My personal experience with the Ute Indians started in 1931 with an opportunity to help erect the posts for the Ute Sun Dance near White-rocks, on the Uintah-Ouray Reservation, and then to watch the dance for a couple of days and nights. Over 30 years of research by many anthropologists, including myself, has not produced answers to the questions posed regarding the relationship between the archaeological site I helped to excavate beside Whiterocks River and the Sun Dance I watched nearby. Additional prehistoric occupation sites are being uncovered on the Uintah-Ouray Reservation and the Sun Dance continues to be performed annually, yet archaeologists can not say with assurance whether or not the ancient village which was reported in ruins by Escalante in 1776, and which is now identified as the Fremont Culture of 1000 A.D., was peopled

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This paper was presented as the Second Annual Rufus Wood Leigh Lecture in New World Anthropology, University of Utah, November 2, 1964. Financial support for years of research, which constitutes the general basis for the paper, was received from the University of California Institute of Social Science, 1937–38; University of Colorado Committee on Research and Creative Work, 1949–64; Uintah Ute Tribe for preparation to serve as expert witness in their case before the U.S. Indian Claims Commission, 1950–52; and Research Grant Number 3M-9556, National Institute of Mental Health for the Tri-Ethnic Project, 1959–64.
by ancestors of the modern Ute Indians or whether the Ute were fierce invaders who brought an end to that occupation. Anthropological opinions on such problems may remain speculative for many years to come; nevertheless, anthropologists find real satisfaction in working for even a partial solution. There are many “missing links” in anthropology.

Who were and who are the Ute Indians? What was their culture? What happened to them?

The people called Ute Indians are so designated only because they speak the Ute language. Of course, people speaking that language have other traits in common as well, such as an emotion-charged belief that they are alike and united in opposition to other Indians and non-Indians. The Southern Paiute are linguistically close to the Ute, but the two peoples have been recognized as separate for over 150 years. I will attempt to
make a quick summary of the position of Ute among the languages of the New World.

The study of the Ute language and its relationship with other languages reveal its close kinship with other Great Basin speech such as Southern Paiute, Shoshone, and Northern Paiute. The basic similarity of the speech among these Great Basin tribes led the late famous University of California professor, Dr. Alfred L. Kroeber, to combine them into the Plateau Shoshonean sub-family and to record their relationship with such distant linguistic kin as the Coahuilla in the deserts of southern California, the Hopi of northern Arizona, the Pima and Papago of southern Arizona, and ultimately with the several Aztec-speaking groups of Mexico and even with tribes in Panama.¹ This linguistic stock (or super-family), first named Uto-Aztecan, has been changed to Tanoan-Aztecan to indicate the inclusion of additional more distantly related Pueblo tribes of the Rio Grande Valley, New Mexico.

The fact that Ute and Aztec are members of the same language super-family might raise the question whether the Ute migrated from the valley of Mexico or whether the Aztec once lived beside Utah Lake. This is comparable to trying to determine which was the original language and what were the directions of migration of Indo-European languages. Some modern linguists have developed a technique of statistical measurement of linguistic differences among related languages, which translates degree of distinctiveness between two languages into years of separation of the two. Although still in the experimental stage, these techniques, called lexico-statistics or glottolchronology, have been applied to Uto-Aztecan and have produced the percentages which suggest the following lengths of time that other languages have been developing independently of Ute.²

<table>
<thead>
<tr>
<th>Language</th>
<th>Years</th>
</tr>
</thead>
<tbody>
<tr>
<td>Southern Paiute</td>
<td>618 years</td>
</tr>
<tr>
<td>Northern Paiute</td>
<td>1,328 years</td>
</tr>
<tr>
<td>Shoshone</td>
<td>1,481 years</td>
</tr>
<tr>
<td>Hopi</td>
<td>2,379 years</td>
</tr>
<tr>
<td>Aztec</td>
<td>4,267 years</td>
</tr>
</tbody>
</table>

On the basis of linguistic analysis alone, Hale and Lamb suggested that the Uto-Aztecan linguistic stock developed in Mexico and subdivided

along the border between Mexico and Arizona about 3000 B.C. Hale and
Lamb believe that Shoshonean or Numic-speakers (Ute, Bannock, Sho­
shone, etc.) migrated via southern California, and reached central Utah,
Wyoming, and Oregon about the time Columbus discovered America.

Unfortunately, there is slight, if any support from other branches of
science for these guesses by linguists. Dr. Walter Taylor, an archaeologist
at the University of Southern Illinois, arrived at opposite conclusions, find­
ing evidence of a long Great Basin occupation by people who entered from
the north, although he took linguistic data into consideration. Basic theo­
retical questions are pertinent in trying to evaluate reconstructions of the
type we are involved in here. One problem may be phrased as the conflict
between evidence for permanent settlement versus that for migration. 
Modern linguists like to trace migrations, and sometimes appear to me to
invent them out of thin air. Archaeologists also favor migration as an
explanation whenever markedly different traits of culture appear in an
area or disappear from it. On the other hand ethnologists find strong
support for the theory that populations prefer to remain living within a
narrow region of familiarity and usually move from their homeland only
under very great pressure or temptation. The ecologists support the sta­
tionary bias with the evidence that great stability and long occupation of
any area is necessary for the aborigines to acquire the great personal
knowledge of all the natural resources available within each particular
zone. Folklore, musicology, and physical anthropology support the theory
of little geographic movement for the Ute.

