Pima-Maricopa Irrigation Project
Education Initiative

Restoring water to ensure the continuity of the Akimel O'otham and Pee Posh tradition of agriculture

The Debate on Removal: 1874-1879

Part 8

Special Indian Agent John Stout was convinced that the Akimel O'otham and Pee Posh were willing to immigrate to the Indian Territory in 1874. Nonetheless, Commissioner of Indian Affairs Edward Smith cautioned Secretary of the Interior Columbus Delano that he had yet to secure the consent of the agricultural tribes to remove. He informed Delano that other removals had been effected through military force or generally affected Indian nations residing in states bordering the Indian Territory. Smith concluded by informing Delano that prospects for removing the Indians were "not encouraging."

With the question of removal temporarily laid to rest, Smith proposed the United States either recognize Akimel O'otham and Pee Posh water rights or relocate them to the Colorado River Indian Reservation in western Arizona. O'otham consent and adequate compensation for their existing lands would be necessary so that the Indians could be "comfortably" established on the Colorado River Reservation.

The abundance of rain that fell in Arizona during the winter of 1873-1874 was short lived. Winter rains the following year did not come and, by June of 1875, water in the Gila River slowed to a trickle. Within a month the river again was dry. Upstream diversions continued, but diversions were now made for new a purpose: the discovery of high-grade copper near present-day Clifton and Morenci. Water for mining purposes was compounding the crisis.

Diminished rainfall between 1875 and 1883 added to the hardships of the Akimel O'otham and Pee Posh farmers. By 1876, more than 200 Indian families were living in the Blackwater district east of the then-existing reservation. Commissioner of Indian Affairs John Smith was encouraged to add the Blackwater district to the reservation as the "easiest solution of the vexed question of water supply." That the recommendation was seen as a temporary solution is evident from Smith's belief that the Indians would be removed to the Indian Territory in due time. In the meantime, the Interior Department attached the 9,000-acre Blackwater district to the main Pima Reservation, in August of 1876. While protecting the Akimel O'otham in the east, it did nothing for the Pee Posh in the west. Consequently, Chief Juan Cheveria moved Bone Standing Village to the Salt River, well off the main reservation.

Despite limited rainfall and increased upstream diversions, the Akimel O'otham and Pee Posh farmers grew an "excellent article of wheat" on more than 7,000 acres of land using a diminished supply of surface water from the Gila River. The summer of 1877, however, proved to be the warmest and driest in decades. Writing in August, Stout lamented that it was too late for rain to help the crops. "What has been planted has already dried up," he noted, "and the Indians will make no further attempt this season." As the drought worsened, Stout sought permission to take a dozen or so of the "best practical farmers" to examine the Colorado River Reservation. In the meantime, 500 Akimel O'otham men were supporting themselves in the Salt River Valley. When settlers demanded their return to the reservation, Stout refused, noting it would result in "great suffering." Instead, Stout asked the Commissioner why the Indians could not settle on unclaimed land based on an 1875 law that extended homesteading rights to American Indians.

When the winter rains failed again, in 1878, most of the Akimel O'otham crowded onto the eastern end of the reservation while the rest sought permission to move to the Salt River Valley. Stout told new Indian Commissioner Ezra Hayt that unless the government was prepared to spend $25,000 to

feed nearly 1,500 Indians it had better approve of the move. “They do not wish to become dependent,” he stressed to Hayt. “If they are but given a chance” they could remain self-sufficient.

Hayt’s appointment as commissioner brought new life into the issue of removal. The new commissioner recommended the immediate removal of all Indian nations in the Southwest. He based his views on the fact that the cost of feeding Indians in Arizona exceeded one million dollars between 1874-1876—“without any corresponding improvement to their welfare or civilization.” In Hayt’s mind, Indians were “uneasy and restless,” constantly “moving about.” The only remedy was the immediate removal of all Indians to the Indian Territory. There, they could be “fed and clothed” and *taught* to become “self-supporting.” But, more than anything else, Hayt sought to reduce the number of Indian agencies and the expense of feeding and maintaining the Indians. The sale of land after the removal of the Akimel O’otham and Pee Posh would, Hayt believed, relieve the government of any expense associated with their removal. Stout meantime, continued to pressure the Indian leaders to remove. The Arizona territorial legislature even petitioned Congress to remove the Akimel O’otham and Pee Posh from the Salt River Valley.

