was six feet tall,<sup>61</sup> and any connection with the name would have referred to him as a boy when he first came into Ute country.

Business at the Reed Trading Post was likely a combination of trapping by the Reeds, Archambeau and Julien, and trading with the Utes who lived in the region. They likely traded their furs at both St. Louis and Santa Fe. Mary Harris mentions that her father and 'Sambo'

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Calvin Hackford, interview by the author, 31 July 1988, Whiterocks, Utah. Hackford lives about one mile east of the site where the Reed Trading Post and Fort Uinta stood and has lived there his entire life.

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See Harris quote and the Hackford plaque.

59

Translation given to the author by J.R. Murry, 13 January 1989.

60

Glen Murdock Jr. oral interview by the author, 2 May 1989, Fort Duchesne, Ut. Murdock is a grandson of Mary Harris and the greatgrandson of Jimmy Reed. Murdock lived with Mary Harris prior to her death.

61

Margaret Archambeau interview.

made several trips across the plains to St. Louis, and it is known that Julien had worked in the fur trade in both centers. Jimmy Reed, Jr., said that his father was "the first white man to trade iron to the Utes: butcher knives, needles, guns. The Indians used to pile beaver skins as tall as a gun to get it. That's why they made them old guns so long. It was to get more beaver."<sup>62</sup> This interview was taken when Reed was at an advanced age, and there are historical inaccuracies within his story. It is doubtful that his father was the first to trade iron to the Utes. When William Ashley met the Utes near Ashley Creek in 1825, they already possessed guns.<sup>63</sup> Provost and Robidoux had been in the Basin the year before and certainly traded with the Utes, which predates the Reeds' entry into the Uinta Basin. It is possible, nevertheless, that Reed's account of Indians trading a stack of beaver as high as a gun to trade for that gun is true. In the 1820's guns were highly prized and difficult for Indians to obtain. Reed's story is interesting, if not wholly accurate.

The Reed Trading Post is not mentioned by mountain men or early travelers who kept journals while in the Basin. This lack of evidence is the major reason historians have not been aware of the existence of the Reed Trading Post. Timing and geography are the most plausible explanation of this conspicuous lack of mention. Surrounded on all sides by mountains with few passes the Uinta Basin is hard to enter, and unless specifically traveling there to trap, most mountain men did not venture there. Mountain men and travelers who did visit the Basin and kept journals, such as William Ashley, Warren Ferris, and Daniel Potts, were in the Basin prior to the establishment of the Reed Trading Post or after Robidoux bought it. There is no surviving journal, to this author's knowledge, of someone who was in the Uinta Basin between 1828 and 1832, the years the Reed Trading Post operated.

The Reed Trading Post, long unknown to Western historians, is significant as the first year-round habitation of non-Indians in Utah, a claim formerly applied to Fort Uinta. Having been built in 1828, The Reed Trading post, along with Robidoux's Fort Uncompahgre, were the first

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Moffit County Oral Histories, Jimmy Reed interview, (unpublished manuscript, copy held in the Uintah County Library, Regional Room, Vernal, Ut.), 58,59.

63

Dale Morgan, The West of William Ashley, 277, 280.

permanent residences and businesses in the central portion of the intermountain corridor.<sup>64</sup> Active in the founding of the post were the youngest mountain men and trappers known in the history of the fur trade. The Reed Trading Post has been long forgotten but should now take its rightful place along with forts Uncompahgre, Uinta, Kit Carson, Davy Crockett and other outposts significant to the days of mountain men in both the Uinta Basin's history and Western History generally.

Fragmented evidence has led to confusion over the early history of the fur traders of the Uinta Basin. Knowing the existence of the Reed Trading Post helps resolve perplexing questions that have troubled historians for years. One such is why Denis Julien was in the Basin prior to the founding of Robidoux's Fort when it is known that he was employed at Fort Uinta by Robidoux and assumed that he came to the Basin for the first time with Robidoux in 1832.<sup>65</sup> Julien's name has been found inscribed on a rock near Whiterocks dated 1831. This date conflicts with theories which have his initial entry into the Basin the next year with Robidoux. In 1827 Julien was employed in New Mexico by Louis Robidoux, a brother of Antoine's.<sup>66</sup> Julien is not mentioned in surviving historical records between 1827 and 1832, which makes the time frame perfect for his having joined the Reeds to go to the Uinta Basin.

Historians have also questioned Archambeaux's familiarity with the Basin when it had been thought he had come into the area only shortly before Fremont hired him as a guide at Fort Uinta in 1844. It appears as though both Archambeau and Jimmy Reed stayed on at the fort after Robidoux purchased it from William Reed. Understanding that Archambeau had been in

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In 1807 David Thompson had begun Kootenai House at the mouth of Toby Creek on the Columbia River portion of the corridor and Andrew Henry built Fort Henry near present day St. Anthony, Idaho, for the winter of 1809-10, but the forts built by Robidoux and the Reeds were the first fixed businesses north of the Spanish settlements in New Mexico and south of the Snake River region between the Continental Divide and the Sierra Nevada Mountains.

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Charles Kelly, "The Mysterious Denis Julien," The Utah Historical Quarterly, 6 (July 1933), 83-88.

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David J. Weber, The Taos Trappers, (Norman: The University of Oklahoma Press, 1970), 213.

the area since 1830 clarifies that segment of his life.

A more significant question that can be answered with an understanding of the existence of the Reed Trading Post and the sale of that post to Antoine Robidoux in 1832, is the founding date of Fort Uinta.<sup>67</sup> Once in possession of the site and upon completion of his fort, Robidoux, through shrewd entrepreneurial business practices, remained the central figure in the Uinta Basin fur trade until 1844.

At the apex of their glory, the mountain men numbered approximately 1,000 and their heyday lasted less than twenty years. But they continue to occupy a significant portion of American legend and folklore. From the time Washington Irving first wrote about them, to present-day Hollywood movies, the mountain men have been depicted in a highly romantic manner. Without doubt the mountain men were among the greatest outdoorsmen of all time. Survival in the harsh conditions of their place of business demanded keen eyes, sharp hearing and constant awareness or they would fall prey to hostile Indians, wild animals, or the elements. Never-the-less they were not as glorious as often depicted. Some historians have tried to change the way mountain men have been perceived. William H. Goetzman, for example, argues that the mountain men were individualistic entrepreneurs who hoped to make a living, if not a fortune, from the fur trade which was booming between North America and Europe at the time.<sup>68</sup>

Contemporary with the mountain men, a laissez-faire attitude of business dominated America, in both ideology and practice. There was less governmental restraint on business in the early nineteenth century than perhaps at any other time in our nation's history. Of all the business sectors, none was less restricted than the western fur business. Sharp and sometimes vicious competition existed between the various companies involved in the fur trade, but the government made no attempt at regulation. In fact, the American and British fur traders and mountain men were unofficial representatives of their respective nations in the great race for

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67

Full treatment of the controversy over the founding date of Fort Uinta will be in chapter 5.

William H. Goetzman, "Mountain Man as a Jacksonian Man," *American Quarterly*, 15, (1963), 402-415. In this classic article Goetzman frames the mountain men as expectant capitalists who were caught up in the era of political and economic freedoms that is generally associated with Andrew Jackson's presidency. Many people misunderstand the mountain men and try to make them early 19th Century nature lovers or recluses. Setting them in an entrepreneurial framework is much more accurate.

the Pacific Northwest.<sup>69</sup> And in the Southwest American fur traders and mountain men helped establish friendly relations so that when General Stephen Watts Kearny came to take the area during the Mexican War, he was able to do so without bloodshed or battle.<sup>70</sup>

There are examples of mountain men who left civilization and entered the wilderness for adventure. Some, like Kit Carson, who went west to escape an apprenticeship and fled into the mountains and leave past ties behind. But the majority of men who went into the mountains to trap or trade for fur did so in pursuit of wealth. This was a timethen the average laborer earned \$150 to 250 annually. Mountain men sought beaver pelts that were worth \$6 to 8 dollars each when sold in St. Louis. This provides plenty of incentive to go the the mountains and risk all pursuing furs.<sup>71</sup> In the majority of cases, all other considerations were secondary.

In search of profitable trapping, mountain men and traders entered the Uinta Basin to trap and/or trade with the Indians. The Utes were "keen traders and collected considerable fur" and therefore were desirable as trading partners.<sup>72</sup> Of the several who came, one man stands as

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In a recent work that will become a classic on the topic of how politics and fur trade merged interests of entrepreneurs and politicians to gain the upper hand in the Pacific Northwest see James P. Ronda, Astoria and Empire, (Lincoln: The University of Nebraska Press, 1990). Other outstanding books on the topic such as David Lavender, The Fist in the Wilderness, that tells the story of how American Fur Traders, specifically those working for John Jacob Astor, challenged the British for the Pacific Northwest. Also see Oscar Winther, The Great Northwest, (New York: Alfred Knopf Pub., 1950), 33-106.

Weber, The Taos Trappers, 190.

Goetzman, "Mountain Man as a Jacksonian Man," 413. Since Goetzman first argued the entrepreneurial motivation of mountain men in 1963 other historians have insisted that a single causal explanation is too simplistic to explain who the mountain men were. See Harvey L. Carter and Marcia C. Spencer, "Sterotypes of the Mountain Men," Western Historical Quarterly, 18 (Jan. 1975), 17-32. For many mountain men this is true, yet in the case of some, and especially Antoine Robidoux, the pursuit of money explains why he went to the mountains and what his motivations were centered on. Although Carter and Spencer did argue against Goetzman's thesis, Michael Allen recently used Goetzman's logic as a focal point for similar arguments applying entrepreneurial explanations for rivermen. See Michael Allen, "The Rivermen as Jacksonian Men," The Western Historical Quarterly, 21 (August 1990), 305-320.

Osborne Russell, Journal of a Trapper, (Lincoln: University of Nebraska Press, 1956 printing), 120,121.

the dominant figure in the Uinta Basin fur trade -- Antoine Robidoux. Unlike most mountain men who left former occupations to enter the fur trade, Robidoux was raised in it. His father owned a fur trade business which operated out of St. Louis and gave the Robidoux family moderate wealth, social and political standing.<sup>73</sup> Antoine Robidoux was born in 1794, and was nine when Lewis and Clark left St. Louis on their epic journey. Having been raised in a family of fur traders, he undoubtedly felt the excitement that swept the town upon the return of that exploratory party. Ambitious men then realized the upper Missouri River country was open to fur traders. Manuel Lisa was the first to lead a significant trading party up that great river, but others soon followed; for there were fortunes to be made. When William Ashley advertized for 100 enterprising young men to go into the mountains and trap beaver on the upper Missouri, the Robidoux had already been in the fur trade for several years. Antoine did not join Ashley, but three years later led a trapping/trading expedition of his own from Taos into the Green River country.<sup>74</sup> Antoine was one of five brothers who all made their living from the fur trade. His brother, Joseph III, was the most famous of the Robidoux and founded a small trading post on the Missouri River in Missouri. As others settled nearby, the town of St. Joseph was begun -- named St. Joseph because the founder was such a rascal that his neighbors, with tongue-in-cheek called it "St." Joseph and the name stuck. The Robidoux brothers, Antoine included, must be understood in a slightly different light than the usual mountain men. They were in the mountains and made their living trading for furs, but they were not true mountain men any more than a large cattle rancher's sons were cowboys. They shared in the same work and living conditions and faced the same dangers but still were not the same care-free, devil-may-care type as the mountain men.

#### FROM TAOS INTO THE BASIN

Many Americans went to New Mexico after Mexico won its independence from Spain in 1821. The newly formed Mexican government was willing to trade with non-Mexicans whereas the Spaniards had not been. The Santa Fe Trail opened soon after Mexican Independence, and

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Wallace, Antoine Robidoux, 5,6. Joseph Robidoux II, Antoine's father was an honorary lieutenant in the militia and on Dec. 7, 1812, the first general assembly of Missouri held its first session in his home.

<sup>74</sup>

Missouri Intelligencer, 25 September, 1824.

trade between St. Louis and Santa Fe flourished. Included among the Americans who went to Santa Fe in hopes of getting rich were many who sought wealth in the fur trade.<sup>75</sup> Finding the upper Missouri firmly in the grasp of the American Fur Company, many branched out in search of new places to exploit the fur trade, and the southern Rockies became another center of the fur business. Antoine Robidoux as one of the early fur traders of the Southwest, became a prime mover in the Santa Fe trade even before the Santa Fe Trail reached its full potential. He entered the fur trade in Mexican Territory as early as 1824. By 1828, he was operating solely out of New Mexico, although he did occasionally travel to and trade in St. Louis.

By 1828, and possibly as early as 1826, he established his first trading post. Located on the Gunnison River of Western Colorado, Fort Uncompahgre was strategically situated to encourage trade with the Ute Indians of Colorado. The selection of the site for a post was logical not only for its proximity to the Utes but also for the good grazing and water for stock and the temperate climate. This fort was likely made of adobe and cottonwood logs because that was the only building material close at hand. Starting with a cabin or two the fort grew with the passing years and the addition of more and better buildings. But Antoine must have found trapping in the Uintas more profitable than merely managing the Colorado fort, so he left his brother Louis to operate it for him.<sup>76</sup>

Using Fort Uncompahgre as a base, Robidoux continued to trap the Uinta Basin and the north side of the Uinta Mountains. John Work, a Hudson Bay brigade leader, recorded that he met Robidoux with a group of trappers on the Malad River of southern Idaho in 1830. Robidoux told Work that he planned to spend the winter on the White or Green River.<sup>77</sup>

The next summer Robidoux took his furs to Santa Fe. In August, 1831, he sold to William Sublette \$3806.50 worth of fur.<sup>78</sup> Of all the fur purchases Sublette made in New Mexico that summer, Robidoux's was the largest. This indicates that Robidoux was successful in trapping

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For a complete picture of the New Mexico fur trade, see Weber The Taos Trappers; see also Cleland, This Reckless Breed of Men.

David J. Weber, "Louis Robidoux," Fur Trappers on the Far West, ed. LeRoy R. Hafen. (Glendale: The Arthur Clark Co., 1965), 42,43.

Charles M. Kelly, "Trapper in the Utah Wilderness," Desert Magazine, 2 (July, 1939): 4.

<sup>78</sup>

Morgan, The West of William Ashley, 201.

and trading that year. Certainly Robidoux had expenses in getting \$3,800 in furs, but it is a considerable sum when one considers that a good working farm could be purchased in the east for \$800 - 1500 at the time. Robidoux went back to the Uinta Basin that fall or the next spring and purchased the Reed Trading Post from William Reed; very likely using the money he had received from Sublette.

The Uinta River was a haven for beaver. Before the many irrigation canals were built which now drain off a great part of the water, the river was choked with beaver dam after beaver dam. The early settlers of the Uinta River area claim that the land, for hundreds of yards on either side of the river, was a lush natural meadow watered by backed-up beaver dams when the spring run off occurred.<sup>79</sup> Little wonder then that the Reeds built there, or that Robidoux coveted their location and/or their business. The details of the sale of the Reed Trading Post to Robidoux are unknown, except for the time, which was the Fall of 1831 or early 1832.

In likely anticipation of opening a post in the Uinta Basin, Robidoux had applied to the Mexican Government and was granted a license to operate a fort on September 19, 1831.<sup>80</sup> At that time, Robidoux had already been operating Fort Uncompahgre for at least three years. It is unlikely he would apply for a license to operate a fort that was known by New Mexicans to already have been in business for years. It seems more plausible that Robidoux had purchased, or planned to purchase, the Reed Trading Post and was seeking licensing for his new fort. It is doubtful whether the Reeds ever legally operated within Mexican Territory, but Robidoux, with legal, political, and residential ties in Santa Fe, did not want trouble that he could avoid with licensing.<sup>81</sup>

#### FORT ROBIDOUX ON THE UINTA

The Reed Trading Post was a single cabin located at the confluence of the Uinta and Whiterocks rivers. After Robidoux purchased Reed's post, he built his fort about one-hundred

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79

Calvin Hackford interview.

David Waldo and Antoine Robidoux request for trapping, and license to operate a fort, within Mexican Territory, Sept. 19, 1831. MANM, Roll 14, frames 156-160.

The new information about the Reed Trading Post verifies the founding of Fort Robidoux on the Uinta River. The writers who differ on whether Fort Uinta was founded in 1832 or 1837, and the sources they used to arrive at their conclusions, will be discussed in the next chapter.

yards to the north and west, to avoid the spring floods which had threatened the old location of the post every year.<sup>82</sup> Fort Robidoux, also called Fort Uinta, Fort Winty, or Twinty,<sup>83</sup> was located about 12 miles northeast of the present-day town of Roosevelt. The fort consisted of a small group of log cabins with dirt roofs and floors, surrounded by a log palisade. The enclosed area of the fort was about sixty by sixty feet, with gate openings at both the north and south ends.<sup>84</sup> Reed Morrill, accompanied by Dr. William R. Snow, professor of history at Brigham Young University, attempted to locate the exact site of Fort Robidoux in 1940. Morrill studied the various sources and then with Snow traveled to the Uinta Basin to investigate. They found what they thought to be the location, identified by an old rock foundation and some charred ends of log. Taking some artifacts from the location: bits of bone, china, and an old gun stock, they hoped to substantiate their find by dating these items.<sup>85</sup> Examination by experts did place the artifacts in the approximate time frame for their existence to have come from Fort Robidoux, but that alone is inconclusive toward proving the location of Fort Uinta. The author has been to the site Morrill found. There is an old rock foundation, but local residents, including both Murry and Hackford, do not know what the foundation had been; however, it is probably not the site of Fort Uinta. Robidoux's fort was located at the junction of the Uinta and Whiterocks rivers. Both Murry and Hackford, as well as the few sources that come from visitors of the fort substantiate this.<sup>86</sup> The Morrill site is approximately one mile east. Today there is little archeological evidence left at the location of Fort Uinta. The author also visited the traditional location at the junction of the rivers and on the surface found broken crockery and china and an area of sage that seems to have

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82

Calvin Hackford interview.

83

Hafen, Old Spanish Trail, 102.

Hackford interview. Julien Murry claims that there was no stockade around the buildings, but judging from the various sources, Hackford's description seems the most correct.

Reed Morrill, "The Site of Fort Robidoux," Utah Historical Quarterly, 18. (Jan.-April 1941),2-11. Also see Reed Morrill "Early History of the Uinta Basin," (Unpublished Master's Thesis, Brigham Young University, 1940).

Both John C. Fremont and the Reverend Joseph Williams talk about the fort's location by the junction of the rivers, but of course, they were not overly descriptive of the exact location.

been the old site. There is a spring of water nearby and there are places where the blowsand seems to be slightly darkened with old ash. The location is on Ute Tribal land and permission must be obtained to visit the site. Due to the many artifacts which have been discovered and taken from tribal land by private individuals, the tribe will not permit the use of metal detectors or digging on their lands at the present time. Until an archeological dig is completed at the site, the exact location can only be substantiated by tradition and testimonies of those who have cause to know.

#### BUSINESS FOR ROBIDOUX

Upon the establishment of Fort Uinta, Robidoux shifted most of his attention there. The fur trade business involved much more than trapping beaver, and Robidoux used all the entrepreneurial skills he had acquired from hard competition to make his fort profitable. His business operation focused in three different areas: 1) trapping, 2) trading with the Indians and free trappers, and 3) horse trading.

