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SHERMAN'S LIEUTENANTS: THE ARMY OFFICER CORPS, FEDERAL INDIAN POLICY AND NATIVE SOVEREIGNTY, 1862-1878

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SHERMAN'S LIEUTENANTS: THE ARMY OFFICER CORPS, FEDERAL INDIAN POLICY AND NATIVE SOVEREIGNTY, 1862-1878

A DISSERTATION APPROVED FOR THE
DEPARTMENT OF HISTORY

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LIST OF ABBREVIATIONS

Letters Received	LR
Letters Sent	LS
Endorsements Sent	ES
Department of Dakota	DoDak
Department of the Northwest	DoNW
Department of the Platte	DoPlatte
Department of Texas	DoTx
Department of Columbia	DoC
Record Group	RG
Office of Indian Affairs	OIA
Assistant Adjutant General	AAG
Official Records	*OR*

ABSTRACT

My work focuses on army officers' efforts to both conquer American Indians and answer to competing visions of political authorities and citizens who were divided over the "Indian question." Although army officers served as representatives of federal power on the frontier, they were often limited both in their perceptions of Indians and the restrictions placed on them by federal, state, and territorial governments. The officer corps was able to use its authority and resources to advance the national goal of western settlement. However, its efforts to replace a native West with a white West were neither unified nor bereft of tension.

Indians, recognizing imbalances in power among American authorities, sought to maintain their own hegemony. With their sophisticated use of political alliances and rhetoric, they took advantage of Anglo-American misunderstandings about native people. In my work, I treat Indians as competitors against a rival Anglo-American empire that sought to control the West. Rather than see native people as marginalized figures, I argue that the army was marginalized within the dominant civilian state. This marginalization, combined with their difficulty in responding to native sovereignty and the disunity posed by their individual interpretations of federal Indian policy, had a lasting effect on the way in which the army pursued its mission on the frontier. Territorial officials, entrepreneurs who promoted western settlement, and civilians themselves often acted in ways which hampered the army's efforts.

PREFACE

This project focuses on army officers' efforts both to conquer American Indians and answer to competing visions of political authorities and citizens who were divided over the "Indian question." Although army officers served as representatives of federal power on the frontier, they were often limited both in their perceptions of Indians and the restrictions placed on them by federal, state, and territorial governments. The officer corps was able to use its authority and resources to advance the national goal of western settlement. However, its efforts to replace a native West with a white West were neither unified nor bereft of tension.

Indians, recognizing imbalances in power among American authorities, sought to maintain their own hegemony. With their sophisticated use of political alliances and rhetoric, they took advantage of Anglo-American misunderstandings about native people. In my work, I treat Indians as competitors against a rival Anglo-American empire that sought to control the West. Rather than see native people as marginalized figures, I argue that the army was marginalized within the dominant civilian state. This marginalization, combined with their difficulty in responding to native sovereignty and the disunity posed by their individual interpretations of federal Indian policy, had a lasting effect on the way in which the army pursued its mission on the frontier. Territorial officials, entrepreneurs who promoted western settlement, and civilians themselves often acted in ways which hampered the army's efforts.

American civilians in the mid-nineteenth century viewed their attempts to conquer the West through a lens which we now know was distorted by their own ethnocentric

myopia. Many American civilians infused their personal narratives, newspapers, and state histories with, as historian Gary Anderson puts it, "the hallowed, nationalistic rhetoric of nation building."[1] They would have their contemporaries believe that they represented an island of civility and harmony in a sea of savagery and discord—that as people of the land, they cultivated sustainable communities and trade and transport networks out of a beautiful wilderness that was scorned and spoiled by ignorant indigenous people. In small towns that surrounded the Red River on the Oklahoma-Texas border or the Missouri River in the Dakotas, Anglo-Americans strove to assert their dominance over native people. These same small towns clamored for protection from the army at the first sign of an Indian presence, yet it was their own presence that served as the impetus for native-white violence. They justified this violence on the basis of imagined cultural superiority, their intention to cultivate the trans-Mississippi west, and native refusal to conform to Anglo-American social norms.

Civilians and territorial officials hampered effective Indian fighting that was already ill-affected by the army's lack of background in fighting difficult unconventional missions, as well as post-war reductions in the numbers of troops. Territorial and state interests held sway. Governors and legislatures focused on increasing the current state populations, seizing native land, exploiting natural resources, encouraging investments such as the railroad, land speculation, and other businesses. These interests were often tied to the need for territorial security, in order to promote stable settlements that could thrive without fear of Indian attack. Although the army was posed to assist these nascent states and territories in achieving stability, army officers often found themselves at odds

[1] Gary Clayton Anderson, *The Conquest of Texas: Ethnic Cleansing in the Promised Land, 1820-1875* (Norman: University of Oklahoma, 2005), 13.

with local and regional authorities. Paradoxically, this conflict occurred at the same time that other officers' efforts were being championed by the public elsewhere. The United States Army dominated native people but it itself was dominated by a civilian society which viewed the military institution as fundamentally a public servant. In principle civilian control is essential to the army's function, but civilian domination manifested itself in a myriad of ways that jeopardized the army's ability to succeed in completing its mission.

Three historians have offered significant assessments of the military's role during this period: Robert Utley, Paul Hutton, and Robert Wooster. Utley argued that the army failed to find a creative approach to unconventional Plains warfare; instead, it relied on traditional modes established by the Civil War. Most important, Utley ably fulfilled his intention to strike "a truthful balance between the two stereotypes" that characterized the frontier military in absolute terms of heroism or villainy. Hutton's 1985 biography of Phillip Sheridan argued that the general often compromised military effectiveness because of his prejudices. In his 1988 study of federal Indian policy, Wooster concluded that the army, pressured by conflicting interests, never developed a consistent strategic doctrine for dealing with Indians. I build on their work by emphasizing Indians' dynamic responses to the military. In addition, my work explores individual officers' interpretations of federal Indian policy in the context of national and institutional trends.[2] Most important, I hope this project will make a significant contribution to revisiting historical scholarship, like Utley's, which seems intent on absolving the army of its sins

[2] Robert M. Utley, *Frontier Regulars: The United States Army and the Indian, 1866-1891* (Lincoln: University of Nebraska Press, 1973), xii. Paul Hutton, *Phil Sheridan and His Army,* (Lincoln: University of Nebraska Press, 1985; reprint, Norman: University of Oklahoma, 2003). Robert Wooster, *The Military and United States Indian Policy, 1865-1903* (New Haven: Yale University Press, 1988; reprint, Lincoln: University of Nebraska Press, 1995).

without exploring the complexities that affected officers, their native foes, and the ways in which both groups approached conflict in the West.

Much recent scholarship on the frontier military still focuses on the traditional (and popular) approaches of battlefield analysis and biography. Recently, scholars have written about influential commanders like William Harney, George Crook, Nelson Miles, and William Hazen.[3] These studies tell us a great deal about individual military leaders' perceptions of Indians, but most of them are confined to one individual, region, or brief time span, and are limited in their contributions to a larger understanding of the frontier army. Other problems in recent texts include a tendency to overlook the role played by civilians and territorial leaders and how those people created problems for the army. Moreover, little attention is paid to the government's use of the army to advance national agendas of imperialism and the colonization of native people.

More comparative analysis of these officers, as well as more emphasis on native people, would give historians greater insight into the dynamics of power between Anglo-Americans and Indians. I seek to answer several broad questions that are crucial to understanding those dynamics. Was commanders' understanding of Indian behavior solely based on existing templates about race in American society, or their personal education on the frontier? (Sherry Smith argues for a combination of both in *The View from Officers' Row*, a landmark study that informs this manuscript to a great degree). Did leaders attempt to influence their subordinates with a particular view of federal

[3] Examples include George Rollie Adams, *General William S. Harney: Prince of Dragoons* (Lincoln: University of Nebraska Press, 2001); Charles M. Robinson, III, *General Crook and the Western Frontier* (Norman: University of Oklahoma Press, 2001), Robert Wooster, *Nelson A. Miles and the Twilight of the Frontier Army* (Lincoln: University of Nebraska Press, 1993), Edward S. Cooper, *William Babcock Hazen: The Best Hated Man* (Madison, N.J.: Farleigh Dickinson University Press, 2005). R. Eli Paul, *Blue Water Creek and the First Sioux War, 1854-1856* (Norman: University of Oklahoma Press, 2004) is an exception, given its careful integration of Lakota oral histories with army records.

Indian policy, and how did they react to opinions that differed from their own? What were the character of relationships between civilians, particularly state and territorial leaders, and members of the army? What of the effect played by public opinion and perception via print media? Finally, did Indians and army officers do more than merely fight one another? These questions have been less well studied. Continued research, therefore, will illustrate the ways in which institutional policy affected officers' execution of their missions.

While Robert Utley's work is highly regarded in the field, his work presents a score of limitations and problems that deserve reassessment. Some of those issues, therefore, are explored in this manuscript. Utley's two-volume history of the frontier army is considered the authoritative work on the subject, and for good reason. Yet Utley, by his own admission, characterized native people in outdated ways that lacked the ethnohistorical insight prevalent in recent years. He cast native people in a dismissive light; for instance, he claimed that native people most likely did not understand or intend to adhere to federal treaties—a characterization that could not be further from the truth.[4] Frontier military histories almost always regard native people as reactive rather than actively shaping interactions on the frontier, giving the impression that the army was, even at its weakest, the dominant force in the West. Even respectable older histories, like George Hyde's study of Spotted Tail, refer to native people as "plaguy" and "bitter and mystical" people who "sulked."[5] Few frontier army histories offer a sense of the continuity and change in the army's mission, much less those same dynamic elements

[4] Utley, *Frontiersmen in Blue: The United States Army and the Indian, 1848-1865* (New York: Macmillan, 1967; reprint, Lincoln: University of Nebraska Press, 1981), 69; Utley, *Frontier Regulars*, 95.

[5] George E. Hyde, *Spotted Tail's Folk: A History of the Brulé Sioux*, vol. 57 of The Civilization of the American Indian Series, 2nd ed. (Norman: University of Oklahoma, 1974), 83, 195, 197.

among native groups. The Lakota had the right to be suspicious, resistant, angry, and resentful of Anglo-Americans, but their behavior must be placed within the context of consistent marginalization. No wonder that critics find overtones of anti-Indianism in some contemporary military histories—there is often little or no discussion of sovereignty, diplomacy, negotiation with Anglo-Americans, or the ways in which native people were able to control whites, especially outside of the context of combat. Studies that combine balanced analysis of both Anglo-American and native perspectives are far and few between, even today.

Sherry Smith's *The View from Officer's Row* is an important exception to the battlefield-biography trend because it analyzes officers' perspectives through the lens of social and intellectual history. However, the book's major limitation, admitted by the author, was its lack of engagement with Indian voice. Smith also argued that officers did not question federal policy itself, only its implementation, and that they "emphasized the necessity of force more than fairness in their public statements."[6] Yet it is more accurate to say that many officers' constant interrogation of federal policy also contained extended and well-reasoned critiques of that policy. Officers generally sought to achieve the objectives of their missions despite their opposition to doctrine, yet they did make sustained and notable attempts to meet with Indians at councils, and sometimes even took up the Indians' perspective. Yet assumptions and inaccuracies still exist. For instance, some historians have asserted that the army "deliberately looked the other way, hoping that miners of the ground would force the Sioux into agreeing to sell the Black Hills."[7]

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[6] Sherry L. Smith, *The View from Officers' Row: Army Perceptions of Western Indians* (Tucson: University of Arizona Press, 1990), 160.

[7] Robert V. Hine and John Mack Faragher, eds., *The American West: A New Interpretive Hitsory* (New Haven: Yale University Press, 2000), 252.

This is generally false. In fact, many army officers stationed in the Black Hills were angry at the influx of illegal prospectors, sometimes on behalf of Indians, and were determined to chase the miners out.

This work distinguishes itself from other military histories in another way. While I look at well-known senior leaders like George Armstrong Custer, Alfred Sully, Benjamin Grierson, and Alfred Howe Terry, I want to draw more attention to officers who have often remained on the periphery, including Oliver Otis Howard, David Sloane Stanley, and lesser known junior officers who were assigned the tremendous responsibility of practicing federal policy at small and isolated outposts. While Sully and Grierson have remained popular figures in frontier military history, I investigate their activities in ways that have not been previously explored. As a result, I hope that this work will set itself apart by considering a cross-section of leaders who worked in different regions and across borderlands over nearly two decades.[8] Notably absent from this text are the Little Big Horn, Sitting Bull and Crazy Horse, Santana, Red River War, the Apache and Comanche fight for the Southwest, and Wounded Knee—all events and individuals that have received a great deal of scholarly attention in the last fifty years. I gravitated towards sources on the Great Plains at the outset of this project and have decided to keep my focus on the northern tier, as well as the Red River area of Canada. As a result, this project is neither a comprehensive history of Plains Indian nations nor a synthesis of thirty years of U.S. Army history.

All of these officers responded to native people in different ways. Still, they strove to accomplish multifold goals— ensuring territorial expansion, Anglo-American

[8] There are some limitations to the biographical coverage of these officers in this manuscript; for instance, David Sloane Stanley has no extant post-Civil War papers, and his memoirs discuss little of his postwar career.

safety, and control of Indians. By focusing on individual officers' execution of specific missions, I follow the development of their ideas as well as their interactions with territorial and federal authorities, and native people. Robert Wooster proved that "officers repeatedly interpreted their instructions as they saw fit."[9] This work builds on that assertion. It also illustrates that relationships between officers, their social beliefs and expectations about Indian policy, and even pressure to conform to the so-called 'total war' concept created disunity within the officer corps. Both Howard and Grierson were removed from their assignments within months after their failures with the Nez Perces and the Kiowas and Comanches, but these professional moves did not adversely affect their positive, and even close friendships with General Sherman. It was Sheridan, rather than Sherman, who more often advocated a 'total war' strategy, and Howard and Grierson's failures both earned them Sheridan's ire.

Pressure to conform, however, had its limitations. Howard and Grierson questioned the moral value of Indian policy and the efficacy of the army's larger drive. Sully and Custer, on the other hand, prioritized force, but neither of them was above displaying empathy for native perspectives. Sully joined a native woman in winter marriage and provided for both his wife and his mixed-blood daughter. Sully's grandson (his erstwhile biographer) made a conspicuous omission of that union, given that Sully's direct descendants are renowned native historian Vine Deloria Jr. and his son, Philip J. Deloria, a professor of history and Native American Studies at the University of Michigan. Army officers, like their civilian contemporaries, had complicated, even paradoxical relationships with all aspects of the American West (and the frontier) in its many guises—as a place and as a process.

[9] Wooster, *The Military and United States Indian Policy,* 211.

While Sheridan's use of winter warfare could be devastatingly effective at the places like the Washita, it also failed on an impressive scale, such as during the winter of 1875-76 against the Lakota and their Cheyenne allies. Although the 'total war' strategy is most often associated with Sherman and his career in the War of Rebellion, his colleague relied on it to a greater degree. Charles Royster's term, "destructive warfare" is far more accurate to describe the approach that Sherman and Sheridan favored and even came to expect from many of their senior leaders. Sheridan applied destructive warfare to the Plains earlier and with much more force than Sherman had advocated in the immediate postwar period through 1868.[10] Exaggeration characterized Sherman's threats toward the Confederacy and the South, and to a large degree this also holds true for his attitudes towards native people. In both cases he used the word "extermination," but it is clear that he never engaged, or advocated soldiers' engagement, in mass murder. Federal authorities held out assimilation to native people as an alternative to certain conflict with the army.

The issue of genocide and Native American history is unavoidable. Some scholars, including those with a native heritage, like Tom Holm and Elizabeth Cook-Lynn, argue that the United States Army committed genocide in the nineteenth century. These are the most violent byproducts of what Cook-Lynn has termed "Anti-Indianism," a fundamental concept that informs this book.[11] Still, lumping the actions of the army as a whole under the label of genocide obscures the ability of native people to not only resist but challenge and even negate American imperialism. It is clear that some army officers

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[10] See Charles Royster, *The Destructive War: William Tecumseh Sherman, Stonewall Jackson, and the Americans* (New York: Alfred A. Knopf, 1991). Wooster, *The Military and United States Indian Policy*, 141.

[11] Elizabeth Cook-Lynn, *Anti-Indianism in Modern America: A Voice from Tatekeya's Earth* (Chicago: University of Illinois Press, 2001), ix-xii, 3-5.

sometimes supported and engaged in a policy of ethnic cleansing. These qualifications are important. Many army officers, whether they were lieutenants or captains or brigadier generals, behaved honorably and fairly toward native people. These men often despaired of the government's treatment of Indians and criticized their fellow soldiers for not doing more to protect the rights of native people. Nineteenth-century ethnocentric views were characteristic of many of these men; it is crucial that we not confuse their ethnocentricism and racism with murderous intent. Furthermore, unlike the German example, the army's most senior leaders did not create, endorse, or put into action a concerted policy of genocide.[12]

Nevertheless, regards of where one stands on this new debate, paying attention to native history is important. Too often native people are painted with too narrow a brush and too flat an ink – only in the last twenty five years have historians of Native America and the West sought to explore the ways in which native people applied agency. The Lakota and the Dakota serve as the primary example of a native empire in this manuscript. Their use of diplomacy on Indian terms reflects their understanding of the power of negotiation, their recognition of the dynamics of power on the frontier, and their ability to shape the struggle for dominance in the West.

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[12] This debate has begun to receive attention in journals and other venues, and it deserves a book-length project to do it justice. Consequently, this study does not enter into that debate at length, but it does engage the contention of genocide several times. Overall, I conclude that the United States Army did not commit genocide against native people. The army was not blameless when it came to killing native people. Dakota Indians at Killdeer and Whitestone Mountains, the Cheyennes at the Washita, the Piegans on the Milk River, and other individuals were killed during battles or forced removals like the Navajo at Bosque Redondo or the Apache from Avaipai. There are several incidents of officers inciting their enlisted men to hack at unarmed men, women, and children with knives and axes, as was done by Lieutenant Gustavus Cheney Doane, a participant in the Milk River massacre of 1870. But these remarks did not characterize their correspondence as a whole, as evidence of a genocidal policy might suggest. Sherman in particular is singled out, but remarks he made in the 1860s and 1870s are very similar to those he made during the Civil War, such as his assertion that hundreds of thousands of Southerners would have to be killed in order to win the war. Men like Doane, however, did not kill Indians because they were ordered to do so—they killed them because they wanted to.

The popularity of frontier military history persists today in literature and film, which perhaps is the most influential factor in shaping scholarly and public perceptions of this subject. The reality of the army's experience in the West lies somewhere between the interpretations proposed by John Wayne and Kevin Costner. The army did not always charge in to battle to the tune of "Garryowen" with guidons fluttering in the wind. Nor did its officers generally develop lasting relationships with native communities, much less to the extent that they became fictive kin, and native communities were never idyllic places devoid of internal conflict. Nevertheless, if one cinematic visual image comes close to describing the relationship between army officers and Indians that is explored in this text, it is the moment in *Dances with Wolves* when Lieutenant Dunbar first encounters the Lakota community. Overlooking a steep bluff, Dunbar sees first the river that fronts the village, then the huge horse herd, and finally the dozens of lodges arrayed in the camp circle. It is at this point that the power wielded by Lakota first impresses itself upon the film's protagonist, an army officer who comes to the frontier with preconceived notions that change as a result of his interaction with native people. How should we see the army? It arrived in the wilderness with assumptions about Indianness and Anglo-American exceptionalism, and in the three decades that the army attempted to control indigenous people, assumptions led it astray. Indians were the human part of a Western environment, both natural and cultural, that army officers struggled, and often failed, to understand.

CHAPTER ONE: The *Oyate* and the Borderlands

In the spring of 1863, the people of Minnesota greeted General Alfred Sully's arrival with alacrity. They had cheered the execution of thirty-eight Dakota Indians one day after Christmas, 1862; now they looked forward to driving the rest of those thieves, beggars, and murderers from their lands. A book co-written by Gary Clayton Anderson, a historian, has offered this summary of the Dakotas' revolt: "Frustrated and provoked by a series of broken promises and by reservation policies that forced cultural change, Dakota Indian warriors began killing white traders and settlers in August 1862. The fighting lasted nearly six weeks and took the lives of nearly five hundred whites, mostly civilians, and an unknown but substantial number of Indians. As a result, twenty-three southwestern Minnesota counties were virtually depopulated." The violence in Minnesota can be most properly understood as a revolt and a rare instance where the indignation and anxiety of native people led them to revenge themselves on their Anglo-American neighbors. The shout of a Dakota warrior as he killed the revolt's first Anglo-American victim, a general store clerk, lays bare the Dakota perspective: "Now I will kill the dog who wouldn't give me credit!" Variously called a war, an uprising, or a conflict, the events of 1862 proved that the fight for the Great Plains began in earnest long before the Civil War ended.[1]

[1] Gary Clayton Anderson and Alan Roland Woolworth, eds., *Through Dakota Eyes: Narrative Accounts of the Minnesota Indian War of 1862* (St. Paul: Minnesota Historical Society Press, 1988), 1. The Congressional Act of February 16, 1863 (12 Stat. 652) forfeited all Dakota rights to occupancy in Minnesota. All Dakota lands were sold by the Congressional Act of March 3, 1863 (12 Stat. 891). None of these acts involved any kind of Dakota assent; thus, the "Indian uprising" of wronged Dakotas became a convenient justification for Anglo-Americans to seize native land. Henry Hastings Sibley, the first governor of Minnesota, led the state militia in the initial phases of the conflict. For the "dog" quote, see

Minnesotans believed that Sully's Northwest Indian Expedition, which traveled up the Missouri River to join forces with another unit commanded by Henry Hastings Sibley, would push the Dakotas west of the Missouri. Sully, a career officer in the United States Army, was given a clear objective: locate the Dakota resistance and force them out of the state. After the revolt, the Dakota people would be forced to go to Crow Creek and other reservations. The Minnesotans would gain uncontested access to the Dakota lands that the state had seized with the Traverse des Sioux treaty of 1851, as well as their rather substantial reservation. Settlers in the northwest had great confidence in the ability of American fighting men to dispense with the Dakotas once and for all, yet many of them were fairly ignorant of the circumstances which had both plunged Minnesota into war and continued to prolong native-white violence.