An exhaustive analysis of Great Basin folklore, with a large number
of Ute myths and legends as a base, served Anne Cooke Smith as a Ph.D.
dissertation at Yale in 1940. She discovered remarkable uniformity be­tween the Ute and all of the other Shoshonean-speaking tribes of the Great
Basin. In style, theme, and characterization of animal heroes, the ancient
stories recited on the Uintah-Ouray Reservation were similar in many
details to the Northern Paiute tales recorded in Oregon and Shoshone tales
recorded near Death Valley, California. No migration legends were found.
Instead each local band of Ute, Shoshone, or Paiute had tales of the crea­
tion of the world, or the beginning of humanity, or of the origin of fire as

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(April, 1958), 95–100; C. F. Voegelin, F. M. Voegelin and Kenneth Hale, Typological and Com­
parative Grammar of Uto-Aztecan: I (Phonology) (Bloomington, Indiana, 1962), 144.
4 Walter W. Taylor, “Archaeology and Language in Western North America,” American
University, 1940).
taking place in its own vicinity. Ute folklore strongly implies that the Ute have always lived where they now live. In a like manner musicology has paralleled folklore in finding Great Basin music uniform and distinct from non-Shoshonean music.

The findings of physical anthropology, beginning with the anthropometric measurements of the late Dr. Ales Hrdlicka of the U.S. National Museum, have confirmed visual impressions to the effect that the Ute are part of the Mongoloid racial group, and that they are of the short, stocky variety whose skeletons have been recovered from excavations. The Ute have the Mongoloid, shovel-shaped incisor teeth, such as the late Dr. Rufus Leigh discovered while examining the teeth in excavated skulls years ago. Hrdlicka found measurable uniformities in a dozen characteristics like head shape, stature, nose width, etc., which unified Uto-Aztecan speaking peoples and distinguished them in a significant degree from speakers of Navajo, Sioux, Yuma, etc. Notwithstanding this, Dr. James Spuhler, using the same mass of anthropometric data and subjecting it to modern statistical analyses, discovered that the Southern Ute resemble Havasupai, a close Yuma-speaking neighbor, more than Papago, Uto-Aztecan speakers who live farther away. This suggests the Ute and Havasupai have been neighbors for millenniums; consequently, that the Ute have been in their historic location for millenniums.

Archaeological excavations within the historic territory of the Ute indicate that the area has been occupied for at least 10,000 years. The first occupants could have spoken an ancestral, proto-Uto-Aztecan language, and the modern Ute could have descended directly from these earliest inhabitants of the area. This opinion is justified by the archaeological excavations, best exemplified by Danger Cave, near Wendover, Utah, which revealed a continuous sequence of occupations covering about 10,000 years. Furthermore, the most recent cultural manifestation at Danger Cave was similar to early historical accounts of non-equestrian Ute Indians and Gosiute Shoshone who still live near the cave.

It is impossible to specify that any series of archaeological traits were Ute and not Shoshone or Southern Paiute or Bannock. The early historic cultures of all the peoples in the whole region from the Rocky Mountains

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in Colorado to the Sierra Nevada Range in California, including the deserts of southern California, fit into a general pattern with only limited and local variability. The earliest historic Great Basin culture fits very well the archaeological patterns named “Desert Culture” by Dr. Jesse Jennings of the University of Utah. With some limited exceptions, the intermountain desert region with its variable environments resulting from numerous mountain ranges, lakes, and streams supported peoples with a culture of a generally uniform type similar to that of the historic pre-horse Ute Culture. A description of Desert Culture has been made by combining archaeological material with some ethnological material judged ancient because of distribution and combination with other known prehistoric features.

The Desert Culture and the early Great Basin Ute Culture can be characterized as utilizing all of the natural resources available to a people of a purely hunting and gathering way of life. It was nomadic so that families moving on foot and carrying their possessions could exploit fully the food resources available at different seasons, and at variations in elevation. Presumably, for about 10,000 years occupants of historic Ute territory lived on the edge of starvation with the minimum of clothing and shelter. They sought rock overhangs and caves and built crude brush huts and windbreaks. Although large game such as deer, elk, and buffalo were hunted when available, it was the long-legged, black-eared jack rabbit which provided a more regular part of the diet. From jack rabbits also came the rabbit-skin blanket, crudely woven from long strips of rabbit hide cut spirally from a single skin.

On September 30, 1776, on Sevier River, Escalante was visited by 20 Ute Indians “wrapped in blankets made of the skins of rabbits and hares.” Not only the woven rabbit-skin blankets, but also long milkweed fiber rabbit nets have been excavated from cave deposits in Utah and Nevada and have been reported by early historic and modern ethnographic Ute informants.

There are dozens of other items of culture which have been identified as belonging to the “generic substratum” or “basic culture” common to

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the prehistoric and historic cultures of the Great Basin. Items connected with food-gathering are basketry seed beaters, basketry trays, scapula grass cutters, digging sticks, etc. From early deposits are the atlatl or the dart thrower and, of course, the darts or short spears to throw for hunting. Bows and arrows have been found in more recent deposits. From ancient deposits and modern informants come reports of wooden clubs for throwing, hardwood arrows, and perforated antler arrow wrenches. Also from historic and prehistoric times are such items as the simple fire drill and fire hearth, simple seed-milling devices of stone called manos or hand-stones, to push back and forth on a larger stone called the metate.

