

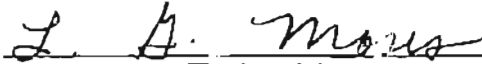
A DEVELOPING RESISTANCE: FIGHTING
ALLOTMENT ON THE KIOWA,
COMANCHE, AND APACHE
RESERVATION

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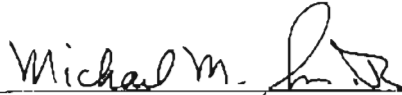
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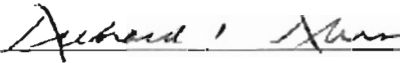
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PREFACE

The Kiowas, Comanches and Apaches were among the last North American tribes to submit to reservation life. Even after they had formally agreed to settle on a reservation in southwest Oklahoma, several bands of Kiowas and Comanches waged war against the United States Army to protect their nomadic way of life. The Quahadas, a band of the Comanches, roamed northern and eastern Texas until dwindling food supplies forced them to submit to the Indian Agent at Fort Sill in 1875. Historians contend that after barely surviving repeated government attempts at assimilation, these once proud masters of the plains became "apathetic wards of the United States." Any process that transforms a people so drastically in a generation is certainly worthy of study.

Why was the Kiowa, Comanche and Apache (KCA) reservation the last in Oklahoma to succumb to allotment if the Indians did not care about their fate? Pressure from land-hungry Euro-American settlers prompted Congress to break several treaties in order to make available more land, why then, did they not begin with the KCA reservation where the Indians were indifferent. According to historians such as William T. Hagan, the Indian Rights Association and special interest groups such as a conglomeration of wealthy Texas ranchers were responsible for the reservation's extended life. However, it is difficult to imagine the Indians who so violently resisted relocation to a three million acre reservation submitting to allotments of 160 acres without a fight. And fight they did. Through the leadership of men like Quanah Parker, the Kiowas, Comanches and Apaches staged a surprisingly successful resistance to

assimilation through severalty. Rather than destroying the Indians' morale, government attempts to assimilate the Kiowa, Comanche, and Apache Indians strengthened their efforts to resist allotment.

Once the Indians had been confined to the reservation, the government began the process of assimilation. A series of under-funded, half-hearted attempts to force an agricultural lifestyle on a formally uneducated people with various herds of livestock and plows failed miserably in the semi-arid grasslands of western Oklahoma. Near starvation at several times throughout the 1880s, the Indians turned to leasing their land for alternate income. Having overcome the government's first attempts to assimilate the Indians, they prepared for a second attempt. The Dawes Severalty Act of 1887 became the principal instrument of the government's program for assimilation: Force the Indians to become self sufficient by imposing severalty through allotments and then weaning them off government annuities in the form of farming supplies, clothing, and foodstuffs. After being forced to make an agreement for the cession of their surplus lands, or land remaining after they had taken allotments, the Indians again attempted to overcome the government's assimilation program, and in so doing, learned the skills necessary to survive among the Euro-American who would settle their reservation. Despite the repeated attempts to force the Kiowas, Comanches, and Apaches to assimilate, these Indians developed the skills necessary to interact with the dominant society to affect desired changes.

The Kiowa Agency files, located at the Oklahoma Historical Society, comprise the majority of sources used in this project. This vast collection includes personal correspondence of the reservation's inhabitants, minutes of tribal councils, and official

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correspondence with the Commissioner of Indian Affairs. Through the unaltered minutes of the tribal councils, it is possible to determine the motivations behind many of the Indians' actions. Personal and official correspondence to and from the various agents of the KCA reservation provide an indication of the development of the Indians as ascertained through the eyes of the assimilationists. This correspondence also illustrates the symbiotic relationship between Quanah Parker and various reservation officials. Although they usually used translators, many of the documents in this collection contain the opinions, ideas, and fears of the Indians. When available, these documents are preferred. The Indian Rights Association papers, also used extensively in this research, provided information on the activities of the, "friends of the Indians." These records revealed some of the motivations for the IRA's attempts to preserve the KCA reservation. The ninth chapter of William T. Hagan's *Taking Indian Lands*, published in the spring of 2003, bears a striking resemblance to the second chapter of this thesis, but because this book was unavailable until after I had finished my work, I was unable to foresee this difficulty. Although our primary focus, and thus our conclusions, are different, much of the text is remarkably similar.

Writing this thesis, I incurred debts to many people. Dr. Mary Jane Ward of the Oklahoma Historical Society offered countless valuable suggestions for further research and assisted in the search for elusive documents. The staff of the Western History Collection at the University of Oklahoma gladly made countless trips to unknown places to retrieve documents. Oklahoma State University's library staff also provided valuable assistance. Helen Clements was of particular assistance in working with the Indian Rights Association Papers.

I would be remiss if I failed to thank Susan Oliver and Diana Hover who, as departmental secretaries, have “greased the skids” on more than one occasion. The support of the graduate community, particularly Jeremy Austin, Sunu Kodumthara, Todd Leahy, and Megan Stewart has been vital to the completion of this project. Each of the members of my advisory committee contributed uniquely to this work. Dr. Michael Smith offered guidance throughout my stay at this university. Dr. Richard Rohrs helped me through some of the intricacies of historical methods and motivated me to produce quality work; and Dr. L.G. Moses has patiently guided this work from its inception to completion.

TABLE OF CONTENTS

Chapter	Page
1. The Road to the Jerome Agreement.....	1
2. You Have Missed the Road.....	12
3. A Reservation United.....	34
4. Conclusion.....	58
5. Bibliography.....	75

LIST OF FIGURES

Figure	Page
1. The Kiowa, Comanche, and Apache Reservation.....	4
2. Disputed Territory.....	41

Chapter I

THE ROAD TO THE JEROME AGREEMENT

In an effort to introduce order into the often chaotic process of opening Indian lands to white settlement, a 1901 lottery decided who would, and who would not, get homesteads in what had been the home of the Kiowas, Comanches, and Kiowa-Apaches (usually written simply as “Apaches”) for over thirty years. Boomers throughout Texas, Kansas, and Oklahoma territory claimed a final victory over the Indians and prepared to invade the rich grasslands of southwestern Oklahoma; but their victory had not come easily. The Indians of the Kiowa, Comanche, and Apache (KCA) reservation spent most of the 1890s in a united struggle against the ratification of the controversial Jerome agreement, a document by which Congress hoped to legalize the seizure of the “surplus” lands of the KCA reservation. The final decade of the nineteenth century, described by historians as a prosperous time on the reservation because of the increased income due to lease payments, also saw the rapid development of political resistance to allotment that was innovative, organized, and successful.¹

The Indian policy of the United States changed throughout the nineteenth century to accommodate the needs of an expanding population. As Euro-American settlers moved into Indian lands west of the Appalachians, removal became the most convenient means to deal with the Indians. The Trail of Tears led many eastern Indians to a region known as Indian Territory, located on the Great Plains. There they joined a variety of other tribes and shared the land largely free of white influence. In the 1850s conflict

increased between Euro-Americans and Indians as speculators and settlers traveled west to Oregon and California through Indian territory. The government again sought to find an acceptable Indian policy, but efforts were postponed with the advent of the Civil War. Afterwards, Congress established a Peace Commission to treat with the plains tribes to “remove the causes of war, secure the frontier, and establish a system for civilizing the tribes.”²

The treaty of Medicine Lodge Creek, Kansas, (1867) officially ended the free reign of the Kiowas and Comanches on the southern plains. Three days of negotiations produced a treaty in which the Indians ceded over 80 percent of their hunting grounds. In return, the seven-man peace commission promised schools to educate the children, agricultural supplies to aid the Indians in their march toward Euro-American civilization, and annuities in the form of clothing and foodstuffs to replace the thinning herds of buffalo.³ The treaty assigned members of the Kiowa, Comanche, and Kiowa-Apache tribes to a reservation of almost three million acres surrounding the Wichita Mountains in southwestern Indian Territory; but the Indians who had ruled the southern plains for over a century did not easily submit to the government’s earliest plans to restrict their territorial boundaries.

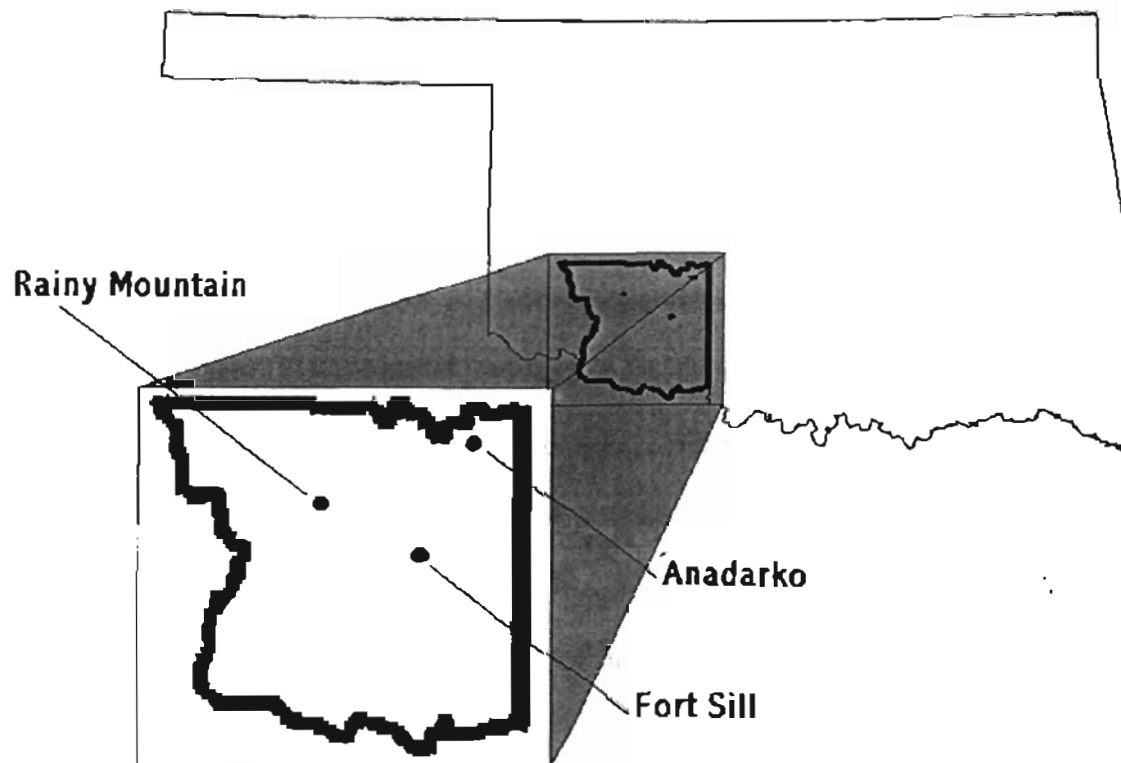
Because of an alliance among the tribes, the Kiowas’, Comanches, and Kiowa-Apaches had controlled the southern plains since 1790. The Kiowas ancestral homeland was in southern Montana where they allied themselves with the Kiowa-Apaches. They depended on antelope and elk for sustenance, but as they mastered their skills with the horse, they migrated south in pursuit of the buffalo and adapted to life on the plains with the help of the Crow, Cheyenne, and Arapaho tribes. In 1790, the Kiowas allied

themselves with the Comanches and pushed the remaining aboriginal tribes out of eastern Texas and Oklahoma, western New Mexico, and southern Colorado. The Kiowas and Comanches were without equal as mounted warriors and earned a reputation among Euro-American observers as the most "blood-thirsty" of the plains Indians despite their relatively small numbers.⁴

Tribal government was limited among the Kiowas and Comanches. Small, autonomous bands, led by a warrior chief and medicine man, migrated seasonally throughout the plains in search of food or intruders. The Kiowas, who gathered annually for the Sun Dance, a ceremony attended by all the bands of the celebrating tribe, were more centralized than the Comanche who did not practice the Sun Dance Religion. Young men in both tribes could ascend to leadership positions through acts of bravery in war and by displaying compassion for the less fortunate members of their bands.⁵ A tribal council, headed by a principal chief and convened during the Sun Dance, hunts, and when critical circumstances confronted the tribe, advised local chiefs on certain matters; but their words held little sway if the local chief did not agree with them. The United States government dealt only with the tribal chiefs at Medicine Lodge Creek, and by so doing, obtained an agreement that had little influence among many of the bands of the Kiowas and Comanches, several of which were not in attendance at the negotiations.⁶

Although the promise of annuities drew most of the Indians onto the reservation for brief intervals, the Quahada band of the Comanches resisted resettlement, without the benefit of government rations, until June of 1875. Several bands of Kiowas and Comanches, such as the one led by Kicking Bird (Kiowa), used the reservation as a safe haven from which to launch raids against the Texans to the south. Inspired by the free-

roaming Quahadas, the Indians attacked settlers and returned to their new homelands to rest their newly acquired horses and regain their strength without fear of reprisals from their victims who were not allowed on the reservation. As the requests for help increased, the government sent General Phillip Henry Sheridan to force the Quahadas and several other independent bands onto the reservation.⁷ Colonel Ranald Mackenzie commanded one of the three columns assigned to the task. He and his men dealt a crippling blow to the Quahadas when he overran their camp and destroyed about 2,000 of their horses.⁸ Having evaded the soldiers for over a year, the Quahadas, led by Quanah Parker, surrendered at Fort Sill on 2 June 1875.⁹



The Kiowa, Comanche and Apache Reservation: 1867-1901

Figure 1

Although they occasionally ventured into Texas to hunt buffalo or to visit friends among the Cheyennes, the reservation became the permanent home of the Kiowas, Comanches, and Apaches. Its boundaries were the North Fork of the Red River on the West; the Red River on the south; the ninety-eighth meridian on the east; and the Washita River most of the north.¹⁰ The government maintained a garrison at Fort Sill to protect the Indians from intruders and put down any insurrections among the reservation's legal inhabitants. The agency, originally located just east of Fort Sill, consolidated with the Wichita agency in Anadarko and in 1878 relocated to that town, at the northern border of the reservation.

The agent's primary responsibility was to make certain that the Indians "advanced in the ways of civilization."¹¹ Military officers replaced Quakers as the preferred Indian agents in the late 1870s. Although the agent was the ranking official on the reservation, Fort Sill's garrison was beyond his authority. Disagreements between the agent and the commanding officer were common, and cooperation between the two was, at best, sporadic.¹² The agent licensed and supervised any non-Indian presence on the reservation. The agency served as the only official conduit between Indians and the federal government; but as will be shown, the Indians, as well as officers from the fort, found ways to circumvent the agent's authority.

