

Church and State in the History of Southern Paiutes in Cedar City, Utah

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In the twentieth century, Indian communities most often live on land held in trust by the federal government, which then uses that trust obligation to justify management of tribal affairs. There are exceptions to this relationship, however, and one of the rarest is a native community residing on land privately owned by a church absent of any federal oversight. It was precisely this latter relationship that Southern Paiutes experienced throughout much of this century at Cedar City, Utah, where they lived on land owned and managed by the Church of Jesus Christ of Latter-day Saints. The development of this situation in a series of federal and church actions and decisions reflected the power of the two bureaucracies as they challenged each other for control over Paiute lives. Mormon oversight has had numerous long-term impacts on the Cedar City Paiute community, as well as implications for issues of church and state in American Indian policy.

FOR two generations, between 1926 and 1980, more than half of the Southern Paiutes in the southwestern quarter of Utah lived in Cedar City (see Fig. 1) on land owned and managed by the Church of Jesus Christ of Latter-day Saints (the Mormon Church). At the same time, another quarter of the Paiute population occupied land leased to the church in Richfield. In all, nearly 80% of Utah Paiutes lived on property directly or indirectly controlled by the church (Knack 1980:25). In southwestern Utah, well over 90% of the general population belonged to this single denomination, as did virtually all Paiutes. I believe that the resulting degree of sectarian control over this Indian community is anomalous in the twentieth century. Such control stems not only from the church's ownership of the land they lived on and the houses they lived in, but also from religious teachings, economic dependence, and political domination of the region.

As late as the mid-nineteenth century, Southern Paiutes were autonomous hunter-gatherers who also practiced small-scale horticulture, where opportunity permitted, along the mountain fringes and deserts of Utah, Nevada, and Arizona north of the Grand Canyon (Kelly 1964;

Kelly and Fowler 1986). In the 1850s, organized colonies of Mormons were sent out by the central church in Salt Lake City to build towns next to virtually every permanent water source throughout Paiute country. Mormon irrigation ditches diverted streams, and their livestock grazed off the grass seeds which had formerly been the Paiutes' summer food supply (Euler 1966:54-84). The Indians, immediately placed into dependency, were forced to substitute wage labor for the very farmers who displaced them (Knack 1996:145-162).

Conquered without warfare or treaties, Utah Paiutes were not offered federal reservations until four tiny areas were set aside between 1890 and 1918 (Knack MS; cf., Clemmer and Stewart 1986:532-533). Some Paiutes spent part of the year at one reserve or the other, but these were too small and lacked sufficient water to provide a livelihood. Many people listed on the reservation censuses lived there infrequently, traveling for seasonal employment elsewhere, and yet they held "recognized status"; relatives who lived in exactly the same way might not. At a traditional campsite in Cedar City, 60 miles from the nearest of these official reservations,

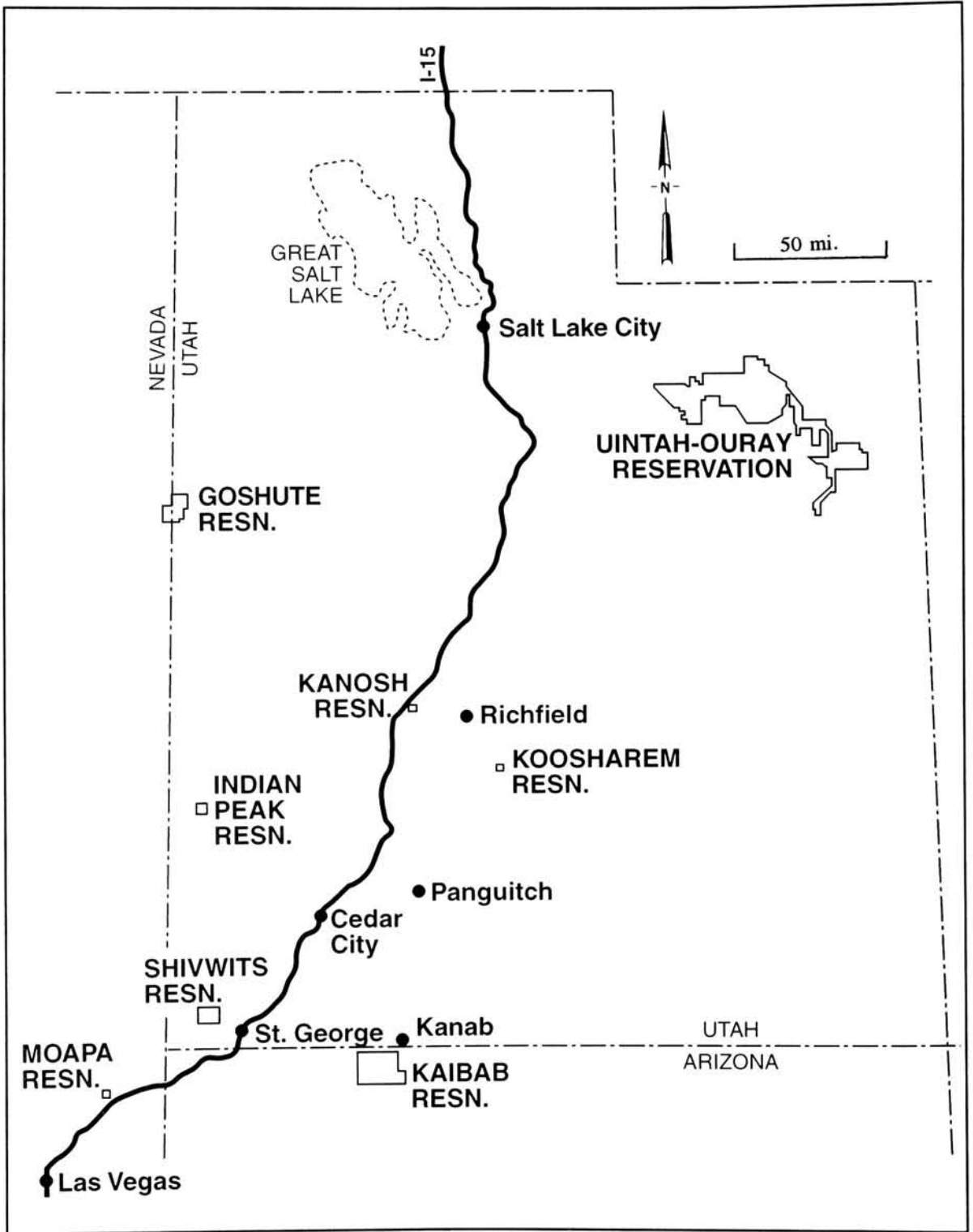


Fig. 1. Map of Utah, showing Southern Paiute area.

lived an aggregate group of Paiutes, some of whom were not federally acknowledged, while others were enrolled elsewhere and hence were "wards" of the government.