In the spring of 1878, Hayt sent Indian Inspector E.C. Watkins to look into complaints on the Pima Reservation. After reviewing the situation, Watkins concluded that to confine “these Indians to their reservation, would, under existing circumstances, be an act of inhumanity.” Removal was the only humane solution. Watkins suggested taking 1,000 or more of the leading members of the two farming tribes and leave the rest to follow on their own. Hayt opposed removing the two tribes to the Colorado River Reservation and agreed with Watkins. He then asked Congress to enact legislation to remove the Akimel O’otham and Pee Posh to the Indian Territory.

That same month, Stout held a council with Akimel O’otham and Pee Posh leaders, hoping to secure their consent to immediately remove. The time for a “solution” to the water crisis had arrived. Half of the 5,000 Indians were now living off the reservation. Still, the chiefs were hesitant. While they agreed that two or three tribal members could “prospect” the Indian Territory, they were not yet ready to emigrate. Hayt, meanwhile, agreed to arrange transportation for several members to examine the territory, pending a special appropriation by Congress.

Many Akimel O’otham and Pee Posh did not “take kindly” to the idea of leaving their homelands. Moreover, some of them occupied large tracts of land in the Salt River Valley. For these, Stout recommended that Hayt individually allot them land off the reservation. “They are in danger of losing [their farms],” Stout noted, “for as these lands become valuable by cultivation, they are coveted by the white man.” With government protection of their lands, Stout believed the Indians in the Salt River Valley “could maintain their independence until such time as they could be removed to the Indian Territory.”

By the summer of 1878, removal was viewed as the only way to protect the Akimel O’otham and Pee Posh. “If the white settlements East of this reserve increase in the next few years as they have in the past,” Stout warned Hayt, “it [the reservation] will never again support the Indians.” The following year, the Board of Indian Commissioners, fearing Indian opposition would stop removal, recommended allotting reservation lands. Stout meanwhile, sought to protect the lands of the O’otham and Pee Posh in the Salt River Valley, suggesting that the government set aside a reservation—“temporary or otherwise”—southwest of Ft. McDowell.

As the crisis deepened, Stout asked the U.S. Army to intervene and prevent violence between the settlers and the Akimel O’otham and Pee Posh. General William Tecumseh Sherman dispatched Major General Irvin McDowell to protect the Indians against “violent actions on the part of the settlers.” McDowell also recommended the establishment of another reservation in the Salt River Valley, something President Hayes did in 1879. Through an Executive Order, the President not only set aside the Salt River Reservation, but he also added 32,100 acres to the main “Pima” Reservation, protecting the villages of Sacate and Maricopa Colony. Despite additional land, the Akimel O’otham continued to suffer from a shortage of surface water. During the summer of 1879, Indian Inspector

William Hammond reported that the river was again dry. "(E)ven the increased reservation will not prevent suffering," he wrote, "because the laws of the Territory give the water to the oldest ditch. There is no water for the old Indian ditches."

Not until the winter of 1878 did Congress consider the removal of the Akimel O'otham and Pee Posh (and, more generally, the removal of all Indian nations from the Southwest). Representatives from states bordering the Indian Territory, however, opposed removal, believing it would only "give us trouble." In the end, Congress prohibited the removal of any Indian nation from Arizona and New Mexico. In February of 1879 a bill prohibiting removal became law. The proposed removal of the Akimel O'otham and Pee Posh came to an official end.

Secretary of the Interior Carl Schurz acknowledged that removal was a failed policy. He conceded that justice and humanity demanded that the Indians' attachment to their homelands be respected. Moreover, Schurz realized that the growing tide of white settlers prohibited the setting aside of large territories for Indians. Thus, he recommended that the government abandon the policy of "consolidating reservations." With that admission, President Chester Arthur added lands south and west of the Gila River to the reservation in 1882 and then more than doubled the size of the reservation with an Executive Order in 1883. Despite adding much-needed land, it was water that the Akimel O'otham and Pee Posh needed. As allotment took center stage, Indian water rights were ignored. Forty years of famine for the Akimel O'otham and Pee Posh were about to begin.