Robidoux usually kept about twenty men employed at each fort as trappers. Captain John C. Fremont, while exploring the Great Basin, stopped at Fort Uinta. He referred to Robidoux's men as a "motley collection of Canadian and Mexican engages and hunters."<sup>87</sup> These trappers usually divided into pairs to go out from the fort for the fall and spring hunts to trap. From Fort Uinta they went to the Bear, Green, Grand or Colorado rivers, as well as the rivers and streams of the Uinta Basin to trap primarily beaver but also mink, muskrats, fox, and other fur-bearing animals.<sup>88</sup>

If Robidoux operated his business like others in the West, the engages were under contract to bring their catches back to the fort and sell to Robidoux at a set price. This contrasted with the free trapper who sold his "plews," the mountain men's term for beaver skins, to the highest bidder either at the annual rendezvous or at a trading post. When the fur hunters returned to the fort after a season of trapping, Robidoux reconciled the books for each trapper. Subtracting the goods previously received on credit from the total catch, the remainder was paid to the trapper in cash or credit toward supplies. No records survive to indicate how many

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John C. Fremont, Narrative of the Exploring Expedition to the Rocky Mountains (London: Wiley & Putnam, 1846), 305.

Rufus Sage, Rocky Mountain Life (Lincoln: University of Nebraska Press, reprint 1982, from 1846 original), 232.

pounds of fur Robidoux purchased from his engages over the years, but he maintained engages throughout the existence of his forts. If they were not making sufficient money to justify staying, logic suggests the engages would have gone elsewhere at the expiration of their commitment. Likewise, if Robidoux were not showing a profit, he would not have retained their services.

While maintaining the engages, Robidoux also encouraged the business of free trappers and travelers at his fort and traded with the Indians of the region. Robidoux's prices were comparable to other contemporary mountain prices./////(See chart 1, p. 59/////.) He stocked the usual supply of trade goods, food, and supplies that could be expected to be found at a trading post. These included guns, powder, traps, blankets, beads, vermillion, cloth, awls, etc. as well as food items such as sugar, coffee, flour, and fresh or jerked meat.<sup>89</sup> A list of goods ordered by Robidoux in 1830 for Fort Uncompahgre gives added insight into the items that could be found at his forts. The list includes:

16 Pieces blanketing in the roll 532 yards  
10 pieces cloth 302 yards  
7 rolls of same 105 yards  
2 Pieces colonial blanketing 280 yards  
1 piece blanketing 9 yards  
1 Piece ribbed cloth (corduroy) 37 1/2 yards  
1 roll black ribbed cloth 3 1/2 yards  
2 maroon church robes  
2 standard robes  
4 robes of cotton  
4 woolen robes  
4 (Cortes?)  
3 Sashes  
1 scarf of silk and cotton  
4 bandannas  
5 satchels or bags  
47 cotton scarves

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Joseph Williams, Narrative of a Tour from the State of Indiana to the Indian Territory in the Years 1841-42 (Cincinnati: J.B. Wilson Printer, 1843), 42. See also Charles Preuss, Exploring With Fremont, ed. Erwin Gudde, (Norman: Uni. of Oklahoma Press, 1958 reprint), 135.

8 pair cotton hose or stockings  
18 black scarves  
1 piece of silk with stripe 8 yards  
1 piece of silk purple 16 yards  
1 piece silk and cotton 30 yards  
3 hair ribbons  
3 white jackets or coats  
6 pairs of large scissors  
1 Thousand brass tacks  
2 large buttons  
1 large button  
2 dozen knives  
8 shaving knives  
3 pieces blanketing 124 yards  
92 lined paper ledgers  
10 pieces bright hairpieces  
3 hairpieces  
2 trunks  
4 women's fine combs  
11 combs  
2 umbrellas  
3 pairs of women's stockings  
57 yards of binding lace  
1 piece of baking soda  
2 fine made knives  
6 common knives  
1 woolen scarf  
2 Jackson peace medals  
7 bags.<sup>90</sup>

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William McCrea Bailey, Fort Uncompahgre, (Silverton, Colorado: The Silverton Standard and The Miner, 1990),27-29. Dan Dieter, director of the rebuilt Fort Uncompahgre at Delta, Colorado says the business at Robidoux's forts would be an 1800's version of a combination of

Robidoux's prices and location encouraged mountain men to trade with him. Kit Carson, for example, sold his furs to Robidoux in 1833 and 1838,<sup>91</sup> and Rufus Sage, a noted traveler and occasional trapper, mentioned that during his ten day stay at Fort Uinta, several free trappers came to the fort.<sup>92</sup> Dr. Marcus Whitman, missionary to the Indians of the Northwest, traveled to New Mexico and enroute stopped at Fort Uinta. While there he too met free trappers, including Miles Goodyear.<sup>93</sup>

When enough fur had been acquired to fill a pack train, Robidoux went to New Mexico or occasionally St. Louis to sell the pelts and purchase more supplies to stock his forts. Robidoux had family connections in St. Louis. His brother, Joseph Robidoux, as a noted fur trader in Missouri could possibly give Antoine premium prices for fur and offer savings on goods to take back to the mountains. For convenience sake, Robidoux usually traded in New Mexico rather than Missouri for New Mexico was hundreds of miles closer to Robidoux's forts.

The going price for fur in St. Louis or Santa Fe was approximately \$5.00 to \$5.50 a pound during the late 1820's and early 1830's.<sup>94</sup> Transportation costs were a major factor in the fur trade. The cost of getting fur out of the mountains and goods to the fort had to be subtracted from the gross figure to show the final net gain of the fur trade. In the late 1820's, Ashley charged Smith, Jackson, and Sublette \$1.12 per pound to transport goods from St. Louis to the

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K-Mart and the Mustang Ranch.

Kit Carson, Autobiography, edited by Milo Milton Quaife. (Chicago: R.R. Donnelly & Co., 1935), 62.

92

Sage, Rocky Mountain Life, 232.

Goodyear addressed a letter to his brother in the East and had Whitman carry it for him from Fort Uinta to be posted in New Mexico. It is reprinted in Charles M. Kelly and Maurice Howe, Miles Goodyear, (Salt Lake City: Publishers Press, 1937), 43.

94

Gowans, Rocky Mountain Rendezvous, 41,49.

rendezvous and take furs back.<sup>95</sup> Likewise, William Sublette charged The Rocky Mountain Fur Company fifty-cents to transport their fur to St. Louis from the mountains in 1832.<sup>96</sup> Using fifty-cents as a low comparative figure to estimate Robidoux's costs; fifty-cents subtracted from the sale price of \$5.50 to \$5.00 Robidoux received for furs in Taos, minus the \$3.00 paid the trapper, left an approximate net of \$1.50 to \$2.00 per pound of fur. Robidoux transported his own goods and furs and may have saved some from the fifty-cents that Sublette charged, but the combined cost of horses and wages for his packers would have brought his costs close to that figure.

The mark-up of trade goods, from the cost at Taos or St. Louis to what was charged in the mountains, was 200 to 300 percent, and the mark up on some items was even greater.<sup>97</sup> For example, gun powder could be purchased in the 1830's at bulk rates for twenty to thirty-cents per pound,<sup>98</sup> lead bars for bullets cost fifteen to nineteen-cents per pound, and tobacco could be purchased for ten to twenty-cents per pound in major cities.<sup>99</sup> Sage mentions powder selling for \$3.00 a pound and tobacco at \$5.00 per pound at Fort Uinta, which is a 2,000 percent markup from what these items could be purchased in St. Louis or Santa Fe, but it must be remembered that Robidoux risked both his investment and life in transporting goods hundreds of miles through rugged and wild country to get supplies to his forts. Being an industrious entrepreneur, Robidoux showed profit on both ends of business, buying furs from the trappers and Indians which sold at a profit in Taos, and selling those same trappers and Indians goods at inflated

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Morgan, The West of William Ashley, 158.

96

Ibid, 308.

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Clayton, The American Fur Company, 71.

Carl P. Russell, Guns on the Early Frontier (Los Angeles: University of California Press, 1962), 224.

John K. Townsend, Narrative of a Journey Across the Rocky Mountains to the Colombia River and a Visit to the Sandwich Islands, Chile, &c., With a Scientific Appendix, (Philadelphia: Henry Perkins, 1838), 76. The above figures are from the early to mid-1830's, prior to the decline in prices due to the drop in beaver, and before the depression of 1837.

prices. The above figures indicate that Robidoux made more money from the sale of goods at his forts than he obtained from the sale of furs. This was especially true in the late 1830's when beaver prices dropped by as much as 50 percent and the price of goods throughout the mountains remained about the same.

To travel from Fort Uinta to Fort Uncompahgre, Robidoux sometimes went south through Willow Creek in the Bookcliff Mountains to about where Grand Junction, Colorado, is today, this is evidenced by the famous Robidoux inscription on this ancient route. Crossing the Colorado River, the trail led south. Following the Gunnison River it led to the junction of the Gunnison and Uncompahgre Rivers and the site of Robidoux's other fort. From there Robidoux could travel the Old Spanish Trail back to New Mexico, or go east up the Gunnison River to where Cochetopa Creek merges with the Gunnison, which is about fifteen miles east of the present site of Gunnison, Colorado. Following Cochetopa Creek to Cochetopa Pass, he then dropped into the San Luis Valley of Colorado. From the San Luis Valley, it was only a short trip down the Rio Grande to Taos and then Santa Fe.<sup>100</sup>

Rufus Sage left an account of traveling with one of Robidoux's mule caravans in 1842. The train consisted of eight mules, loaded with two hundred and fifty pounds each.<sup>101</sup> Traveling an average of thirty-five to forty miles a day, Robidoux spent fourteen days going from Fort Uinta to Taos. Sage did not mention a visit to Fort Gunnison while traveling with Robidoux. If he had been there, Sage probably would have indicated so in his journal, for he was a careful recorder. This lack of reference may indicate that Robidoux used an entirely different route that trip which bypassed the other fort. By the early part of the 1840's, and possibly years before, Robidoux was using wheeled carts for transportation of goods to the Colorado Fort. Lieutenant Philip St. George Cooke met Robidoux in the mountains on September 6, 1843. Robidoux was headed toward Fort Uncompahgre. Cooke noted, "I find Mr. Robidoux here, with a dozen light horse carts..."<sup>102</sup> The year previous Joseph Williams noted in his, "August 19th journal entry,

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Wallace, 27.

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Sage, Rocky Mountain Life, 233.

Philip St. George Cooke, Scenes and Adventures in the Army, (Philadelphia: J.P. Lippencott Co., 1859), 243.

"We could see snow on the mountains. We had a very cold rain. Next day we came to Rubedeau's wagon, which he had left here the year before. He hitched his oxen to it, and took it along"(sic).<sup>103</sup> It is generally thought that Captain Bonneville was the first to take wagons over the continental divide for the 1832 rendezvous, but Robidoux had crossed into the intermountain corridor with wheeled carts possibly as early as the late 1820's. Due to the terrain between Fort Uncompahgre and Fort Uinta it is doubtful that Robidoux used carts or wagons to supply the northern fort. He likely took the goods to Fort Uncompahgre by wagon and then packed mules and horses to carry his goods into the Uinta Basin. Although freighting was not his main enterprise, with the constant shipping of goods and furs into and out of the mountains, Robidoux could well be thought of as one of the first freighters to operate west of the continental divide.

Robidoux extended his market for sales of trade goods, and at the same time obtained more furs by trading with the Snake (Shoshone) and Ute Indians of the central Rockies. While waiting at Fort Uinta, Rufus Sage, noted the common articles which the Indians traded were horses, otter, deer, mountain sheep, and elk skins. These were exchanged for powder, lead, guns, knives, tobacco, beads, awls, and trinkets.<sup>104</sup> Taos Lightning or whiskey was another favorite trade item.

Most fur traders paid the Indians less for their furs than they did non-Indian trappers; and Robidoux seems to have had no hesitation about taking advantage of the Indians. Sage commented of the Indians' trade at Fort Uinta that the Utes and Shoshones brought large and well cured mountain sheep and deer skins to trade. They received in trade "the trifling consideration" of eight or ten loads of ammunition for one skin, which brought from one to two dollars in Santa Fe. Eight to ten charges of ammunition traded for a deer skin worth one dollar

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103

Williams, 44.

Sage, 232. It is of interest to note that Sage mentioned both Snake and Ute Indians trading at Fort Uinta. These two tribes were usually enemies; however many of the Uinta Band of Utes claim relation to the Shoshoni tribe. The Indian Census of 1900 substantiates their claims. Many of the Uinta Utes are part Shoshoni. When he visited the Utes who lived along the Wasatch Front in 1828, Osborne Russell noted that the Utes and Shoshoni intermarried quite frequently. See Journal of a Trapper, 120,122.

equates to two and one-half times the price for powder Robidoux charged non-Indians.<sup>105</sup>

Although it was illegal in Mexican Territory, Robidoux also traded guns to the Indians. Even before the Pueblo Revolt of 1680, it was against Spanish Law to sell firearms to the Indians. This law was reiterated by a "Bando" or ban of the sale of guns to Indians in 1735.<sup>106</sup> After Mexican Independence, Mexican Law also forbade such sales. As early as March 1825, Francis Robidoux, another of Antoine's brothers, had his trade goods confiscated for trading guns to the Indians. Governor Bartolome Baca ordered the merchandise returned but instructed the alcalde that Robidoux was prohibited from trading arms to the Indians.<sup>107</sup> In 1845, the governor of New Mexico launched an investigation into a charge that Antoine Robidoux was selling guns to the Utes and Shoshones.<sup>108</sup> Though the governor was convinced that he was in fact supplying guns to the Indians, Robidoux was never formally charged. There are at least three probable reasons for this. First, the Utes had already attacked and burned Robidoux's forts by the time the governor initiated the investigation so further investigation would have been moot. Second, during 1845, the governor died and was temporarily replaced by an interim governor who was succeeded, that same year, by a governmental appointee to the office.<sup>109</sup> The charges were either lost during the change of governors or paled in significance to the new governor because

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Sage, 233, provides the figure used for the Indian prices. Williams, p.42 supplies the price for non-Indians. For these figures, the author used a standard .54 caliber ball of 300 grains. The mountain standard for figuring how much powder is needed, was 3 grains powder to every 7 grains lead. There are approximately 3200 grains of black powder in one pound, making 25 charges per pound. If the Indians were shooting smaller calibers then the ratio would go higher in Robidoux's favor. With Sage's assertion that Robidoux traded eight to ten charges to the Indians for a deer skin worth one dollar, the cost of powder comes to 2.4 times the usual \$1.50 sale price of powder to non-Indians.

Ralph Emerson Twitchell, Old Santa Fe, (Cedar Rapids, Iowa: The Torch Press, 1925), 11.

Baca to the Alcalde of Taos, March 3, 1825, MANM, Roll 4, frame 814.

Governor of New Mexico to the Ministro de Relaciones Exteriores y Gobernacion, 1844. MANM, roll 35, frame 447.

National Historical Publications Commission, MANM, (Santa Fe: National Archives Publications, 1970), 129.

the fort had already been burned. Third, Robidoux was a small operator, working on the peripheries of Mexican territory. Mexican officials were not even able to control the illegal trapping and trading done just south of the 42nd parallel by unlicensed Americans and English/Canadians such as Ashley's men, the Hudson Bay Brigades, and many individual trappers.<sup>110</sup> Robidoux would have been questioned and possibly charged if the governor(s) had found him; but after his fort was burned, Robidoux spent little time in New Mexico until he returned with the United States army the next year during the War with Mexico. Robidoux, who had become General Stephen Watts Kearny's interpreter in 1845, translated the speeches Kearny made in New Mexico into Spanish and translated Spanish into English for the general.<sup>111</sup> Robidoux remained with Kearny until after the Battle of San Pasqual, where he was wounded by a lance thrust in his back on December 6, 1846.<sup>112</sup>

### TAOS LIGHTNING

Whiskey was a trade item which also may have caused Robidoux trouble. "Taos Lightning" was the liquor most frequently sold to the Indians by the New Mexican traders. Liquor of any kind was the nemesis of the fur trade. Debauchery and senseless mayhem often took place when liquor was sold to Indians. George Ruxton, a mountain man and contemporary of Robidoux's, said of Indians and liquor, "Sometimes, maddened and infuriated by drink, they commit the most horrid atrocities on each other, murdering and mutilating in a barbarous manner, and often attempting the lives of the traders themselves."<sup>113</sup> The most common practice was to pack low grade whiskey or straight grain alcohol into the mountains and then dilute it with water, sometimes by as much as one-third. The more the Indians drank, the more the trader watered

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According to the Adams-Onis Treaty of 1819, the Red River to the continental divide, north to the 42 parallel, and west to the coast of California was the agreed border between the U.S. and Spain. This was accepted by Mexico when it won independence in 1821.

George Rutledge Gibson, Journal of a Soldier Under Kearny and Doniphan; 1846-1847. ed. Ralph P. Breber. (Glendale, California: The Arthur Clark Co., 1935), 131.

William H. Emory, Notes of a Military Reconnaissance from Fort Leavenworth in Missouri in San Diego, California (Washington D.C.: House Executive Document, no. 41, 30th Congress I session, publisher, 1948), 111.

113

Ruxton, Life in the Far West, 99.

his supply.<sup>114</sup> Some traders had unique, and often toxic recipes, for their brew that included a twist of tobacco, rattlesnake heads, and other noxious ingredients determined to give it more kick when mixed with raw alcohol.

Rarely in the history of the fur trade were the Indians who drank modest imbibers. They usually consumed liquor in great gulps and did not stop until the supply was gone or they fell into unconsciousness. During this time, drunken Indians often performed acts of extraordinary aggression which were carried out with enormous energy and continued until the perpetrators again slipped into unconsciousness or began to sober up, depending upon the supply of liquor available. This state of drunken spree often lasted for months.<sup>115</sup>

When a dependency upon alcohol was created, the Indians often sold all they possessed for a little more "firewater." Unscrupulous traders knowingly plied the Indians with liquor to get them to sell their furs and goods cheaper; also liquor itself was a good trade item. The mountain price of liquor was usually \$4.00 a pint.<sup>116</sup> William Wolfskill's ledger shows that liquor could be purchased for .75 a pint in Taos. Even unwatered, \$3.25 profit per pint is a substantial markup.<sup>117</sup> Although it was illegal in both the United States and Mexican Territory to trade whiskey to the Indians, agents of both countries rarely stopped traders who bought it to transport into Indian country.<sup>118</sup> Robidoux's substantial bill from Simon Turley, the inventor of Taos Lightening who ran a distillery business in New Mexico, suggests that Robidoux purchased liquor

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114

Clayton, The American Fur Company, 238.

115

Ibid, 240.

116

Russell, Journal of a Trapper, 60.

117

William Wolfskill Journal, 1830-31.

118

Ruxton, 99.

in trade quantities.<sup>119</sup> In the late 1830's and early 1840's Robidoux had some severe financial setbacks. He had invested \$7,000 in a mining venture that was a total loss, and then had another major loss when hundreds of his horses froze to death. When coupled with the decline in fur prices during that same time frame, Robidoux, in financial desperation, could have turned to selling whiskey to the Indians which normally provided large profits in a short amount of time.

#### HORSES--MOUNTAIN TRANSPORTATION

As the major means of transportation in the mountains, horses and mules were always a major trade item. Indian wealth was counted in numbers of horses. A young warrior obtained a bride with a gift of horses to his prospective father-in-law. Indian culture placed a good horse thief in high social standing. Cases of horses being stolen from mountain men by Indians are numerous. There was always a good market for horses in the mountains; indeed, some Indians and mountain men, such as Wakara of the Utes and Peg Leg Smith made their living by stealing horses in California and selling them far from where they stole them.<sup>120</sup>

Horses were of greater worth in the mountains than the states because of the greater reliance upon them by mountain men and Indians. As riding and pack animals horses were indispensable. Horses were usually classified into three divisions: Indian ponies, which were worth about \$50, Spanish horses were worth \$50 to \$100, and horses from the states were worth up to \$500.<sup>121</sup> The difference in prices was determined by the size, strength, speed, and beauty of the animal. These high prices made horses the most expensive items in the

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Letter dated October 16, 1840, from Simon Turley to Manuel Alvarez. See Alvarez Papers #344.

