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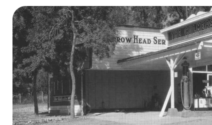

**The Arrowhead Trails Hig**

# "Redeeming" the Indian: The Enslavement of Indian Children in New Mexico and Utah

BY SONDRA JONES

FROM THE DAY CHRISTOPHER COLUMBUS carried Indian slaves back to Spain after his first voyage of discovery, Europeans saw the enslavement of American Indians both as a profitable enterprise and—for the Spanish, particularly—as a means of bringing vast numbers of souls to Christ In the New World itself, traffic in captives was already an ingrained tradition among the Indians; not only did the earliest Europeans witness the use and abuse of war captives by the various tribes, they also saw that systematic raiding and warfare were integral parts of the "harvesting" of such menials.1 Europeans were quick to follow suit After all, a similar tradition already existed in Europe, where both Christians and Muslims virtually enslaved prisoners of war during the Mediterranean wars. Aristotle himself had declared that "persons whose customs were barbarous were natural slaves."2 Slavery—considered a humanitarian alternative to the outright slaughter of a conquered people—was an enterprise that was both punitive and profitable It was also an excellent tool for converting the heathen—or so the Pope had decreed. As this doctrine was pragmatically extended to the New World by profit-seeking Spanish conquistadors, Spain eagerly embraced the enslavement and forcible conversion of Indians as integral to its conquest of the New World. Many in Spain considered it "providential" that the discovery of America provided a "fresh supply of infidels"just as the country was completing the conquest and expulsion of the Spanish Moors in 1492.3 Consequently, missionaries were, by royal edict, a requisite part of every conquistadorial enterprise, and an active attempt was made to convert, civilize, and incorporate Indian laborers into the fabric of New Spain's social and economic structure. The political descendants of the Spanish, the Mexicans, continued in this tradition, finding that they had grown accustomed to and dependent on Indian labor

Compulsory Indian labor became pervasive and institutionalized in New Spain. Indian conquests who had survived the decimation of disease were heavily exploited in a series of regulated and unregulated systems.4 Although explicit laws against Indian chattel slavery had been passed by 1589, the gathering of Indian slaves continued, and Indian labor systems were as often abused as were the Indian laborers themselves. It was difficult to regulate the practice of forced Indian servitude—especially far from the seat of government. Few local government officials cared about the laws or wanted to enforce them, since they themselves usually profited from the work of Indian captives.5 It was also difficult to control the practice where there was a great need for laborers, not only in mines but also in agriculture and domestic situations. Life was hard on the remote frontiers, and disease often claimed many of the family members who might otherwise have helped farm the land, herd the livestock, or work around the house. A shortage of labor, then, helped create a ready and ongoing black market for the Indian children who became a particular target of northern New Spain's slave traders.

Spaniards in the frontier settlements along the Rio Grande (today, New Mexico) acquired some of their captives through sanctioned and unsanctioned raiding expeditions against hostile tribes such as the Apache and Navajo. Other captives were purchased from Indian slavers such as the Utes and their cousin Comanches at annual trade fairs in Taos or Abiquiu or at established trade rendezvous. Captives obtained by the upper Rio Grande settlements met local labor needs and also supplied labor for the mines of northern Mexico.6

Most of the trade was reprehensible. Captives were usually taken violently in brutal raids in which their parents and relatives were killed Even "peaceful" trade was conducted under the threat of reprisals against those who refused to sell their children.7 Indian captors could be callous and cruel, and Mexican traders sometimes trailed children like animals for sale. Eyewitnesses in New Mexico reported seeing young girls raped on the public square by their Indian captors before they were sold at trade fairs.8 In Utah—long a rendezvous area for the Utes and their Mexican trading partners—observers gave abundant testimony concerning the poor treatment of captive children. These human wares were often abused, neglected, and starved by their Indian captors until they were "so emaciated they were not able to stand upon their feet"; according to observers, they were sometimes tied naked in the snow with bonds so tight their hands became swollen, tortured for revenge or amusement, or killed outright when they became a nuisance.9

However, once they were transported to New Mexico and purchased into Hispanic homes, the treatment of young captives was almost always good. While adult captives generally underwent a period of "domestication"—meaning corrective, disciplinary abuse—before they were considered good servants,10 most children, being tractable, were well-treated by their new owners. Indeed, most who purchased Indian children seemed to consider them to be foster children, and they were reared as such.11

Children were not always stolen; some were sold to non-Indians by their own parents or relatives, particularly on the frontier, where Indians and settlers lived in close proximity Some Indian parents bartered away their children because they saw better opportunities for them in the more prosperous non-Indian homes; such children might be sent off with the admonition to learn much and return to their people later. Others were traded because they were simply a profitable and expendable commodity, because they were orphans and their relatives did not want to be bothered with them, or because their families suffered extreme poverty. This was sometimes the case with the Goshutes and the Paiutes, Shivwits, and Tonaquints of southwestern Utah and southern Nevada.12 One old Paiute in Utah noted that the tribe "could make more children but they had nothing else to trade for horses and guns." But even the wealthier Southern Utes of Colorado occasionally bartered their children to Spanish/Mexican settlers; Chief Ignacio was said to have traded a son for a horse, and the United States census and other investigatory reports of the

1860s show a number of Utes who had been acquired from other Utes being raised in southern Colorado's Mexican settlements.14

In Utah after 1847, Indian children were purchased from slavers and relatives, as they were in New Mexico However, unlike the Hispanics of New Mexico, most of Utah's Mormon settlers did not have a deeply entrenched tradition of compulsory labor and forcible conversion, and their initial motivation for purchasing Indian children was not for the purpose of raising bonded servants but to rescue them from their captors. However, Mormons were familiar with indentured labor, which was an accepted practice in the states where Mormonism had its roots, and the concept of apprenticeship in order to learn a trade was well-established. Subsequent church expansion exposed Mormons to the volatile issue of slavery in controversial Missouri, and missionaries would soon bring southern slaveholders into the church as well. Slaveowners would be among the earliest Mormon pioneers, and black slaves were in the vanguard of settlers who first entered the valley of the Great Salt Lake in July 1847. By the early 1850s a number of settlers from the southern states and more than four dozen African-Americans—more than half of whom were slaves—lived in Utah.15

