

CONTENTS

List of Illustrations	<i>vii</i>
List of Maps	<i>ix</i>
Introduction	<i>xi</i>
<i>by Andrew Gulliford</i>	
1. The People	3
2. The Nation	10
3. The Plan	44
4. Talk	84
5. The Land	121
6. The Trouble	155
7. The Battle	192
8. Decision	239
9. Death	288
Afterword: The Betrayal of Jack	297
<i>by Charles Wilkinson</i>	
Informants	321
Bibliographical Essay	323
Bibliography	344
Index	353

INTRODUCTION

by ANDREW GULLIFORD

To understand the importance of Robert Emmitt's unique writing style and his significant book *The Last War Trail: The Utes and the Settlement of Colorado*, Ute Indian history must first be put into historical perspective. By the time Colorado attained statehood in 1876, most Native Americans had been confined to small reservations or forced to relocate to Indian Territory in present-day Oklahoma. The Plains Indians had been moved away from Denver, but the Utes of Western Colorado – unlike the Arapaho and Cheyenne, who fought against both settlers and the U.S. Army – were peaceful. They practiced diplomacy, got along well with their neighbors, and did not fight other tribes or the occasional white man who ventured deep into their lands. By 1876, the Utes remained sovereign and in control of over one third of Colorado – roughly twelve million acres of deep forests, swift rivers, high meadows, and steep canyons – and Colorado's elected officials remained vexed because the state had too many peaceful Utes.

After the 1858 discovery of Colorado gold, hordes of miners poured into Ute territory, so the federal government requested a treaty designating Ute reservation boundaries. The Tabeguache Treaty of 1863 recognized Ouray as head of the Utes, though he only represented the Tabeguache Band.¹ The Northern Utes and other bands did not ratify the Tabeguache Treaty, so it was not until the treaty of 1868 that the seven bands of Utes received title to the western third of Colorado territory.² Considering

THE LAST WAR TRAIL

that the Ute population probably never exceeded 5,000, their defense of their mountain homeland against other Indian tribes and white incursions is remarkable.³

In January of 1868, Ouray, Mouache Chief Kaneache, White River subchiefs Captain Jack and Sowerich, the late Chief Nevava's nephew Piah, and five other chiefs traveled to Washington to sign a treaty that defined Ute territorial boundaries.⁴ According to this treaty, the Indians had the right to bar any whites from entering the Western Slope and the peaks they called "The Shining Mountains." Though Chief Ouray had negotiated a remarkable treaty and was at the height of his diplomatic powers, he told reporters, "Agreements the Indian makes with the government are like the agreement a buffalo makes with the hunter after it has been pierced by many arrows. All it can do is lie down and give in." Ouray demanded that the treaty be made "final and forever."⁵

D.C. Oakes had been appointed head agent of the White River Utes in May of 1865, and he maintained good relations with the Utes as he began to build up the agency that, according to the 1868 treaty, was to include a warehouse, schoolhouse, and houses for the agent, a farmer, a blacksmith, and a miller. The agent was to distribute annuities and adjudicate Ute complaints.

As White River Agency construction got under way in 1868, other log cabins were being built by a scientific crew fifteen miles downriver from the agency. Beginning in mid-October, John Wesley Powell, a one-armed veteran of the Civil War battle at Shiloh, Tennessee, spent the winter on the Ute Reservation with his wife and other members of a scientific expedition intent on floating down Wyoming's Green River to the confluence of the Colorado River and then into the unknown.⁶ Major Powell came to know the White River band of Antero and Douglas. Though he spent weeks learning their language and customs, he was almost killed for pounding a row of survey stakes into the ground near the Utes' race track on what became known as Powell Bottoms or Powell Park. Wisely, he withdrew the stakes.⁷

INTRODUCTION

The Major developed a close friendship with the Utes, especially with Chief Douglas. The **beadwork** and other handmade items he acquired became the start of the Bureau of Ethnography, and one of the first Indian collections for the Smithsonian Institution's National Museum of Natural **History**.⁸ In mid-March of 1869, the rising **White** River flooded Powell's winter quarters. The log cabins, along with the exploring party's possessions, were soaked. Two months later, on May 24, 1869 – only fourteen days after completion of the transcontinental railroad – Powell's crew shoved off in wooden boats from Green River, Wyoming territory for their rendezvous with destiny in the Grand Canyon.

