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Author(s): Jerry Keenan

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“THIS IS A FINE HOT OLD COUNTRY”  
Yellowstone Kelly at the San Carlos  
Apache Reservation, 1904–1909

by  
Jerry Keenan

ALTHOUGH THE NAME YELLOWSTONE KELLY carries a high profile among chroniclers of the North Plains Indian wars, it is virtually unknown to students of early twentieth-century Indian affairs in Arizona. During the Sioux and Nez Perce conflicts of 1876-1877, Kelly attracted national attention as chief scout for Col. Nelson Miles and the Fifth U.S. Infantry, participating in the battles of Cedar Creek, Wolf Mountains, and Bear’s Paw Mountains. A quarter century later found him laboring in relative obscurity on the sun-baked barrenness of the San Carlos Apache Reservation in east-central Arizona. Here, during a five-year tour of duty as Indian agent, he wrestled with the always complex, politicized, and often unresponsive machinery of an unforgiving federal bureaucracy, while at the same time struggling to maintain a balance between dealing fairly with his Indian charges and not antagonizing their Anglo neighbors.

The Apache war years have been well chronicled and the post-World War I decades have also received considerable notice from historians. But the period between the end of the Apache conflicts and World War I has yet to receive the attention it merits. This episode in the long, colorful, and often exciting career of Yellowstone Kelly offers new insight into conditions at San Carlos and the government’s policy of dealing with the Apaches during Kelly’s tenure.

A quiet, unassuming individual, with a finely honed set of wilderness skills, Luther Sage Kelly was born in Geneva, New York,

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Retired from the book publishing industry, Jerry Keenan is an independent writer/historian. He is the author of numerous articles and books, including *Encyclopedia of the American Indian Wars, 1492-1890* (ABC-Clio, 1997), *Encyclopedia of the Spanish-American and Philippine-American Wars* (ABC-Clio, 2001), and *The Great Sioux Uprising* (DaCapo Press, 2003). He is currently working on a biography of Yellowstone Kelly.

on July 27, 1849, the eldest surviving son of Luther Kelly and Jeanette Eliza Sage. In the spring of 1865, at age fifteen, and with his mother's permission, he enlisted in Company G, Tenth U.S. Infantry. After serving briefly in the east, Kelly's unit spent the next three years in Minnesota and in Dakota Territory.

Following his discharge from the army in the spring of 1868, Kelly migrated west to the storied land of the Upper Missouri River. In the decade preceding the last great upheaval on the Northern Plains, Kelly roamed throughout the territory as a free hunter and trapper, reveling in a mostly solitary existence and savoring the region's raw, wild beauty. It was during this period that he acquired the sobriquet "Yellowstone," although exactly how and when is not clear.

If the Kelly name is highly recognizable to those who have studied the military campaigns of that time and place, few will know of the man beyond the pale of the then far-flung frontier that inspired his colorful nickname. Yet his post-Montana career embraced a richness of adventure and excitement no less thrilling than the days he spent in that grand sweep of country drained by the Yellowstone and Missouri rivers. In the two decades following his departure from Montana in 1880, Kelly married, ranched in northwestern Colorado, and spent six years as a government clerk—first in Chicago, then at Governor's Island, New York, and finally, in Washington, D.C. In 1898 and again in 1899, he participated in two Alaska expeditions. Upon his return from Alaska, he was appointed a captain in the Fortieth U.S. Volunteers and served in the Philippines until 1903, when he accepted an appointment as agent at the San Carlos Apache Reservation.<sup>1</sup>

Upon his return from the Philippines in late December 1903, Kelly traveled to Philadelphia and Washington to attend to official business and spend time with his family. While in Washington, he lunched with President Theodore Roosevelt, whose acquaintance he had made in the West some years earlier. As with his old commander Nelson Miles, Kelly had developed a bond with Roosevelt and the two men stayed in touch with each other as the years passed.

Luther and his wife, Alice May (known as May to family and friends), arrived at San Carlos in late January and Kelly formally took charge of the agency from his predecessor, S. L. Taggart, on February 1, 1904. San Carlos would be his and May's home for



*Yellowstone Kelly taken in 1877 when Kelly served as chief of scouts for Col. Nelson Miles during the Great Sioux War and the Nez Perce War. John H. Fouch photo. Courtesy Dr. James S. Brust.*

nearly five years. Kelly left no record of his expectations for the new position, but he was definitely glad to be out of the Philippines and back on American soil.<sup>2</sup>

San Carlos, where Kelly took charge, was part of the Indian reservation system administered by the Department of the Interior's Office (Bureau) of Indian Affairs headquartered in Washington. Overall responsibility for Indian affairs was vested in a commissioner to whom Kelly and other field agents submitted their reports and made requests for everything from machinery and medical supplies to paper and pencils. It was the agent's responsibility to maintain order and see that his charges received what was due them under laws enacted by Congress and executed by the Bureau. The agent was also authorized to pay for certain services, such as ice when the agency's ice-making machine temporarily malfunctioned, and to hire and fire employees according to operating procedures set forth by the Washington office. It was a bureaucratic position, subject to all the frustration that an indifferent bureaucracy often imposes on those who seek to carry out its will.

Located some twenty miles east of Globe, and bounded on the north by the Salt and Black rivers, the sprawling San Carlos Reservation encompassed approximately 2,800 square miles. It was created from the original Apache reservation system that had been set aside in 1872. Although there had been an agency at San Carlos from the beginning, it did not become a separate reservation for two decades. Then, in 1896 the northern one-third of the original White Mountain Apache Reservation was renamed Fort Apache, with the remaining segment officially designated the San Carlos Reservation. Broadly, the mission of both the San Carlos and White Mountain reservations was to control the various Apache bands west of the Rio Grande. Like other reservation systems, it was viewed as the gateway to Indian acculturation. And, as elsewhere, it proved a concept that delivered less than it promised.<sup>3</sup>

San Carlos may well have been the most ill-conceived of all western reservations. To begin with, the location itself was regarded as simply awful. Historian Robert Utley describes it as a "hot, barren, malarial flat along Arizona's Gila River." The Apache war leader Victorio and some of his followers reportedly vowed that death was better than being incarcerated at San Carlos. An unidentified Chiricahua Apache recalled that almost everything about

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San Carlos was dreadful: "The heat was terrible. The insects were terrible. The water was terrible." But there was more to it than that. Over and above the location itself, a deeper problem lay with the Indian Bureau's failure to recognize that not all Apache bands enjoyed friendly relations with one another. As a consequence, it was an invitation to trouble when these various bands were ordered to share the same reservation.<sup>4</sup>

Until 1885, agency administrators were civilians appointed by the Office of Indian Affairs. Feuding between agents and the military fostered poor management, with the Indians usually paying the price for the squabbling. In 1885, control passed to the War Department, which assigned army officers to manage the reservations. This system remained in place until 1900, when civilian agents were once again appointed.