The agent also had the responsibility of supervising the tribal government of the reservation. He submitted recommendations to the Commissioner of Indian affairs for local positions from Principal Chief to Judge on the Court of Indian Offenses. Inter-tribal councils served as the basic political unit of the reservation and became the seat of the Indians' resistance to assimilation. These councils, attended by members of all three

tribes, passed tribal legislation, allocated money for public projects, hired lawyers, chose delegations to Washington, and served as an arena for aspiring Indian politicians. Each male in attendance had a vote, but only the most respected chiefs spoke, and the electorate usually supported the consensus of the chiefs unanimously.

In the years immediately following the surrender of the Quahadas, the Indians of the KCA reservation endured dramatic changes to their way of life. The buffalo, a staple of the Kiowa and Comanche cultures, had virtually disappeared from the southern plains by 1879.¹³ Government efforts to break down the Indian's identification with his or her band were largely successful. Speakers in tribal councils identified themselves as Comanche or Kiowa, not Quahada or Yamparika. Horse thieves from Texas raided the reservation, but despite the soldiers' efforts to track and identify the criminals, judges south of the Red River were not sympathetic to the Indians, who had only a decade before been the raiders. The United States government also failed to carry out most of the duties assigned it in the Medicine Lodge Treaty. The treaty called for the government to build a school for every thirty Indian children. There was only one on the reservation in 1875 and only three had been built by 1890.¹⁴ Congress failed to appropriate sufficient funds for housing, agricultural development, and, most importantly, rations. Because of money shortages, the Indians spent three days of every week in transit to and from the agency to pick up rations that were insufficient to feed their families. Although the Indians did not choose to apply themselves to an agricultural lifestyle, the days wasted on the road would have prevented any success in growing crops or herding animals.¹⁵ Realizing that the climate, as well as the people, were averse to farming, government officials purchased 3,600 sheep and goats to promote ranching among the Kiowas and

Comanches. This program ended a year later when, due to predators, flooding, and negligence, only thirty of the original herd was alive. Lacking rations, the Indians also slaughtered or sold the stocker cattle provided by the government.¹⁶ Throughout the 1870s and 1880s, the Indians of the KCA reservation developed distrust for the federal government as they suffered from malnutrition and sickness because of inadequate funding.

Weakened by insufficient rations and disillusioned by the government's unwillingness to fulfill its treaty obligations, the Indians also suffered as Texas ranchers invaded their rich grasslands. By 1882 there were at least 50,000 cattle grazing illegally on the reservation. Soldiers and Indian police were unable to patrol the entire reservation. In the face of additional cuts to the agency's budget, Agent P.B. Hunt approached the cattlemen with an unauthorized proposition. In exchange for grazing privileges, the ranchers were to deliver 340 head to supplement the rations for the Indians.¹⁷ Having successfully drawn income from the reservation's rich grasslands, Hunt attempted to gain official authorization to arrange leases at six cents an acre. After consulting the Attorney General, the Commissioner of Indian Affairs responded to Hunt's request ambiguously. Although an official lease needed congressional approval, if the Indians approved such an agreement, the United States government had no power to prosecute the cattlemen. Thus, the commissioner did not approve the lease, but neither did he deny the agent permission to continue. This became Washington's policy towards leasing well into the next decade.¹⁸

With tacit approval from the Commissioner of Indian Affairs, Agent Hunt sought the approval of the Indians. The ensuing struggle between the anti-leasing and pro-

leasing factions became the first opportunity on the reservation for the Kiowas, Comanches, and Apaches to develop the skills they would perfect in their effort to prevent ratification of the Jerome agreement. Although the ranchers would remain on the reservation with the agent's approval until 1901, the debate among the Indians raged throughout the 1880s. Kiowas, who occupied the northern areas of the reservation, comprised most of the anti-leasing faction. The Kiowa chief Lone Wolf (Mamay-da-ty) was accompanied by Tabananaka, White Wolf, and Cheevers, respected Comanche chiefs, in leading the anti-leasing faction, which Special Agent Paris Folsom found to be in the majority.¹⁹ Quanah Parker, Eschiti, and Permansu, all Comanches, led the pro-leasing faction. Backed by the agent and Texas cattlemen, who provided both money and an education in negotiations, the pro-leasing faction was successful in the face of superior numbers.

The anti-leasing faction maintained its position in tribal councils, but was unable to stop the leases. In a letter to Agent Hunt, Niasto, who did not support leasing, reported that despite all their talk there "are two parties, one party is large but the other one is small. I am on the large side and we are the ones that...don't want [to lease] the land now."²⁰ He continued with a complaint that two white men had attended their council and had tried to convince the Indians to support a lease. He closed with a request to "stop [the talking] about this land business."²¹ In another effort to end the leases, a group of Comanches led by Tabananaka demanded that Quanah Parker and his allies be stripped of their authority and the leasing be stopped.²² Because the United States government determined tribal leadership, their demands had little chance of becoming reality. Agent Hunt, who also supported leasing, was not likely to recommend the displacement of his

allies in the reservation's government. In a show of protest, a majority of the Kiowas and some of the Comanches refused to accept any payment from the leases.²³

The pro-leasing faction, initially in the minority, was able to decide the course of action for the entire reservation, primarily because they aligned themselves with the agent. Agent Hunt, convinced he had the best interests of the Indians in mind, allowed the ranchers to build permanent corrals as early as 1883, before he had even received approval from the Commissioner of Indian Affairs. Hunt, who by 1883 had served as Indian Agent for five years, could, if supported by the commanding officer at Fort Sill, operate the reservation like a monarchy. In the years to follow, agents would come and go much more often, greatly reducing their influence on the reservation. Agent Hunt resigned in August 1885, due to political pressure from the new Republican administration. Administrative instability marked the reservation and plagued the Indians for the next ten years. By November of 1894, nine men had served as Indian agent on the KCA reservation.²⁴

Quanah Parker, the leader of the pro-leasing faction, used this opportunity to cultivate his relationship with government officials on the reservation as well as with the Texas ranchers. Through the leasing controversy, Parker effectively became the chief middleman of the reservation. The Indians of the reservation respected his opinions both because of his exploits as a warrior and because of his expertise in dealing with agents and ranchers. Reservation officials sought Parker's help when they needed to influence Indian opinion, and in return, they rewarded the Comanche chief with cattle, a salary, and eventually an imposing home west of Fort Sill.²⁵ Most importantly, in his dealings with white men, Parker learned the skill of negotiation and the habits and customs of

American business and politics. Funded by the cattlemen, Parker and a group of like-minded Indians made several trips to Washington to lobby the Commissioner of Indian Affairs for support of the leases. On these trips, Parker made important contacts in Washington and acquainted himself with governmental procedures. Having become comfortable in both the Indian and white worlds, Parker found himself at the center of the reservation's political system as the demands for severalty began to threaten the Indians' way of life.

J. Lee Hall became the KCA reservation's third agent in 1885 and immediately confronted the problem of white intruders on the reservation by requesting assistance from the federal government. The Commissioner of Indian Affairs promptly responded, agreeing with the agent that "the ever increasing presence of white men on Indian reservations...is one of the most complex features in the Indian service."²⁶ Agents faced difficulties in allowing "respectable" whites onto the reservation to aid the Indians in their efforts to farm and to acquire certain technical skills and at the same time preventing thieves and other scoundrels from coming onto the reservation to steal meager lease payments and annuities. Work permits allowed the elderly inhabitants of the reservation to hire white workers to maintain farms, but these workers often used the permits as a way to gain entrance to the reservation only to exploit its resources. A letter from the Commissioner of Indian Affairs dated 6 February 1888 directed Agent E. E. White to investigate a report of "numerous persons prospecting for minerals" on the reservation and "take such steps as may be necessary to clear the reservation of all such person."²⁷ Inter-tribal councils became a forum for complaints against intruders who stole timber, cattle, and horses, sold alcohol, or simply squatted on tribal land. These intruders, a

significant problem in themselves, were only a symptom of a much larger threat to the reservation.

By 1890, the reservations of southwestern Oklahoma represented the last of the readily available land for homesteading in the United States.²⁸ Boomers called for the opening of the reservation to make room for "industrious" white settlers, and Congress, aware of the consequences of inaction, created a three-man commission to negotiate the sale of all surplus lands in Oklahoma. The Cherokee Commission, named in honor of its first victims, dealt with eleven reservations and reached agreements with each group except the Osages.²⁹ After completing its first assigned task, the group became known as the Jerome Commission in honor of its chairman, former Michigan Governor David H. Jerome; Alfred Wilson and Warren Sayre, both considerably less experienced in dealing with the Indians than Jerome, were the other two members of the commission. They arrived on the KCA Reservation in October of 1892 having already dealt with nine reservations and expecting to face little resistance in reaching an agreement with the confederated tribes.

Chapter II

YOU HAVE MISSED THE ROAD

Despite its poor reputation among the Indians, the Jerome Commission hoped to find a friendly reception when it began negotiations on the KCA reservation. The Commissioner of Indian Affairs directed Agent George Day "to issue requisite rations to enable Indians to remain in council until a conclusion is reached with the Cherokee Commission."¹ Having grown accustomed to the chronically insufficient rations, the Indians might have looked upon the arrival of the commission, and the subsequent increase in rations, as a blessing. However, despite the government's efforts to alleviate the Indians' most basic concern, hunger, the leaders of the Kiowa, Comanche, and Apache, seasoned by their negotiations with the ranchers, did not readily accept the commission's proposal. Despite the Indians' unwillingness to assent to the agreement, the members of the Jerome Commission completed its mission and successfully arranged an agreement through threats, faulty logic, and, most importantly, careful control of the meetings.

The Jerome Commission obtained what it believed to be the requisite number of signatures in eleven meetings with the Indians of the reservation held over a period of three weeks. Edward L. Clark and Emsy S. Smith served as interpreters for the Comanches, and Joshua Given, a Kiowa, served as interpreter for his tribe and the Kiowa-Apaches. The sub-agency at Fort Sill hosted the first eight meetings; but because

most of the Kiowas lived in the northern part of the reservation and were not willing to travel to the sub-agency, the commission moved to Anadarko to procure the remaining signatures needed for ratification. On 17 October, the agreement received the requisite number of signatures, and the commission returned to Washington.

The first council with the Jerome Commission, held on 26 September, opened with speeches from each of the three government negotiators.² Governor Jerome's lengthy remarks began with an offer to recognize and seat any bi-lingual persons the Indians might prefer to monitor the accuracy of the official translators. He briefly recounted the provisions of the Dawes Act, explained how the commission had come to the reservation, and implored the Indians to ask questions if they did not understand the terms of the forthcoming agreement. He explained that Congress had given a great deal of thought to the Indians' plight and had devised a plan by which they might rapidly progress toward self sufficiency in mainstream America. Aware of the commission's dubious reputation among the Indians, he added that "the commissioners are not here to deal sharply with the Indians or to wrong the Indians or do anything that a father would not do with his child."³ Jerome's statement, combined with his seemingly genuine concern that the Indians would not understand the terms of the agreement, reveals the commission's underestimation of its opponent in the negotiations. This attitude would be addressed later in the proceedings as the commission continually failed to respect the Indians' attempts to reach a compromise.

Alfred Wilson briefly addressed the assembly with words of kindness and assurances of the government's honorable intentions. Speaking in short, simple sentences, Wilson focused primarily on the government's promise to help the Indians

“clear your farms, build your houses, and raise your children.”⁴ Most importantly, Wilson offered the Indians an opportunity to propose a counter offer if “you think this road that we point out to you will not be the best.”⁵ His statement proved to be an empty promise, an indication of the questionable integrity of the commissioners. Wilson’s proposal provides another example of the commission’s expectations on the first day of the meetings. Having already helped negotiate nine agreements with other tribes, he was aware that Congress had specific expectations from the commission and that a compromise acceptable to both the government and the Indians was not likely. Therefore, assuming he did not make the statement to mock the “negotiations,” he must not have expected the Indians to submit an alternate plan, further illustrating the commission’s underestimation of the Kiowas, Comanches and Apaches.

Warren Sayre’s opening statements, an indication of the dialogue to come, did not emphasize the benevolence of “the Great Father” or promise the Indians an opportunity to reach a compromise with the commission. He explained that “the Indians on reservations are and always have been poor and the white man living upon his farm is and always has been rich” and added that the government had decided to do away with the reservation system.⁶ Sayre then became the first to offer a more threatening argument for compliance. In an appeal that became more common as the councils continued, Sayre offered the Indians an opportunity to come to an agreement with the commission before the president, authorized by the Dawes Act, ordered the Indians to take allotments without the opportunity to sell their excess land. He explained that the Dawes Act had given the president the authority to make such an order, but “instead of making such an order for the Kiowas, Comanches, and Apaches to take allotments, the President has sent

this commission here to make some arrangement with you so that he will not be required to make such an order."⁷ He then reminded the Indians that the leases that supplied additional income were illegal without the support of the president. In a feeble effort to give the Indians a voice in the matter, Sayre offered them a choice: "If we make an agreement or treaty, we will not go away until every Indian on the reservation that wants to knows everything that is in it. And if we don't make a trade or a treaty, we will stay here till [sic] we make every Indian on the reservation understand what the Government wants done."⁸ And so they did.

Before opening the floor to questions, Governor Jerome cautioned the Indians not to rush to a decision until they had all the facts. He then offered to explain further any comments that they did not understand. Although the commission would not reveal the details of the proposition until half-way through the second council, the Indians, led by Quanah Parker, were eager to have specific information to discuss among themselves after the first meeting.

