

Pima-Maricopa Irrigation Project

Education Initiative



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

The Pima’s Appeal for Justice

Part 20

In the spring of 1908, Hugh Patten and Lewis Nelson, members of the Pima tribe, traveled to Washington DC to protest the land and irrigation scheme being touted by the Indian Service. Interior Secretary James Garfield agreed that it did not “seem to be wise” to allot the reservation at the time but that a “temporary provision” should be made to allow the Pima to farm their lands “by communities or families under existing conditions.” When the irrigation system was completed, Garfield noted, then permanent allotments could be given.

The Pima and Maricopa stood on a precipice in 1908, fearing not only the loss of 180,000 acres of their land but also their rights to the low water flow of the Gila River. Fearing land and water loss, nine Pima chiefs sent a petition to the Indian Rights Association seeking its “assistance on behalf of our people.” Within their petition, the leading Pima men declared their steadfast opposition to being “moved from our homes,” seeking instead to have “water supplied to our farms as they are at present situated.” They also demanded that their rights to the “natural low-water mark flow” of the Gila River—or as much “as we were accustomed before it was all stolen from us”—be protected. Having no confidence in the wells then being sunk in Santan, the men begged the government to “order no more wells” sunk at Santan. In short, the men wanted “gravity water,” preferably through the proposed San Carlos Reservoir.

As important, the chiefs requested that a representative of the United States Government “confer with us ... to examine the conditions pertaining to land and water on this reservation.” To date, Head Chief Antonito Azul and Sacaton Flats Chief John Hays informed the Association, “we have had no voice in the matter at all,” having been “continually overreached by Engineer W.H. Code, who has attempted to force a system of irrigation upon us.” The leaders opposed well water “because we and our ancestors have irrigated this land for centuries and know what the requirements of the land are.” They also clearly understood that the Indian Office had bowed to political pressure and had refused to protect their rights to the waters of the Gila River. Seeing no other option, these men appealed directly to the United States Congress and the American people for the protection of their rights.

On December 16, 1911, Antonito Azul wrote an open letter to the Congress.

“Some 20 years ago and all the time before that date,” Azul began, “we, the Pimas, had all the water needed to irrigate our farms, and we had no difficulty in making our living. Since that time, unless the rainfall was great, we have had to suffer more or less for the necessities of life....

“After [President William] McKinley’s death the Indian engineer [William Code] and whites of the Salt River Valley persuaded our Government to build the Tonto (also called the Roosevelt) Reservoir at a great cost. They also persuaded the Government to build electric power pumping plants, at a great cost, in order to supply the Indians with worse than worthless well water. The Pimas knew what this alkali water would do to their farms. They also had much of the water analyzed, and sent two men to Washington, but the Indian Office and the Reclamation Service refused to listen to them. The inspectors sent by the Government would not listen to our people....

“To expend about \$540,000 on worthless pumps and well water is probably a scheme which those who engineered it do not wish to be reminded of. And the great Gila River, with its fine life-giving water, is just as willing to discharge it on the lands as to send it to the ocean,

thus making thousands of happy homes for us Pimas and for the whites besides at a small expense to the Government, which years ago was the steadfast friend of the Pimas.”

On December 29, 1911, Azul, with the aide of the Indian Rights Association, penned “An Appeal for Justice—The Pima Indians of Arizona Appeal to Congress and the People of the United States for Redress of their Wrongs.” This petition circulated throughout Congress and among eastern philanthropists, many of whom wished to do something on behalf of the “Indian cause.”

“At the coming of the white men, and we know not how many ages before, the Pima and Papago Indians owned and inhabited the country north of the Mexican line and including the valleys of the Gila and Salt Rivers. These two tribes spoke the same language, but the Pima (river people) were engaged in mainly agriculture while the Papago (desert people) depended mainly on stock raising for a living....

“[In 1902] J.B. Alexander took charge of our agency, and from the very first he seemed to place himself across the Pimas’ path, between him and his river water. So far as we know he never tried in any way to secure river water for us. During Alexander’s administration [men] were sent up the Gila River to get the names of the white people who were taking water from the river above the reservation....

“No benefit came to the Pimas from all this. Along about this time W.H. Code was appointed irrigation engineer for the Indians. We have not the papers to show just what the speculators and politicians of the Salt River Valley had to do with the appointments of Agent Alexander and Engineer Code, but the events which followed speak loudly. Before these men came on the scene, Government engineers ... had recommended the San Carlos Reservoir site as the best in this part of the country. But some time between August 15, 1902 and July 25, 1903, it seems a reservoir was decided upon for the Salt River Valley instead of the Gila River Valley. The Pimas were told that much of their reservation could be irrigated from the Salt River Reservoir, and Alexander and Code at once began talking of underground water for the Indians. To this the Indians objected, as they had seen the bad effect of seepage water on their fields and knew the well water was not good for irrigation like the Gila River water. In their trouble the Pimas went to their old missionary, Dr. [Charles] Cook, and told him of their experience with seepage water. He listened to them, visited their fields, and helped them to secure samples of well water for analysis....

“At one time, hearing that the Pimas were to send some one to Washington to plead their case, Assistant Commissioner [of Indian Affairs] Tonner forbade any of them to leave the reservation, saying the Indian Office would look after their interests, etc....

“The correspondence between the Pimas (headed by the late chief Antonio Azul) and Commissioner [Francis] Leupp regarding well water for irrigation will throw some light on the situation. Also in a letter of December 23, 1907, signed by Secretary [James] Garfield, we find he states that ‘a competent and impartial board of engineers had decided against San Carlos,’ but we are not told the names of these competent engineers or we might have been better able to judge as to their impartiality than the Honorable Secretary. In the same letter we find the implication that we had sent analyses of water from stagnant pools. This was not true. Why did not the Government officials investigate and find the truth of the matter, which was that the water analyzed was from wells in constant use.