Thus, Mormons were not opposed to slavery per se, and when as part of the Compromise of 1850 Utah was made a territory and given the option to vote on the issue of slavery, its legislature and courts acknowledged the rights of slave-owning residents and simply passed laws regulating the black slavery that already existed within the territory. Utahns were also under the mistaken belief that Indian slavery was legal in the Mexican territories ceded to the United States after the Mexican war and therefore legal in the new territories unless specifically acted upon. Indeed, Seth Blair, a southerner and the prosecuting attorney in a precedent-setting trial of Mexican traders in 1851-52, made a motion that the state pay the court costs by selling the Indian captives who had been confiscated and used as evidence in the trial.16 However, neither the court nor the legislature was willing to condone Indian slavery, even though the territory was willing to accommodate those who owned African-American slaves. Thus, the legislature passed laws against Indian slavery in mid-January 1852 while establishing regulations for the legal indenturing of Indian children to compensate Utahns who would continue to purchase them.17

Conversely, New Mexico, in an attempt to politically distance itself from the slave state of Texas, took legislative and constitutional stands against black slavery as early as 1848 and only wrote its own regulatory Black Codes in 1859 in response to the de facto extension of slavery throughout the territories with the Dred Scott decision.18 Thus, in an interesting and ironic twist of history, in Utah—where there was little compulsory labor of either African or Native Americans—both black slavery and bonded Indian servitude (indentures) were legal, while in New Mexico, where slave raids were endemic and the impressment of thousands of Indians into compulsory service was rampant, slavery of any kind was technically illegal. However, in spite of such differences, both territories responded to the availability of Indian children for sale by developing similar systems for acquiring and placing these children into homes where they could, in an almost identical system of acculturation, be raised, educated, catechized, and worked alongside other family children. Thus fostered, they could also be converted to the Christianity and cultures represented in each territory, one a Britishbased Protestantism, the other an Hispanic Catholicism.

When the first Mormon pioneers arrived in the Great Salt Lake Valley, they brought with them a burning sense of destiny: a belief that God had given them the western lands they would be subduing and had also given them the explicit mission of redeeming the Indians they found there and whom they considered to be the "fallen" descendants of a refugee branch of the tribes of Israel.19 Their patience with the Indians they found in Utah was sorely tried, however, when they discovered themselves unwilling participants in the well-established slave trade. As the new settlements were laid out almost on top of the traditional trade routes that had serviced the frontier Mexican market, Indian

slavers saw the Mormons as a new, more convenient market. But the trade depleted the settlers' own limited stores, and they were disgusted by the practice itself. Not only did they abhor the cruel way that the Indians tended to treat the captive children but they also disliked the idea that the children might be sold into a condition "worse than African Bondage" with "beings scarcely superior to [the Indians]"—Catholic Mexicans.20 Additionally, the ongoing raiding perpetuated the intertribal warfare that endangered Mormon alliances with different tribes, threatened isolated settlements, and decimated and made timid the weaker tribes to which the Mormons hoped to send religious and agricultural missionaries.

In 1851-52 the new territory found a legal means of halting Mexican trade by invoking the newly extended 1834 Trade and Intercourse laws regulating trade with the Indians and using them against the Mexican slavers. But although they could forcibly expel the Mexican traders, Mormons were left with the Indian half of the trade. In May 1851 Brigham Young had already begun to urge his people to purchase Indian children, not only to redeem them from an abusive captivity and prevent their sale to Mexicans but also to raise them in "civilized," Christian Mormon homes. This, he felt, would be the most effective means of converting and raising up a "righteous" generation of Indians.21

It was, of course, not a new idea The difficulties of converting sedentary Indians, let alone "wild," nomadic ones, had been encountered by the missionaries in Spanish and Mexican provinces long before Brigham Young's time. Unable to stop or completely control the practice of capturing and selling Indians into servitude, Catholic church officials had been quick tojustify the practice as the only "practicable method of civilizing and Christianizing wild Indians," since Indians, being "bestial" and "half-animal beings," needed to be "subjected to forced labor" and "be forced to learn productive labor."22 This forcible Christianization was considered a "pious doctrine against pagans and heathens." In any case, unbaptized, "wild" Indians had no rights in Spanish law, and like any conquered heathen or "foes of Christ," they could be—and were—sold into virtual slavery as prisoners of war, their time of servitude specified as a punishment.23

Subsequent Americans in New Mexico would continue to justify the enslavement of Indians with words familiar to apologists for black slavery. Bonded servitude, the argument went, benefited Indians because they were being civilized and converted to Christianity and were better cared for by paternalistic masters than they would be if left to struggle for survival in their native homes.24 United States government officials, for instance, were as quick to utilize Indian menials as their Mexican predecessors had been, and those who did not actually own Indian servants—and that was the majority—sanctioned or protected those who did. Even Indian agents owned Indian servants, and the Indian superintendent in New Mexico himself owned at least a half dozen.25

Although they attempted direct proselyting and agricultural missionary work, Utahns also came to agree that in the long run Indians were more likely to be "redeemed" through a modified form of child enslavement, with concomitant conversion and acculturation. Although the 1852 laws outlawed slavery, they formally legalized the trade in Indian children that Brigham Young had urged the year before by establishing an indenturing procedure so that Indian children were legally bound to a family, paying back their purchase price through labor until they were emancipated at their majority or after as long as twenty years. 26 Most children were taken into families and raised as foster children, and foster parents were expected to give the children the same clothing, education, work, and religious training that they gave their own children. However, as with any indenture, these children could be, and often were, traded and bartered between families And occasionally they were purchased and carried for trade into other communities. In a frontier environment where the laborintensive establishment of farms relied on the many hands in a family, Mormons found—as New Mexicans already had—that an additional child (or servant) could be a welcome addition.