Although some fair and efficient agents truly worked on behalf of the Indians, by and large the reservation system, regardless of who was at the helm, did not receive high marks. Graft, incompetence, and the often abusive use of power drew harsh criticism, whether the agent was an army officer or a civilian. Given his own background in civil service reform, President Roosevelt may well have seen his friend Luther Kelly as a man who could be counted on to do right by the Indians; to be an example of Roosevelt's Square Deal philosophy. Accordingly, the president asked Kelly to report on conditions at San Carlos as soon as he had an opportunity to size up the reservation.<sup>5</sup>

Notwithstanding the largely negative views of San Carlos, it is interesting to note that Luther Kelly genuinely liked the place. He and May were located in a nice roomy house that had formerly served as the residence of his predecessor. Contact with the world beyond San Carlos was through Globe to Phoenix. The agency headquarters, nerve center of the reservation, was situated on the line of the Gila Valley, Globe and Northern Railway, which connected with the Southern Pacific at Bowie and offered a second option for travel east or west. Not long after settling in at the agency, Kelly wrote to his friend of Philippine days, Gen. Jesse Lee, saying "I am glad I left the Islands. This is a fine hot old country here, and I enjoy it very much." To another correspondent, he remarked that the dry heat was not unpleasant—"if you have plenty of ice."<sup>6</sup>

In keeping with the president's request, on April 7 Kelly provided Roosevelt with an assessment of San Carlos, based on two months' experience and observation. The population of the reservation, he informed the president, consisted of 1,666 Apaches, 43 Mohaves, and 381 Tontos. But the picture was not a pleasant one. These Indians were poor, with most barely subsisting, thanks to a Bureau of Indian Affairs policy that sought to encourage self-sufficiency by reducing the amount of rations, so that now only the aged and helpless were actually issued food. In place of rations, some \$18,000 had been made available to pay for Indian labor during fiscal year 1903-1904, but this had provided only "scanty" relief for a few.<sup>7</sup>

"These Indians are intelligent, law abiding and fairly industrious," Kelly informed the president, "but like most Indians are thriftless and lack habits of economy." They were glad to have work, but there were few jobs to be had on the reservation, so most sought employment on railroads and in mines outside the reservation. That Kelly was impressed with the Apaches' work ethic, however, is made clear in a letter to anthropologist George Bird Grinnell in which he states that his San Carlos charges were "far ahead of the sioux [*sic*] as I knew them, and are willing to work."<sup>8</sup>

In August, Kelly was able to provide Commissioner of Indian Affairs William A. Jones with a more detailed picture of conditions on the reservation. There was plenty about which to be pleased and to feel encouraged. Much had already been done at San Carlos in the way of establishing schools, law enforcement, and a judicial system. At Talkai, twelve miles north of the agency, the Rice Bonded School, built of native white-ash stone, served the educational needs of some 200 Apaches. A boarding school had the capacity to handle up to 100 additional pupils. Kelly advised the commissioner that the students—all Apaches—made good progress during the school year, at the conclusion of which they returned home and reverted to their traditional lifestyle.

The German Lutheran Society operated a mission school on the San Carlos River, but attendance was poor, with only twenty students enrolled. Kelly attributed the low attendance to the school's poor location. Nevertheless, Kelly believed that the mission school exerted a very positive influence on its students and he welcomed more schools of its type.<sup>9</sup>



*Apache students at San Carlos, ca. 1905. George Bille Collection.*

Although the government encouraged cattle raising, the Apaches had few animals and were largely indifferent to the idea of becoming cattlemen. They were, Kelly observed, more inclined to kill the animals for beef, so that herds remained small. As a consequence, the reservation Indians were required to have permission in order to kill a steer or an old cow, and must show the dead animal's hide to the proper official.

Law and order was maintained through a police force consisting of a captain and fifteen privates, armed with Springfield carbines and .38-caliber revolvers. A police court, composed of three salaried Indian judges, had been established to deal with a variety of offenses ranging from drunkenness and disorderly conduct to horse-stealing and attempted murder.

Finally, Kelly reported that since his arrival in February sixty shade trees, plus twenty-four English walnut, three crab, and three apricot trees, had been planted. A decade later, Kelly would be planting his own fruit trees in Paradise, California, perhaps inspired by his experience at San Carlos.<sup>10</sup>



When Kelly arrived at San Carlos in 1904, the use of Apache labor had increased to the extent that local labor unions were beginning to oppose the practice. Apaches would work for less, usually far less, than what an employer would have to pay white laborers. As anthropologist Richard J. Perry points out, Apache labor was much exploited around the turn of the century. But, faced with the Indian Bureau's policy of reducing rations and promoting self-sufficiency, the Apaches were left with little choice but to accept whatever work they could find.<sup>11</sup>

Probably the single most important source of employment for the Apaches during Kelly's administration was the Roosevelt Dam. Built on the upper Salt River northwest of San Carlos by the U.S. Reclamation Service between 1902 and 1911, at a cost of \$10 million, the dam eventually resulted in the creation of Lake Roosevelt. At ten miles long and two miles wide, it was then the world's largest artificial lake. During construction of the dam, the famed army scout Al Sieber was killed by a falling boulder while supervising Apache workers in 1907. There is no record of Kelly and Sieber having met, but given that Kelly was the agent and Sieber was supervising Apache work crews, it is hard to imagine that the two old scouts could have avoided seeing each other. Assuming they did meet, the exchange of experiences, which must surely have followed, would have been well worth recording.<sup>12</sup>

Whether or not Kelly made an effort to improve working conditions for the Apaches is left to our own surmise. It is difficult, however, to imagine exactly what he might have done to change the picture noticeably. He could hardly forbid the Apaches from accepting these jobs, nor were there any federal laws governing minimum wage or working conditions. It is regrettable, too, that Kelly left no record of exactly how he felt about the reservation system. He may well have viewed it as the only practical way of dealing with what had long been called the "Indian problem." Certainly, he believed that the time had come to parcel out reservation land to the Indians in severalty—to individual Indians rather than simply to the tribe as a whole.