Both Sully and his commanding officer, General John Pope, found themselves in a precarious position in the aftermath of the Dakota revolt. At the same time that federal authorities tasked them with stopping Dakota resistance, state officials expected them to protect Minnesota residents. When the Dakotas eluded and confounded the army by crossing the boundary line into Canada, Minnesotans characterized the army's inability to pursue the enemy as an operational failure. Minnesota would later praise Edwin Hatch, commander of an independent cavalry battalion, for breaching international law. Sully and Pope were not able to satisfy these contrary demands consistently, but their opponents' complaints began to fade after the Dakotas sought refuge in the Canadian-American borderlands.

The execution of the Dakotas in December 1862 signaled a great achievement to

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Isaac V.D. Heard and Benjamin Whipple, *History of the Sioux War and Massacres of 1862 and 1863* (New York: Harper & Brothers Publishers, 1865), 62.

the residents of Mankato, the southern Minnesota town in which the gallows stood. The staff of the Department of the Northwest, however, did not share their enthusiasm. Pope and Sully, however, realized early on that failure would dog every expedition unless the Dakotas' movements in the borderlands could be somehow controlled.[2] Pope argued that white settlers from the Red River Colony of Canada, motivated by profit, had sold arms and provisions to the Dakotas. He asserted that Canadian authorities and commercial interests like the Hudson's Bay Company were equally interested in controlling the Dakotas. The Indians would "renew their attacks upon defenseless settlements" if they were not pursued in the north. Pope also worried about the fact that the Dakotas had supposedly learned of the army's operations from a white trader a. This unidentified man had invited Dakotas to move across the line and promised arms and ammunition to them. Early on, Pope and other army officers realized that the Indians would avail themselves of the protection offered by the Canadian-American borderlands. But the department staff could not guess as to how much aid the British would offer the Sioux.

The encroachment of Anglo-American culture disrupted the Plains regions of Canada and the United States. In the case of the Minnesota war, American and Canadian

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[2] John Pope to J.C. Kelton, 4 April 1863, *The War of the Rebellion: A compilation of the Official Records of the War of the Union and Confederate Armies* (Washington: GPO, 1880-1901), ser. 1, vol. 22, pt. 2, 198-99. (Hereafter cited as *OR* with accompanying volume and subsequent information. If more than one letter is cited, as in fn. 5, the letters will appear in the order in which they are referenced in the text, along with their respective page numbers). The Department of the Northwest covered Minnesota, Dakota and Nebraska Territories, Iowa, and Wisconsin. This command was replaced by the Department of the Dakota in 1866. The Red River Colony, also known as the Selkirk Settlement, included portions of southern Manitoba and northern North Dakota; the Hudson's Bay Company financed the settlement. Scottish and Irish settlers founded Pembina, which lay three miles south of the 49th parallel— the contemporary Canadian-American border. The Red River Colony was a site for HBC operations in the early 19th century; from the 1820s to the 1870s, Metis traders traveled with furs and other goods by oxcart from Pembina to St. Paul. The colony's inhabitants were French, Scottish, Irish, Métis, and native people. Through the late 1860s, the boundary line had little formal meaning, which meant that the Red River Colony was in and of itself a borderlands community. See Rhoda R. Gilman, et al., *The Red River Trails: Oxcart Routes between St. Paul and the Selkirk Settlement, 1820-1870* (Minneapolis: Minnesota Historical Society, 1979).

authorities imagined that their sovereignty could eliminate conflict with native people, whether through violence or accommodation. In some ways, the authorities were wrong. The Dakotas were not bound to international law. In fact, they used Canadian and American borderlands to their advantage, maneuvering between both nations to prolong their independence. The shifting interests and intentions of native people were mistaken for deceptions by Anglo-Americans, for they failed to understand or refused to accept that the border—an Anglo-American construct— did not exert itself over native people who had lived in the borderlands region for centuries. From a Dakota perspective, their own reactions to the conflict in Minnesota were more complex than most Anglo-Americans realized. Native people did not intend to 'escape' to Canada, for the borderlands were a "common and contested ground" that varying peoples shared. Much like the northwestern plains region studied by historian Theodore Binnema, the Canadian-American borderlands included native communities which "continually cooperated and competed" for resources. Anglo-Americans and the French, both of whom traded with native people, failed to dominate them. Yet rifles, metal goods, wolf skins, horses, and other goods passed between whites and natives with regularity, making the Europeans' presence increasingly essential to native trade networks, alliances, and fighting capacities. The Hudson's Bay Company in particular provided arms and ammunition; this British company had been active in Plains trade since the late seventeenth century. After the 1862 revolt, the HBC would not readily trade with the Dakotas at the cost of public opinion. While the Dakotas expected continued reciprocity as participants in Euro-Indian trade networks, the company served as the governing body of the Rupert's Land region and valued control of its territory far more than continued

trade with native people, particularly those who could pull the company into conflict with the United States.[3] Thus, because of the political concerns of Canadian officials, the Dakotas would find it difficult to secure real sanctuary in the borderlands.

Given their alliance with Britain during the War of 1812, the Dakotas had hoped that Canadians would offer them sanctuary, if not material aid. Little Crow, spokesman for the Mdewakantons, the most active Dakota band in the war, had retreated with his people into Canada in the late spring of 1863. He petitioned Canadian officials, recalling British promises made to the Dakotas fifty years before. The Canadians, however, lacked the long memories of the Dakotas and were not eager to provide shelter to a people who had been declared enemies of the American government. Thus, the Dakotas turned to the mixed-blood people and the Red River Métis as they had done in the past. These groups focused on retaining their economic autonomy. They were eager to secure an understanding with the Dakotas, who controlled access to buffalo-rich lands. The Dakotas needed more than armaments; they sought native allies and intermediaries who would strengthen their own position. Neither group saw themselves as distinctly American or Canadian entities at all.

The Dakotas were an indigenous nation of the borderlands who with their northern neighbors shared a history of responding to colonial agendas in ever-shifting ways that accommodated their changing interests. Migration to and from Canada was a

[3] For interaction on the Plains, see Theodore Binnema, *Common and Contested Ground: A Human and Environmental History of the Northwestern Plains* (Toronto: University of Toronto Press, 2003). For borderlands activity, see David McCrady, *Living with Strangers: The Nineteenth-Century Sioux and the Canadian-American Borderlands* (Lincoln: University of Nebraska Press, 2006) 19, 99-100. F.F. Gerard to Alfred Sully, 26 December 1863, Alfred Sully Papers, Beinecke Rare Book and Manuscript Library, Yale University, New Haven. F.F. Gerard was a trader fluent in the Arikara language. Myron Eells, "Aboriginal Geographic Names in the State of Washington," *American Anthropologist* 5, no. 1 (January 1892): 36. Gary Clayton Anderson, *Little Crow: Spokesman for the Sioux* (St. Paul: Minnesota Historical Society Press, 1986), 163, 174-76.

common response to American pressure among many Plains people, including the Blackfeet and Piegan Indians, as well as the Métis. The Métis' winter camps, in fact, lay on both sides of the boundary line and covered a broad geographical range that included the Sweetgrass and Cypress Hills in Montana and the Alberta/Saskatchewan region, and Devils Lake, Turtle Mountain, and St. Joseph in the Minnesota/Dakota region. Although scholars have disagreed about the depth of Dakota-Métis alliances, it is clear that the Dakota fight for autonomy relied on borderlands opportunities with mixed-heritage communities. Borderlands occupancy meant a number of advantages for native people. Greater access to quality goods ultimately enhanced Dakota status, just as access to hunting grounds aided the Métis. While it would be false to suggest that both Métis and Dakotas were in complete agreement on matters of trade or Anglo-American interference, they did have mutual interests. Even if these interactions lacked benevolence, the borderlands contained a variety of communities, many of which recognized that the border was "a meaningful entity . . . a 'white' or 'English' construct to be manipulated" for indigenous gain. Kinship connections also gave the Dakotas an advantage; these connections made the Dakota occasional allies to the Yanktonais and Blackfeet, as well Lakota bands and Métis groups.

But Anglo-Americans were at a loss to explain the logic of, for instance, Yanktonais who camped with Lakotas and then warred against them. Their actions evaded categorization because they did not fit with established Anglo-American ideas about Indian conduct.[4] American army officers were not unaware of this fact; they

[4] See Gerhard J. Ens, "The Border, the Buffalo, and the Métis of Montana," in Sterling Evans, ed., *The Borderlands of the Canadian and American Wests: Essays on Regional History of the Forty-Ninth Parallel* (Lincoln: University of Nebraska Press, 2006). See also McCrady, *Living with Strangers*, 11-15.

realized that the Dakotas did not respect the boundary line, and they also knew that the Dakotas might be able to find shelter in Canada. As early as the spring of 1863, General Pope sought authority for his commanders to ignore boundary lines in pursuing Indians. President Lincoln, however, rebuffed this request. Relations between the British Dominion and the United States were delicate. Under no circumstances would American troops enter Canada. Pope insisted that any expedition would be a failure as long as the Dakotas received shelter in the north. Once Sibley was in the field, however, Pope wrote confidently to Secretary of War Edwin Stanton. "I do not suppose," he said, "that there are now ten hostile Sioux Indians east of the Missouri River. [They] will not be able to return to Minnesota, if ever, in a body."[5] Pope's prediction would prove to be correct—after the 1862 revolt, the Dakotas would never return to Minnesota in significant numbers.

In June 1863, Sully received orders to move up the Missouri River with two thousand cavalrymen. After Sibley completed operations on the James River, he and Sully would meet at Devils Lake and stop the Dakotas from retreating to the Missouri River. The low depth of the river and the melting snow, however, delayed Sully for days. Pope reacted to Sully's failure with anger and disappointment, but these concerns quickly subsided as Pope realized that the Department of the Northwest faced greater problems, especially the question of civilian militias.

Writing to Edwin Stanton, the Secretary of War, Pope suggested that "in deference to the natural anxiety of the people after the atrocities of last autumn, and to

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Thomas F. Meagher to Hon. D.N. Cooley, 14 December 1865, *Annual Report of the Commissioner of Indian Affairs to the Secretary of the Interior for the Year 1865* (Washington: GPO, 1866), 196.

[5] Henry Halleck to Pope, 11 April 1863; Pope to Halleck, 19 May 1863; Pope to J.C. Kelton, 1 June 1863, *OR*, ser. 1, vol. 22, pt. 2, 211, 289, 304-5, 493.

give them the confidence necessary to induce them to remain on their farms," one regiment each of cavalry and infantry should remain in the state. However, some prominent representatives wanted to keep all the troops in the state, to benefit from appropriations bills. Pope and his staff argued that defensive operations took more troops and funds than the offensive operations that could do the real work of pushing the Dakota Indians out of Minnesota. Experience with Indian warfare also demonstrated to the army that defensive postures led to alarm among settlers. Pope went so far as to send a letter to the governor of Minnesota, reassuring him that troops would stay in the state through the winter of 1863. The Department of the Northwest faced a dilemma—if senior leaders sent men to the field, "timid and spiritless" settlers would jump to the conclusion that local Indian attacks were at hand and would abandon their homes. If troops stayed in Minnesota towns, they would not be able to achieve the larger objective of defeating the Dakotas.[6]

At the same time that Minnesota's leaders demanded protection from the army, they were also desperate to demonstrate the ability of the state to persist. Potential investors and emigrants would stay away from a place wracked by Indian violence, and the exodus of settlers offered clear evidence of Minnesota's instability. When Sibley had set out on his expedition in the summer of 1863, he positioned his troops between white settlements and Dakota villages. Yet Pope pointed out that civilians launched "a terrible outcry . . . through the newspapers that they were being abandoned, that Sibley was marching away, and the Indians would attack the settlements." Minnesotans were

[6] Pope to Edwin M. Stanton, 29 August 1863, *OR*, ser.1, vol. 22, pt. 2, 493-495. Pope to Stanton, 29 August 1863, Department of the Northwest, Letters Sent, Records of United States Army Continental Commands, Record Group 393, National Archives Building, Washington, DC. (Hereafter cited as DoNW, LS, RG 393, and LR for Letters Received).

"ridiculing the movement one moment" and protesting for more protection the next. Sully wrote critically about the "stampedes" in Minnesota and neighboring areas. "A great deal of the Indian cry is to benefit rich individuals. Still it has the effect of frightening… timid men, causing them to depopulate the country." Sully at one point was forced to detail over ten percent of his forces for a frontier guard. Civilian militia members fought to get officers' commissions, leaving Sully to lament that he had made "promises which I know can't be fulfilled."[7]

Pope expressed his feelings toward Minnesota civilians in blunt terms that other commanders in the region would later echo. While his comments were glazed with a layer of sardonic humor, Pope made it clear that, in his view, Minnesota's leaders used the threat of Indian attacks for the state's financial gain. A military failure meant that troops would be retained in the state, and the promoters of civilian militias might gain more influence. He intimated, too, that there was a reason behind the local newspapers' attacks on his department.

> The truth is, in plain words, that there are in this State many people, who are determined that the troops shall not be taken out of it—that they are clearly entitled to some of the [government] expeditions which they can only get in this way. As long as the apprehensions of the people can be kept up, the troops will be kept in the state. Of course no expedition must be successful enough to destroy all danger from Indians. Hence Sibley's expedition must fail.[8]

Such militias encouraged Minnesota's citizens to think that they were better equipped than the Army to deal with the Indian problem. Advocates of militias believed that citizens who were unchecked by hierarchy and bureaucracy could do more than regular troops. They argued that citizens' hostility toward Indians was based in personal

[7] Sully to Pope, 31 May 1864, DoNW, LR, RG 393.

[8] Pope to Halleck, 27 July 1863, DoNW, LS, RG 393. Assistant Adjutant General to Pope, 1 June 1863, DoNW, LS, RG 393.

experience, so their motivation to subjugate the Dakotas would be greater than that of regular troops. To this end, Oscar Malmros, the State Adjutant General, authorized an award of $75.00 for Dakota scalps in July 1863; in early August, two hundred men were recruited for ranger companies. The *Mankato Record* reported a great deal of local support for Minnesota soldiers, who were treated with commemorative poems, ceremonies, and public suppers. In the interests of defending the frontier, the paper publicized a fund to purchase bloodhounds who could do the "work of one regiment." The fund was not the work of humorists, as one might suspect. Malmros was entirely serious when he advanced the idea in a letter to his predecessor, John B. Sanborn: "We think the employment of bloodhounds would materially increase the efficiency of our troops and contribute more than anything else to rid us of the savages." While Malmros's sincerity might seem silly in hindsight, the whole episode points to the lengths to which civilians would go to marginalize the army's Indian-fighting abilities.[9]

By mid-August, Sully failed to make the progress that Pope had expected. Pope criticized him, saying, "I feel bound to tell you frankly that your movements have disappointed me, and I can find no satisfactory explanation of them." Restoring public confidence in the state of Minnesota depended on a successful campaign against the Dakotas who lived west of Anglo-American dominated areas. Sully avoided an ugly censure by both the public and his superiors by destroying a Yanktonai camp at Whitestone Hill in September 1863. Thousands of pounds of buffalo meat were burned along with three hundred lodges, robes, and winter provisions, meaning that the remaining Dakota resistance would be ill-prepared for the winter, and might more

[9] *Mankato Record*, 25 July, 1863; 1 August, 1863; 27 May 1864; 8 July 1864. Oscar Malmros to John B. Sanborn, 31 July 1863, Sanborn Papers, Minnesota Historical Society, St. Paul.

quickly surrender. One hundred twenty four women and children were taken captive; they were forced to go to Crow Creek. Samuel J. Brown, an interpreter of partial Dakota heritage who worked there, later wrote that he did not think Sully "aught to brag of it at all," given that, according to Brown's Yankton sources, over two hundred women and children died. The Nebraska Second Cavalry attacked without orders, and in their recklessness wounded a number of their own men and members of the Iowa Sixth Cavalry. An honest appraisal of the campaign does not appear in Sully's report. In the case of the village near Killdeer Mountain, which Sully attacked in following July, some evidence suggests that he exaggerated Indian losses. Sully may have done so in the hopes that these reports would bolster local trust in his failing campaigns, especially given that public opinion was already set against him.[10]

The killing of women and children was not an official military policy, but it met with tacit approval from senior army officials, and was often applauded by frontier residents. Nothing suggests that Sully hated Indians with any particular intensity; in his private and personal correspondence he did not refer to them as "scum," like Sibley. Still, like some of his colleagues, his condescending view of native people appears alongside extended critiques of federal Indian policy. The kind of violence seen at Whitestone Hill satisfied the frontier settlements that demanded revenge for property raids and civilian casualties. Destroying the Yanktonai camp earned Sully praise and a

[10] Sully to J.F. Meline, 11 September 1863, *OR*, ser. 1, vol. 22, pt. 1, 559-61. Here the deaths of non-combatants are omitted almost entirely. For information on casualties at the Battle of Whitestone Hill, see Doane Robinson, *A History of the Dakota or Sioux Indians* (Minneapolis: Ross and Haines, Inc., 1904), 328; Kenneth Carley, *The SiouxUprising of 1862* (St. Paul: Minnesota Historical Society Press, 1976), 89-91. Brown's remarks were colored by the fact that he was sent to Crow Creek rather than being chosen to serve as a scout. For more on exaggerated reports of Indian deaths, see Jeffrey Ostler, *The Plains Sioux and U.S. Colonialism from Lewis and Clark to Wounded Knee* (Cambridge: Cambridge University Press, 2004), 44 fn. 14, and also Micheal Clodfelter, *The Dakota War: The United States Army versus the Sioux, 1862-1865* (Jefferson, N.C.: McFarland, 1998), 187.

reminder of his previous failure from Pope: "The results are entirely satisfactory, and I doubt not that the effect upon the Northwestern Indians will be, as you report, of the highest consequence. Whilst I regret that difficulties and obstacles of a serious character prevented your co-operation with General Sibley . . . I bear willing testimony . . . to the important service you have rendered to the Government."[11]

Through military force, American authorities aimed to reduce the power of the Dakota Indians in the summer and early autumn of 1863. Pope and Sully both assumed that the army's warfighting capabilities far exceeded those of their Indian foes, which in turn influenced their doubts that the Dakotas could suffer losses without eventually submitting to American control. In mid-August, Pope insisted to Halleck that the outcome of Sully's expedition had been misrepresented—although he did not say so explicitly, it is probable that he meant local newspapers, which had already excoriated the army's efforts. All Sully had to do was follow Sibley's success "with any ordinary energy" and the Indian resistance in the area would collapse. Had Sully met Sibley's forces in time, the two commanders "would have probably ended Indian troubles."[12]

At some point in that same year, a Hunkpapa Lakota band on the Missouri sent a message to the local Indian agent through Pierre Garreau, a French-Arikara interpreter. They directed their ire at not only the agent, but Charles E. Galpin, a veteran fur trader of the upper Missouri and the head intermediary for the First United States Volunteer Infantry, which garrisoned Fort Rice on the Missouri River. The Hunkpapas demanded that Anglo-Americans, including Galpin and his associates, stop traveling on the river.

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[11] "There are a few Indians lurking about the frontier, and I learn from the scouts that about 400 lodges, embracing the very scum of the Isanti Sioux. . . " Henry Sibley to Pope, 9 June 1864, *OR*, ser. 1, vol. 34, pt. 4, 289.

[12] Pope to Halleck, 20 August 1863 and 21 August 1863, DoNW, LS, RG 393.

They issued a sharp warning to the whites.

> We for the last time beg of you to bring us no more presents, as we will not receive them, as yet we have never accepted your goods. . . . We notified the Bear's Ribs yearly not to receive your goods, he had no Ears and we gave him Ears by Killing him, we now say to you bring us no more, if any of our people receive any more from you, we will give them Ears as we did to the Bear's Ribs . . . [W]e wish you to stop the whites from traveling through our country and if you do not stop them, we will. . . . the whites in the country have been threatening us with soldiers, all we ask of you is to bring men and not women dressed in Soldier clothes, we do not ask for soldiers to fight [if] you refuse to comply with what we ask.[13]

Anglo-American authorities on both sides of the border often assumed that indigenous loyalty could be earned with a combination of violence and the promise of annuities.

Pope, for instance, argued later in the conflict that Indian agents' reliance on annuity-giving contributed to native-white conflict. "The Indians naturally understand that these are given them as bribes to keep the peace and because the whites are afraid of them; and, of course, they observe such treaties only as long as they find it convenient." In exchange for the services of scouts who were Dakota enemies, Sully would eventually request "the authority to give them a blanket a piece, some calico, something more gaudy than the Quartermaster Department furnish, some tobacco, powder, and lead, and in the way of rations, a little flour, pork, coffee, sugar, nothing more."[14]

The message of Bad Eagle and his kin, however, demonstrates that native people were aware of the dangers of dependency; to retain their autonomy, some strove to avoid contact with whites. Here the Indians levied a sophisticated threat against their Anglo-American foes while simultaneously insulting the army's ability to wage war against

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[13] W. Raymond Wood, "Integrating Ethnohistory and Archaeology at Fort Clark State Historic Site, North Dakota," *American Antiquity* 58, no. 3 (July 1993): 551; Bad Eagle et al. to unidentified agent, Report of Sully Expedition, [n.d.] 1863, DoNW, LS, RG 393. Ostler, *The Plains Sioux*, 42-43. Two militant Hunkpapa killed Bear's Rib, for taking annuity goods at Fort Pierre. Michele T. Butts, "Trading Gray for Blue: Ex-Confederates Hold the Upper Missouri for the Union," *Prologue* 37, no. 4 (Winter 2005): 14-21.