Brigham Young wrote the Office of Indian Affairs that "very many children are taken into families and have all the usual facilities for education afforded other children."27 He saw the concept of indenturing these children as "purchasing them into freedom instead of slavery; . . . not the low, servile drudgery of Mexican slavery, . . . but where they could find that consideration pertaining not only to civilized, but humane and benevolent society."28

However, despite Brigham Young's prejudicial view of Mexican religion and culture—typical of mid-nineteenth-century America— Indian children purchased into homes in New Mexico were fostered in much the same manner as they were in Utah. The New Mexican legislature noted in 1866 that Indian captives raised in New Mexican homes were, "according to ancient custom . . . constituted as adopted children of the persons under whose control they are, and they are treated by them as members of their own legal family, and many of them are as such adopted, and married, and enjoy the same guaranties as the legitimate children." Another witness noted that the children sold by the traders were not slaves but were "adopted into the family of those who get them; are baptized and remain and trusted as one of the family—The head of the house standing as Godfather." One California man argued in court that he had purchased an Indian boy from New Mexican traders "with the sole object of adopting the boy as a son and teaching him the principles of the Catholic religion; that when he should attain legal age he should be free," while another man in New Mexico complained his Indian son had been forcibly taken from him by "emancipating" American authorities, although "I did not have the boy nor did I pretend to have him in captivity other than as an adopted son, whom I raised as such. My family has regarded him as such and he is considered himself an equal member of the family." Investigators into the practice in New Mexico in the 1850s and 1860s found that, while there was some abuse, most families did treat their Indian children well and that the children so raised often became very attached to their families and their families to them so that they were assimilated securely into the Mexican society The fact that most baptized children were noted in church records as adopted children rather than as servants indicates that the clergy expected them to be treated at least aswell as stepchildren or other fostered relatives.29

Spanish and then Mexican law had made Indian slavery as illegal in New Mexico Territory as it was in Utah Territory.30 Consequently, these Indian children—as well as older captives—were being sold into effectual indentures, although, as the witnesses were careful to note, there were no legislative laws regulating the practice in New Mexico as there came to be in Utah Territory; it was simply "ancient custom."31 Like the indentured, foster Indian children in Utah, these captives were working out the cost of their redemption, their "purchase" price—the theory being that they had been purchased out of captivity, although this fiction was applied to all captives, including those who had been stolen by their owners directly from their Indian families—and were to be eventually released or emancipated at their majority. Emancipation was also supposed to take place at marriage (most girls married at fourteen or fifteen, boys at eighteen to twenty), at the death of their godfathers, or, with older captives, after a certain number of years of labor.32

The treatment of Indian captives varied, of course, and the ideal was not always met in either Utah or New Mexico. Although Spanish/Mexican law did give rights of redress to Indian servants, Hispanic owners often abused fearful captives without giving them any recourse, found excuses to deny their marriage or emancipation, and left their religious and secular education incomplete However, abuses occurred in Utah as well There was occasional physical abuse, and census records show that, despite the educational requirement, foster Indian children were often not sent to school. Sally, the Shoshone girl purchased from Utes and raised in Brigham Young's home, learned domestic skills but was never taught to read or write. And Nicaagat, one of the White River Ute leaders in Colorado's infamous Meeker Massacre and Thornburgh Ambush in 1879, was a Goshute who, as a child, had been purchased by Mormons from Spanish slave traders As a young man he finally fled to the Utes to escape the ongoing beatings in his foster home.33

So what was the Mormons' purpose in purchasing Indian children?Juanita Brooks, who traced the histories of fostered Indian children in southern Utah communities, was of the opinion that the practice could only have occurred from altruistic motives—from an ardent desire to follow the prophet's advice to raise up a "righteous generation" of Indians by teaching them the Mormon version of Christianity. She felt that, while the "extra help given by the Indian child might pay for the expense of his board, . . . often [the children] were too young when adopted. Nothing short of religious fervor and a strong belief that these children were worth 'redeeming' could have prompted many of the adoptions."34

Yet, while no writers on Indian slavery in New Mexico would think of arguing that it was for altruistic or humanitarian reasons that Hispanics bought the children, their age at purchase and subsequent treatment (within the norms of the disparate cultures) were almost identical to those of their Utah peers. Obviously, the children in both territories must have had an inherent value in and of themselves, a value greater than their immediate cost and labor potential, given the fact that they were often bought so young and were so fragile, frequently dying of disease in their non-Indian homes.35

The reasons for acquiring Indian children, then, varied. In Utah it appears that the primary reasons were indeed to protect or redeem captives, convert young Indians to American culture and Mormon Christianity, and only incidentally to acquire additional members of the family or servants. Nevertheless, a few Mormons do appear to have acquired children in order to transport them to other areas for trade. For example, George A. Smith, one of the leaders of the first missionary expedition to southern Utah, advised at least one of the settlers there on how much to pay Indian slavers for a child; a short time later Smith saw the man with a child and subsequently heard that he was traveling north with another two children lashed to the back of a mule.36

On the other hand, in New Mexico the primary reason for purchasing Indians does appear to have been the acquisition of laborers, although the desire to acquire a child simply for the sake of having a child cannot be discounted Most households owned at least one Indian captive, and Indian children were common. That the practice wasjustified in terms of converting the children to "civilization" and to Catholic Christianity would appear to have been a secondary consideration, a means of explaining or defending a practice no one could—or wanted to—stop.

In Utah the practice of purchasing Indian children originated as a natural response of the Mormons who had inadvertently fallen into the midst of the trade However, as the missionary opportunities such purchases presented became quickly apparent, the Mormons went out of their way to not only emancipate children from both Utes and Mexican slavers but to actively seek out opportunities to barter for them themselves. George A. Smith, for example, was not offered, but himself asked for, a child in compensation for an ox an Indian had stolen and butchered. Others asked Indians to locate children for them One of the duties assigned to Mormon missionaries sent to work among the Indians was to "secure all the Indian children they could."37

The laws passed in Utah against the trade were directed at Mexican traders and were passed in hopes of shutting off the major slave market and bringing to a halt the Indian wars that were perpetuated by the slave raids. But in New Mexico just the opposite occurred. Spanish/Mexicans sometimes deliberately provoked not only intertribal warfare but also warfare between the settlements and the Indians for the very purpose of acquiring captives. Raids made in the name of military action justified the acquisition of captives who could be sold into the communities And individual, unofficial raids against Indian camps perpetuated ongoing hostilities.38

Another difference between the two territories lay in the use of adult Indian labor. While the treatment of Indian children sold and fostered by Mormon or Catholic parents was almost identical, the treatment of older captives was not. Although adult Indians (usually women or youths) were common booty in

military raids by the New Mexicans, Utahns did not purchase or take older captives—except occasionally to redeem them from captivity, or as temporary prisoners of war—and consequently did not generally practice the "domesticating" abuse considered necessary for "breaking" or "taming" such older captives.39