From the evidence we have of his tenure at San Carlos, it seems clear that Kelly also believed that, for these Indians, agriculture was the path to a successful recasting of their identity. Of course, he was scarcely the first agent, nor the first white man for

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that matter, who was convinced that the success of the government's acculturation program lay in agriculture. The prevailing winds of political wisdom carried this philosophy to all corners of the nation. It was the cornerstone of the reservation concept.<sup>13</sup>

At San Carlos, the problem was water. "Continued drought has affected the reservation heavily," Kelly advised Commissioner Jones in August 1904. "Springs are drying up, and ground on which hay was formerly gathered to fill government contracts is now bare of vegetation." A year later, however, the picture had changed dramatically. Kelly reported that the extraordinary precipitation since January 1905 had caused considerable flooding and washed away the irrigation ditches. Despite the heavy downpours, crops had been planted and generally yielded a good harvest of wheat, barley, and corn.<sup>14</sup>

Owing to the scarcity of water, the San Carlos Apaches were crowded along a few streams, a situation that compelled some Indians to leave the reservation in search of better land. Still, Kelly believed there was potential here. The reservation encompassed more than enough land to provide each family with a small farm, if water could be obtained. Kelly's solution was to look underground. He informed President Roosevelt that he had ordered a boring machine to drill for water, but thus far the Indian Bureau had not acted on his request. Whether or not his letter to the president speeded up the process is unknown, but when Kelly wrote to George Bird Grinnell a month later, he had received the machinery. Kelly also told Roosevelt that he had recommended the Indian Bureau open San Carlos to mining exploration and levy a tax on earnings from future mining operations.<sup>15</sup>

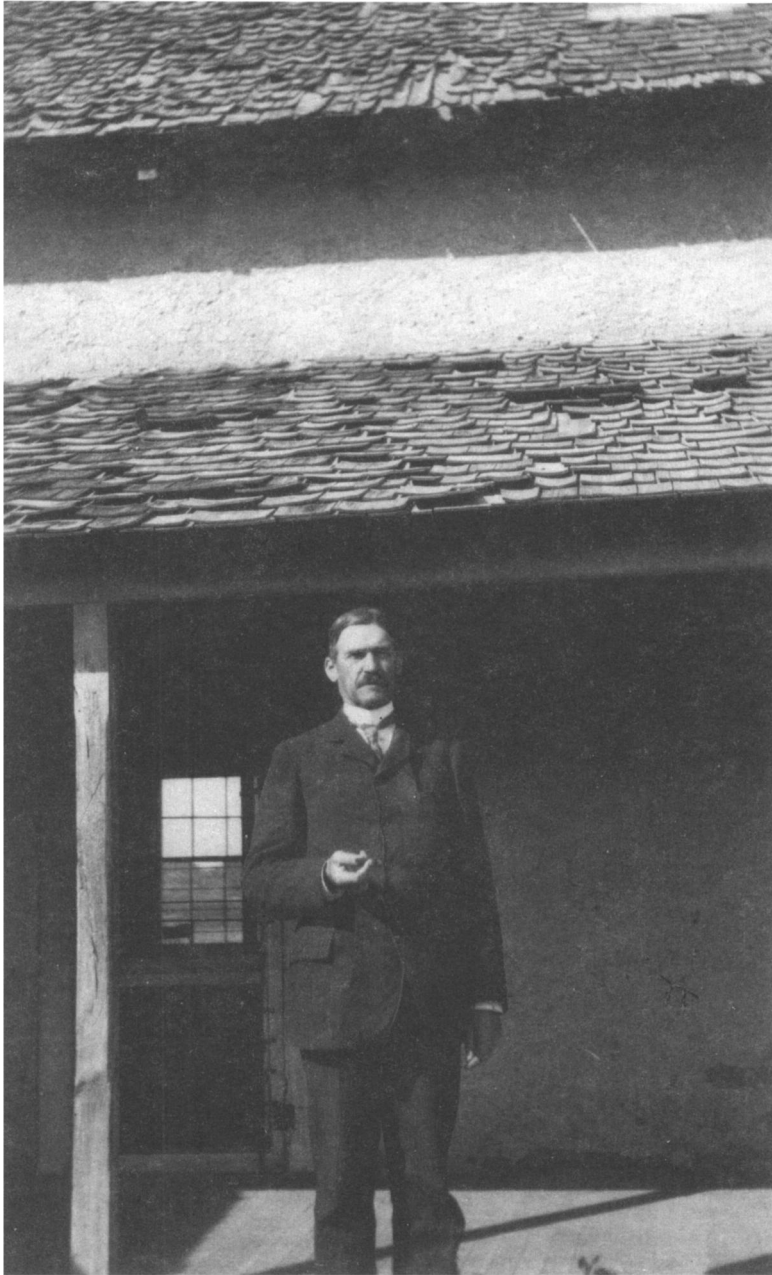
When he first arrived at San Carlos, Kelly told his friend of Philippine days George Van Horn Moseley that the Indians regarded him as a tough taskmaster, saying that he "had a 'bad eye'" and that "they would not have the free and easy times, they had formerly enjoyed." Their attitude implies that perhaps Kelly's predecessor had managed the agency with a loose rein. Kelly apparently struck the Indians as an agent who would run a tighter ship, and in this they were probably correct. There is no record of how the Apaches eventually came to regard Kelly, but he never had a problem in developing a solid working rapport with native peoples, as any examination of his experiences in the West and the Philip-

piners will attest. He had long since developed a philosophy in this regard and it seems unlikely that he would have altered his viewpoint when he arrived at San Carlos. With this in mind, it seems reasonable to assume that in time the Apaches came to view their new agent as a man who could be trusted and who would work on their behalf. But, at the same time, Kelly would brook no foolishness.