<sup>120</sup>L.R. Bailey, Indian Slave Trade in the Southwest, (Los Angeles: Westernlore Press, 1966), 152. In one daring raid Wakara and Smith ran off over 1500 head of horses from a San Luis Obispo ranch.

Daniel Potts's letter of 1827 lists horses costing from \$150 to \$300, and some as high as \$500, at the rendezvous that year. See Morgan, The West of William Ashley, 168. See also list of property lost or stolen by Indians from the firm of Smith, Jackson, and Sublette from July 1826 to July 1830. They claimed the loss of 480 head of horses "at the lowest mountain price of \$60 per head," which they figured as a \$28,000 loss. Contained in "Selections in the Missouri Society, Huntington Library, San Marino, California. Selected from the Sublette Papers, 1823-1839. Microfilm from the original manuscripts in the Missouri Historical Society, St. Louis, Missouri. See also, Herbert S. Auerbach, "Old Trails, Old Forts, Old Trappers and Traders," Utah Historical Quarterly 8, (Jan-April, 1941), 16.

mountains surpassing even guns in cost.

Robidoux had poor luck with horses, as did many traders. In 1824, the Arapaho Indians stole all his goods and horses. In 1833, while traveling from St. Louis toward Santa Fe, Robidoux's group encountered a severe blizzard. Snow piled up as high as the wagons and the cold was so intense that eight of his men and all of the horses and mules froze to death. Stranded on the plains, the group burned the wagons for firewood and ate the dead horses and mules to keep from starving until Antoine's brother, Joseph, sent a relief party to rescue them. On this trip, Robidoux was accompanied by his wife Carmel. While waiting for help, Carmel and her servant girl slept together for warmth. One especially cold night, the girl froze to death, while Carmel, who slept right next to her, survived.<sup>122</sup>

As a good trade item, Robidoux bought and sold horses at Fort Uinta.<sup>123</sup> Nevertheless the worst financial calamity to befall Robidoux involved horses. In the winter of 1841-42, he and a few drovers left St. Louis driving several hundred head of horses and mules. Upon reaching Cottonwood Creek near Council Groves, they encountered a terrible blizzard. Reminiscent of the 1833 incident, that night two of Robidoux's men and over 400 horses and mules are said to have frozen to death.<sup>124</sup> This was devastating to Robidoux's finances. If the horses are valued at a minimum \$100 each, the low figure for a horse from the states, Robidoux stood to lose \$40,000.

## INDIAN SLAVES

There is some evidence connecting Robidoux with the capture and sale of Indian women and children as slaves. In 1842, Joseph Williams, a Methodist minister from Indianapolis, spent eighteen days at Fort Uinta waiting for Robidoux to return to the fort so he could travel with the pack train to New Mexico. Williams had traveled to the Oregon Territory the year earlier and upon his return trip, he traveled by way of Fort Boise, Fort Hall, and Fort Bridger. At Fort Bridger

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Orral Messmore Robidoux, Memorial to the Robidoux Brothers, (Kansas City, Missouri: Smith-Grievess Company, 1924), 185.

<sup>123</sup>

Sage, Rocky Mountain Life, 232.

Philip St. George Cooke, Scenes and Adventures in the Army, (Philadelphia: J.P. Lippencott Co., 1859), 243. Also see Wallace, Antoine Robidoux, 31.

he found that the company he expected to travel with had left prior to his arrival. He decided to ride over the Uinta Mountains to "Rubedeau's Fort Winty"(sic) and arrived there on July 9. Once there Williams waited eighteen days for Robidoux to return to the fort so he could travel with Robidoux's caravan to New Mexico. Williams recorded:

We had to wait there for Mr. Rubedeau about 18 days, till he and his company and horsedriers were ready to start with us to the United States. This delay was very disagreeable to me, on account of the wickedness of the people, and the debauchery of the men among the Indian women. They would buy and sell them to one another. One morning I heard a terrible fuss, because two of their women had run away the night before. I tried several times to preach to them; but with little, if any, effect. Mr. Rubedeau had collected several of the Indian squaws and young Indians, to take to New Mexico, and kept some for his own use! The Spaniards would buy them for wives... July 27th. We started from Rubedeau's Fort, over the Wintey River, and next crossed Green and White Rivers. Next night we lay on Sugar Creek, the waters of which were so bitter we could scarcely drink it. Here two of Rubedeau's squaws ran away, and we had to wait two days till he could send back to the Fort for another squaw, for company for him. (sic)<sup>125</sup>

Williams was shocked and disgusted at what he saw at Fort Uinta, and his account is obviously biased. However, his comments about Robidoux and his men capturing Indian women and children for sale in New Mexico, regardless of his opinion of the practice, documents Robidoux's involvement in Indian slave trade. Many of the Ute People living in the Uinta Basin believe that Robidoux and his men captured Indian women to serve as prostitutes at the forts. While Williams' account does not specifically say as much, it seems to hint that was the case when he said that "Rubedeau kept some for his own use!" Dan Deiter, director of the living history museum "Fort Uncompahgre" in Delta, Colorado, explains Robidoux's business at his forts as an 1830's version of mixing "K-Mart and the Mustang Ranch."

Joe Meek, a mountain man and contemporary of Robidoux's, also links him with trading

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125

Williams, Narrative, 43.

Indian women. In the winter of 1840, Meek wintered at Fort Davy Crockett. To pass the time, when the streams were too frozen to trap, Meek, Robidoux, and other mountain men gambled by playing hands. Hands was a favorite game among both Indians and mountain men. Ruxton explains:

The game of hands is played by two persons. One, who commences, places a plum or cherry-stone in the hollow formed by joining the concaved palms of the hands together, then shaking the stone for a few moments, the hands are suddenly separated, and the other player must guess which hand now contains the stone. Large bets are often wagered on the result of this favourite game...(sic)<sup>126</sup>

Meek remembered that Robidoux lost all his money and even wagered and lost an Indian girl while playing that winter.<sup>127</sup>

Many, besides Robidoux, were involved in buying Indians. In May, 1844, Fremont's group was traveling west toward Fort Uinta. Fremont was guided by Kit Carson. Charles Preuss recorded:

Kit bought an Indian boy of about twelve to fourteen years for forty dollars. He is to eat only raw meat, in order to get courage, says Kit, and in a few years he hopes to have trained him, with the Lord's help, so that he will at least be capable of stealing horses. He actually eats the raw marrow, with which Kit supplies him plentifully. He belongs to the Paiute Nation, which subsists only on mice, locusts, and roots, and such a life as the present must please him very much.(sic)<sup>128</sup>

Whether the Lord helped Carson's boy become a horse thief is unknown, but most of the menial work performed in New Mexico's colonial era was done by forced labor. Indian slave trade was not a new thing to the area. Indians had been enslaved in Spanish territories since the time Columbus discovered the New World in 1492. In New Mexico the slave trade was so common that in the early 1700's trade fairs were held to accommodate the transfer of Indians

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126

Ruxton, Life in the Far West, 101.

Francis Fuller Victor, The River of the West, (Hartford: R.W. Bliss & Co., 1870), 261.

128

Preuss, Exploring With Fremont, 134.

from captors to buyers. Thomas Jefferson Farnham, who passed through the Great Basin in 1839 noted:

The New Mexicans capture them [the Indians] for slaves; and the neighboring Indians do the same; and even the bold and usually high-minded old beaver hunter sometimes descends from his legitimate labor among the mountain streams, to this mean traffic.<sup>129</sup>

Uncle Dick Wootten, a mountain man familiar with the Great Basin region, recorded:

...it was no uncommon thing in those days, to see a party of Mexicans in that country buying Indians, and while we were trapping there I sent a lot of peltries to Taos by a party of those same slave traders."<sup>130</sup>

The period from 1830 to the mid-1840's was the height of the Great Basin slave trade. During this time haples desert Indians even sold their own children into slavery. This sad chapter in Western History coincided with the height of Robidoux's career in the Basin region.<sup>131</sup>

When Robidoux arrived in Taos, the New Mexicans would have quickly purchased any captive Indian women and children as servants. Farnham recorded that a boy was worth \$50 to \$100, and a girl \$100 to \$200. Whenever Robidoux was taking a pack train out of the mountains, a few captives could greatly increase his profit for the trip. There was no investment or financial risk on his part. Robidoux and his men may have captured the Indians themselves, or if he traded for his captives, the profit was still great enough to encourage not only Robidoux, but many other New Mexicans, to enter the slave trade. In fact, the main use of the Old Spanish Trail, which connected New Mexico with Los Angeles, was to facilitate Indian slave and horse trading.<sup>132</sup> If the moral question of capturing and selling human beings occurred to Robidoux, it did not stop his participation in it.

Antoine was a hard, shrewd businessman who would do nearly anything to show a profit.

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Thwaites, Early Western Travels, 166.

Quoted in, William M. Snow, "Ute Indians and Spanish Slave Trade," Utah Historical Quarterly 2, (July 1929), 76.

131

Bailey, Indian Slave Trade, 145.

See Hafen, The Old Spanish Trail. See also Bailey, Spanish Slave Trade.

He learned in a hard school. Joseph Robidoux II, Antoine's father, was a wizened old frontiersman who could and would cheat a competitor such as Manuel Lisa. On one occasion Lisa was setting out to trade with the Pawnees in rivalry with Robidoux. The latter locked him in a whiskey cellar and went and traded with the Pawnees himself. Another time, Joseph III, Antoine's brother, had fallen heir to some building lots in St. Louis that his father coveted. Tricking his son into an empty whiskey cellar, Joseph II locked him in until in his thirst young Joe traded a quit claim deed for a glass of whiskey.<sup>133</sup>

#### ANTOINE ROBIDOUX--ENTREPRENEUR

Robidoux employed these business practices in his mountain operation, but being determined to obtain wealth; he utilized love, politics, and investments to further his quest for wealth. From 1824, when Robidoux first left Santa Fe for the Green River country, until 1828, little is recorded about his activities. During this time Robidoux studied the mountains from which he wrested a living for the next two decades. He became acquainted with the various Indian tribes and learned "nearly every Indian idiom in the plains and mountain country."<sup>134</sup>

Ever on the lookout for a way to work with the system and avoid legal entanglements, Robidoux took advantage of love and politics. In 1828 he married Carmel Benavides, a Spanish girl from Santa Fe, who happened to be the adopted daughter of the governor of New Mexico.<sup>135</sup> Robidoux was not alone in marrying into wealthy and influential Spanish families. Most Anglos who were successful in New Mexico prior to the Mexican Cession married Mexican women.<sup>136</sup> Charles Bent and Kit Carson are but two other examples.

According to Mrs. Orral Robidoux, the Benavides were an old and aristocratic Spanish family.

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Rudolph Friederich Kurz, Journal, found in Bulletin 115 of the Bureau of American Ethnology, (Washington D.C. 1937), 66,67.

Ralph Emerson Twitchell, The Leading Facts of New Mexican History, (Cedar Rapids: The Torch Press, 1911), 2: 478.

<sup>135</sup>

Ibid.

Rebecca McDowell Craven, The Impact of Intimacy; Mexican Anglo Intermarriage in New Mexico, 1821-1846. (Albuquerque: University of New Mexico Press, 1974), 1.

Upon the death of her father, who had been a Captain in the military, Carmel lived with the governor. It was said of her that she was beautiful and brave; daring enough to swim her horse across the Rio Grande when it was swollen during spring run off when many men feared to do so. She was fond of dancing, and before marrying, often rode horseback from Santa Fe to Albuquerque, a distance of sixty miles, to attend a dance.<sup>137</sup> There is no evidence that Carmel ever accompanied Antoine to his forts, but judging from her daring and skill as a horsewoman it seems logical that she could have done so occasionally. If so, she was the first white woman in what became the State of Utah.

With the connections of his new bride's family, Robidoux applied for and was granted citizenship in Mexico as a naturalized citizen.<sup>138</sup> The requirements for becoming a Mexican citizen, which Robidoux had no trouble meeting, were to have lived in Mexican Territory for at least two years, be Roman Catholic, be employed and well-behaved. Some of Robidoux's mountain activities may have excluded him from the last requirement, but he was a respected businessman in Santa Fe. As a citizen of Mexico, Robidoux had many advantages that had been unavailable to him prior to naturalization. License to trap and to operate trading posts within Mexican Territory could only be obtained, except in rare cases, by citizens. Most of those who traded and trapped in Mexican Territory, who were not citizens, did so illegally and were subject to fines and imprisonment if caught. Also as a citizen, Robidoux did not have to pay duty on his sales and transactions in New Mexico as did contemporary traders and mountain men who operated in the Southwest and had not become naturalized.

It is unlikely Robidoux agonized over whether to become a Mexican citizen. For one coming from a French family who had lived in Montreal and then moved to St. Louis in the late 1760's or early 1770's, national allegiance was not of paramount importance and had to be compliant.

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Robidoux, Memorial, 183,185.

MANM, roll 10, frames 697-698, under the date September 18, 1830 lists those approved for naturalization. This is an official list from the governor to the local officials. Antoine Robidoux is on the list. Antoine and Louis Robidoux applied for naturalization to Governor Chavez on July 16, 1829. Ritch Papers numbers 109,111,113, list those approved for naturalization in 1829 included are the Robidoux brothers. These citations should not be confused to read that they were naturalized twice. They applied in 1829 and the 1830 list was a confirmation of those accepted.

French citizens had suddenly found themselves British citizens after the Peace of Paris, 1763. Moving from Canada to St. Louis, the Robidoux would have then been in Spanish Territory, until the secret Treaty of San Idlefonso returned the Louisiana region to the French. St. Louis remained a French possession only three years until the United States government gained the area from Napoleon in 1803 with the Louisiana Purchase. Robidoux's concern was probably not over citizenship, but rather, what could advance his opportunities to make money.

Operating out of Santa Fe, Robidoux established a trading house in the main square of town. It was probably more of a warehouse used to store goods and furs than a retail store. Robidoux kept it for several years. His building was broken into two different times during the 1830's.<sup>139</sup> With storage of furs, Robidoux was able to utilize his holdings to his advantage, as is shown when he secured his debt to Charles Bent with 650 pounds of beaver pelts.<sup>140</sup> Such practice was not uncommon among trappers and traders. Beaver pelts were often used as hairy bank notes. In addition to his fur business, both in the mountains and in New Mexico, Robidoux owned a tannery at the northwest corner of Guadalupe and San Francisco Streets, and also invested in mines in New Mexico. In two of these investments, Robidoux lost over eight-thousand dollars.<sup>141</sup> The mines did not turn out to his financial gain, and there is no evidence to indicate if his tannery was profitable, but his purchase of them demonstrates Robidoux's willingness to try all within his means to get ahead financially.

Once married and naturalized as a citizen of Mexico, Robidoux lost little time in establishing stronger political ties in New Mexico. In 1830 he entered Santa Fe politics and was elected alcalde.<sup>142</sup> As president of the "ayunlamiento" or town council, Robidoux took advantage of his position to enhance his own business. As alcalde he launched a bitter verbal attack upon foreign trappers -- French-Canadians and Americans -- many of whom had been his friends and former trapping companions. He charged that they were stripping the streams of New Mexico of a

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Weber, The Taos Trappers, 185.

Read Collection. Read I, no. 59. Charles Bent to Alvarez. Oct. 11, 1842.

Sale of a mine to Antoine Robidoux, SANM Roll 4, 1325-27, Microfilm copy held in State Records Center, Santa Fe, New Mexico.

142

MANM roll 9, frame 671,672.

valuable asset -- beaver he hoped to catch.<sup>143</sup>

With his varied interests and business operations, Robidoux presents a multifaceted image that is best understood in an entrepreneurial standpoint. Considering the many and varied actions which can be verified, to say he was an opportunist is an understatement. It is hard to classify Robidoux into a neatly presentable package that fits modern definitions or Hollywood stereotypes of frontiersmen. He was not a mountain man in the usual meaning of the term but a mountain trader. Robidoux was fluent in English, Spanish, French, and several Indian languages. George Gibbon, a soldier with General Kearny, described Robidoux as "tall, slender, and athletic, and had polished manners and possessed a striking personality"(sic).<sup>144</sup> However because of his conduct in dealing with them, the Ute Indians in the Uinta Basin, still associate the name Robidoux with cruelty.<sup>145</sup> With his political and marital connections, and his background in St. Louis, Robidoux was sometimes seen in tailored clothes, as photos of him evidence, yet he wore buckskins and moccasins for much of his life. For entertainment he could be the guest of the governor of New Mexico or chase antelope onto the ice of the Green River to watch them drown when they broke through.<sup>146</sup> Many have described those who were involved in the mountain fur trade as half wild savages. Others have depicted them as James Fennimore Cooper's, Leatherstockings gone west,<sup>147</sup> but an image of an entrepreneur engaged in unrestricted pursuit of economic advancement fits Robidoux best.

In an era when enterprise and trade were new and feeling their way into untouched territories with the expansion westward by a young nation, Robidoux was, perhaps unknowingly, pioneering trade and settlement. His quest for wealth added to the building up the American

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Forbes Parkhill, The Blazed Trail of Antoine Leroux, (Los Angeles: Westernlore Press, 1965), 63.

George Gibbon, Journal of a Soldier Under Kearny and Doniphan; 1846-47. p. 131 fn.

Murry, Murdock, and Hackford all indicated this was the case.

Victor, The River of the West, 261. When Robidoux, Meek, and the others tired of playing hands, on occasion they would chase antelope hoping to run them onto the ice of the Green River. There the unfortunate animals would often break through and drown.

Henry Nash Smith, Virgin Land; The American West as Symbol and Myth, (New York: Vintage Books, 1950), 88-90.

interests in the region, just as William Becknell's opening of the Santa Fe Trail did in 1821. Robidoux's entrepreneurship brought about the first settlement for trade on the west slope of the Rocky Mountains of Colorado. He opened new trails for trade goods, and expanded from the shaky beginnings of the Reed Trading Post Utah's dawning of industry.

In the fall of 1833, Carson and his partner in enterprise that year, Stephen Louis Lee, purchased several packs of goods in Taos and followed the Old Spanish Trail into Utah. Leaving the trail, they cut north through the Bookcliff Mountains and entered the Uinta Basin where Carson hoped to trade with the Utes. As they reached the confluence of the Green and White Rivers the weather turned cold and it started to snow. Carson and his men built three cabins in which to spend the winter where the rivers met.<sup>148</sup>

On the "Winte" River, an early term for the Uinta, Carson met a "Mr. Robidoux" with a party of trappers and traders already working the area. Relations were friendly between the two groups. During this time, a California Indian stole some of Robidoux's best horses, valued at \$200 each. Knowing Carson's reputation as a hunter and tracker, Robidoux requested Carson to try to track down the thief and return the horses. Agreeing to do so, Carson and a Ute Indian set off in pursuit. After two days of hard riding, the Ute's horse was exhausted and fell behind, leaving Carson to press on alone. After more than 100 miles, Carson caught up with the thief. When the Indian tried to shoot him, Carson killed him and took the animals back to Robidoux.<sup>149</sup>

Carson found business slow that winter, possibly because Robidoux had already obtained the bulk of furs. When spring came he sold his furs and remaining goods to Robidoux and went to Wyoming.<sup>150</sup> Another factor in Carson's not being considered serious competition was Kit's personality and checkered career. Kit was one of the greatest scouts and frontiersmen of the era, but his financial state of affairs was such that he could not be considered a shrewd businessman and the Robidouxes likely knew it. The Mr. Robidoux who Carson met in the Uinta

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<sup>148</sup>Milo Milton Quaife, ed. Kit Carson's Autobiography, (Chicago: R.R. Donnelley and Sons Co., 1935),34,35. The Ferris map shows Carson's three cabins at that site. Jim Reed also mentions that he first met Carson trading with the Utes at the junction of the Green and White rivers, see Rhodes, Footprints in the Wilderness, 317.