[14] Pope to Halleck, 6 October 1864, *OR*, ser. 1, vol. 41, pt. 1, 139. Sully to Pope, 21 March 1864, Alfred Sully Papers.

native people. Raymond DeMallie points to the importance of this particular message: "As a symbol, *ears* figured prominently in Lakota rhetorical discourse. . . opening, or mere acknowledgment of possessing ears expressed a willingness to listen and to accept a significant message" that was based in truth. At the Little Big Horn battlefield in 1876, Cheyenne women had pushed sewing awls into George Armstrong Custer's ears, turning metaphor into physical actuality. By forcibly "giving ears" to the whites, the Hunkpapa would make the American aggressors listen to native demands.[15] On both sides of the Canadian-American border, Dakota freedom was stymied by people who failed to "have ears" for Indian needs.

The political structure imposed on the borderlands by Anglo people also created difficulty for native people. The borderlands lay within Rupert's Land, a territory that stretched from the 49th parallel to Hudson Bay and encompassed all of Manitoba, parts of neighboring provinces, and parts of Minnesota and North Dakota. This land had been claimed by the Hudson's Bay Company since 1670. Within this area lay the Red River colony (also known as the Selkirk concession, named after its founder, the fifth earl of Selkirk), which abutted the forty-ninth parallel and was located within the British district of Assiniboia. Native-white relationships in this region were dominated by a long history of violence. For instance, the Scottish immigrants who arrived in the area at the turn of the nineteenth-century had immediately clashed with local Métis people whose loyalties rested with the Northwest Company, the HBC's primary rival. Fifty years later, this animosity still ran rampant.

Immediately following the outbreak of violence in Minnesota in 1862, the

[15] Raymond J. DeMallie, "'These Have No Ears': Narrative and the Ethnohistorical Method," *Ethnohistory* 40, no. 4 (Fall 1993): 520-21.

governor of Rupert's Land, Alexander Grant Dallas, petitioned the queen for military aid. When the crown failed to provide help, Dallas turned to the HBC, but its officers denied him too. Like authorities in Britain, the company refused to become involved in a dispute for which they bore little or no responsibility. Although the HBC proved largely successful in denying the Dakotas access to weapons and ammunition, it could not keep them from seeking refuge in the Red River Colony, nor prevent them from moving in the borderlands.[16] Métis hunters and traders had been doing the same thing for years. In fact, at the exact same time that the Dakotas sought refuge in the Red River Colony, Métis people were traveling across the borderlands in search of buffalo and trade opportunities. While native people's presence in the borderlands was no novelty, the Dakotas were singled out by both Britons and Americans as criminals. Yet other forces– those focused on negotiation and the fair treatment of native people, if not their autonomy too–were at work elsewhere.[17]

The Dakotas found an advocate in Father Alexis André, a French Roman Catholic priest who served in the borderlands of the Red River settlement and the Dakota Territory. André had been assigned to the St. Joseph (Walhalla) mission during the Dakota conflict and its aftermath. St. Joseph lay just inside the American border, due west from Pembina, North Dakota, the base for an independent militia unit, named for its commander Edwin C. Hatch. Minnesota leaders had lobbied for the use of an independent Minnesota battalion against the Dakotas, but the regular Army officers had little respect for Hatch or his unit. Hatch had served as the agent to the Blackfeet at Fort

[16] Alvin C. Gluek, Jr., "The Sioux Uprising: A Problem in International Relations," *Minnesota History* 34, no. 8 (Winter 1955), 318-19.

[17] Rhoda R. Gilman, *Henry Hastings Sibley: Divided Heart* (St. Paul: Minnesota Historical Society Press, 2004), 193.

Benton in 1856 and his connection to the Indian Department did not endear him to Pope and Sully. Hatch had "no authority" to announce that he commanded troops in the service of the federal government, or "to make campaigns at his pleasure, independent of the proper military authorities." In Pope's opinion, the battalion would be a "source of great and unnecessary expense to the Government," for "whilst Indian agents" and their supporters became rich, Indians became "poor, dissatisfied, and hostile."[18]

Father André was determined to find peace for the Dakotas; he had corresponded with Major Hatch throughout the year, offering his services as an intermediary to the Dakotas several times. But Hatch and his unit had little real authority because they did not fall under the command structure of the Department of the Northwest. The department staff largely ignored the major until he made critical mistakes in January 1863—mistakes that not only threatened the outcome of the army's operations, but also jeopardized American relations with Great Britain.[19]

André got his chance to act on the Dakotas' behalf in September and December of 1863, as well as the following March. The priest hoped to send word to Hatch that the Sisseton and Yanktonai would submit to the American government by the spring. After the initial councils in September and December, André forwarded Hatch the discourse of Standing Buffalo, one of the major chiefs of the Sissetons. Standing Buffalo's band lived on the periphery of the 1862 uprising. Their distance from the center of native-white

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[18] Pope to Kelton, 13 July 1863, *OR*, ser. 1, vol. 22, pt. 2, 371-72. Also, Pope told Secretary of War Stanton that Hatch was an "instrument" of Minnesota politicians. He believed that the frontier security provided by Hatch's battalion was unnecessary; he was only using the unit "in deference to the natural anxiety" of Minnesotans. Pope to Stanton, 29 August 1863, *OR*, ser. 1, vol. 22, pt. 2, 493-94. For biographical information on Hatch, see "Historical News and Comments," *The Mississippi Valley Historical Review* 26, no. 2 (September 1939): 301.

[19] McCrady, *Living with Strangers*, 17, 24. Alexis André to Edwin C. Hatch, n.d. 1863, DoNW, LR, RG 393.

violence may have encouraged them to avoid conflict; they had attempted to negotiate with the British as well, sending envoys to Fort Garry, near modern Winnipeg, Manitoba in December 1862. In February, André had asked the governor of Rupert's Land, Alexander Grant Dallas, to intercede with Sibley in the hopes of slowing American military movements against the Dakotas. When André approached the Sissetons, they spoke to him but refused to give him a decisive answer without knowing where their Yankton allies stood.[20]

In his statement to Andre, Standing Buffalo declared that he was eager to seek peace. "I feared not to brave the cold the most vigorous to come and listen to your words," he told the priest. "I did not want to animate the fire that was lit on my lands and I withdrew towards the north." André informed Hatch, "Standing Buffalo and Little Wheat [his brother-in-law] declared to me in secret that they would give themselves up in the spring that they would not declare openly their sentiments so as not to expose themselves to be massacred by some of the murderers." The Indians were troubled by the news that Sully's army had attacked the Yankton, "who lived tranquil without ever having done any harm to the whites." Sibley and Hatch thought little of the Sissetons' request for peace. André, however, was deeply disturbed by the events of the negotiations held in March, which yielded a "fatal and frightful accident."[21]

Two Dakota intermediaries, possibly bound for St. Joseph, had been killed by

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[20] Anderson, *Little Crow*, 172. André to Hatch, 31 March 1864, DoNW, LR, RG 393. "Discourse of Standing Buffalo," 1863, Alfred Sully Papers. Fort Garry was located at the confluence of the Red and Assiniboine Rivers (the site of modern Winnipeg, Manitoba), and was often referred to as Upper Fort Garry to distinguish it from the original (Lower) Fort Garry, which lay in the Red River Colony. The imposing stone structure, built by the Hudson's Bay Company, demonstrated the company's presence in that part of the British dominion.

[21] Sibley to Pope, 16 September 1863, *OR*, ser. 1, vol. 22, pt. 1, 912. André to Hatch, 31 March 1864, DoNW, LR, RG 393.

American soldiers. Although André did not identify them, the soldiers were probably members of Hatch's battalion, since the Department of the Northwest had few troops stationed so far north. The priest averred, "This news will spread among the Sioux with the rapidity of lightening and will choke all their good dispositions for peace . . . for in their ignorance they will attribute this act of barbarism to the American authorities without thinking that it is only the doings of some brutal soldiers being in direct opposition with the orders they had received."[22]

André demonstrated his apparent willingness to trust Hatch's judgment by disconnecting the major from the soldiers. Hatch, however, was not innocent. In mid-December 1863, a detachment of twenty men from the Independent Battalion ambushed a Dakota camp near St. Joseph at three in the morning. The troops killed several Indians and took the rest as captives. Standing Buffalo referred to this incident in his discourse to André, saying, "The news that Americans had massacred women and children has very much troubled our minds." Under his own initiative, Hatch had earlier asked the Council of Assiniboia for permission to pursue Dakota refugees across the border, but apparently he did not move on his request at that time. The only obstacle between Hatch and the Dakotas was the boundary line; the governor of Red River had given him permission to cross, but Hatch had to defer to the diplomatic cautions of American federal authorities.[23]

In early January, the army learned that a small group of Mdewankantons were harassing settlers near Fort Garry; when threatened with Hatch's Battalion, the Indians proposed to surrender one of their leaders, Little Six, to Hatch. Little over a week later,

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[22] André to Hatch, 31 March 1864, DoNW, LR, RG 393.

[23] André to Hatch, 31 March 1864, DoNW, LR, RG 393. "Discourse of Standing Buffalo," Alfred Sully Papers. Anderson, *Through Dakota Eyes*, 297, fn. 17. Gontran Laviolette, *The Dakota Sioux in Canada* (Regina, Sask.: The Marian Press, 1944; reprint Winnipeg, Man.: DLM Publications, 1991), 151-53.

Little Six and another leader, Medicine Bottle were suddenly in Hatch's custody. Instead of going into Canada, Hatch had arranged for the two Dakotas to be plied with alcohol, chloroformed, bound to dog sleds and spirited across the border. Although Canadian and American authorities were critical of Hatch's behavior, Little Six and Medicine Bottle were considered two of the primary Mdewankanton aggressors. No one would stop their hanging in November 1865.[24]

In addition to the two Dakota leaders, Hatch captured twenty one warriors and their families – including Little Crow's wife, sister, brother-in-law, and several of their children – thirty six Dakotas in all. With abundant disdain, Hatch wrote to his wife that the Anglo-Americans— "frail mortals"— were awed by the "royal" Dakota families. Hatch believed that he could force the surrender of over five hundred Dakotas at Red River Colony. A few weeks later, he told his wife that his men had killed at least two Sioux about forty or fifty miles from Pembina, but that the main body was beyond the troops. That night, some Dakotas were traveling back toward Pembina and Hatch sent out a detachment (ultimately unsuccessful) to track them. The settlers had not been able to "rid" themselves of the Dakotas "as easily as they hoped to." Little Six's son and two other warriors had been killed during an argument among the Dakotas, causing the band to go on the move again and ask for ammunition from mixed-blood neighbors. Hatch, having few horses, made little effort to ascertain the Dakotas' whereabouts; he hoped that his wife would not think less of him for returning to Minnesota "with no more scalps."[25]

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[24] Sibley to Pope, 3 January 1864, *OR*, ser. 1, vol. 22, pt. 2, 768. Joseph James Hargrave, *Red River* (Montreal: Printed for the author by John Lovell, 1871), 316.

[25] Hatch to Charlotte Hatch, 11 January 1864, 18 January 1864; 29 March 1864, 30 March 1864, Hatch Papers, Minnesota Historical Society, St. Paul.

Hatch imagined himself a fighter of Indians, but his treachery had far-reaching implications for Canadian-American relations. Long before the Dakota revolt, in the late 1840s, the Canadian-American relationship had suffered because of the native presence on the boundary line. In an address to William Gladstone, then Britain's Secretary of State for the Colonies, representatives for the Aborigines Protection Society pointed to the role of Anglo-American civilians in provoking intertribal war and native-white violence. The society also attributed conflict to the opposing land claims of the American federal government and the Hudson's Bay Company, each of which asserted dominance over Indian territory that lay on either side of the boundary line. By 1860, the American counsel at Winnipeg, James Taylor, averred that both Minnesota and the Red River Colony settlement were "anxious for the utmost facilities of trade and intercourse." Enmity grew between the two regions as a result of the Dakota conflict. The Canadian people once praised by Taylor for their industrious and moral habits were subject to harsh criticism for allowing Indians to live in their midst.

Trying to escape Sully's and Sibley's forces, a sizeable number of Dakotas had fled to Canada in 1863; they arrived in the Red River Colony two weeks before Christmas. Numbering more than six hundred, they were in a state of "positive starvation." Governor Dallas informed the Hudson's Bay Company offices in London that the Indians would "live or die with us, in preference to perishing amidst the snow drifts of the prairies." Drought and poor hunting meant that the area's Anglo inhabitants were hungry themselves. When Hatch's battalion arrived in Pembina, the prices of wheat, barley, and dried meat had nearly doubled. Dallas realized that American authorities would hear exaggerated reports of the British supplying ammunition and arms

to the Indians, and would probably "make a complaint against us." Dallas argued that authorities on the Canadian side could not ignore the Dakotas' suffering. "Our poverty, of food and weakness, and not our will, consent to an unavoidable alternative. So great is the [Indians'] distress, that they are offering their children for sale to the settlers—a very unprecedented occurrence, as they will generally rather see them starve than give them up to white people."[26]

Despite their suffering, however, Dallas believed that the British government could not "afford either to quarrel with or to maintain the Sioux, and there is no middle course to adopt, short of allowing them to perish." The Dakotas were also at risk from attack of the Saulteaux (Ojibwe) who dominated the Winnipeg area. As a result, the Dakotas left the Red River area on Christmas morning, headed for Turtle Mountain in present-day North Dakota. The Dakotas' success in reaching Turtle Mountain was dashed by American troops who drove them back over the boundary line into British possessions. In mid-January 1864, Governor Dallas reported to the HBC that the Dakotas were still in Red River Colony. Canadian settlers demanded that American troops be allowed to pursue the Dakotas within British boundaries, and some Canadians even went to talk to Hatch at Pembina. Hudson's Bay officials backed Dallas's decision, however, believing that "nothing short of actual and imminent peril" to Canadians' lives would justify American intervention.[27]

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[26] *The Colonial Intelligencer; or, Aborigines' friend*, vol. 1 (London: Aborigines Protection Society, 1847), Minnesota Historical Society, St. Paul. Enclosure 1 in no. 11, 11 December 1863, in "Sioux Indians. Return to an address of the Honorable the House of Commons," Great Britain, Colonial Office, Minnesota Historical Society, St. Paul.

[27] Encl. 2, in no. 2, 18 December 1863 and 27 February 1864, in "Sioux Indians. Return to an address of the Honorable the House of Commons," Great Britain, Colonial Office.

The conflict between American and British authorities over the Dakota Indians laid bare the attempts of both nations to assert their own political sovereignty and establish control over an indigenous people for whom the boundary remained a shifting construct. Canadian and American newspapers' coverage of the kidnapping and their divergent perspectives illustrate the ways in which either nation perceived the other and their responses to the 'Indian question.' The Canadian account given by the *News* cast the Dakota conflict in subjective terms of unprovoked massacre. They also criticized the American reaction to the conflict with resounding force; the paper described the Dakotas as having come to the "Settlement as starving refugees and beggars; they received no ammunition, and not enough food to prevent some of them from dying of hunger and cold combined." Yet the Canadian perspective contained its own hypocrisy, for it failed to condemn other Canadians for failing to react to Dakota suffering: "Surely these people—the bulk of them women and children—could not be allowed to die of absolute starvation in a Christian country."[28]

American editors felt differently about Hatch's actions; they believed that his maneuver had saved the federal government millions of dollars, and they argued that most of the Dakotas would surrender upon hearing about the quick executions of Little Six and Medicine Bottle. The *St. Paul Press* lied about the British position, claiming that "Johnny Bull" supplied the Dakotas with arms and ammunition and then instructed the Indians to return to the American side of the border. Complicating the heated debate was Governor Dallas himself. Over the course of the winter of 1863, his opinions of the Dakotas changed dramatically. At first objects of pity, by the spring of 1864, they had become a source of great annoyance to him. At the same time that Dallas made attempts

[28] *Ibid.*

(ultimately unsuccessful) to negotiate with Sioux leaders in the United States, he hoped that the Dakota refugees could be scared out of Manitoba by "the appearance of even a few American soldiers." Dallas said nothing about the Dakotas' presumed fate inside the American border, thus conveniently omitting the fact that Dakotas and their neighbors suffered through forced removal in the immediate aftermath of the 1862 revolt.[29]

Most Minnesotans, however, would have been aware that in November 1862, over two thousand Dakotas were forcibly moved from their own homes to Fort Snelling and Mankato. These people were the members of two hundred families, including almost three dozen mixed-blood families. Oral histories affirm that some white civilians attacked the Dakotas as they traveled through the towns of New Ulm and Henderson. A local Minnesota unit served as the Dakotas' escort, but they were largely indifferent in their efforts to protect them, allowing white women to attack the defenseless women and children. Some sixteen hundred people were imprisoned at Fort Snelling over the winter. By the spring, almost three hundred people had died, and those who survived traveled by boat to the newly-established Crow Creek Reservation in South Dakota, on the Missouri River.[30]

The Dakotas suffered terribly both at Fort Snelling and Crow Creek. At the latter, Pope reported that they relied on condemned stores that would not last long. He argued that "it would be inhuman for the military forces to compel these Indians to remain on the

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[29] Enclosure 2, in no. 5; extracts from the "Nor'Wester" of 18 February 1864; Enclosure in no. 3, Extracts from the *Canadian News*, 3 March 1864, in "Sioux Indians. Return to an address of the Honorable the House of Commons," Great Britain, Colonial Office. The Winnebagoes, already three times removed from Green Bay, were forced again to cede several hundred thousand acres of territory to Minnesotans in 1855 – part of the same tract granted to the Winnebagoes by the federal government in 1846. After the uprising, they were not allowed to stay in Blue Earth; instead, they were shipped to Crow Creek alongside the Dakotas.

[30] Waziyatawin (Angela Cavender Wilson), "Decolonizing the 1862 Death Marches," *The American Indian Quarterly* vol. 28, nos. 1 and 2 (Winter/Spring 2004): 185-215. Dakota recollections appear on pages 195-205, with the soldier's recollection on 204-205.

reservation to starve to death." The Indian Department had exhausted its stores as well and there was no game for miles. Pope maintained the misguided hope that charitable citizens might feed the Indians and "preserve their lives" like some Red River residents had done in Canada, but this never happened. Pope wrote to Halleck again at the end of December 1863, reiterating his concerns about the conditions on the reservation. The reply, which came months later, was brief – the boats could land at Fort Thompson on the Crow Creek reservation, but Halleck's office said nothing about getting food to the hungry.[31]

This sad dénouement illustrates that army officers in the Department of the Northwest once again faced conflicting outcomes. The government tasked them with killing and containing the Dakotas and the frontier public congratulated them only when they crippled Indian communities. Conversely, Pope's efforts to save Dakota lives at Crow Creek were ignored. Local residents and state officials fomented native-white conflict but left the army to solve civilian-created problems. It is little wonder that Sully and Pope expressed aggravation with the general state of affairs in Minnesota. Pope's irritated remark— "Of course no expedition must be successful enough to destroy all danger from Indians"— suggests that not all army officers viewed the military institution as a repository for Anglo-American progress. Rather, some officers saw themselves as an instrument of state and national policy—a characterization that they did not appreciate.

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[31] Pope to Halleck, 30 December 1863 and 25 March 1864, DoNW, LS, RG 393. In her landmark study of army officers' attitudes, *The View from Officers' Row*, Sherry L. Smith asserts that officers "wrote about Indians as if they were impersonal subjects in a social experiment rather than human beings," yet Pope's concerns seem to counter this view. *The View from Officers' Row: Army Perceptions of Western Indians* (Tucson: University of Arizona Press, 1990), 111.

Clearly, Alfred Sully and his fellow soldiers viewed native people as an obstacle to national expansion, and viewed the confining and killing of Indians as an integral part of their mission. Their perspectives, however, should be couched in nineteenth-century terms. Even Bishop Henry B. Whipple, the Episcopal diocese of Minnesota, who was generally considered an advocate for Indian rights, expressed the prevailing ethnocentrism of the age when he wrote to President Lincoln about the Dakota Indians in March 1862. "I ask only justice for a wronged and neglected race. . . . The United States has virtually left the Indian without protection. . . . The first thing needed is *honesty*. . . . The second . . . is to frame instructions so that the Indian shall be the ward of the Government."[32] Sully and Pope, as well as most of the Anglo-American people involved in the Dakota conflict, would have agreed with Whipple's conclusion. Modern readers ought not to excuse their willingness to marginalize Indians, whether by condemning them to starvation and disease on reservations, or by killing them outright. Still, it is important to remember that army officers recognized and sometimes bristled at the fact that the government and the frontier public often used the army to advance anti-Indian agendas that the army supported, at times reluctantly.

[32] Henry B. Whipple to Abraham Lincoln, 6 March 1862, in Abraham Lincoln, *The Collected Works of Abraham Lincoln*, ed. Roy P. Basler, vol. 5 (New Brunswick: Rutgers University Press, 1953), 173.

CHAPTER TWO: Alfred Sully and John Pope in the Northwest

Alfred Sully and his commander, General John Pope, had encountered a host of unique problems when they were tasked to defeat the Dakotas in 1863. Both officers grappled with negative newspaper reports and the storm of public opinion that ensued after they started their first campaign against the Dakotas, at the same time that state and local officials assailed them with conflicting demands. Towards the end of their campaign, the army's problems with emigrants illustrated that the mission to stop frontier violence was complicated and undermined by Anglo-American greed. Similarly, Pope and Sully found themselves clashing with Walter A. Burleigh, a corrupt Congressman and former Indian agent whose crimes against native people were largely ignored by Minnesota residents and federal officials. This was no apparent reversal of their roles as "Indian fighters." Both officers continued to express frustration with the Dakotas, civilian emigrants, and government authorities after their campaign. Their conflicted attitudes can be connected to the larger failure of the officer corps and the federal government to understand and react pragmatically to native-white violence in the West.