Kelly discovered early on that being an Indian Bureau employee was quite unlike serving in the military. "[T]his Interior dept. is not like the department of war," he told George Van Horn Moseley. Snarls could and did occur, regardless of which department of government he was involved with. Red tape and delays were as much a part of life in the bureaucratic jungle of 1900 as they are today. As time went on, Kelly would find out just how vexing it could be for a middle manager in government service.<sup>16</sup>

Although the Kellys' lifestyle was modest, their home always reflected a cultured taste. To the extent circumstances permitted, there always seemed to be a place for music and books. Luther was a regular customer of the Victor Talking Machine Company, from whom he ordered recordings of such popular tunes of the day as "Silver Threads Among the Gold," "The Old Oaken Bucket," and "My Old Kentucky Home." But his and May's tastes were fairly eclectic and included renditions of "Lorelei," "Titl's Serenade," and "Air des Larmes."<sup>17</sup>

Kelly was also interested in newly published accounts of frontier life and adventures, particularly those that dealt with his own sphere of experience. Joseph Henry Taylor sent him a complimentary copy of his *Frontier and Indian Life and Kaleidoscopic Lives*, which had first appeared in 1889. Set in the Upper Missouri River region during the 1860s and 1870s, the book awakened old memories for Kelly, who had known that country about as well as anyone in those days. In writing to thank Taylor for the book, Kelly remarked that "it reminds me of old times on the Missouri," adding somewhat wistfully that "I suppose there are very few of the old timers now on the river. The buffalo do not often come now in sight of that old fort Union, and one cannot sneak up the Yellowstone river and kill a deer when disposed." In addition to acquiring books, Kelly subscribed to periodicals such as *Indian School Journal* and *Forest & Stream*, of which his old friend George Bird Grinnell was editor-in-chief.<sup>18</sup>



*Luther S. Kelly as San Carlos Indian agent, 1904-1908.  
George Bille Collection.*

Although he enjoyed reading and listening to music, Kelly needed outdoor physical activity, a trait that would remain a part of his life until eventually ruled out by failing health. At San Carlos, he satisfied the need by occasional hunting forays. Luther and May also found satisfaction in working the land, creating a garden that flourished with ripe corn and melons, among other things, illustrating that the land, despite its harshness, was indeed capable of being productive.

If the Kellys' gardening efforts were successful, it was not because of the particularly favorable climate. Sunshine abounded, but moisture was scarce. If a garden was to produce in these parts, it required special attention. In a July 1904 letter to a Mr. White, Kelly talked about the dry conditions, contrasting them with the effects of hard rains produced by summer monsoons. There had evidently been some talk of providing the Indians with clear water, rather than relying on flood waters, a project Kelly regarded as costly and impractical. "Rains have been very backward, and river has been dry since you left a couple of days ago," he explained. "There is now about a foot of muddy water. I have had no reason to change my opinion that the demand will take all the flood water that can form here in this basin, and that there will never be any accumulation of any consequence. Of course, if the government wants to pile up a million tons of mud, and give them clear water, and has the money to spend that way, there is nothing more to be said."<sup>19</sup>

The Indian agent's daily life was involved in arbitrating, or otherwise resolving, a variety of problems, ranging from those of a nagging sort, such as when the ice-plant machinery broke down, to more serious matters, of which the volatile mix of Indians and alcohol was far and away the worst. The Indian and the bottle had been bad news for 400 years and the reservation system exacerbated the problem. Kelly had certainly seen plenty of instances of alcohol abuse during his frontier years and he considered it a serious problem that wreaked havoc with the Indians. As agent at San Carlos, he was in a position to have some influence on the situation, at least in his small sphere of authority, and he tried to do what he could.

In May of 1904, for example, Kelly wrote to Frank Mead, general superintendent of the Phoenix Indian School, describing the problem of halting the illicit liquor trade on the reservation. Apparently, one individual in particular was responsible for much

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of the illegal trade. Kelly had thus far been unsuccessful in his efforts to apprehend the man. And the politics of local law enforcement frequently worked against him. When Globe police—whom Kelly thought “energetic men”—nabbed a culprit, federal authorities refused to pay their travel expenses to Tucson, sending instead a U.S. marshal or county sheriff to retrieve the prisoner, thereby depriving the Globe lawmen of the opportunity to earn some extra cash.<sup>20</sup>

The sale of liquor to Indians was by law prohibited on or off the reservation, that was clear enough. However, the legality of transporting liquor across the reservation by railroad was not quite as clear cut. The Gila Valley, Globe and Northern Railroad, for instance, would haul a shipment to a designated point on the reservation and off-load it there for pickup by saloonkeeper W. C. Albriton, who then transported the liquor to his establishment just across the reservation boundary. Writing to the commissioner of Indian affairs about the practice, Kelly reported that he had forbidden Albriton to use reservation roads to haul his liquor, which meant that the man could only reach his saloon by a round-about way. Kelly was glad to know his restriction imposed a hardship on him.<sup>21</sup>

But despite the best efforts of Kelly and local officials, Indians had no difficulty obtaining liquor. In June, Kelly wrote again to the superintendent of the Indian boarding school in Phoenix, this time regarding a dozen or so girls, ranging in age from fourteen to eighteen, “who are going to the bad because of their own ignorance and the cupidity and love of liquor of their parents.” A month later, the situation prompted Kelly to send John Filleman to Globe under orders to pick up all Indian girls between the ages of fourteen and twenty who were without visible means of support. As well, he asked the Globe sheriff to appoint William Grey as a special deputy to arrest persons selling liquor to Indians, including a black man who was living with an Apache woman. In Kelly’s view, the fact that the two were living together did not give the man the right to provide the Indian woman with liquor.<sup>22</sup>

Another troublesome problem had to do with loose horses on the reservation. The animals tended to damage Indian farms and also created a problem for legitimate stockmen who had grazing privileges. Although allowing stock to run loose on the reser-

vation was illegal, Kelly received little support for his efforts to enforce the law. The U.S. marshal had failed to honor his requests and the U.S. attorney informed him that there was no statute under which the animals could legally be seized. Kelly kicked the matter upstairs, informing the commissioner of Indian affairs that if this "decision is to stand, the result will be a crowding of the reservation of all kinds of stock by more or less irresponsible people to the injury of the Indian farms, and the interests of reputable stockmen who have grazing privileges." The ruling apparently stood and Kelly was compelled to deal with the problem as best he was able.<sup>23</sup>

A problem of a different sort occurred in October 1905, when the Gila County sheriff notified Kelly that scarlet fever had broken out among Indians in Globe and requested that they all be removed to the reservation immediately. After investigating the matter, agency physician Dr. Carl Boyd advised Kelly that the report was without foundation.<sup>24</sup>

Although the Apache wars had ended with Geronimo's surrender in 1886, memories of those often fierce and unsettled times remained fresh in the minds of many Arizona residents, who never completely lost their fear of yet another outbreak. Accordingly, when rumors surfaced in early 1905 of a possible outbreak among the White Mountain Apaches, who reportedly were buying arms, Kelly informed the new commissioner of Indian affairs, Francis E. Leupp, that after talking to the Fort Apache agent, he was satisfied that the rumors were largely groundless. It was well known that the Indians had been armed for years and used their weapons—primarily shotguns—for hunting.<sup>25</sup>