This group of Paiutes first appeared in Bureau of Indian Affairs (BIA) records in 1907 (cf. *Inter-tribal Council of Nevada* 1976:128-131; *Holt* 1992:46-47), when the superintendent of the federal school at Panguitch, in central Utah, visited them looking for more students. He found about twenty families who

for the most part still live in their mean little wickiups. They make their living by doing odd chores for the whites in the town: the men cutting and hauling wood, etc., at which they make a fairly good wage; the women by doing washing and house cleaning. I consider this band a fairly industrious lot and it is seldom if ever that they are in want [Runke 1907:1].

He found little reason for concern over their economic conditions, but thought their social relations unsatisfactory. Although Paiutes were welcome as laborers, their residential area was segregated from the town in the canyon mouth where Coal Creek streamed from the mountains. Inquiries of both Indians and "prominent citizens" revealed that

no Indian child had ever attended the public schools there . . . and further that there is considerable race feeling against the Indians especially when it came to having the white child associating with the Indian coming from the dirty wickiups and neither would they desire it if the Indians sent and kept their children tolerably clean [Runke 1907:2].

On his part, the Paiute headman also was vehemently opposed to sending the children to school.

With the initiation of government interest, the interethnic relationships in Cedar City were destined to stay no longer a simple duality, but to become a more complicated triad. Paiutes had "never received any benefits from the Government as far as I can learn," the schoolman noted, "nor do they want anything whatever to

do with the Government now. When I informed them that they were wards of the government and that I was Indian Agent in charge they refused to have anything to do with me, whatsoever" (Runke 1907:1). They even refused to give him their names for a census. The headman, Captain Pete, clearly realized that the Paiutes had to retain their alliance with the local power structure, the source of their jobs and physical security; they could not risk affiliation with the distant and long-inactive nation-state whose historical relations with Utah Mormons had been so hostile as to deny Utah statehood until only 11 years previously. Captain Pete told the superintendent (Runke 1907:1-2) that "they were no government Indians, but Mormon Indians, meaning by that they had joined themselves with the Mormon Church and that as far as any submission on their part to any authority was concerned they subjected themselves to the Mormon community about them and not to the Indian Department."

In 1911, the BIA appointed Lorenzo D. Creel, based in Salt Lake City, to be responsible for the "Scattered Bands of Utah," who were essentially all those Southern Paiutes, Shoshones, and Utes not on the Uintah Reservation; Cedar City Paiutes, living 250 miles south, fell into his jurisdiction. He encouraged the Paiutes at remote Indian Peak "to camp during the winter at Cedar City [for then] the number of their children added to those of Cedar City, will be sufficient for a school" (Creel 1913:4). He too found that their "labor is in great demand by the town people, at fair prices," but expressed dismay about their residential site. It was on about five acres of land that was "owned by the Mormon Church. This and the necessary water, are given the indians rent free" (Creel 1913:4). The Indian agent wanted to find "a 40 acre tract which may be irrigated by flood water." In so doing, he was hoping to avoid buying a water right from the irrigation district which had monopolized the entire flow of Coal Creek in

1851, the year Cedar City had been settled by the Mormons. He did not hold out much hope, however, as "most of the public domain adjoining this town that is worth anything, has been taken up by white settlers for 'dry farm,'" and there was certainly not enough left for a standard 80-acre allotment for each family (Creel 1912:1). If all the Paiutes were to share 40 acres, it would not be enough land for subsistence farming for the 20 families, let alone any others coming in from the more remote areas, so continued wage work would be a necessity. For this, the Paiutes would need to stay near town, precisely where land was so scarce. It appeared to be a situation impossible to win (Creel 1916a:1).

In 1915, the first BIA inspector to visit Cedar City counted 30 Indians living on 12 acres "owned by Mormons as individuals or by town authorities, all of whom have permitted the Indians to occupy this land free of charge" but not free of interference (McConihe 1915:4:1). The inspector recorded, "The city recently moved them from their old camping ground on this same twelve acre patch about a hundred yards east so as to improve the sanitary conditions" (McConihe 1915:4:1). The Paiutes raised alfalfa for their horses on ten of these acres ("each has his own little patch"). The inspector thought he could purchase 80 acres on the edges of town for \$1,400 and set them up with freight wagons and farming equipment for a small additional investment. He envisioned the federal commitment as minimal, as "we can then withdraw any further support from them" because they could rely on the benevolence of the local citizenry: "The Mormon people are giving these Indians all the help possible and will always see that there is no real suffering among them" (McConihe 1915:4:2-3). These same neighbors still refused to allow Indian children into the public schools, however, arguing the prevalence of highly contagious trachoma and tuberculosis (Conner 1919:2:2).

The response agents received to their suggestions of buying land for Cedar City Paiutes was, "There is at present no fund available to purchase lands for Indians in Utah" (Hauke 1916:1). Creel (1915:1) then argued that "the only thing that you [the BIA] can do for them is to build them some comfortable [*sic*] homes," so he asked for funding for lumber and materials for four frame cabins and outhouses. The Commissioner of Indian Affairs refused to authorize this minor expenditure. In doing so, he raised the issue that would plague relations between the Paiutes and the federal government for the next 70 years: "no information is given in your letter as to the status of the land upon which you propose to erect these houses" (Meritt 1915:1). The following year, Cedar City built a single log pedestrian bridge across the creek for native access to the town; its request for cost sharing was denied because the bridge was not "located on Indian land," and "there is no law in force at this time under which this Office would have authority to use any of the funds under its control to make reimbursement. . . . It would require special legislation by Congress" (Meritt 1916:1). Washington could find no way to invest capital on lands it did not control; no houses were built for Cedar City Paiutes, nor was any land purchased.