<sup>149</sup>

Quaife, 35-37.

<sup>150</sup>

Ibid.

Basin was probably not Antoine. Antoine spent that winter in Santa Fe and had left the management of the fort to his brother Louis.<sup>151</sup>

The three cabins Carson built were afterward referred to as Fort Kit Carson. Warren Ferris shows them on his map of the West.<sup>152</sup>(See Ferris Map) Carson proved little competition to Robidoux; in fact, Kit traded his furs to Robidoux on two different occasions after that winter of 1833, and led Captain Fremont to the fort for supplies.<sup>153</sup>

Carson was too much the typical mountain man, a free spirit eager to travel, to stay and compete with Robidoux. Those who followed Carson during the next few years in challenging Robidoux's claim to the fur trade of the Uinta Basin were more serious.

In 1839, traders from Bent's Fort entered the Basin to compete with Robidoux. Bent's Fort was located on the Arkansas River in southeastern Colorado. Established by Charles and William Bent, it stood as the center of Indian trade on the central plains as well as being the only major fort on the Santa Fe Trail.<sup>154</sup> When the traders from Bent's Fort came into the Basin, they were met on the Uinta River by Utes who demanded tribute to enter their lands. Tribute to enter Ute Lands had been customary for generations of traders. When the Bent's Fort traders refused a battle ensued. The outnumbered whites were defeated and forced to leave the region.<sup>155</sup>

With the fur trade in decline, Robidoux tried to maintain his usual business. As Sol Sublette

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David J. Weber, "Louis Robidoux," Trappers of the Far West, ed. LeRoy R. Hafen, (Lincoln: University of Nebraska Press, 1983), 43.

It should be pointed out that Ferris's map, though significant in Western history, is not without error. Ferris shows the Ewinta River, where the Duchesne River is, and the Duchesne River he shows lower, where there is no river entering the Green. It is important to understand that the Duchesne, Uinta, Winty, and Ewinta all could refer to the Duchesne or the Uinta River. Many times the Uinta River was referred to as the north fork of the Uinta or Winte River.

Charles Preuss, Exploring with Fremont, ed. Ervin Gudde, (Norman: The University of Oklahoma Press, 1958 reprint), 135.

David Lavender, Bent's Fort, (Garden City, New York: Doubleday and Co., 1954).

Farnham, "Travels in the Great Western Prairies", 166-170.

mentioned, 1842 was a good year for Robidoux, but his overall debts were about to combine with other factors to bring about an end to his trading in the mountains. Perhaps with debts from his mining failures, the catastrophic freezing of his horses, money owed to Turley for whiskey, and possibly other unknown debts, Robidoux turned to the higher profit items, such as guns and whiskey to try and salvage his finances. Robidoux's often ruthless business practices eventually aroused the wrath of the Utes and led to the destruction of both Fort Uinta and Fort Uncompahgre. Julien Murry claims that some of Utes traveled to Fort Bridger to trade and upon comparing prices to what Bridger would give them for their fur, and what Robidoux offered, they felt Robidoux had been cheating them for years.<sup>156</sup> This may have been, if not a start, at least a contributor to the hard feelings between Robidoux and the Utes.<sup>157</sup>

Historians have differed over which of Robidoux's forts were attacked and burned by the Ute Indians sometime in the late summer or fall of 1844. Some claim it was Fort Uinta, while others believe it was the fort on the Gunnison River of western Colorado. As with the founding date of Fort Uinta, there are only a few documents to substantiate the destruction of Robidoux's fort or forts.<sup>158</sup> Hiram Chittenden gives Robidoux the dubious honor of having the only fur trade fort successfully attacked and burned by Indians in North America.<sup>159</sup> In reality, Robidoux is doubly

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Julien Murry interview.

<sup>157</sup>After Bridger started trading with the Utes at this time it would seem he continued doing so for the next few years. In Whiterocks Canyon, north of the site of Fort Uinta, is a draw presently called "Bridger Draw." According to A.C. Wilkerson, long-time Basin resident and collector of local history, Bridger used that draw while traveling to trade with the Utes at the mouth of the canyon. There is another trail about a mile north that winds its way through the ledges that the Utes used and claimed was originally a Spanish Trail, but Bridger preferred using the Draw that was named for him.

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Joseph Hill, "Antoine Robidoux; Kingpin in the Colorado River Fur Trade," 132; Paul Phillips, The Fur Trade, II:535; Robert Cleland, This Reckless Breed of Men, 250; William S. Wallace, Western Venturer, 28, all mention that Fort Uinta was burned in 1844. David Weber, The Taos Trappers, 216, claims that Fort Uncompahgre was burned. David Lavender, Colorado River Country, 43,44, advances the idea that both forts were burned.

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Hiram Chittenden, The Fur Trade of the Far West, 2 Volumes, (New York: Rufus Rockwell

honored by having the only two forts burned by Indians in fur trade history.

The newspaper documentation to substantiate the burning of the forts is ambiguous and confusing as far as settling which was burned. The Missouri Democrat, Sept. 17, 1845, contains the following article obtained from Antoine Robidoux when he returned to St. Joseph, Missouri:

Antoinia Robidoux, who it was sometime since understood had been killed by the Indians in the Mountains, returned a few days ago to St. Joseph. He has kindly furnished us with some information which we give to our readers. The facts in relation to the destruction of the Tampaparha Fort, are these: Some Eutaw Indians had been killed by the Spaniards in Santa Fe, from which the fort was about 300 miles; the Indians were incensed at this, and attacked the fort for the purpose of killing the Mexicans who were there; there were three Mexicans in the Fort, all of whom were massacred, but one American was there who was spared and sent to let Mr. Robidoux know (who was 120 miles distant) that the peltries were unharmed. Mr. R. states that the Indians manifested no desire to injure him, and that they are generally friendly to Americans(sic).<sup>160</sup>

The St. Louis Republican under the heading "News from Santa Fe," contains the following article:

The only internal disturbance feared in New Mexico, was the Yuta Indians, in revenge for the massacre of their head men at Santa Fe in August last. The whole province was kept in constant alarm by their depredations, and they threatened an attack on Santa Fe itself. They have taken the fort of Antoine Robidoux, on the Wintae, and killed the traders and hands found in to; it is said

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Wilson Inc., 1936), 2:944.

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Missouri Democrat, Fayette, Mo. Wednesday, Sept. 17, 1845. held in the Dale Morgan Collection, "The Mormons and the Far West" Box 1 folder 7. Held in the Huntington library, San Marino, California.

that Antoine Robidoux escaped to his fort on Compagara (sic).<sup>161</sup>

From Taos, Andrew Sublette's letter to his brother William, dated Oct. 20, 1844, states,

The Youtau Indians are at ware with the Spaniards and whites a Spaniard come in a fieu days since who was trapping with one other. his companion was killed he escaped went to the fort of Rubadoux where he found them all killed five or six Spaniards and one American from there he came to this place without shoes coat or no provisions which took him 14 days...(sic).<sup>162</sup>

Sublette does not specify which fort burned. If these sources are all weighed equally they tell of Robidoux's Fort Uinta being burned while he was 120 miles distant. The Utes attacking Fort Uinta on the Winte and Robidoux escaping to Fort Uncompahgre. And finally the "Youtau" Indians attacking and killing some men at "Rubadoux's" Fort. These sources while establishing the fact that Robidoux's fort, or forts, was attacked, does little to prove which was the focus of the Ute's wrath. Most historians have not used all these sources to make their claim as to which fort was burned. Even without new primary documentation, a claim that both forts were burned is perhaps more justified than either one's being destroyed. An additional source further documents the attack on Fort Uncompahgre. Oral interviews with early settlers of Colorado includes a testimony from a widow of one of Robidoux's men who was killed by the Indians. Naria Sandoval tells how her first husband, Francisco Trujillo, was killed by the Utes at Fort Uncompahgre. Robidoux sent Trujillo to check the traps in the river when the Utes shot him from a nearby hill. Calario Cortez, who was with Trujillo, fled afoot. Upon arriving back at the fort he found the bodies of seven men. All the women had been taken captive. Cortez headed for Taos and arrived fourteen days later without shoes, coat or provisions.<sup>163</sup> The Utes spared

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St Louis Republician, March 6, 1845. Hafen Collection Box 11, Held in the Huntington Library.

162

A.W. Sublette to William Sublette. Oct. 20, 1844. Sublette Papers found in the Hafen Collection, Huntington Library, San Marino, California.

163

Early Far West Notebook, 1904-1909. Cragin Papers, notebook VIII. New Mexico Records Center & Archives, Santa Fe. New Mexico. p. 2.

the one American at Fort Uncompahgre and sent him to inform Robidoux of the attack. Upon arrival of the messenger at Fort Uinta several of Robidoux's Mexican employees, fearing for their lives, stole horses and mules and fled to Hardscrabble on the upper Arkansas River of Colorado. Included in this group were Manuel Ruis, Esquipula Salasar, Manuel Pais, Miguel Ruibala, Felipe Archuleta, and a Paiute slave named Jose.<sup>164</sup>

After these men fled the evidence indicates that the Utes also burned Fort Uinta. Robidoux met a small party of mountain men in the summer of 1845 near Ft. Laramie. While traveling with them he related that he was obliged to travel this way on account of the Indians for they had killed eight of his men.<sup>165</sup> John C. Fremont visited Fort Uinta in June, 1844, and mentioned in a footnote that the fort was attacked and the men killed shortly after his visit.<sup>166</sup> This source reports only what Fremont heard later. He did not return to the fort to verify that the fort had indeed been burned. Further evidence comes from oral interviews taken by the author. Calvin Hackford, whose mother was Ute, lives one and one-half miles from the site of Fort Uinta. He related that at the age of about ten years, he was herding cattle near the junction of the Uinta and Whiterocks Rivers. Coming out of the river bed, he found a blackened square in the sage brush

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Lecompte, Pueblo, Hardscrabble, Greenhorn, 138. Lecompte asserts that only Fort Uncompahgre was attacked and burned by the Utes and that Fort Uinta was abandoned after the employees fled. Based on her information, that the employees fled to the Arkansas River, this is a reasonable assumption. It is entirely plausible that the burning of the second fort was done after those named had fled. In a letter Robidoux authorized William Sublette as his agent in recovering goods stolen from him by those who fled. "Manuel Ruis, Manuel Pais, Miguel Ruibali, Jose my Payute Boy and Felipe Archuleta will please to deliver to Mr. W. Subletz my mules, seven in number, three rifles, riding saddles, pack saddles, raps & powder horn, one tomahawk. -- Mr. Subletts is fully authorize by me, and in my name to perseau or Receive any part or all the above mentioned property, as the said property has been stolen from me on Green River October last. Given at Larama Fort on the 4th July 1845. [signed] A. Robidoux"(sic). Sublette Papers.

165

Dale L. Morgan, ed. The Rocky Mountain Journals of William Marshall Anderson, (San Marino: The Huntington Library, 1967), 383. Judging from the number of men killed as being eight, Robidoux was likely referring to the southern fort at this time.

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Fremont, 305.

approximately sixty by sixty feet. He rode his horse completely around the ash darkened sand trying to figure out what had been there. That evening he asked his mother what he had found, and upon describing what he had seen was told, "That's Old Fort Robidoux [Fort Uinta], the Indians burned it down." Hackford also relates,

My family found a piece of paper -- a single sheet from a letter in the rubble of the fort. And at the bottom of the page was a plea to send help. They anticipated the attack, but the Indians must have attacked before the letter got sent, and we only had the one page out of who knows how many.<sup>167</sup>

Hackford searched for the page while the author was interviewing him, but was unable to locate it. He said that it had been in his home but had not seen it for some time. Julian Murry also claims that the Utes attacked and burned Fort Uinta.<sup>168</sup> When the sources of the various historians are combined with newly found sources, it becomes more believable that both forts were burned in fall, 1844, although the Uinta fort may have been abandoned when the Utes burned it.<sup>169</sup>

#### CAUSES OF THE ATTACK ON ROBIDOUX'S FORTS

Since Robidoux had been trading with the Utes starting in 1824, why did it take them twenty

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Calvin Hackford, interview.

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Julius Murry, interview.

<sup>169</sup>This evidence notwithstanding, it should be pointed out that there is a contradictory account towards Fort Uinta having been burned while Robidoux occupied it. It may have been that after the attack on the southern fort Robidoux quit trading and the Utes of the Uinta region burned the fort some time later. The only known documentation of this is found in William Lewis Manly, Death Valley in '49, (San Jose, California: The Pacific Tree and Vine Co., 1894), 291-294. Manly says, "Late in the afternoon we reached the Uinta river ... our objective point was Fort Uinta, where we hoped to find military....On arriving at the fort late in the evening..." they found it abandoned and run down from disuse.

Manly wrote his experiences of 1849 forty-five years later and reading of the text reveals many lapses of memory. If he did get to an abandoned Fort Uinta in 1849, then the Utes burned it after that time.

years to attack and burn his forts? Several factors combined to bring the Utes to the point of mayhem toward Robidoux's men. Possibly no single issue aroused sufficient numbers of warriors to make a joint attack, but a combination of events and actions did so. Perhaps the largest single factor was the Ute/Mexican War of 1844. In the summer of 1844 some Ute warriors rode into Santa Fe demanding presents. Townspeople fired upon them and three or four Indians were killed. This incited the whole southern Ute tribe against the Mexicans. Raiding in northern New Mexico and southern Colorado, the Utes sought vengeance against all Mexicans within their reach.<sup>170</sup> Since many of Robidoux's hired men were Mexican, the Utes attacked Fort Uncompahgre. Whether the attack on Fort Uinta was perpetrated by the same Utes, or whether coincidence led two different parties of Utes to attack Robidoux's forts is unknown. It is likely that having burned the southern fort, the Utes rode to attack Fort Uinta, or perhaps the Utes in the Uinta Basin upon hearing of the attack at Uncompahgre, decided to duplicate the action. Whichever scenario is closer to the actual sequence of events, it seems both forts were burned. The Utes who had been trading at Robidoux's forts had more cause than the killings in Santa Fe to justify their anger at Robidoux and his men.

Indians were generally paid less for their furs than were the white trappers. As mentioned earlier, Robidoux was no exception to this practice. Aside from his cheating Indians, the Utes could have easily believed Robidoux was taking advantage of them in other ways. With the decline in fur prices during the late 1830's and early 1840's, the price Robidoux could pay a trapper, regardless of his skin color, declined. He may have found it hard to make the Indians understand, if he did himself, that the whims of fashion in Paris were affecting their livelihood in the Uinta Basin. Before Fort Bridger, the only comparison for prices the Indians could make was at Fort Davy Crockett, where the prices were higher than at Fort Uinta. In the 1840's more whites were in the area, and the Indians had become more knowledgeable about whites and trading. With these possible reasons, the Indians felt Robidoux was cheating them.<sup>171</sup> Also the Utes may have harbored for years a frustration over Robidoux's sending his engages out to trap

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For the best account of the Ute/Mexican War see, Alan Minge, Frontier Problems in New Mexico Preceding the Mexican War, 1840-1846, (Unpublished doctoral thesis: University of New Mexico, 1965). See also Lecompte, Hardscrabble, 137.

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Both Murry and Hackford claim that Robidoux was cheating the Indians.

rather than depending on the Utes for their supply of pelts.

Three trade items may have played a significant role in the attack on Fort Uinta. All three are filled with irony. First: Robidoux made great profits from the sale of liquor to the Indians. If liquor was one of the main reasons the Utes attacked and burned Fort Uinta, as Paul Phillips, (fur trade historian) asserts, then it is ironic that the place from which Robidoux sold the liquor was burned by those eager to buy it. Second: The same guns Robidoux was under investigation from the Governor of New Mexico for selling to the Indians were likely used by those Indians in the attack on his forts. Third: Robidoux's involvement in the Indian slave trade could have been a factor in the attack. Some of Robidoux's captives may have been Ute.<sup>172</sup> Desert Indians from the West desert of Utah and Nevada were the most commonly captured Indians to be sold into slavery, but Robidoux or some of his men could have easily bought or stolen Ute women and children to sell in New Mexico. Judging by Robidoux's known activities, stealing an Indian to sell would not be beneath him. If some of his captives, and the women used by the men at the fort, were Utes, this could be an explanation for the attack. Unlike the desert bands of Paiute, the Utes were not pacifistic; and Robidoux may have angered too many of them by capturing their women and children. The irony of the Utes burning the fort, if slavery did in fact play a role in the attack, was that the Utes were the most notorious slave captors of all the Indian tribes in the intermountain corridor.<sup>173</sup>

Any of these factors, the Mexican/Ute War, cheating the Indians, selling them liquor and creating a drunken chaotic state of mayhem, or the slave trade could have been enough to provoke the Utes into burning Robidoux's forts. When combined, there is little wonder that the Utes vented their anger and ended the Uinta Basin era of fur trade when they burned the forts.

The mountain men and the fur trade had a great impact upon the Uinta Basin, just as it did on

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Geographical proximity is the only evidence that Robidoux may have been capturing Utes for sale into New Mexico. The Utes lived close to Robidoux, while the closest desert Indians lived 200 miles from Fort Uinta. Williams' account of Robidoux having several women and children at Fort Uinta leads the author to conclude that some of them were probably Ute. If Robidoux only traded desert Indians, he would have done so on the Old Spanish Trail and would have had no reason to take his captives north to Fort Uinta before taking them to New Mexico.

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L.R. Bailey, Indian Slave Trade in the Southwest (Los Angeles: Westernlore Press, 1966), 149.

all the West. Robidoux's role was small yet significant in the panorama of Western experience. He pioneered new territory, opened new trails and, with the Reeds, was among the first to live in Ute lands and build ongoing businesses deep in the interior of the intermountain corridor. For good or ill, the mountain men presented the Indians with their first impressions of Americans. For the most part, the relations between Indians and mountain men were good and set the precedent for subsequent initial relations between the Indians and settlers of the next generation. The attack by the Utes on Robidoux's forts was an exception in mountainman/Indian relations, and there is no evidence that the Utes transferred the animosity they felt for Robidoux to other whites.

From the first encounter between whites and Utes, the Utes were friendly toward those who came into their country to trade. Provost, William and James Reed, Robidoux, Ashley, Carson, and the many who followed, found the Utes amiable, but they proved to be formidable enemies when aroused, as Robidoux eventually found out. George Brewerton wrote of them in 1848, when the Utes were at the pinnacle of their military strength: "The Eutawa are perhaps the most powerful and warlike tribe now remaining on this continent."<sup>174</sup> The year 1847-48 was the eve of one era in Ute history and the dawn of another, less glorious day. Within just a few short years little remained of the traditional lifestyle of the once proud and free people who had traded furs to Robidoux.

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George Brewerton, Overland with Kit Carson, ed. Stallo Vinton (New York: Coward-McCann, 1930), 99, 100. Perhaps Brewerton was not an authority on which tribe of Indians on the continent was the most powerful, but his view of the Utes in 1848 certainly poses a different picture than what the Utes presented fifty years later on the reservation.