Typical of any government bureaucracy, state or federal, Kelly had to deal with the legacy of a prior administration. During his tenure in office from 1897-1904, Indian Commissioner Jones had created the position of "farmer" at San Carlos in order to provide a clerk in the Washington offices with an opportunity to, in Kelly's words, "improve his lungs at this station." Kelly saw no need for the position and did not want the man on his payroll. But, he informed now-General Superintendent of Reservations Frank Mead that "the late commissioner sent him here, saying that he was a protege of a certain congressman who was kind on appropriations and to do the best he could with him."<sup>26</sup>

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Getting along with people had never been a particular problem for Kelly until he arrived at San Carlos. One suspects that the root cause of his people problems here stemmed from individuals who were employed on the reservation in one capacity or another and who sought to take advantage of the federal bureaucracy to further their own ends. In Luther Kelly, they found an agent who, unlike his predecessors, refused to cooperate. Also, according to Kelly, there was a certain clique in Globe that worked to undermine his authority. For what reason we don't know, but perhaps it was his refusal to look the other way with regard to the treatment or exploitation of Indians.

Kelly's problems began early and ran late. In 1905, for example, he clashed with Ruth Gibbs, a former matron at the San Carlos boarding school, who wished to remain on the payroll during the period when the school was closed and while she was on furlough. Because this was an unusual request, Kelly asked the commissioner for authorization. When he was turned down, Gibbs protested over Kelly's head. Kelly notified Commissioner Leupp that she had joined the "little coterie of ex-employees and small politicians in Globe, Arizona, who are trying to make trouble for me in my position as agent."<sup>27</sup>

In December 1905, Kelly was forced to respond to charges leveled by Graham County District Attorney E. J. Edwards. Edwards wrote to Commissioner Leupp criticizing Kelly on several counts, including the deportation of a man from San Carlos; his handling of Indians charged with stealing cattle; and permitting large groups of Indians to visit Globe. Kelly acknowledged to Frank Mead that he had read the letter in which the assistant district attorney tried to make him [Kelly] "out a monster of inhumanity and in other ways incapable of conducting properly the affairs of this agency." The charges, Kelly went on to say, "are a mass of misrepresentation, the facts perverted in the most devilish manner, and for reasons that are apparent to me but which I will not go into at this time."

Kelly responded to the specific charges by saying that he removed the man from the reservation in an orderly manner, and without any harshness. As for the Indians who allegedly stole cattle, Kelly would have tried them before the Indian court, but he lacked sufficient evidence. And Kelly denied allowing large numbers of Indians to visit Globe, saying that he was very careful about



the number of permits he issued. "Indians with passes to work at the Salt River dam (Roosevelt), stop in Globe, on their way, and this cannot be helped," he explained. "The whites set a very bad example there in the way of liquor."<sup>28</sup>

Another uproar occurred in the fall of 1908, when Kelly suspended wheelwright John R. Kemp for using disrespectful language to him. Kelly explained the matter to Commissioner Leupp and speculated as to why it might have happened. "I have always treated Mr. Kemp with the utmost consideration," Kelly wrote. "Have made it a point to sympathize with him and ask his opinion in matters relating to his work, in which he showed considerable skill. It was a great surprise his turning upon me the way he did, as our relations have always been cordial and friendly with mutual respect for each other. The fact that I have issued a certain quantity of oil and fuel to the Agency Physician, Farmer and Assistant Farmer for their official use and none to the Wheelwright, except at the shop appears to have awakened his resentment."<sup>29</sup>

Kemp, of course, painted a far different picture of the situation. In his letter to Commissioner Leupp, Kemp freely admitted using disrespectful language, but pointed out that "there had been provocation sufficient to cause a free American citizen to say all he charges me with having said and more too." Kelly had treated him in an inconsiderate manner and acted "bossy." Kemp also accused the agent of having favorites among the employees. "Some of the favored are provided with wood and kerosene oil for use at their quarters, while others are not favored." Kemp concluded by arguing that he had been misrepresented; that he was justified in saying what he had said to Kelly, and that "the gravity of my offense was not extreme enough to justify my suspension."<sup>30</sup>

Kelly was realist enough to recognize that such incidents could lead to his removal as San Carlos agent. If there were sufficient smoke and agitation, he would become an embarrassment to the department and Leupp would be forced to replace him. Kelly was discouraged by the backbiting and small-mindedness of so many of the people with whom he was compelled to deal. As early as 1905, when he had only been at the agency for a year, Kelly laid his case out before the president himself. "I have to advise you that it may be possible that I will be deprived of my office of agent here owing to the misrepresentation and malice of small politicians, ex-



*Stereoptican view of government buildings at San Carlos during Kelly's tenure as agent. The buildings formerly served as officers' quarters when the reservation was under army control. George Bille Collection.*

employees and others, who are not pleased with my administration here," he informed Roosevelt. "I court fullest investigation of course, which can only result in taking up my time and causing me some disquiet, but the pressure may be too much for the department. I am not a young man now, having served in the last year of the Civil War, as well as the Spanish war. I shall always be grateful for the interest you have taken in my career and in honoring me with office."<sup>31</sup>

The letter is interesting: honest, certainly, but perhaps more importantly, a model of political adroitness. On the face of it, Kelly would appear to be making an effort to protect himself and secure his position before the axe fell. In a sense, he wasn't entirely out of line in going over the commissioner's head. Roosevelt had, after all, asked Kelly to report directly to the White House on conditions at San Carlos. There is no record as to whether Roosevelt acted on Kelly's letter in any special way. Commissioner Leupp was a man whose judgment Roosevelt trusted completely. It would not be farfetched to imagine the president chatting with the commissioner, suggesting that he hoped Kelly, whom he had always

admired and respected, would be retained. This is conjecture, however. The fact is that Kelly's tenure at San Carlos ended with the departure of the Roosevelt administration.