His closeness to the White River Band that winter on Powell Bottoms stood him in good stead. Unlike most other adventurers, Powell never went armed among Indians during his twenty-year career in the West, and undoubtedly he knew and used the many Ute trails that transected the White River country. Powell later established the United States Geological Survey, and it was survey teams from Washington, D.C., that came to the White River in the summer of 1873 to map Colorado and to survey boundaries for the **Ute Reservation**.⁹

The U.S. Government Commission appointed to negotiate the 1873 **Brunot** Treaty for the San Juan cession met in western Colorado, because gold had been discovered in the southwest part of the reservation. During treaty talks, Utes expressed concern over the presence of surveyors on land which had been deeded to them in the treaty of 1868. Ute chiefs were justifiably troubled over the **surveyors'** presence. The commission noted, "One division of Professor **Hayden's** exploring party has spent some time upon their reservation, making surveys and taking observations which excited the suspicions of the **Indians**."¹⁰

The White River Utes, or *Nupartka*, lived north of the Colorado River and hunted across northwest Colorado and portions of southern Wyoming. The Utes did not understand the surveyors, but they did not harass them. Much to the consternation of empire-builders like Colorado Governor Frederick **Pitkin**

THE LAST WAR TRAIL

and *Rocky Mountain News* editor William Byers, approximately 2,500 Utes lived on one third of the state and would not be dislodged. The Utes, unlike the often-troublesome Plains tribes, abided by the law and the treaty terms that had established their reservation. However, that delicate peace would be shattered with the arrival of Indian agent Nathan C. Meeker on May 15, 1878. The conflict with Meeker is the painful turning point in Ute-white relations, and it is described in detail in Robert Emmitt's *The Last War Trail*.

The Last War Trail: The Utes and the Settlement of Colorado is a richly researched, deeply felt book that portrays Ute life from an insider's perspective based on valuable interviews the author conducted near Whiterocks, Utah in the late 1940s. Omer C. Stewart, in his *American Anthropologist* review of *The Last War Trail*; wrote that "Old White River Ute informants may have given Emmitt some additional facts about the Massacre and War. Saponise Cuch, who served as informant, participated in the battle as a boy of fifteen." Just as Black Elk supposedly said to poet John Neihardt who wrote *Black Elk Speaks*, "I have known you were coming. Why have you taken so long?" In August 1948, Saponise Cuch, Chief of the White River Utes, said to Robert Emmitt, "I am an old man now, and I am the only one left who remembers this. I have known that someone would come to tell this story; now you will write it out, as I have told it to you."

Originally published by the University of Oklahoma Press in 1954, *The Last War Trail* is based on careful research, a fine writing style, and a sensitivity not only to historical documents but also to Ute oral traditions and storytelling. The book is a marvelous blend of primary source materials such as letters and telegrams from Secretary of Interior Carl Schurz, Indian Commissioner Edward A. Hayt, Indian Agent Nathan Meeker, and Major Thomas Tipton Thornburgh. Robert Emmitt catches the flavor of the Ute language and makes judicious use of Ute words such as *maricat'z* (whites), *tawacz viem* (chief), and Ute place names such as Smoking **Earth** River for what is now known as the White River.

INTRODUCTION

The Last War Trail describes western Colorado as a living land for the Ute people, "a life where the good play of the hunt brought food, and the pleasure of the dance brought a man a wife, a woman a husband; a life where a man owned little and belonged to everything." With skill he refined as a former newspaperman and university press editor, Robert Emmitt crafted an ethnographic portrait of a people caught between cultural values. Unlike so many descriptions of Indian-white conflicts, Emmitt writes eloquently and subjectively from the Native American perspective in a contemporary non-fiction style.

LeRoy R. Hafen, reviewing *The Last War Trail* in the *American Historical Review*, explained that Emmitt "presents an incident or a phase of the story from the documents, then tells it from the Ute point of view and in picturesque Indian language and figures of speech. By daring to express the thoughts of the Indian actors and supplying imaginary conversation, the author gives a dramatic and effective portrayal." Robert Athearn in the *Pacific Historical Review* noted that "Emmitt's major contribution here is not that he has introduced new evidence or added much to the familiar story of Ute removal, but that he has presented the Indian's point of view in a manner that is moving and forceful." Stanley Vestal wrote, "it is refreshing to find a serious, scholarly and readable historian who takes no stock in the old myth that Indian testimony is necessarily unreliable."