Tabananaka was the first to speak. A former chief of the Yamparika band of the Comanches, Tabananaka had taken an allotment and built a substantial estate.⁹ As a leader of the anti-leasing faction in the 1880s, Tabananaka had become familiar with inter-tribal politics and called upon old allies in his early opposition to the agreement. He acknowledged that he did not currently hold a position of leadership among the Comanches but observed that the agreement could not be reached quickly. He claimed the support of another member of the anti-leasing faction, Lone Wolf, a Kiowa Head Man.¹⁰

Quanah Parker, through experience and political connections, continued the Indians' argument against the agreement. Parker re-iterated Jerome's warnings to the Indians about rash decisions -- "do not go at this thing like you were riding a swift horse," he observed, "but hold up a little."¹¹ In the first of many efforts to persuade the commissioners that the Indians, or at least their leaders, were capable negotiators, he then cautioned the ex-governor to heed his own advice: "[do] not think before you hear."¹² On a recent trip to Washington, Parker, White Man and Lone Wolf had met with the Commissioner of Indian Affairs to discuss the Jerome Commission. The commissioner had warned the Indians that the Jerome Commission "may want to buy the land. They have not got any money, but want to buy it with mouth-shoot." He advised the Indians not to "be afraid to say what you think to them [the Jerome Commission]."¹³ In stating the fact that the commission had no money, Parker was addressing a contingent of his people who were eager to sell quickly because they needed money. Then, having relieved the pressure coming from that group, the Comanche chief was free to introduce his argument that the agreement should be postponed until the Treaty of Medicine Lodge Creek expired in 1897. Parker, ever the businessman, then asked how much the commission would pay for one acre, when it would be paid, and the exact terms of the agreement.

Governor Jerome replied that the answers to Parker's questions would be given "by and by." The Chief of the Comanches was not about to be dismissed so easily.¹⁴ After pressing the matter and receiving assurances that the proposal would be presented in writing, Parker expressed his desire to "wait until the expiration of the other treaty." He gave Governor Jerome permission to explain the details of the proposal to his friends

Lone Wolf, White Man, and “the other people.” Parker, however, returned to his allotment to supervise some additional construction on his house.¹⁵

The second day of negotiations opened with a counter-proposal submitted by the Kiowa chief Stumbling Bear. One of the two men in attendance who had signed the Treaty of Medicine Lodge Creek, the Kiowa chief advised that the commission should return in four years, just before the expiration of the existing treaty. Jerome and his colleagues then attempted to minimize the effects allotment would have on the terms of the existing the treaty. They explained that the annuities and services provided for in the Medicine Lodge treaty would continue until the expiration date, but that assurance failed to mollify the Indians. They maintained that it would be best to delay the negotiations; furthermore, the decision to sell the land was their “privilege.” Big Tree likened the reservation to a “very large and very fat...working horse: It can plow the ground and bring us some grain.... When we have to do anything that is heavy, we have to use him; and now you come and take this horse away from us; it is very hard for us to give this horse up. If I were to come to your house...and attempt to buy something that you prize very highly,” he added, “you would probably laugh at me and tell me you were not anxious to sell it.”¹⁶ Big Tree, like most of the other Indian speakers on the second day of negotiations, asserted his, and his peoples’ right to reject the agreement.

Undeterred in their purpose, the commissioners deflected the Indians’ efforts to delay the negotiations until Parker again rose to speak. In a manner unique among the Indians at the Fort Sill Councils, Quanah Parker spoke directly, simply, and sometimes curtly to the Jerome Commission. Having observed a lengthy debate on the advantages and disadvantages of delaying the negotiations, Parker simplified the terms for the

commission: "You do not seem to understand. A good many are opposed to making any trade for four years and you seem [to be] trying to press a sale on them. We know that the Medicine Lodge treaty will run out and that the annuities will run out, but the land will be good."¹⁷ Although the other Indian speakers at Fort Sill softened their messages by recognizing the commission as friends or acknowledging that the government knew the best way for the Indians, Parker addressed the cause of the difficulties in the negotiations: the commissioners were not only unwilling to negotiate, but also unwilling to accept the Indians' declared opinions as legitimate concerns.

Only after the continued prodding of Parker and several others did the commissioners begin to submit the details of the proposal, almost three days after the negotiations had started. The Jerome Agreement, as framed by the commission members, facilitated the civilization of the Indians by allowing them to sell their "surplus" lands and use the money to build houses and buy agricultural supplies. It allowed every man, woman, and child on the reservation to select 160 acres, in up to four parcels, from any part of the reservation with the exception of the military reservation, the land on which the agency sat, the Wichita Mountains, and the land set aside for schools.¹⁸ The commission proposed a price of two million dollars for the surplus land, approximately two million acres. The agreement specified that the Indians were to receive two hundred thousand dollars, or sixty-five dollars per person, within four months of ratification. After another payment of two hundred thousand dollars the following year, and one hundred thousand the third year, the Indians were to receive twenty-five dollars annually from the interest accumulated from remaining 1.5 million. The leases already in effect remained intact until congress ratified the agreement. At the time, a

good steer sold for about twenty-seven dollars; it is, therefore, easy to understand why the Indians were not eager to make such a trade. Few people would exchange the unimpeded use of three million acres for the equivalent of a single steer per annum. However, most of the Indians were not opposed to allotment in the future. They only wanted more time to prepare for contact with other Americans. Lone Wolf noted, "When the worst comes, they [Parker, Tabananaka] will be the only ones that will be able to cope with the white man."¹⁹

Parker again demanded more details in the negotiations, but the commissioners deflected his efforts. After Commissioner Sayre had explained the details of the agreement, Parker asked how much his people would receive per acre of land sold to the government. An interesting exchange followed:

Mr. Sayre: I can not tell you.

Quanna [sic] Parker: How do you arrive at the number of million dollars if you do not know?

Mr. Sayre: We just guess at it.²⁰

Commissioner Sayre explained that the price per acre could not be determined until the number of acres of "surplus" land had been determined. The commission based its logic on the idea that the lump sum of two million dollars was fixed, and the price per acre was unimportant. This lump sum basis for buying land contradicted not only the accepted business practices, but also the expectations of the Indians, who had grown accustomed to setting a price for each acre, either a six cent per acre lease, or in this case, a one dollar per acre sale. Throughout the councils, the Indians continually asked to know the price the government was willing to pay for an acre of land despite the Jerome Commission's efforts to base the negotiations on a lump sum. Given the fact that the Indians had easily

understood the commission's earlier explanations on equally complex matters, it is safe to assume that they understood the lump sum logic but were attempting to change the basis of negotiation. However, in this case, as in most others, they were unsuccessful.

Governor Jerome opened the third council by urging the Indians to ask questions until they fully understood the proposition; but the headmen had not yet finished negotiating. Lone Wolf and White Man addressed the commissioners first with a final plea to resume the negotiations after the expiration of the Medicine Lodge Creek Treaty. Having exhausted his patience, Jerome finally resorted to threats. He warned them that if they refused the proposal, Congress would deal harshly with the Indians by forcing them to take allotments. He reminded them that "Congress is made up of white men and if the Indians do not want to do what Congress want[sic] them to do, it is the most natural thing for Congress to say that the Indians will want something [rations] of us." He added that he hoped "that the good relations which have existed so long between the Indians and the Government of the United States will continue."²¹ This threat, not entirely empty, ended the requests of the Fort Sill Indians to delay the negotiations.

Tabananaka, obviously tired of the incessant condescension of the commission, began his speech bluntly: "I am not dressed like a white man, but you can hear what I have to say anyway."²² He resigned himself to the fact that he could not stop the commission's work but repeated Parker's question concerning the price per acre. After White Wolf, who had also signed the Medicine Lodge treaty, repeated the question a third time, the Jerome Commission produced an answer. According to their estimation, the Indians would receive approximately one dollar and ten cents per acre for the surplus lands.²³ With this disclosure, the third day of negotiations closed. The commission had

revealed itself to the Indians. They realized that Sayre's promise to stay with the Indians until they understood (accepted) an agreement was one that the commissioners intended to keep.

Iseeo, a Kiowa and a sergeant in the Indian police stationed at Fort Sill, was the first to address the commission on the fourth day of negotiations. Citing the experience of the Southern Cheyennes, who had given up their reservation in April of 1892, Iseeo presented the Indians' best argument against allotment.²⁴ Because of insufficient rainfall, crops were inconsistent, and ranching was the most efficient way to use the land. If Indians depended on ranching, 160 acres was not a sufficient parcel on which to feed a family.²⁵ Agents throughout the history of the reservation had pointed to this fact in their reports to the Commissioner of Indian Affairs, and Iseeo's argument was undeniably valid. Jerome must have realized this, because he responded by questioning the honesty of the Cheyennes and emphasizing the fact that they had only what the government had given them. Sayre quickly added that the Cheyennes had probably squandered their generous government checks on gambling and alcohol. He then closed the meeting with a lengthy speech on the financial benefits of the proposal.²⁶

Iseeo's attempt to avoid the Jerome Agreement was the Fort Sill Indians' last effort. The Jerome Commission refused to deal with the Kiowas, Comanches, and Apaches as equals by, in effect, forcing them to sell their land. A condescending tone dominated the commission members' dialogue, despite the businesslike manner of Parker, Tabananaka and Iseeo. Lone Wolf's appeal to the sympathies of the commission in his plea for the protection of the less progressive Indians from the "crafty" white man was ignored. Tabananaka's effort to build a coalition with Lone Wolf and the Kiowas

failed in the face of an unyielding opponent. Finally, Iseeo's argument that the allotments were insufficient did not receive recognition from the commission's chairman, and thus was simply forgotten by the Indians. The Indians' arguments, substantiated or not, had fallen on unreceptive ears. Having decided that a Jerome Agreement was unavoidable, the Indians would use the remaining councils in an attempt to alter the original proposition. They called upon their business experience and legal knowledge to gain small but substantial victories in the Jerome Agreement.

The Indians' efforts to modify Jerome's proposal began in earnest on the fifth day of negotiations. Tabananaka, the first Comanche to speak, represented those who viewed any attempts to negotiate as futile and a waste of the valuable time remaining before allotment. The chief of the Yamparika band told the commissioners that his people were "inclined to do as I do, because we know that Washington controls everything in the country.... I am ready at any time.... We wait on the government."²⁷ Tabananaka was alone among the headmen in his capitulation to the commission. White Eagle proposed that the government pay \$1.50 for the surplus lands. Quanah Parker then submitted a compromise that should have satisfied all parties. He suggested that if a four-man panel consisting of a Comanche, a Kiowa, an Apache, and Parker's lawyer could have two months to scrutinize the agreement and then explain it "in their own tongue" to the headmen, they could more easily reach a decision. In an effort to make the proposition more attractive to the commission, Parker pointed out that the government paid them fifteen dollars a day while they were working with the Indians, and thus his request did not present an inconvenience "because this is Government business and the pay goes on."²⁸

Governor Jerome, obviously surprised by Parker's suggestion, responded with a question: "Is there any certainty that you are going to have an attorney - will he be here?"²⁹ Parker confirmed the lawyer's existence and his plans to arrive at the council that evening. Faced with the possibility of encountering an opponent who could create a variety of legal problems, Jerome employed a new tactic. Assuming, correctly, that Parker had acted on his own in procuring the services of the attorney, Jerome praised Parker for his good ideas and then cautioned the council that "whatever is done must be told to all the people, and all the people must take part in anything that is done toward making a contract."³⁰ He promised to meet with the advisory committee, but did not expect congress to approve the two-month recess.

Agent Day, in his first appearance at the negotiations, opened the sixth council with bad news for the Indians. Having met with the lawyer and John T. Hill, the agent reported that they had decided an attorney could not help the Indians with the negotiations. Hill had, to say the least, poor credentials as an advisor to the Indians, although they referred to him as a friend on more than one occasion in the councils. He aided the Kickapoos in their negotiations with the Jerome Commission, much to the detriment of the Indians, and then had filed suit against the tribe for \$5,000 in exchange for services rendered.³¹ He arrived on the KCA reservation with Jerome, and managed to procure the services of Emsy Smith, one of the official translators in the negotiations. Although rumors surfaced linking Hill, Parker's attorney, several of the Indians, and Joshua Given, the Kiowa translator, in a conspiracy to profit from the sale of tribal lands, there is little evidence in the proceedings to substantiate these claims. Having thrown their support behind Parker, the Kiowas were in favor of the proposed advisory panel.

According to Agent Day's testimony, he and Hill were the only ones to speak with the attorney.³²

The Indians' agent continued his speech with some advice for the Kiowas, Comanches, and Apaches. When given the choice between the Dawes Act and the Jerome Commission, Day recommended that the Indians sign the agreement, and he then suggested that they had "been here about long enough to begin to do some business." In parting, Day recommended that the Indians "make some provision for some white people that have lived here with them."³³ His final suggestion, later investigated by subsequent agents and the Commissioner of Indian Affairs, prompted the Indians to add several Euro-American beneficiaries to the agreement.

Tabananaka, Parker's old anti-leasing foe, offered some support for the agent and the attorney's decision not to participate in the negotiations. Tabananaka had consulted with the headmen. Although none of them knew who had sent for the attorney, his speech does not indicate any disapproval among the chiefs. He asserted the Indians' ability to make up their own minds, and again pledged his support for the Jerome Agreement, on the condition that the government had the intention of bestowing "a blessing upon us" with the agreement. Jerome responded with a simple message: "If the Government has been good to you all times before, it will probably be as good to you hereafter."³⁴

Some of the Kiowa headmen in attendance then offered some proposals. In an underhanded attempt to maintain the Treaty of Medicine Lodge, Big Tree asked for a clause that would prevent the opening of the reservation for a period of three years after the ratification of the agreement. Komalty, a Kiowa, addressed the Indians' position

concerning the amount of money to be paid for the surplus lands. He proposed that 2.5 million dollars would be more appropriate because the Wichita Mountains, despite the claims of the commission, were of some value. He cited the fact that the government had used rocks from the mountains to construct many of the buildings at Fort Sill.³⁵

Parker supported Komalty's arguments, but added several important points.

Parker contended that the mountains could possibly contain mineral wealth; prospectors had been intruding on the reservation in search of gold, silver, and coal for years.

"Supposing Coal is found in the mountains, what will Washington do with that if it is worthless." He also pointed out that two square miles for educational purposes in each town was a bit excessive. There was no benefit to the Indians, "except where school houses are built."³⁶ In an effort to obtain the additional five hundred thousand dollars Komalty mentioned, Parker suggested that the Indians send a delegation to the capital to plead their case when Congress convened that winter.