Perhaps the greatest difference between the captives in New Mexico and Utah, however, lay in their final disposition, once they had been raised and emancipated, and in their ultimate position within the society into which they had been adopted. In New Mexico there were thousands of Indians who had been detribalized, raised as "generic" Indians, acculturated, and Christianized. These Indians were known as genizaros—a displaced people without family and without roots, the progeny of parents of different nations Because of their numbers, certain social mechanisms fell into play to accommodate their existence. Considered of a lower class, these genizaros gravitated to each other and tended to form enclaves. In some cases, government intervention sought out and utilized such civilized Indians to settle frontier buffer communities against nomadic Indians, as was done in the villages of Abiquiu and Cubero Other genizaros became guides, soldiers, or interpreters Although the majority of these Indians remained lower-class citizens, it was possible for them to gain wealth and status, with some even reaching the vecino status of a tithepaying citizen or marrying non-Indians and joining themselves and their children to the dominant society.40

The most important aspect of the existence of the genizaros was the fact that they did exist, that there was a social niche into which acculturated Christian Indians could fit once they had left the bonds of their informal indentures It might not have been the ideal position, but it was a place for them to belong.41 Such was not the case in Utah The practice of taking Indian children and raising them was short-lived in Utah, and the number of such acculturated Indians who survived childhood diseases and reached adulthood was relatively small. Consequently, there was no social niche into which Mormon genizaros could fit. There was little need for the Indian guides, interpreters, or soldiers needed in New Mexico, nor was there a group of like-raced or like-minded Indians with whom they could associate.

Few fostered Indian children in Utah married. While some of the girls were able to find husbands as plural wives with white Mormon husbands, often this occurred only after strong ecclesiastical "encouragement" had been applied to the potential bridegroom, and even then the women were generally ill-received by their white sister-wives. Others eventually married traditional Indians and left the civilization and religion in which they had been raised Some so married because they had been encouraged to become missionaries among "their own kind."42 Such was the case with Sally Young, who was eventually badgered by Brigham Young into marrying the Pahvant chief Kanosh, a staunch ally of Young, because she would be a useful tool in civilizing and Christianizing him and his tribe.43

In other cases women simply found Indian husbands when no other opportunities presented themselves, though some of their lives do not appear to have been very happy. At least one such girl lived among the Uncompagre on the new Ouray reservation, though when she tried to sit as an interpreter at a council with a new Indian agent, she was summarily dismissed by the Indians. Sally is known to have wept over her marriage and removal from the Young mansion—though she had spent most of her time there in the kitchen—to the brush lodge and later rough log cabin her husband gave her. Eventually, she was murdered by a jealous native wife. These "white" Indian wives were often teased by their traditional camp-sisters for their "squeamishness," or they suffered from being unable to wear the corsets their backs had become used to. Many of the women found no husbands at all, however, and at least one chose to take white lovers in order to get herself the children she felt God meant for her to have even though no white man would marry her. Fostered Indian boys seldom, if ever, married.44

That many of these children felt estranged from both the white culture in which they were raised and the Indian culture from which they had been taken was most poignantly expressed by one dying girl who said "it had been a mistake for her ever to suppose that she could be a white girl. Indian children . . . should be left with their own people where they could be happy; when they were raised in white homes they did not belong anywhere."45

The consequences of Indian slavery in Utah were two-fold: war and acculturation. On the one hand, the very practice of harvesting captives for sale perpetuated intertribal warfare as well as Indian warfare in general. Utes continued to attack their traditional enemies, the Shoshone, and to raid vulnerable tribes such as the Goshutes and Paiutes. In Utah such preyed-upon weaker tribes were so heavily harvested of women and children that by 1860 Utah's Indian superintendent noted that they were in danger of complete extinction.46

In New Mexico the wars against the Apache and Navajo by the Spanish/Mexicans did not place these tribes in danger of extinction, but they did develop into a cycle of attacks and raids as each retaliated against the other for punitive and/or slave-gathering purposes; so many Mexicans were captured by the Navajo that a clan actually came into existence to accommodate them, the Naakai Dine, or MexicanNavajos. Many Spanish/Mexicans did not want to see an end to hostilities, which provided the opportunity and excuse to glean slaves; and even after Navajos were gathered onto the reservation at Bosque Redondo, Mexicans continued to lay in wait for unwary Navajos who might stray off the reservation—and to steal captives from the reservation itself. Many Navajos were even snatched by predatory slavers when they straggled behind their relatives on the Long Walk to the reservation.47

Indeed, evidence suggests that when Utah Territory expelled the slave traders from its boundaries in 1852—although slavers continued to sneak into the territory and spirit away a few captives undetected, and although the Utes undoubtedly took captives to New Mexico— most Mexican traders began to gather their captives from Navajo sources. New Mexican church records show an increase in the number of Navajo children baptized in the latter 1850s and early 1860s, just when there was a sudden drop in Ute/Paiute baptisms. At the same time, ongoing Navajo hostilities took a strong upswing. Ultimately, these hostilities led to the decisive and heavy-handed military action in which Kit Carson swept through Navajo lands and sent the Navajos to Fort Sumner in eastern New Mexico.48

In Utah, the expulsion of the Utes' Mexican trade partners led, unsurprisingly, to bitter resentment among the Indian slave traders. It was not that the Indians were not willing to trade their captives to the Mormons, or that the Mormons were not willing to take the children; the traders resented the fact that Mormons had grown unwilling to trade arms and ammunition for children. At the same time, frustrated Mexican slave traders and mountain men-turned-traders began to actively encourage Indian resentment against the new settlers in hopes that an uprising would drive the Mormons away. The Indians became increasingly hostile.49

By 1853 Wakara, the veteran horse and slave trader, and his kin had found an excuse to rise against the Mormons, and in a brief but bloody war the Indians and Mormons exchanged attacks and atrocities until Wakara agreed to peace after nine months of war. 50 With his death a year later the slave trade in Utah was all but dead as well, save for the purchasing of children from their own parents to be fostered in Mormon homes But even that practice would die out within a decade By the 1870s Indian slavery in New Mexico had also ground to a halt, buried in a flurry of laws against enforced labor. But by then the availability of "wild" Indians to be "harvested" had decreased anyway because of their relocation on reservations.51

But throughout the early history of both New Mexico and Utah, the practice of acquiring Indian children by capture or barter— reprehensible though the practice might have been—was actively pursued. Both Catholics and

Mormonsjustified the practice by regarding it as a tool of conversion and civilization; despite popular belief to the contrary, the custom of purchasing and fostering Indian children in Christian homes in order to "redeem" them did not originate with the Utah Mormons or with their leader, Brigham Young. Considering their own practice to be an enlightened step in the progress of the Indian children they purchased and adopted, Utahns seem to have been oblivious to the existence of an almost identical practice, wellestablished and independently developed, in New Mexico.