Without attempting to give an exhaustive list we might add deer dew-claw rattles as material objects of the Desert Culture connected with ceremonial life, and further propose that shamanistic religion and girls’ puberty rites are probably very ancient. Whether fear of witchcraft and its counterpart in shamanistic ceremonies — the detection and punishment of witches, found universally among historic Great Basin tribes — should be projected back into Desert Culture times is very speculative, but I believe they should be. It is my personal belief that religion is as ancient as speech; consequently, I believe men of the Desert Culture undoubtedly experienced the fears, the frustrations, and the sorrows for which the ancient, though simple, shamanistic religions were invented and practiced.

Basin culture was not static or uniform, rather it showed variations in time and location, clearly reflecting variations in cultural adjustment to environmental conditions. The most curious and important cultural diversity was introduced into Utah about 500 A.D. when a form of the Basket-Maker Culture appeared. It became Pueblo II Culture before disappearing about 1200 A.D. Clearly identifiable remains of this intrusive culture are found as far north as Willard, Utah. East of the Wasatch Mountains along the Utah-Colorado border north into Wyoming this agricultural intrusion has been named the Fremont Culture.

New semi-subterranean house types, improved pottery, clay figurines, and planting of maize — all important innovations very different from the Desert Culture — are characteristic of the Fremont and Pueblo Cultures in Utah. While often the result of migration, anthropologists know that marked and revolutionary changes in culture and civilizations are possible without changes in population through migration. The Basket-Maker and Fremont Cultures may have been due to a migration of people, or may

have diffused through borrowing of ideas and products without introducing new people or new languages, or may have been accompanied by only a few individuals. Older inhabitants with their hunting and gathering culture may have remained in the region during the time that some of their number became more settled and did some farming as a result of visits with agricultural Basket-Makers.

Recently in an effort to learn more about the prehistory of the Ute, Professor Robert Lister of the University of Colorado, with graduate students directed by William Buckles, has studied an area near Montrose, Colorado, known to have been used extensively by the Ute during all of the recorded history of Colorado. Lister and Buckles\(^\text{13}\) have sought prehistoric sites to avoid post-Columbian cultural patterns borrowed from the Great Plains tribes. Surprisingly, this historic Ute area was found to lack any Puebloid occupation, although Basket-Makers had lived just over the mountain south, near Durango, Colorado. The Anasazi Pueblo occupied Mesa Verde and the Four Corners area only a short distance away, and the Fremont Culture of eastern Utah and extreme western Colorado was adjoining. None of these cultures are represented by any typical traits in the sites dug near Montrose.

Unfortunately, no deep caves, such as Danger Cave of western Utah or Ventana Cave in southern Arizona, with a 10,000-year sequence in the same spot have been found. However, dozens of rock shelters and shallow open sites have been excavated which furnish material dated back at least 8,000 years. For example, 900 manos or hand-grinding stones have been collected and analyzed, few of which were of the peculiar style of Fremont grinding stones found in eastern Utah.

Petroglyphs and pictographs are rather uniform in style and very distinctive from known Navajo, Fremont, and Plains rock art. Pottery is not obviously like any other. It is prehistoric but not ancient. Except for the change in size of stone points, which might coincide with change from atlatl to bow and arrow (carbon-14 dated at about 800 A.D.), there are no sharp, major cultural changes which might be interpreted as a population shift. General patterns with considerable variability persist from the beginning of the archeological record to the introduction of the horse about 1700 A.D. At that time petroglyphs change, more end-scrapers appear, and also metal arrow points appear, although older stone-arrow point styles persist. The entire prehistoric Montrose cultural sequence fits very well into the Great Basin Desert Culture complex.

\(^{13}\) Personal communication with the author.
The beginning and end of the pottery-making farmers of prehistoric Utah and their relationship with the historic Ute, who were found occupying the same area later, have attracted the attention of a number of anthropologists during the last 40 years, yet little consensus has been achieved during that time. My own opinion may be summarized as follows.

Ute-Aztecan speaking, hunting, and gathering peoples have occupied the Intermountain West for about 10,000 years. They carried on the Desert Culture as defined by Jennings, which was adjusted to the full utilization of the diverse natural resources of the Great Basin and adjacent territory.\textsuperscript{14}

When maize cultivation diffused from Mexico to the Southwest about 2000 B.C.\textsuperscript{15} Uto-Aztecan speakers, such as the ancestors of the Papago in southern Arizona and later the ancestors of the Hopi in northern Arizona, accepted the farming culture and developed ways of life called the Basket-Maker Culture, which eventually arrived about 500 A.D. in central Utah.

Throughout Utah, Basket-Maker and later Pueblo farmers were few in number and were only partly dependent upon their fields. Also, we can assume that simple hunters and gatherers, like those at the eastern end of Ute territory near Montrose, were their regular and persistent neighbors. It is reasonable to believe that non-farming Ute speakers may have remained close neighbors of the farmers throughout the range of Basket-Maker-Pueblo Culture from 500 to 1200 A.D. My hypothesis proposes that the Pueblo and Fremont farming cultures could have been carried on by Ute who had learned some new food-producing and storing methods. These new methods were abandoned about 1200 A.D. in favor of the older hunting and gathering Desert Culture which had always been maintained by some people in the area. A modern example of hunters and gatherers and farmers living side by side with the same language are the Southern Paiute of southern Utah and northern Arizona.