The Jerome Commission offered an especially confusing response to the request for a three-year delay on the implementation of the agreement. They first explained that because of the bureaucratic processes involved in the ratification of such an agreement, it would be at least two years until Congress could decide on the matter. Secondly, Sayre explained that the money from interest payments the Indians would sacrifice to maintain the reservation an additional three years could be used to make them all wealthy. The commission had frequently referred to the number of wagonloads of silver represented in large figures such as the proposed two million dollars to impress the Indians. In this instance, however, Sayre quickly explained that unless the Indians made the deal as soon as possible, they would suffer in poverty "because you will not have the first \$200,000,

and the second \$200,000 and the \$175,000 until [the Jerome Agreement] goes into effect."³⁷

When the council reconvened the next day, the commission had prepared the final draft of the agreement. The Indians had failed to effect many changes in the original proposal submitted by the Jerome Commission. Although the Indians received the mineral right to their allotments, the mountains remained the domain of the United States. The commission agreed to Parker's suggestion that Indians be allowed to present their argument for an additional five hundred thousand dollars to congress, but they included the stipulation that two sections be set-aside in each congressional township for educational purposes. The last section of the agreement included "a list of white persons as you may name yourselves, who, because they have lived among you and learned your language, or married into your tribe or done you service, shall have a share of the land and money as you shall determine."³⁸

Having submitted the final proposal, the commissioners expected the Indians to cease debate and sign the agreement. Tohauson, a heretofore-silent Kiowa chief, received a harsh reprimand from Governor Jerome after making a final effort to stop the agreement. The old Kiowa explained that his father had warned him not to sell any of the reservation to the whites, and that he did not support the agreement. Jerome, impatient with the Indians' attempts to frustrate his efforts, replied, "I assume, now, that all the Indians understand that all that do not want to trade under any circumstances need not weary us with their talk."³⁹ Jerome answered inquiries from Parker and Tabananaka with equally abrupt responses, and the Indians retired to their camps to discuss the choice confronting them.

Finding themselves in the midst of yet another retreat, the Indians, even before they had all signed the agreement, began to formulate strategies to call into question the legitimacy of the Jerome Commission's work. Several of these strategies would serve them well throughout the 1890s. Rumblings among the tribesmen indicated that the Indians felt they had been "bulldozed" into signing the agreement. Rumors that Joshua Given had translated falsely surfaced. Because of the anti-Jerome sentiments of the Kiowas in the north, some Indians questioned the commission's ability to obtain the required signatures, and others requested that their names be removed from the agreement.

Although their methods were questionable, the Jerome Commission obtained the signatures of most of the Kiowas and all but a few of the Comanches in attendance at the Fort Sill councils. The members of the commission maintained absolute power over the Indians with which they dealt, and unlike congress, Jerome and his compatriots did not concern themselves with the ramifications of their actions. They were not inclined to sympathize with most of the Indians who would face certain poverty on their allotments; the government had given them an assignment, and they had a responsibility to complete that assignment. To that end, the commission used several questionable tactics to minimize the Indians' bargaining power. The commission members succeeded in creating a false choice for the Indians. When Lone Wolf and others suggested that the commission return at the expiration of the Medicine Lodge Teaty, Jerome did not deny them that option. He only warned them that the President could force them to take allotments at any time. The choice then became: Sign the agreement now, or take allotments without payment for the surplus lands. Through its association with John Hill,

the commission exerted an uninvited influence on the Indians. Although there is no unequivocal proof, it is reasonable to assume that, because of its association with Hill and Agent Day, the decision not to accept the services of the attorney was influenced by the wishes of the commission.

The Indians who attended the Fort Sill councils attempted to negotiate as equals with the Jerome Commission. Although they were largely unsuccessful, the experience furthered their development of a political resistance to allotments, and by extension, to assimilation. The monolithic commission proved an insurmountable obstacle for Parker's leadership skills and experience in negotiation; but he did not face an equally unbending opponent in the years between the agreement and its ratification. He therefore proved to be a powerful voice both on and off the reservation. In their attempts to prevent allotment, the Indians hired several lawyers to represent them. Such efforts had both good and bad results. Finally, because the divisiveness inherent in tribal politics contributed to the success of the commission, the Indians realized this weakness and, despite their continuing differences of opinion, did not suffer from it in their struggle against congressional ratification of the agreement.

Despite the murmurs that the Kiowas residing near the agency were hostile to the agreement, the Jerome Commission opened its first council there a few days later on 14 October. As expected, the Kiowa Headmen were quite vocal in their opposition to the agreement. Ahpeahitone, an aspiring leader of the Kiowas, was the first to speak.⁴⁰ He expressed the Kiowas' desire to wait for the expiration of the Medicine Lodge Treaty, and went so far as to call a stand-up vote to show the commission the degree of opposition to the agreement. Most of the Kiowas responded by standing and Ahpeahitone

summarized, "We have voted against the contract.... That treaty was made solemnly, and we would travel on it, and have voted solidly against the contract."⁴¹ Satekeah, Amotaah, and Judge Chaddlekonke, the Kiowa representative on the Court of Indian Offenses, echoed Ahpcatone's sentiments. Having dealt with this problem before, Governor Jerome then asked if there were any other concerns with the new agreement. Flying Crow reminded the commission that the Indians were unprepared for contact with dishonest white men and would not survive without the protection of the reservation. Big Bow, who had attended many of the Fort Sill meetings, mentioned the impossibility of surviving on a 160-acre allotment. In a show of futility, Little Robe protested against the treaty while admitting he had "heard of your talk and know what you would say tomorrow...I know what the answers will be."⁴²

On 15 October, Governor Jerome opened the meeting with a rebuttal of the accusations against Joshua Given. Many of the Kiowa had already begun to question Given's translation, and because the proceedings could not be finished with a new interpreter, Jerome seated three supervisors to monitor Given's translation.⁴³ The rumors against the Kiowa interpreter started after Big Tree's proposal for a three-year delay in the allotment process did not appear in the Jerome agreement. Big Tree, and some of the other Kiowas, alleged that Given had intentionally mis-translated the agreement to make the proposal more palatable to the Indians. Despite the growing controversy surrounding Given's translation, it is unlikely that he intentionally misled his fellow tribesmen.

Jerome had also prepared a solution to the problem he faced with the strong leadership of the Kiowas, but he discovered a new problem with those who favored the Medicine Lodge Treaty. He addressed the alleged threats of physical violence on anyone

who signed the agreement and promised swift punishment for those who carried out the threats. He then emphasized the importance of individualism among white men and suggested that the Indians should shed their loyalties to their leaders. Calling on the young men to act as they chose instead of listening to the chiefs, Jerome attempted to break down the tribal customs that the government had relied on to subdue the Quahadas fifteen years earlier. In a further excursion into tribal politics, Jerome suggested that if a chief supported the agreement and his people did not, they had no justification in removing him; "if you want to change your chiefs, you must have a better reason than that."⁴⁴ These statements were obviously contradictory, but Jerome, in his quest for signatures, was unrestrained by logic. When he explained to the Kiowas that the Medicine Lodge Treaty did not interfere with the lease payments until Congress initiated the payments for surplus lands, the Kiowas did not relent. He asked Komalty if he "had any interest in having it [the surplus land] one or two or three or four years, except to get the money," and Komalty responded simply: "That is not our reason."⁴⁵ As though he had not heard Komalty's answer, Jerome continued to explain the financial benefits of selling the land, "this is business, the other is not."⁴⁶

Conditions rapidly deteriorated on the third day of negotiations at Anadarko. Governor Jerome, confident the discussions of the previous councils had subdued his opponents, began to discuss signing the agreement. Big Tree, having experienced the "bulldozing" of the Fort Sill Indians, rose to address the commission without the niceties of diplomacy. He asked the commission for time to speak, and when denied the request a second time, asked again, "If you are my friend sit down and listen to me." Jerome started to speak again only to be interrupted by the Kiowa Chief, "I told you to sit down.

You told the Indians on Saturday that Monday would be the day to talk, and now my ears are stuffed with the words of the commission." Governor Jerome enlisted the aid of the agent who confirmed that the Kiowas had invited the commission to a council and then asked the Indians if they had requested the council. Ahpehtone then answered in the affirmative, but added, "When the President of the United States sent you here did he instruct you to talk to these Indians about the sale of the surplus lands alone and the allotment business, and did he tell you also, outside of the general council to get signers in a dishonest way?" Jerome immediately stopped the council, but in the ensuing uproar, Ahpehtone made yet another accusation: "You have missed the road and cheated them!"⁴⁷

Despite the chaos of the Anadarko councils, the Jerome Commission secured the requisite number of signatures. Whether the commissioners procured the signatures at the open councils, or in a "dishonest way," the Jerome Agreement lists the signatures of 456 of the 562 adult males on the reservation. Although the Indians would later claim that the commission had failed to procure the necessary signatures, the agreement, according to a clause in the Medicine Lodge Treaty requiring 75 percent of the adult males to ratify any agreement with the government, was valid.⁴⁸ After the disagreement on the third day of negotiations, all of the Kiowas and a few of the Comanches left the meeting, but those who remained received the praises of the commission members and the agent. On 17 October, the third day of councils, the Jerome Commission completed its business on the KCA reservation and left for Washington.

In its dealings with the Kiowas at Anadarko, the Jerome Commission revealed another basic misunderstanding between the Indians and the government and further

lowered itself to obtain the precious signatures. For the men on the commission, the opportunity to sell land that the Indians could not use, while not missing the opportunity to profit from leasing, must have seemed like a genuinely good trade. The Indians, however, did not value the land only for its economic potential, but because it provided a stable future for their children and represented one of the few remaining tangible connections to their traditional way of life. The land was the only inheritance many of the poorer Indians could guarantee their offspring. The Indians of the reservation enjoyed relatively unrestricted control over the reservation. Unimpeded by permanent Euro-American settlements, the KCA reservation contained three million untamed acres and was a bastion of tradition for the Kiowas, Comanches, and Apaches, who had once ruled the southern plains. The Jerome Commission's effort to break down the tribal government's structure by urging the Indians to act as individuals represents the basest method of the negotiators, but it was not without precedent in the general policies of the federal government.

The Indians at the Anadarko councils could also draw from this experience in the coming struggle against ratification. Because tribal structure suffered attacks from the federal government throughout the 1890s, the Indians of the KCA reservation dealt with a changing power structure throughout their fight against allotment. At least in part because of his firm stand against the commission, Ahpeahstone became Principle Chief of the Kiowas and made several trips to Washington where he met with powerful allies in government. Unfortunately, the accusations against Joshua Given continued after the Jerome Commission left. A legend grew up on the reservation that a Kiowa medicine man placed a curse on Given, and within a short time, the Presbyterian minister was dead

from a hemorrhage.⁴⁹ Although it is unlikely that the curse was the cause of Given's death, the Indians viewed this as validation that Given had in fact misrepresented the words of the commission, and continued to press congress for re-negotiations on the basis of Given's alleged dishonesty.

Having suffered defeat at the hands of David Jerome and his cohorts, the Kiowas, Comanches, and Apaches prepared to defend their reservation against the invading settlers and their representatives in Congress. No amount of rifles or buffalo could have ensured their success in violent resistance to allotment, and although they had, at times, dealt smartly with the Jerome Commission, they had little to show for it. In the eight years before Congress ratified the agreement, the Indians would have to forget old disputes, disregard traditional tribal politics, and unite in a struggle to prevent the allotment of their reservation.

Chapter III

A RESERVATION UNITED

The Indians of the KCA reservation experienced unprecedented prosperity in the eight years between signing the Jerome Agreement and congressional ratification of that document. Increases in grass payments offset reductions in rations and a cessation of annuities. By 1900, the Indians received over two hundred thousand dollars annually from the leases, or about \$82 per capita, almost sixty dollars more than the Jerome Agreement would have provided. Many of the reservation's inhabitants maintained herds of cattle for sustenance. Hunger was no longer the most pressing concern of the Indians.¹ Having arranged a comfortable life for themselves, the headmen of the Kiowa, Comanche, and Apache tribes focused their energy on preventing, or at least delaying, allotment and maintaining their open-range lifestyle.

The Jerome negotiations influenced the Indians' subsequent efforts to resist assimilation in several important, though sometimes subtle ways. Despite Governor Jerome's frequent efforts to equate his commission with the Great Father at Washington, the Indians viewed the two as completely separate entities. This distinction had both positive and negative influences on Indian resistance. First, had the Indians not made this distinction, they would have expected equally disdainful treatment from Congress, and there would have been no reason for them to attempt any further resistance. Many of the tactics employed during the negotiations would bring success when employed against the government. Second, memories of the Jerome negotiations created at least an initial

distrust of local officials that resulted in several unnecessary trips to Washington and created friction between agents and the Indians. On more than one occasion, their distrust was justified.

In observing that the only real change made to the original proposal concerned additional benefits for white people who had “done service” to the Indians, the leaders of the resistance reasoned that white allies could be powerful. Although most of the people mentioned in the last article of the Jerome Agreement had provided little service to the Indians, the lesson was not lost on Quanah Parker. As the Principal Chief of the Comanches through most of the 1890s, Parker was able to increase his influence among all three tribes while maintaining mutually beneficial relationships with local businessmen and officials. As the middleman of the reservation, he convinced his people to offer a select group of outsiders the temporary use of the Indians’ resources in exchange for protection against the massive influx of permanent settlers while securing a handsome profit for himself and his people.

Following Parker’s lead, the Indians of the reservation adopted a modern resistance to allotment in the years following the Jerome Agreement. Their tactics varied from invoking the sympathy of those in power to direct confrontations with the President of the United States. They maintained open channels of communication with some of the most influential members of the government while effecting important changes on the local level in both tribal politics and among the agency employees. By the end of this tumultuous decade, the Indians of the KCA reservation had developed a remarkably successful method of working within the dominant political structure to effect change, or in this case, maintain the status quo.