## PART II

After the prehistoric Canalla Phase, the next phase of Ute History was the Antero Phase (A.D. 1640-1861). This phase started with the Utes' acquisition of the horse and ended with the Federal Government setting aside part of the Uinta Basin as a reservation for Ute People.<sup>25</sup> In this stage the beginnings of recorded Ute history are found. By the start of this era the former Numic speaking peoples are clearly divided into the Shoshone, Paiute, and Gosute, and the Ute People are sub-divided into several different bands. During the Antero Phase interactions between Utes and Euroamericans eventually resulted in the Utes, both of the Wasatch Front and from the western slope of Colorado, being forcibly removed to a reservation created in the Uinta Basin.

As far back as historical and archeological evidence can determine the Ute People dwelt in small bands that consisted primarily of family groups. These early ancestors of modern-day Utes, at least two centuries before acquiring the horse that radically changed their lifestyle, lived in a hunting-gathering manner. Armed with bows and arrows, they were usually more successful hunters than the archaic Great Basin inhabitants that hunted with atlatls and hand-thrown spears. With the passing of generations they came to inhabit and claim regions of land which eventually led to tribal distinctions. Where each tribe or band settled for territorial holdings eventually resulted in the diversion of cultural and economic adaptations.

### Ute Bands

Each Ute band occupied a specific area that the other bands generally recognized. The territory the band lived on determined its specific livelihood, for example: the bands by Utah Lake, historically referred to as the Laguna Utes, relied heavily upon fish, trout and suckers, which they caught in large numbers during the annual spawning runs; the Utes of western Colorado depended on hunting deer and elk for their living; and the Utes who lived along the banks of the Yampa River in northeastern Colorado were called the Sheep eaters, because of their focus on hunting mountain sheep which flourished in the canyons along the rivers of that region. Despite the miles that usually separated the various Ute bands, they maintained at least limited interrelationships and would visit back and forth. This was evidenced by Dominguez and Escalante's Ute guides, Silvestre and Joaquin, who lived in Utah Valley but were visiting their cousins in western Colorado when they joined the expedition in 1776. Generally the visiting would take place in the spring and summer when plentiful food and the warm weather made travel easy. When assembled in large groups, they would often make rabbit or antelope drives for the benefit of all. Some of the bands also came together, from as far away as travel would permit, in the spring for the annual Bear Dance, a celebration of renewal and the promise of summer and times of plenty.

### The Utes and the Horse

The Utes' acquisition of the horse was perhaps the single most significant factor that changed their lifestyle in the Antero Phase prior to the coming of non-Indians to settle in their lands. Most historians agree that the Pueblo Revolt of 1680, when the Pueblo Indians of the Rio Grande Valley killed 401 Spaniards and drove the remaining 1,500 from New Mexico, was the first time North American Indians obtained horses in any significant numbers. From Pueblo lands after A.D. 1680 the horse spread rapidly to surrounding tribes and the Plains Culture was born. This culture, based upon horses and buffalo, was the dominant culture of Western Indians at the time of the western expansion of the Euro-Americans in the nineteenth century.

### Utes, The First Native Americans To Possess Horses

Of all the tribes in North America, the Utes claim to be the first to get horses. Utes maintain that their ancestors in Colorado stole horses from the Spanish in New Mexico as early as the 1640s.<sup>26</sup> Though plausible, the horses obtained by these early Utes were few and it was

not until the next century that Ute lifestyle was radically altered due to obtaining horses and adapting an equestrian culture.

Upon obtaining horses the Utes of Colorado and, one to two generations later, the Utes of Utah and San Pete Valleys quickly adapted a lifestyle similar to the lifestyle and economic structure of the tribes of the Great Plains. Mounted on horses and armed with guns or steel tipped arrows and lances, they could travel much further to hunt, and had greater success in killing large animals. They often traveled to the plains country of Wyoming or eastern Colorado to hunt buffalo. Cultural adaptations that changed after acquisition of horses included: use of the tipi or lodge, trade goods, feather headdresses and other clothing changes, and adaptation of the Sundance in their religion. Some of these changes took generations to fully be evident. Before the horse Utes lived in brush shelters called wickiups. When their economy altered to include frequent buffalo hunting they adopted lodges or tipis similar to those used by other Plains Indians, although many Utes as late as the early twentieth century continued building brush shelters for summer use. Formerly their clothing was commonly made from some buckskin, rabbit-skin robes and occasionally woven cedar bark.<sup>27</sup> After acquiring horses they dressed in buckskin shirts and leggings when it was cold, breechcloths for the men in warm seasons. Within a short time of interaction with the Spanish and later the fur traders, Utes wore and adorned themselves with items not of their culture. As their hunting and range increased they could stay together in larger groups and tribal organization strengthened and religious practices soon included the Sundance.

### Ute Sundance

Ute adaptation of the Sundance was usually not as brutal with self torture compared to other Plains tribes. The most common adaptations of the Sundance included skewering the flesh of the chest and/or back by pushing sharpened sticks or rib-bone through the skin. With rawhide ropes tied to the ends of the sticks, the participant would either be suspended or pull back against the tethered rope attached to a tall upright pole. They then danced, while staring at the sun, until the tortured skin would eventually rip out. With the combination of fasting, dancing, and pain, in delirium the dancer would have visions showing him his life's path. The Utes rarely skewered the flesh, but would fast, dance and chant, sometimes for several days, to obtain the desired result.

### Ute Bands and Tribal Development

The political development of the Utes always centered on the family. Each band would have an elder or chief who could speak for himself and because of his wisdom and proven leadership, could usually sway the other band members toward his opinion. Men and women who gained reputations for wisdom, spiritual power, healing ability, or success in hunting or war were respected and consulted. There was, however, no mandate to follow the counsel once given and the leaders had no authority to enforce any decisions. As the Utes' lifestyle changed with the acquisition of the horse, some Ute leaders would have greater followings, but only because more people chose to follow them.<sup>28</sup> At the time of the coming of the Mormons the Utes of Utah and San Pete valleys were led by Wakara (Walker), Sanpitch, Arapeen, Ammon, Tabby-to-kwanah (Tabby), Grospeen, Antenguer (Black Hawk), Kanosh and Antero. These were all referred to by the Utes as brothers, but some were brothers, others half brothers and cousins. Under this family's leadership the Uintah Utes adopted the equestrian lifestyle. Wakara's horse pasture alone ranged from the Sevier River to the Green River in the Uinta Basin.<sup>29</sup> In one of the most successful horse raids in western history, Wakara and a mountain man, Peg Leg Smith, stole over one-thousand horses from California ranchers at San Luis Obispo and drove them swiftly across the desert to escape all pursuit.

Just prior to the arrival of the Mormons and miners to Ute lands (1847 and 1858) the Utes were at the pinnacle of their strength and power. They had become noted throughout the mountains for their horses and riding ability.<sup>30</sup> George Brewerton, a guide who worked with Kit Carson, said of the Utes in 1848: "The Eutawa are perhaps the most powerful and warlike tribe now remaining of this continent."(sic)<sup>31</sup> By that time they had carved out and maintained their territorial integrity from encroachment from the Navajos, Comanches, Cheyenne, Shoshone and Bannock tribes, with additional occasional encounters with such tribes as the Sioux and even the Blackfeet. Two centuries of interaction with the Spanish, sometimes as the enforcement arm of Spanish domination against other tribes, coupled with their own frequent warfare with neighboring tribes, brought them to this lofty contemporary praise.

At the coming of the whites to Utah there were five western Ute bands in the region: Uintah Timpanogots, who claimed the lands around Utah Lake; Uintah-Ats of the Uinta Basin; Pahvants occupied the Sevier Valley; the Sanpits Band made San Pete Valley their home; and the Moanunts were found on the western Colorado River Plateau. At times each of these bands were subdivided into smaller units with specific names, usually in reference to their band leader.

Originally each of the various bands had a different leader, but the Whites generalized them into Utes and when the need arose to differentiate them from the Utes of Colorado, gave them the band name of Uintah Utes.<sup>32</sup> The broad region of the eastern portion of the Great Basin and western Colorado Province Plateau provided the western Ute Bands with a homeland filled with vital foodstuff including deer, elk, pronghorn antelope, buffalo, and smaller game; Utah Lake trout, yarrow; berries in profusion including choke cherry, gooseberry, bull-berry, wild raspberry and service berry; along with varied roots and tubers, herbs and plants of dietary and medicinal use filled the Utes' needs.

### Settlers Come to Ute Lands

Prior to 1847, most Euro-Americans who came to Utah came to trap beaver and trade with the Utes. Few, if any, intended on staying in the Great Basin and the West. With the entry of first the Mormons and nearly a decade later the miners of Colorado to lands claimed by the Utes, the native people did not understand that what started as a pitiful few grew to become a flood covering their lands. This flood of settlement eventually resulted in the Utes dispossessed of the land they had lived upon for generations.

### The Mormons

When the Mormons first settled the Valley of the Great Salt Lake in 1847 most Utes felt little or no concern. That valley was the unofficial border between their lands and their enemy's, the Shoshone, who lived to the north. Both groups of people occasionally hunted there but neither permanently occupied it. The Mormons did, however, unknowingly bring death to the Utes. Within months of their arrival measles spread through the Indian villages and several died.<sup>33</sup>

Within a short time Brigham Young sent settlers south to San Pete, Utah and Sevier valleys to establish permanent settlements. Young promised the Utes that the Mormons would not drive them from their lands nor interfere with Utes' lifestyle. But within a few short months the Utah Valley settlers had built a fort located on traditional Ute camp grounds. They grazed their cattle where the Utes had grazed their horses. In the fall Mormon fishermen took large numbers of fish out of the Provo and Spanish Fork rivers as the fish swam upstream to spawn. Fish was a dietary mainstay of the Timpanogots Utes of Utah Valley. The Utes felt threatened. The Mormons, though, failed to recognize that their occupation of Utah Valley and other eastern

valleys of the Great Basin disrupted the fragile ecology and traditional subsistence patterns of the Ute people. The two cultures did not understand each other. From a settlers point of view the Utes camped for a short time in one place, did not plant or farm the land, hunted or fished and moved on. Little did they understand that the Utes followed the same cycles: camped in the same places, and hunted and fished the same valleys and streams in season year after year. Their use of the land was much different than the Mormons anticipated use of it.

#### Difficulties Between Utes and the Mormons

By 1850 the Timpanoguts Utes of Utah Valley, in desperate need of food, turned to killing Mormon livestock. This resulted in retaliatory raids by the cattle's owners on Timpanoguts' camps and battles ensued at Rock Canyon and Payson. Several Utes were killed. The hostilities continued for several months until February 1851, when the Utah Territorial Indian Agency was formed and to deal with the Indians.

The clash of economic values between the Utes and Mormons kept tensions high. In 1852 the Utah Territorial Legislature passed a law banning all slave trade within the territory, effectively putting an end to lucrative trade between the Utes and New Mexicans. This angered and frustrated the Utes, especially Chief Walker. Of all the tribes of North America, perhaps none were more deeply involved in the capture and sale of other Indians for slavery than the Utes. The Old Spanish Trail, which connected Santa Fe with the California settlements and passed through Utah along the Sevier River, was used primarily as a trail of commerce, in particular horses and captive Indians. Running through parts of Ute lands, many Utes captured other Indians and traded them to the Mexicans using the trail. Walker was one of the main participants in the Indian slave trade and resented the Mormons stopping the practice.

#### The Walker War

In the summer of 1853, while Wakara's band was camped on Spring Creek near Springville an ugly incident occurred between Walker and the settlers. An altercation over trading between Mormon settlers James Ivie and some Utes of Walker's Band led to the beginning of the Walker War.<sup>34</sup> Wakara and Arapeen undertook a campaign of raids against Mormon settlements. During the next ten months raids, retaliation, and theft took place between the settlers and the Utes. About twenty Mormons and at least that many Utes were killed. It was, however, a futile attempt by the Utes. The Mormons, at Brigham Young's direction, "forted

up" and stopped trading with the Utes, especially trading guns and ammunition to the Utes. A peace agreement was reached between Brigham Young, then acting Indian Superintendent of the territory, and Wakara in May 1854 at Chicken Creek (Nephi). Wakara died just a few months later in January 1855, leaving the leadership of the Utes to his brothers, particularly Arapeen.<sup>35</sup>

### Setting Aside a Reservation

Over the next few years, with ever more settlers coming to the Utes homelands as increasing numbers of Mormons moved to Utah, they settled on the fertile, tillable land. This, however, was also the land the Utes claimed. For all its vast acreage Utah has only a few valleys that are highly desirable for farming and these are surrounded by miles of sage, cedar, and mountains. Like San Pete and Utah Valleys, soon Fillmore, Sevier and the southern portions of Ute claimed lands were settled and again the Native Americans were expected to vacate. Brigham Young, after the ending of the Walker War, established several small Indian farms or reservations at Corn Creek, Spanish Fork, Twelve Mile Creek and elsewhere in the territory. The purposes of these Indian farms were to segregate the Utes from the growing number of Mormon settlements, provide the opportunity to teach the Utes farming, and provide a means to feed the Utes. The Indian farms, poorly outfitted, were a failure. In 1855 federal appointee Garland Hurt replaced Brigham Young as Indian agent and took over management of the Indian farms. Just a few years later newly appointed Indian agent T. W. Hatch reported that the Indian farms were in a "destitute condition, stripped of their stock, tools, and moveable fences, and no one [was] living upon either of them."<sup>36</sup> Most of the Utes refused to settle on the farms, preferring to live according to traditional ways and Mormon settlers encroached on the land which was set aside for these Indian farms as it fell into disuse.

Garland Hurt was forced by federal government penury to abandon the Indian farms. The idea of separating the Utes from the Mormons and removing the Utes to some isolated region of the territory remained with Hurt and other federal territorial officials. The search was undertaken to locate such an area in the territory.

### The Uinta Basin as a Reservation

In 1861 Brigham Young sent a small expedition to the Uinta Basin to investigate its suitability for settlement. The earlier Bean expedition's report had postponed Mormon entry into the Basin for nine years. Young wanted a second look at that region. Shortly after the 1861

expedition's return to Salt Lake City the Deseret News printed their report:

The fertile vales, extensive meadows, and wide pasture ranges were not to be found; and the country, according to the statements of those sent thither to select a location for a settlement, is entirely unsuitable for farming purposes, and the amount of land at all suitable for cultivation extremely limited.

After becoming thoroughly satisfied that all the sections of country, lying between the Wasatch Mountains and the eastern boundary of the Territory, and south of Green River Country, was one vast 'contiguity of waste,' and measurable valueless excepting for nomadic purposes, hunting grounds for Indians and to hold the world together . . .<sup>37</sup>

This discouraging report reversed Young's plans for settling the Uinta Basin and postponed Mormon entry into the region for another several years. For territorial Indian officials, the expedition had located a place considered of little value, isolated geographically, and thus rendering it, by government standards, an ideal location for an Indian reservation. In 1861 President Lincoln issued an executive order establishing the Uintah Indian Reservation.<sup>38</sup> This new Indian reservation included all of the territory within the drainage of the Duchesne River, mistakenly named in Lincoln's Executive Order as the "Uintah" River.(sic) This included all the land on the south side of the Uinta Mountains to the Tavaputs Plateau, from Strawberry to the confluence of the Duchesne and Green rivers. In 1864 the United States Congress voted to approve President Lincoln's action and make the Uinta Basin the permanent homeland for the Uintah Utes. There was, however, nothing in Lincoln's order to force the removal of the Utes to the Basin.

#### An Uneasy Decade 1855-1865

The Utah Utes remained living on their traditional homelands but increasingly were forced to give way to growing numbers of Mormon settlers and watch the depletion of their food sources. An uneasy peace existed in the territory in the 1850s. The presence of Johnson's army due to the Utah War reminded the Utes of their inferior position. The removal of the army in 1861 with the beginning of the Civil War renewed the possibilities of further confrontation between the Utes and the Mormon settlers. Squeezed to live on less desirable lands the Utes threatened the uneasy coexistence with the Mormons as well as vital national transportation routes through the territory. Colonel Patrick Conner and a group of volunteers from California were assigned to Utah to keep peace with the Utes and Shoshone Indians, and to protect the

overland routes. The 1863 massacre of several hundred Shoshone by Col. Connor and his men on the Bear River in southern Idaho Territory promoted the Ute leaders to enter a formal treaty of peace and removal to the recently established Uinta Basin was in their best interest.

### The Spanish Fork Treaty

In 1865, Oliver H. Irish, recently appointed Indian agent for the Uintah Utes fearing an uprising, called a council of Ute leaders at the mouth of Spanish Fork Canyon. In a report to Washington Irish wrote: "Owing to the Indian difficulties in the adjoining territories which were having a bad influence upon our Indians and that they were very uneasy about the reports ... I thought it dangerous to delay negotiations."<sup>39</sup> In council the Utes were asked to abandon their claims to Utah and San Pete valleys and accept permanent settlement in the Uinta Basin. Several Ute chiefs and leaders advised against the treaty. But Brigham Young, holding no official capacity other than the trust that the Utes had for him, advised them to accept the government's offer. He told them that the Indians should take what the government offered and go to the Uinta Valley, otherwise the government would simply take their land and give them nothing for it. When it was voted upon, the majority of Ute leaders agreed to the terms of the treaty. According to the terms of the treaty the Utes were to receive \$25,000 a year for ten years, \$20,000 for the next twenty years, and \$15,000 for the last thirty years. In addition to the monies they were to be supplied with staple goods, homes, and schools.<sup>40</sup>

After the signing of the Spanish Fork Treaty it was the government's understanding that the Utes would move immediately to the Uinta Basin, however, only a few small bands did so. The federal government was also neglectful in complying with the mutually agreed upon terms of the treaty. Congress with all the problems of the ending of the Civil War and the assassination of President Lincoln, just weeks prior to the Spanish Fork Treaty council, failed to ratify the treaty and the expected monies were not delivered to the Utes. By 1866 the Utes were again starving, without assistance, and understandably felt betrayed.

### The Black Hawk War

Reacting to the lack of food and the unratified Spanish Fork Treaty, some Utes resumed making raids on Mormon settlements which had occurred intermittently since 1848. This period of raids is known as The Black Hawk War. Outlying towns, ranches, and farms throughout the territory were attacked by a minority of disgruntled and hungry Utes under the leadership of

Autenquer or as the whites called him Black Hawk. With only about one-hundred followers, many of whom were Paiutes and Navajos, Black Hawk's band ran off as many as 5,000 head of cattle and killed approximately 90 settlers and territorial militiamen. So effective were these marauders that several small settlements in Central and Southern Utah were abandoned, including such major settlements as Richfield, Circleville, Kanab, and Panguitch.<sup>41</sup> The Mormons' perception of the raids was that the entire Ute tribe was at war. The San Pitch, Elk Mountain, and Uintah Bands<sup>42</sup> did supply and occasionally reinforce the raiders but most of northern Utes were not actively engaged in hostilities. Territorial officials reacted to the raids by mobilizing 2,500 militiamen to combat the Indians. Most saw little action for the wily Utes were rarely found. Due to pressure by the militia Black Hawk surrendered at the Uintah Agency and sued for peace in 1867. Suffering from a debilitating gunshot wound, he had had enough. Several of his followers continued raiding for two more years until most were killed.<sup>43</sup> Considering this small band's successes, it was fortunate for the Mormon settlers that the majority of Utes did not participate in the war.

#### Ute Agencies

With the ending of the Black Hawk War the Utes started moving to the Uinta Basin in earnest; some willingly, others less so. During the Black Hawk War some Ute families and bands moved to the Uintah Reservation. In 1866 Indian Superintendent F. H. Head, who had replaced Irish, complained bitterly that he had no money and that the Utes were desperately in need of flour and beef, as well as farm implements and provisions.<sup>44</sup> That winter, under Brigham Young's direction, Mormons sent several wagon-loads of food and supplies to feed the starving Utes. In the summer of 1867 a large group of Utes led by Tabby-ToKwana (Tabby) moved to the Uintah Reservation and settled in the Strawberry Valley.