In November 1908, Kelly fulfilled a promise to George Bird Grinnell by visiting several caves on the reservation. Kelly had explored these caves when he first arrived at San Carlos and had told Grinnell that they contained large quantities of bat guano, which he proposed to market on the Indians' behalf. On his second visit, Kelly made a more detailed examination of the caves, discovering evidence of ancient dwellers and their lifestyle, in which he knew Grinnell would be interested.<sup>32</sup>

Theodore Roosevelt's second administration drew to a close with the election of William Howard Taft in November 1908. As the year wound steadily down and election day approached, Kelly may have wondered whether he would be retained at San Carlos once Roosevelt was out of office. If so, he scarcely troubled himself about it, figuring that—one way or another—it would all work out. And it would have, if he had anything to do with it. Scarcely a week after the election, Kelly wrote to president-elect Taft, inviting him to San Carlos. "On your way to the southwest cannot you come to this agency for a few days rest, 'far from the madding crowd?' It is a genial climate, quite retired place, with fine quail and turkey hunting. Quail are found in walking distance, turkey two days ride in the mountains. You may remember me. I was a Captain in the 40th Vol. in command at Dapitan, Mindanao, when you appointed me Treasurer of the Province of Suigao. I have been Indian Agent for the Apaches for nearly five years. If you could bring Mrs. Taft with you, you would have a pleasant time." The invitation was cordial and genuine enough, though clearly an effort on Kelly's part to secure his position at San Carlos. Taft, not surprisingly, declined the invitation.<sup>33</sup>

The beginning of the end of Kelly's time at San Carlos occurred in December 1908, when he was demoted from agency superintendent to superintendent of the Indian school at a lesser salary. It was clearly a step down. The transfer may well have been with the idea in mind of encouraging Kelly to resign. However, his acceptance of the school post on December 5 made it clear that he had no intention of leaving. It was equally clear that Commissioner Leupp wanted a new man at the station. With the various com-

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plaints lodged against him, Kelly had become something of an irritant at San Carlos. But his relationship with the president made it awkward to remove him while Roosevelt was still in office. With T.R. preparing to leave the White House, Leupp probably no longer felt obligated to retain Kelly as Apache agent. Accordingly, on December 24, 1908, Christmas Eve no less, Leupp advised Kelly that he was being transferred to the Keshena Indian School at Green Bay, Wisconsin, at an annual salary of \$1,800. Formal notice of the new appointment reached Kelly on December 30. The commissioner of Indian affairs would pay the expense of obtaining a corporate surety on a \$50,000 bond for Kelly. Ironically, his replacement would be Lewis B. Weaver, who had recently arrived to fill the newly created position of "Additional Farmer" at San Carlos.<sup>34</sup>

Kelly learned under unfortunate circumstances of his replacement. Kelly and Weaver had not gotten on well at all. Privately, Kelly disapproved of Weaver's even being at San Carlos. But he also detected a certain impertinence and underhandedness on Weaver's part. Kelly explained to Leupp that "on December 30, when I detailed the Additional Farmer, Mr. Weaver, an employee of three months standing, at this agency to do certain work, he flourished a letter from your office of an official character, though marked personal, in which it was stated that he had been appointed Superintendent of this agency at a salary of \$1200. This was in the presence of other employees."<sup>35</sup>

Weaver defended himself. "On December 30, 1908 I was detailed to go to the saw-mill, a distance of thirty-five miles to take charge of the mill while the sawyer took a vacation of fifteen or thirty days," he wrote Commissioner Leupp. "I asked Capt. Kelly if he thought best that I should be going away at that time, thinking from remarks he had been making for days previous that he knew of my appointment, until he asked me why I thought I should not go. In answer to his question I took one page of the letter out of my pocket and read to him that my appointment as SUPERINTENDENT of the SAN CARLOS AGENCY had been signed. Capt. Kelly said 'Let me see that' and reaching took it from my hand, read some of it and returned it to me. I told him that the letter was of a personal nature, and that as to the matter of going to the saw-mill, I was perfectly willing to go, and that I was entirely under his

instructions and had no idea of disobeying them. I at once left for the saw-mill and remained there until he sent for me a few days later."<sup>36</sup>

It seems clear that the decision to replace Kelly had been made sometime before the incident related here. And, if Kelly knew or suspected he was going to be replaced, as Weaver alleged, he evidently did not know that Weaver had been appointed as his replacement. Kelly was understandably upset to learn about it from Weaver first, rather than in official form from the commissioner. In any case, Kelly regarded Weaver's appointment as a bad choice and said so. For one thing, he considered the man inexperienced and unqualified for the position. But it was the circumstances surrounding the changing of the guard that proved most galling. Kelly probably was not particularly surprised to learn that he was being transferred, but he did not appreciate the manner



*A 1996 view of San Carlos. Author photo.*

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in which it was brought to his attention. Indeed, it is clear from his 1905 letter to Roosevelt that he had anticipated something like this three years earlier.

Kelly plainly was upset by what he regarded as shabby treatment, and he said so in a January 4, 1909, letter to Roosevelt. "Mr. Leupp recently wrote me that after consulting with you and the Secretary of the Interior, he had decided to place a younger and more active man at this agency," the aggrieved outgoing agent explained. "I have been offered the agency at Kishena [*sic*], Wis., but after consideration, I have decided that if I am too old for this place [he was fifty-seven], I am not young enough for the other and so have declined it. As the office has made it impossible for me to remain here, having reduced the salary and appointed a young inexperienced employee at this agency to take my place, there is nothing left for me to do but leave the service. I wish to thank you for the five years that I have spent in Arizona. I do this with the more satisfaction that I have never asked you for anything, directly or indirectly, unless it was for your endorsement when I reentered the Volunteers, during the Insurrection in the Philippines."<sup>37</sup>

Roosevelt expressed his regrets and wished Kelly well. There was little more he could have done. Roosevelt was a lame-duck president and not on particularly good terms with Congress. Still, he thought enough of Kelly to express his disappointment. "Your letter causes me sincere regret," he wrote. "Mr. Leupp had told me of the circumstances, and I had hoped that you would be willing to accept the agency offered you. It has been a matter of peculiar pride to me to have you serve under me, for I admire your past record, your character, your standards. May all good fortune go with you! I accept your resignation with genuine regret."<sup>38</sup>