Robert Emmitt attended the University of Colorado, and worked for the Boulder *Daily Camera*. He also worked for the New York *Herald Tribune*, which was founded by Horace Greeley, who also funded Nathan Meeker's Western dreams. Emmitt also reported for the Toronto *Telegram* and the Tucson *Citizen* before becoming managing editor of Vanderbilt University Press in Nashville. He authored several books, and once wrote that he was "concerned with the total condition of estrangement, and, as an American historian, with the problem of man's estrangement from his natural environment."

Emmitt died in Colorado in 1984, but his legacy will live on with this reprint of *The Last War Trail*. In the book he clearly

THE LAST WAR TRAIL.

shares the Utes' love and respect for their land and language, which **Emmitt** says "flows like a smooth, deep river." His descriptions of the Bear Dance and other Ute traditions are in concise, careful prose, and he also describes in detail the political tenor of late nineteenth century Colorado. He explains Governor **Pitkin's** view that the Utes were "paralyzing the progress of a great new state," and he demonstrates Nathan Meeker's harsh assimilationist policies by quoting the Indian Agent's proposal "to cut every Indian to [a] bare starvation point if he will not work." In another letter the sanctimonious Meeker writes, "A savage can have no notion of the value of knowing many things. Besides, the savage family has no discipline, and the children are neither heirs nor successors of it. The only discipline exercised at this agency is when I get the men to work day after day; and this on the penalty of withholding extra rations . . . [but] with plenty of coffee, sugar, and dried peaches I can lead them forward to civilization."

The Utes killed Meeker on September 29, 1879, for his inability to understand the Indian people he was supposed to represent. They drove a barrel stave through his throat so in the afterlife he could not tell lies. Seven other agency men and three nearby whites died, three women and two children were taken hostage, and thirteen soldiers were killed in a chain of events which forced the Utes from their homeland in the Shining Mountains and into a new life on the high desert of eastern Utah."

Three years after the publication of *The Last War Trail*, another **journalist/historian**, Marshall Sprague, wrote about the incident in his 1957 book *Massacre: The Tragedy at White River* (reprint 1980, University of Nebraska Press). **Sprague's** work is more of a conventional Western history, and it lacks **Emmitt's** richly textured attention to Indian detail, though Sprague did add valuable insight into a major source of Ute dislike of Meeker. Previous Indian agents had helped the Utes profit from trade in furs, hides, and horns. **J. S. Littlefield**, agent between 1871-1874, not satisfied with his monthly salary of \$125, "doubled and tripled it by serving as commission man for the White River groups.

INTRODUCTION

Several times a year his Indian Bureau wagons arrived at the U.P. freight station in Rawlins with five or six tons of elk and deer hide, antlers, and bones, which he auctioned to Omaha and Chicago buyers."¹² The Utes made money and so did their agent, but Meeker would have none of it. He was there to teach the Indians to become farmers.

Recent scholarship on the Meeker killing and Major Thornburgh's attempt to come to Meeker's rescue includes a detailed analysis of the military's movements in *Hollow Victory: The White River Expedition of 1879 and the Battle of Milk Creek* (University Press of Colorado, 1997). The author, Wyoming State Archaeologist Mark Miller, writes about the military actions of Major Thornburgh and troops sent from Fort Steele, Wyoming, at the request of Nathan Meeker, whose intransigence caused him to fear for his life. *Hollow Victory* demonstrates excellent research and writing from an archaeological perspective, but it is interesting to note that both Emmitt in 1954 and Miller in 1997 failed to grasp an understanding of Major Thornburgh's personality as advanced by Mari Sandoz in her review of *The Last War Trail*.

She wrote that "although he has worked deep into Ute history, Mr. Emmitt does not seem to realize that the Ute troubles were part of a general protest against the starvation and removal policy of the government, including the Nez Perce flight in 1877 and those of the Poncas and the Northern Cheyennes in 1878. Thornburgh had to bear much criticism for his failure to capture the Cheyennes, although he had made a real effort. . . . [L]ess than a year later, he was faced with the Ute problem and he was determined that this time there would be no charge of hesitation. So he moved in swiftly and died a hero, and with him the agent and others."¹³ Perhaps future historians will delve more deeply into Thornburgh's career and motivations.