If movements of people were involved, I suggest that the eastern and central Utah people with Pueblo or Fremont Culture may have returned to join the larger centers of Pueblo Culture in Arizona and New Mexico.\textsuperscript{16} They could have been absorbed into the ancestors of the Hopi with little difficulty, being linguistic and cultural kin. William Buckles suggests that


the Fremont people may have moved east of the Rockies to plant along the streams of the High Plains.

We come now to the historic period where we can trace Ute development through documents and interviews. Changes in the way of life of the Ute Indians as a result of contact with European culture started as soon as the Spanish settled in New Mexico in 1598. Coronado’s exploration of 1540 missed known Ute territory, even when the conquistador went into the modern state of Kansas in search of the mythical city of Quivira. The earliest sure reference to the Ute Indians is in the report of Zarate-Salmaron in 1623; from then on Spanish reports regularly describe either friendly or hostile relations between the Ute and the Spanish colonists in New Mexico. In 1640 Spanish missionaries reported the southern boundary of the Ute as being along the San Juan River where it was shown in 1776 on the map of Don Bernardo de Miera y Pacheco, cartographer for the Escalante expedition, where in the 1850’s it was also discovered by the U.S. officials; and where in 1938 it was reported to me by Ute informants.

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Dressed in their rabbit-skin robes or blankets, Paiutes are performing the “Tavokoli” or Circle Dance. The robes were made by the women sewing strips of rabbit skins together.

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Footnotes:
37 Fr. G. Zarate-Salmeron, “Relation,” translated by Charles F. Lummis in articles entitled “Pioneers of the Far West,” The Land of Sunshine, XI (June, 1899), to XII (May, 1900), 1623.
38 Bolton, Pageant in the Wilderness, U.H.Q., XVIII.
From 1598 Ute association with Spanish colonists was sufficiently complicated to suggest a distinctive culture was developing among the Ute Indians in Colorado. Ute children were placed in Spanish homes as slaves and sometimes returned to their own people as adults. Sometimes Ute adults were forced to work for the Spanish as weavers and tanners. Some escaped to return to their homes just beyond the frontier.

The greatest change came to Ute culture as a result of the Pueblo Revolt of 1680, when Spanish horses became available to the Indians in large numbers, and many Ute slaves and servants were freed. It is still a moot question whether Ute warriors actually participated in the revolt itself, but they were near at hand and quickly profited in the spoils. The Ute may have learned animal husbandry before the revolt, especially horse breeding, while living among the Spanish, but they quickly acquired horses in sufficient numbers to pass some on to the Shoshone to the north of them. Before 1700 they also had horses in sufficient numbers to start hunting buffalo on the High Plains east of the Rocky Mountains.

Before the Ute became equestrian, they killed buffalo from time to time from the small herds in the Rocky Mountains, in the vicinity of Green River, and even in the Great Basin itself. Nowhere, however, was buffalo hunting an important source of food for the Ute until they could move out upon the Plains. Even then the Ute did not control the lands east of the mountains. They hunted with Jicarilla Apache who lived in eastern Colorado. From about 1700 to 1750, Ute and Comanche Shoshone were allies and were frequently reported together hunting and raiding on the High Plains as well as visiting and trading with Pueblo Indians and Spanish settlers along the Rio Grande.

About 1750 the Ute and Comanche had a falling-out, and the Ute joined forces with Spaniards and with Pueblo Indians against the wide-ranging Comanche raiders. As the Comanche moved farther south and less frequently returned to their Wyoming homeland, their place in eastern Colorado was taken by the Cheyenne and Arapaho from the northeast, with whom the Ute were ready to fight whenever they ventured onto the Plains to hunt buffalo. The competition for the High Plains buffalo was matched in part by Cheyenne, Arapaho, and Kiowa raids into the mountains, the traditional Ute territory. The Plains tribes were more often hunting for Ute horses than for game in the mountains, but did hunt buffalo herds in such places as South Park, the high prairie basin west of Pike’s Peak where a large herd survived longer than the buffalo herds on the Plains.
Horses in large numbers were the key to the transformation in Ute culture which took place in Colorado after 1680 and was already well advanced by 1776, when Father Escalante, Father Dominguez, Captain Miera, and seven companions departed Santa Fe to search for a route to Monterey, California, by going north and east of the Grand Canyon of the Colorado and then west. Traveling along the western slope of the Rocky Mountains until a trail toward the west led to the crossing of Green River near Jensen, Utah, the Franciscan fathers met 80 mounted Ute Indians as they approached a camp of 30 tents where the Spaniards purchased dried buffalo meat. The camp with 30 skin tents and supplies of dried buffalo meat was like a camp of the Plains tribes. A day later, however, near the present town of Montrose, Escalante wrote “throughout the valley there were huts or little houses which indicate that this is a resident of the Yutas.”

In some ways the coexistence, side by side, of the skin tents of the well-mounted Ute buffalo-hunters and the small huts of the walking Ute is a parallel to the coexistence of poor Ute hunters and gatherers and their more affluent neighbors who planted maize and built their homes of stones and earth postulated for 700 years earlier.

Change did not come as quickly to the Ute Indians of Utah. In 1776 the Ute in central Utah had no horses and all of the inhabitants observed by Escalante, from the vicinity of Provo south to the vicinity of Milford, were hunters and gatherers on foot. When not wrapped in rabbit-skin blankets, Escalante reported “most of them naked except for a piece of buckskin around their loins.” The central Utah Ute Indians all lived in “little huts of willow,” according to Escalante.