As the campaign against the Dakotas drew to a close in the autumn of 1864, Pope and Sully became more vociferous in their critique of Indian policy. They insisted that the Department of the Interior failed to provide for Indians as it had promised. Because of this fraudulent treatment, the government encouraged more native-white conflict. Sully had no patience for representatives of the Indian Department. He used the

testimony of native people themselves to reinforce his conclusions about the deceptive nature of federal policy. A Blackfeet warrior had asked him, "If you are a brave man why don't you begin and hang all the agents here on this ground in presence of the Indians? It is they who get us into trouble by telling us lies." Sully responded, "I wish I could have the Congressional committee present here to listen to these Indians. They would learn some wholesome truths." By critiquing the Indian Department's bureaucracy, Army officers like Sully who often relied on violence rather than negotiation could justify their actions as the inevitable outcome of poor federal management. They cast blame elsewhere to detract from their own failure to control their men in the field. Sully, however, would learn that he himself was not immune from criticism, particularly from those same Indian agents whom he opposed.[1]

Sully's attitudes about Indians as truth-tellers seem contradictory in light of the violence applied by his troops at Whitestone Hill and Killdeer Mountain. However, he reflected a dominant feeling of his nineteenth-century contemporaries: Indians who asked for councils and peace could be granted a modicum of consideration and even mild respect; Indians who were deemed hostile by Anglo-Americans were of little or no importance. The latter were fit to be killed without much compunction, yet one might argue that Sully and his colleagues, veterans of the Civil War, viewed their adversarial relationship with native people as one not too different than their relationship with their southern foes. In contrast to Anglo-American enemies, however, Sully felt that the apparent ambiguity of native people's intentions made "the red man . . . a hard animal to

[1] John Pope to Henry Halleck, 6 October 1864, *OR*, ser. 1, vol. 41, pt. 1, 138-39. Alfred Sully to Pope, 17 July 1865, *OR*, ser. 1, vol. 48, pt. 2, 1091.

deal with, and very uncertain."[2]

This frequent failure to understand native people and their motivations also caused Sully and Pope to solicit the help of non-Dakota tribes in fighting the Dakota. For instance, Sully encouraged the use of "friendly" Indians as scouts as much as possible, hoping to turn bands against one another. Pope and Sully, like their contemporaries in the government and the civilian sphere, regarded Indian relationships and alliances as inflexible, uncooperative, and essentially selfish acts. Pope at one point proposed using Shawnee, Delaware, Arikara, and Mandan scouts and warriors against the Dakotas, for he assumed that these less-powerful groups would be eager to fight against the Dakotas in exchange for the "spoils" of the campaign.[3]

Sully predicted that there would be little violence on the eastern side of the Missouri River in the summer of 1864. "Indians are selfish," he wrote, for the western bands would probably not take the risk of crossing the high river to help their allies in the east. Yet paradoxically he believed that the Yanktonais, Blackfeet, Sans Arcs, and other Sioux bands allied against the Anglo-Americans to keep settlers from traveling up river. While blocking white encroachment would have been a goal common to most native people in the region, they would not necessarily have acted as concerted allies. These groups competed for hunting territory and access to trade networks as discrete bands and nations and did so out of their own interests, not because they took stock in wide-ranging native alliances. Power dynamics among Plains people were far more complicated than

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[2] *Mankato Record*, 4 June 1864. Sully to Pope, 28 March 1864, DoNW, LR, RG 393. Sully to Pope, 9 September 1864, *OR*, ser. 1, vol. 41, pt. 1, 151-52.

[3] Sully to Pope, 25 March 1864, DoNW, LS, RG 393. Pope to Halleck, 23 March 1864, DoNW, LS, RG 393.

army officers made them out to be; these dynamics were reciprocal and not static, for warfare made constant engagement with one's neighbors a necessity. The native system of attacking and then sometimes yielding to one's neighbors allowed bands to expand, acquire resources, and then chance losing those gains to other groups.[4]

Sully and Pope failed to understand Indian behavior, but they were correct in locating sources of conflict between whites and Indians. Both men argued that conflict between native people, as well as clashes with Anglo-Americans, could be kept at a minimum as long as Indian agents and speculators were kept out of the Dakotas. At the same time, Pope once again warned civilians about the dangers precipitated by the conflict. Anglo-Americans could not expect to travel through Indian country without angering its residents, for in Pope's view, "if they neglect the advice… they surely cannot complain." The lack of government support for native people held prisoner on reservations, combined with enthusiastic government support for western settlement, made it possible for Anglo-Americans to aggressively pursue their goal of taking Indian land. In turn, civilian emigration made the army's task of protecting both Indians and whites doubly vexing.[5]

The *Mankato Record* attested to the "rush" and "tide" of emigration that moved in and out of Minnesota. Simultaneously, advertisements for lands that had once belonged to Winnebagoes and Dakotas ran nearly every week in 1863. The paper featured "some of the very best farming lands" in the state, sold for two and a half to five dollars an acre.

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[4] Theodore Binnema, *Common and Contested Ground: A Human and Environmental History of the Northwestern Plains* (Norman: University of Oklahoma Press, 2001), 12, 14-16.

[5] Sully to Pope, 8 February 1864, DoNW, Unentered Letters Received, RG 393. Pope to Halleck, 22 March 1864, DoNW, LS, RG 393.

Likewise, records of lots bought and sold, as well as the funding process for a rail route to Idaho, occupied a prominent position in the *Record*. Organizing an expedition for the overland route to Idaho in the late spring of 1864, Minnesotans asked Edwin Stanton to appropriate ten thousand dollars for their protection. At the same time, they decried the Dakotas who roamed anxiously to and from the borderlands. They were unable or unwilling to see that Anglo-American greed had precipitated the havoc at the Redwood Agency. Despite that Sully still had to organize and command multiple reconnaissance and assault missions in the region, civilians ratcheted up the tenor of native anxiety by continuing to press across Indian land.

When he discussed his plans for 1864's summer expedition with Pope, Sully spoke frankly of the risks posed by emigrants. Many of these men flocked to Idaho to pan for gold in the gravel beds of the Salmon River; Sully outlined their avarice and selfishness rather boldly. "I fear I shall be too late then, to afford much protection to the emigrants from Laramie, for already they have commenced their line of march, every individual striving to be the first to reach the gold, of course . . . you cannot expect they will help one another, and it is to be expected some of them will be murdered by the Indians." He argued that Idaho-bound settlers, particularly those led from Mankato by a young volunteer captain named James Liberty Fisk, had complicated his chances to negotiate peace with some three to four hundred lodges of Yanktonais and Dakotas.[6]

In his ambitions, Fisk differed little from the adventure seekers whom he led; he saw himself as part of the Anglo-American vanguard that would settle the frontier and

acquire wealth in the process. Fisk would lead four expeditions from Minnesota to western mining regions between 1862 and 1865. He had served less than a year as a private with the Third Minnesota Volunteer Infantry; his career seems to have been distinguished only by his irresponsibility and lack of discipline. Then, quite suddenly, at the age of twenty-seven, he found himself commissioned as a captain and in charge of a large government-funded expedition to Idaho. Fisk had secured a choice appointment as a result of the influence of several Minnesota congressmen. These politicians, as well as his own connections at the Dakota Land Company, helped him use his position to gain prestige, attention, and government funds that would benefit the state of Minnesota. But Fisk had little experience on the frontier; he had no experience leading others; and, due to his direct appointment, no one supervised him. These factors were the recipe for a disaster.[7]

The Department of the Northwest would not be created until the autumn of 1862, in response to the Dakota uprising; thus, Fisk had the run of the land, and this put him in a position to do harm to native-white relations in the Dakotas. His expedition became a part of "the tide of fortune seekers on their way to the Cariboo mines" described by the *St. Cloud Democrat* in May 1862.[8] Along the way, Fisk and the 130 members of the expedition encountered a large community of Blackfeet, Piegan, and Bloods that had stayed close to Fort Union to trade on the Teton River. The emigrants reported that there were no Indians to bother them "except for a few loafers, who hang around the post

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[6] Sully to Pope, 28 March 1864, DoNW, LR, RG 393. Sully to Pope, 9 September 1864, *OR*, ser. 1, vol. 41, pt. 1, 151-52.

[7] Helen McCann White, "Captain Fisk Goes to Washington," *Minnesota History* 38 (March 1963): 217-218.

rather than hunt with their tribes." They also encountered Gros Ventre and Crow who were interested in trading. The emigrants obtained horses, robes, and clothes in exchange for annuity goods, and then set off, likely to the relief of the local native people.[9]

The Fisk party was gullible on one hand and vicious on the other, making them as "uncertain" as native people, at least in Sully's eyes. At one point, Fisk's expedition encountered Assiniboine warriors who were part of a 400-lodge community. The native men "wanted to know what right we had to go through their country without their permission." The Minnesotans ignored this logical inquiry, so the warriors asked them what the whites would do if attacked. Satisfied by their answer—that the Indians "would learn when the time came"—the Assiniboine men promptly convinced the emigrants to fell a dozen buffalo for them. They got to enjoy the sport of watching the white men hunt and took the buffalo back to their camp.[10] More ominously, the appearance of white men would have meant more stress between Indian communities, for the trade they would have viewed as harmless would have the potential to create conflict between Indians. In one case, Fisk's group made Indians the direct target of murderous intentions.

On September 5, 1862, expedition members returned to one of their abandoned campsites and found the bodies of Indian men, their limbs twisted from convulsions and atataxia that accompany strychnine poisoning. Fisk described the "strychnine affair" in casual terms, openly admitting that "several of the cavalry escort and of the emigrants suggested . . . that on account of the loss of ammunition, [and] the furious and merciless character of the enemy, it might be well . . . to resort to poison." Some expedition

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[8] *St. Cloud Democrat*, 15 May 1862.
[9] *St. Paul Pioneer*, 19 October 1862 and 28 September 1862.

members then scattered their campsite with strychnine-laced hardtack and left. To the travelers' delight, the hardtack was "was pounced upon by the Indians the moment we left . . . and eaten with avidity." Fisk claimed he had nothing to do with the plan, but then wrote, "I have no apologies . . . I cannot say but that the use of [poison] may have been the salvation of my weak and beleaguered party, and finding after it was done that it was done, I was glad twas well done!"[11] His remarks were published in the *St. Paul Pioneer* newspaper to much acclaim.[12]

Not all expedition members viewed the Fisk expedition as a success. One emigrant, J.R. Tysen, would later write about the Fisk expedition, "The Government part of this expedition I look upon as a lamentable farce." The army escort, unwilling to do all the menial work, let the civilians carry water and stand guard. Federal authorities had not given the expedition annuities for the Indians who they would encounter; when native leaders demanded something in return for the trains rumbling across their territory, Fisk grossly overstepped the bounds of his authority, telling them that the government would make a treaty with them the next year. As early as the summer of 1862, Anglo-Americans were not unaware of the dangers of trespassing on native land – while many men were able to make $25 a day at the Salmon River mines, their horses were stolen and they risked being killed. The fluidity of Indian relationships worked to the Fisk party's advantage, however; hunters from the Red River had driven other Indians, probably Blackfeet, from the area, in their search for game. By November, Fisk had reached

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[10] *Ibid.*

[11] "Report on 1864 expedition," James Liberty Fisk, 13 January 1865, James Liberty Fisk and family papers, Minnesota Historical Society, St. Paul.

[12] White, "Captain Fisk Goes to Washington," 228.

Portland, Oregon. His success would only encourage other civilians to attempt daring crossings of the Plains. One Minnesota man wrote to a friend that "the pioneer gold hunters of Red Wing" had "arrived safely in the promised land. The mines here are no humbug, and the almost fabulous accounts we read in the papers last spring were true and more than true." The writer duly noted that thousands who never prospered were never mentioned in the papers, but this observation did not dampen his enthusiasm.[13]

Fisk's actions proved so irritating to the regular army officers that Sully could be heard complaining about him a year after his 1863 expedition. "A great deal of the Indian cry," he told Pope, "is to benefit rich individuals. Still it has the effect of frightening… timid men, causing them to depopulate the country." Such fears meant that, in one instance, territorial leaders forced Sully to detail over 100 of his force of 1200 to 1300 men for a frontier guard. Militia men fought over officers' commissions, leaving Sully to lament that he was left "with only promises which… can't be fulfilled." From Sully's perspective, the emigrant trains were escorted by civilians and soldiers who escaped the draft or the real task of fighting in the Civil War. Fisk had insulted Sully and the expedition's aims and had endangered the lives of the emigrants as well as the soldiers and animals. Yet once his train was pinned down by Indians, Fisk called on the army for help. Sully was not amused. "Why must our Government continue to act so foolish sending out emigrant trains at a great expense?" he wrote.[14]

As Sully's second expedition drew to a close in the autumn of 1864, he reiterated

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[13] S.B. Foote to W. W. Sweeney, dated 2 November 1862, published 31 December 1862 in *The Goodhue Volunteer* (Red Wing, Minn.)

[14] Sully to Pope, 31 May 1864, DoNW, LR, RG 393; 9 September 1864, DoNW, Unentered Letters Sent, RG 393.

his foremost concern in his reports to Pope. He believed that Yanktonais headed north, probably to the borderlands, "for all the Indians well know we are not authorized to cross the line." Surmising that "the half breeds of the North keep them well-posted in these matters," Sully also argued that Métis and Canadian traders ensured continued trade by fomenting hostilities. The Yanktonais, for instance, "deserted their Teton allies" and went across the boundary line; from there they sent runners to ask for peace, and held councils with the British as well.

Pope picked up this assertion and repeated it through the winter of 1864. In a qualification that was new to his reports, he implicated the British government directly: either they should prevent Indians from seeking refuge in the Dominion, secure their side of the boundary, or allow the Army to extend operations into Canada. "One of these three demands is certainly reasonable," he concluded. Similarly, Henry Sibley argued that the Dakotas were directly "aided and abetted by her Majesty's subjects" as well as the Métis, for the Métis wanted to maintain their own edge in trading with the British and Americans. In fact, Sibley claimed that the Métis discouraged the Dakota from submitting to the United States by warning them that they would be "taken from their own country and placed upon an island in the ocean." (While this statement seems outlandish, it is worth considering that the Crow Creek Reservation was itself an "island" in an "ocean" of barren terrain). Newton Edmunds, governor of the Dakota Territory, made even more powerful assertions about the fate of the Dakotas.[15]

In a council with Two Lances, a leading Two-Kettle man, Edmunds declared that

[15] Sibley to Pope, 25 January 1864, *OR*, ser. 1, vol. 34, pt. 2, 152-153. Sully to Pope, 6 October 1864, DoNW, LS, RG 393. Pope to Halleck, 3 November 1864, *OR* ser. 1, vol. 41, pt. 1, 137.

the road to Idaho must be built. "We want the road," he said, "not to harm you, but to go through your country to the gold mines. We don't want to take possession of your lands, but . . . the whites are bound to have this road . . . very soon your Buffalo will all be gone and you will have nothing to eat for your children, and you will starve to death if you don't do so." According to Lieutenant Colonel Thornton, who reported on the proceedings for General Sully, Edmund's rude manner startled the interpreter, Louis Benoist. "The Interpreter exclaimed, 'My God, Governor, you will frighten them all to death.' I at once cautioned the Interpreter to proceed without remark. The Governor then said to me, 'Colonel, they are evidently sensitive about these points, but the fact is, they might as well understand these things first as last.'"[16]

Edmunds' dismissive use of the threat of starvation might have struck his contemporaries as shocking, but the fact remains that native people could and did starve in the wake of the government's failures to provide for them. In the autumn of 1864, for instance, the Indian Department had asked the Department of the Northwest for an escort to safeguard the annuities being shipped upriver to the agencies on the Upper Missouri. Why, the Department's staff wondered, had they asked for an escort in late autumn when they could have asked for one months ago? The year before, the Indian Department had made the same mistake—instead of accounting for the likelihood of crop failures in the early autumn, they had sent supplies to the agencies in the dead of winter, in weather so cold that it proved dangerous for the troops and teamsters. The dire circumstances faced by reservation-dwelling Indians, particularly during the winter, disturbed and even

[16] Charles Thornton to Sully, 5 October 1865, DoNW, LR, RG 393.

angered army officers in the Department of the Northwest.[17]

While officers' criticism of civilian mismanagement of Indian affairs was widespread, it was not misplaced. Furthermore, officers were not immune from being criticized by Indian agents, many of whom mistreated Indians themselves. Sully, for instance, became the target of Walter Atwood Burleigh, the agent to the Yankton. During the course of Sully's campaigns against the Dakota Indians, Burleigh gained support for his political ambitions and became a powerful and influential force in Dakota Territory. In fact, he wielded such power that he would help oust the governor of Dakota Territory in the summer of 1866.

Burleigh's own corruption was both particularly potent and emblematic of the clash between territorial officials and the army. Posted to the Yankton agency near Greenwood in 1861, Burleigh surrounded himself from the outset with equally power-hungry men (his father-in-law, Andrew Jackson Faulk, served as his chief clerk and later the governor of Dakota Territory). Burleigh's four-year tenure at Yankton meant that Indians went hungry while the agent grafted thousands of dollars. He succeeded in part because he got the Yankton leaders' authority to retain their annuity goods until he deemed them suitable for their use. Burleigh's accounts showed that he seized goods that were meant for the Yanktons and re-sold them to Minnesotans at a profit. He deducted his own property from the account books, reporting that his horses and even his pen knife were for Yankton use. Between the summer of 1861 and the autumn of 1862, he bought four hundred dollars worth of goods with annuity money; he bought grain and meat from agency employees, which was against the Bureau's regulations; he bought dozens of

[17] Pope to Halleck, 10 October 1864, DoNW, LS, RG 393.

oxen, milk cows, beef cattle, hogs, and several horses, but few of these animals were ever used by the Yanktons. [18]

There was a school for white children at the agency, but not one for the Indians; there was no miller for them either, even though one was on the books. Norwegian contractors testified that they hauled goods to the agency for six hundred dollars; Burleigh deducted twice that amount from the Yanktons' annuity payments. The Yanktons' workshops were used "for the accommodation and convenience of white people" who had either stopped at the agency to see if they could make money, or passing through the reservation on their own business. The agency's blacksmith and chief farmer both assisted local whites instead of the Indians who relied on them to fix tools and assist with planting. Finally, one of the more egregious ruses involved Burleigh's own son. For most of the agent's term, a man named Timothy B. Burleigh was paid forty dollars a month for general labor. But Timothy was only thirteen years old; he went to the aforementioned school and spent the rest of his free time playing outdoors. He had never worked a day for his father. [19]

Burleigh had been under investigation for fraud in the past, but it seems that he spared no effort in tricking the government agent sent to investigate him.

> [Burleigh] at once dispatched a trusted henchman to intercept the examiner on the road. … In conversation it soon developed that the examiner needed an interpreter and he was delighted to find a man who thoroughly understood the Indian language, who was remote from the influence of the suspected agent, and who reluctantly consented to accompany him to the agency. … Strike the Ree and his head men poured out a tale of wrongs and woes which the ingenious interpreter

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[18] Smith, *Officers' Row*, 92-93. Smith notes that it was "fairly easy to criticize civilian management of federal Indian policy." Men like Burleigh would seem to substantiate officers' low opinions of civilian agents.

[19] Alexander Johnston to Dennis N. Cooley, *Annual Report of the Commissioner of Indian Affairs to the Secretary of the Interior for the Year 1866*, 16 July 1866, 181-85.

> promptly converted into unbounded eulogies of the agent and the manner in which he conducted the affairs of the Indians, and the special [agent] returned to Washington with glowing accounts of the condition of things on the reservation.[20]

The next special agent sent to investigate, Alexander Johnston, was not as gullible. He struggled to find out what was going on at the agency, but locals refused to speak to him. Jacob Rufner, a resident of nearby Bon Homme, told Johnston, "I know what you want, because, if it's any slur on Dr. Burleigh, I ain't a-going to have anything to do with it." But this reticence did not grow out of respect for the good doctor; instead, it grew out of fear of Burleigh's power and influence. Rufner continued, "If I do he will fix it so I'll never get anything in the world, and he will drive me out of the country." [21]

Burleigh did not take kindly to criticism from the army either, and when officers in the region drew attention to his illegal operations, he fired back at them. Colonel Charles Dimon, commander of the First US Volunteer Infantry at Fort Rice, was one early critic of native-white relations in Minnesota and the Dakotas. In the winter of 1864, he explained the situation on the frontier to a Union commander who was serving in Virginia:

> The Government have [*sic*] been fighting all summer the Indians in this vicinity involving a great expenditure of money and depriving our armies south of many valuable men. We naturally look to the cause of those periodical outbreaks of the tribes. … has not our policy rather exasperated than conciliated? All seems to point to continue involving millions of money, repeated outbreaks, and a chaos of chicanery, broken pledges and injustice to a people in whom I can see fear and passion predominate, but who are strongly alive to the principle of honor and equity, ready to

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[20] Doane Robinson, *History of South Dakota,* vol. 1 (Logansport, Ind.: B.F. Bowen and Co., 1904), 220-21.

[21] Alexander Johnston to Dennis N. Cooley, *Annual Report of the Commissioner of Indian Affairs to the Secretary of the Interior for the Year 1866,* 16 July 1866, 181-85, including Rufner quote; Newton Edmunds to Cooley, 22 September 1866, 178. More on Burleigh's crimes can be found in *Report of the Special Joint Committee on the Condition of the Indian Tribes*, 39th Congress, 2nd Session (1866-67), Senate Report No. 156, Serial 1279: 368-70. Quoted in Colin G. Calloway, ed., *Our Hearts Fell to the Ground: Plains Indian Views of How the West Was Lost* (Boston: Bedford St. Martins, 1996), 97-100.