The Kiowas, Comanches, and Apaches began their protests before the Jerome commission left the reservation, and, even at this early stage, a shift of power from the agent to the Indians is evident. In a petition dated October 17, the day of the last meeting of the Jerome commission, J. J. Methvin, a missionary, outlined the grievances of more than four hundred Indians who attached their signatures or marks.² Although Big Tree's signature did not appear on the document, Little Robe and Big Bow were among those who signed and Ahpehtone signed twice. This petition, far from the last to be issued by the Indians, contained many of the arguments the Indians would use throughout the 1890s. It is also notable because it includes a complaint concerning the Jerome commission's decision to hold its meetings at the sub-agency near Fort Sill.³ Because the agency at Anadarko served as the only legal conduit for the official business of the tribes, the councils concerning the treaty, held at Fort Sill, were illegal, and thus any agreements made at these meetings were illegal. Although this argument was legitimate, it is conspicuously absent from all subsequent communications from the reservation.⁴ The Ft. Sill argument appears as the first grievance in the petition, implying that the author recognized it as the most important. It does not appear in subsequent petitions, however, indicating that the Indians, almost from the beginning, controlled more of the struggle for their reservation than historians have assumed. Indian arguments against illegal ratification focused on the dishonesty of the translators and the insufficient number of signatures on the treaty.⁵

The remaining grievances in the petition became the most popular arguments against the Jerome Agreement. The Indians contended that they had signed the contract because they did not understand the terms. The petition goes on to attack Joshua Given

on the basis that he misled the Indians to believe they were to receive \$2.00 per acre when the treaty only allowed for \$1.25. The Indians called for continuing the Medicine Lodge treaty of 1867 and requested that they not be “forced to accept a contract which we do not want and which would be an injustice to us.”⁶ The final paragraph re-iterated the desire to renegotiate at the end of the Treaty of Medicine Lodge, stating, “until then we are not ready to treat and we beg that the government protect us in the full rights of that treaty.”⁷ This plea to the government indicates that the Indians considered the Jerome Commission separate from the federal government, and re-asserts the validity of the 1867 treaty to a new opponent. The Indians had begun a new, and more successful, cycle of resistance to allotment.

The Indians did not face an unbending opponent in their second struggle against the Jerome Agreement. After examining the terms of the agreement, specifically the section which granted benefits to non-Indians, Commissioner Thomas Jefferson Morgan ordered Agent Day to “immediately report whether these persons are white men...their present occupation, how long they have lived on the Kiowa Reservation, and what special services they have rendered the Indians.”⁸ President Grover Cleveland, after a meeting with several Indians accompanied by Captain Hugh Scott, who was stationed at Fort Sill during the Jerome meetings proclaimed, “I will not permit it [the Jerome Agreement]. I will see justice done to these Indians as long as I am in power.”⁹ Senator Orville Platt of Connecticut was among the most vocal supporters of the Indians. A trusted ally of the Indian Rights Association (IRA), Senator Platt was influential in forestalling the allotment of the KCA reservation.¹⁰

Lobbying groups such as the IRA, known as "Friends of the Indian" since the establishment of the first of these groups at the Lake Mohonk Conference, were also important allies in the struggle against allotments. Under the leadership of Herbert Welsh, the IRA acted in what it believed to be the benefit of Indians throughout the United States, and although Welsh's opinions concerning the best course for the Indians changed throughout this period, the organization maintained an influence over government policy. Although the Dawes Act enjoyed support from those who would exploit the reservations as well as those who considered themselves "Friends of the Indian," the reformers sought to delay allotments until they agreed that the Indians were prepared for severalty. The progressive reformers, convinced that the Indians must assimilate to survive, believed that severalty was the only policy that could ensure the continuation of native populations.¹¹ They advocated a gradual process that stressed the importance of an industrial education, private property, and cessation of federal financial support. As the difficulties associated with forced allotments became apparent, the IRA modified its approach to assisting the Indians. While still maintaining that assimilation was necessary, activists such as Francis Leupp criticized the tactics of groups such as the Jerome Commission and stressed the importance of recognizing the differences between Euro-American and native cultures.¹² Most reformers agreed that the federal government had a responsibility to protect the Indians from the influence of whites while providing an industrial education and monitoring the Indians' gradual progress towards mainstream culture.¹³ In order to effect this development, lobbyists such as the Indian Rights Association maintained an influence in congress after the passage of the Dawes Act to ensure that the government did not force assimilation on any tribe too quickly.

Although these reformers intended to protect the Indians by teaching them traditional “American” values, many Native Americans, including the Kiowa, Comanche and Apache, vehemently fought severalty, the ultimate goal of assimilationists. However, at least in the final decade of the nineteenth century, the members of the IRA found themselves in agreement with the Indians whom they hoped to assimilate.

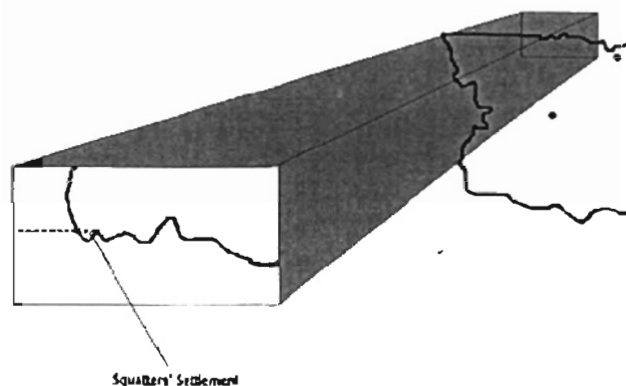
Having determined that a receptive audience existed in the East, the Indians began their crusade against the Jerome Agreement. Through the capable guidance of men like Quannah Parker, the Indians adopted flexible means of resistance designed to deal with the changing environment of the reservation. Rapid turnover among agents between 1892 and 1894 forced the Indians to evaluate their agents’ motives and sympathies and react accordingly by either cooperating with or subverting the efforts of the agent. Tribal factionalism again plagued the reservation after 1896, but despite occasional intra-tribal conflicts, the Kiowas, Comanches and Apaches remained united in their opposition to allotments until the reservation opened to white settlement in 1901.¹⁴

Throughout their struggle against severalty, the Indian spokesmen of the reservation recited a single, calculated argument against the ratification of the Jerome Agreement. Contemporary progressives agreed that if congress opened the reservations too quickly, the Indians, lacking a basic understanding of the value of money, land, and commodities, would lose their estates to dishonest white settlers.¹⁵ Thus, the Kiowas, Comanches and Apaches emphasized their inability to survive without the protection of the reservation. Near the end of their struggle against the agreement, the Indians revealed their motivation for continually emphasizing their unfortunate circumstances. Quannah Parker, in the first inter-tribal council with Agent William Walker, recited the Indians’

standard argument: “The government has always told these Indians to be like the citizens; they are trying hard all the time, but they cannot be citizens...right away; we do not understand the way of the whites.” He further insisted that he wanted the “country to remain as it is – not allotted.”¹⁶ Because about half of the Indians maintained a tribal lifestyle in camps scattered around the reservation, this claim was valid, but Parker’s comments later in the council indicated that he was aware of the argument’s impact on the progressive reformers. Concluding his statements concerning his people’s primitive state, Parker characterized the argument as “the words [we] generally use whenever [we] see any officer...from Washington.”¹⁷ The Indians repeated this argument, with little variation, to several government officials, including Commissioner Daniel Browning, Morgan’s successor at the Bureau of Indian Affairs. After hearing the Indians’ argument, Browning promptly “reported to Congress very strongly against [the Jerome Agreement],” This instance, only one of many, indicates that the argument was able to achieve the desired results.¹⁸

In the years immediately following the Jerome negotiations, the Indians lacked strong leadership from a reliable agent. Captain Hugh G. Brown became the agent in July 1893, but lasted only five months before being replaced by Lieutenant Maury Nichols. In the absence of a trusted agent, the Indians, led by Ahpehtone, found alternative methods to address the problems on the reservation. A community of squatters had occupied a “disputed” area of land, known as the Kiowa Strip, on the northern border of the reservation. Although surveyors had shown the squatters the boundaries of the reservation, they refused to relocate and threatened violence against the officers sent from the agency to move the settlers.¹⁹ Frustrated with their agent’s

incompetence, the Indians enlisted the help of a missionary to contact the government. On 10 June 1894, the Kiowas petitioned Secretary of the Interior Hoke Smith for assistance in dealing with the intruders who were “giving our people much trouble with their stock and having our people arrested for pretended violation of law.”²⁰ Asserting that they wanted to use the land in question to take allotments, “when the time comes,” the Indians asked only that they be given the protection guaranteed them in the Medicine Lodge Treaty. To ensure that the secretary understood the good intentions of the Indians, they indicated that they had built homes on the northern border of the reservation, were raising crops, and planned to send their children to school. Because the government was unwilling to risk a violent standoff, the squatters remained on the disputed land. In bypassing the unproven agent, the Indians showed both the willingness and the ability to deal directly with Washington to protect their reservation.



Disputed Territory

Figure 2

Major Frank D. Baldwin replaced Lieutenant Nichols as agent for the KCA in November 1894. Although Baldwin's temper had on occasion combined with alcohol to create less than harmonious relationships, most of the Indians considered him an ally in their struggle against severalty. He quickly gained a reputation for his intolerance of white intruders on the reservation and traders who took advantage of their Indian customers.²¹ Baldwin secured his relationship with the Indians through a series of reports and letters to the Commissioner of Indian Affairs in which he praised the inhabitants of the reservation for their rapid progress towards "civilization," but pleaded with congress not to "enact any law that will open this reservation to settlement for at least five years." At which time, "these people will be in good condition to take their places side by side with whites of good character."²² Although he recommended the eventual opening of the reservation, most of the Indians realized that they would ultimately lose their land, and, therefore, respected Baldwin's attempts to delay the inevitable.

Unfortunately, in his efforts to rid the reservation of undesirable elements, Agent Baldwin created a much more dangerous problem for himself and the Indians. In his capacity as agent, Baldwin recommended approval, renewal, or denial of trading licenses on the reservation. After noting exorbitant prices in the limited number of trading posts on the reservation, Baldwin recommended the licensing of additional traders to increase competition. He convinced the Indians to invest twenty-five thousand dollars of their grass payments in a school and later persuaded them to spend fifty thousand dollars on stock cattle at the same time they were in debt to the traders for about forty thousand dollars.²³ As they watched their profits disappear, the traders retained the services of William Shelly, the attorney who represented the Kiowas, Comanches and Apaches in

depredation cases in Washington. Shelly had been employed by the Indian service, and had numerous contacts in the Department of the Interior. Through these contacts, Shelly built an impressive coalition that included Commissioner Daniel Browning and Special Agent Gilbert B. Prey against Agent Baldwin. Meanwhile, the traders managed to convince William Tivis and Big Looking Glass, both Comanches, Lone Wolf, his brother Chaddlekonke, and several others to support them against the agent. Ahpeahstone, Quannah Parker, and Apache John, who represented most of the Indians, supported their agent, but not without risking their power on the reservation.

As tension mounted between the two groups, Shelly used his connections to attack Baldwin's supporters. Commissioner Browning charged Parker and Ahpeahstone with polygamy and relieved them of their positions on the Court of Indian Offenses. He replaced them with Frank Moetah and Chaddlekonke, both Shelly supporters. In another attack on Baldwin's authority, Browning renewed the trading license of Dudley Brown, a trader who allegedly abused his position by running cattle on the reservation illegally.²⁴

Baldwin's supporters among the Kiowas, Comanches, and Apaches quickly reacted to the efforts of the Shelly faction, and as a result, factionalism reigned on the reservation from 1895 until 1898, when William T. Walker replaced Baldwin. Samuel Strauss, who operated a trading post near Fort Sill, sent a petition, signed by several members of the anti-Baldwin faction, to Commissioner Browning. The petitioners complained that the government had failed to fulfill its obligations as outlined in the Medicine Lodge Treaty and insisted on more services. The Indians further requested that the commissioner "write direct to one of the chiefs," after considering the petition. In an attempt to give the document legitimacy, the transcriber included the phrase "Done in

open council” at the bottom of the last page.²⁵ Although the document did not blame the problems on Agent Baldwin, the petitioning Indians subverted Baldwin’s authority by enlisting Strauss’ assistance. The commissioner noticed this irregularity, and in an “informal talk” with Lone Wolf, Parker, Eschiti, and Red Elk, asked Eschiti about the petition. Eschiti defended Strauss, saying the trader “had nothing to do with the writing of the letter,” and asserted that a clerk had written it.²⁶

Eschiti and Lone Wolf introduced new charges against Baldwin in their informal talk with the commissioner. Both of the Indians complained about the cost of the school to be built near Mount Scott. Baldwin convinced the Indians to appropriate twenty-five thousand dollars to assist the government in building a school of sufficient size to accommodate all the children on the reservation. Chaddlekonke intimated that Baldwin pressed the decision on them and that they no longer agreed to the proposition. He also suggested that the agent had refused to distribute grass payments due to the Indians.²⁷ In the ensuing months, Shelly and the traders brought charges against Baldwin that included not only Chaddlekonke’s concerns, but also claims of misuse of government property, stealing Indian money designated for house building, and excessive drinking. Special Agent Province McCormick arrived on the reservation in December of 1896 and on Christmas Eve, he began his search for evidence in an inter-tribal. McCormick asked the Indians if, in a council held at Lime Creek, they had made the decision to fund the school “of their own free will and accord, of their own consent and without anybody telling them that they must do it.”²⁸ The Indians’ answers expose a deep rift between the factions. Quanah Parker, quick to understand McCormick’s motives, answered first. He indicated that Baldwin called them together and gave them the proposal. Parker insisted that after

their agent had explained the proposal he did not pressure the Indians to accept it. Recognizing a possible reason for the question, Parker admitted that he expressed to Commissioner Browning his desire for the government to defray all of the costs of the school, but added that after the government refused, he willingly agreed to appropriate the money. Ahpeatone echoed Parker's statements, but added that the proposal was presented three times and everyone had the opportunity to think about it before making a decision. Ahpeatone mentioned the people who were opposed to the school, but asserted, "they wouldn't be crazy or foolish enough to undo what [has been] done for my people."²⁹

Chaddlekonke initiated the opposition's counter-argument. He testified that he knew nothing of the school until he saw the papers in Commissioner Browning's office. Upon returning to the reservation, the Indians had a meeting with Agent Baldwin who was angry because they had complained to the commissioner. Chaddlekonke testified that he and Lone Wolf left, and Parker then decided to support the school. Big Looking Glass told the inspector that he had attended the Lime Creek Council and had not heard anything about the school and certainly had not seen a vote. He continued with an attack on Baldwin. According to Big Looking Glass, the agent spoke harshly to the Indians, saying, "you red people here, I want you to listen to me." He promised that if the Indians signed the proposal the reservation would not be allotted and Big Looking Glass contended that those who wanted to appropriate the money only did so because they thought it would save the reservation.³⁰ McCormick continued his interrogation in search of damning evidence against Baldwin, and having achieved limited success, returned to Washington to prepare for the trial. Although both groups probably stretched the truth to

fit their purposes, Ahpeatone's testimony is probably most accurate. More important, the factious nature of the reservation was becoming apparent and threatened to destroy the unified front necessary to combat the Jerome Agreement.