Teacher Plan for "The Debate on Removal: 1874-1879"

Terms to know and understand

- Blackwater district
- Drought
- Dependent
- Self-Sufficient
- Homesteading

Objectives

Student will be able to:

1. Describe the general chronology regarding debate on removing the Akimel O'otham and Pee Posh.
2. Synthesize 19th century federal policies to end tribal relations with the federal government's failure to protect Pima water rights.

Critical Thinking:

- An 1875 law made the provisions of the Homestead Act applicable to American Indians who left their tribal relationship. Why might Congress have done this?
- If Congress had consented to removing the Akimel O'otham and Pee Posh, in 1878, it is likely that most—if not all—of the tribal members would have been sent to Indian Territory. Why did Congress believe it had the authority to do this?

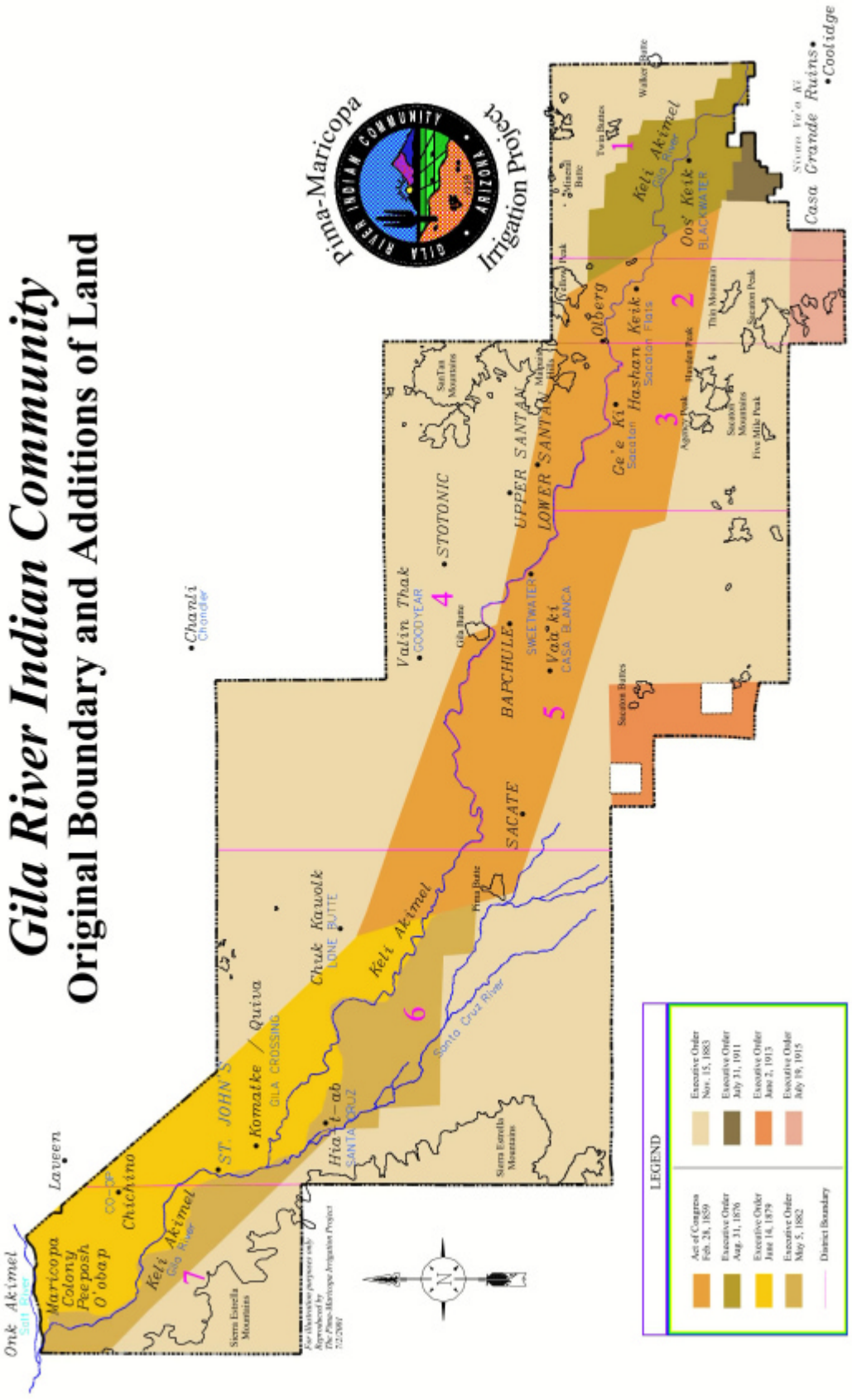
Background

- Removal (and the consolidation of many reservations into fewer reservations) gained new support in the latter 1870s. At the same time, Congress was hesitant to authorize the removal of Indian nations because of several highly publicized failed removals during the decade. The Ponca, for example, had been forced to remove to the Indian Territory, in 1877, whereupon nearly one-quarter of their people died. In 1878, Chief Standing Bear attempted to lead his people home to Nebraska. Captured and imprisoned at Fort Robinson, the peaceful Ponca were to be returned to the Indian Territory. General George Crook, ordered to take Standing Bear and his people back, was secretly sympathetic to the Ponca cause. In the landmark *Standing Bear vs. Crook* federal court ruling, the Ponca—and all American Indians—were for the first time in the history of the United States considered to be "persons" under the U.S. Constitution. As persons, they were entitled to the rights and protections of the Constitution, even though they were not yet citizens.