The first agency on the reservation was built by soldiers of the California Volunteers in 1865 at the head of Daniels Canyon. This was to be the Uinta Valley Agency. In the summer of 1865 Irish traveled to the Uinta Basin to review the progress being made. Before work was hardly underway Indian Agent L. B. Kenney was fired for "gross neglect."<sup>45</sup> Due to the heavy winter snows which isolated the Daniel's Canyon site, Special Agent Thomas Carter, newly appointed agent assigned to the Utes, relocated the agency to the upper Duchesne River near present-day Hanna in 1866. Here twenty-five acres of land were cleared and six cabins built to house the agency workers. The next year the agency was moved again, this time to the junction

of the Rock Creek and the Duchesne River north of the present-day Starvation Reservoir. In 1868, at the urging of Antero, Indian Agent Pardon Dodds moved the agency a final time to Whiterocks.<sup>46</sup> This location had considerable historical and geographic significance to the Utes. Nearby had stood Antoine Robidoux's Fort Uintah, and most of the major trails and travelways of the early Utes converged here.<sup>47</sup> Whiterocks served as the agency headquarters until Fort Duchesne was built in 1886.<sup>48</sup>

When the agency moved east out of what later became Duchesne County, most of the Utes moved east as well. The Strawberry, Duchesne, and Rock Creek regions remained important for hunting and summer camping areas for the Utes but few lived there.

Mismanagement of the Indian agency continued. In 1871 Agent J. J. Critchlow complained in his first annual report that too little had been done for the Utes by his predecessors in procuring the Utes sufficient foodstuffs and clothing.<sup>49</sup> As was the case with other Native Americans the last quarter of the nineteenth-century saw reservation life for the Utes as a period of readjustment of culture, restriction of travel and personal freedoms, and loss of social and personal esteem. Placed in a situation where the Ute People became dependant on the federal government for most of their needs it is little wonder that the Ute population, like other tribes, declined under reservation life. The government's reservation policy forced Indians onto reservation lands which stripped them of the ability to maintain control of their traditional lands. The result was Euro-American occupation of their lands. The reservation policy more than justified, in terms of real dollar value, the cost of feeding and clothing rather than campaigning against warring nations of Indians. All reservation Indians became "wards of the government." The government treated Indians as children unable to care for themselves; the Utes were no exception to this way of thinking.

### Removal of the Utes from Colorado

In 1881 the Uintah Utes were forced to share their lands with their Colorado cousins. The Uncompahgre and White River Utes were removed from the western slope of the Rocky Mountains to eastern Utah, after being forced to relocate several times prior to 1881. The shrinking of Colorado Ute land began when gold was discovered on the flood plain of the Rocky Mountains at Cherry Creek, (Denver) Colorado, in 1858. Within the next several months new and additional discoveries were made at Central City and Oro City, later renamed Leadville. New towns sprouted up and thousands of miners sped to the new mine fields. During the next

several decades the Colorado Utes land claims, which had initially been from the foothills of the Rocky Mountains on the east to the Colorado Plateau, were pushed westward by four different treaties. The last of these took the southwest corner of Colorado from the Utes when new silver and gold discoveries were found in the San Juan Mountains. Not only did the Utes lose land, they also declined in numbers with the interaction of the miners. Many died from diseases and privation with game growing ever more scarce as the mountains were over-run by miners.

As Colorado became more settled and mine camps developed into towns and cities the problems between Utes and miners and ranchers became more and more pronounced but rarely developed into battles. Although their land had been vastly reduced, their claims still encompassed beautiful lands ripe for grazing cattle and millions of acres of forest land ready for timbering. The Coloradans were determined not to let Indian land claims stand in the way of "progress." By the late 1870s most of the Utes of Colorado were living on either the White River or Los Pinos (Uncompahgre) reservations.<sup>50</sup> As much as possible the Colorado Utes were trying to maintain their traditional lifestyle while adjusting to new ways. Many of the Uncompahgre band had started raising sheep and cattle with some success.

### The Meeker Massacre

The main player in the final act of the drama in the removal of the Utes from Colorado was Nathan C. Meeker. A former poet, novelist, newspaperman, and organizer of utopian agrarian cooperative colonies, all of which he had been a virtual failure, Meeker sought through political connections the position of Indian agent for the White River Ute Agency. Meeker arrived in the spring of 1878 to assume his duties at the Whiteriver agency. With missionary-type zeal Meeker set about to transform the Utes into a higher image, which he saw as being like his own. Meeker was confident that he could bring them out of a barbaric and savage stage to one of enlightenment in "five, ten, or twenty years."

Shortly after his arrival Meeker moved the agency fifteen miles downriver to beautiful meadows where he wanted to teach the Whiterivers the use of the plow and start the Utes toward becoming farmers. These meadows were a favored pasture for their many ponies. The Utes refused to plow the ground. When Meeker hired non-Indian plowmen, the determined Utes shot over their heads in warning. Plowing stopped. In a confrontation with Ute leader Johnson (Canalla by his Ute name), Meeker became enraged and told Johnson, owner of hundreds of horses, that he and the Utes had too many horses and ought to kill some of them. Astonished

beyond words, Johnson reacted angrily and shoved Meeker against a porch rail and then left.

Meeker was determined to have his way and to punish Johnson and the resisting Utes. In his fury he telegraphed Governor Frederick Pitkin asking for military protection, claiming that he had been assaulted by a leading chief, forced out of his house, and injured badly. Pitkin welcomed Meeker's request. For some time he and newspaperman William B. Vickers had used their combined skills: political persuasion and power of the press, to launch a campaign to remove the unwanted Utes from Colorado. The Denver Tribune in a short editorial outburst reflected the sentiments of Pitkin. It wrote "The Utes Must Go."<sup>51</sup> Meeker's request was the excuse they needed to bring to culmination their goals of evicting the Utes from the state. Meeker received word that cavalry units were ordered to the reservation to maintain peace.

When the Utes learned that an army was coming, they prepared for battle. Thinking themselves at war, they attacked the agency, killed Meeker and all the white men and took three women hostages, including Meeker's wife. In a standoff at Milk Creek the Utes stopped the army's advance for several days. Meanwhile, the Uncompahgre Utes under the leadership of Ouray rode out to get their northern cousins to quit fighting. Hoping reason would halt hostilities they were also prepared to fight on the side of the whites if necessary. Ouray and others knew, having been to Washington, D.C. several times, the futility of fighting the army and if fighting continued the results would be their removal from Colorado. Ouray's message to the Whiterivers was for them to cease fighting. Ouray's intercession and the arrival of reinforcements to the beleaguered cavalry units ended the fighting. The three captive women were released.

The Uintah Utes stayed out of the action in Colorado. Fearing retaliatory raids from the army, they made plans to seek refuge in the Uinta Mountains and urged Agent Critchlow and his family and employees to join them.<sup>52</sup>

Using the Meeker "Massacre" as justification for removal, the campaign of white Coloradans to take over Ute lands occurred during the next three years. Indian agents and state officials, overlooking Ouray's and the Uncompahgres' willingness to fight their own tribal members to avoid war with the whites, ordered both bands, the Whiterivers and the Uncompahgres, removed from Colorado. Beginning in August 1881 the Uinta Basin was to be their new home. Here the Whiteriver band joined the Uintah Band at the Whiterocks agency, and the Uncompahgre band was removed to the new agency at Ouray, named for Chief Ouray. The two Indian agencies remained separated until 1887 when Fort Duchesne was built and the

agencies were combined. With the arrival of the Whiteriver band, the Uintah Utes felt they were unfairly having to share their reservation lands. Protesting the overcrowded condition on their agency, over one-hundred Uintah Utes moved to the west end of their reservation at Hanna and Strawberry. Their protest was short lived remaining at the west end for several months before returning to the agency at Whiterocks.

### Fort Duchesne

Within five years following the arrival of the Colorado Utes to the Uinta Basin it was decided that the agencies should be combined and the military should be posted on the reservation. On 23 August 1886, Fort Duchesne was established to serve as protectorate of the Utes and to keep peace. Initially the Utes opposed the fort and even planned an attack on the army at Deep Creek as they were coming to establish the fort. After negotiations the Utes soon came to accept the fort and the soldiers who manned it. The fort's roster included two companies of Black cavalrymen, referred to by the Indians as "Buffalo Soldiers." First commander of the newly established fort was Major Frederick Benteen, survivor of the Reno Benteen fortification of the bungled attack on Sioux villages in the valley of the Little Big Horn in July 1876. Stationed at Fort Duchesne were approximately two-hundred fifty men.<sup>53</sup> Although the fort was in Uintah County its existence greatly affected the development of what became Duchesne County. Most significantly was the development of the road to Price through Nine Mile Canyon to supply the fort, and the building of a telegraph to link Fort Duchesne with military command.

### Ute Reservation Life

Life on the reservation was hard for the Utes to understand and accept. Within one generation's life-span they had gone from the mountain man days, where these few white intruders posed very little real threat and the Utes lived a life of sovereignty and autonomy, to a lifestyle not of their own choosing where they were restricted on every side. Many tried to live according to the traditions of their fathers but that was now nearly impossible in the arid lands of the Uinta Basin. Many Utes sank into depression and despair. In 1890 a new religion swept through western tribes called the Ghost Dance Religion. Started by a Nevada Paiute, Wovoka (Jack Wilson), who had been raised by Mormon settlers, the religion called for its participants to perform a certain dance called the Ghost Dance. They believed that an Indian Messiah would

come and cleanse the land of the whites and nonbelieving Indians, restore the buffalo and game, and resurrect and bring with him the dead Indians of earlier generations. Grass would again grow on the prairies and all would live in the free happy life of days gone by.

With initial enthusiasm for the new religion and the hope it brought to the depressed people it soon waned and died. The Utes had little participation in the Ghost Dance Religion after the first few months, and by the time of the tragedy with the Sioux at Wounded Knee in late 1890 few Utes were still believers. The next new religion to sweep through western tribes was the Peyote Religion. Like the Ghost Dance and the Sun Dance it was an expression of spiritual power to compensate the participant for the loss of political and economic control fostered by the reservation system. This religion emphasized Indian traditions. Within one generation perhaps fifty-percent of the tribe was involved. Presently this religion is called the Native American Church.<sup>54</sup>

In the effort to clean up the scandals and abuses that had occurred on Indian reservations during the Grant administration, there was a move to appoint agents who were affiliated with or a minister of a Protestant church. With the organization of the Uintah Reservation the Episcopal Church was assigned to look out for the spiritual needs of the Ute People. Although there had been Episcopal ministers on the reservation prior to 1915, this was the completion date of the first chapel in Randlett. At present there is, in addition to the Episcopal Churches with a congregations in Randlett and Neola, The Church of Jesus Christ of Latter-day Saints with wards in Randlett, Myton, Whiterocks and all the other towns in Duchesne County, and a Baptist Church on Indian Bench.

In the years between removal to the reservation and the opening of the reservation to white homesteading the Utes were bewildered and confused about what would become of them. As early as 1878 the Utes feared a loss of their land. Agent Critchlow's report and the Utes concerns were prophetic:

...they [the Utes] are concerned that this reservation will be thrown open to white settlers, they be removed to some other place, and thus lose all their labor...My own opinion is that any such change would work great injury and injustice to these Indians, yet I know that many in this territory (Utah) would do anything to bring it about.<sup>55</sup>

The Utes' fears were soon realized. Their lands were opened to homesteading and injustice was done to them by the same government that had made them wards and promised their

protection.

Mineral discoveries in the Uinta Basin led to even greater use of the route. In 1888 a small section of land, about one mile east of Fort Duchesne was removed from reservation lands by an act of Congress. With the Indians consent, obtained through questionable means, the 7,040 acre "Strip" was made private land for mining Gilsonite. Gilsonite, a rare hydrocarbon found in commercial quantities only in the Uinta Basin, had many uses including sealing of beer barrels, base for paints, inks, and perfumes. A wild, lawless boom town soon sprang up on the removed land, and being outside the boundaries of the reservation and at the west end of Uintah County, it became known as a place where law officers were rarely seen. The Gilsonite did provide a steady return trip load for teamsters who brought freight into Fort Duchesne.<sup>56</sup>

### Grazing Conflicts in Strawberry Valley

The cattlemen from Heber Valley began illegally grazing their cattle in the Strawberry Valley and eastward as far as Current Creek as early as 1878. Despite protests from the Indians, the agent was unable to stop or tax the cattlemen. The money and political powers of the cattlemen proved to be too significant for the Utes to protect their western lands. By 1887 an exasperated Indian Agent, T. A. Byrnes wrote:

These cattlemen have given me more trouble than all my Indians or business of both agencies. For years they have controlled this reservation and most of its affairs. They have pastured their cattle for years on this reservation and swindled these Indians at every opportunity.<sup>57</sup>

In 1892, agent Robert Waugh and the Indian Office in Washington D.C. agreed that Strawberry Valley should be leased to ranchers of the area. Their rationale was twofold: first the Utes did not have sufficient stock themselves to adequately use the grazing grounds pasture potential; and secondly, to try to remove the trespassers from the reservation. Their rationale was that if Strawberry Valley was leased to stock growers they would ensure that Strawberry Valley was kept free of trespassers. In 1895 the southwestern portion of the Uintah Reservation was leased to Charles F. Homer of New York. Homer teamed up with Preston Nutter to form the Strawberry Cattle Company to utilize the lease. Nutter owned 50 percent of the newly formed Strawberry Cattle Company and they held a five-year lease on 665,000 acres of the Duchesne River drainage for which they paid the Utes \$7,100 annually. Nutter was the company president

and held power of attorney for the Company in Utah. Neither the Utes nor Indian agent Waugh wanted the lease to go to those ranchers who had been illegally using the land for the past several years which was one factor in Homer and Nutter getting the lease.<sup>58</sup>

The lush, virgin grass lands of the upper Strawberry Valley enticed other stockmen to bid for Indian grazing leases. In 1897 sheep men secured grazing permits from the Indian agent without the Utes' consent. Nutter, like many other cattlemen of the time, viewed sheep and cattle as incompatible on the same rangeland. Rather than push the situation into a range war, Nutter moved his cattle to Nine Mile Canyon and the rangeland of the Tavaputs Plateau.<sup>59</sup>

### Indian Water: Non-Indian Users

Illegal cattle grazing was not the only piracy of Ute resources at the time. Farmers from Heber and Utah valleys also turned their attention to the upper Strawberry River Valley and the Uintah Indian Reservation. In 1879 farmers from Heber Valley constructed the Strawberry Canal which illegally diverted water from the Strawberry River into Daniels Creek for irrigation. Four years later the Strawberry Canal Company was formed with fifty stockholders, most of whom were the farmers who were using the water. Following the example of Heber Valley farmers, within the next few years additional canals were completed which diverted water into Hobbie Creek in Utah County. By 1904 some 991 acres of land were being irrigated by the illegally diverted water. In a letter from H.P. Myton to U.S. Senator Reed Smoot, 5 December 1904, Myton states: "... while these people (the users of the diverted water) have no legal right to this water, I would recommend if it is all possible that you permit them to continue to use the water."<sup>60</sup> Myton's rationale was that there was only one Indian family living in the Strawberry Valley and the Utes were not using the water. The public outcry for utilization of prime land during a time that the state was hungry for new land to meet growing population needs turned politicians' eyes, both state and federal, towards the unused reservation. Duchesne County sooners, whether there legitimately or not brought an awareness of the region to those who legalized throwing the reservation open to homesteaders.

### Federal Indian Policy and the Utes

In 1861, when Abraham Lincoln issued the Executive Order creating the Uintah Indian Reservation in Uinta (Duchesne) Valley for relocating Ute Indians it was part of a federal policy of isolating Indians from whites. This ethnocentric policy had begun with the founding of the

thirteen colonies and stemmed from the English belief that the two cultures were non-compatible and ought to be separated. After the United States was formed and ran into its own troubles with Native Americans, the new nation adopted similar separationist thinking. During President Andrew Jackson's administration a broader scope was put into place. With the Indian Removal Act of 1830 all Indians who lived east of the Mississippi were to be moved to the newly formed Indian Territory. This precursor to the reservations was a huge tract of land that included most of present day Oklahoma, Kansas, Nebraska, and a small part of South Dakota. With the passing of years and new administrations the Indian policy of isolation was refined but not abandoned. Indian Territory was shrunk down to include only Oklahoma minus the panhandle as more settlers moved west. Soon settlement of non-native Americans surrounded the land claims of individual tribes and due to encroachment these were closed in creating smaller and smaller areas of recognized Indian land claims. Shortly following small pieces of land were set aside specifically for the Indians and the reservation system of racial confinement became the norm. The idea behind this thinking was that isolation would prevent conflicts between the two cultures and open western lands to white development. By treaty, either before or after conflict and sometimes both, the Indians were confined to smaller and smaller tracts of land.

Following the Civil War trouble and contention resumed and heightened between Indians and whites, especially on the Great Plains. The results of these confrontations were the Sioux Wars, the Flight of the Nez Pierce, the massacre of the Cheyenne, and several other conflicts of national concern, including the Meeker Massacre. Meanwhile those Indians who did go to the reservations, be it peacefully or by force, were declining at an alarming rate. They were not adapting white culture in isolation. Death rates were of mounting concern. Disease, despair and poverty seemed to typify most reservations. Some Indian reformers were going so far as to predict that at the rate Native Americans were disappearing, they would be extinct by the turn of the century.<sup>61</sup> Concerned with this growing "Indian question," eastern Protestant churches called for reforming the ailing Indian reservation program.<sup>62</sup> Christian reformers met annually late in the 1870s at Mohonk Lake, New York, to find a workable solution to the "Indian problem." From these annual conferences a plan emerged to solve the Indian question. They were convinced that the problem stemmed from the isolationist thinking that had created reservations. They wanted a complete reversal of governmental policy with forced assimilation. With this new strategy the Indians were to be forced into white culture and then it was hoped that they would adapt and thrive in the melting pot of American culture.

### Assimilation of Native Americans

This new policy of forced assimilation was to be carried out with a three point plan: First, land on western Indian reservations was to be distributed to individual Indians in small 160 acre homesteads with the balance of Indian reservation lands opened to white homesteaders. It was believed that individual Indians, responsible for their own welfare with a means of support by farming their allotted land, could be main streamed easily into the dominant way of life. Second, Indian culture and traditions were to be replaced. Whiteman's education was to replace the education of the Indians by members of their tribe and family. The repository of most culture is in the language. Under the Dawes Act, young native Americans were taken from their families and put into boarding schools where they would be taught English and white culture including religion. Third, tribal organizations were terminated, replaced with individual responsibilities, and guarantees of their rights. As added incentive all participating Indians were promised citizenship. However, Native Americans did not get citizenship until 1924, making them the last ethnic or minority group to become citizens of the United States.