The government agents who had traveled 500 miles round trip to Cedar City (from Salt Lake City) once or twice annually for the previous five years all too often arrived only to discover that the Paiutes were at Kaibab for a dance, at Indian Peak for a funeral, in the mountains gathering pinyon nuts, or otherwise engaged elsewhere. This mobile Paiute lifestyle, coupled with the small number of school-age children and the headman's continued resistance against sending children to either local or BIA residential schools, led the agency to "deem it inadvisable to attempt anything in the line of education work at this time with this band" (Creel 1916b:1). For the next ten years, the only service the BIA

provided Paiutes was reimbursement of a few individual medical bills (Leonard 1916:1) and caskets for the dead (Wagner 1918:1). When the Scattered Bands of Utah Agency was closed in 1917, Paiutes at Cedar City were added to the responsibilities of the Goshute agent at Ibabah (along the Nevada border west of Salt Lake), who very rarely visited Cedar City. In 1924, these Paiutes were shifted once more, this time to the Kaibab jurisdiction in northern Arizona.

In 1919, the Goshute agent became disturbed when he suddenly realized that the land the Cedar City Paiutes occupied was not owned by the city as he had previously believed. Rather, "Their homes are situated in a group on a five and one half acre tract purchased and held in trust for them by the Mormon Church" (Conner 1919:Appendix:2).¹ The Indians had been using some additional pastureland, but the new heir to that property wanted it back, so the 30 Paiutes could only anticipate being crowded onto the 5.5 acres of church land. And crowded they were; the agent mentioned one household of 14 people wintering in a 14-by-18-foot cabin, and others living in canvas tents. Ten percent of the population, he discovered, was too old to work and depended on their children or on charity. The Indians got drinking water from the creek or irrigation ditches; the city, having quickly discovered the fiscal advantages of federal involvement, offered to extend a pipe of drinking water to the Indian area, but only if the government would pay for it. Despite these difficult living conditions, Paiutes "are attached to this spot and declared their desire to live and die there, where the bones of their ancestors rest" (Conner 1919:Appendix:2). The Indians refused various suggestions that they relocate to Shivwits, Indian Peak, or Garland in Utah, Moapa or Fallon in Nevada, Kaibab in Arizona, or virtually any other place the BIA controlled. The agent issued them a secondhand, horse-drawn hayrake and recommended purchase of the church land and 80 additional acres.

Late in the summer of 1921, a flash flood roared down Coal Creek and overflowed the Paiute homes, small gardens, and stacked hay. Captain Pete applied to the BIA for assistance to "move back to the foothills where they will be safe" (Macfarlane 1921:1). The Paiutes got no financial aid, but the BIA did investigate filing for water rights on their behalf, although it apparently did not complete the legal procedures (Conner 1922:1). The poor agricultural conditions that year made wage labor for men scarce, although the women "are necessary to the housewives for household labor; and the wages the Indian women receive in return render them self-supporting" (Creel 1922:3). The Paiutes spent much of the time that fall harvesting pinyon nuts, but they also began to embarrass the town fathers by begging from the increasing numbers of tourists who were motoring south to the newly opened Zion and Grand Canyon national parks (McGregor 1921).

In 1923, a BIA school inspector discovered seven Paiute children attending public schools in Cedar City (Stevens 1923). Four of these "belonged" to either the Shivwits or Kaibab reservations and were in Cedar City for extended visits. He attributed the suddenly more lenient attitude of the town, not to any visible improvement of health or sanitary conditions in the Paiute settlement, but to changes in the regional economy: "There is a feeling now among the local people that after all the Indian camp may be made to be quite a help to the town in the future in the way of an attraction to tourists" (Stevens 1923:2). A member of the local school board was enthused about the "prospect of Cedar's becoming a tourist town, the gateway of two of our national parks," and added,

the natives can be made self-supporting and therefore more self-respecting. They can be taught to make and sell at a good profit baskets, mossasins [*sic*], gloves and trinkets of various sorts. It is due the travelers from the East that they be given an opportunity to see the first Americans. . . .

The Indian is one of the features of the West [Stevens 1923:2].

The Union Pacific Railroad had just agreed to build a spur line through Cedar City for park access and was starting construction on a major hotel. Railroad officials considered that "to have the Indians at Cedar City, under proper regulations and conditions, would be a wonderful attraction to the tourist," and offered to use their considerable lobbying influence to win federal funding to make the Southern Paiute community more photogenic (Stevens 1923:4).

The following year, Captain Pete—long the traditional headman—died and the native community had to reorient to a new spokesman. At that same time, a man named William Palmer was a counselor to the Mormon stake (the second hierarchical level of congregations incorporating several towns) president, who also happened to own the Cedar [City] Mercantile Company that Palmer managed. Palmer drew the situation of the Cedar City Paiutes to the attention of the upper hierarchy of the Mormon Church through correspondence with Anthony Ivins. In 1890, Ivins had been instrumental in persuading the government to set aside land at Shivwits to be the first Paiute reservation in Utah, where he then became the agent. Ivins had subsequently fled to Mexico to avoid prosecution for polygyny, returned to serve in the state legislature, and risen through the church hierarchy, until by 1924 he was a member of the Quorum of Seventies. That board administered all the physical and financial property of the Mormon Church and advised the church president on all secular matters (Heinerman and Shupe 1985:87). Ivins assured Palmer of his interest in the Paiutes, declaring:

If you have any recommendation to make in regard to the material welfare of these people, either by acquiring a small tract of land better adapted to permanent settlement than the one they now occupy, or lands which they might cultivate and call their own, I would be glad to have you make recommendations to me [Ivins 1924a:1].

As Cedar City boomed with the coming of the railroad and tourism, the 15 city lots that the Paiutes lived on became increasingly valuable. In April 1924, a resident complained to Utah's senator that the Paiutes were squatting on her land and threatened to evict them. A hasty BIA title search showed that the Mormon Church owned four of the lots, the town two more, and individual Mormons owned the rest, while the "Indians think that they own the land, believing that their title is that of continuous occupancy" (Farrow 1924a:2). As had his predecessor nine years before, federal Indian Agent Edgar A. Farrow, of Kaibab, now charged with overseeing the Cedar City Paiutes, "strongly urge[d] that arrangement be made in the very near future for the purchase of these lands" (Farrow 1924a:3). His preliminary discussions with local church officials had led him to believe that the church-owned land would be donated, as would the city land, and he began negotiating for purchase options on the private properties. He hesitantly suggested to Washington that the land could be obtained with an expenditure of \$1,800 (Farrow 1924a:3).