The Ute Indians of Utah Valley were first designated Lagunas by Escalante when he met some of them who had walked over to the vicinity of Montrose to try to get horses. Later when he arrived near Utah Lake, guided by one of the Lagunas, he learned that the people there called themselves “Timpanogotzis.” On September 25, 1776, the mountain to the north of the site of the city of Provo was named by Escalante “Sierra Blanca de los Timpanosis,” a name preserved as Mt. Timpanogos.

The Timpanogotzis knew of horses and were not afraid to try riding them, but Escalante’s diary leaves no doubt that horses were not present

21 Ibid., 188.
22 Ibid., 186.
23 Ibid., 187.
24 Ibid.
in central Utah in 1776. He reported hoof prints of horses in Uintah Basin on his way to Utah Lake and again reported the first hoof prints of horses observed on the south side of the Colorado River after leaving Ute and Southern Paiute territory.

The overall territory of the Ute Indians shown on the map is that which the Ute occupied as their homelands when they were first met and identified. The southern border was described by the Spanish starting in 1643, notwithstanding the fact that the Ute were frequently reported far south of the San Juan, but the occasions of such incidents were recognized as raids into foreign territory from which the Ute withdrew. In Colorado the Ute were always designated as the mountain Indians and were even characterized in the early American period as the Swiss of the New World.

The eastern border at the foot of the first range of the Rocky Mountains is shown on the accompanying map as it was described in a ratified treaty between the Ute and the United States in 1863, known as the Tabeguache Treaty. Numerous documents dated before and after the treaty confirm that the Ute dominated all of the mountains of Colorado until they peacefully settled on reservations. The boundaries separating the Ute from the Shoshone along the Yampa River in Colorado and along the crest of the Uinta Mountains in northeastern Utah have been confirmed by both the Ute and Shoshone many times since first described in 1849 by John Wilson, the first Indian agent at Fort Bridger. The western and especially the southern boundaries of the Ute in Utah are the most indefinite, although Escalante clearly reported the line separating the Ute from the Shoshone (whom he called Comanche) at the Point of the Mountain, where the Utah County-Salt Lake County line is today. Again, as he left Ute territory on the upper, southern end of Beaver Valley near the modern town of Milford, Escalante wrote, "The Long Bearded Yutas (Yutas Barbones) extend this far south, and here apparently their territory ends." 25 Modern Pahvant Ute and Southern Paiute informants have placed the border between them a little farther north. 26 The Oquirrah Mountains and the ranges north and west of Lake Sevier were determined as boundary markers mainly by modern informants, as was the boundary in southeastern Utah. Extremely rugged, barren rocks make the southeastern quarter of Utah one of the least habitable in the United States, and boundary drawing is particularly difficult; consequently, the broad area of cross-hatching on the map signifying doubt.

This total area from the Oquirrah Mountains west of Utah Lake to the base of the Front Range of the Rockies in Colorado was occupied by people whose speech was so similar that no dialectical differences have been documented. For centuries they were friends and neighbors from east to west, with a similar culture. However, with white contact for more than 100 years from 1680 to 1800, the Colorado Ute became culturally distinct from their Utah kinfolk.

The beginning of the cultural and emotional division of the eastern and western Ute began with the horse. Cultural and emotional separation initiated by horse ownership was continued and intensified by the different treatment accorded the Indians in the two states after they came under U.S. government dominion following the Mexican War of 1846.

During the period of the mountain men and fur hunters, from about 1825 to 1846, most reports of the Indians of the Great Basin came from American travelers from the eastern United States who had encountered the wealthy, haughty, and well-mounted Plains Indians before meeting the Indians of the Great Basin who were still on foot. The tough mountain men respected strength in others, and they respected the mounted Colorado Utes as they did the mounted Plains tribes. They did not respect the helpless foot Indians such as the Great Basin Ute at that time. More than one lowly Great Basin gatherer lost his life because a trapper had a bullet in his rifle and had the urge to watch a running Indian fall when hit with a slug. It was at this period that the belittling name “Diggers” was applied indiscriminately to non-equestrian tribes throughout Utah, Idaho, Nevada, Oregon, and California. Tribal names were given to identify the powerful bands of Ute of Colorado and the mounted Shoshone of Wyoming. The Ute and Shoshone of Utah without horses were just “poor diggers.”

By some chance the mountain men picked the name of the San Pete Ute — Indians of the beautiful region of the modern towns of Mt. Pleasant, Manti, and Fountain Green — to immortalize as being the poorest, least intelligent, and lowest possible form of humanity. It is not certain when and by whom the slander was started. It may have been W. A. Ferris, a trapper, who visited their country in 1834, and characterized them as “the most miserable human beings we have ever seen.” 27 If Ferris was the source, his opinion was embellished and exaggerated; then re-

peated and published widely by early travelers who were never within hundreds of miles of the vicinity of San Pete County, Utah. Although the French Catholic Priest Father Pierre deSmet, got no closer than Brown’s Hole in extreme northwestern Colorado, he wrote in 1843,

The Sampeetches are the next neighbours of the Snakes. There is not, perhaps in the whole world, a people in a deeper state of wretchedness and corruption; the French commonly designate them “the people deserving of pity,” and this appellation is most appropriate . . . their habitations are holes in the rocks, or the natural crevices of the ground, . . . Two, three, or at most four of them may be seen in company, roving over their sterile plains in quest of ants and grasshoppers, on which they feed. When they find some insipid root, or a few nauseous seeds, they make, . . . a delicious repast. They are so timid, that it is difficult to get near them; the appearance of a stranger alarms them; and conventional signs quickly spread the news amongst them. Every one, thereupon, hides himself in a hole; and in an instant this miserable people disappear and vanish like a shadow. Sometimes, however, they venture out of their hiding places, and offer their newly born infants to the whites in exchange for some trifling articles.  