> discriminate the just redemption of the promises from their "Great Father" at Washington from principled agents, but resent by treachery and massacre upon all whites within their reach the ill treatment and broken promises of the few above named.

Like Sully and Pope, Dimon identified native-white violence in civilian mismanagement at the same time that he made ethnocentric assertions about the behavior of Indians themselves. In the officers' view, it was the supposed "fear and passion" that made native people susceptible to a corrupt bureaucracy. Yet while the Indians were "easily managed and controlled through fear," (including that which he applied himself) Dimon remarked bluntly, "The Indian can see he is cheated." Sully recognized this and acted on it by trying to restrain illegal trading; as a result, Burleigh sought to remove him from command.[22]

In a letter to Commissioner William T. Dole, Burleigh outlined the failures that he attributed to Sully's mission. Before the arrival of the Northwest Indian Expedition, Burleigh argued, the Yankton Indians who lived in the vicinity of Fort Randall "were satisfied" and their "rights protected." But in the spring of 1863, Fort Randall became the assembly area for the expedition's members, which led to instances of violence. Cavalrymen attacked eight warriors who had retrieved white women and children held captive by Sisseton Dakotas under White Lodge. Burleigh remained "confident that had they not possessed more humanity than the murderers of their brothers," neighboring Yanktons and Dakotas "would have wiped out our frontier settlements in blood." Yet in

[22] Dimon had two Dakota prisoners executed after a large group of Dakota and Yanktonai warriors stole sixty horses from Fort Rice. The two Dakota men had taken part in the raid and were later captured. The execution did not prevent other warriors from stealing more horses two weeks later. Dimon is associated with the controversial Benjamin F. Butler, the recipient of the letter mentioned above, and a general known for his lack of strategic talent. For more on Dimon, see Robert M. Utley, *Frontiersmen in*

his dramatic appraisal of the soldiers' actions, Burleigh did not mention the hatred of Indians displayed by Anglo-American residents— both civilians and soldiers— in the Dakota-Minnesota region. Troops at Fort Randall demonstrated this hatred when they cut down burial scaffolds, broke fences around Yankton cornfields, and let their horses forage in Yankton hay.[23]

The 1862 revolt intensified the already-widespread loathing and fear of native people, and it is not surprising that troops, most of whom were volunteers local to the region, would have been eager to kill Indians. Sully's failure to "punish" soldiers, in Burleigh's view, meant that he was incompetent. However, it is clear that frontier residents would not have reacted favorably to a court martial of Minnesota soldiers. As military historian Robert Utley has remarked, Anglo-Americans had committed themselves to "avenge the death of some eight hundred citizens slain in the [1862] orgy of bloodletting, to liberate several hundred white and half-blood captives…. and to reopen the upper country to settlers." When Sully arrived at Fort Randall, public opinion had set against Sibley and his failure to rout several hundred Dakotas near the Redwood Agency in the aftermath of the 1862 revolt. In light of existing civilian criticism of the Department of the Northwest, it is unlikely that Sully would have been willing to risk losing the public's confidence. [24]

Blue: The United States Army and the Indian, 1848-1865 (New York: Macmillan, 1967; reprint, Lincoln: University of Nebraska Press, 1981), 316-17.

[23] Walter Atwood Burleigh to Commissioner William T. Dole, 18 February 1865, Alfred Sully Papers.

[24] *Ibid.* For more on the Dakota prisoners executed at Fort Rice and the killing of the seven warriors, see John S. Gray, "The Story of Mrs. Picotte-Galpin: Eagle Woman Learns about White Ways and Racial Conflict, 1820-1868," *Montana: The Magazine of Western History* 36, no. 2 (Spring 1986): 11-13. Burleigh described the seven murdered warriors as "Upper Missouri" and Yankton. Utley, *Frontier Regulars,* 266.

Nevertheless, Burleigh's word carried weight. He declared that the Northwest Expedition "proved a failure," and in support of militia operations, that "no gigantic expedition is or was ever required." Instead, "one Regiment of active Western men" could subdue Dakota resistance. Much like the bloodhounds that could do the work of a regiment, Burleigh's comment reveals the inordinate amount of faith which was placed in the ability of civilians to defend themselves. In contrast to Sully's volunteer troops, these militia men would "carry moral bearing as well as force of arms." (One wonders what methods these militia men would have used, given that Sully's command of over three thousand men failed to achieve the objective of defeating the Dakota nation). While Burleigh claimed to have no personal animosity toward Sully, he berated him for the troops' lack of discipline and said that he was not qualified to lead troops on the frontier. Commissioner Dole rushed through an appropriation for Yankton claims and credited Burleigh's treasury account with $10,000. Although he said nothing about Sully, he encouraged Burleigh to investigate the damages to Yankton property.[25]

But the chance to pocket $10,000 at the Yanktons' expense was not enough restitution for Burleigh. He was determined that Sully would be fired. By July 1865, Burleigh wrote to Lieutenant General Ulysses S. Grant, general-in-chief of all the Union armies, complaining that the charges against Sully had not been investigated. "The charges against this officer," he wrote, are true, and I can prove them to be so." Grant, not knowing the circumstances and in the midst of demobilizing the entire Union army, advised Sherman to relieve Sully. However, forces elsewhere were aware of Burleigh's

[25] Burleigh to Dole, 18 February 1865; Dole to Burleigh, 27 March 1865, Alfred Sully Papers. Sully insisted that he had never heard of any damage to Yankton property except in one instance; Charles

intentions toward Sully, as well as other plans, which included getting the Sioux City army installation moved into Dakota Territory. The U.S. Representative from Iowa told the Secretary of the Interior, "Burleigh… will not hesitate to make any statement which he may think will further his interests, and he may misrepresent the facts to the Secretary of War."[26]

John Pope quickly responded to Grant's request, coming to Sully's defense and describing the "idle, groundless & malicious" charges made against him by the Indian agent. Pope explained, "Sully is complained of by persons whose personal views and objects he will not promote at the expense of the public interests. These persons have openly proclaimed that they will bring about his removal at any cost… [H]is removal would simply be a triumph of these people." Pope asserted that Burleigh's complaints originated with regional tensions, and he argued that it was the army's duty "to support Officers enforcing a General or national policy against local pressure & clamor."[27]

The nuances of Burleigh's letter to Commissioner Dole are significant for more than blaming Sully and insulting him under the veneer of respect. The Indian agent's loud support for militias and his willingness to castigate military authorities earned him the overwhelming support of residents of Dakota Territory. In the spring of 1865, after he had been relieved of his appointment at the Yankton Agency, Burleigh went into politics. Approbations of him were so strong that he was elected a territorial delegate and

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E. Mix to John Palmer Usher, 5 May 1865, Alfred Sully Papers.

[26] Ulysses S. Grant to William T. Sherman, 20 July 1865; Walter A. Burleigh to Grant in fn. 1; Asahel Hubbard to James Harlan, 9 July 1865. Ulysses Simpson Grant, *The Papers of Ulysses S. Grant, May 1 – December 31, 1865*., ed. John Y. Simon, vol. 15 (Carbondale: Southern Illinois University Press, 1967), 276-78.

[27] Pope to Grant, 27 July 1865, in *The Papers of Ulysses S. Grant, May 1 – December 31, 1865*, 278-79.

began serving in March. He managed to take revenge on Governor Edmunds (who had failed to hamper the government's investigation of Burleigh's corruption) by convincing President Andrew Johnson to fire him and replace him with Andrew Jackson Faulk (yet another official who had no interest in Indian rights). [28]

The irony of Burleigh's letter is hard to ignore, especially because his descriptions of Indian suffering are at complete odds with the suffering that he himself imposed on them. On the one hand he excelled in leveling biting criticism at the army; in his letter to Dole, he wrote, "One friendly old Yankton came to me and asked through an interpreter, 'if a white Soldier had a heart?' I asked him why he wanted to know? His reply was, 'I have just seen them cut down the scaffold, and the dead body of my wife.'" Had these words come from the pens of Alexis Andre or Pierre-Jean DeSmet, they would not be suspect, but Burleigh's shameless manipulation of the Yanktons demonstrates that he had no sympathy for them. More shocking is Burleigh's assertion that "[Army officers should] see that the class of corrupt and unprincipled men who now infest the North Western Indian Country are driven out and none but suitable persons allowed to remain there." It is ironic to note President Lincoln's observations on his first and only meeting with Burleigh before his appointment to the Yankton Agency in 1861. When told by Burleigh that he would have to "starve or steal" if his family were moved to the Dakota Territory, the president responded, "Dr. Burleigh, if I am any judge of human nature, you won't starve." It was the Indians who starved instead.[29]

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[28] Burleigh to Dole, 18 February 1865, Alfred Sully Papers. Herbert T. Hoover, "Walter Atwood Burleigh," in *Bon Homme County History*, ed. Herbert T. Hoover et al. (Tydall, SD: Bon Homme County Historical Society, 1994), http://people.usd.edu/~hhoover/bhhist.htm.

[29] *Ibid.*

Long before their clash with Burleigh, Pope and Sully drew attention to the dire circumstances faced by the region's indigenous residents. Both men focused on one common theme — the inconsistency of federal Indian policy. After a conversation with Pope in the winter of 1864, Sully tendered his opinion in writing to the department headquarters. He said bluntly, "The Indians are anxious for peace. I think there will be no difficulty in making peace and of its being maintained, provided the proper course is adopted, and that is to treat the Indians in future with justice. Let them understand that the Government intends to see that they will no longer be the prey of dishonest agents and traders." Indian suffering was obvious; the Yanktons at Fort Randall were nearly starving; they would have to move north for the winter and hunt among Dakota bands. "Many of these Indians," Sully remarked, "I fear will join hostile bands, and the reports they will spread about the justice of the whites will do much to prevent a peaceful termination of the present difficulties."[30]

The use of legal instruments like treaties seemed to promise continued negotiation and compromise, as well as land cessions that promised a halt to white encroachment. In the hopes of retaining their autonomy, many of the Northern Plains nations signed treaties with the federal government by the late autumn of 1865, including representatives of the Yanktonai and all of the Teton groups. Part of the impetus for negotiation lay in problems began to have a detrimental effect on Plains Indians in the 1840s and 1850s. First, the Lakota, Yankton, and Yanktonai bore the brunt of a sharp and sustained decline of the bison along the Missouri and the Platte rivers. Second, this period coincided with the intrusion of white settlers, coupled with increased intertribal warfare. Yankton land

[30] Sully to Assistant Adjutant General, 22 November 1864, DoNW, LS, RG 393.

cessions in 1858, for instance, angered the Oglalas and Brulés, who regarded the land as their own. Discord in native communities ultimately benefited the federal government, particularly in the case of all Dakota bands involved in the 1865 treaties.[31] Indians expected reciprocity and honesty from the Americans but never received those things. As historian Jeffrey Ostler has argued, "Having identified American actions as the cause of decline, it was only logical for Indians to argue that if Americans reversed those actions, bison would flourish once again." Two Lances, an influential leader who was present at councils with his Two-Kettles community, argued that if the American authorities "washed out all the blood that is on the land… the game by which we live–the buffalo, the elk, and all the rest–will become plenty again."[32]

Anglo-Americans, for their part, painted Indian actions as inherently selfish and did not characterize Indian needs as valid or real. Even Pope the humanitarian fell short at times, saying, "It is a common saying with the [Lakota] Sioux that whenever they are poor and need powder and lead they have only to go down to the overland routes and murder a few white men, and they will have a treaty to supply their wants." At times he and Sully ignored the fact that military operations wreaked havoc on native populations by displacing communities, destroying resources, and hurting people.[33] However, their observation about the dishonesty of the annuity system was not without merit. The

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[31] Sully to Pope, August 29, 1864, *OR*, ser. 1, vol. 41, pt. 1, 150. Richard White, "The Winning of the West: The Expansion of the Western Sioux in the Eighteenth and Nineteenth Centuries," *The Journal of American History* 65, no. 2 (September 1979): 341. See *Indian Affairs, Laws and Treaties*, Vol. 2, ed. Charles J. Kappler (Washington: Government Printing Office, 1904), 883-886, 896-907. The terms of the treaty required them not only to obligate themselves to the federal government, but "to use their influence, and, if necessary, physical force, to prevent other bands of the Dakota or Sioux, or other adjacent tribes, from making hostile demonstrations."

[32] Jeffrey Ostler, "'They Regard Their Passing as Wakan': Interpreting Western Sioux Explanations for the Bison's Decline," *The Western Historical Quarterly* 30, no. 4 (Winter 1999): 486.

government's refusal to provide annuities—and to people who needed them desperately—was the catalyst for the 1862 revolt. Indians knew that the army represented the military power of the federal government, but they also knew civilians wanted their land and businessmen would continue to profit by trading with them. The Dakota warrior's accusation at the start of the revolt— "Now I will kill the dog who wouldn't give me credit!"—points to the cycle perpetuated by the trade and annuity system. Native people on the Plains had traded with Anglo-American fur traders since the early 19th century. As Gary Clayton Anderson has argued, the Dakotas and traders were connected by a "fictive blood and… economic relationship" in which the expectation of reciprocal obligation was paramount. The precipitous decline of beaver and deer populations in the 1820s led to an imbalance in these relationships. After the Dakotas made treaties with the federal government, their annuity payments (in the form of commodity goods) were seized by traders to pay credits in advance. By the 1830s, "economic dependency had created a neocolonial atmosphere from which the Sioux could never recover."[34]

Army officers had mixed reactions about this economic dependency, as well as mixed reactions about federal Indian policy in general. Pope, like many other officers, made the case for a gradual approach that would convince Plains people of the ostensible advantages of constant, positive interaction with the military. He declared, "Without in any way restraining their liberty to roam about [and hunt] as in times past, it is my

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[33] Pope to Halleck, 3 November 1864, *OR*, ser. 1, vol. 41, pt. 1, 139.

[34] Gary Clayton Anderson, *Kinsmen of Another Kind: Dakota-White Relations in the Upper Mississippi Valley, 1650-1862* (Lincoln: University of Nebraska Press, 1984; reprint, St. Paul: Minnesota Historical Society Press, 1997), xvi-xvii, xxix.

purpose to offer them every inducement by kind treatment, protection, and fair dealing in trade to make their permanent encampments" near the posts. But this situation was never attained, given the fact that feelings of fear and hostility towards Indians predominated among Anglo-Americans, both military and civilian. Pope and Sully argued that these anxieties were exaggerated by self-interested businessmen. Contractors, for instance, would see their businesses collapse –and Indian agents would have their power and access to corruption taken away – if native-white conflicts were truly ended. Those people were opposed to the army's operations and hoped that Pope and Sully would fail. Pope stated his opinion boldly when he wrote to Governor Edmunds, "Many unscrupulous persons infest our whole frontier who live and thrive by exciting apprehension." If only the citizens were patient, and the state authorities had more confidence in the army's abilities, problems with Indians would soon be resolved.[35]

Such statements display the self-serving attitudes that crept into officers' critique of their civilian adversaries. By justifying their position in the West as one that was poised to respond to the twin dangers of Indian violence and Anglo-American crime, army officers could portray themselves as objective observers. But in some sense Sully and Pope were right; contractors did depend on government bids and Indian agents like Burleigh would not have been able to manipulate the annuity system if Indians were indeed treated fairly. Unregulated and corrupt trade created anger among Indians near and distant from military posts, and as a result, army officers came to the conclusion that regulation (and often regulation alone) could solve the problems of native-white conflict.

[35] Pope to Sully, 11 May 1864, DoNW, LS, RG 393; Sully to Pope, 30 March 1864, DoNW, LS, RG 393; Pope to Newton Edmunds, 12 May 1864, DoNW, LS, RG 393.

Late in the Dakota conflict, Pope addressed these issues in a letter to General Grant. Especially frustrating, Pope wrote, was the army's inability to distinguish between differing interests within Indian nations – "peacefully disposed bands" and "hostile" ones. While Pope hoped to separate "friendly" and "hostile" Indians, he had no effective plan for doing so. Although native people often identified their own interests in councils, Anglo-American authorities failed to understand the small-scale community divisions within bands and nations. Furthermore, Pope argued that the government bribed Indians "not to molest the whites" by paying them with annuity goods. At first this might strike us as an oversimplification, but from the Anglo-American perspective, the treaty system really did resemble bribery— annuity payments functioned as an incentive to curb violent behavior and influence Indians' decisions. Still, Pope bristled at Anglo-Americans' mistreatment of the Dakotas, and he made his opinion clear in the remainder of his 1865 letter to General Grant.

> "[Mining regions] attract… such a horde of emigrants that the Indian country is penetrated in every direction; highways are made through it, and the game driven off or destroyed. The Indians are more and more confined to circumscribed areas, where they are less able every day to subsist by hunting. A few more years and they will be driven to extremities. No one can say what outrages are committed upon Indians by these irresponsible crowds of white men flocking through their country. It is only what the Indian does to the white man that is published to the country, never what the white man does to the Indian. … By sending troops enough the Indians can, of course, be exterminated; but surely, such cruelty cannot be contemplated by the government. … Nothing can save them from [continued harm] unless the government changes its course—gathers them together and places them in such a position and condition that they will no longer be objects of cupidity to unscrupulous whites… and will be wronged and plundered." [36]

Pope saw the reservation system as a logical progression in the inevitable "confinement" of native people that would separate them permanently from aggressive

[36] Pope to Grant, 14 June 1864, "Supplemental Report of the Joint Committee on the Conduct of the War," in Senate Report No. 142, 38th Cong., 2nd Sess, 1865-1866 (Washington, D.C.: Government

civilians. He was bothered, however, both by abusive Anglo-American behavior and Indians' loss of their liberty and livelihood. Pope was not surprised by native resistance; in some ways, he saw it as a predictable and even rational response. Nevertheless, many civilians and politicians failed to see things from Pope's point of view. By allowing emigrants to invade native land and promising them military protection from Indian retaliation, the federal government lent its support to the ideology of Anglo-American exceptionalism and territorial expansion. The United States Army served as the instrument by which the government advanced its colonizing agenda; however, given that Pope and Sully critiqued federal Indian policy on a routine basis, it is clear that army officers' did not lend unquestioning support to these larger national goals.

Printing Office: 1866). For Pope's final official report on the army's operations in 1865, see the *New York Times*, 18 November 1864.

CHAPTER THREE: Benjamin Grierson at Fort Sill

In the postwar era, the instability of the trans-Mississippi West challenged the level of professionalism thus far reached by the officer corps. Territorial expansion had scattered a small force of regular troops throughout desolate areas and widened the scope of their responsibility over pioneers who did not always welcome federal intervention. Ill-prepared to engage in unconventional plains warfare, some army officers found themselves at the mercy of negative political, public, and media opinion when they failed to stop raids and attacks on Anglo-American civilians. Responses to these problems were unique and ever-changing, yet frustration was a common denominator. In Minnesota, Alfred Sully and John Pope resisted the efforts of state officials to marginalize the army, and they also criticized the government's inability to provide for native people. These same issues became particularly salient in northern Texas and Indian Territory after the Civil War, when Southerners migrated west in increasing numbers and installed themselves in territories that had been controlled by Kiowa and Comanche Indians for decades.[1] In comparison to his colleagues in the Department of the Northwest, Colonel Benjamin Grierson combined his vocal critique of federal policy with sincere efforts to promote peace.

After a strong performance in the Civil War, Grierson assumed command of the 10th Cavalry and the Fort Still installation in Indian Territory. He took a deep interest in the government's management of the Kiowas and the northern Comanches and provided

1Theodore Reed Fehrenbach, *Lone Star: A History of Texas and the Texans* (New York: Da Capo Press, 2000), 287.

military support to the Kiowa Indian Agency, as well as to smaller posts throughout the region. After the Civil War, the groups that worried government authorities – and civilians – the most were the Sioux in the Northern Plains and the Kiowas and Comanches to the south. In his annual report to the Secretary of the Interior, Ely Parker, Commissioner of Indian Affairs, wrote of the "murders and outrages in the Indian Territory," where Kiowa warriors "raided time and again into Texas, killing citizens thereof, capturing women and children, and stealing stock; and have set at defiance the military—audaciously inviting them out to battle! The Indian Bureau is wholly powerless to prevent these raids."[2]

The Medicine Lodge Treaty of October 1867 had bound the Kiowa and Comanche to a shared reservation in western Oklahoma and established similar provisions for Apaches, the Southern Cheyenne, and the Arapaho. The native leaders made their position clear to Senator John Henderson, Colonel Samuel Tappan, General Alfred Howe Terry, and the other federal officials and army officers in attendance: "It was you who sent out the first soldier and we who sent out the second."[3] Some of the Kiowa and Comanche leaders were receptive the government's offer to "give them good lands before the whites should occupy them all," because they knew that the Anglo-American invasion of the southern Plains was bound to continue. Others, notably the Kiowa leader Satanta, refused to have anything to do with the whites' "medicine houses." The Medicine Lodge treaty, like many of the legal instruments used against native people, was never approved by any

2 Ely S. Parker to Secretary of Interior, *Annual Report of the Commissioner of Indian Affairs to the Secretary of the Interior for the Year 1870* (Washington: GPO, 1871), 6.

3 Thomas W. Kavanagh, *The Comanches: A History, 1706-1875* (Lincoln: University of Nebraska Press, 1999), 414. See 412-19 for Kiowa and Comanche perspectives, as well as the context of the treaty. For a general discussion of the history of the Kiowa agency, see Lee Cutler, "Lawrie Tatum and the Kiowa Agency, 1869-1873," *Arizona and the West* 13, no. 3 (Autumn 1971): 221-44.

majority of native people.[4]

Problems plagued the southern Plains before the treaty's Congressional ratification July 1868—the Comanches razed the Wichita Agency and the Kiowas threatened to do the same to Fort Cobb. As a result, General Philip Sheridan mounted a major offensive against the Kiowas and Comanches in the fall of that year. He sent Colonel Grierson to establish a camp at near the Witchita Mountains that lay around thirty five miles from the Red River, and thus the Texas border. This camp, which Grierson called his "medicine bluff mountain home" was named Fort Sill in the summer of 1869.[5] An agency for the Kiowa and Comanche was established nearby, headed by Lawrie Tatum, a Quaker. Tatum exhibited great passion for President Grant's new proposal for federal Indian policy, which encouraged the peaceful assimilation of native people whenever possible.[6] Despite these good intentions, inadequate shipments of annuity goods required the Kiowas to

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4 Kavanagh, *The Comanches*, 413, 416.