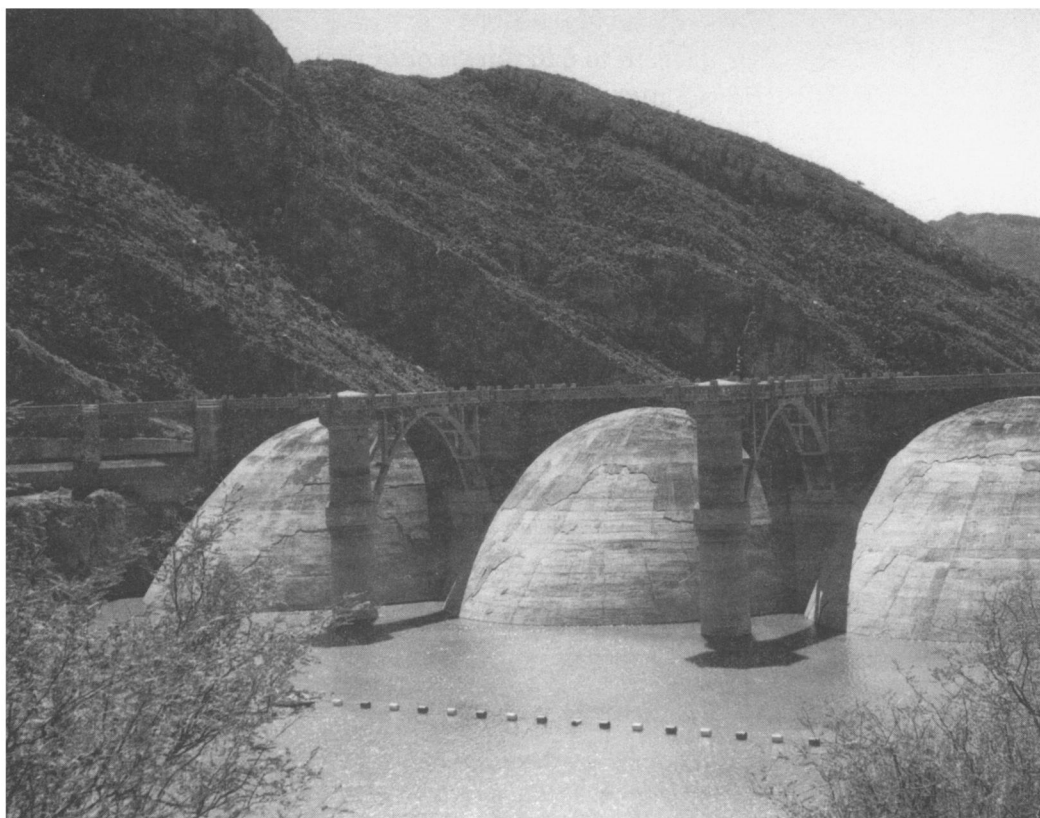
On the same day that he wrote to Roosevelt, Kelly also wrote Commissioner Leupp, officially declining the Keshena position. In mid-January, amidst the contretemps of his final unpleasant hours at San Carlos, more allegations against Kelly came to the fore, adding to his personal angst. Two agency employees, Rabinovitz and Jones, charged that Kelly had issued wood and kerosene oil to employees, contrary to explicit department regulations. Hints of fraud and malfeasance were in the wind, the implications of which must have been unbearable to a man of Kelly's private instincts and personal code of ethics.<sup>39</sup>

As a consequence of these allegations, Special Indian Agent Wilbur T. Elliott was sent to San Carlos under orders to “look very carefully into this matter as a part of the general examination of Superintendent Kelly’s accounts, both cash and property. If, in the course of this examination, other matters affecting Captain Kelly’s management of this post come to your attention, notify the office at once of their character.”<sup>40</sup>

One can only speculate as to what was going on. Rabinovitz and Jones may have been disgruntled over some earlier issue with Kelly and seized the first opportunity to even the score. Perhaps they felt slighted at not having themselves been issued wood and kerosene. For whatever reason, Kelly may have judged it important enough to depart from the rules in order to dispense those particular items. At this date, it is impossible to determine exactly what happened with any of the complaints lodged against Kelly, whether it be that of Ruth Gibbs, wheelwright John Kemp, or the matter of wood and kerosene. But, so far as can be determined, Special Agent Elliott reported finding nothing of a questionable nature in Kelly’s management of the San Carlos Agency. No charges were ever preferred.<sup>41</sup>

The San Carlos assignment had begun on a bright note. Kelly may well have seen his future with the Bureau of Indian Affairs. And why not? Given his background, few job seekers could offer stronger credentials for working with and understanding Indians. But rapport with Indians was only part of what running a reservation was all about. The rest of it had to do with keeping one’s nostrils in the wind; playing the shifting ebbs and tides of political maneuvering. Therein, lay the crux of the problem. Luther Kelly was not a political critter—on any level, local or otherwise. He knew how the reservation ought to be run, but sometimes his ideas ran contrary to the notions of others. In the end, it proved his undoing.

There was a little more to it than that, of course. There was the matter of how Kelly dealt with the surrounding white community at large. Here was a tight line to walk—how to deal fairly and squarely with the Indians without seeming to be overly prejudiced on their behalf. The bias against Indians was particularly strong in Arizona, where memories of the Apache wars were still plenty fresh. This undoubtedly played a role in how the Globe community perceived Kelly. Surprisingly, none of these troubles seemed to gen-



*Water behind Coolidge Dam now covers the agency headquarters and Kelly home. Author photo.*

erate a great deal of angst within Kelly's soul. None of this really soured him on San Carlos. Indeed, within a few years he would ask to return.

So, five years drew to a close. It had been the longest time Luther and May had been together since leaving Colorado in 1891. And for the most part it had been a satisfying five years, even though they ended on a rather sour note. Now, it was time for Kelly to look elsewhere. On January 19, 1909, he tendered his official resignation as San Carlos agent to Commissioner Leupp. The following day, Kelly turned over management of the reservation to Weaver, and he and May prepared to head east.<sup>42</sup>



### Postscript

After leaving San Carlos, Luther Kelly spent the next seven years engaged in various mining and prospecting ventures in the Goldfield, Nevada, area. In 1915, he and May removed to Paradise, California, where they operated a fruit ranch. In 1926, Yale University Press published Kelly's recollections of his frontier experiences, under the title "*Yellowstone Kelly*": *The Memoirs of Luther S. Kelly*. Kelly died on December 17, 1928. At his own request, his body was transported to Billings, Montana, where he was laid to rest on the rim rock above the city in June 1929.