Dozens of travelers made similar disparaging remarks about the Great Basin hunting and gathering Indians who were living in the manner of the traditional Desert Culture. For example, in 1869 Madame Aubou-


Indian hunting blinds, with the man sitting in the center of a group of three blinds, two of which are visible in this photograph. Note the line of rocks extending to the left, which guided the game toward the blinds, from which the Indians shot their game.
ard, another French writer who did not visit the Ute, wrote that they lived by eating earth. Few, if any, found these people truly remarkable for their ability to survive under such poor natural conditions.

But changes were coming to the Utah Ute too, and by the time these descriptions were published, they were already out of date. San Pete Valley was one of the favorite pastures for the hundreds of horses being stolen by the infamous Ute, Chief Walkara or Walker. From about 1836 until Mormon settlement in southern Utah, Walker and the American renegade trappers, Pegleg Smith and Jim Beckwourth, led the San Pete Ute as far as southern California and Santa Fe, New Mexico, on horse-stealing and slave-selling expeditions. Walker was called the “Hawk of the Mountains” and “the Napoleon of the Desert” and was the leader of well-mounted San Pete Indian raiders at the very period deSmet and Madame Aubouard were publishing their deprecating accounts of the Sampatches. Walker’s horse pasture extended from the lands of the peaceful Pahvant band of Ute on the lower Sevier River to the crossing of Green River along the Old Spanish Trail west of Grand Junction, Colorado. Walker and his brothers — Arrapeen (Arrapine), Sanpitch (San Pete), Ammon, and Tobiah (Tabby) — were in the process of changing the Utah Ute into a mounted warrior tribe when Mormons brought independent Indian development to an end.

It is interesting to compare the quotation from Father deSmet with the report of the Indians from San Pete which appears five years later in the “Journal History” of the Church of Jesus Christ of Latter-day Saints, under date of September 5, 1848.

Chief Walker, celebrated Utah chief, recently paid visit to Salt Lake City, accompanied by Sowiete, the head chief of the Utah nations, with some hundreds of men, women and children. They had several hundred horses for sale.

Horsemanship, that which distinguished the honorable warrior from the miserable digger, had been attained by the Ute of Utah before the Mormon settlement began. It was possession of horses which signified that some Ute Indians were rich. Without horses the Ute were poor Ute or just digger Indians like the Nevada Shoshone or the Southern Paiute, who were often exploited for slaves by the mounted Ute. In spite of Brigham Young’s friendship policy toward the Indians, in spite of his preaching that it was “cheaper to feed the Indians than to fight them,”

31 Ibid., 58.
Chief Tobiah (Tabby), a war chief of the Uintah and White River Utes. He opposed General Connor’s command in 1864 at Spanish Fork Canyon and other points in eastern Utah. In his prime he was a remarkable physical specimen. In 1892 he claimed to be 113 years old. Chief Tabby died in the Uintah Basin about 1896.

UTAH STATE HISTORICAL SOCIETY

and in spite of his recommendation that missionaries to the Indians might do well to intermarry with them, it was inevitable that difficulties between white settlers and the nomadic Ute would develop.

Indians lost their hunting and gathering lands and also their horse pastures as whites preempted the territory for farming, for cattle- and sheep-grazing, and for mining. The disruption to native life resulting from white settlement was about the same whether it occurred in Utah or in Colorado since both areas were settled about the same time. However, very different patterns developed in the two territories because of the historic accident which caused the federal government to administer Indian affairs differently in the two states. Nine treaties and agreements were negotiated with the Colorado Ute, and six were ratified by the U.S. Senate and signed by the President. By contrast only one treaty was negotiated between a United States treaty commission and the Utah Ute, and it was not ratified by Congress.

The federal government used its treaty and executive powers to arrange to pay Indian tribes for the lands they were losing to the whites. In Colorado, as ranchers and miners pushed onto Indian land, new agreements were negotiated so that federal payment could be made to the Indians to help them adjust to a new way of life. In Colorado the pressure to restrict the Ute to smaller and smaller reservations was applied by the
citizens of the state, but the cost of such readjustment was borne by the federal government.

Whether the payments for such readjustments were made directly to the Indians or to soldiers or officials to provide goods and services to Indians, federal funds were dispensed in Colorado in relatively much larger amounts than in Utah. The so-called Walker War, the Tintic War, and the Blackhawk War in Utah from 1850 to 1870, during which Indians raided Mormon ranches and stole cattle and horses, might have been avoided if the federal government had been more concerned with helping Indians in Utah. Congressional failure to ratify the Spanish Fork Treaty in 1865, by which the Ute would have been paid for their lands in central Utah and helped to move to Uintah Basin, appears to have been a calculated effort on the part of eastern politicians to avoid payments to Indians in Utah because to have done so might have given assistance in a roundabout way to the Mormons, a thing most easterners were loath to do.

Generally, settlers in Colorado were not friendly to Indians. Consider the infamous Sand Creek massacre on November 29, 1864, perpetrated by the Colorado Volunteers under Colonel John M. Chivington. Citizens of Colorado were, in fact, anxious to rid the state of all Indians and even high officials seemed dedicated to finding some excuse to force the Ute from Colorado into Utah. The Meeker massacre in 1879 was the excuse the citizens of Colorado needed to insist that the federal government remove the Ute into Utah and to open the Colorado Ute Reservation, then about one-fourth of the state, to white settlement.