5 Lee Cutler, "Lawrie Tatum and the Kiowa Agency," 224-25. William H. Leckie and Shirley A. Leckie, *Unlikely Warriors: General Benjamin Grierson and His Family* (Norman: University of Oklahoma Press, 1984), 162-63. For Grant's policy, see Francis Paul Prucha, *The Great Father: The United States Government and the American Indians*, abr. ed. (Lincoln: University of Nebraska Press, 1986), 152-53. Prucha notes that "the principles it embodied antedated 1869 and continued to the end of the century and beyond. Basically it was a state of mind, a determination that since the old ways of dealing with the Indians had not succeeded a new emphasis on kindness and justice was in order." The need for this change in policy came out of the findings of the Doolittle Committee, which was established in 1865. This Congressional investigative body sent questionnaires to army officers, Indian agents, and other authorities in the West, hoping to ascertain the state of Indian affairs on the frontier. The answers that they gathered gave them pause, and thus helped lead to the creation of Grant's policy. Grant initially advocated replacing civilian Indian agents with army officers, and in 1869, the majority of these agents were drawn from the army's ranks. In July 1870, Congress banned this practice. For a more detailed explanation of this issue, see Chapter 4, fn. 44 of this manuscript.

6 For an overview of this entire period (1866-1869), see 152-66 in Prucha, and for Kiowa-Comanche issues, see 168 in Prucha. For more on the peace policy, see William T. Hagan, *United States-Comanche Relations: The Reservation Years* (New Haven: Yale University Press, 1976), 51, 57. Grierson's methods were a departure from those of General William B. Hazen, commander of the larger district that encompassed Fort Sill. Hazen advocated the use of force, describing Indians as "beast[s] of prey" and saying that they "delight in torture and murder." Interestingly, he argued that the Freedmen's Bureau should be responsible for Indian affairs, describing its chief, General Oliver Otis Howard, as a man of "high integrity" who would "certainly give us an honest beginning." William B. Hazen to the editor, 2 July 1867, *New York Times*.

support themselves outside of reservation boundaries. Consequently, the encroachment of white settlers in the Red River region, combined with the Kiowas' emphasis on the practical and cultural importance of raiding, saw an increase in native-white violence after the Civil War.[7]

As a representative of federal might, Grierson was tasked with controlling these conflicts. After working closely with the Agency's Quaker supervisor, Lawrie Tatum, as well as the principal men of the Kiowa bands, Grierson concluded that the government had failed to provide adequate logistical support to both native people and the military. His response to lawlessness in Texas, therefore, provoked complaints from Texan civilians. Moreover, his advocacy of Indians' fair treatment unfavorably affected his reputation among other army officers. Grierson's outspoken critiques of federal Indian policy and the army's actions led to him being transferred away from Fort Sill, and the control of the "Indian problem" was given to other commanders, some of whom abandoned all efforts at negotiation and peace.

Anglo-Americans headed for Texas during and after the Civil War and ultimately settled in areas that were claimed by Kiowa and Comanche Indians. The Kiowas wanted to be left alone and were determined to keep making raids into Texas for horses and mules. Lawrie Tatum summarized their discontent in a letter to the Commissioner of Indian Affairs: "They claim that the United States has no right to pen them up on this small tract of land, only about one hundred miles square, and then give half

[7] This chapter does not address the well-known Warren massacre of 1871, for which Kiowa leaders Satank (Sitting Bear), Satanta (White Bear), and Big Tree were arrested at Fort Sill. For the massacre, see Allen Lee Hamilton, "The Warren Wagon Train Raid: Frontier Indian Policy at the Crossroads," *Arizona and the West* 28, no.3 (Autumn 1986): 201-24. For more on Grierson's liberal views on race, see Paul Hutton, *Phil Sheridan and His Army* (Norman: University of Oklahoma, 1985), 228, and Leckie, *Unlikely Warriors,* 137, 147.

their rations of provisions in corn, feeding them as the white people do their horses and mules." Yet also Tatum described Grierson's abilities with confidence and a sense of hope.

> Grierson appears to have an abiding interest in the welfare of the Indians, and cordially lends a helping hand. … If the standing of an officer be estimated on the basis that he is the greatest general who conquers the most with expending the least amount of blood and treasure, I think the commanding officer here will rank right, for I feel confident that it is his wish and intention to use all his influence and authority to subdue the wild and ferocious nature of the savage, which coming into hostile collision with him, unless some great emergency should arise in which he would consider that… weapons were absolutely necessary. He evidently would much prefer to lead than to attempt to drive the aborigines into civilization.[8]

Grierson's background informed his liberal reading of Grant's policy, given the anti-slavery tendencies of his family and his participation in the Civil War. His Irish father had befriended William Lloyd Garrison and other abolitionists early on, and Grierson supported the Illinois Republican party at the grass-roots level in the mid-1850s. During Lincoln's presidential campaign in 1860, Grierson registered voters, and soon after the start of the Civil War, he joined the Tenth Illinois Infantry as an aide and became a commissioned officer. By the fall of 1861, he was a major in the Sixth Illinois Cavalry. Grierson's fairly modern views on race manifested themselves in a number of ways during the war and in connection with his assuming command of the Tenth Cavalry. He was happy to hear of a friend's marriage to a black woman (". . . if he is satisfied, I'm sure I am and much joy go with them") and spoke out against proposals for lenient treatment of slaveholders after the war.

While Grierson's advocacy of peace and racial equality deserves merit, his skills as a leader in combat also made him stand out among his fellow officers. Grierson was the man who led the famous 1863 raid to divert Confederate troops from Grant's main attack

[8] Lawrie Tatum to Enoch Hoag, 12 August 1869, *Annual Report of the Commissioner of Indian Affairs to the Secretary of the Interior for the Year 1869* (Washington: GPO, 1870), 385-86.

on Vicksburg, Mississippi. In two weeks, his command rode over six hundred miles through Confederate territory, via routes untraveled by Union forces. On the final leg of the raid, they rode over seventy miles in twenty-eight hours and engaged the enemy a number of times. (When they came finally to a halt in a small town, Grierson found a piano and sat down to play). Both Grant and Sherman spoke highly of Grierson's actions; in Grant's words, "It was Grierson who first set the example of what might be done in the interior of the enemy's country without any base from which to draw supplies."[9] Grierson's command ripped up sixty miles of railroad track and telegraph lines, burned Confederate stores, freed slaves, and produced ten times as many casualties as it suffered. Sherman called it "the most brilliant expedition of the war."

After General Grant hand-picked Grierson to lead the Tenth Cavalry (one of six regiments outfitted solely with black troops), Grierson served with them eagerly.[10] General Sherman wrote that Grierson was "energetic, dedicated, skillfull, takes good care of his men," and the colonel proved this time and again. He refused to allow anyone to refer to his troops as "colored"—they were "simply the Tenth Regiment of Cavalry U.S. Army."[11] He made clear his willingness to defend the rights of his soldiers in 1867, when the black cavalrymen were forced to stand at parade rest in front of their quarters at Fort Leavenworth while the white troops marched on the parade field. Wrote Grierson, "My regiment [was] deprived of <u>their</u> <u>right</u> to participate in inspections and parades at this Post upon an equality with the other troops of the garrison."[12]

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9 Leckie, *Unlikely Warriors*, 98-99.
10 *Ibid.*, 20, 42, 57, 60.
11 *Ibid.*, 147-148.
12 Benjamin H. Grierson to Chauncey McKeever, Assistant Adjutant General , 19 June 1867, Department of Missouri, Letters Received, Record Group 393 (Hereafter cited as AAG, DoM, LR, and LS

In these ways, Grierson set himself apart from colleagues on the frontier as well; in a letter to his father-in-law, John Kirk, he described the situation at the newly-established installation of Fort Sill in the spring of 1869. Grierson pointed out that "Indian Wars," fought at an enormous cost to the government, resulted in the deaths of Indian women and children. More important for high-ranking officers, the wars resulted in promotions.

> There are now about 3000 Indians, Kioways, Comanches, Apaches and Arapahoes in this vicinity . . . You must not believe all you have heard or read in the papers about this Indian War. . . . Instead of a grand success, it has been like most other Indian Wars - a grand "fizzle" - that cost the government over $200,000 for every Indian killed. More soldiers have been killed than Indians, leaving out the women and children of the latter. Custer's fight [the Washita massacre of November 1868] was a big thing on paper. The 102 warriors he reported killed has dwindled down according to Indian count to just eighteen and he reported more material captured and destroyed than all the hostile Indians had put together. Sheridan has however made the most out of it and reported the war over just in time for it to have effect at Washington, and was elevated thereby to the position of Lieut[enant] General.[13]

Grierson argued that the settlement of the "Indian Question" depended on "strict fulfillment of all Government obligations."[14] He maintained this opinion from the day he arrived at Fort Sill until the day he left it, for he believed that the Kiowas and Comanches at Fort Sill were naturally "friendly and well disposed, despite" what was "published to the contrary." The Indians' demeanor changed considerably from the early spring of 1870, however; in a letter to his wife Alice, Grierson wrote the following.

> The Indians are becoming more discontent every day. They have never been properly supplied … and now as the spring opens and grass coming up they are getting . . . nothing but the very poorest kind of beef. It is perfect nonsense to suppose that the wild Indians will remain quiet . . . while fat buffalo roam over their native plains. Many of the most influential chiefs only declare their intentions to leave and say they must do so or starve. In case they attempt to leave I under my instructions will be expected to use force to keep them upon the reservation and to do so is gross injustice. The Government is responsible for the discontent now manifest among the Indians on account of not supplying them with the promised supplies. I have let Gen. Hazen [in command of the 6th Infantry] have everything that can be spared and in case we get a supply... I will not hesitate to

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for Letters Sent). See also Leckie, *Unlikely Warriors*, 147. Grierson was charged with disrespect of a superior officer when he ordered his men to march on the parade field anyway.

[13] Grierson to John Kirk, 6 April 1869, Benjamin Grierson Papers, Southwest Collection, Texas Tech University, Lubbock.

14 Grierson to John Kirk, 25 February 1870, Benjamin Grierson Papers.

issue to the Indians altho' it is against orders or rather I have no orders to do so.[15]

What had caused this sudden change? For one, as Grierson argued, promised annuity goods never made it to the Kiowas and Comanches who lived near the agency. Furthermore, the Indians took advantage of spring weather to fatten up their horses, raid Anglo-American settlements, and free themselves from the confines of the reservation. The Comanches refused to camp near Fort Sill, partially because there was not enough grass for their 16,000 horses. Because the Comanches camped about thirty five miles away from the agency (and thus were closer to the Texas border), it took up to four days to draw rations. Since rations were issued every two weeks, one can imagine the impatience that the Comanches must have felt. As William T. Hagan argues, "The Kiowas and Comanches drew the conclusion that their intransigence [via raiding] drew better returns than . . . meekness . . . and told their agent so."[16]

Grierson made clear his objections about the failure to provide for the Indians, but his superiors ignored him consistently. To make matters worse, Lawrie Tatum, though at first a staunch advocate of the "peace policy" proved an unreliable ally for the colonel. Tatum was convinced that his Quaker faith made him an apt guide for the peace policy, but his numerous absences from the agency suggest that he was not doing his job. Tatum left the agency from August to October 1869, again from December 1869 to January 1870, and then from December 1870 to March 1871. His clerk, George H. Smith was "rumored to have made $16,000 in eighteen months while a silent partner in firms supplying the agency." Grierson, therefore, probably bore the brunt of the peacemaking efforts at the

15 Grierson to Alice Kirk, 7 April 1870, Benjamin Grierson Papers.
16 Hagan, *United States-Comanche Relations,* 68.

Indian agency.

The "discontent now manifest" among Kiowas and Comanches can be heard in their testimony at an October 1873 council at Fort Sill. Although Grierson had left Fort Sill for good in early January 1873, the comments of the Indian leaders reflect a long-standing distrust of Anglo-Americans that preceded Grierson's arrival and outlasted his departure. While Commissioner of Indian Affairs Edward P. Smith and Superintendent Enoch Hoag were present, the Governor of Texas, Edmund Davis, took a dominant role.[17] Davis framed his remarks in terms of Texan interests and Texan promises to Indian people, and claimed that Texans had not "come to this country raiding… have not made war… only defended their homes and families, and have never followed to Kiowas and Comanches to their villages," though the Texans were as "numerous as the leaves on the tree." To guarantee the release of Satanta and Big Tree, the Kiowas and Comanches would have to remain at the agency; they would have to report to draw their rations, and if absent from daily inspections, it would be taken for granted that they were raiding in Texas.[18]

The Kiowas seem to have seen little merit in the Americans' rhetoric. Lone Wolf, a Kiowa leader and member of the elite Tsetanma (Horse Headdresses) warrior society, responded that although the tribes had different names, they were "one people, and one mind."[19] If any young warriors tried to go to Texas, they would be followed and brought

17 Hoag was head of the Central Superintendency, which was comprised of Kansas and all of Indian Territory.

18 See fn. 7; they were arrested for killing teamsters in the Warren attack.

19 Council Minutes, 1873, Department of Texas, Letters Received Relating to Difficulties with Indians ("Indian File"), RG 393. (Hereafter abbreviated as Council Minutes, 1873, DoTx, LR, RG 393). For the warrior society, see William C. Meadows, *Kiowa, Apache, and Comanche Military Societies: Enduring Veterans: 1800 to the Present* (Austin: University of Texas Press, 2003), 41. See also William C. Meadows,

back to the agency by their own people. Davis and the Indian Office officials understood Lone Wolf's leadership in terms of Anglo-American hierarchy and saw his declarations as binding, but they did not recognize that his remarks reflected only one part of the Kiowa community's mindset.

The remarks of Horseback, a Comanche leader, seem to be colored with irony, particularly this contention – "When I hear a good talk, I keep it, and don't go to sleep and when I wake up forget it." This seems more like an allusion to the promises that Anglo-Americans failed to keep rather than a statement about Horseback's own fealty. Horseback had experience with Texas settlers and the Texas Rangers; he led a damaging raid into the Texas-Oklahoma borderlands in 1864, and in the early 1870s, he encountered Rangers at Keep Ranch in northern Wise County, Texas. Ranger A.J. Sowell witnessed the Comanche leader's horsemanship and was so impressed by it that he wrote about it at length.[20]

Horseback had been present at the Medicine Lodge Creek council in 1867 where Kiowa, Comanche, and Apache leaders were compelled to cede 60,000 square miles of tribal territory and to restrict themselves to an area between the Red River and North Canadian River in western Oklahoma. He would have heard Ten Bear's eloquent words:

> The blue-dressed soldiers . . . killed my braves, and the warriors of the tribe cut short their hair for the dead. So it was in Texas. They made sorrow come in our camps . . . When we found them we killed them, and their scalps hang in our lodges. The Comanches are not weak and blind, like the pups of a dog when seven sleeps old. They are strong and farsighted, like grown horses…. Why do you ask us to leave the rivers and the sun and the wind and live in houses? Do not ask us to give up the buffalo for the sheep. The young men have heard talk of this, and it has made them sad and angry.[21]

"Remaining Veterans: A Symbolic and Comparative Ethnohistory of Southern Plains Indian Military Societies," (PhD diss., University of Oklahoma, 1995).

20 A.J. Sowell, *Rangers and Pioneers of Texas* (Shepherd Bros., 1884; reprint, New York: Argosy-Antiquarian Ltd., 1964), 307.

21 In Ernest Wallace and Edward Adamson Hoebel, *The Comanches: Lords of the South Plains*,

Had the Texans not come into Comanche territory, Horseback believed there might have been peace. He admitted openly that young warriors traveled to Texas, but he pointed out that Washington had failed to provide for them.

Grey Leggings, another Comanche leader, had been present at the first major council held at Fort Sill in August 1869. At the 1873 council, he declared, "I have been working with General Grierson . . . But although I have been walking on [the white] road some years, I have not seen a house on it yet, though we were promised that some should be built for us." Now he questioned why the houses built for agency Indians were so rude and the houses in Washington so grand. He had been prohibited from seeing the inside of those houses, but did not know why. "You must have something bad in there, that you don't want me to go into," he reasoned. Like other leaders, he was perfectly aware of the failures that defined the Indian Office. His suspicion—that Anglo-Americans were hiding something from native people—suggests a native view of whites as perhaps more than a rival nation. From the perspective of these Kiowa and Comanche leaders, white people were strange, not worthy of trust, and even bizarre, given their expectation that Indians live within walls, in houses that cut people off from the natural world. Smith asked whether Grey Leggings had a house built for him and Grey Leggings replied, "Yes. I had [one and] began to work myself when a white man came along and spoilt it all."[22]

Chewing Elk, a leader of a local Comanche band, said that he had been told that he would be given a house and stock the year before. He had seen stacks of money in Washington, but what became of that money—"whether it goes down in the ground" and

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10th ed. (Norman: University of Oklahoma Press, 1987), 282-83.

22 Council Minutes, 1873, DoTx, LR, RG 393.

disappeared, he did not know. He, too, had a house built for him by Lawrie Tatum, but the first night he meant to sleep there, a terrific thunderstorm "came right over the house and not a cloud any place else. I thought this was bad medicine, so I lit out and have never been there since."[23]

Governor Davis and Commissioner Smith did not see the logic in Chewing Elk's reaction, but awareness of his surroundings had shown Chewing Elk that the house could not possibly be safe. Such experiences—houses promised and never built, or houses built that could not become real homes—would have been shared among members of the community. Chewing Elk's story indicates that native people's reluctance to assimilate was based in more than their desire to maintain their heritage. Anglo-American culture was different, so different that the desires and concerns of white people held no attraction for many native people. The annual reports of the Indian Office point to many native people's willingness to assimilate, but it is equally the case that many others, particularly the groups on the Plains, balked at the government's expectations.[24]

Indian leaders told Commissioner Smith that they had only been shown how to farm after arguing with agents, and that they had wanted the agents to break the soil for them. Smith retorted, "Exactly! You wanted him to do all the work." He reminded them of the Witchita leaders who cultivated crops and raised livestock near Waco; those Indians accused the Kiowas and Comanches of disturbing them as much as the whites. Davis and Smith would not accept the fact that Texans, witnessed by young warriors, had stolen horses and mules from Indians living near the agency. It did not help that Davis

23 *Ibid.*
24 *Ibid.*

declared that he owned Satanta and Big Tree; that angered the native leaders even more. Still, he reiterated that the conflict was between Kiowas, Comanches, and Texans, not the Wichitas or Caddoes.[25]

It was into this atmosphere of uncertainty that Grierson entered in 1869. When he took command of Fort Sill, Texans had been clamoring for revenge (albeit behind the safety of their newspapers). Various editorials declared the pressing need for self-defense: "It is well known how the US authorities over there connive at the depredations of the Indians. They issue them rations [which] will feed them on a scalping and horse-stealing tour into Cooke, Wise, and Denton Counties. Really!"[26] The areas that seem most affected by Kiowa-Comanche raids were the counties just south of the Red River/Indian Territory-Texas border. Clay, Montage, and Cooke counties bordered the Red River; Young, Jack, and Wise counties sat below those, and further south were Parker and Denton counties. The civilian settlements in these counties were particularly vulnerable because they were only a three- or four-day ride from Fort Sill, and were not close enough to any fort or large town that might offer more protection. The outcry from these settlements drew the attention of Ely S. Parker, the Seneca man who was Commissioner of Indian Affairs.

> Against the Kiowas and Comanches there is just cause of serious complaint, and I think that severe punishment should be meted out to them for the crimes they have committed in the face of their solemn treaty obligations, and the forbearance and kindness of the Government. They have been guilty the past year of several murders and outrages in the Indian Territory, and even within the bounds of their own reservation, and have raided time and again into Texas, killing citizens thereof, capturing women and children, and stealing stock; and have set at defiance the military audaciously

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25 *Ibid.*

26 *Denton Monitor*, 19 September 1868, Center for American History, Austin, Texas. Unless otherwise noted, all newspaper references in this chapter were obtained at the Center for American History. One wonders at the possible entertainment value of frontier newspapers; inflammatory articles about Indian raids appeared next to an "instructional item" titled "All about Kissing" in the September 26th issue of the *Denton Monitor*.

> inviting them out to battle! The Indian Bureau is wholly powerless to prevent these raids. The spirit that prompts them is vicious and incorrigible, and should be dealt with summarily. These Indians claim to be friendly, and assign as a reason for their wicked deeds and cruelty against the citizens of Texas that the people thereof are not a part of the United States, and hence they believe, so it is said, a war upon them to be perfectly proper. In my judgment they know better, and, if they do not, such lessons should be taught them as will effectually deter them from a renewal of their crimes. I know of no way to check this marauding spirit except to place all of them under the control of the military power, until they shall have learned to be friendly with all whites . . . [27]

In the autumn of 1869, however, Grierson reports contradicted the seriousness of Parker's report. The colonel argued that the likelihood of widespread depredation in Texas was remote. However, sickness caused some uneasiness among Agency Indians and a few of the Kiowas "talked large." Still, Grierson wrote that "friendly feeling still prevails." That winter, he reported that a gang of white men had stolen ponies from Indians camped near the Agency; in addition to livestock theft, whites ran whiskey into Indian Territory and profited from the new vices created by Indians' increasingly sedentary lifestyle. Grierson had one major concern in his first few months at Fort Sill—the success of the patrolling missions along the Red River, which he hoped would prevent the traffic of stolen stock by whites and Kiowa alike.[28]

Asserting that the government failed to fulfill its obligations, Grierson concluded that the honest enforcement of treaty standards would mitigate restless reservation Kiowas' interest in violence. In addition, it troubled him that government stores were not released

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27 Ely S. Parker to J.D. Cox, 31 October 1870, *Annual Report of the Commissioner of Indian Affairs to the Secretary of the Interior for the Year 1870* (Washington: Government Printing Office, 1871), 6. According to William T. Hagan, Texas cattlemen "recognize[d] the grazing potential of the reservation" early on, and by the early 1880s, large numbers of Texas cattle were "munching free grass" within reservation boundaries. Cattlemen convinced some influential Comanches to let them fence and graze reservation land, but most Kiowa and Comanche people opposed giving leasing rights to Texans. William T. Hagan, "Kiowas, Comanches, and Cattlemen, 1867-1906: A Case Study of the Failure of U.S. Reservation Policy," *The Pacific Historical Review* 40, no. 3 (August 1971), 336, 338, 339-43.

