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Memorial of the Legislative Assembly, Territory of New Mexico, in favor of locating the reservation stipulated by the treaty with the Utah Indians in the region of the San Juan River, and remonstrating against its location elsewhere in said territory.

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MEMORIAL

OF THE

LEGISLATIVE ASSEMBLY, TERRITORY OF NEW MEXICO,

IN FAVOR OF

Locating the reservation stipulated by the treaty with the Utah Indians in the region of the San Juan River, and remonstrating against its location elsewhere in said Territory.

MARCH 25, 1870.—Referred to the Committee on Indian Affairs and ordered to be printed.

To the Senate and House of Representatives of the United States in general Congress assembled.

Your memorialists, the legislative assembly of the Territory of New Mexico, respectfully but urgently call your attention to the following facts and condition of affairs:

Some eighteen months since, the government concluded a treaty with the authorized representatives of the Utah tribe of Indians, according to which these natives agreed to settle upon a reservation located in the region of the San Juan River, with the agency on the river de los Pinos, and stipulating that the Indians should receive a certain quantity of goods, agricultural implements, &c., necessaries, corn-mills, saw-mills, and other useful articles.

The most powerful and important bands of the Utah nation are those of the Capotes and Wemenuches, who allege that they never consented to such treaty, and declare that it is fraudulent and without effect.

The buildings intended for the agency and the mills have already been erected at great cost to the government upon a small tributary of the river Cochetope and distant at least one hundred leagues from the river de los Pinos, upon which, according to the stipulations of the treaty, the agency was to be situated. Further, in regard to the supply of sheep and cows to be furnished for the use of the Indians, they have great cause for complaint, as up to this present day not a single one has been delivered to them.

In view of all these facts the Utahs positively refuse to settle upon the reservation at the place now designated, but demand that the same shall be located on the river de los Pinos, as is positively specified in the treaty and which is in the midst of their ancient hunting grounds, and they declare that they will oppose, with arms in their hands, any proceeding whatever that is made to compel them to settle on the reservation on the river Cochetope.

Considering that these two bands of the great Utah tribe have always lived on our frontier and have been a most powerful ally of our border population, obstructing the hostile invasions of the barbarous savages, we therefore ask and trust that some steps will be taken to prevent these

bands from being exiled from their present abodes and hunting grounds as if such removal should be attempted, it would be not only an infraction of the stipulations of the treaty, but would furnish cause for a lasting and bloody war, which, whatever be the result, would involve the plunder and destruction of our frontier settlements, as the Utahs are a numerous and formidable nation, and retiring within their mountains can carry on a war for years. Now they are at peace and commit no depredations whatever upon the lives or property of our people, but, on the contrary, are regarded by the whites as a wall of protection against the forays of the Navajoes and other barbarous Indians; so that of all the frontiers of our Territory there is no part that is so secure as that adjoining the Utahs.

And your memorialists humbly ask that you will take into consideration these facts and circumstances, and that you will annul wholly the said treaty or cause the said reservation to be located where it was fixed by the treaty, and thus avoid for the good people of this Territory the sad evils that must surely result from a war with so powerful an Indian nation.

Resolved, That the honorable secretary of the Territory be required to furnish a copy of this memorial to the President of the United States, to the President of the Senate, to the Speaker of the House of Representatives, and to the delegate from the Territory of New Mexico.

NICOLAS PINO,
President of the Council.
GREGORIO N. OTERO,
Speaker of the House.

Approved January 24, 1870.

WM. A. PILE, *Governor.*

SECRETARY'S OFFICE,
TERRITORY OF NEW MEXICO,
Santa Fe, March 12, 1870.

I, Henry Wetter, secretary of the Territory of New Mexico, do hereby certify that the above and foregoing is a true and correct copy of the official translation of the memorial passed by the legislature of the Territory of New Mexico, on file in my office.

In testimony whereof, I have hereunto set my hand and affixed my seal of office the day and year first above written.

[SEAL.]

H. WETTER,
Secretary Territory New Mexico.