Many have assumed that the allotment of Indian lands held the primary goal of opening new lands for white settlement. The reformers claimed otherwise. In their thinking it was true that the Indians would lose a great deal of land but this was for their own good. For they claimed that the reservations discouraged civilizing influences while they encouraged white trespass. Forcing the Indian to take up the responsibility of ownership would encourage assimilation while preventing a total loss of their land through the encroachment of the Whiteman.<sup>63</sup>

### The Dawes Act

The reformers convinced Massachusetts Senator Henry L. Dawes, chairman of the Senate Indian Committee, that distributing land in severalty (property owned by individual right, not shared with any other) to Indians was a solution to the Indian problem. Through hard work Dawes pushed his bill through Congress and on 8 February 1887, President Grover Cleveland signed the Dawes Severalty Bill into law. During the next three decades several Indian boarding schools were built and thousands of acres of Indian reservation lands were thrown opened to white homesteaders resulting in a rush for land throughout the West.<sup>64</sup>

Initially participation in the Dawes Act was voluntary on the part of the individual tribe. But in 1902, in a land mark case *Hitchcock v. Lone Wolf*, the Supreme Court ruled that an individual

Indian or tribe did not have to consent to have their lands allotted. The court argued that even though the Indian's right of occupancy prevented white trespass, it did not prevent the government from acting unilaterally in the sale of surplus lands. With the Lone Wolf decision the last obstacle in breaking up reservations was now in place. Now the government could force allotment of Indian lands and give 160 acre parcels to individual Indians and then open all the remaining lands to homesteading as had been outlined in the Homestead Act of 1862.

#### Opening of Uintah Reservation to Homesteading

The opening of the Uintah Indian Reservation to white homesteaders in 1905 was part of this national Indian reservation reform movement.<sup>65</sup> It had taken nearly two decades following the passage of the Dawes Act before Utes received land in severalty and white homesteaders came to the former Uintah Indian Reservation. Prior to the Lone Wolf decision the Utes had stubbornly resisted allotment, now they had no choice but to submit.

To comply with the Dawes Act Congress passed a bill allotting lands in severalty to the Uintah and Whiterocks bands of Utes living on the Uintah Reservation, (the Uncompaghre Band accepted severalty in 1898 and were allotted lands shortly afterwards). This called for all Ute Indians to receive land in severalty; each Indian family receiving an allotment of 160 acres of what was supposed to be arable land with lesser amounts to single male Indians and independent children. It was hoped that the Utes would enter the mainstream of greater western culture and employment by becoming farmers.

Tracts of land were set aside for Ute hunting at the foothills of the Uinta Mountains and the balance of reservation land was then to be thrown opened to white homesteaders or withdrawn for public uses such as reclamation and national forest reserves. At the time of the Uintah Reservation opening in summer of 1905, there were 111,269 acres allotted and another 282,460 acres reserved for hunting and resource lands for the Utes; 1,010,000 acres were removed for a national forest reserve; 60,160 acres were set aside for the future Strawberry Reservoir, 2,100 acres went for town sites and 2,140 acres were temporarily withdrawn because of the land's potential mineral value. Of the initial 3,039,000 acre Uintah Reservation, 1,004,285 acres was opened to homesteaders.<sup>66</sup>

#### The Utes Reaction to the Dawes Act

At the outset, the Utes refused to accept land in severalty. Many felt that their former

lands along the Wasatch Front and in Colorado had been taken without their consent and now the government was doing it again. One group of White River Utes, under the leadership of Red Cap left the Uinta Basin for South Dakota, hoping the Sioux would take them in. During this flight some 300 White River Utes left the Whiterocks agency and traveled overland with several hundred horses and a few cattle. Many white farmers and ranchers in Utah and Wyoming were alarmed and rumors about the Ute's unexpected flight and feared hostilities. The Utes traveled peacefully and without incident to South Dakota. Upon arriving they were dismayed to find that the Sioux did not want them, having no room or supplies to share. After several months of futile attempts to find a new life for themselves, their agents persuaded them to return to the Uinta Basin. After a tragic two years they returned disillusioned and destitute, but their effort to leave was largely in protest over receiving lands in severalty.<sup>67</sup> Part of the Utes' resistance to acceptance of receiving lands in severalty stemmed from their traditional ways of life which centered on hunting and fishing not farming. Farming was simply not something most Utes were interested in doing despite governmental pressure to do so.

#### Irrigation Systems for the Utes

Some Utes were concerned that without water their allotments were worthless. Those who were considering farming demanded an irrigation system be developed to provide water to their land. They fully understood the need for further water developments for their lands if they were to be successful farmers and ranchers. As early as 1899 Uintah Indian agents and Bureau of Indian Affairs officials in Washington had urged Congress to appropriate funds for an irrigation system. However, Congress's miserly appropriations during the next several years did little to develop the crucial irrigation needs for the Utes and other Indians in the West. Ute leaders and federal Indian agents remained firm demanding reclamation development for their land. In 1906, Minnesota Senator Moses Edwin Clapp successfully amended the general Indian appropriations bill adding \$600,000 to it for the construction of an Indian irrigation system for the Utes living in the Uinta Basin.<sup>68</sup> Ute leaders also demanded additional grazing lands be reserved exclusively for their livestock. They also insisted any reservation land containing coal deposits be reserved for their use. These demands in part delayed the opening of the Uintah Reservation until the summer of 1905.<sup>69</sup>

#### Tangled Politics of Opening the Reservation

The opening of the Uintah Indian Reservation to white homesteading in 1905 and the early settlement of Duchesne County is shrouded in political and economic intrigue and controversy. By the turn of the century the virgin land and untapped water resources of the western section of the Uinta Basin was very much wanted. In 1896, nine years prior to the opening of the Ute Reservation to homesteading, Utah was made the 45th state. The new state's population was about 250,000. Between the years 1896 and 1920 the state's population doubled. The demand for arable land was already high and increasing rapidly due to a swelling population. Little wonder then that state officials and leaders of the Mormon church, looked to the Uinta Basin to meet the state's growing land needs.

In addition to providing land for homesteading and expanding the mining of gilsonite and other hydrocarbons, the opening of the reservation provided the farmers of Utah Valley the opportunity to develop under-utilized Strawberry Valley water for their farms. Their water scheme was similar in nature to the earlier successful but questionable transmontane water diversion system developed by a group of Heber Valley farmers.<sup>70</sup> The Utah Valley reclamation scheme of Strawberry Valley water called for the construction of a large storage reservoir on the upper Strawberry River, a diversion system which required tunneling through the Wasatch Mountains to the headwaters of Sixth Water Creek, a tributary of Diamond Fork Creek and Spanish Fork Canyon in eastern Utah County. This large reclamation plan required a large amount of money, more than the farmers of Utah Valley collectively could raise, and more than what the state of Utah could provide. As the Strawberry Project developed, the passage of the Newlands Act (1902) established a national revolving fund to assist in developing large reclamation projects in the West like the Strawberry project; and the act established the Bureau of Reclamation which provides technical and economic support and direction for these reclamation projects. Federal funds were now available to Utah Valley farmers to build the huge Strawberry Reservoir and diversion tunnel.

Fully aware of the Utah Valley farmers' reclamation scheme to divert Uinta Basin water to Utah Valley, the Vernal Express, the Uinta Basin's only newspaper reflected the views of settlers and water users of the Uinta Basin with the proposed Strawberry project:

"[W]e cannot help but admire the supreme effrontery with which our friends over the [Wasatch] range set about appropriating something [water] to which they have no moral right in the world."<sup>71</sup>

With the complexities of an ever changing society, yesterday's maligned and mistreated are sometimes the winners in today's court battles. Sometimes not. The Ute Tribal members, having been the losers in nineteenth and early twentieth century land disputes, found themselves the victors for a short time in federal court. Those who came and homesteaded at the government's invitation in 1905 had little idea the problems later generations would face over jurisdictional issues

The federal government's policies concerning the Ute Tribe and part-blood Ute people have raised many questions over ownership of land and resources within the region as well. When President Lincoln set aside the Uintah Reservation in 1861, there were originally 2,284,474 acres determined to be the adjacent lands of the Duchesne River drainage. On January 5, 1882, President Chester Arthur signed the bill that created the Uncompahgre Reservation. When the Allotment Act broke up the reservation lands, the federal government under the BIA took 630,000 acres of northern lands (lands at the foothills of the Uinta Mountains) and 430,000 acres of the Hill Creek extension, a total of 1,060,000 acres to be held in trust for the Ute Tribe. Access and control of these lands that spread across both Duchesne and Uintah counties is managed by the tribe.

The Ute Tribe formally organized in 1937, under the Wheeler-Howard (Indian reorganization Act) which stopped the allotment process and provided for Indians to reconstitute themselves into traditional tribes governed by constitutions. Membership eligibility for the Northern Ute Tribe consisted of being born in the tribe and residing on the reservation. By October of that year it was determined that one must be 1/8 Indian to qualify for membership. On 27 May 1953, Resolution Number 600 was passed by the tribe that stipulated that enrollees must be one-half Indian to be a member of the Ute Tribe.<sup>72</sup>

This was the era that the governmental Indian policy included a provision called Termination. Congress, in 1953, attempted to end or terminate federal assistance and involvement with the Indian tribes with the passage of House Concurrent Resolution 108. The plan called for the ending of BIA involvement in the lives and affairs of both tribal members and tribal government. Health, education, and other services once provided by the federal government to Indians were now the responsibility of county and state governments for Indian tribes that accepted termination. This plan was aimed at mainstreaming Indians into the larger society. Although much less harsh than the Allotment Act of 1887, the same problems with integration of Indians brought this policy about. Tribal resources could be divided and distributed

to members, or the tribe could form a corporation and divide assets with stock certificates issued to the tribal members. When the Utes met, 1,408 members voted to terminate from tribal rolls all members with one-half or less Ute Blood.

### Public Law 671

On 27 August 1954, federal *Public Law 671* was adopted that provided for individuals with mixed blood be terminated from tribal rolls. There were 490 mixed blood Utes, and a surprising fifteen full-blood Utes who accepted this termination. This left on tribal rolls 1,514 members after termination. The Ute Tribe then adopted the present *5/8 plus a drop* and living on the reservation quota to determine eligibility for tribal membership. This *5/8 and a drop* policy remained from 1958 until 1984 when Haskel Chapoose, a full-blood Ute who had married a white woman, sued the tribe over discrimination of his half-blood children. He argued that as a member of the tribe his children should be eligible for any benefit that he, or anyone other tribal member's children ought to have. He won the case and a window opened that allowed 1500 children of non-terminated Utes to become tribal members.

Of the several tribes that accepted termination throughout the United States, only the Ute Tribe adopted a partial termination which consisted of terminating the part-blood and the fifteen full-blooded Utes from Ute Tribal Rolls by meeting the provisions of House Resolution 108. The passage of Public Law 671 made it legal for this to occur. The terminees had seven years to prepare for termination which was to take place in 1961. It was also determined, on a pure percentage basis, that the terminees made up 27.16186 percent of the tribe and the full-bloods constituted the rest of the tribe (72.83814 percent). Using this as the figure to divide the assets, the terminated individuals were to be cashed out of their share of tribal interests.

The Affiliated Ute Citizens (AUC), as they called themselves, were the terminated portion of the tribe, organized with a board of directors to manage their share of land and assets. The AUC organized The Ute Distribution Corporation (UDC) to manage non-dividable assets particularly mineral, water, oil, and natural gas resources on tribal lands. Most of the 27 percent of the land that the AUC members received was in the Rock Creek and Antelope areas. Here they formed the Rock Creek Cattle Corporation and the Antelope Sheep Corporation. These two corporations failed within a few years due to mismanagement. The assets were sold with the proceeds going to the members of the AUC. The Ute Distribution Corporation continued to manage the affairs resulting from the undividable assets. To protect AUC members from being

taken advantage of, no shares in the UDC could be sold or traded until 1964. When those rights could be sold the tribe retained the right of first refusal. If the tribe did not buy the shares they then could be sold to anyone.

Little did those who encouraged partial termination of the Utes know the many court cases and battles this would cause. In 1956, just two years after the Termination of Mixed Blood Utes, the U. S. Congress restored to the Utes the mineral, oil, and gas resources for 36,000 acres of land taken from them by Congress in 1905. When extensive oil and gas drilling was done on tribal lands in the 1970s and 1980s; hard feelings and law suits followed as the AUC sued the Ute Tribe over payment for the resources and hunting rights.<sup>73</sup>

### Jurisdiction and the 1994 Supreme Court Ruling

National history and Indian reservation policy was reshaped when in 1994 the federal Supreme Court issued a ruling regarding the jurisdiction of the Ute Tribe in the Uinta Basin stating that the reservation that had been set aside by President Abraham Lincoln for the Utes in 1861 had been diminished when Congress opened the lands for homesteading in 1905.<sup>74</sup> Certainly the largest question of the past decade in Duchesne County has been the issues and legal battles over who had jurisdiction; the State of Utah with subordinate powers residing in Duchesne County and the various cities that are situated on former reservation lands or the Ute Tribe. This question was of such monumental weight that the United States Supreme Court finally had to make a ruling on the issue that will likely be the final deciding case for not only the Utes but also all other reservations throughout the nation. This complex question's roots lie in trying to determine what Congress really intended in 1905, when they opened the Ute Lands for homesteading. To begin to understand the many issues of this present situation one must begin at the turn of the century.

In 1905, the Congress of the United States made provision for the Ute Reservation lands not specifically allotted to an Indian, or the lands set aside in holding for the Utes, to be opened for homesteading. This was part of the Indian policy of the day with the Dawes Act and the allotment of Indian lands. This had come about because of the 1902, *Lone Wolf Case* when it was decided by the federal courts that the government had plenary power, or full power to act for and in behalf of the tribe without their consent. This ruling granting plenary power over Indians was endorsed by Congress with their subsequent actions in forcing allotment on non-consenting tribes. Utilizing their plenary power, Congress decided that it was in the best interests of the Ute

Tribe to force them into allotment and then open for homesteading the surplus lands. This decision, which may or may not have been right or fair at the time, is the cardinal issue. The main point of the jurisdiction question was centered in *what did Congress really intend when it forced the Utes into compliance with the Dawes Act and then returned the surplus lands to the public domain?* For seventy-six years, between 1905 and 1981, the question did not surface in a significant case.<sup>75</sup>

In 1981, the Ute Tribe sued Duchesne County, Duchesne City, and Roosevelt City over jurisdiction of their lands. The Utes argued that although Congress had in fact opened the lands to homesteading in 1905, Congress never intended that the tribe should lose jurisdiction of those lands. The Ute Tribe argued that it should have legal jurisdiction over all of the lands that were established as their reservation in 1861. With that jurisdiction the Ute Tribe maintained that they should retain taxation rights, and privilege status as a *nation within a nation*. The tribe argued that even with the loss of lands due to homesteading, it should still be the governing body of all lands that were once theirs with full precedence over any other governing body including city, county, and state powers. With this interpretation the tribe wanted governing rights to all the land that had been theirs, including private lands, state lands, and all federal lands.

The case was argued before Judge Bruce Jenkins of the 10th District Court. He ruled that the Uncompahgre Reservation was terminated with allotment but that the Uintah Reservation was not terminated and therefore the tribe did have jurisdictional rights. Duchesne County, Roosevelt, Duchesne, and Ballard cities were the losers in Jenkins' ruling. With some reluctance the State of Utah appealed to the Appellate Court. After reviewing the case Appellate Court, which consisted of a three judge panel, ruled with a two to one decision that with the exception of trust lands, the reservation was terminated and the lands were returned to public domain and therefore governed by the laws of the national government and the State of Utah.

With the Appellate Court ruling most parties thought the matter closed. Then in 1983, the federal Supreme Court ruled on a similar case of *Solom v. Bartlett*. This opened the door for the Ute Tribe to ask for another hearing based on the *Solom v. Bartlett* decision that said other factors can be considered in tribal land cases including such questions as: if the land that was put back into public domain does it automatically remove it from the reservation? Were the Indians paid for their land? Did they agree to lose of their lands at the time of allotment? and if they did not, what rights do they now have concerning that land? In other words, what did congress really intend as they terminated the reservation?

The Ute Tribe requested another appeal; this time from the entire Judicial Panel of the 10th Circuit Court of Appeals, based upon the *Solom v. Bartlett* decision. The 10th Circuit Court ruled that Public Domain was insufficient reason to dis-establish the reservation. This meant that all the land that the Ute Tribe had once owned they still had jurisdiction over -- until the next court decision. The State of Utah asked for an appeal and was denied. They then asked the Supreme Court for a writ of *certiorari*, which is a petition for the Supreme Court to make a ruling where lower courts have contradicted one another. That too was denied.

The next several months were tense for both the Indian and non-Indian communities on the land in question. The tribe had won a major legal victory but knew that they still had to live with the non-Indian population in the area. Anything rash or hasty could trigger more bad feelings and negative reactions. As is often the case with major court cases a pair of non-related incidents occurred that eventually landed the whole affair in the Supreme Court of the United States.

In 1983, Clinton Perank, a part-blood Ute was arrested in Myton for breaking into the American Legion Building. Perank, whose mother was non-Indian and his father was Ute, was not a member of the Ute Tribe at the time of his arrest. He pled guilty in the Circuit Court and was placed on probation. In 1986, he was again arrested. This time for violation of probation. Between his two arrests he had become a member of the Ute Tribe with the membership window that had opened due to the *Haskel Chapoose Case*. In his hearing Perank's attorney argued that the circuit court decision that had first found him guilty of breaking into the American Legion building was wrong due to the fact that he did not have the right to try him because he was not tried in Indian Court, therefore, Perank's attorney argued, the circuit court had no jurisdiction over him based upon the 1983, 10th Circuit Court of Appeals Jurisdiction ruling. The 10th Circuit Court's decision was that Perank was in violation of his parole and that 1) the original ruling was correct because his enrollment status was in question at the time of the original ruling, and 2) Myton was not on the reservation. Perank was sent to the state prison for parole violation. Perank appealed in October 1988, and the State Supreme Court of Utah upheld this decision.

About this time, 1988, the second key case came up. Robert Hagen, a member of the Little Shell Band of Chippewa, was caught in a drug bust and arrested on possession and distribution of marijuana. Hagan argued that the Sheriff's department of Duchesne County did not have the right to arrest him because he was an Indian on reservation lands, therefore they

had no jurisdiction over him. Hagen was turned over to a U.S. Attorney and was arraigned in a BIA court. Judge George Tabone ruled that Duchesne County had no jurisdiction over Hagen because he was a member of a recognized Indian tribe and on reservation lands at the time of his arrest. However, Duchesne County processed the charges against Hagen and a trial was held. Hagen pled guilty to one count of possession of marijuana. In the sentencing he still claimed that Duchesne County did not have jurisdiction over him.

Hagen appealed and the Utah Court of Appeals reversed the decision, making Duchesne County prove that Hagen was not an Indian. The State of Utah appealed the case for Duchesne County to the Utah Supreme Court. The Utah Supreme Court agreed to hear the case which focused on to important factors: was Hagen an Indian, and a clear determination had to be made regarding the meaning of tribal lands. With all the questions of the *Hagen Case*, Perank's attorneys appealed his case on the jurisdiction questions once again.

On the same day that the Perank Case was decided, the Utah Supreme Court ruled that the reservation had been diminished and therefore Hagen's status of whether he was an Indian or not was immaterial. This then resulted in the federal court and the Utah Supreme Court having made contradictory rulings with one another. With this contradiction the Supreme Court of the United States agreed to hear the *Hagen Case* and rule on the issue of jurisdiction. The federal Supreme Court agreed to use the records of the *Perank Case* in deciding the *Hagen Case*. The decision of the Supreme Court for Hagen would also determine the jurisdictional arguments in the *Perank Case*.

On 2 November 1993, Jan Graham, Attorney General for the State of Utah, and Martin Seneca and Daniel Israel represented Hagen and the Ute Tribe, presented their case to the Supreme Court. At issue before the court what was the intent of Congress when it returned surplus reservation lands to public domain in 1905. Did Congress intend the land to be returned to public domain and leave jurisdiction to the tribe, or had jurisdiction over the land also diminished? To determine this, after the court heard the arguments from both sides, they needed to determine if the reservation was diminished by congress in 1905 based upon 1) the statutory language used to open the Indian lands to homesteading, 2) the contemporaneous understanding of the action, and 3) the identity of the persons who moved onto the reservation lands once they were returned to public domain.