[28]Grierson to AAG, 23 November 1869, 1 December 1869, DoM, LR, RG 393. By the spring of 1870, Grierson had this to say: "From about the 1st of May I expect to keep some cavalry patrolling along the Red River, with a view of preventing white men from stealing horses and mules from the reservation and Indians from crossing into Texas to commit like depredations." Grierson to AAG, 12 April 1870, DoM, RG 393.

to the Agency until three months after they were promised; food and clothing had only reached the Kiowas in the depths of the winter season. Moreover, the government had abrogated hunting rights to a small area without prior warning. Grierson addressed these issues in his reports to his higher headquarters throughout 1869 and the spring of 1870, but the responses evinced little concern. In August 1869, Grierson requested an increase in the beef and flour rations. By the 25th of September, the Kiowa had been relieved by the increased rations. However, the peace was not to last.[29]

In the spring of 1870, roving Cheyenne from Kansas swept into the Kiowa and Comanche camps. They appealed to the reservation Indians to unite with them in a general war. The steadfast refusal of the head men, however, did not stop young warriors from all three tribes from making raids into Texas. The line units at the Red turned back hopeful raiders, both native and white, but not before horses were stolen and a settler was killed by Cheyenne. Grierson interpreted this as an attempt "to implicate the Indians of [the Fort Sill] Reserve." Sensitive to the depth of the problem that faced him, the colonel understood that neither whites nor Indians contributed exclusively to borderland violence. He did not discriminate in censuring criminal activity: for example, he acknowledged the cooperative nature of Cheyenne and Kiowa raids in a letter of June 24th, yet he also clearly stated that their white Texan victim had no authority to be chopping wood four miles west of the installation, where troops found him scalped and dead.[30]

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[29]Grierson to AAG, 25 August 1869, 25 September 1869, DoM, LR, RG 393. See also N.D. Badger, Acting Commissary of Subsistence for Indians, 2 August 1869, 30 May 1870, DoM, LS, RG 393. Captain Badger also oversaw commissary operations at Fort Sill. He attested to the poor quality of rations that Indians received.

[30]Grierson to AAG, 24 June 1869, DoM, LR, RG 393. A few days earlier: "Captain Burke who has been patrolling the line of the Red reports that he prevented several parties of Indians from crossing into Texas . . . [returned to Post with] four horse thieves and whiskey dealers." Grierson to AAG, 21 June 1870,

Moreover, Grierson's refusal to negotiate helped forestall more depredations during July 1870. When a delegation from the heads of the peace and hostile Kiowa factions (led by Kicking Bird and Lone Wolf, respectively) approached Fort Sill, they were not turned away or subject to aggression. Rather, Grierson and Tatum requested that the Kiowa leaders stop their young warriors from making further incursions with the Cheyenne and give up stolen stock and the guilty parties. Then they would be allowed to enter the safety of the reservation. Conversely, if they failed to surrender stolen property, rations would be withheld.[31] This tactic proved effective again in August, as Grierson demanded the return of a captive white family, the Koozers. Accustomed to receiving compensation for these adopted kin, the Kiowa chiefs were surprised that the colonel was unwilling to grant them any additional annuities. "The practice for paying Indians for stolen persons and property," Grierson noted, "is an inducement for them to commit further depredations." He reminded higher headquarters that, since his arrival at Sill, the Kiowa had consistently received $500 for each captive. Their agreement to give up part of their band's labor force stood as "certainly a good indicator" of their reasonable attitudes and interest in peace.

Grierson had secured a modicum of personal and professional satisfaction by the end of the summer of 1870; however, it had not come easily. As the seat of renegade action in the borderlands, Fort Sill grew to represent the shortcomings of the 1868 "peace" policy for Texans.[32] The citizens of Texas witnessed borderland violence on a weekly or even daily basis; Indians threatened their financial and physical security when they stole

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DoM, LR, RG 393.

[31]Grierson to AAG, 21 June 1870, 5 July 1870, DoM, LR, RG 393.

[32]Grierson to AAG, 7 Aug 1870, 19 August 1870, DoM, LR, RG 393.

horses, killed those who threatened the success of raiding expeditions, or took captives to augment their bands. The citizens of the northern counties lived on isolated homesteads; because of their proximity to the Red River, they took the brunt of raids. Forts Richardson and Griffin, on either side of the Brazos River, were more than a hundred miles south of Fort Sill, and were too consumed with local violence to offer any support. In effect, Kiowa and Comanche raiders operated in a vacuum, at times wholly free from military interference.[33]

Because of federal Reconstruction policies, the Texas state government forbade organized private militia. This means that as individuals, Texans' only option was to defend themselves. A man could fortify his corrals; he might hope to startle his attackers into flight, or less commonly, wound or kill them with a hastily aimed rifle. Reports from the Department of Texas from 1867 to 1872 rarely mentioned civilian-Indian conflict, but the reality of Indian depredations was ever present. In groups, Texans felt that they inspired fear and increased their combat effectiveness, even if this was seldom true in reality.[34]

Editorials in local newspapers indicate that decisions about Indian affairs on the federal level were not a daily concern in the years following the Civil War. However, raids on local homesteads precipitated vociferous complaints every few weeks. Although the "satrap authorities" would not permit it, the people of Cooke County raised men to challenge Kiowa raiders. "It is well known," read a *Denton Monitor* editorial of

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[33] Robert M. Utley, *Frontier Regulars: The United States Army and the Indian, 1866-1891* (Norman: University of Oklahoma Press, 1973), 207-8.

[34] See "Reports of scouts, Indian depredations, and crimes," in Fifth Military District, 1867-1870, DoTx, LR, RG 393, which includes a variety of newspaper clippings and transcriptions of articles. For Texans' crimes, see "Tabular statement of crimes committed in the state of Texas," Fifth Military District, 1869-1870, DoTx, LR, RG 393 .

September 19, 1868, "how the US authorities over there [Fort Sill] connive at the depredations of the Indians. They issue them rations from the Agency, where they know (the Indians are making it no secret) that these same rations will feed them on a scalping and horse stealing tour." A month later: "The troops on the contrary are protecting the savages. When the Indians make war upon *us* they are not molested, [but we are] declared *hostile*." When the Senate passed the frontier protection bill on 7 June 1870, a column in the *Honey Grove Enterprise* declared that within the last three years, 260 people had been murdered by "those ruthless redskins... [i]t is to be hoped that this new law will be successful in expelling all those roving murderers and giving succor to our bleeding frontier that has so long prayed for help in vain."[35]

Other news items, particularly those in the *Denton Monitor* put the interests of Texas civilians and the U.S. government in blatant opposition. Demanding that locals form militia companies, the editors mused that "reliance upon the United States for protection [was] the utmost nonsense." The paper also accused the government of using the army to force Southern citizens to vote for the Republican Party—citizens who comprised "the most peaceable portion of the population." In contrast to the newspaper editorials that lashed out at Sully and Pope in Minnesota, the Texas papers displayed open hostility to the federal government. Most likely, this is a consequence of the southern backgrounds of many postwar Texas residents.[36]

Ironically, the same Texas newspapers that criticized Grierson also tended to ignore the fact that Anglo-Americans were also complicit in the violent crimes that racked the

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[35]*Denton Monitor*, 19 September 1868; 21 October 1868, item reprinted from *Weatherford Times; Honey Grove Enterprise*, 7 June 1870, Center for American History, Austin, Texas. All newspapers cited in this chapter were found at the Center for American History in Austin.

36 *Denton Monitor*, 17 October 1868.

state in the late 1860s. The sheer variety of crimes committed in the state of Texas indicates that Indian attacks could not have been the only concern for frontier residents when compared to the violence created by Anglo-Americans. From January to March 1869, there were 318 murders, 170 assaults with intent to kill, 40 instances of horse theft, and 186 thefts. Murders decreased and horse and stock thefts increased in the spring and summer of 1869. By the early spring of 1870, the number of murders was drastically reduced, probably as a consequence of more efficient law enforcement. Furthermore, a study of Texas newspapers makes it clear that reports of Indian depredations were publicized far more often than reports of crimes committed by whites.

The *Denton Monitor, Honey Grove Enterprise*, among others, scarcely mentioned violence between Anglo-Americans. Yet civilians committed crimes far more often than Texas newspaper editors admitted. Army officers at Fort Sill collected excerpts from newspapers published in the counties that bordered the Red River (and thus the Indian Territory-Texas border) and kept track of local crimes. In one of the more sensational cases, on January 24, 1869, a lone man—tall, "raw boned and grey-eyed," riding a "dark iron-grey horse," passed through Sherman, Texas. He had exchanged gold coins for several hundred dollars of paper currency at the town bank. A few hours later, he was shot in the head and back, and his body was later found off of the main road.

Elsewhere in Grayson County, on February 6, 1869, a horse thief was killed by a posse after he sold the horses in Indian Territory. Several days later, a man was shot and killed by rustlers who he suspected of stealing his horses. An attempt was made on the life of the editor of the Pilot Point paper in Denton County, around March 10th. On the 21st of March, a soldier with the 6th Cavalry out of Fort Richardson was shot by a civilian in Jack

County. Among the many news items collected by the army officers, an excerpt from the *Dallas Herald* described violence with native people in early April. "Every paper from the frontier brings us reports of Indians." Warriors seized upwards of one hundred and fifty to two hundred horses from Parker County residents in a matter of days. Most of the stolen horses broke away from the herd and returned to their owners. Older residents of the area feared that the frontier would "give way" unless residents acted in their own defense.[37]

If that were the case, then Texans would be defending themselves from their neighbors. Many crimes attributed to the Kiowas and Comanches at Fort Sill "were made by white desperadoes, frequently parading in the attire of Indians." Agents in Indian Territory, including Lawrie Tatum, argued that horse thieves and whiskey smugglers posed greater threats to the reservation-bound Kiowas and Comanches than the Indians posed to Texans.[38] While both the Texan civilians and proponents of the "peace policy" might have been exaggerating the case to benefit their own agendas, it is clear that Anglo-Americans shared the responsibility for violence in Texas. The army itself played an important role in supplementing the activities of civil law enforcement in the trans-Mississippi West—one at which Texan civilians would bristle. In 1870 alone, Colonel Grierson reported that his command had recovered more than 250 horses, mules, and cattle, arrested nearly two dozen men engaged in illegal trade at the installation, and shot several thieves.[39] Texans, however, seemed to place the lions' share of the blame for

[37] "Reports from Grayson Co., Texas," in Letters Received Relating to Murders and Attempted Murders, 1869-1870, DoTx, RG 393.

[38] Carl C. Rister, "Outlaws and Vigilantes of the Southern Plains, 1865-1885," *The Mississippi Valley Historical Review* 19, no. 4 (March 1933), 541, 543.

39 Clayton D. Laurie, "Filling the Breach: Military Aid to the Civil Power in the Trans-Mississippi

frontier violence on Indians and the army.

Grierson was not immune from criticism either. The *Denton Monitor* printed the following item on September 3, 1870, in the wake of the Kiowas' surrendering the Koozer family at Fort Sill two weeks earlier. According to the newspaper, the Indians had killed five white men, captured ninety mules, and then demanded rations at the fort. The government agent, unnamed in the newspaper, refused to comply until the stolen animals were returned. According to the paper, "The Indians replied that if rations were not given them, they would eat the white men. Being intimidated by these threats, the government authorities, in order to save themselves, furnished the required eatables."[40]

As damaging for misinformation as it is for the crude stereotype of Indians that it perpetuates, this editorial and others like it suggested to the reading public that federal Indian policy served little purpose. Government authorities commanded no authority, and worse yet, they were cowed by threats and the very presence of Indian "savagery." The Texan contributors implied that federal assessments of Indians were wholly unrealistic; only settlers, experienced in dealing with Indians, could stop this scourge. Residents of the northern Texas counties had "a very keen and painful sense of the savage visits made by the Quaker pets... supplied by the United States with arms, clothing, and rations."[41] Their opinions illustrate that Texans opposed a central aspect of Grant's peace policy—the emphasis on the ability of religious organizations to best engineer Indian compliance with

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West," *The Western Historical Quarterly* 25, no. 2 (Summer 1994): 149, 155. Even after Grierson and Tatum left Fort Sill for good in 1873, their successors realized quickly that many reports of Indian raids were false. James A. Haworth, Tatum's replacement, wrote to Cyrus Beede, Superintendent Enoch Hoag's clerk, in May 1873: "I have learned since I came here that a large majority of the Indian reports are fabrications manufactured out of whole cloth." James A. Haworth to Cyrus Beede, 8 May 1873, *Texas Indian Papers* 4, no. 216, Archives and Information Services Division, Texas State Library and Archives Commission.

[40]*Denton Monitor*, 3 September 1870.

[41]*Austin State Weekly Journal*, 28 April 1870.

Anglo-American demands. Furthermore, the editorials also promote the idea that vigilante and militia efforts were best-suited at protecting Anglo-Americans from Indians. Texans' obsession with Kiowa-Comanche "savagery," coupled with their over-confidence in their own fighting capacity, suggests that militia responses would have been far more destructive than any operation undertaken by Grierson.

Grierson's report of August 19th, the day after the Kiowas surrendered the Koozers, stands in stark contrast to the exaggerated language used in the Texas newspapers. As he had done before, Grierson would not issue rations until the family was returned. He "emphatically refused any talk," and told the Kiowas that no pay would be given to them. Contradicting Grierson's stance, the Quaker agent, Tatum, "concluded that under all the circumstances, something should be given... goods to the amount of $600 which however will be deducted from the Kiowa annuities. The colonel explained that he wanted to offset any chance that the Kiowas would profit from this enterprise. As for Tatum's decision, Grierson wrote, "I do not wish it to be understood that I censure Mr. Tatum... I know he did what he thought was for the best, but I do not think that anything should be given... Sooner or later, the Indians must be taught that no profit will accrue from their depredations."[42] Grierson avoided direct confrontation with the Kiowas, but he was clearly annoyed at Tatum's willingness to undermine him. One wonders whether the Kiowas were "practicing the same factional skills they used in intra-tribal squabbles" in taking advantage of Tatum's misplaced generosity and Grierson's reluctance.[43]

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[42]Grierson to AAG, 19 August 1870; 12 June 1870, DoM, LR, RG 393.

43 William A. Dobak, "'Our Most Reliable Friends': Army Officers and Tribal Leaders in Western Indian Territory, 1875-1889" (paper presented at the annual meeting of the United States Army Combined Arms Center Combat Studies Institute, Fort Leavenworth, Kan., September 2008, 14. Available in *The Proceedings of the Combat Studies Institute 2008 Military History Symposium: The US Army and the*

Unlike the editorial in the *Denton Monitor*, Grierson's report does not support the contention that white men were killed, or stock was stolen. In fact, government mules were stolen in quantity only once in 1870. On June 12th, 73 unserviceable animals were taken from the post corral. The Kiowas would have most likely traded them or eaten them as a consequence of the loss of buffalo herds. Eventually, over a third of the mules were returned by the Kiowas and recovered by a patrol commander, Captain Walsh. Grierson and Tatum, then, did not make their decisions based on self-preservation. The exaggerations made by the press were further exaggerated when they were reprinted in the eastern United States; in turn, this amplified both eastern humanitarian efforts and frontier settlers' frustration.[44]

Some historians have argued that Grierson told officers to withhold information about raids in order to improve the public perception of the peace policy's effectiveness—essentially, to give the policy a chance to succeed. This is highly unlikely, given that Grierson's correspondence is full of references to Kiowa and Comanche raids in Texas, as well as proof that he took action against the raids, even overstepping the regulations that prevented him from pursuing Indians off the reservation. Texas newspaper editors were already well-aware of raids in their region, so Grierson would have no reason to cover up evidence of Indian depredations.[45] In the September 1870 issue of

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Interagency Process: Historical Perspectives, ed. Kendall D. Gott (Fort Leavenworth, Kan.: CSI Press, 2008).

[44]For Indians' use of horses as sustenance, see Pekka Hamalainen, "The Rise and Fall of Plains Indian Horse Cultures," *The Journal of American History* 90, no. 3 (December 2003), 10.

45 Wilbur S. Nye, *Carbine and Lance: The Story of Old Fort Sill*, 2nd ed. (Norman: University of Oklahoma Press, 1983), 117. Nye writes: "In spite of all this, Colonel Grierson remained a firm advocate of the Peace Policy. He announced to his officers that it was sure eventually to succeed; but meanwhile he did not want the newspapers to get wind of the atrocities which had been committed near the post during the summer [of 1870]." Nye cites the above-mentioned item from the *Army and Navy Journal* dated 17 September 1870. Paul Hutton cites Nye and includes no additional information. See Paul Hutton, *Phil*

the *Army and Navy Journal*, a joint-service publication established during the Civil War, an anonymous author claimed that Grierson disapproved "of the Indian troubles here being made known to the public."[46] The author also claimed that Grierson allowed Tatum to give rations and goods to the Kiowas in return for releasing captives, and claimed that Grierson did not allow subordinate officers to attend his councils with Kiowa and Comanche leaders. Like any other army unit, the Tenth Cavalry had its own factions and internal disagreements, and it is likely that these false claims originated with individuals who opposed Grierson's efforts to support the peace policy.

Although Texas newspapers did not often name Fort Sill as the place where Kiowa raiders took refuge, some members of the Texas legislature identified Grierson as the cause of their constituents' discontent. Since the spring of 1870, they sought to remove Grierson from his post. Based on the report of an unidentified party, the legislators advocated Grierson's dismissal. His removal from command was proposed by a resolution of Senator Albert Jennings Fountain, who was the main proponent of the frontier protection bill to reactivate the Texas Rangers.[47] This had larger implications within the Grant administration as well, because the "growing militancy of those living in the Texas

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Sheridan and his Army (Lincoln: University of Nebraska Press, 1985; reprint, Norman: University of Oklahoma Press, 1999), 234, fn. 17. Hutton cites Carolyn T. Foreman, Chronicles of *Oklahoma* 24, no. 2 (1946), 205-206, who refers to Nye's citation from the *Army and Navy Journal* without referring to the original source. In turn, David Smits picks up this assertion and repeats it, citing Nye, Foreman, and Hutton, and adding: "It is well known that Grierson . . . actually ordered his officers to remain silent about Indian raids." David D. Smits, "More on the Army and the Buffalo: The Author's Reply," *The Western Historical Quarterly* 26, no. 2 (Summer 1995): 206. The conclusion that Grierson covered up raids requires much interpretation, much less the idea that this cover up was "well-known." See also William A. Dobak, "The Army and the Buffalo: A Demur: A Response to David D Smits's 'The Frontier Army and the Destruction of the Buffalo, 1865-1883,'" *The Western Historical Quarterly* 26, no. 2 (Summer 1995): 197-202, and David D. Smits, "The Frontier Army and the Destruction of the Buffalo, 1865-1883," *The Western Historical Quarterly* 25, no. 3 (Autumn 1994), 313-38.

46 "From the Indian Territory," *Army and Navy Journal*, 17 September 1870. This item was sent to the author by William Dobak from the microfilm collections of the United States Army Center of Military History.

47 Grierson to AAG, 20 July 1870, DoM, LR, RG 393.

Panhandle came at a time when the state of Texas was able to force the federal government to rethink its policies." When Governor Edmund J. Davis, a Republican, organized seven new ranger companies, he insinuated that Texans would no longer rely on the army for protection.[48] This put Grierson in the uncomfortable position of defending himself if he was to retain his command. It should be noted that in proposing that Grierson should be removed from command, the Texas legislature said nothing about Grierson's alleged silence about Indian raids, and in his response to the Texans, Grierson made bold statements about his willingness to track down warriors who did raid.

In his rebuttal of the committee's charges, Grierson insisted that he had no control over annuity issues, which were Tatum's sole responsibility instead. His orders forbade him from interfering with Indians on the reservations, and he was not obligated to follow them beyond post limits. Regardless, he had sent troops in pursuit of Indians as well as kept a series of patrols on the south side of the Red River. Grierson wrote that he had "done all in his power to protect the Texas border from depredations by both Indians and white marauders... returned horses and mules stolen from citizens of Texas by Indians, and returned to the Indians... horses stolen from them by thieves from Texas." Furthermore, most white thieves were "disguised as Indians... the obvious suggestion presents itself that, while the Legislature is taking measures to protect their border from marauding Indians, they should also [suppress] the organized gangs of white thieves who infest their state and steal alike from Indians, citizens, and the Government."[49] In his letter, he declared

[48]Gary Clayton Anderson, *The Conquest of Texas: Ethnic Cleansing in the Promised Land, 1820-1875* (Norman: University of Oklahoma, 2005), 353.