Not one to hide from his adversaries, Baldwin addressed the Big Looking Glass faction in council on 27 March 1897. The fiery military man addressed his "bitter enemies" by name and warned them to "shut their talk off," adding, "this William Tivis can't talk truth at all; I know these people are my enemies, and they must stop their talking."³¹ Howeah and Myhecoby, the Comanches who responded to Baldwin's accusations, argued that their councils were not intended to disrupt the agency's activities but that Captain Hugh Scott was planning to accompany them on a trip to Washington to discuss the Jerome Agreement. Baldwin dismissed the idea of Captain Scott going to Washington without his expenses being paid, and attacked the opposing faction for its practice of taxing each Indian fifty cents to fund trips to the capital. In crisp military fashion, Baldwin reminded the Indians, "I have got the money to pay their expenses...[and] as long as I am their Agent I shall select the people that I want to go as a delegation to Washington."³²

Quanah Parker then attempted to calm the agent. He recited the Indians' most reliable argument to massage Baldwin's sympathies, and after he had described the helpless state of his people, Baldwin offered to visit them on their farms and extended the time allotted for the meeting. Unfortunately for the Comanche chief, the anti-Baldwin faction, as represented in this council, was actually an anti-Parker faction. Bert Arko, captain of the Indian police force and a Comanche, suggested that Parker wanted to open the reservation for settlement and, without mentioning names, referred to a "certain chief

[who] was the first one to touch the pen" at the Jerome meetings. He asserted, "the man who first signed this treaty must have been crazy," and recommended that the Comanches "discard these men and put in others, appoint some other chief."³³ The council ended with the election of a new delegation to Washington. Ahpeahstone, respected for his stand against the Jerome Commission, Big Looking Glass, and Apache John represented both the Baldwin and Shelly factions, but Quannah Parker had been the victim of a rare, but malicious intra-tribal assault on his character. Confrontations of this sort were uncommon, to say the least, among the Indians of the KCA reservation. This attempted "coup" illustrates the seriousness with which the Indians approached the struggle against severalty. Unfortunately, Euro-American instigators understood the situation and successfully used their knowledge to divide the Indians. Agent Baldwin did not fail in his promise to select the delegation. Parker made the trip to Washington with Ahpeahstone and the Fort Sill officer.³⁴

Captain Scott, who claimed neutrality during the Jerome negotiations, clearly influenced Arko, Myhecoby, and Howeah, although, aside from an occasional free trip to Washington, his motives are unclear. He corresponded with the new Commissioner of Indian Affairs, William A. Jones, and kept the Big Looking Glass faction abreast of developments in Washington, occasionally producing a petition for the Indians to sign.³⁵ In January of the previous year, Parker alerted Commissioner Browning to the subversive activities of then Lieutenant Scott who tried "to do things outside of the Agent and [caused] the Indians to pull apart."³⁶ Although Parker maintained an anti-allotment stance throughout the decade, Scott convinced some of the Indians that the Chief of the Comanches wanted to open the reservation.

Pressure from the traders continued to mount against the agent, and in April of 1897, the agency hosted a hearing, under the authority of the Secretary of the Interior, to try Baldwin on charges of drunkenness, misappropriation of government funds, and misuse of government property. The traders had become increasingly dissatisfied with Major Baldwin, who had encouraged the Indians to participate in a government-housing program. The government provided the necessary materials and for a fee of fifty dollars, the Indians hired workers to build the houses. Many of the Indians participated, and having spent such a large portion of their gross payments on housing, they had no money to pay their often-substantial debts to the reservation's traders.³⁷ The trial afforded the Indians a unique opportunity to protect their agent from outside threats.

Although Inspector McCormick had identified several Indians as potential witnesses for the prosecution, none of them offered any damning evidence in their testimony. When presented with specific questions concerning the alleged wrongdoings of their agent, the Indians generally responded with a simple, "I didn't hear anything about that."³⁸ Much to the chagrin of the prosecutor, all of his witnesses testified that if they had paid for houses, they had received them or were about to receive them. After failing to illicit the desired responses from several Indian witnesses, the prosecutor called John D. Jackson, a Kiowa and official government translator for the proceedings, to testify against the agent. Convinced that Baldwin had a hand in the surprising events of the afternoon, the prosecutor accused Jackson of working with the agent to persuade the Indians "to stand by the Major and be his friend in this investigation." Jackson replied that he "didn't say it that way," and explained that the Indians had discussed their agent at a gross payment before they knew about the hearings. In a conversation with some of

the Rainy Mountain Kiowas, Jackson advised the Indians to “learn by white man ways. If any white man tell us anything, straight roads, honest ways, we go that way; but if any white man [is] not honest...we [should] not follow that man.”³⁹ His unnecessary confession revealed the motives of the witnesses who almost certainly altered the testimony Inspector McCormick heard. The Indian witnesses protected the agent with whom they had formed a beneficial relationship and trusted to act on their behalf in his position of power.⁴⁰

Although Commissioner Jones dropped the charges against Baldwin, tribal factionalism continued to plague the reservation. The anti-Parker faction, now led by Eschiti, held unauthorized councils that increasingly threatened Parker's dominance among the Comanches and on the reservation. Parker worked with his agent, often through private correspondence and secret councils, to neutralize his opposition. On 9 December 1897, Baldwin received word that the Anti-Parker faction had elected Eschiti as Chief of the Comanches.⁴¹ This coup, supported by approximately thirty Indians, marked the beginning of an intense struggle for power on the reservation. Parker reported the illegal council the following day and informed the agent that Eschiti and his followers “were working against you and myself in the interest of Mr. Shelly.” He added, “that the Commissioner [of Indian Affairs] told them...to hold the council and to get Mr. Strauss...to write down their wishes and send direct to [the Commissioner] and not through the Agent.” Parker then suggested that Baldwin question Arco, who had been asked by Eschiti to sign a petition, about the group's activities.⁴²

Baldwin responded with a strongly worded letter to Commissioner Jones. The Major blamed Jones for the factionalism and accused him of collusion with the Shelly party.

It is very evident to me that you are fully under control of that gang of people who have heretofore defrauded and cheated the Indians and you must bear I mind that I am not going to be a party to it.

Ever since you have been here there has been more disturbance and more trouble among the Indians than has existed her for the past three years, and it has all been brought about by [your] influence.⁴³

Agent Baldwin was able to be so frank with the Commissioner because he was a military officer and was protected by powerful people outside the Department of the Interior.⁴⁴

However, his letter did little to stem divisiveness on the reservation.

Baldwin took drastic action when his opponents threatened to send a delegation to Washington. Robert Dunlap, an agency farmer, warned Baldwin that there had been a second illegal council at which the Indians decided to go to Washington "whether you reckon [sic] it or not."⁴⁵ Baldwin, who was in Rush Springs on agency business, sent a confidential telegram to E.F. Burton, the agency farmer who first reported the election of Eschiti. Burton was to conduct a council at Fort Sill to be attended by the "principal Kiowas, Comanches and Apaches."⁴⁶ The secret council elected Parker, Ahpeatone, Apache John and several others to the delegation, "should they be called upon by the Department officials," but "did not want Lucius and Lone Wolf."⁴⁷ Although the secrecy surrounding this council damaged the legitimacy of the election, it is doubtful that the agent chose to call a secret council because he wanted to subvert the will of the majority of Indians. More people signed the proceedings of the council than attended the anti-Parker faction's meetings. Baldwin's council also included the chiefs,

council members, and headmen of the Kiowas, Comanches and Apaches. He most likely insisted on secrecy to avoid interference from Strauss, Scott, or other opposition influences on the reservation.

Soon thereafter, Baldwin was recalled to active military duty to serve in the Spanish-American War. Before he left, an open inter-tribal council voted to dismiss their trouble-making attorney and hire another. Parker remained the most stable force on the reservation. Despite the efforts of Special Agent Prey, who visited the reservation to plead for his friend's job after Baldwin had gone, the Indians remained firm in their decision to seek legal representation elsewhere. William T. Walker replaced Baldwin, but he lasted only a year before Colonel James F. Randlett took control of the agency. Randlett's tenure saw the Indians unify in their efforts to prevent the hated agreement's ratification.

The turmoil of previous years had not been a purely negative influence on the Indians. The anti-Baldwin faction, some of whom later became important in the struggle against the Jerome Agreement, developed the skills needed to communicate with the federal government without the assistance of the agent. When they knew Baldwin did not support their efforts, they enlisted the help of like-minded whites to petition for changes on the reservation. Without financial support from the grass fund, also controlled by the agent, the Indians in the Eschiti faction created a grass-roots campaign to fund trips to the capital with a tax on their supporters. They demonstrated independence by holding councils to discuss matters of great importance against Baldwin's wishes. Although they were most likely only pawns in the larger battle

between Shelly and Baldwin, the Indians of the Eschiti faction nevertheless demonstrated the will and ability to resist what they perceived to be the proponents of allotment.

Quanah Parker and his followers also gained some skills they would later need to stage an effective resistance to the Jerome Agreement. Having chosen sides in the larger struggle between Shelly and Baldwin, the Indians protected their agent from attacks from officials in Washington and in return, relied on him to defend them against the efforts of Eschiti and his followers. Parker and Ahpeahitone maintained a united front, and in so doing, were able to secure the support of most of the Indians on the reservation. They learned to deal verbally with their opponents as enemies. Most important, Parker emerged as the principal chief of the Comanches, and was generally recognized as the leader of the Indians on the KCA reservation.⁴⁸

Parker earned the respect of the Indians through his leadership in tribal councils. Throughout the 1890s, he influenced the official action of the Indians as determined in randomly scheduled inter-tribal councils. These councils served as the basic form of tribal government on the reservation. Although only the headmen usually spoke, all males voted. Despite the democratic nature of the councils, most decisions were unanimous. The headmen spoke extensively on the matters before the council and agreed on a course of action before taking a vote. Although this system also allowed for significant latitude in the selection of delegations, a core of experienced leaders usually represented the reservation. Ahpeahitone and Lone Wolf represented the Kiowa, Apache John spoke for his tribe, and Quanah Parker traveled to Washington as a member of all but one of the delegations.⁴⁹ These men were all opposed to the agreement, regardless of their opponents' perceptions, and they understood the workings of the government. They

were able to identify their supporters and convey the wishes of their people. By sending representatives to Washington, the Indians of the reservation undoubtedly gained a sense of comfort and importance, and although these delegations represented the most direct contact with the federal government, there is little evidence that they provided an opportunity to exert more influence than was possible from the reservation. Tribal councils, held at various locations, served as the most powerful vehicle for the Indians to resist severalty.

The Indians of the reservation found, in their tribal councils, a means of communication with the commissioner without interference from the agent. The minutes of each official inter-tribal council were forwarded without alteration to the Commissioner of Indian Affairs. The language of the speakers indicates that they were constantly aware of this channel of communication. The proceedings increasingly contained statements directed not to anyone in attendance, but to the "government."

William T. Walker replaced Baldwin in 1898, and in the absence of a trustworthy agent, the Indians resorted to direct communication with the Commissioner of Indian Affairs. In a council held shortly after Walker's arrival, Pahkotoquodle, a Kiowa, addressed the assembly: "Now, he said what we write down on this paper we try to send to government and I hope they see this paper and help us and do something for us."⁵⁰

Quannah Parker dominated the Indians' first meeting with their new agent. He spoke first, claiming "we are only children" and assured Walker that "everything is going smoothly." Parker then began the business of the meeting.⁵¹ The Indians had called the council to express the desire for 640-acre allotments as opposed to 160-acre parcels provided for in the Jerome Agreement. Parker addressed the council, proposing that in

order to be self-sufficient the Indians would need four times the land allowed in the Jerome Agreement. He further suggested that the surplus land be reserved for the use of their children. In offering a rationale for his proposition, Parker estimated the number of Indians on the reservation to be three thousand. He placed the number of available acres at about 3.5 million, arguing that "if the government agrees to give...640 acres to each one of these Indians there would be just a few acres left."⁵² Congress did not accept Parker's proposal, but accepted some important modifications in the agreement. Congress certainly had access to the minutes of these councils, and Parker's suggestions clearly had an impact on the altered agreement ratified fourteen months after this council. The Jerome Agreement, in its final form, assigned an additional 480,000 acres to be held in common by the three tribes.⁵³ This allowed an extra 160 acres for each of the three thousand Indians in Parker's estimation. Although there is no conclusive link between the two, one might assume that congress considered these council proceedings when deciding the acreage for the "Big Pastures" because the actual population noted by the agent in annual reports would have resulted in a much smaller allowance. The IRA was also involved in the effort to secure larger allotments for the Indians, but their proposals also used the figures supplied in the annual reports of the agent. Assuming that congress arrived at the figure for the reserve pastures through some manner of logic, Parker's estimation provides the most reasonable route to 480,000 acres.

The Indians also used the tribal councils to establish laws to protect the reservation from outside influences. In response to the threat to tribal unity posed by traders and white men who had married into the tribes, the Indians gathered in council in the summer of 1897. Ahpeahstone suggested a law "that no white man, or colored man, or

Mexican marry [any] Indian at all." Men who violated this law were subject to immediate removal from the reservation. To deal with men who had already married into the tribes, Ahpehtone asserted that Indian courts should handle any divorce involving an Indian.⁵⁴ His proposals carried unanimously and became law on the reservation.

Through their councils, the Indians found new allies in the struggle against allotment by authorizing the sale of land to other tribes or government agencies or the lease of land to businesses. The Indians made land and resources available in order to increase the number of influential people who opposed the opening of the reservation. Parker, motivated only by the annual payments, had successfully persuaded his people to lease the surplus land to ranchers, but after 1892 the Jerome Agreement constantly threatened the integrity of the reservation. Texas ranchers, who valued their exclusive rights to the vast pastures of the reservation, opposed severalty with the same vigor as the Indians. However, as the acres available for lease grew scarce, the councils also invited mining companies to the reservation in the search for additional allies. Quanah Parker proposed that gypsum miners be allowed on the reservation because, "the men who wanted the lease would become friends to the Indians and help them keep their country same as the cow men."⁵⁵ Parker's proposal, carefully debated, carried the council unanimously, and the Indians enjoyed the support of another special interest group on the reservation.

In 1897 Congress sent an attorney for the Wyandotte tribe to the KCA reservation to negotiate the sale of enough land to provide each of the 203 members a 160-acre tract. The members of the council, once again led by Quanah Parker, seized the opportunity to send a message to Washington. The council lasted four days. After each session of the

council, the Indians retired to their camps to discuss the events of the day. Because of the drastic changes of opinion evidenced in this council, it provides a unique insight into understanding Parker's influence among the Kiowas, Comanches, and Apaches.