Friends of the Indians, like Otto Mears the Russian-Jewish emigrant who had been a trader to the Ute for nearly 20 years, urged the Ute to leave Colorado for safety's sake. As a member of the United States commission to negotiate the agreement and arrange the removal, he took a chance with $2,800 of his own money by making a $2.00 cash gift to each Ute who signed to resettle peacefully on the Uintah-Ouray Reservation.

In 1880 the Ute Reservation in Colorado, with the exception of a narrow strip, 15 miles by 100 miles long bordering the Colorado-New Mexico State line reserved for the so-called Southern Ute, was opened for white occupation, with the understanding that the money from the sale would be paid to the Colorado Ute when they settled in Utah.

This is how it happened that on the Uintah Reservation the Colorado Ute, who in the Meeker massacre had killed their agent and his 11 male assistants and had raped the agent's wife and daughter, received regular per capita payments while the Uintah Ute, who had peacefully given up
their most valuable lands in central Utah, received nothing. The commissioner of Indian affairs solved the problem by ruling that all Indians on the Uintah-Ouray Reservation would be paid the same amounts; that is, that they would share and share alike any tribal funds received from whatever source. It was a good ruling, because very soon the Uintah from Utah and the two groups from Colorado, the White River and Uncompahgre, were integrated by many intermarriages. The so-called Southern Ute who were allowed to remain in Colorado are still related by descent and marriage to the Ute in Utah. Since 1880, through regular family visits between the reservations and by mutual participation in the nativistic peyote ceremonies and Sun Dances, the Ute Tribe has become culturally uniform as it was before 1680.

The Ute Indians have a legal organization, the Confederated Bands of Ute Indians, for the purpose of joint legal action. Except for the required joint legal action, however, these Ute Indians are legally incorporated into three distinct corporate bodies called tribes. Two of these in Colorado of about equal size came about because of the successful effort in the 1890's of Chief Ignacio of the Weminuche band to preserve about half of the Southern Ute Reservation, equaling 550,000 acres of grazing land, in a single piece of communally-owned tribal land. This area remains under joint tribal ownership and under the management of the Ute Mountain Ute Tribal Council, legally organized in 1940 under the Wheeler-Howard Act of 1934. Since the land is part of the Aneth Oil Field, the Council has regular managerial duties, including the distribution or investment of $10 million for oil leases for the year of 1960. Council headquarters are at Towaoc, Colorado, about 20 miles southeast of Cortez and immediately south of Mesa Verde National Park, which was carved out of their reservation. Their resident population is about 600 individuals, roughly the same as it was in 1873 when their reservation was established.

The eastern half of the old 1873 Southern Ute Reservation has retained the old name and was incorporated as the Southern Ute Tribe of Ignacio, Colorado. In 1899 their reservation was opened to white settlement when the Indians were allotted individual farms of 160 acres each, and the surplus was available to anyone who wanted to buy, homestead, or lease from the government. In the 1930's under Commissioner John Collier, a law was passed in Congress to restore to all tribes, all of the lands of their former reservations which remained in the public domain. As a result of this recovery, the Southern Ute Tribe owns about 300,000 acres of poor grazing land in addition to the 5,000 acres of farm land which had
been allotted, but some of which has been purchased by the tribe. The 500 members of the Southern Ute Tribe on the reservation have agricultural land for hay and grazing land for pasture so that a cattle industry could be a primary tribal activity if the members worked hard enough to carry it on. The Southern Ute Tribe also has coal lands, lumber, gas wells, and oil potential, as well as recreational possibilities on their reservation.

The Uintah-Ouray Reservation was originally established with almost 3 million acres reserved for the Indians. After allotments made about 1902, 77,000 acres of irrigated land and 19,000 acres of unirrigated land belonged to the Indians. About a third of their irrigated acres were subsequently sold by individual Ute Indians as titles to the allotments were given to them in fee simple. About 650,000 acres of unsold old reservation grazing land were restored to the Uintah-Ouray Reservation during the Collier administration, so that the reservation has about 24,000 acres of irrigated farm land to combine with the 650,000 acres of grazing and forest land, some of which has a valuable recreational potential. Oil has also been discovered on the Ute Reservation in Utah. There were about 2,000 Utes enrolled on the reservation, but about one-third were allowed to sell their interest in the reservation and become citizens, so that about 1,200 Utes remain in 1964 to manage their lands.

The number of irrigated acres and non-irrigated grazing lands for the three incorporated reservations are the capital assets for developing the Ute into farmers and ranchers. Working with care, skill, and great energy, the Ute could earn respectable ranch incomes from their lands. Seventy-five years, three generations of education and direction, as well as considerable special financial aid have been expended to teach the Ute to be good farmers and stockmen so that they could manage their estates. In general this educational effort has been a failure. Most of the Indian farm land is leased to non-Indians because the Indians do not want to work hard enough to make the land pay. Were that the only information to report on the modern Ute nation, the prospects would be dull indeed.