Call it what you may—fostering, indentured servitude, or slavery—the end result of the practice was the wresting of children away from their parents and the conscious destruction of their traditional culture. But the new life they were given to replace the old was not necessarily a better life At its worst it meant lifelong servitude and sometimes abuse, and at best it always meant separation from families as well as prejudice and social dislocation both within Indian and non-Indian society While recidivistic Indians who returned to "the blanket" were more likely to make a place for themselves within the Indian society than within the white—as the experiences of Chief Nicaagat of the White River Utes and Chief Ouray of the Uncompaghre52 attest— these former captives were often no more readily accepted among their own people than they were among the non-Indians. With a foot in both societies, they were a part of neither, separated from their Euro-American neighbors by prejudice and from their Native American kin by training.

However, the desire to remake Indians into dark-skinned white men continued to be entrenched in theories of Indian "redemption" long after the Indian slave trade and the indenturing of children were curtailed. The later policy of forcibly removing Indian children from their parents—by kidnapping, at gunpoint, or by threatening to withhold supplies—and sending them to boarding schools was little more than an extension of the same philosophy that malleable children should be separated from the "detrimental" influence of traditionbound parents in order to "redeem" and train them as acculturated and productive Christian Indians

In the mid-1950s, primarily as a response to the lack of schools on some Indian reservations, the Mormon church in Utah reintroduced their own practice of fostering Indian children in a program that was more than an echo of the indenturing of Indian children a hundred years earlier. Although it has been discontinued now because of the expansion of public education, for more than forty years the Indian Placement Program placed school-aged children into Mormon families where, for nine months, they could go to school and—not coincidentally—be integrated into the white mainstream culture, work side by side with their white foster siblings, and be catechized into the Mormons' Christian religion. Though such students were not stolen or given away permanently but were voluntarily fostered, this acculturative fostering was but a short step from the original practice of purchasing and fostering children that had been initiated by Brigham Young in Utah and justified by the Spanish church authorities in New Mexico as one of the most "practicable" means of "redeeming" and educating a new, "righteous" generation of Indians.53 Echoing Brigham Young, Spencer W. Kimball noted in 1956 that the new Mormon fostering program was the "finest program conceived for the rapid and permanent advancement and progress of the Indian child."54

Such open acculturation of Indian children by non-Indians has virtually ceased today. Yet as increased communication systems, roads, public education, and mass and electronic media have brought mainstream American culture onto the reservation, many tribes continue to struggle to balance modernization with the preservation of traditional values and heritage. Meanwhile, Indian tribes across the country have reasserted their rights to their children and have begun to actively fight against the raising of them by non-Indians. Supported by Supreme Court decisions, many Indian tribes no longer allow their children to be adopted by non-Indians, and stringent limitations have been placed on even fostering them outside of Indian influences. Given the years-long history of the exploitation of Indian children and the subsequent rise in Indian nationalism,

pride, and demands for self-determination, it is not surprising that tribal entities now emphasize the maintenance of an Indian identity over the seeming advantages of more affluent, non-Indian adoptive or foster homes.

It is the same struggle over the rights to a culture's own children—and the heritage they represent—that has been fought for centuries.

## NOTES

Sondra Jones is an independent researcher living in Provo Her book on Indian slavery and Mexican traders will be published this year by University of Utah Press.

1 Descriptions of Indian slavery as practiced by all the colonial European powers can be found in Almon Wheeler Lauber, Indian Slavery in Colonial Times within the Present Limits of the United States (New York: Columbia University, 1913); Arrell Morgan Gibson, The American Indian (Lexington, Massachusetts: D C Heath and Company, 1980), 91-303; FrancisJennings, The Invasion ofAmerica: Indians, Colonialism, and the Cant of Conquest (Chapel Hill: University of North Carolina Press, 1975); Edmund S Morgan, American Slavery, American Freedom (New York: W W Norton & Company, 1975), Chapters 1-3; and L R Bailey, Indian Slave Trade in theSouthwest (Los Angeles: Westernlore Press, 1966).

2 Cited in Gibson, TheAmerican Indian, 96

3 David J Weber, The Spanish Frontier in North America (New Haven and London: Yale University Press, 1992), 20-22

4 The first of these systems was the direct enslavement of heathen conquests, allowed by papal decree for "enemies of Christ." Later, in the parceling of feudal labor estates known as encomiendas, a grantee was given rights to the labor of the serf-like Indians under his grant With the outlawing of encomiendas, the Spanish moved to the corvee labor of the repartimiento de indios, in which wage-earning Indian laborers were coercively apportioned to Spanish employers by government officials Though this system was also abandoned, the slave4ike, inheritable debt-labor of peonage and informal indentures still kept Indian workers tied to both vast hacienda estates and simple farms

By 1526 chattel slavery had been forbidden by Spanish law; by the mid 1500s compulsory Indian labor in mines had been abolished and the fief-like encomiendas forbidden; and by the late 1500s explicit Indian labor laws were being enacted Discussions and history of the institutional compulsory labor laws enforced in Spanish America can be found in Charles Gibson, The Spanish Tradition in America (Columbia: University of South Carolina Press, 1968); Charles Gibson, Spain in America (New York: Harper and Row, 1966), 143—58; Weber, The Spanish Frontier, 123—29; Bailey, Indian Slave Trade, xi-xv; Ruth Barber, Indian Labor in the Spanish Colonies (Albuquerque: University of New Mexico Press, 1932)

5 See, for example, Weber, The Spanish Frontier, 127-28

6 Weber, Spanish Frontier, 127-28. For a more extensive summary of slave acquistion, see Sondra Jones, "History of the Indian Slave Trade in New Mexico," in The Trial ofDon Pedro Leon Lujan: The Attack against Indian Slavery and Mexican Traders in Utah (Salt Lake City: University of Utah Press, 2000)

7 Agent Garland Hurt noted in 1860 that the Utes considered the "Pi-yeeds" (Paiutes) to be their slaves When possible, they purchased Paiute children, or they stole them by force when "disappointed" in their trade In 1854Jacob Hamblin talked to one Paiute chief who was forced to sell his only daughter to Utes who threatened to take their trade by force if he did not Hamblin also witnessed the bartering between the Ute chief Sanpitch and the Paiutes for children the Paiutes had previously stolen from a more distant tribe Garland Hurt, "Indians of Utah," Appendix O in J H Simpson, Report of Explorations across the Great Basin (Washington, D.C., 1876), 461; Jacob Hamblin, "Journals

and Letters of Jacob Hamblin" (typescript MS at Harold B. Lee Library, Brigham Young University, original diaries located in LDS church historical archives), 28-29, 31,41