The first day of the council began with a speech by the lawyer for the Wyandottes. Although the lawyer was a member of the tribe he represented, the Indians of the KCA reservation believed he looked "like a white man."⁵⁶ Parker, realizing the potential to reach a compromise with congress, addressed the council first. He argued that he had no objections to the proposal "if [Congress] should make a law on this reservation that it should be occupied by Indians," not only the Wyandottes, "but any other Indians."⁵⁷ Other citizens of the reservation did not share this opinion. White Man, a Comanche, cited the color of the mixed-blood's skin in his protest of the sale. "This man I see him first time, and he...look to me too much white...if he looked like me, red man, I would not be so scared."⁵⁸ As the council closed its first day of business, the prospects seemed poor for an agreement on the sale of land to the Wyandottes.

After discussing the proposition that night, most of the speakers reversed their positions. Ahpeah-tone, the most revered of the Kiowa Chiefs, opened the council with the argument that all subsequent speakers echoed, "I [would] like to have Congress be good enough to do as we ask," he explained, "to make the agreement that we [are] willing to sell this land to the Wyandotte Indians if Congress make[s] a law making this country just for the Indians, but if they don't make a law to make this country an Indian country, we will not sell the land to the Wyandotte Indians."⁵⁹ In an attempt to make the deal more appealing, they agreed to sell the land for only \$1.25 per acre, approximately half the amount they supposedly agreed to in the Jerome Agreement. The minutes of this

council meeting clearly indicate a *quid pro quo*, and an assertion of the right of the tribes to renounce the agreement in the case of congress' failure to pass an acceptable law. This overnight revolution also indicated that Parker's foresight and powers of persuasion dominated the reservation's political scene. He convinced the Indians, who had been vehemently opposed to the proposal, to unite in the hope that congress would reciprocate their kindness and allow only Indians to settle on the reservation. Although congress did not comply with the Indians' wishes, the actions of the council most likely prevented ratification of the Jerome Agreement.

The next year, having allowed congress ample time to comply with its terms, an inter-tribal council unanimously withdrew its offer to the Wyandottes, but not without dreadful consequences.⁶⁰ Three months later the agent received a letter warning of the probability that congress would vote to ratify the Jerome agreement in the current session. On 6 June 1900, Congress approved a revised form of the agreement.⁶¹ The new document allowed an additional 480,000 acres to be held in common but maintained the original price of the surplus lands, which amounted to just under a dollar an acre.⁶² Ahpeahitone accepted the bad news gracefully. He remarked: "Here is something different and good...let us all try to stand together and not let somebody else pull us another way."⁶³ Although the Indians sent a delegation to Washington to verify the agent's story, most had accepted the report and prepared for the end of the reservation by settling allotments before the government officials arrived.

Chapter IV

CONCLUSION

The Jerome Agreement, an imminent threat to the survival of the Kiowas, Comanches and Apaches in the last eight years of the nineteenth century, nevertheless sparked remarkable adaptation to the dominant society among many Indians of the reservation. Drawing on their experiences with the Texas ranchers, the Jerome Commission, and tribal factionalism, Quanah Parker, Ahpeahstone, and others developed ingenious methods to stall severalty. Even as they fought the agreement's ratification, a new generation, educated at Carlisle, Haskell, or one of the reservation schools, was moving into positions of power in tribal government. Young men such as Delos K. Lonewolf, Howard White Wolf, and John Jackson would carry the work of their forbearers into the twentieth century.¹ Although they eventually lost the battle for their reservation, the aging Indian leadership managed to carry their people through a final struggle to preserve the reservation, a final remnant of the free roaming way of life they had enjoyed before the arrival of Euro-Americans.

Throughout the reservation period, Quanah Parker was the most constant figure of authority on the reservation. History has not yet decided on Parker's legacy. Some argue that he was merely a puppet of the ranchers who leased the grasslands of the reservation, that his motivation for preventing allotment was financial. He was on the rancher's payroll, and maintained friendly correspondence with several of the Texans who frequently visited the Comanche chief at the house they had built for him. Some

historians also blame Parker for the Jerome Commission's success on the KCA reservation, "If Quanah had chosen to use his power against the commissioners," William T. Hagan has written, "there was no way enough signatures could have been obtained to legitimize the agreement."² Few serious historians give Parker credit for acting in the behalf of his people in the struggle to forestall allotments.

While Parker did enjoy the benefits of his association with powerful white men on and off the reservation, his main concern was the welfare of his people. He did not abandon his culture to please those who used him as a middleman to the Indians. Because he was indispensable to those who wanted to influence the Comanches, Parker secured the continuation of several important cultural traditions. Agents often ignored Parker's association with the peyote religion. As a result, the Indians who subscribed to Peyotism did not suffer persecution, as did the Ghost Dancers on the reservation. As a leader of the peyote religion, Parker successfully lobbied the Oklahoma legislature to defeat a bill to end Peyotism.³ Always aware of the importance of money to the survival of his people, Parker took advantage of every opportunity to increase the Comanches' income. On a trip to Washington, probably financed by the ranchers, he urged Commissioner Browning to resurvey the leased grasslands of the reservation to ensure that the cattlemen were paying the Indians for each acre they used.⁴ During the Jerome negotiations, it is likely that Parker, denied the services of his lawyer, believed the commission's threats that if the Indians did not accept the agreement congress would take their surplus lands without payment. Although he did give his support to the agreement, he attempted to negotiate for more favorable terms and undoubtedly thought he was acting in the best interests of his people.⁵

The Jerome negotiations were a unique phenomenon on the reservation.

Governor Jerome and his cohorts used, to say the least, underhanded tactics to subdue their opponents in the negotiations. The commission planted John Hall to persuade the Indians to act against their own best interests. In securing the support of Agent Day, the commission prevented the Indians from receiving assistance from impartial parties outside the reservation. Though he would later become a vocal opponent of allotments, Hugh Scott, unique because of his association with the Indians before, during, after the negotiations, claimed neutrality during the councils when his advice would have been most useful to the Indians.

The commission also refused to treat the Indians as equals in the negotiations. Although Parker, Tabananaka, and others genuinely attempted to negotiate with the commission, Governor Jerome was unyielding. The commissioners dismissed the Indians' efforts to set a price per acre as opposed to a lump sum for the surplus lands. When legitimate arguments arose against the agreement, Jerome simply distracted the Indians with a long-winded speech that addressed everything except the issue at hand. Big Tree attempted to level the negotiations by pointing out that the commission monopolized the floor during the proceedings. Governor Jerome, dictator of the negotiations, instead dismissed the uncooperative Indians and continued with only those who were willing to consent to the agreement.

Although they had few successes in the negotiations, the Indians' political resistance to assimilation had an opportunity to develop in the face of the monolithic Jerome Commission. Operating under the advice of his contacts in the government, Parker attacked the commission's legitimacy, creating doubts in the minds of his

constituency. Once Jerome had regained his authority to speak on behalf of the government, Parker entered the negotiations. In light of the commission's refusal to wait for the expiration of the Medicine Lodge Treaty and the agent's refusal to allow an attorney to assist the Indians, Parker proposed a two month intermission during which time the Indians could discuss the proposal and come to a complete understanding of the document. Although his efforts were fruitless, the negotiations provided important lessons in the art of compromise. Other Indians, though not as seasoned as Parker, benefited from their experience with the Jerome Commission. Because of his firm stance against the agreement, Ahpeahstone rapidly emerged as a leader among his people. Most importantly, after the commission returned to Washington with the signed agreement, the Indians of the reservation, long divided by the issue of leases, united in their opposition to allotment.

In numerous petitions against impending severalty, the Indians contended that the Jerome Commission had coerced or tricked the Indians into signing the agreement. The legitimacy of these arguments is questionable. Joshua Given's status as a traitor to the Kiowas remains in question, and his complicity may never be determined; but several important details indicate that he did not deceive the Kiowas. Although Given's translations came into question on three separate occasions during the negotiations, each time Governor Jerome allowed additional translators to monitor Given's work. The monitors never reported a problem with the translation during the meetings. Big Tree, who was responsible for most of the accusations, altered his story on more than one occasion. At the Fort Sill meetings, the Kiowa headman proposed a \$1.50 per acre price on the surplus lands and a three-year waiting period before the agreement took effect.

While attending the Anadarko meetings, Big Tree claimed that Given told the Indians that they would receive two dollars per acre for the surplus lands after a four-year waiting period.⁶ In the petitions issued from the reservation after 1894, the Indians claimed they were told that the land was to sell for \$2.50 per acre.⁷ Guilty or not, Given died of a brain hemorrhage shortly after the negotiations, solidifying the Indians' belief that they had been lied to by one of their own.

Other arguments against ratification were more reasonable. The Indians asserted that the Jerome Commission did not secure a sufficient number of signatures. They acknowledged that the 456 names that were on the document would have been the requisite 75 percent of adult males on the reservation. They pointed out, however, that several Indians had asked to have their names removed, and several white men had also signed. If Jerome had removed their names, the agreement would have fallen short of the required signatures. Citing article ten of the agreement, in which several white persons received the benefits reserved for tribal members, the Indians argued that these people unduly influenced their decision to sign the agreement. Finally, the Indians attacked the methods of the Jerome Commission. Citing coercive tactics and dishonest representation of the Indians' rights under the Dawes Act, the petitioners asked that Congress discard the agreement.⁸ A review of the minutes of the Jerome meetings substantiates each of these claims. These petitions indicated to observers in Congress that the Indians were united in the struggle against severalty, and although these documents represented the concerns of a great majority of the Kiowas, Comanches, and Apaches, tribal factionalism threatened to weaken the Indians' effort to prevent allotment.

Euro-American agitators in Washington created tension among the reservations' Indians throughout the tenure of Agent Frank Baldwin. Led by their attorney William Shelly, who also represented the Indians in depredations cases, traders and non-Indian men who married members of one of the tribes, fanned the fires of tribal factionalism. Having been accosted by Agent Baldwin for their transgressions against the Indians, these men persuaded a group of Indians led by Big Looking Glass and Eschiti, to oppose Quanah Parker and his ally Baldwin. Although both factions opposed the opening of the reservation, Captain Hugh L. Scott convinced Eschiti and his followers that Parker was working with the forces of allotment to end reservation life. Conflict between the two groups resulted in an attempted coup to unseat the long-time Principal Chief of the Comanches. Because of the concerted efforts of Agent Baldwin, Quanah Parker, and Ahpeahstone, the Eschiti faction failed and Shelly lost his position as attorney for the Kiowa, Comanche, and Apache.

Through this intense period of factionalism, the Indians in both groups learned valuable skills to forestall allotment. Without the support of the agent, who was the official channel for communication between the Indians and the federal government, the Eschiti faction found alternative methods to communicate with the Commissioner of Indian Affairs. By enlisting the services of educated white traders, Eschiti and his followers were able to maintain a steady flow of petitions to congress and the commissioner. Having been denied access to the reservation's grass fund, the anti-Baldwin faction taxed its supporters to finance all-important trips to the capital. Parker's supporters, threatened with the loss of their agent, presented evidence to protect Baldwin from charges that could have ended the major's career. During the attempted coup,

Ahpeahstone, Parker and the agent communicated efficiently and acted in concert to prevent Eschiti's take-over. Because the Eschiti faction separated itself from the business of the agency, there was little interruption in the official resistance to the Jerome Agreement. Although both groups were working to achieve the same goal, Eschiti and his followers, assisted by Captain Scott, continued to oppose Parker until Baldwin and Shelly no longer had an influence on the reservation. Reflecting on his experience on the KCA reservation, Colonel Randlett observed that although he had been warned about the "factions among the bands," but that "there was one thing in which they were united to a man, and that was in opposition to the ratification of the Jerome Treaty."⁹

Having developed many of the skills necessary to work within the dominant society, Parker and Ahpeahstone used tribal government to forestall allotment and to improve the terms of the agreement before Congress. Aware that the minutes of the tribal councils provided an incorruptible channel of communication with the federal government, the Indians submitted unofficial compromises to congress and the Commissioner of Indian Affairs in the debate of the meetings. Parker engineered several agreements through which the Indians gained allies in their struggle against severalty. Drawing on his experiences with the ranchers, who had profited from lucrative leases that would not be possible if the reservation were allotted, Parker supported additional leases to mineral companies. In an attempt to deal with congress as equals, he convinced the Indians, initially hostile to the proposal, to sell land to the absentee Wyandottes in exchange for a guarantee that only Indians would be allowed to live on the reservation.

The KCA reservation was the last of the large tracts of readily available land opened to non-Indian settlement. The efforts of the Indians contributed, in no small part,

to the longevity of the reservation. The efforts of the Indian Rights Association also undoubtedly helped forestall allotment; but the Indians influence over the IRA should not be overlooked. Even Quanah Parker claimed to need the protection of the "Friends of the Indian." The Indians understood that they had allies in Washington, and part of their strategy to forestall allotment was ensuring the continued support of those allies. A few wealthy Texas ranchers who had leases on the reservation undoubtedly maintained a degree of influence with their congressmen, but these elected officials understood the consequences of denying thousands of enfranchised settlers two million acres of lush pastureland. They would not likely have protected the reservation to maintain the support of a dozen cattlemen. Quanah Parker and the Kiowas, Comanches and Apaches did not resign themselves to the inevitable and allow their friends to carry on the struggle. That is the reason they were able to live on the last reservation in Oklahoma.

Notes

Chapter I

¹ William Hagan, *Quanah Parker, Comanche Chief* (Norman: University of Oklahoma Press, 1993), 73.

² Blue Clark, *Lone Wolf v. Hitchcock* (Lincoln: University of Nebraska Press, 1999), 19.

³ William Hagan, *United States-Comanche Relations: The Reservation Years* (New Haven: Yale University Press, 1976), 27-29; 39-40.

⁴ Mildred Mayhall, *The Kiowas* (Norman: University of Oklahoma Press, 1962), Mayhall's anthropological study of the Kiowas provides a detailed explanation of the tribe's history before its contact with American soldiers, explorers, settlers, etc.

⁵ Hagan, *Quanah Parker*, 8-9.

⁶ Hagan, *U.S.-Comanche*, 29, 42.

⁷ Robert Utley and Wicomb Washburn, *Indian Wars* (Boston: Houghton Mifflin, 1977), 231-232.