Palmer (1924a:1) immediately wrote to Farrow, suggesting a "broader plan" that would "lift" the Paiutes "up a step higher and put [them] on a more permanent self sustaining basis." Instead of the rocky land they occupied at the canyon mouth, he suggested purchase of a 40-acre parcel on the northeast edge of town. It was "choice truck garden ground" which carried primary water rights for 25 acres so they "could produce their own breadstuff." It backed onto the national forest where they could get grazing leases. He had already talked to the city council about piping in culinary water. Further, he pointed out, the river would segregate them from town, leaving them "sufficiently isolated for effective Governmental regulation," but a bridge was nearby so they could get to town to work for whites. Somewhat disingenuously, Palmer hinted they would be "near

enough to the public schools that their children can attend," as though distance had been the problem (Palmer 1924a:2). The fact that this site was also very near the planned railroad depot was not incidental, because Palmer mentioned that the

Rail road officials have not overlooked this fact and are urging the Indians to produce what the[y] can in the way of bead work and other trinkets. If these Indians can be cleaned up and helped a little there can be developed an industry that will employ their women the year round [Palmer 1924a:2].

In short, Palmer had developed a clear plan. Independent farming would replace the somewhat unreliable male wage labor which was "more or less seasonable," resulting in "times in the year when they are reduced to want—dependant [*sic*] almost wholly on the people here for food to eat" (Palmer 1924a:1); this would relieve the townspeople of a charity burden. Furthermore, wage industry would shift to Paiute women, who would then sell their crafts to tourists, who brought new cash into the community from external sources, again relieving financial stress on local non-Indians.

Palmer (1924a:1) proposed that if the government paid for the land "we [i.e., the Mormon Church] could pay for the improvements." After discussions with Farrow, Palmer assured his church superiors that the Indian agent "is converted to our program" (Palmer 1924b:1). Because of tight BIA budgets and the lengthy congressional allocation procedures, Farrow "recommend[ed] that the property be gotten together and held by some one who would sell to the government when they were ready" (Palmer 1924b:1). Palmer (1924c:1) immediately pointed out, "If we acquire the ground the church can do as it pleases about selling to the gov't." Long assured of the general support of the highly placed Ivins, Palmer now requested from Salt Lake City church headquarters formal authorization to open negotiations with landowners.

A clue to the effectiveness of the subsequent Mormon effort lies in the letterheads of the correspondence between members of the church's Indian land acquisition committee: emblems of the town's only bank, only real estate agency, and major general store headed letters signed with the words "brothers in the faith." In Cedar City, as elsewhere in southern Utah, the economic and political structures mirrored the ecclesiastical one. All the landowners Palmer would deal with were members of the church he represented and were accustomed to obey the senior male hierarchy. Furthermore, he had ample funds at his command; no one at church headquarters bridled at his projected budget of \$50,000.

While the Mormons went quickly and efficiently to work, the BIA plodded along its usual bureaucratic track. It was a month before Washington responded to the agent's "most urgent suggestion" (Farrow 1924a:3) about the canyon site. He was authorized to inquire about purchase options, but he was told that these would have to be 12-month, rather than the customary six-month, options "in order that we may have ample time to present the matter to Congress" (Meritt 1924a:1). Farrow thought Palmer's proposed site was too low to the river and the existing housing too scattered; his recommendation to proceed with the canyon site was approved by the BIA, thus placing the federal effort into direct competition with the church (Farrow 1924c:1).

At the end of May 1924, Farrow (1924b:1) had acquired options for the privately held plots and received assurances of general cooperation by the local Mormon bishops (heads of individual church congregations). Although he took this as promise of the church land, these men lacked the authority to dispose of, or even to discuss disposal of, any property owned by the Mormon Church. All church property was controlled directly by the Quorum of Seventies, and title was held by the Presidency itself. Farrow

became frustrated when he could not obtain written commitment from either the church or the city; it soon became obvious why.

By the first week in June, Ivins was growing impatient at what he saw as government malingering and assured Palmer, "I shall endeavor to interest the Church and have them take the matter up in case the government decides not to act" (Ivins 1924b:1). Within two weeks, the Presiding Bishopric of the Mormon Church, in consultation and with the approval of the church president, authorized Palmer to obtain options, plats, and prices for his suggested site and invited him to "make such recommendations and suggestions as you may think necessary" without any mention of budgetary limitations (Nibley 1924a:1). That same week, the BIA was rejecting Farrow's options literally for not being on the proper federal form (Meritt 1924b:1).

By early July, Ivins had tired of federal floundering, and decided that, "at present it will be better to act independently of the Government so far as the purchase of the land is concerned. If the Govt. desires to assist the Indians in some substantial [*sic*] way to become self supporting it would be welcome" (Ivins 1924c:1). By mid-September, Palmer had negotiated prices with landowners and was authorized to spend \$4,700 to place the titles in the Church's name (Nibley 1924b:1; Palmer 1924c:1).

In late September, when the church had already completed its purchase, the BIA was just deciding that "an effort should be made to obtain the necessary appropriation from Congress. Appropriate action will be taken to present the matter to Congress at the coming session in December" (Meritt 1924c:1). It was already too late.

In March 1925, Congress finally authorized \$1,200 for the plots at the canyon mouth, but would not release funds until the following fiscal year, by which time the church would already have relocated the Paiutes into houses on its land across town (Work 1925; U.S. Congress, House 1925; 43 Stat. 1096).