Thornburgh's death came because of deep-seated Ute fears of soldiers invading their villages and what the "blue coats" would do to Indian women. The Utes probably knew what had happened at Bear River, Idaho, where in 1862 General Patrick

E. Connor attacked a sleeping Shoshone village and killed over 400 people. The Northern Utes also knew of Col. John M. Chivington's November 1864 attack at Sand Creek, where Black Kettle's Cheyenne village had been surprised at dawn and over 200 men, women and children were killed. The Utes must have known that at the Sand Creek Massacre Chivington's soldiers hacked off women's breasts, cut out their vaginas, scalped them, and displayed the bloody trophies on stage at the Denver Opera House.¹⁴

Some of the Utes including Nicaagat, also known as Captain Jack, had worked as scouts for General Crook during the Sioux Wars and knew full well what might happen if soldiers entered the reservation. When Thornburgh's troops tried to advance across Milk Creek, Utes perceived it as an invasion of their reservation and an act of war. According to Saponise Cuch, a small group of fifty Utes kept the army from advancing. All of the details and nuances of this tragedy are laid out in *The Last War Trail* in a masterful and sympathetic retelling of a complicated tale.

Though it has been more than a century, the events of the Thornburgh battle and killings at the White River Agency happened as if they were yesterday for the descendants of the Northern Utes living on the Uintah and Ouray Reservation in eastern Utah, and the pain and isolation of removal is acutely felt. The Utes want other Americans to know that Indian Agent Nathan Meeker had threatened them, lied to them, withheld food, provisions and annuities from them, and thoroughly misunderstood their culture and their ways. The 1868 treaty provisions included the stipulation, insisted upon by the Utes, that "The United States now solemnly agree(s) that no person except those employes (sic) of the Government as may be authorized by law, shall ever be permitted to pass over, settle upon, or reside in the territory." As far as the Utes were concerned, this included the United States military, which had violated its own treaty by attempting to enter reservation land without Ute consent.

Over the decades, the historic sites described in *The Last War Trail* have been altered. Only a few stone buildings remain

INTRODUCTION

at what once was Fort Steele, from which Major Thornburgh's troops rode out. At Powell Bottoms, where Nathan Meeker ignored the Ute discomfort that had earlier convinced John Wesley Powell to pull up his surveying stakes, irrigated alfalfa grows, just as Meeker wanted. He paid for his stubbornness with his life, and today a highway sign points south to where his agency burned.

At the Thornburgh battle site a granite monument lists the names of soldiers killed, but a new marker tells the story from a different perspective. The etched metal tablet reads:

*Dedicated to the Ute Indians Who Were
Involved in the Battle of Milk Creek
Ute Indian Tribes of Utah
29 September 7879*

*Let us not forget the Whiteriver Utes who gave their lives and those who were wounded in the battle of Milk Creek on September 29, 7879. Nathan Meeker, Indian Agent, did not understand the Utes and knew very little about their traditions and culture. Resentment toward Meeker's policy of farming resulted in a **fight** between "Johnson," a Ute, and Agent Meeker. This was the beginning of the problems that ensued. Because of the battles at Whiteriver and Meeker) Colorado, the Whiterivers and Uncomphagres were forced by gun-point to the reservation in Utah, leaving behind their beautiful land in Colorado. However, the Uncompahgres had nothing to do with those events. Under the 74th amendment, their rights were ignored.*

*Ute Tribal Business Committee
Uintah & Ouray Meeker Monument Committee
Title V Parent Advisory Committee
Colorado Historical Society
Uintah School District
29 September 7993*

THE LAST WAR TRAIL

Though Northern Utes lost their lands in Colorado, they returned to the high country to hunt, and they continued to gather deer and elk skins **as** they had for centuries. Eventually, though, Colorado game laws resulted in an end to their hide trade. At the turn of the century, game wardens tried to prosecute Ute Indians for violating the law. Interestingly, in 1901 a jury in Meeker, Colorado, refused to convict their Native American **neighbors**.¹⁵

Today Utes in **Utah**, whose ancestors lived in the Shining Mountains, are several hours away by car, but they return **as** often as they can. Like many tribes, the Northern Utes have established a cultural rights and protections office. Even though they have lost possession of their mountain lands, Ute cultural and spiritual leaders can have a say in forest management. Under federal laws including the National Historic Preservation Act (1966, amended 1992); the Archaeological Resources and Protection Act (1979, amended 1989); the Native American Graves Protection and Repatriation Act (1990); and Presidential Executive Order 13007 Protecting Native American Sacred Sites (1996), the Utes assert influence over forest management policies, particularly as those policies affect sacred sites near the prehistoric and historic Ute Indian trail, which is remarkably intact along a fifty-seven-mile corridor from the **confluence** of the Eagle and Colorado Rivers at Dotsero, northwest to the original Ute Agency on the White River.