### NOTES

1. For information on Kelly's life, see Luther S. Kelly, "*Yellowstone Kelly*": *The Memoirs of Luther S. Kelly*. Edited by M. M. Quaife (New Haven: Yale University Press, 1926), hereafter cited as Kelly, *Memoirs*, and Kelly, "Memoirs of Experiences in Alaska and the Philippines," manuscript, Beinecke Library, Yale University.
2. Luther Kelly to Jesse M. Lee, July 9, 1904, Kelly family collections (KFC).
3. San Carlos Agency File (SCAF), MS 707, Arizona Historical Society (AHS), Tucson; Donald E. Worcester, *The Apaches: Eagles of the Southwest* (Norman: University of Oklahoma Press, 1979), pp. 168-69; Frederick E. Hoxie, ed., *Encyclopedia of North American Indians* (Boston: Houghton Mifflin Company, 1996), p. 29.
4. For descriptions of San Carlos, see Robert M. Utley, *The Indian Frontier of the American West, 1846-1890* (Albuquerque: University of New Mexico Press, 1984), pp. 193-94; Dan L. Thrapp, *Victorio and the Mimbres Apaches* (Norman: University of Oklahoma Press, 1974), p. 213; Richard J. Perry, *Apache Reservation: Indigenous People and the American State* (Austin: University of Texas Press, 1993), p. 119.
5. According to SCAF, civilian agents were again appointed beginning in 1900. For a discussion of the reservation system and the government's management, see Francis Paul Prucha, *Great Father*. 2 volumes (Lincoln: University of Nebraska Press, 1984), especially vol. 2, pp. 716-35, 763. See also, H. W. Brands, *TR: The Last Romantic* (New York: Basic Books, 1997), pp. 541-66.
6. Luther S. Kelly, "Report of Agent for San Carlos Agency, 1904," in *Annual Report of the Commissioner of Indian Affairs [CIA], June 30, 1904* (Serial 4798), p. 152, hereafter cited as Kelly, "San Carlos Annual Report." Kelly to Oscar Long, April 10, 1904; to George Van Horn Moseley, April 8, 1904, SCAF. Kelly to Lee, July 9, 1904, KFC. During the 1930s, the house, agency headquarters, and other sites that existed during Kelly's tenure as agent were covered by the waters of Coolidge Dam. Any Indian whose land was covered by those waters was given a new tract of land near the town of Rice, former site of the Indian boarding school. SCAF, pp. 6-7. See also Nancy Felton to L. A. Huffman, January 27, 1930; and W. E. Tiffany to Kelly, October 10, 1926, KFC.
7. Kelly to Theodore Roosevelt, April 7, 1904, SCAF.
8. *Ibid.*; Kelly to George Bird Grinnell, May 24, 1904, SCAF.
9. Kelly, "San Carlos Agency Report, 1904," p. 151.
10. *Ibid.*, pp. 151-53.
11. Perry, *Apache Reservation*, pp. 142-43.

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12. A. E. Rogge et al., *Raising Arizona's Dams* (Tucson: University of Arizona Press, 1995), p. 7; Dan L. Thrapp, *Encyclopedia of Frontier Biography*. 3 vols. (Glendale, Calif.: Arthur H. Clark Company, 1998), vol. 3, pp. 1306-1307, suggests the possibility that Sieber's death was not an accident.
13. Kelly to Frank Mead, November 29, 1905, SCAF.
14. Kelly, "San Carlos Annual Report, 1904," p. 153.
15. *Ibid.*, p. 176. Kelly to Mead, November 29, 1905; to George Bird Grinnell, May 24, 1904, SCAF.
16. Kelly to Moseley, April 8, 1904, SCAF.
17. Kelly to Victor Talking Machine Company, May 7, July 7, 1907, and October 24, 1908, *ibid.*
18. Kelly to *Forest & Stream*, November 16, 1905; to Joseph H. Taylor, November 26, 1907, *ibid.*
19. Kelly to Mr. White, July 24, 1904, *ibid.* Apparently, White was a former resident of the area, perhaps a government employee.
20. Kelly to Mead, May 28, 1904; to CIA, July 23, 1904, *ibid.* Mead was later appointed general supervisor of reservations.
21. Kelly to CIA, August 25, 1904, Letters Received, Office of Indians Affairs (LROIA), #59243, Record Group 75, National Archives. See also Kelly to Frederick Nave, June 26, 1904, SCAF.
22. Kelly to Mead, June 29, 1904; to Filleman, July 10, 1904; to E. P. Shanley, January 6, 1905; to William Gray, January 28, 1905; and Gila County Sheriff to Kelly, March 2, 1905, SCAF.
23. Nave to Kelly, September 20, 1904; Kelly to CIA, September 23, 1904; to Nave, October 23, 1904, *ibid.*
24. Kelly to CIA, October 27, 1905, LROIA.
25. Kelly to CIA, February 13, 1905, *ibid.*
26. Kelly to Mead, February 1, 1905, SCAF. Kelly later claimed that Robert G. Valentine, then secretary to the CIA and later commissioner himself, was responsible for the appointment.
27. The picture is not as clear as one might hope. But, given Kelly's past history and the evidence on hand, it seems fairly safe to say that such was the story. Kelly to CIA, October 21, 1905; Ruth Gibbs to CIA, no date, LROIA.
28. Kelly to Mead, December 11, 1905, SCAF.
29. Kelly to CIA, September 3, 1908, *ibid.*
30. John R. Kemp to CIA, September 3, 1908, *ibid.*
31. Kelly to Roosevelt, September 30, 1905, *ibid.*
32. Kelly to Grinnell, May 24, 1904, and November 29, 1908, *ibid.*
33. Kelly to R. S. Connell, August 3, 1908, *ibid.*; Kelly to William Howard Taft, November 8, 1908, Taft Papers, Library of Congress. Kelly refers to Thomas Hardy's highly acclaimed 1874 novel.
34. R. G. Valentine to Secretary of the Interior (SI), December 16, 1908; Francis Leupp to Kelly, December 24, 1908; Assistant SI Wilson to Leupp, December 30, 1908, SCAF.
35. Kelly to CIA, January 4, 1909, *ibid.*
36. Lewis B. Weaver to Valentine, January 18, 1909, *ibid.*
37. Kelly to Roosevelt, September 30, 1905, and January 4, 1909, LROIA; Kelly to SI, March 16, 1913, SCAF.
38. Roosevelt to Kelly, January 9, 1909, SCAF. See also Edmund Morris, *Theodore Rex* (New York: Random House, 2001), p. 546.

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39. Kelly to CIA, January 4, 1909; to SI, March 16, 1913; OIA Memo, January 21, 1909, SCAF.

40. Valentine to Wilbur T. Elliott, January 13, 1909, *ibid.*

41. Nothing in the San Carlos records indicates that Kelly was implicated in or charged with any wrongdoing during his tenure at the agency. Certainly, he never believed he left behind anything but an unblemished record. This view is supported by his later efforts to secure another position in the Indian Bureau, hardly something he would have attempted had he thought he was blacklisted. And, it is most unlikely that he would have been offered the Keshena post in the face of any malfeasance in office. See C. R. Edwards to Fred V. Carpenter, April 24, 1909, *ibid.*

42. Kelly to CIA, January 4, 1909, *ibid.*