The Ute lack of success as farmers has been more than overweighted by his success in the courtroom. Their greatest good fortune was the forming in 1896 of the Confederated Ute Bands of Colorado and Utah for the purpose of hiring attorneys to advise them in their treaty rights and to prosecute claims. On a number of the Ute treaties signed in Colorado the federal government pledged to furnish the Indians many things for the first 20 years and then furnish money earned from investment made by the government for the tribes. The greatest complication resulted from the
provisions of the 1880 agreement when the White River and Uncompahgre Ute moved to Utah. Only a little imagination is required to picture the fiscal confusion which could result from trying to keep an account of all the land sold in western Colorado so that the money could be paid to the Indians. Within a year or two it was obvious to agency officials friendly to the Indians that a lot of land was being sold, yet the Indians were receiving very little. After the several bands met and approved, the chiefs signed contracts with attorneys before federal judges.

In 1896 Mr. Kie Oldham and Mr. J. M. Vale signed to work for the Indians for the contingency fees set at 10 per cent by the Bureau of Indian Affairs and reviewed by the courts should a recovery be made. The first job of the attorneys was to get an act through Congress to permit the tribe to sue. As with most federal cases, there were many delays and special acts of Congress before the U.S. Court of Claims on February 13, 1911, awarded the Confederated Ute Bands of Utah and Colorado $3 million back payments due. Most of the amount was to pay for the U.S. Forest Reserves set aside for the government without payment to the Indians.

The 1911 decision was just the first round. A new law to permit the Ute to have another accounting case was passed on June 28, 1938. The attorney who finally came to handle the case for the Ute Indians was Mr. Ernest L. Wilkinson. Court delays and additional congressional ac-

Paiute Indians found living on the Kaibab Plateau at the time John Wesley Powell explored the area.
tion put off the final judgment on that case until July 13, 1950, when the U.S. Court of Claims awarded the Confederated Bands of Ute Indians of Utah and Colorado almost $32 million. The U.S. Supreme Court reduced the attorney fee from 10 to 7 per cent.

The two Ute cases just referred to were heard before the U.S. Court of Claims as a result of special acts of Congress allowing each case. While the latter case was in court, Congress held hearings, and in 1946 passed a law to establish the U.S. Indian Claims Commission and authorized it to be the first court for claims which any identifiable group of Indians might file during the five years following the passage of the act. This was the first chance the Uintah Ute had to ask again for payment for the lands they agreed to give up in the unratified treaty of 1865.

It is a curious fact that one of the main defenses raised by the U.S. Department of Justice against payment for Ute lands in central Utah was the assertion that there were no Ute Indians in Utah. Government attorneys argued that the many treaties signed in Colorado and ratified by Congress had disposed of the land of all the Ute Indians. They argued that Ouray had been head chief of all the Ute Tribe, as the treaties and many government reports stated. A book written by Wilson Rockwell, an amateur historian of western Colorado, supported the view of the government attorneys with the amazing statement that the bands of Indians who signed the Spanish Fork treaty and later mostly moved to the Uintah Reservation “were not Utes.” According to Rockwell and the government attorneys, all Ute Indians lived in Colorado, consequently, no payment need be made for Utah lands. From the point of view of the Indians, it is fortunate we could establish the early historic separateness of the Colorado Ute and Utah Ute with the Green River and its Desolation Canyon in eastern Utah marking the eastern boundary of the Utah Ute territory. It was the well-documented role of leadership of the chiefs of the two areas who had been recognized by government officials, settlers, and Indians as headmen in their respective areas, and never reported in the other areas, that appeared to be decisive. In Utah there were Sowiet, Walker, Tabby, Kanosh, and Arropeen. Colorado Ute leaders were Kaniatch, Ouray, Ignacio, Colorow, Douglas, and Buckskin Charlie. Only the Uintah Chief Anthro was important in both states, and in Colorado Anthro was always identified as a visitor from Utah.

Much of the aboriginal land of the Ute in Utah had become the Uintah Ute Reservation by executive order of President Abraham Lincoln

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on October 3, 1861. Other lands which had belonged to the Ute, including the homeland of the peaceful Ute Chief Kanosh, are outlined on the map. After the Indian Claims Commission had ruled in 1957 that the government was liable for payment for the land, the Uintah Ute by negotiation agreed to accept $7.7 million for the area.

By contributing their $7 million to the joint account of the Indians of the Uintah-Ouray Reservation, the Uintah Ute made restitution to the White River and Uncompahgre Ute for sharing in the awards previously made for Colorado land. Fees for prospecting for oil on Indian lands have supplemented funds from the federal government accounting suits, so that the Ute Indians have had millions of dollars to spend during the decade 1954-64 to help them adjust to modern American life.

Much of the money has been spent on modernizing homes and buying automobiles. Much has been spent on roads and reservation recreational facilities. Attorneys, community planners, economists, teachers, and other experts have been hired with tribal funds to help the Ute wisely spend their money. Much money has been spent on whiskey and some Ute Indians have become alcoholics. After 10 years the Ute are still unsure of themselves as independent managers of their own affairs, and the federal government employees who have tried to help the Indian achieve economic and political independence are not sure that 10 years of wealth have prepared the Ute to be removed from special federal supervision.

My own appraisal is that the Ute are progressing, but their feeling of inferiority due to continuing social discrimination and their sense of dependency resulting from a century of careful federal supervision have not been removed by a decade of experience in making part of the decisions concerning the spending of a few million dollars. The Ute people must acquire generally a sense of their own dignity and importance and strong commitments to improving themselves so that they can increase their tribal estate. They must dedicate themselves to the management of their personal, family, and tribal affairs. All of their time, money, and talent must be used rationally for their own and their tribal welfare. The Ute still have much to do for themselves.