The Ute Trail at one point ascends 4,000 feet over ten miles, providing spectacular views of the Colorado River Valley and rows of snow-capped **peaks**.¹⁶ The fifty-seven mile route goes up and over the Flat Tops, a beautiful 10,000-foot mountain range with lush meadows, high peaks, and numerous lakes, creeks, and canyons. Though perhaps three-fourths of the trail has been discovered, its exact location **will** always remain a mystery, and there are many research riddles that will never be solved. Some sacred sites close to the trail have been identified, while others will probably remain unknown and hopefully **undisturbed**.¹⁷ Few other Indian trails in the central Rocky Mountains are in such

INTRODUCTION

pristine condition and present such an opportunity for a partnership in preservation involving the three Ute tribes, the United States Forest Service, the Bureau of Land Management, and private landowners.

Understanding the trail and migratory patterns of the Ute Indians requires stepping back in time half a millennium. Walking the trail today represents a unique wilderness experience – in places the trail widens to almost three miles and then funnels down to narrow thirty-yard passageways between ecotones, where open meadows and small aspen groves give way to thick, dark spruce. From a hundred yards away, the trail is invisible until the opening in the forest is discovered.

A key to finding and identifying the Ute Trail is to think about the forest as excellent summer range for small bands of Ute families who came to the Flat Tops from the south up the Roaring Fork River Valley and from Utah to the west from the **Uintah** and Piceance Creek **Basins**.¹⁸ These close-knit family bands came to hunt, fish, gather berries and seeds, collect eagle feathers, and worship in the high mountain meadows and among the tall stands of **Englemann spruce**.¹⁹ Ute use of the forest was part of an age-old rhythmic cycle that began in the spring and ended around the first of November, when early snows closed off the high country. The Utes used the lush mountain meadows in the summer and then descended in the winter to the warmer basin and plateau country of 5,000 feet in elevation.

In the final chapter of *The Last War Trail*, Robert Emmitt writes, "The Land is the body; the People are the spirit. When the Land and the People are cut apart, this is death." But now there is a re-birth as a younger Ute generation seeks to know the ancient homeland of its ancestors and to re-establish ties to the land and the landscape that was theirs centuries before the white man came. Betsy Chapoose and Clifford Duncan of the Northern Utes work with other tribal members, including Kenny Frost of the Southern Utes, to help preserve and protect Ute sacred sites.²⁰

THE LAST WAR TRAIL

This recent edition of *The Last War Trail* includes an afterword by Charles Wilkinson, the Moses Lasky Professor of Law at the University of Colorado at Boulder. An expert on Indian legal issues, Wilkinson wrote about Nicaagat, or "Captain Jack," in a chapter titled "The Betrayal of Jack," for *Heart & the Land*, a volume on unique American ecosystems published by the Nature Conservancy. Wilkinson writes about the Ferry Carpenter Ranch's Morgan Bottoms on the Yampa River just east of Hayden, Colorado, which is traditional Ute land now owned by the Nature Conservancy. Professor Wilkinson writes movingly about the Ute troubles on the White River, and he does so in a modern environmental context. He concludes that "Betrayals, and all the lasting things that we learn from them, die out when our memories die. This is why the forceful but careful and restrained, even gentle reminders from the modern Utes matter so."

Emmitt ends *The Last War Trail* with a manuscript excerpt by Captain James Parker of the Fourth Cavalry, who in March of 1880 helped force Utes out of Colorado by gunpoint. Parker wrote, "As we pushed the Indians onward, we permitted the whites to follow, and in three days the rich lands of the Uncompahgre were all occupied, towns were being laid out and lots being sold at high prices." On the Colorado, White, and Yampa Rivers the process took longer, but settlement continued in mountain valleys until the land was set aside by President Harrison as the White River Forest Reserve in 1891, which is the second oldest in the nation after the Yellowstone Forest Reserve.

Arthur Carhart, a young U.S. Forest Service landscape architect, came to the head of the White River in the summer of 1917 to survey Trapper's Lake for cabin sites to be leased to summer vacationers. Struck by the beauty and solitude of the lake, Arthur Carhart had difficulty planning to carve up the lake shore into cabin sites. One evening at twilight as he left a cook tent and a conversation with visiting fishermen, Carhart recalled, "The hushed stillness of a late summer day in the mountains filled the cliff girt basin holding [the] placid waters of

INTRODUCTION

Trappers Lake. The lake's surface reflected upside down images of surrounding spruce trees and of serrated **rimrock** standing in multicolored high-rise masses above the forest."