“Code and Alexander also tried to get our missionary friend, Rev. C.H. Cook, to side with them against us. For a while Alexander taught a Sunday school class and advised employees to attend church, etc., as a good Presbyterian. Code visited Dr. Cook as a friend, and in the course of conversation asked if he did not think the east end of the reservation enough for the Indians, leaving the west end—the best part, and that near the ranch of some 18,000 acres belonging to Code’s friend and business associate, [Dr. A.J.] Chandler—for the white people. He said, ‘No: I think the Indians need all the land they have.’ Since then Code and Alexander

have disliked Dr. Cook. And so things went on. The Indians were not allowed to meet with and talk to Government officials who came to our reservation. Alexander and Code went on talking of the fine underground water and pumps, and Code recommended that 180,000 acres of our reservation lands be sold to pay for pumping plants. He never told what he knew—that the white men’s pumping plants have all been failures in this part of the country, except for speculation. Also that no white man on the place would take the great Sacaton School pumping plant and farm watered by it as a gift if he had to keep and run it; that this land, at first better than most, is fast becoming worthless; even the farmer who helped Alexander rob the Government ... stat[ed] that the well water is ruining the school farm at Sacaton.

“While concocting this scheme to make us pay over a half million dollars for about nine wells—only seven of them yet in running order—Code and Alexander never tell of our right to good river water without expense. The money already spent for ‘relief’ and on the wells, all of which has been thrown away or stolen by rogues, would have nearly built the San Carlos Dam, but this would put an end to the use of the Pimas’ need of water as a means of graft and an end to the hope of speculators of securing the Indian lands for themselves; and end also to the hope of the Southern Pacific Railroad of securing control of the Gila River through possession of the Box Canyon (San Carlos Reservoir site), and thus virtually securing control of all the irrigable land in the Gila Valley....

“In May, 1911, an order came from the Indian Office to allot all the Indians 10 acres to a family at Santan under the wells on a small corner of the reservation where there are perhaps, 5,000 acres that have been cultivated. The pumps were not finished. No knowledge had been gained to show the well water safe for use on the land. The pump at Sacaton, drawing water from six wells, with difficulty irrigated much less than 300 acres. We have no reason to think any one of the Santan wells would do better, if as well, and we must pay for installing the system as well as running expenses, wear of machinery, besides the \$500,000 or more contracted to be paid to the Salt River Valley Waters Users’ Association on account of the construction of the Roosevelt irrigation project. When this order for removal came so that the grafters could pick the sugarplums from the other parts of the reservation after we had been dispossessed, we began again to send more protests and petitions to Washington. At last, in October 1911, Commissioner [Robert] Valentine visited us at our earnest request, listened to our case, examined into the facts, and ... found what we had to say was true. This was the first time in all these years that a Government official has given us a chance to state our case. We looked for relief when the commissioner returned to Washington, but now we hear that instead of listening to the report of an honest man, some officials are trying to force Valentine out of the service because he stands for the right.

“The Pimas are still at the mercy of a temporary superintendent, who seems to be controlled by the dismissed J.B. Alexander. Employees are given to understand they need not look for favor or promotion if they side with the Pimas in their struggle for their land and water rights.... Can the United States Congress and the people of the country, whose money has been squandered by the rogues who robbed us, come to our aid?”

The Pima appeal for justice had an important impact on Congress. Together with the personal appeal made by Patten and Nelson, and Valentine’s visit to the reservation in 1911, Congress agreed to suspend all irrigation work until an investigation could be conducted. This investigation was conducted in 1912 and resulted in the resignation of William Code and the protection of all the land within the reservation. While no direct evidence incriminated Dr. Chandler, a mountain of circumstantial evidence painted a clear picture of what he and Code, Newell and Hill attempted to do. The investigation also helped lend credence to the necessity of building Coolidge Dam and protecting Pima rights to the water of the Gila River and its tributaries.

Teacher Plan for “The Pima’s Appeal for Justice”

Terms to know and understand

- Precipice
- Alkali
- Philanthropist
- Dispossessed
- Impartial
- Sugarplums

Critical Thinking:

- Many United States Indian Agents failed to protect the interests of the Indians. On the Pima Reservation both Levi Ruggles (founder of Florence) and Ammi White (founder of Adamsville) speculated in Pima land and cornered the Pima wheat market in the 1860s. In 1902, John B. Alexander also failed to protect Pima land and water resources (eventually being removed in 1911 for defrauding the United States and Gila River Indian Community out of money and resources). What made it seemingly so easy for these (and other) Indian agents to take advantage of their positions? What did they have to gain? What did they have to lose?

Activities

- Read the Pima Appeal for Justice. What evidence is there in the reading that suggests that the Indian Rights Association helped write the appeal? Who would benefit from the storage of water in the San Carlos Reservoir according to this appeal?
- The United States Indian Office did many things in secret a hundred years ago. Since the Pima and Maricopa were not yet American citizens (US citizenship was not granted until 1924—with Arizona citizenship not recognized until 1948), was it okay that they were not consulted as to the activities affecting their rights to land and water resources?
- Both Commissioner Francis Leupp (1901-1909) and Robert Valentine (1909-1912) believed the Pima had lost their rights to the water of the Gila River simply because non-Indians further upstream had put the water to beneficial use. How might this opinion have influenced their thinking in terms of the scheme occurring at Gila River during the early 1900s? Does this make either of them any less responsible for their actions?

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 up to 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.

Students will be able to:

1. Read and explain the purpose behind Antonito Azul’s Appeal for Justice.
2. Identify and describe reasons for Pima opposition to well water.

Objectives