8 Serrano to Viceroy, 1761, in Charles W Hackett, trans, and ann., Historical Documents Relating to New Mexico, Nueva Vizcaya, and Approaches Thereto, to 1773, collected by A F A Bandelier and F R Bandelier (Washington, D.C.: Carnegie Institution of Washington, 1937), 487

9 Utah Territory, "A Preamble and an Act for the Relief of Indian Slaves and Prisoners," and "An Act for the Relief of Indian Slaves and Prisoners," in Acts, Resolutions, Chapter 24, passed January 31, 1852, approved March 7, 1852; Brigham Young, "Testimony," given in First District Judicial Court (of Utah), January 15, 1852, United States v Pedro Leon, et at, Doc #1533, 11-14, microfiche; and Minutes of the FirstJudicial Court, Salt Lake City, Utah, January 15, 1852, located in Utah State Archives; S N Carvalho, Incidents of Travel and Adventure in theFar West:With Col. Fremont's Last Expedition (New York, 1859), 193

10 See, for example, Serrano to Viceroy, 1761, in Hackett, Historical Documents, 487; Eleanor Adams and Fr Angelico Chavez, trans, and comp., The Missions ofNew Mexico, 1776: A Description by Fray Francisco Atanasio Dominguez with Other Contemporary Documents (Albuquerque: University of New Mexico, 1955), 252-53; Bailey, Indian Slave Trade, 128, and David M Brugge, "Navajos in the Catholic Church Records of New Mexico, 1694-1875," Research Report No 1, Navajo Tribe Parks and Recreation Department (Window Rock, Arizona, 1968), 129 Hispanic captives among the Navajo underwent a similar period of corrective abuse, after which their treatment became generally good For Navajo treatment of captives, see Brugge, Research Report 1, 117-34

11 Kirby Benedict, Chief Justice, New Mexico Supreme Court, in Congressional Joint Committee investigating the conditions of the Indian Tribes, May 2, 1865, as quoted in William J Snow, "Some Sources on Indian Slavery," Utah Historical Quarterly 2 (July 1929): 87-88

12 For accounts of voluntary sales, see Juanita Brooks, "Indian Relations on the Mormon Frontier," Utah Historical Quarterly 12 (January-April 1944): 13-14; Jacob Hamblin, 'Journals and Letters of Jacob Hamblin," 27, 44;Jacob Hamblin, Jacob Hamblin: A Narrative of his Personal Experience (Salt Lake City: Deseret News, 1909), 32; letter from Jacob Hamblin printed in Deseret News Weekly, April 4, 1855; Juanita Brooks, ed., Journal of the Southern Indian Mission: Diary of Thomas D. Brown (Logan: Utah State University Press, 1972), 27, 60; Gwinn Harris Heap, Central Route to the Pacific (Reprint ed., Glendale, CA: Arthur H. Clark, 1957), 223-24; and Garland Hurt, "Indians of Utah," 461-62. Descriptions of the poverty of tribes such as the Paiutes, Goshutes, Shivwits, and Piede Utes are many in the literature of early western travelers.

13 William R Palmer, from oral interviews, MS in possession of W R Palmer estate, quoted in LeRoy R Hafen and Ann W Hafen, Old Spanish Trail: Santa Fe to Los Angeles (Glendale, CA: Arthur H Clark Co., 1954), 281-83

14 United States Census, 1870, Colorado (Conejos and Costilla counties), 147-202 Also, D Gene Combs, "Enslavement of Indians in the San Luis Valley of Colorado" (M.A thesis, Alamosa, CO: Adams State College, 1970) Virginia M Simmons, The San Luis Valley (Boulder, CO: Pruett Publishing Co., 1979), 60, notes that Lafayette Head's 1865 list of Indian captives included 88 in Conejos and 65 in Costilla; of 24 Ute captives, 14 had been purchased from other Utes Ute informants told ethnohistorian Omer Stewart about Ignacio's trade; Omer C Stewart, communication with author, August 1977, and in "The Ethnography of the Eastern Ute" and "The Western Ute," unpublished manuscript notes prepared by Stewart (1973) for his co-authored article, "Ute," in Handbook of theNorth American Indians," vol 11: Great Basin, Warren L D'Azevedo, vol ed (Washington, D.C.: Smithsonian Institution, 1986) This completed, succinct article erroneously implies that the eastern Utes raided the weaker tribes of central and western Utah; however, the active trade in Paiute and Goshute

captives did not begin until after the Spanish contact with western Utes in 1776, and it was they, not the eastern bands, who raided these cousin tribes for slaves Nothing in the literature indicates that the eastern Utes ever made it a habit to raid the Utah tribes; in fact, traditions reported as early as 1765 (Juan de Rivera's journal) and modern Ute recollections of older traditions (Ronald McCook, communication with author, May 1999) indicate that not only did the Colorado and Green River gorges present formidable barriers to travel into Utah but there was also a superstitious dread that Utah was inhabited by dangerous, man-eating, supernatural entities. The central and southern Colorado bands did not travel into Utah if they did not have to, preferring to hunt and raid on the Plains, while the isolated northern Colorado bands, although they occasionally visited central Utah, were not located on the Spanish Trail and did little trading with the Mexicans.

The tradition of selling children is pervasive and certainly not limited to Native Americans. English children were once frequently sold into indentures when families could not support them and were often sold in order to pay for transportation to the Americas; the selling of girls into prostitution in Asian countries is well-known; and in the early twentieth century government officials of eastern U.S cities utilized "orphan trains" to rid their cities of surplus orphans by shipping them to the Midwest to "sell" or place them with foster farming families

15 Dennis L Lythgoe, "Negro Slavery in Utah," UtahHistoricalQuarterly 39 (Winter 1977): 40-54; Jack Beller, "Negro Slaves in Utah," Utah Historical Quarterly 2 (October 1929): 122-26; Utah State census (Utah and New Mexico), 1850 and 1860, including slave roles; U.S. Department of Commerce, Bureau of the Census, Negro Population 1790-1915 (Washington, D.C.: Government Printing Office, 1918), 1-6, 33-37, 55-57 For a discussion of the Mormon attitude toward black slavery and blacks in general, see Stephen G Taggart, Mormonism's NegroPolicy: Social and Historical Origins (Salt Lake City: University of Utah Press, 1970), 1-73

16 See Sondra Jones, "The Trial of Don Pedro Leon: Politics, Prejudice, and Pragmatism," Utah Historical Quarterly 65 (Spring 1997), 165-86; Utah Territory, FirstJudicial Court of Utah, United States v Pedro Leon et at, Doc #1533 [microfiche], Utah State Archives, Salt Lake City, Utah The judge decided that while black slavery was legal in Utah, Indian slavery was not—the captives were not sold but were given into foster homes, perhaps as indentured servants.