He wrote, "Here, as I loafed along the trail, was a place, a moment, when one could explore his thoughts. Suddenly a strange sibilance filled the basin. I halted, I listened. The soft eerie whispers came clearly through the sun drenched air. I glanced in **all** directions, hoping to discover their source. I failed."

"Silence returned quickly."

"Abruptly the strange sound returned, increased, dimmed, and in a moment was **gone**."²¹

Arthur **Carhart** had experienced a moment of revelation and realized that the shoreline of Trapper's Lake, considered sacred for centuries by Utes, should not be marred by tourist cabins. Prior to that time no U.S. Forest Service official had conceived of leaving land in its natural state because the credo of the forest service was one of multiple use. The concept of protecting wilderness areas in national forests was born on ancient Ute lands. Contemporary Ute spiritual leaders would argue that Indian guardian spirits had spoken directly to **Carhart**, and because of the spirits' soft voices Trapper's Lake is now known as the cradle of the American wilderness movement. Trapper's Lake, on sacred Ute lands, inspired the concept of wilderness – land without roads or development in which humans will always be visitors, never permanent residents.

At the end of his life **Carhart** wrote, "As I have looked back along many trails, I recognize that incident at Trapper's Lake was in truth a moment when I stepped across a threshold. I discovered **true** wilderness and reached the conviction that without the sanctuary found in our wildlands, without the experience of living as a part of it, this nation might perish from the **earth**."²² Arthur **Carhart** may have heard Ute spirits at the water's edge of Trapper's Lake. Carhart's wilderness insight born of "a strange sibilance" and "soft eerie whispers" began a conservation movement which has helped to set aside millions of acres of wild land across America. He wrote to his supervisors in 1919 about special

pristine places on public land "that should be preserved for all time for people of the nation and the world."

Arthur Carhart received his inspiration at Trapper's Lake, and the famous conservationist Aldo Leopold, after meeting Carhart in the office of the regional forester in Denver, adopted the wilderness ethic in 1924 and set aside the first wilderness area in the nation in the Gila National Forest of New Mexico. In 1964 Congress passed the Wilderness Act, which established special sanctuaries for native plants and animals and required high standards for clean air and water. In 1975, Trapper's Lake itself and 196,360 acres of the Flat Tops Mountains became congressionally designated federal wilderness areas with access only by foot or on horseback.

Like Carhart, we have much to learn from the Utes about their ancestral homelands. *The Last War Trail* puts into poignant perspective how Colorado's original inhabitants came to be displaced by confusion, arrogance, and misguided attempts to force farming upon a people who already lived in balance with their natural world. Charles Wilkinson writes, "We know now that we came on too hard and fast for the Utes. We could have accommodated settlement by non-Indians and also allowed for the Northern Utes to hold good land in the Yampa and White country. We could have allowed for the hunt."

Historian Patricia Limerick writes, "There is no clearer fact in American history than the fact of conquest. The land was occupied by native peoples; whites entered as invaders; as soon as the whites wanted permanent possession of the land, they drove the Indians from their homes, sometimes with treaties and negotiations, oftentimes with pure force." Limerick challenges us by stating, "Americans ought to know what acts of violence brought them their right to own land, build homes, use resources, and travel freely in North America. Americans ought to know what happened on the ground they stand on; they surely have some obligations to know where they are."²³

Unlike so much that has been written about Native Americans and their dispossession, Robert Emmitt's *The Last War Trail*

INTRODUCTION

tells about life in the high country from the Ute perspective. No other book so clearly spells out the contradictions and cultural conflicts which drove the Utes from western Colorado. By holding on as long as they did, by living deep within their Shining Mountains, they helped to preserve their forest landscape. A modern conservation movement had begun in the east, and ten years after the Utes' forced removal, President Harrison set aside 1.2 million acres of what would become the 2.5 million acre White River National Forest.

A century later, the Flat Tops Mountains still shine in the sun with thick blankets of winter snow as late as May, and one of the largest elk herds in North America still lives between the Colorado and White rivers. In summer the high alpine meadows are ablaze with purple, yellow, red, and blue wildflowers, and trout jump in numerous creeks like Elk Creek, Deep Creek, Grizzly Creek and the South Fork of the White River. No wonder the Utes were baffled by Nathan Meeker's attempts to make them farmers. No wonder they fired upon Thornburgh's troops.