On 23 February 1994, the Supreme Court handed down its decision that the reservation was in fact diminished and that was the intent of Congress in 1905. In the decision the court

quoted the Act of 27 May 1902, which provided for allotments of some Uintah Reservation land to Indians, and that "all [of] the unallotted lands within said reservation shall be restored to the public domain." This decision was based upon three specific arguments that bore consideration. The first was Congress' intent to eliminate the Ute Reservation through allotment of Tribal lands. Second, since the homesteaders who moved onto the former reservation lands in 1905 were non-Indian, and the population that presently (1994) occupies lands from the terminated reservation are "approximately 85 percent non-Indian and 93 percent non-Indian in the area's largest city (Roosevelt); by the fact that the seat of local tribal government is on Indian trust lands, not opened lands," and third, by the State of Utah's assumption of jurisdiction over the opened lands from 1905 until the Tenth Circuit decision over the jurisdiction issue.<sup>76</sup>

The problems and misconceptions over jurisdiction have led to flare-ups of old prejudices and misunderstandings between the Indian and non-Indian communities. On 21 September 1994 the Ute students of Union High School walked out in protest over what they voiced as unfair and prejudicial treatment. District officials met with Ute Tribal leaders to hear their concerns and school resumed with no further incident.<sup>77</sup>

On the up-side of the situation, as a result of the jurisdictional issues, tribal leaders and elected officials from Duchesne and Uintah Counties have much better dialogue and a mutual desire to arbitrate issues and concerns before they get to the courtroom than they have in the past. For the first time ever the Ute Tribal Business Council invited anyone interested to attend and give input in one of their meetings on 22 March 1994. The leaders of both communities hope that a new era of mutual trust and understanding can evolve. Dialogue has led to two proposed bills in the state legislature by Beverly Ann Evans. Passage of these bills will return the state's severance tax to the county where it is taken. The net gain for the tribe would be about \$2 million and nearly one-half million for Duchesne County. The partnership between the State of Utah, Duchesne County, Uintah County, and the Ute Tribe; in this manner would be a first since the jurisdiction issue came up in 1981.<sup>78</sup>

With the depletion of tribal monies due to the decrease in oil and gas revenues since 1985, and the doubling of enrolled members in that same year, the Ute Tribe needs additional funds. One of their proposed measures was for the tribe to tax businesses and charge business licenses for those on tribal lands. Another strategy involved sending the Central Utah Project offices the bill for 33 million dollars, mentioned in chapter 9, for Ute water taken out of the Stillwater Dam in the past decade that they claim was not paid for. The CUP did not pay the bill

and the tribe is looking to market their water to the thirsty desert states of California or Arizona if they can prove that they own unpaid for water.<sup>79</sup>

The combined governments working in partnership with new levels of cooperation for the good of the Ute community is a positive step forward. As individuals of both the white and Indian communities follow this lead, the fears and frustrations of the past can be quelled.

1.Jerry D. Spangler, Paradigms & Perspectives: A Class I Overview of Cultural Resources in the Uinta Basin and Tavaputs Plateau, (Salt Lake City: Published by the Bureau of Land Management, 1995) 447.

2.Jesse D. Jennings, Prehistory of Utah the Eastern Great Basin University of Utah Anthropological Papers, No. 98 (Salt Lake City, Utah: University of Utah Press, 1978), 155, 156.

3.Jennings, Prehistory, 155.

4.Spangler, Paradigms and Perspectives, 501.

5.Jack D. Barton, interview. Lester Maxfield, old-time resident of Altonah who came with his family into the county to settle, claims that some of the canals in Altonah and Talmage were already in place and only needed cleaning out and headgates put in to be serviceable to modern farmers.

6.Jennings, Prehistory of Utah, 78. Several such towers are found in Nine Mile and additional look-outs are found throughout Duchesne County. The Fremont Indians did not seem to share the urge to live in close communal dwellings like those found at Mesa Verdi, but chose to spread out more, probably with just the immediate family living in adjacent housing. The close proximity of their villages suggest shared labor and mutual protection.

7.Spangler, Paradigms & Perspectives, 599-602; see also Warren L. D'Azevedo, ed., Handbook of North American Indians: Great Basin vol. 11 (Smithsonian, 1986), 171.

8.Spangler, Paradigms & Perspectives, 599-602.

9.Jack D. Barton, interview.

10.James H. Gunnerson, The Fremont Culture (Cambridge, Mass.: Published by the Peabody Museum, 1969), 182-184. See also Barnes and Pendleton, Prehistoric Indians 87; Jennings, 235; D'Azevedo, 171-172.

11.Spangler, Paradigms & Perspectives, 600.

12.Spangler, Paradigms & Perspectives, 599.

13. Herbert E. Bolton, Pageant in the Wilderness (Salt Lake City: Utah State Historical Society, 1951), 41,43.
14. Ted J. Warner, ed., The Dominguez-Escalante Journal translated by Fray Angelico Chavez (Provo: Brigham Young Press, 1976), 42, 44. Neither the mountain men in the area and the early settlers of the Uinta Basin mention seeing buffalo in the region, what few there were must have been hunted out between 1776 and the 1820s.
15. Warner, The Dominguez-Escalante Journals, 47. Escalante's use of "Comanche" is not entirely incorrect. The Comanche and Shoshoni Tribes had the same origins. The Comanches had been Shoshoni who left the mountains of Wyoming and migrated to the Texas plains. See Arrel Morgan Gibson, The American Indian; Prehistory to Present (Norman: The University of Oklahoma Press, 1980), 78.
16. Warner, The Dominguez-Escalante Journal, 47. Researchers of the Dominguez-Escalante trail have been unable to locate this ruin.
17. Referring to the lower Strawberry, Lake Fork, and the Duchesne rivers. The Lake Fork and Strawberry join each other about ten miles apart.
18. Warner, The Escalante Journals, 48. If Brigham Young had received this report of the area perhaps Duchesne County's history would read very differently today and the area may never have become part of the Ute Indian Reservation.
19. Bolton, Pageant in the Wilderness, 62.
20. Hafen, LeRoy R. and Ann W. Hafen, Old Spanish Trail (Glendale: The Arthur Clark Company, 1954).
21. For more information on Spanish mining and Indian folktales on the subject see Gale R. Rhoades and Kerry Ross Boren, Footprints in the Wilderness; A History of the Lost Rhodes Mines (Salt Lake City: Dream Garden Press, 1980), see also Gale R. Rhoades, Lost Gold in the Uintah: The Rest of the Story, (Duchesne: Benziol Oil Corp. 1995). Neither of these books are considered by historians credible sources, however they contain the most complete details of the many stories and folk-tales of the lost Rhoades mines and other stories of gold finds in the Uinta Mountains.
22. Cited in Spangler, Paradigms and Perspectives, 771.
23. The Ute and Aztec are part of the same language grouping, Ute-Aztecan and some claim that the Utes and the Aztecs kept some ties up until the sixteenth century. Archaeologists, however, do not subscribe to this theory.
24. Spangler, Paradigms and Perspectives, 772.

25. Jerry Spangler, Paradigms and Perspectives, 657.
26. Fred A. Conetah, A History of the Northern Ute People edited by Kathryn L. MacKay and Floyd O'Neil, (Fort Duchesne: Published by the Uintah and Ouray Tribe, 1982), 28.
27. Escalante, Journals, 26-38.
28. Fred A. Conetah, A History of the Northern Ute People, edited by Kathryn MacKay and Floyd A. O'Neil, (Ft. Duchesne, Utah: Published by the Uintah-Ouray Ute Tribe, 1982), 6,9.
29. Omer Stewart, "Ute Indians: Before and After White Contact," Utah Historical Quarterly, 34: (Winter 1966), 54.
30. Osborne Russell, Journal of a Trapper 1834-1843, edited by Aubrey Haines, (Lincoln: University of Nebraska Press, 1965), 120-122. See also Warren E. Ferris, Life in the Rocky Mountains, edited by LeRoy R. Hafen. (Denver: The Old West Publishing Company, 1968), 312.
31. George Brewerton, Overland With Kit Carson, ed. Stallo Vinton (New York: Coward-McCann, 1930), 99,100.
32. Stewart, "Ute Indians," 24, 25.
33. Hubert Howe Bancroft, History of Utah, (San Francisco: The History Company, 1890), 278.
34. Conetah, 39. For more detail as to the beginnings of the Walker War see Peter Gottfredson, Indian Depredations in Utah, (Salt Lake City: Merlin G. Christensen pub., 1969, second edition, original published in 1919), 43-47.
35. William J. Snow, "Utah Indians and the Spanish Slave Trade," Utah Historical Quarterly Vol. 2; Joseph J. Hill, "Spanish and Mexican Exploration and Trade Northwest from New Mexico into the Great Basin, 1765-1853," Utah Historical Quarterly Vol 3; Howard A Christy, "Open Hand and Mailed Fist: Mormon-Indian Relations in Utah, 1847-1852," Utah Historical Quarterly Vol. 46; Howard A Christy, "The Walker War: Defense and Conciliation as Strategy," Utah Historical Quarterly Vol 47.
36. From agent T.W. Hatch to Commissioner James D. Doty, September 1862. (Washington D.C.: Annual Report of the Commissioner of Indian Affairs, 1862, microfilm copy Harold B. Lee Library, Brigham Young University), 205.
37. The Deseret News, 25 September 1861.
38. A. Lincoln, Executive Order, 5 October 1861 in "Executive Orders Relating to Indian Reservations, 1855-1912," (Washington D.C. : GPO, 1912), 169. Microfilm copy held HBLI, Brigham Young University, Provo, Utah.

39.O.H. Irish to W.P. Dole, 14 February 1865, Bureau of Indian Affairs, Letters Received by the Office of Indian Affairs, Utah Superintendence, 1866-1869, RG 75, National Archives, Washington D.C., Microfilm Copy at Brigham Young University Library, Provo, Utah. Also see Spanish Fork Treaty, Unratified Treaties. In the surrounding territories within the years just prior to the Spanish Fork Treaty the Shoshone were attacked at Bear River, the Navajo were forced on the "Long Walk" to Fort Sumner, and the Cheyenne were massacred at Sand Creek. Although these tribes were enemies of the Utes, they took little joy in seeing their foes defeated by armies of volunteer soldiers for they could see, all too clearly, what may happen to them.

40.O.H. Irish to Commissioner of Indian Affairs, 7 June 1865, Letters Received, Record Group 75, National Archives, Microfilm copy HBLL, Brigham Young University, Provo, Utah.

41.Conetah, History of the Northern Ute People, 86. See also Deloy J. Spencer, "The History of the Black Hawk War 1865-1871," (Unpublished Master's Thesis, Utah State University, 1969), 54-55.

42.Names of the various bands of Utes can be confusing. Prior to their removal to the Uinta Basin, the Utah Utes was comprised of several bands, after their removal, and especially after the Uncompahgre and Whiteriver Bands joined them in the Basin reservation, the Utah Utes were all referred to as Uintah Utes. See Julian H. Seward, Basin-Plateau Aboriginal Sociopolitical Groups, Smithsonian Institution Bureau of American Ethnology, Bulletin 120, Washington, D.C.: 1938; "Ute" by Donald Calloway, et. al. in Handbook of North American Indians: Great Basin, Vol. 11, ed. by Warren L. D'Azevedo, Washington, D.C.: Smithsonian Institution, 1986.

43.Warren Metcalf, "A Precarious Balance: The Northern Utes and the Black Hawk," Utah Historical Quarterly 51, (Winter 1989), 24-35.

44.F. H. Head to D. N. Cooley, 31 March 1866, Bureau of Indian Affairs, Letters Received.

45.Conetah, History of the Northern Ute People 90.

46.Conetah, History of the Northern Ute People, 90.

47.James Warren Covington, "Relations Between the Ute Indians and the United States Government, 1848-1900" (Ph.D. diss., University of Oklahoma, 1949), 138-143.

48.Previous to Fort Duchesne's being built the army built Fort Thornburg in Ashley Valley near present-day Maeser, but its existence only lasted for a short time and the Indian agency was not ever established there.

49.Commissioner of Indian Affairs, Annual Report 1871 (Washington D.C. 1872), 547.

50. The Ute Mountain and Southern Utes did not play an active part in the proceedings nor in the removal from Colorado. For more reading of the removal of the Utes from Colorado see Fred Conetah,

A History of the Northern Ute People, 96-113; Dee Brown, Bury My Heart At Wounded Knee (New York: Holt, Rinehart & Winston, Inc. 1970), 349-367; Robert Utley, Frontier Regulars: The United States Army and the Indian 1866-1891 (Lincoln: University of Nebraska Press, 1973), 332-343.

51. Throughout the year of 1877, Vickers continued his tirade against the Utes in many of the issues of the Denver Tribune.

52. Conetah, History of the Northern Ute People, 92.

53. For more information of Fort Duchesne see Gary Lee Walker, History of Fort Duchesne Including Fort Thornburg: The Military Presence in Frontier Uintah Basin, Utah, (Unpublished Ph.D. Dissertation, Brigham Young University, 1992). See also Ronald G. Coleman, "The Buffalo Soldiers: Guardians of the Uintah Frontier, 1886-1901," Utah Historical Quarterly 47 (Fall 1979), 421-439.

54. For more reading of the Ghost Dance Religion see James Mooney, The Ghost Dance Religion and the Sioux Outbreak of 1890 (Washington D. C., 1893) see also Arrell Morgan Gibson, The American Indian: Prehistory to the Present (Lexington, Massachusetts, Toronto: D.C. Heath and Company, 1980), 477-483. For Ute participation in the Ghost Dance Religion see Fred Conetah, A History of the Northern Ute People, 91. This book is the best study to date done by a Ute Historian on his people. There are however some errors in it and his date for the Ute participation in the Ghost Dance is one of them. He dates the Ghost Dance in 1872, and Wovoka did not start the new religion until the last part of 1899. See Conetah, 132, for additional information about the Peyote Religion.

55. Commissioner of Indian Affairs, Annual Report, 1878, 624.

56. Gary Lee Walker, "Recollections of the Duchesne Strip," The Outlaw Trail Journal, 3 (Winter/Spring 1993), 2-11. See also Geary, "Nine Mile," 47,48. The Strip was one of the favorite haunts of Butch Cassidy and the Wild Bunch, mainly because of the lack of organized law. In its heyday there were four saloons and at least that many "hog ranches," the frontier name for business in the red light district. There were several deaths by gunfight there, and in general it was a lawless, violent, short-lived town. The army tried, unsuccessfully, to keep its soldiers off the Strip in their spare time by posting guards on the bridge crossing the Uinta River. The soldiers, to get to the Strip, swam the river to get across. Any soldier that brought a bottle of whiskey back to the fort was in trouble so the usual practice was to drink their whiskey as they walked back towards the river crossing and then toss the empty bottles into a small ravine or hollow along the way.

Years later Bottle Hollow Resort was built to create jobs for the Utes about two miles from where the soldiers had thrown their empty

liquor bottles.

57. Byrnes to Commissioner of Indians Affairs, 8 November 1887, Letters Received, RG75 NA. Quoted in MacKay's "Strawberry Reservoir and the Ute People," 71.

58. Kathryn MacKay, "The Strawberry Reclamation Project," 72.

59. Price and Darby, "Preston Nutter: Utah Cattleman," 232-252.

60. Letter from H.P. Myton to Reed Smoot, 5 December 1904, Quoted in Price and Darby, "Preston Nutter," 232-252.

61. Foremost among those calling for reform was Helen Hunt Jackson whose book Century of Dishonor outlined the plight of the Indians and predicted that Native Americans under the reservation system were not going to survive into the twentieth-century. See Helen Hunt Jackson, Century of Dishonor (New York: 1881); reprinted (Williamstown, Mass., 1973).

62. Richard White, "It's Your Misfortune and None of My Own": A History of the American West (Norman, Oklahoma: University of Oklahoma Press, 1991), 102.

63. Robert Hugie, The 1905 Opening of the Uintah Reservation (Unpublished manuscript, copy held in the Uintah County Regional Room, Vernal, Utah), 6,8.

64. Richard White, "It's Your Misfortune and None of My Own", 110, 115. Before Congress passed the Dawes Act Indians held over 155,600,000 acres of land on 99 Indian reservations and the Indian territory. Thirteen years later Indian reservation lands had dwindled to less than 79 million acres, a fifty percent reduction of land.

65. For a new view on the meaning of the term "opening" see Patricia Nelson Limerick, The Legacy of conquest: The Unbroken Past of the American West (New York: W.A. Norton and Company, 1987), 46. According to Limerick, opening was "a metaphor based on the assumption that the virgin West was 'closed,' locked up, held captive by the Indians." In Limerick's opinion, the entire thought process that led to reservation systems, and their failures which resulted in the 'opening' of Indian lands is based in hypocrisy and ethnocentrism.

66. U. S. Department of the Interior, Office of Indian Affairs, Annual Report (1905). See also Robert Hugie, The 1905 Opening of the Uintah Reservation, fn. 41.

67. Floyd A. O'Neil, "An Anguished Odyssey: The Flight of the Utes 1906-1908" Utah Historical Quarterly 36 (Fall 1966), 315-327.

68. For further discussion on Ute irrigation projects see chapter 9.
69. For a fuller discussion of the process of opening the Uintah Indian Reservation see Craig Fuller, "Land Rush in Zion Opening of the Uncompahgre and Uintah Indian Reservations (Ph.D. dissertation, Brigham Young University, 1990).
70.  
<sup>174</sup>Craig Fuller, "Development of Irrigation in Wasatch County" (M.S. Thesis, Utah State University, 1973), 112-125. For further discussion about the diversion of water from the Uintah Basin see Thomas G. Alexander, "An Investment in Progress: Utah's First Federal Reclamation Project, The Strawberry Valley Project," Utah Historical Quarterly 39 (Summer, 1971), 286-304; and Kathryn L. MacKay, "The Strawberry Valley Reclamation Project and the Opening of the Uintah Indian Reservation," Utah Historical Quarterly 50 (Winter, 1982), 68-89.
71. Vernal Express, 5 September 1903.
72. The Roosevelt Standard, 8 April 1954.
73. Information on Termination and the Affiliated Utes came from Chris Denver, Director of UDC. See also The Uintah Basin Standard, 30 January 1958, for more information on the return of oil and gas rights to the Ute Tribe.
74. Supreme Court of the United States, Syllabus, Hagen v. Utah, Certiorari to the Supreme Court of Utah, No. 92-6281, I-iii.
75. The only exception was the *Clifford Washington v. Duchesne County Case*. In 1965 George Stewart, attorney, argued in the *Clifford Washington Case* that the court proceedings were occurring on a reservation and the court system, being a regular court not the tribal court, did not have jurisdiction on his client. The case was dismissed without any ruling on the argument. This is the first recorded case where jurisdiction was argued as an issue of right for the court to try a Ute.
76. The information on the jurisdiction issue was prepared from materials given the author by Herb Gillespie, Duchesne County Attorney. For more information on the actual Supreme Court Ruling see Supreme Court of the United States, Syllabus, Hagen v. Utah, Certiorari to the Supreme Court of Utah, No. 92-6281. I-iii. Justice O'Connor delivered the opinion of the Court, in which Justices Rehnquist, Stevens, Scalia, Kennedy, Thomas, and Ginsburg, agreed; Blackmun and Souter were dissenting.
77. The Uintah Basin Standard, 27 September 1994.
78. The Vernal Express, 7 December 1994.

79. The Uintah Basin Standard, 2 February 1994, see also The Vernal Express, 9 February 1994.