The church was then faced with the challenge of smoothing tense relations with both the town and the BIA, both of which interpreted the church's actions as intrusions into its affairs. Palmer slightly misrepresented the government's efforts when he appeared before the local Chamber of Commerce to defend the necessity of the church purchase: the BIA "could do nothing except to place them [Paiutes] on some reservation, to which they object" (Anonymous 1924). Ivins, the hierarchical senior, undertook the diplomatic negotiations with the miffed federal bureaucracy, whose native turf had been invaded; he assured Farrow, "We do not wish to assume any control over the Indians, neither in their temporal or spiritual affairs, leaving them to themselves, trusting that contact with the whites and the love they have for their own homes will gradually bring them into a better condition" (Ivins 1924f:3). He even told Paiutes that the BIA would not allow the church to offer them assistance: "I would like to help the Indians more if the Government would let me do it, but you know that the Indians and white men must do what the Government tells them to do, or they will be punished. Mr. Farrow is the Government man to take care of the Indians, and he does not like me to interfere" (Ivins 1927:1).

Farrow apparently did not see the church position in quite so neutral a light and suspected

that the work being done in behalf of the Indians at Cedar is with a view of entirely breaking up the Moccasin or Kaibab Reservation of which he [Farrow] has charge. I [Ivins] have assured him that this is not the case, that we have no desire to encourage the Indians from Moccasin to come to Cedar, in fact that this arrangement is purely in the interest of the Coal Creek Indians, and we do not want either the Shevwitz [*sic*] or the Indians from Kaibab to gather at Cedar, nor do we desire in any way to interfere with arrangements the government may have looking to their development and welfare [Ivins 1925b:2].

A federal inspector came away from meeting Palmer with the distinct

opinion that the church undertook this matter with a definite ulterior motive not impelled solely by a charitable one. I am told that they deliberately defeated the plans of the government to purchase certain lands upon which the government had obtained options for the purpose of providing for these Indians [Fiske 1928:1].

Palmer's own remembrance of the church's land purchase differed dramatically from that of the federal officers: "When the Government washed its hands of the responsibility [*sic*] the local church authorities took the matter up with the First Presidency of the Mormon Church and secured the help" (Palmer 1940:1).

Despite his protestations of disengagement, in the highly centralized style of Mormon administration, Ivins immediately proceeded to plan construction of the Paiute community. Before the land was even purchased, and the same week he had assured Farrow of church noninvolvement, Ivins' internal correspondence revealed:

I think all that we need is a number of one-story houses, with flat roofs, laid up roughly with stones, provided with chimneys so that stoves can be put in. . . . The outside to be left rough in the ordinary Indian fashion. My thought was to erect enough rooms to accommodate the tribe, building them in an open square, one main building facing west, with two wings, leaving an open court in front, which could be used as a kind of campus, and at least one large room that could be used as a workshop should be provided [Ivins 1924d:1].

A further designated feature was that the "houses will be of a type that can be washed out frequently with a garden hose, and the walls will be bug and vermin proof" (Palmer 1925a). A local church member was assigned to draft sketches for this scrubable mini-Taos, which would (not accidentally) face the railroad depot. Ivins pursued railroad financing for these "rustic, real Indian buildings" (Ivins 1924e:1).

The church stake presidency recruited the women's auxiliary, the Relief Society, to help move the Indians. The ensuing correspondence reveals that Mormon relations with the Paiutes,

to the extent that they were driven by moral dictates, were at least in part motivated by concern with the Mormons' own social prestige and moral standing within their own ideological concepts. They clearly intended to assimilate Paiutes into this non-Paiute cognitive framework. "It seems to me," Palmer (1924d:1-2) wrote,

that the very best thing the Society can do for the Indians is to take their women in hand and teach them better ways of living. The infant and child mortality among them is appalling [*sic*], and it constitutes the main reason why they are a vanishing race. Lifting them up will be a slow and discouraging task. They cannot be jumped up to our standards all at once but patience and tactful perseverance will in time show some results. They must be taught the necessity of cleanliness and a better system of feeding and clothing and caring for their children. . . . the Lord has given to us a knowledge of who these people are and what His purposes are concerning them. This very knowledge puts us to them in the relationship of "Brothers keeper," and I feel that we will be under condemnation if we do not do what we can to guide them forward toward the realization of their destiny.

Palmer's perception of Paiute destiny grew directly out of Mormon theology. The Book of Mormon (Church of Jesus Christ of Latter-day Saints 1977), the foundation of church doctrine, states that the New World was populated by emigrants from Israel fleeing the fall of the Tower of Babel. Soon separated into two warring camps, the agricultural and devout Nephites were conquered by nomadic and vicious Lamanites who soon apostatized from the teachings of the Lord. God eventually despaired of their return to the faith and "cursed them and did cause a skin of blackness to come upon them" (2 Nephi 5:21), in punishment for their heresy. He promised, however, that if they did truly repent of their sins, they would once again become "a white and delightsome people" in the eyes of the Lord (2 Nephi 30:5-6). Only after these lost Children of Israel were successfully reconverted could the Second Coming of Christ arrive and bring about the Kingdom of God on Earth. The

former hunter-gatherer Paiutes were said to be descendants of these Lamanites. This doctrinal logic makes the ultimate salvation of all Mormons dependent on the conversion of Native Americans. It also preaches that adherence to Mormon doctrine and Mormon cultural expectations is conformity to the Will of God, and that such adherence constitutes Progress in the nineteenth century sense of absolute betterment of the human condition.

Despite such religious argument, not everyone in Cedar City fully supported the church's project to move Paiutes for their own good and to fulfill their divine destiny. In particular, the people whose land would adjoin the relocated Indian community raised the notably secular objections so often heard regarding minorities and the poor. They complained that the value and salability of their land would decline: "I like the Indians, myself, and have not the slightest objection to them, but their presence there has materially retarded the progress of this subdivision, because many white people will not buy, especially with a view to building homes, near Indians in this country" (Clark 1924:1). They complained of potential contagion:

They were going to isilate [*sic*] the Indians from the people of the City because of this dreaded disease T.B. and then to think they are intinding [*sic*] to put them so near us. We will get the waste waters, fumes. . . . [we] do not wish to raise our little children among the Indians or run any chances on loosing one with the disease of Tuberculosis [Hunter 1924:2-4].

They complained of cultural differences: "noise . . . When they have a death or sickness in camp They pow-wow all night for a week at a time not only that but They drink intoxicating [*sic*] liquors get Drunk an[d] make it very disagreeable for us" (Hunter 1924:4). They complained of status deprivation:

the hand of disgrace which we will fall into through having to live near the Indians. How we will be looked down upon and shunned by the rest of the City people. . . . placing the Indian

among us, which makes us feel that [the land committee] consider us at the same standard as the indians [Munford 1924:3, 5].