We owe the Utes a great debt for protecting the high country as long as they did. In 1993, when Ute Indians returned to the Milk Creek battle site to erect their monument, citizens of Meeker, Colorado, the town that had grown up near the second Ute Indian Agency, invited tribal members to a banquet as an offering of peace. The rest of us should welcome the Utes back, too. *The Last War Trail* is part of that welcome, because the University Press of Colorado seeks to share Ute culture and history with a new generation of readers who will find Robert Emmitt's eloquence a vivid account of a tragic event in Western history.

NOTES

1. P. David Smith, *Ouray: Chief of the Utes* (Ridgway, Colorado: Wayfinder Press, 1986), 62.
2. Thomas K. Cree, "Report of the Commission Appointed Under Act of Congress Approved April 23, 1873 to Negotiate with the Ute Indians in Colorado Territory" (Washington: Government Printing Office, 1873), 5. See Charles S. Marsh, *People of*

THE LAST WAR TRAIL

- the Shining Mountains* (Boulder: Pruett Press, 1982), 67-68, Smith, *Ouray: Chief of the Utes*, 72-78, and Robert W. Delaney, *Ute Mountain Utes* (University of New Mexico Press, 1989), 33. In 1868, the tribe had approximately 16 million acres, but with the Brunot Cession of 1873, they lost 4 million acres for a total of 12 million acres in 1876.
3. Population statistics are from Cree, "Report of the 1873 Commission." The commission noted on page 6, "The number of Indians occupying the same (reservation) is relatively small, not exceeding, according to the most reliable data obtainable, more than four or five thousand souls." Also see Marsh, p. 24 and p. 68. The exact population of the Utes at any one time is very hard to determine, because bands moved from place to place throughout Western Colorado. A September 1878 census of the **Yampa** and Grand River Utes proved that **all** groups visited north to south and frequented the White River Agency. Though sizable numbers of Utes lived in the **Uintah** Basin of northeast Utah after 1820, the population of Colorado Utes probably varied from 4,000-6,000. For various historical accounts see Julian H. Steward, *Aboriginal and Historical Groups of the Ute Indians of Utah: An Analysis with Supplement, Indian Claim Commission* (New York: Garland Publishing, 1974). In 1879 the Ute population is reported as 2,000 at the Los Pinos Agency, 1,307 at the **Southem** Agency and 900 at the White River Agency. See *46th Congress, 3rd Session, Executive Document No. 31, U.S. Secretary of the Interior, Report of the Ute Commission, 7887*, 18.
 4. Marshall Sprague, *Massacre: The Tragedy at White River* (Lincoln: University of Nebraska Press, 1980), 90-92.
 5. Marsh, *People of the Shining Mountains*, 64 and 68.
 6. John Wesley Powell, *The Exploration of the Colorado River and Its Canyons* (New York: Dover reprint, 1961, originally 1895).
 7. Wallace Stegner, *Beyond the Hundredth Meridian: John Wesley Powell and the Second Opening of the West* (Lincoln: University of Nebraska Press, 1982), 39-40. Though originally published in 1953, this remains the definitive historical treatment of Powell and his immense contributions.
 8. For an excellent analysis of Powell and his many scientific contributions, including the work of his photographers, see Don D. Fowler, *Myself in the Water: The Western Photographs of John K. Hillers* (Washington, D.C.: Smithsonian Institution Press, 1982).

INTRODUCTION

This writer has seen Ute materials in the collections of the Smithsonian's National Museum of Natural History originally collected by both Powell and Capt. **Gunnison**. This **beadwork** still has original accession tags written by both men.