17 Utah Territory, "Preamble," and "An Act for the Relief of Indian Slaves"; for the regulation of black slavery, see "Act in Relation to Service," in Acts, Resolutions, and Memorials, 160 Utah was the only territory or state in the far West in which black slavery remained legal and in which black slaves were listed on the census rolls of both 1850 and 1860

18 Warren A Beck, "New Mexico and the Sectional Controversy," in New Mexico: A History of Four Centuries (Norman: University of Oklahoma Press, 1962/1969), 139-47

19 Book of Mormon, 1 Nephi 21:22-23; see Brigham Young, May 9, 1853, in Journal ofDiscourses (JD) (Reprint ed., Salt Lake City: 1967), 1:106-107, and Orson Pratt, Februay 7, 1875, in^D, 17:299-300, for examples of discourses on missionary work among the Indians

20 Young to Legislature, January 5, 1852; Utah Territory, "Preamble," and "Act for the Relief of Indian Slaves"; Young, 'Testimony"; and Bailey, Indian Slave Trade, 168-69, 198

21 Brigham Young, Manuscript History (BYMH) MS, May 13, 1851, 846, LDS Church Archives, Salt Lake City; Brigham Young, address to the Legislature, January 5, 1852, quoted in the Deseret News Weekly, January 10, 1852

22 Hafen and Hafen, Old Spanish Trail, 260 Compare Weber, Spanish Frontier, 21, which states that Spaniards felt Indians were "inferior beings bestial

deserving of slavery"; and Gibson, The American Indian, 96: "Recalcitrant Indians demonstrated their barbarous nature," and they needed Christian masters to teach them the crafts of "civilized life and lead them to Christian salvation."

23 Lauber, Indian Slavery in Colonial Times, 50. Bailey, Indian Slave Trade, xii; History ofNew Mexico: Its Resources and People (Los Angeles and New York: Pacific States Publishing, 1907), 386-87.

24 Ute agent Garland Hurt himself argued in 1860 that the "colored races" (in which he specifically included the Indians) had a "fixed and demonstrable" "mental inferiority" that rendered their elevation to the "equality" of the Caucasian race a "preposterous" idea; the only way to improve the state of the "aborigines" was to make them subservient through "coercion" in order to direct their energies into "channels of usefulness." He used the example of African slavery to demonstrate how "infinitely more happy and prosperous" blacks were because of the "controlling influence of the superior race." The treatment of blacks was also superior since they "swell[ed] the national revenue" with their work, while "misguided philanthropy" drained the treasury of millions in the impossible task of civilizing Indians who would have been better off being treated like African slaves Hurt, "Indians of Utah," 463-64

25 Graves Report No 11, in New Mexico Indian Superintendency papers, 1866, as cited in Bailey, Indian Slave Trade, 181-82 Both Kit Carson and Lafayette Head had a history of owning Indians Arguments for servitude are found in Beck, "New Mexico and the Sectional Controversy," 145-46 Opponents to peonage, however, argued that the system was worse than chattel slavery, with its cradleto-grave responsibility, since the owners had no obligation to their peons, and once their usefulness was over they could be discarded

26 Utah Territory, "An Act for the Relief of Indian Slaves." Historians L R Bailey, Gustive O Larson, and L H Creer all referred to the Mormon practice as slavery

27 Brigham Young, Sept 29, 1852, in Report of the Commissioner ofIndian Affairs, 1852, 488

28 Deseret News Weekly, January 10, 1852

29 New Mexico Legislature toJulius K Graves, Special U S Indian Agent for New Mexico, January 30, 1866, Territorial Archives of New Mexico, reel 3, frame 205-206; Lafayette Head, "Statement of Mr. Head of Abiquiu in Regard of the Buying and Selling of Payutahs—April 30, 1852," Doc #2150, Ritch Collection of papers pertaining to New Mexico, Huntington Library, San Marino, California; Antonio Jose Rocha, testimony in court action, January 20, 1833, California Archives, Los Angeles I, 115, Beattie Papers, Huntington Library, San Marino, California, as quoted in Hafen and Hafen, Old Spanish Trail, 269; Rosalio Colomo to General George W. Getty,June 23, 1867, as quoted in Bailey, Indian Slave Trade, 129; Brugge, "Navajos in Church Records," 100-103

30 In addition to Spanish laws against chattel Indian slavery, laws were passed in 1778, 1812, and 1824 specifically forbidding the traffic in Indian captives in what would become New Mexico and California See Bailey, Indian Slave Trade, 141-44; also #740, R E Twitchell, ed., Spanish Archives of New Mexico, vol 2 (Cedar Rapids, 1914), 263

31 Head, "Statement"; New Mexico Legislature to Graves,January 30, 1866; Steven M Horvath, Jr., "The Social and Political Organization of the Genizaro of Plaza de Nuestra Senora de los Dolores de Belen, New Mexico, 1740-1812" (Ph.D dissertation, Brown University, 1979), 45-47, 125-26

32 Head, "Statement"; for additional discussion of the treatment of fostered Indian children, see Frances Leon Swadesh, Los Primeros Pobladores: Hispanic Americans of the UteFrontier (Notre Dame: University of Notre Dame Press, 1974), 22-23, 60, 40-43, 78-79, and Swadesh, "Hispanic Americans of the Ute

Frontier from the Chama Valley to the SanJuan Basin, 1694-1960" (Ph.D dissertation, University of Colorado, 1966), 89-90, 194-95

33 United States Census, Utah, 1860 (on microfilm, FHL #805,314); Madoline C Dixon, These Were the Utes: TheirLifestyles, Wars, and Legends (Provo, Utah: Press Publishing, 1983), 104-107; Robert Emmitt, The Last War Trail (Norman: University of Oklahoma Press, 1954), 39-40. Emmitt includes in his sources for Nicaagat's background personal interviews with Saponise Cuch, who knew him personally These sources say that Nicaagat was a Goshute who was sold by Mexicans to a Mormon family named Norton and was baptized and raised in the Mormon church, and that Mrs Norton repeatedly beat him with a buggy whip until he fled U.S army officers killed Nicaagat by leveling his tipi with a cannon when he refused to surrender after the Colorado uprising