⁸ Bill Neeley, *Quanah Parker and His People* (Slaton, TX: Brazos Press, 1986), 102.

⁹ Ernest Wallace, "The Journal of Ranald S. Mackenzie's Messenger to the Kwahadi Comanches," *Red River Valley Historical Review*, 3 (Spring 1978), p. 229, Quoted in Neely, 111.

¹⁰ Senate Bill 1352, 56th Congress, 11 December 1899, Kiowa Files, Roll 35, Frame 748 (KA 35:748).

¹¹ Secretary of Interior to Charles E. Adams, 9 September 1889, KA 35:411.

¹² Hagan, *U.S.-Comanche*, 135-138.

¹³ *Ibid.*, 124.

¹⁴ Initially, few Indian families sent their children to the government school; however, in the 1890s schools at Fort Sill, Rainy Mountain, and one near the Agency were filled beyond capacity despite poor living conditions.

¹⁵ Commissioner of Indian Affairs to Secretary of the Interior, 3 March 1890, KA 35:433.

¹⁶ Hagan, *U.S.-Comanche*, 121-138.

¹⁷ *Ibid.*, 146.

¹⁸ Commissioner of Indian Affairs to Secretary of the Interior, 5 March 1886, KA 35:360.

¹⁹ Proceedings of Intertribal Council, 23 May 1884 KA 13:412. Lone Wolf later became an important member of the pro-leasing faction and was instrumental in blocking a government policy that would have ended the leases in the early nineties.

²⁰ Niasto to Agent Hunt, n.d., KA 47:017.

²¹ *Ibid.*, KA 47:018.

²² Hagan, *U.S.-Comanche*, 153.

²³ Misunderstandings surrounding the agreement may have also contributed to their refusal of grass payments. Some Indians might have thought that if they accepted the money, they were relinquishing their right to the land in perpetuity.

²⁴ Hagan, *U.S.-Comanche*, 168-170, 216-218.

²⁵ Neeley, 147.

²⁶ Commissioner of Indian Affairs to J. Lee Hall, 8 October 1885, KA 35:340.

²⁷ Commissioner of Indian Affairs to E. E. White, 6 February 1888, KA 35:386.

²⁸ Clark, 32.

²⁹ Berlin B. Chapman, "Dissolution of the Osage Reservation", *Chronicles of Oklahoma*, 20, (Winter 1942), 251.

Chapter 2

¹ Commissioner of Indian Affairs to Day, 22 September, 1892, KA 48:255.

² The date of the first council is in question. The "Report of the Proceedings of the councils held by the Cherokee Commission with the Kiowa, Comanche and Apache Indians" lists 28 September as the date of the first council, 27 September as the date of the second council and 28 September as the date of the third.

Because of the likelihood that 28 September was recorded erroneously as the date of the first council, this researcher will assume that 26 September was the first day of negotiations.

³ "Commissioner's Journal," Senate Document, no. 77, 55th Congress, 3rd session, 1899, 8.

⁴ Ibid., 10. Interestingly, in the translation provided in the official proceedings, the speech patterns of some of the Indians seems substantially more advanced than the commissioners.

⁵ Ibid.

⁶ Ibid.

⁷ Ibid.

⁸ Ibid., 11.

⁹ Hagan, *U.S.-Comanche*, 71.

¹⁰ "Commissioner's Journal," 11.

¹¹ Ibid.

¹² Ibid.

¹³ Ibid.

¹⁴ Ibid., 12.

¹⁵ Ibid. After Parker mentioned that he planned to return to his home, Governor Jerome asked him to continue to attend the meetings and Parker obviously agreed.

¹⁶ Ibid., 14.

¹⁷ Ibid., 17.

¹⁸ Ibid., 17,18. The proposed agreement allotted two square miles for schools to each town. The Jerome Commission did not offer to pay the Indians for this land because of the tax-free education that the government would provide for the Indian children in the new schools.

¹⁹ Ibid., 19.

²⁰ Ibid., 18.

²¹ Ibid., 22.

²² Ibid., 20.

²³ Ibid., 23.

²⁴ Hagan, *U.S.-Comanche*, 204.

²⁵ Although they did not mention it in response to Iscco's question, if the allotments for each member of a five-person family were combined, it would have probably sustained the family. However, the commission members repeatedly referred to the allotments as enough land for "themselves and their children for all time," which begs the question: What about natural increase?

²⁶ "Commissioner's Journal," 24.

²⁷ *Ibid.*, 28.

²⁸ *Ibid.*, 30.

²⁹ *Ibid.*

³⁰ *Ibid.*

³¹ Hagan, *U.S.-Comanche*, 208.

³² "Commissioner's Journal," 30. In *U.S.-Comanche Relations*, Hagan notes that Parker reported the unwillingness of the attorney to assist the Indians, however, *the proceedings do not contain such a report*. A possible explanation is an inquiry from one of the commission members to Parker in which the Comanche Chief was asked to verify the report that the attorney would not assist the Indians.

³³ *Ibid.*, 31.

³⁴ *Ibid.*

³⁵ *Ibid.*, 33-34.

³⁶ *Ibid.*, 34.

³⁷ *Ibid.*, 37.

³⁸ *Ibid.*, 38.

³⁹ *Ibid.*, 39.

⁴⁰ Ahpeahstone was among the most respected of the Kiowa chiefs. During the Ghost Dance craze a few years earlier, his tribe selected him to find Wevoka and determine the Ghost Dance Religion was a good road for the Kiowa. Ahpeahstone returned to his people and recommended that they ignore the Ghost Dance, and for his efforts, received a commendation from the United States Government.

⁴¹ *Ibid.*, 44.

⁴² *Ibid.*, 44

⁴³ *Ibid.*, 47.

⁴⁴ *Ibid.*, 48.

⁴⁵ *Ibid.*, 51.

⁴⁶ *Ibid.*, 52.

⁴⁷ *Ibid.*, 53-54.

⁴⁸ Hagan, *U.S.-Comanche*, 213.

⁴⁹ J.J. Methvin, "Life Among the Indians," *Chronicles of Oklahoma*, 5, (Summer 1927), 178.

Chapter 3

¹ Hagan, *U.S.-Comanche*, 219.

² *Ibid.*, 251

³ Puntantle et.al. to Secretary of the Interior, 17 October, KA 48:256.

⁴ In 1951 the Indians of the KCA reservation sued the government in order to be paid an adjusted rate for the land ceded in the Jerome treaty. The lawyers for the plaintiffs focused on the location of the council, and their victory in the suit leads considerable strength to this argument. See *Transcript of hearings of the Kiowa, Comanche, and Apache Tribes of Indians vs. The United States of America* in two volumes Commission Findings Indian Claims Commission. New York: Garland Publishing Inc., 1974.

⁵ The lack of signatures was not discovered until later. Agent Day certified that the treaty had the required signatures before the commission left the reservation.

⁶ Puntantle et.al, KA 48:257.

⁷ *Ibid.*, 258.

⁸ Commissioner Morgan to Agent Day, 1 November 1892, KA 35:462.

⁹ Notes on the Jerome Treaty, no date, KA 35:460.

¹⁰ "An Appeal in Behalf of the Comanches, Kiowas, and Apaches," Indian Rights Association papers, roll 102, group 51, page 1, (IRA 102:51:1), (microfilm).

¹¹ C.M. Woodward, "Indian and Spanish Education." *North American Review* 168 (January 1899): 128.

¹² Francis Leupp, "The Protest of the Pillager Indians," *The Forum*, (December 1898) 473-475, 483-484.

Theodore Roosevelt would later appoint Leupp Commissioner of Indian Affairs.

¹³ Articles in contemporary journals that debated the "Indian Question" usually agreed on the necessity of assimilation, although they often differed in their approaches. See John W. Powell, "Proper Training and the Future of the Indians," *The Forum*. (January 1895) ; Hamlin Garland, "The Red Man's Present Needs," *North American Review*, (April 1902) ; James Kyle, "How Shall the Indians be Educated," *North American Review*, (October 1894)

¹⁴ Many of these conflicts were the result of divisive white elements on the reservation, including but not limited to Hugh Scott and W.C. Shelly, an attorney hired by the Indians.

¹⁵ Although trust laws existed to protect the Indians by preventing them from selling their land, Euro-Americans found several "loop-holes," including the guardian system, to relieve the Indians of their allotments.

¹⁶ Council Proceedings, 8 April, 1899 Kiowa File, Oklahoma Historical Society, Oklahoma City Oklahoma, (Microfilm).

¹⁷ Ibid, Historians have downplayed the importance and independence of Quanah Parker who is characterized as a puppet of the ranchers. My research indicates that Parker was an independent thinker who often used the money and, or, bribes to effect changes he saw as important. His efforts in the negotiations for the "Big Pasture" areas provides strong evidence that ranchers in search of lucrative leases did not strongly influence his decisions. See Hagan *U.S.-Comanche Relations* and Council Proceedings, 14 July 1900.

¹⁸ Informal talk with Lone Wolf, Judge Chaddlekonke, Quanah Parker and his Wife, Esheti and Red Elk, 30 January 1896. KA 48:285.

¹⁹ KA 71:452.

²⁰ Ahpeahstone et al. to Smith, 10 June 1894, KA 35:509.

²¹ Countless letters from Baldwin to various police officers on the reservation ordering them to evict interlopers can be found on Kiowa Agency Roll 74. This roll also contains several notices of lawsuits filed against Agent Baldwin for his refusal to allow trespassers to conclude their business on the reservation.

²² Frank Baldwin, *Report to the Commissioner of Indian Affairs*, 1897 KA 38:453.

²³ Hagan, *U.S.-Comanche*, 242.

²⁴ *Ibid.*, 244.

²⁵ Eschiti et.al. to Commissioner of Indian Affairs, 18 December 1895, KA 48:528.

²⁶ Informal Talk, KA 48:287. The petition included, seemingly as an afterthought, the phrase "Done in open council," but Eschiti's response to Commissioner Browning indicates that the clerk wrote the petition in Strauss' store.

²⁷ *Ibid.*

²⁸ Council Proceedings, 24 December 1896. KA 48:297.

²⁹ *Ibid.*, 301.

³⁰ *Ibid.*, 304-306.

³¹ Council Proceedings, 27 March 1897, KA 48:324.

³² *Ibid.*, 325.

³³ *Ibid.*, 331.

³⁴ "Conference between the Commissioner of Indian Affairs and the representatives of the Kiowa, Comanche and Apache Indians of Oklahoma," 29 April 1897, KA 35:582.

³⁵ Council Proceedings, 27 March 1897, KA 48:331-332.

³⁶ Informal Talk, KA 48:286. It is entirely possible that Scott's efforts to influence the Indians were independent Shelly's, but it is more likely that Scott merely complimented the work of the Anti-Baldwin faction by adding Quanah to the list of enemies. It is unclear why Scott disliked Quanah to such a high degree. In his autobiography, he claims that he single-handedly prevented Quanah from persuading Congress to ratify the Jerome Agreement, but historians can find nothing to verify Scott's story. See Hagan, *U.S.-Comanche Relations* and Hugh Scott, *Some Memoirs of a Soldier*, (New York: Century, 1928).

³⁷ *Senate Document*, no. 34, 55th Congress, 1st session, 1897.

- ³⁸ Ibid., 118-124.
- ³⁹ Ibid., 125.
- ⁴⁰ Agent Baldwin was acquitted of the charges thanks to the testimony of several of his employees, missionaries, a military officer, and several other Indians who testified for the defense
- ⁴¹ Burton to Baldwin, 9 December 1897, KA 35:415.
- ⁴² Parker to Baldwin, 10 December 1897, KA 35:417-418.
- ⁴³ Baldwin to Commissioner of Indian Affairs, 11 January 1898, as quoted in Hagan, *U.S.-Comanche*, 246.
- ⁴⁴ Hagan, *U.S.-Comanche*, 246.
- ⁴⁵ Exendine to Baldwin, 3 January 1898, KA 35:423.
- ⁴⁶ Baldwin to Leonard, 7 February 1898, KA 35:427.
- ⁴⁷ Council Proceedings, 11 February 1898, KA 35:431; Kelsey to Baldwin, 11 February 1898, KA 35:429.
- ⁴⁸ Hagan, *U.S.-Comanche*, 248.
- ⁴⁹ Arco and a few others became angry when they discovered that Quanah was one of the first to sign the Jerome Treaty. Ahpeatone, on the other hand, was held in high esteem because he was the only chief not to sign the treaty. See Council Proceedings, 27 March 1897.
- ⁵⁰ Council Proceedings, 8 April 1899, KA 48:447.
- ⁵¹ Ibid.
- ⁵² Ibid, 136; Annual Report of the Kiowa Agency, 28 August 1897.
- ⁵³ Clark, 53.
- ⁵⁴ Council Proceedings, 19 and 20 July, 1897.
- ⁵⁵ Council Proceedings, 9 October 1899, KA 48:469.
- ⁵⁶ Council Proceedings, 17-21 July 1897, KA 48:384.
- ⁵⁷ Ibid, KA: 48:383.
- ⁵⁸ Ibid, KA: 48:388.
- ⁵⁹ Ibid, KA: 48:393.
- ⁶⁰ Council Proceedings, 9 October 1899, KA 48:469.
- ⁶¹ Armstrong to Randlett, 23 January 1900, KA

⁶² Clark, 53.

⁶³ Excerpt from Council Proceedings, 14 June 1900, C.R. Hume Collection, Box 1 Folder 4, Western History Collection, University of Oklahoma, Norman.

Chapter 4

¹ Hagan, *U.S. - Comanche*, 224.

² *Ibid.*, 214.

³ *Ibid.*, 292.

⁴ Informal talk with Lone Wolf et. al., 30 January 1896, KA 48:285.

⁵ Parker's judgment in this matter, though criticized by historians, was probably correct. The Supreme Court ruled in *Lone Wolf v. Hitchcock* that regardless of existing treaties, Congress had ultimate power over the Indians, and could have, in fact, seized the surplus land of the reservation. See Blue Clark, *Lone Wolf v Hitchcock*.

⁶ "Commissioner's Journal," Senate Document, no. 77, 55th Congress, 3rd session, 1899, 32-33, 47-48.

⁷ *Senate Document*, No. 102, 53rd Congress, 2nd Session, 2.

⁸ *Ibid.*

⁹ Council Proceedings, 9 October 1899, KA 48:47 L.

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