The nearby landowners wrote to the president of the church, who ordered Palmer to see "that no injury be done to these good people" (Grant 1924:1). In order to quiet these objections, Ivins authorized that the neighboring complainants would also be bought out, but at the least possible expense. He advised that a committee, headed by the city mayor, should appraise the land and that "If the people [Mormon landowners] can be made to understand that we do not wish to purchase this land, and that we do not care to pay more than its real value for it, perhaps if it is purchased they will relinquish it with the feeling that they have been benefitted" (Ivins 1925a:1). Subsequently, another \$10,000 was invested for additional acreage that included a few one- and two-room clapboard houses (Palmer 1925c:1).² Seeing an avenue for savings, Ivins (1925a:1) inquired "how the Indians feel in regard to it, whether or not they will be satisfied to take these buildings instead of having new ones erected? The present improvements are of course much better than we would have made for them; this they should be made to understand." Palmer (1925b:1) was given the task of approaching the Indians "over the matter of the new or the old houses and they decided that they will be satisfied with either one that we provide for them." Ivins (1926:2) reported to his superiors, "The [existing] houses are far more expensive than the Indians require," although they were not "typically Indian." Plans to construct an Indian village were subsequently dropped.

The houses were moved so that they clustered along the creek at the north end of the property farthest from town. "Such of their old things as cannot be washed out and saved we will then burn up," the churchmen decided (Palmer 1924d:1). The county board of health then condemned the Indian houses at the old canyon site,

and they were burned to the ground (Roberts 1926:2). Paiutes remembered this destruction, and the condescending evaluation that lay behind it, with bitterness even 50 years later (Knack 1973-1996). The city, whose mayor had chaired the church's land appraisal committee, sold two street rights-of-way to the church for one dollar. This sale was justified as being in the public interest because it would improve the sanitary conditions and promote the welfare of the Paiutes, and "for such other useful and beneficial purposes as said Church may direct" (Cedar City and Church of Jesus Christ of Latter-day Saints 1927:2). All was ready by the end of 1926 when, in conjunction with a Mormon holiday,

On Christmas day we moved the Indians down to their new homes and celebrated the event with a little pow-wow. . . . the Bishop provided a beef and some groceries. We called them all together and told them how much the Church was spending on their homes and farm, and that we expect them now to take care of it and not let it run down. On their part they promised to take care of it as best they could and expressed appreciation for what has been done. The novelty of it will doubtless wear off, and we expect to keep some supervision over them [Palmer 1926:1-2].

Another show was held in the auditorium of the local agricultural college. There Paiutes recited speeches and performed music and tableaux of "Indian traits" stage-managed by the college music instructor. Palmer and Ivins were "made full blood Piute Indians" and given beaded vests as "traditional" symbols of their new rank as "tribal chiefs" (Anonymous 1925a, 1925b, 1925c). Palmer was also rewarded by being made president of the Mormon stake organization (Ivins 1925a:1).

Of these events, a BIA inspector wrote, "If the Mormon church wants to look after those Indians I do not see why they are not allowed to do so. It is merely carrying out on a small scale what the Secretary [of the Interior] seems willing to do and that is to turn over the management of the Indians to the states where the Indians live"

(Roberts 1926:2) (the distinction between church and state seems to have escaped this federal employee). Farrow (1926a:1) reported, "It would appear that no further action on our part is warranted." The BIA consciously decided at this point to hand over administration of the Cedar City Paiute band to the Mormon Church (Meritt 1926:1). Farrow was ordered to "limit your supervision over them [Cedar City Paiutes] to offers to the city and church officials to cooperate with them in promoting health and community activities among the Indians," but financial involvement, even in support of the BIA's favorite agricultural activities, was denied (Hammond 1928:1).

It was the BIA's understanding that the church lands "were donated to the Indians for the support of the Cedar City Band alone" (Hammond 1928:1). In 1931, the Commissioner of Indian Affairs specifically ruled that because the Cedar City Paiutes were a group separate from any recognized tribe and did not occupy trust land, they were not wards of the government; therefore, federal funds could no longer be spent on them (Rhoads 1931:1). However, Paiutes who were registered at Kaibab, Shivwits, and Indian Peak steadily moved to Cedar City for employment, and their health and school benefits were paid. With intermarriage, parents often registered their children at the reservation of the recognized spouse in order to assure them rights there. The interweaving of kinship, residence, and federal enrollment became ever more complicated. Misunderstandings on the parts of both Paiutes and agency personnel over who was and who was not eligible for federal services became increasingly common.

During the 1920s, tourism stimulated improvement of highways and transportation networks in southern Utah to such a degree that the BIA considered consolidating the administration of the various Paiute reservations into a single agency to save the overhead of separate staffs. The agency then operating out of Kaibab on the

Arizona border was responsible for the small reservations at Shivwits and Goshute, as well as tiny groups of Paiutes at Kanosh, Koosharem, Indian Peak, and Shoshones as far north as Skull Valley, west of Salt Lake City. A more central location at Cedar City or Milford on the railroad line was suggested (Hammond 1926:4).

Interestingly enough, the churchman, Ivins, supported the Cedar City option. The BIA regional superintendent, on the other hand, rejected Cedar City with a logic that confused issues of financial aid and independence, arguing that "such a move would interfere seriously with the success of the Cedar City experiment in that it would have a tendency to make the Indians of that Band dependent upon you [the Indian agent] rather than upon their own efforts" (Hammond 1928:2). Farrow was also indisposed toward the Cedar City option, and bent over backwards to avoid interference with "the Mormon Church [which] has opened an experiment of caring for the little band of Cedar City Indians . . . possibly the presence of headquarters there might in some ways operate to defeat the purpose towards which they are working" (Farrow 1926b:1). On the other hand, Cedar City was a larger town and would be a more interesting place to live than Milford, although rail service was less frequent. But then again, Kaibab and other Paiutes for whom Farrow was already responsible "have been spending considerable time at Cedar and have gotten into considerable trouble" and he saw it his duty to "restrain these infractions" (Farrow 1926b:2).