34 Brooks, "Indian Relations," 14.

35 See Brooks, "Indian Relations," 33, 37; Brugge, "Navajos in Church Records," 109-13.

36 George A Smith, December 1850, in 'Journal of George Albert Smith (1817-1875), Principal Residence during this Period (1850-1851) Parowan, Utah," typescript MS, Special Collections, HBL Library, Brigham Young University, 10-12, and March 12 and March 25, 1851, 46-50

37 George A Smith, December 1850, 'Journal," 10-12; Brooks, ed., Journal of the Southern Indian Mission, 40; Brooks, "Indian Relations," 9

38 See Brugge, "Navajos in Church Records," 39-98, 135, 146-50; Weber, Spanish Frontier, 127; and Bailey, Indian Slave Trade, 73-89, 98, 100-102

39 A few older captives were purchased in Utah simply to protect them from abuse or death at the hands of their captors, as was the case with a girl purchased in 1847 after a companion captive was killed On the other hand, for example, in New Mexico it was not unusual for a bridegroom to organize a slavehunting expedition for the sole purpose of presenting his new bride with several new servants See Horvath, "The Social and Political Organization of the Genizaro," 101, and Brugge, "Navajos in Church Records," 129

40 Swadesh, Los Primeros Pobladores, 42-47, 229 note 33; Swadesh, "Hispanic Americans of the Ute Frontier," 195; Horvath, "The Social and Political Organization of the Genizaro." Even as vecinos, genizaros were often snubbed as lower caste

41 See Horvath, "The Social and Political Organization of the Genizaro," 125-26

42 Brooks "Indian Relations." Brooks specifically follows the fate of fostered Indian children in southwestern Utah communities, where most adoptions of Indian children took place

43 Dixon, TheseWere the Utes, 104-107

44 Brooks, "Indian Relations"; Dixon, These Were the Utes, 104-107; and Susa Young Gates, "Courtship of Kanosh, a Pioneer Indian Love Story," as quoted in Peter Gottfredson, History of Indian Depredations in Utah (1919; reprint, Salt Lake City: Skelton Publishing, 1969), 15-18, tell the story of Sally Young See also, Lawrence G Coates, "The Mormons and the Ghost Dance," in Dialogue: Journal of Mormon Thought 18 (Winter 1985): 89-111, showing statistics of the few Indians entering the Mormon temples, although Coates does not indicate how many of these visits were for the purpose of marriage. E E White notes a Mormon-raised "squaw" among the Uncompaghre in Experiences of a Special Indian Agent (1893; reprint, Norman: University of Oklahoma Press, 1965), 109, 113-14

45 Brooks, "Indian Relations," 37-38, 48

46 Garland Hurt, "Indians of Utah," 461-62

47 Brugge, "Navajos in Church Records," 87, 90, 97

48 Ibid., frontispiece (statistical comparison of baptized captives by tribe and date), and 35

49 Church of Jesus Christ of Latter-day Saints, Journal History, May 2, 1853, quoting from BYMH; Deseret News Weekly, December 15, 1853 Antipathy from former mountain men in: BYMH, May 13, 1849, 76, 77; and, for example, Orson F. Whitney, History of Utah, vol. I (Salt Lake City: George Q. Cannon and Sons, 1892-1904), 515

50 For example, B H Roberts, A Comprehensive History of the Church ofJesus Christ ofLatter-day Saints, vol 4 (Salt Lake City: Deseret News Press, 1930), 36-40; Howard A Christy, "The Walker War: Defense and Conciliation as Strategy," Utah Historical Quarterly 47 (Fall 1979): 216-35.

51 See Bailey, Indian Slave Trade, 175-87. These laws began with the abolishment of slavery in 1865 through the Thirteenth Amendment Laws against peonage and Indian servitude were passed in 1867 Ironically, after 1865 slavery was illegal, but indenturing and peonage—considered voluntary servitude—were not; new laws had to be enacted to counteract these forms of slavery

52 Ouray, the son of a Ute mother and Apache father, was raised in New Mexico, where he spent his youth as a sheepherder As a young man he returned to the Uncompaghre, where his non-Indian experiences and linguistic skills helped move him to a position of prominence at a time when the U. S. government needed Indian leaders with whom they could negotiate favorable agreements The "king-makers" in Washington ultimately appointed him "Head Chief of the Utes in Colorado The evidence strongly suggests that either he or his parents had been Indian captives (there would be no other reason for him to be raised among Hispanics) Some Utes claim it was Ouray himself who was the captive. See Thomas F. Dawson, "Major Thompson, Chief Ouray and the Utes: An Interview, May 23, 1921," Colorado Magazine 7 (May 1930): 113-22; and the Ute Mountain Ute Tribe culture and history capsules posted on their tribal web page; and P David Smith, Ouray: Chiefof the Utes (Ouray, CO: Wayfinder Press, 1986), 34-36

53 As a concept, the Indian Placement Program seemed promising; however, there were some parents who offered their children for the same reason that some had sold their children a hundred years earlier: to divest themselves of children for most of the year. Also, some children and parents exploited the system to acquire new sets of clothing each year from generous foster parents

The author, who spent eleven years living on the Navajo reservation, has found through personal observation, conversations, and interviews that—since baptism was a requirement for participation— children were often solicited and perfunctorily baptized by over-zealous missionaries in order to make them eligible In the white communities, many children became recipients of prejudice, could not adjust to their foster families, or were shy or unhappy as they faced unfamiliar surroundings yearly While many of the students bonded well with their foster families and now look back on the experience as a good one in the long run, at the time it was not unusual for children to hate it, and night after night many children cried themselves to sleep as they lay in strange beds

54 Spencer W Kimball, "The Expanding Indian Program," LDS Conference Reports, October 6, 1956.

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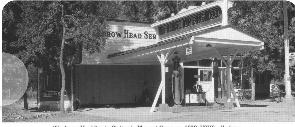

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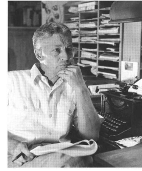

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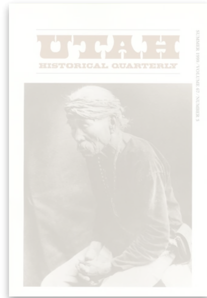

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