- In the latter 1870s, the United States considered removing other Indian nations to the Indian Territory. Some were actually removed (the Nez Perce from Washington/Oregon and the Modoc from California), while some were not (the Sioux and Cheyenne on the Northern Plains). In the 1880s, some of the Ute from Colorado were "consolidated" onto smaller reservations to open up former Ute land west of the Rocky Mountains to mineral development. Throughout the latter 19th and into the early 20th centuries, a number of Indian nations were consolidated onto smaller reservations and lost land for mineral or agricultural development.

About P-MIP

The Pima-Maricopa Irrigation Project is authorized by the Gila River Indian Community to construct all irrigation systems for the Community. When fully completed, P-MIP will provide irrigation for 146,330 acres of farmland. P-MIP is dedicated to three long-range goals:

- Restoring water to the Akimel O'otham and Pee Posh.
- Putting Akimel O'otham and Pee Posh rights to the use of water to beneficial use.
- Demonstrating and exercising sound management to ensure continuity of the Community's traditional economy of agriculture.


Gila River Indian Community
Original Boundary and Additions of Land
Pima-Maricopa Irrigation Project
GILA RIVER INDIAN COMMUNITY
ARIZONA
Onk Akimel
Salt River
Laveen
Maricopa Colony
Peeposh
O'obap
Chichino
CO-DF
Keli Akimel
Gila River
ST. JOHN'S
Komatke / Quiva
GILA CROSSING
Chuk Kawolk
LONE BUTTE
Keli Akimel
Hia'i-ab
SANTA CRUZ
Santo Cruz River
Sierra Estrella Mountains
Chandler
Valin Thak
GOODYEAR
STOTONIC
BAPCHULE
SACATE
UPPER SANTAN
LOWER SANTAN
SWEETWATER
Vaa'ki
CASA BLANCA
Ge'e Ki
Sacaton Hash
Sacaton Flats
Keik
Oos' Keik
BLACKWATER
Olberg
Keli Akimel
Gila River
Twin Buttes
Walker Butte
Sacaton Buttes
Gila Butte
Pima Butte
Santan Mountains
Sacaton Mountains
Thin Mountain
Sacaton Peak
Hayden Peak
Agency Peak
Five Mile Peak
Casa Grande Ruins
Coolidge
1
2
3
4
5
6
7
LEGEND
Act of Congress Feb. 28, 1859
Executive Order Aug. 31, 1876
Executive Order June 14, 1879
Executive Order May 5, 1882
Executive Order Nov. 15, 1883
Executive Order July 31, 1911
Executive Order June 2, 1913
Executive Order July 19, 1915
District Boundary
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