In 1926, Washington consolidated under a single agency all the Paiute reservations in Utah, and added Moapa in Nevada as well. Its headquarters would be in Cedar City, the one place of all these sites where there was *no* federal trust land to administer and where the indigenous group of Paiutes had been ruled *not* to be wards of the government (Burke 1926:1).

The Mormon Church continued to hold title to the land at Cedar City where Paiutes actually

lived. Despite Ivins' and Palmer's avowals to the contrary, the church did actively endeavor to change the Paiutes' lives, behaviors, and culture. Although interest, funding, and activity fluctuated, as Palmer (1935a:1) said, "In all the work that is being done for the Indians, the objective is to educate him in the ways of the white man." The church owned the houses in which the Paiutes lived; upon deaths and marriages, it reassigned residences. Missionaries installed a centralized pipe from which Paiutes could carry drinking water; the church paid the water bills (Knack 1973-1996).

During the Depression, the only economic assistance Cedar City Paiutes received was through the church. Although Palmer (1935a:1) firmly believed that "he [the Indian] can not compete in the white man's industry," he nevertheless resurrected his plan for tourist-oriented trade. He wanted to encourage "his own arts and crafts because this is a field unique and distinctive in which he can excell [*sic*] and in which he will not be in competition with the white man. . . . I want to find new application for his [*sic*] bead work, basketry, and buckskin crafts" (Palmer 1935a:1). The church gave Palmer between \$230 (Palmer 1940:2) and \$500 (Brooks ca. 1935:1; Holt 1992:55) to buy craft goods and try to market them, especially through his railroad connections. He drew designs from books of "Indian" (often Plains) crafts which craftswomen were to copy in materials he had advanced to them on credit (Palmer 1935b). The resulting bookends, gauntlets, and bead-covered bottles were "new applications" indeed, although the attempt to stimulate a marketing cooperative was ultimately a failure.³ The Paiutes recognized "that the church has furnished this money and they are grateful to them for it," Palmer asserted (as quoted in Holt 1992:55).

After the demise of this short-lived industrial effort, Mormon church interest in Cedar City Paiutes seems to have waned. Not until the 1950s did the church reactivate its interest in In-

dian affairs generally, reinitiating Indian missions throughout the West and beginning its child placement program (Bishop 1967; Parry 1972; Buchanan 1974; Heinz 1976). In 1956, it financed construction of a church building on its land in Cedar City. This structure included not only a chapel, but also meeting rooms and a gymnasium. Church services there were run by non-Indians assigned to the Indian congregation as formally recognized missionary duty. Only for a brief time was a Paiute man in charge, with strong advisory support by non-Indians. His decline into alcoholic depression was seized upon as justification for the re-establishment of non-Indian management of the Indian church. The women's auxiliary, the Relief Society, also met under the direction of non-Indian missionaries, who urged upon Paiute women the Mormon values of emotional support of and submission to the authority of husbands (Knack 1973-1996).

Paiute affiliation with the Mormon Church remained strong, despite the nominal and indirect BIA presence in Cedar City. When the Wheeler-Howard Act was passed in 1934 (48 Stat. 984), the BIA held meetings to encourage Paiutes to vote for a tribal constitution. In terms highly reminiscent of Captain Pete's response to the first federal agent in 1907, the Cedar City group "indicated that they were not interested; that they did not wish to come under the law; that they had been getting along for many years without much help from the Government" (F. A. Gross, as quoted in Holt 1992:56). The BIA response reflected the triadic relationship between the Paiutes, the federal agency, and the church; Farrow was ordered to "find it convenient to personally interview Mr. William Palmer for the purpose of making the law clear to him in the hope that he may be able to get the Indians at Cedar City to see the advantages of the law so that when the time comes to vote they will not vote against the law" (Gross 1935:1). The Cedar City Paiutes did eventually reject a

tribal government. State courts assumed jurisdiction over Paiutes and routinely tried and punished them for what the state law defined as offenses (e.g., Anonymous 1934a, 1934b, 1934c).

After Agent Farrow had an auto accident in 1938, he retired. The BIA took this opportunity to close the Cedar City office, and transferred administration of all the Paiutes in Utah to the large Uintah-Ouray reserve, 350 miles northeast (Anonymous 1939). Once again, they received only cursory annual visits by an agent whose main duties and career existed elsewhere.

In 1954, the four small Paiute reservations in Utah were sucked into the first wave of groups terminated from federal administration (68 Stat. 1099; U. S. Congress, Joint Committee on Interior and Insular Affairs 1954; Jacobs 1974; Holt 1992:61-87). Because of their nonward status, the Cedar City Paiutes were not included in that legislation. For the next 25 years, none of the Utah Paiutes received BIA assistance. By the end of that time, virtually all Paiutes had migrated to the Mormon Church lands at either Cedar City or Richfield.

When I arrived for ethnographic fieldwork in 1973, the acknowledged leader of the Southern Paiutes asked me outright during our initial interview whether I was a Mormon. When I said, "No," he replied, "You might want to think about doing [being baptized] that way. You can't get nothin' done around here otherwise" (Knack 1973-1996). He was generously trying to tell me the facts of life as he knew them in his world.

In that world, Paiute men worked for Mormon farmers, or got public service jobs through letters of reference from senior Mormon churchmen (Knack 1980:32-43). They lived on land and in houses owned by the church. Church officials physically moved those residences until they lined up at right angles to the road and encouraged Paiutes to grow "nice" grass lawns. Virtually all Cedar City Paiutes were at least nominally Mormons and many regularly attend-

ed Sunday meetings in the only public building in their community, the Mormon chapel. All the officers of the exclusively Indian congregation were non-Indians whose temporary assignments officially qualified as missionary duty. Paiute teenagers played basketball in the church recreation hall. The half of the Indian community who had no domestic running water had to get keys from the non-Indian officers so they could shower in the church lavatories. The Cub Scout troop was sponsored by a town congregation and met in the Paiute Mormon church. The only organized meetings in the Paiute community for women were the Mormon Church female auxiliary. There was virtually no public action which was not controlled by and dependent on the Mormon Church. Its tentacles of control ran throughout Paiute community life (Knack 1973-1996).