9. Though the Ute **reservation** had been established with the treaty of 1868 and **reaffirmed** with the treaty of 1873 and the **Brunot** "Map of Colorado Territory," which delineated the "proposed purchase," the actual Ute boundaries had not been **surveyed**. They existed on the map only as land stretching east to west from 107 to 109 degrees longitude and from 37 degrees to 41 degrees north latitude.
10. Cree, "Report of the 1873 **Commission**", 19. The report would be published as **F.V. Hayden**, *Tenth Annual Report of the United States Geological and Geographical Survey of the Territories Embracing Colorado and Parts of Adjacent Territories* (Washington, D.C.: U.S. Government Printing Office, 1878).
11. That new life included farming. See the section on the Northern Utes in David Rich Lewis, *Neither Wolf Nor Dog: American Indians, Environment & Agrarian Change* (New York: Oxford University Press, 1994).
12. Sprague, *Massacre*, 117.
13. Mari Sandoz's review of *The Last War Trail* was syndicated and appeared in many newspapers. The year **before**, in 1953, she had published *Cheyenne Autumn*, which has several pages in the index that specifically refer to Thornburgh chasing the Cheyennes.
14. Robert M. Utley, *The Indian Frontier of the American West 1846-7890* (Albuquerque: University of New Mexico Press, 1984), 92-93. Helen Hunt Jackson wrote *A Century of Dishonor* in 1881 deploring the government's disregard for its treaty obligations. In the appendix pp.343-358 she reprints letters published in the *New York Tribune* in 1879 which are an exchange of commentaries between herself and William Byers, editor of the *Rocky Mountain News*, on the Sand Creek Massacre and the **killings** on the White River. She complains that the errors of a few have brought starvation to many Utes. Helen **Hunt Jackson** explains that the Utes "attempted **by** force of arms, to restrain the entrance upon their own lands—lands bought, owned and paid for—of soldiers that the Government had sent there. to be ready to make war upon them, in case the agent thought it best to do so! . . . And

THE LAST WAR TRAIL

- now the Secretary of the Interior has stopped the issue of rations to 1,000 of these helpless creatures; rations, be it understood, which are not, and never were, a charity, but are the Utes' rightful dues, on account of lands by them sold; dues which the Government promised to pay 'annually forever.'"
15. George Feltner, *A Look Back: A 75-Year History of the Colorado Game, Fish and Parks Division* (Denver: Colorado Game, Fish & Parks, 1972), 14.
 16. Surveyors, miners, settlers, and cowboys all referred to the trail as the Old Ute Trail. Marshall Sprague in *Massacre: The Tragedy at White River* also calls it "the Back White River Trail" on p. 162. Lena M. Urquhart in *The Cold Snows of Carbonate* on page 1 explains that prospectors "came from Leadville down the Eagle River to where it joined with the Grand (since named the Colorado River). Here they left the valley to follow the age-old Ute Indian Trail which climbed out onto the Flat Tops, then crested the divide between the White and Colorado Rivers." She continues "all along that Ute Indian Trail men continued to come prospecting" p. 3. Because low grade silver was discovered at Carbonate, the trail became known as The Carbonate Trail.
 17. Sacred sites in the area and their locations are classified and protected under provisions of the National Historic Preservation Act as amended in 1992. Staff archaeologists for the White River National Forest consider that information to be Ute intellectual property. For a general overview of contemporary Indian attitudes towards preserving their sacred landscapes, see Andrew Gulliford, *Sacred Objects and Sacred Places: Preserving Tribal Traditions* (University Press of Colorado, 2000).
 18. See Steward, *Aboriginal and Historical Groups of the Ute Indians of Utah* and Floyd A. O'Neil and John D. Sylvester, eds. *Ute People: An Historical Study* (Salt Lake City: University of Utah, 1970).
 19. See Charles S. Marsh, *People of the Shining Mountains* (Boulder: Pruett Publishing, 1982) and Jan Petit, *Utes: %Mountain People* (Boulder: Johnson Books, 1990). For an excellent look at Ute oral tradition see Anne M. Smith, *Ute Tales* (Salt Lake City: University of Utah Press, 1992).
 20. See Jon Klusmire, "Ute Indians return to their homeland," *High Country News*, May 17, 1993. Extensive coverage of Ute research into their sacred sites, done in connection with Heritage Resources Manager Bill Kight of the White River National Forest,

INTRODUCTION

has been described by Nan Johnson of the **Glenwood Springs, Colorado *Glenwood Post***. See Nan Johnson, "On the Ute Trail: History is being preserved," *Glenwood Post*, August 30, 1989; "In search of . . . the Ute Trail," *Glenwood Post*, September 3, 1993; and "In the cradle of the wilderness," *Glenwood Post*, August 22, 1997.

21. Arthur **Carhart** Papers, Series 2, Manuscripts, Box 2:100; Folder 2 biography "This Way to Wilderness," p. 65-66. **Western History/Genealogy**, Denver Public Library, Conservation Collection.
22. Ibid.
23. Patricia Limerick "Haunted America," in Drex Brooks, *Sweet Medicine: Sites of Indian Massacres, Battlefields, and Treaties* (Albuquerque: University of New Mexico Press, 1995), 120 and 125.