Despite the benign and altruistic motivation often proclaimed by Mormons writers, the church-run reservation differed in very few ways from late nineteenth century BIA reservations. Just as federal Indian policy at the height of its acculturationist phase had argued that natives had to be guided by more advanced people toward civilization, churchmen justified their actions by the belief that they would draw Paiutes into a better life and felt justified in forcing them, if necessary, for the Indians' own best interests, to engage in Progress. The dominant church bureaucracy controlled the economy of the native community, and as much of the personal lives of the people as it could manage. It dictated the physical organization and much of the social and political structures of the native population as well. Unlike the BIA, however, this privately owned reservation had not a shadow of legal authority. It proceeded solely on the unshaken conviction of its own rectitude. Also, unlike BIA-operated reservation islands awash in a divergent civilian sea, Mormon church domination extended homogeneously throughout the exterior region beyond the reserve, creating a

continuous economic, social, political, and ideological sphere of control.

This sectarian control was challenged during the 1970s. In 1972, the Cedar City town council voted to spend its entire federal block grant on housing for the Paiutes because of their dramatically high and disproportionate poverty rate. Because the land was owned by the church, not the beneficiaries of the housing plan, the federal government once again refused funding for construction. Mormon missionaries persuaded the church to agree to a 99-year lease if an appropriate Paiute organization could be found to accept it. Missionaries then privately urged Paiutes to hold public meetings; the Mormons distributed meeting announcements; they set the agendas; and they actively participated and made leading suggestions at those meetings, which were held in the Mormon church building. As a result, the Utah Paiute Tribal Corporation was founded as a nonprofit corporation under state law. It formed a subsidiary housing authority under federal guidelines to which the church then leased specific parcels (Knack 1973-1996).

Two years later, the corporation won a regional development grant to construct four light industrial buildings, including one at Cedar City. Again the issue of land ownership stopped construction until the church transferred land title for a plot scarcely larger than the building's floor plan to the corporation; the rest of the land remained church property well through the next decade (Knack 1973-1996). In 1980, after Cedar City Paiutes, along with the four terminated bands, had been readmitted jointly as a federally recognized tribe (94 Stat. 318), that building in Cedar City became its new tribal headquarters. Ironically, a BIA office was then once again opened in Cedar City for the newly constituted Utah Paiute tribe.

In the late 1970s, the availability of federal poverty program housing drew some of the Paiute population away from church lands. The reinstated tribal government provided not only a

fund of power for Paiutes independent of the Mormon Church, but also an economic source of jobs not reliant on Mormon largess. After more than 50 years of direct sectarian control, Paiutes obtained the chance for autonomous action. That independence remains tenuous, however, as they must still operate within a homogeneous regional society that is controlled and dominated by a single, highly structured denomination. Furthermore, the first long-term tribal chairman was the only Cedar City Paiute ever to have served his obligatory year as a Mormon missionary (Knack 1973-1996).

CONCLUSIONS

An Indian community located on land privately owned and managed by a religious denomination is an anachronism in the twentieth century. The closest parallels would appear to be the New England Praying Towns (Bowden 1981:124-134) or the Spanish reduction program launched against natives of the Greater Southwest (Spicer 1962:463-464), both in the seventeenth century. Since the federal government formally ended mission society appointments of Indian agents about 1880, Indians have rarely been under the complete economic and political control of missionary groups (Beaver 1966; Prucha 1984:1:596-597). Where Indian missions continue to exist, they are usually on or immediately adjoining reservations where sectarian control is balanced by at least a nominal degree of secular oversight.

I am unaware of any similar situation in recent years comparable to that of Utah Paiutes,⁴ the majority of whom lived on privately owned church lands throughout the middle years of the twentieth century. Their situation did not come about accidentally. The BIA consciously capitulated to what it called an "experiment." It intentionally chose to allow an Indian community to be established on lands owned by a religious denomination. In this case, the degree of sectarian control was even further accentuated by the

numerical domination and highly organized structure of the Mormon Church in Utah, the Paiutes' rejection of a Wheeler-Howard Act tribal government, their terminated status, and Utah's political antipathy as demonstrated by its successful denial of Indians' right to vote until 1956 (*Allen v. Merrell*, 353 U.S. 932). Time and again, church ownership of the land has complicated Paiutes' legal standing, and inhibited their access to housing, economic development, health care, public school tuition subsidies, and many other federal benefits.

Relationships between Indians and churches, it is often said, is determined by the First Amendment to the United States Constitution and by the Native American Religious Freedom Act (92 Stat. 469). Neither of these laws has ever guaranteed Native American citizens the right to practice indigenous faiths, nor protected them from the imposition of an established religion. Scholars tend to associate contemporary Indian religious issues with legal challenges for access to traditional ceremonial sites, respect for the dead, or rights to possess ritual objects otherwise regulated by federal environmental or drug laws (Vecsey 1993; Wunder 1994:193-198). Nevertheless, Utah Paiutes, through the active connivance of or careless disregard by the federal government, continue to fight nineteenth century, and even seventeenth century, battles against politically powerful, economically well-funded, and highly organized sectarian efforts to force native religious faith into Euroamerican molds and their way of life into imitation images of middle-class America.

NOTES

1. No documents available in the Church Historian's Office have ever verified that that land was ever actually placed in trust for the Paiutes.

2. In a later statement of Palmer's prepared for the church and copied to congressmen, the reported total financial investment of the church had escalated to \$30,000 (Palmer 1946:4).

3. Palmer seems to have been his own best customer. Much of his collection has been donated and

can be viewed at the Utah State Parks Department pioneer display now directly across the street from the Paiute community.

4. Perhaps the closest parallel in time, geography, and religious denomination involved, are the original Paiute allotments at Kanosh and the Shoshone community at Washakie, both in Utah (Knack 1992). Mormon churchmen encouraged Great Basin native men to file for homesteads in these places in 1900 and 1876 respectively. Without receiving power of attorney, the white men then took charge of the land deeds and sent them to Salt Lake City church headquarters for "safe keeping." Appointed non-Indian members of the church exercised strong subsequent supervision over Indians in both locations. Washakie was designated a Mormon mission site and had its own chapel; Kanosh did not, until after the BIA actually took over and expanded the land base. These cases are not strictly parallel, for in neither case were these properties, often called "Church Indian Farms" in the Mormon literature, actually owned directly by the church. Rather they were individually owned Indian properties to which the churchmen had extended extralegal supervisory powers.

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