[49]Grierson to AAG, 20 July 1870, DoM, LR, RG 393. Grierson's letter to his higher headquarters is rather cryptic. He refers to himself in the third person for the entire letter, refers to the Texas legislature several times, and only identifies Senator Fountain once, at the very end of the letter. He does not identify

> Prohibited by orders from interfering with Indians, while on the rez, and not even obliged to follow them beyond its limits, unless called upon by the Agent, the CO has nevertheless repeatedly sent troops in pursuit of Indians and kept them patrolling the south side of Red River with orders to attack any Indians found off their reserve, talking upon himself the responsibility of such action in view of the emergency. Notice has also been sent upon learning the departure of any raiding parties of Indians... to enable the military authorities and citizens of Texas to take steps to punish them. The CO has done all in his power to protect the Texas border from depredations by both Indians and white marauders. He has returned upwards of 50 horses and mules stolen from the citizens of Texas by Indians, and returned to Indians 50 or more head, stolen from them by thieves from Texas, and during the last eighteen months his command captured and returned upwards of 200 horses and mules, stolen by persons from Texas... some twenty thieves, and whiskey dealers, and killed a number who resisted the troops... Many of these desperadoes are disguised as Indians... the obvious suggestion presents itself that, while the Legislature is taking measures to protect their border from marauding Indians, they should also devise some means for suppressing the organized gangs of white thieves, who infest their state, and steal alike from Indians, citizens, and the Government.[50]

The curious subject of whites' duplicity received little attention from the vocal Texas newspapermen. If white Texans stole so predominantly from Indians and whites alike as Grierson charged, then Texas newspapers failed to comment. As Colin Calloway argues, Anglo-American society "sought to protect its assumed racial and cultural purity and viewed with suspicion individuals who moved between two worlds." In the late eighteenth century, when the boundaries between the white and Indian worlds were most tenuous, "accepted wisdom held that cultural interaction was much more likely to produce an individual who personified the worst of both worlds."[51] These fears did not diminish during the settlement of Texas in the 1820s, and throughout the nineteenth century. The need for group defense can be seen as a bid for social preservation. Men would be less apt to feel the inducements of the wilderness if they interacted and challenged Indians as a group. By protecting their communities through voluntary and non-regulated militias,

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(and probably did not know) the identity of the person who provided the Texans with the negative report about Fort Sill. I have been unable to find any further evidence about this incident in the primary sources at present. One thing is clear—Grierson felt that he was under attack from Fountain and Texas politicians over the issue of Kiowa-Comanche raids. The Leckies' biography of Grierson, which is the best source available, does not mention the 20 July 1870 letter or Senator Fountain.

[50] *Ibid.*

[51] Colin G. Calloway, "Neither White nor Red: White Renegades on the American Indian Frontier," *The Western Historical Quarterly* 17, no. 1 (January 1986): 49.

such as Ranger groups, they actively contributed to their own security. If they let the U.S. Army take full responsibility for them, they would abrogate their own rights to Texan sovereignty and their pride. Their failure to ensure order in Texas since its settlement was also compounded by the mythic status of the pioneer. In order to justify the state's chaos, they persisted with the myth of the "embattled" Texan. However, Texans were hindered by more than their own hubris. Like the military and the Bureau of Indian Affairs, they failed to understand plains political economy and the economic and cultural imperatives of raiding.[52]

Intertribal warfare on the plains, as John Ewers has argued, can be read as a precursor to interracial conflict. In this sense, Kiowa-Comanche raids on whites were modifications of their original political economy. Instead of attacking other Indians' source of prestige, wealth, and food, they went after Texans. Prior to the 1840s, horse herding and trade involved southern tribes in raids "with neighboring sedentary groups... although ingrained in the male warrior cult, raiding was... primarily an act of resource extraction." As white settlement forced them to change their political economy, factionalism increased along with raids on pioneers.[53]

Furthermore, Texans had unrealistic expectations for frontier defense. They lived on homesteads miles apart from each other, but they expected that the army, or alternately, their fellow Texans, would be able to interrupt raids. An item in the *Austin State Weekly Journal* claimed that "no warfare against them, unless it be annihilation, will check this

[52]Anderson, *Conquest of* Texas, 15, 244.

[53] John C. Ewers, "Intertribal Warfare as the Precursor of Indian-White Warfare on the Northern Great Plains," *The Western Historical Quarterly* 6, no. 4 (October 1975): 397-410. Hamalainen, "Horse Cultures," 8.

inherent natural propensity" of the Indian for theft. The author suggested that ranger volunteers should be "well armed, well mounted, and *well paid*." The units' procedures were as follows: settlers would raise the alert at a nearby station, "and within forty eight hours" the company would be on the Indians' trail "until the scoundrels are overtaken and killed." These rangers would not require forts or supply depots; they would be able to react quickly to changing situations; and, without any authoritative oversight, they would kill Indians without criticism. Challenges to these plans were rare; an article on March 15, 1870 challenged the ranger system, as the "demoralizing effect" of the Civil War would make potential Rangers violent enough, but difficult to depend on.[54]

The letter of James M. Waide of Denton, Texas, of 13 September 1870, represents the kind of suspicions that civilians had of Grierson and his line officers. Although the letter was addressed to President Grant, it was relayed through Grierson's post adjutant; after the Executive Secretary forwarded it to the Department of Texas, it was referred to the commanding officer of Fort Richardson, Texas. Though Grierson did not directly respond to the letter, he was probably aware of it; at any rate, he would have been familiar with its tone and contents, and his own reports to higher headquarters are similar to that of Fort Richardson's commanding officer.

Like many of the people affected by operations out of Fort Sill, Waide lived close to the Texas border—twenty miles south of the Red River. He had moved to Texas in 1861 to farm and raise horses. His brother-in-law was captured, scalped, and supposedly burned to death by native warriors in October 1868. His letter does not suggest what

[54]"The Frontier: How to protect it and at what cost," *Austin State Weekly Journal,* 26 May 1870; "Frontier Defense: Our frontier bleeds while US senators cut fantastic tricks," *Austin State Weekly* Journal, 15 March 1870.

prompted him to write to the President two years later, but his anger at the government is readily apparent. He detailed the deaths of several Texan men, the capture of their families, and the seizure of over 4,000 horses since 1868.[55]

Waide's appraisal of federal Indian policy identified what many citizens must have seen as an obvious gap between army leaders' abilities and their prosecution of Indians. Waide questioned why depredations were increasing when two Civil War veterans, William T. Sherman and Philip H. Sheridan, commanded the Army and the division that included Texas. He pointed at a fundamental hypocrisy too – Indians were protected and even armed by the government (or through its neglect of illegal arms trading), but seldom punished for raiding. Waide's suggestion that "blood means blood" was echoed by contributors to the local Texas papers.[56]

Texas civilians were not alone in focusing on Grierson's command. His fellow army officers also opposed his approach to federal Indian policy and his close association with Tatum, a representative of the most peaceful sect of Eastern humanitarian reformers. In 1871, the Sixth Cavalry at Fort Richardson, Texas, was replaced by the Fourth Cavalry, under the command of Ranald Slidell Mackenzie. Mackenzie was known among Kiowa and Comanche as 'Bad Hand' for disfigurement he sustained during the Civil War. He conducted raids outside of government authority and razed at least three Indian encampments in Mexico.[57] Captain Robert Goldwaithe Carter, a company commander with Mackenzie's Fourth Cavalry, had choice words for Grierson.

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[55]J.M. Waide to Headquarters, Fort Sill, 13 September 1870, DoM, LR, RG 393. See also Frances Simpson Abelson and Rheba Rippey Marshall, "Bolivar, Texas–A History," courtesy of Denton County Historical Commission.

56 *Ibid.*

[57]Utley, *Frontier Regulars*, 209, 346-50.

Carter was among the officers who went so far as to believe that Grierson and the Indian agent were providing arms and aid to the Kiowas. (Colonel James Oakes, commanding the Sixth Cavalry at Fort Richardson in 1870, falsely claimed that Grierson and Tatum issued repeating rifles to the Indians). The captain participated in a joint operation with Mackenzie's forces and Grierson's Tenth Cavalry, pursuing the Kiowa leader Kicking Bird through Texas and back to Indian Territory in October 1871. (Although Kicking Bird was the leading proponent of the peace faction, he also participated in raids to maintain his authority among the Kiowas as a whole). Carter believed that Grierson was a member of the "Indian Ring." This group of government officials was said to manipulate the Indians through sympathetic treatment, and profited illegally from annuity payments and bribes of frontier post traders.[58]

Carter wrote that the Indian Ring "sent an order to Grierson to assume command of both columns, as long as the Fourth Cavalry was in Indian Territory, to hold Mackenzie in check. … This accounted for Kicking Bird's getting into Sill so hastily when later we were so close to his village… Grierson [was] under positive orders [from the Indian Ring] to avoid war… [and] sent Horace P. Jones, his interpreter, to warn Kicking Bird to get in without notifying Mackenzie."[59]

Carter saw this as "one of the most wily and diplomatic 'side steps' and 'double crosses' …. Grierson had slyly anticipated all our plans and wants by warning Kicking Bird of our approach." Certainly, Grierson's correspondence with his superiors suggests

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58 Robert G. Carter, *Pursuit of Kicking Bird: A Campaign in the Texas Badlands* (Washington D.C., Gibson Brothers, 1920), 21, 27, 37, 43. See Leckie, *Unlikely Warriors*, 176-77, 190-92. *Annual Report of the Secretary of War* (1870). Hutton argues that "the episode reflected Sherman's confidence" in Grierson, as he had ordered Mackenzie not to move into Indian Territory without orders from Grierson, 238-39.

59 *Ibid.*

that he tended to have a solid, honest relationship with the Kiowa leader, and took seriously Kicking Bird's assessments of his own people's unhappiness. However, it seems improbable that Grierson benefitted from any kind of collusion with the Bureau of Indian Affairs, given his family's constant financial trouble. Moreover, federal policy, and therefore all army installations by extension, were aimed at preventing a general war in the southwest. But because Grierson's position towards Indians and his appraisal of Texans' crimes had damaged his reputation, Sheridan transferred him from Fort Sill to the eastern Indian Territory post of Fort Gibson.[60]

Grierson summarized his own position on borderland tension and his responsibility: "An officer can have no policy of his own, but is simply required to obey without questioning, the orders of his superiors." The pattern of depredations was accepted by all parties concerned, but "its dimensions were open to debate" at the time. What was the extent of the actual depredations, and who were the principal participants? Which government policy–military force or accommodation–would prove more effective, and which would appease a greater number of American citizens?[61]

Grierson took part in this debate in two ways. While he privately averred his support for the peace policy, he enforced federal policy at Fort Sill and the Kiowa Agency, refusing to negotiate as his predecessors had done. Grierson was no blind advocate of army policy; he believed that Custer had exaggerated the number of Indian men killed at the Washita massacre in 1868, discounting women and children. To Lawrie Tatum, Grierson promised "to pursue such a course as to control the Indians and prevent

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[60] *Ibid.* and Grierson to John Kirk, 4 March 1869, Grierson Papers, Edward Ayer Collection, Newberry Library, Chicago.

61 Grierson to John Kirk, 4 March 1869, Grierson Papers, Edward Ayer Collection, Newberry Library, Chicago.

depredations without losing sight of the object contemplated by the philanthropic good people of this land *without bringing on a war* for the purpose of gaining an opportunity of killing off Indians. ... I will do only what I believe to be just and right even at a sacrifice of my position and commission in the army."[62]

Grierson also acknowledged that both Indians and the government shared complicity in the policy's failures, but was convinced that "judicious management," the Kiowa and Comanche would cease to trouble the government.[63] Clearly Grierson had established himself as proponent of peace rather than war. More than anything, he advocated the fair treatment of reservation Indians: "Without strait [sic] forward manliness, generosity and integrity the case is hopeless."[64] However, the situation at Fort Sill in the early 1870s demonstrates that the federal government did little to seek peaceful remedies to problems to which Grierson, unlike many of his peers, was alert.

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62 Utley, *Frontier Regulars,* 209. For the Washita massacre, see Jerome A. Greene, *Washita: The U.S. Army and the Southern Cheyennes, 1867-1869* (Norman: University of Oklahoma, 2004), 136. Grierson to Lawrie Tatum, 30 September 1869, Letters and Documents, Grierson Papers, Edward Ayer Collection, Newberry Library, Chicago. Emphasis is Grierson's.

63 Grierson to AAG, 31 October 1869, DoM, LR, RG 393. See also Hutton, *Phil Sheridan and His Army*, 230-34.

64 Leckie, *Unlikely Warriors,* 163.

CHAPTER FOUR: The Problem of the Black Hills

Despite the unproven and elusive promises of the gold regions of the frontier, Anglo-Americans moved westward, drawn by the idea of the possibilities there. "GOLD, SILVER, COPPER, IRON, COAL, AND IMMENSE FORESTS OF PINE!" These were the terms in which the Black Hills were sold to the American public and the adventure seekers. The Black Hills had been the subject of great curiosity since the end of the Civil War, but the 1868 Treaty of Fort Laramie forbade white men from entering the region. When Custer's 1874 expedition found gold in small quantities, rumors alone propelled men west. By 1875, there was an unmistakable Anglo-American presence in and around the mountains. Travelers would see the dark, shaggy mountains looming up from the foothills at night, bristling with enormous trees that could be four feet wide and over eighty feet tall. Within the hills themselves there were herds of buffalo and pronghorn antelope, wide, clear lakes, and broad tall-grass pastures. Arable farm land had stimulated Anglo-American emigration into the trans-Mississippi West since the 1840s, but the immediacy of mineral resources proved even more attractive.

Emigration companies promised that thousands of prospectors would find enough "precious ore to overflow their buckskin bags, and make their hearts rejoice in the contemplation of better days."[1] However, men would not be mining American soil — they wanted to invade the territory of the sovereign Lakota nation. The United States Army, placed between the Lakota and the whites, was tasked with keeping the miners out

[1] Lawrence K. Fox, "Gold Discovery," typescript, n.d., Lawrence K. Fox Papers, State Archives, South Dakota State Historical Society, Pierre. Fox was a state historian and succeeded Doane Robinson. Peter B. Davy, "Capt. Davy's Expedition," (Blue Earth City, Minn., 1868), 13, 15, Minnesota Historical Society, Minneapolis.

of the Black Hills. This objective was based on the 1868 Treaty of Fort Laramie, which guaranteed Lakota possession of the region. Army officers in the Department of Dakota contended with the growing number of prospectors who clamored to be let into the Black Hills.[2] While the army succeeded in keeping these men out of Lakota territory until early 1875, the miners' very presence threatened the treaty's validity and put the army in a tenuous position. At the same time that army officers prevented emigrants from entering the region, the Lakota people sought to retain their autonomy, sovereignty, and power as an imperial force. Their use of diplomacy and intimidation of Anglo-Americans on Indian terms reflects their understanding of the power of negotiation, their recognition of the dynamics of power on the frontier, and their ability to shape the struggle for dominance in the West.

Although army officers had not reached a consensus on their approach to the "Indian problem," some of them were surprisingly equitable in responding to abuses of the Fort Laramie treaty, and their willingness to follow the law reflected a limited but conscious effort to support Lakota rights. Army officers eventually failed to stem emigration to the Black Hills, for they found themselves hampered by the contradictory demands of the American public and federal authorities. Civilians clamored for protection from Indians; the government fomented anger and resentment among native people by failing to keep its promises to them. Furthermore, officers approached native people inconsistently, defending their actions but then damning them. While many officers recognized that the Lakota had legitimate complaints, they failed to grasp changes in the Lakota polity that would affect their own mission. Similar problems had

[2] David Sloane Stanley to Alfred Howe Terry, 19 May 1868, Middle District, Department of Dakota, Letters Sent, RG 393. (Hereafter cited as DoDak, LS, and LR for Letters Received). Stanley to Francis A. Walker, 16 March 1872, Middle District, DoDak, LS, RG 393.

plagued army officers after the 1862 Dakota revolt in Minnesota; they would find themselves facing many of the same issues in the Black Hills.

Many illegal prospectors had spilled out of Minnesota in the wake of the 1862 conflict. Their travels were encouraged by men in the emigration business who bragged of rich placer diggings in places like Montana, as well as large tracts of farm land that were available throughout the Great Plains.[3] Among these entrepreneurs was Captain P.B. Davy, who claimed to have led a successful expedition overland from Minnesota to Montana in 1867. He organized another expedition to start in June of 1868, drumming up support with a promotional piece that exhorted the "thriving and energetic people" of the west to "bring to light the weight of her slumbering wealth."[4] Davy, a Civil War veteran, promised to guide civilians safely to the Black Hills; if they traveled in large enough numbers, they could make sure that no Indians interfered with them.[5] General William Tecumseh Sherman, commanding general of the army, forbade the expedition on the grounds that civilians would clamor for protection which the army was not in a position to provide.[6] Despite the failure of Davy's expedition, people continued to move into the region. Yankton and Vermillion, two towns on the Missouri River, grew out of trading posts established in 1858, and Yankton became a popular place of assembly for those heading to the Black Hills. Implicit in promotional literature were long-held assumptions about native people; they knew nothing about the mineral wealth in their

[3] Francis McGee Thompson, promotional material, 26 July 1865, Special Collections, Montana Historical Society, Helena.

[4] James S. Foster, *Outlines of history of the Territory of Dakota* (Yankton, Dakota Territory: M'Intyre & Foster, Printers, 1870), 36.

[5] Andrew Osland, a member of the expedition complained of Davy's draconian treatment and poor provisioning of the expedition members. Andrew Osland letter, 19 October 1867, Special Collections, Montana Historical Society, Helena.

[6] George Kingsbury, *History of Dakota Territory* (Chicago: S.J. Clark Publishing Company, 1915), 1:863. Doane Robinson, "History of Sioux Indians," *South Dakota Historical Collections* (Aberdeen, S.D.: News Printing Co., 1904), 1:115.

territory - at least not enough to appreciate it or make intelligent decisions about exploiting it. Only Anglo-Americans, circulars suggested, were industrious enough to cultivate the wealth there.

Yet for native people, the Black Hills and other lands had meanings beyond access to material gain. When the federal government attempted to negotiate for the Hills in 1875, Red Cloud argued that his creator had given the mountains to the Lakota people; the Black Hills were worth more than "all the wild beasts and the tame beasts" under Anglo-American control.[7] Neither federal authorities nor civilians would have understood the spiritual and status-based significance of his declaration. Native people saw animals as sources of wisdom and skill; when a warrior accrued personal wealth in the form of buffalo horses and war horses, he heightened his status in his community by perhaps giving a talented horse as a gift to someone else. Without the horse, Plains people would have been hard pressed to achieve mobility, hunt buffalo in numbers, or engage in successful warfare.[8] For the Lakota, horses were allies and friends; their willingness to let themselves be tamed was a signal of generosity. Buffalo, too, expressed their generosity toward human beings by allowing themselves to be killed for use as sustenance. In contrast, for many Anglo-Americans, buffalo were valuable only for their hides, tongues, and bones; horses were beasts of burden who endured daily abuse. The fight over the Black Hills rested on similar terms of mutual incomprehension.

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[7] Doane Robinson, "History of the Sioux Indians," *South Dakota Historical Collections* (Aberdeen, S.D.: News Printing Co., 1904), 2: 419. For a fairly recent biography of Red Cloud, see Robert W. Larson, *Red Cloud: Warrior-Statesman of the Lakota Sioux* (Norman: University of Oklahoma Press, 1997).

[8] Emil Her Many Horses and George P. Horse Capture, eds. *A Song for the Horse Nation: Horses in Native American Cultures* (Golden, Colo.: Fulcrum Publishing, 2006), 5. Gary Clayton Anderson, *Sitting Bull: The Paradox of Lakota Sioux Nationhood* (New York: Harper Collins College Publishers, 1996), 38.

Many frontier military historians have not engaged the issue of native sovereignty; Robert Utley, for instance, has argued that the Sioux and the government entered negotiation on uneven terms, and the latter almost always dominated. If "none of the tribes more than remotely resembled the independent sovereignties, masters of their own destiny," then how can one explain their ability to circumvent Anglo-American designs on native land in a variety of ways, and better yet explain Lakota references to themselves as sovereign nations? Current literature on Indians and empire seeks to overturn these older arguments. The signing of the 1868 Fort Laramie treaty demonstrated that Lakota leaders sought to surmount not only differences among themselves, but also sought to build coalitions with other Plains people, even their rivals.[9] Men like Spotted Tail and Red Cloud made serious attempts to retain their hold on their land and often united to preserve their security despite disagreement.

In the aftermath of the 1862 Dakota War, the government sought to cement peace treaties with native people throughout the Great Plains. All the treaties bore great similarity to one another—native people agreed to maintain peaceful relationships with Anglo-Americans, pursue the goals of assimilation, and, most significantly, prevent other Indians from attacking American civilians and government forces. Native people were to

[9] Robert M. Utley, *Frontier Regulars: The United States Army and the Indian, 1866-1891* (Lincoln: University of Nebraska Press, 1973), 7. For a more balanced argument on native sovereignty, see Jeffrey Ostler, *The Plains Sioux and U.S. Colonialism from Lewis and Clark to Wounded Knee*, vol. 7 in Studies in North American Indian History, eds. Frederick Hoxie and Neal Salisbury (Cambridge: Cambridge University Press, 2004), 48. For Indians and empire, see Pekka Hämäläinen, *The Comanche Empire* (New Haven: Yale University Press, 2008); some reviewers note that this book resurrects Eurocentric notions of empire first developed by historians of the Comanches in the 1940s. See the review by Dan Flores in *Montana: The Magazine of Western History* 59, no. 4 (Winter 2009). Unfortunately, there is little discussion of native sovereignty in the literature published by respected military historians (including Paul Andrew Hutton, Robert Wooster, Sherry Smith, and Michael Tate). Noted exceptions are Jerome Greene and R. Eli Paul, both of whom rely heavily on native sources. As Sherry Smith noted in a review essay in 1998, military historians "have been slow to incorporate… a prominent place for Indian perspectives." See Sherry L. Smith, "Lost Soldiers: Re-Searching the Army in the American West," *The Western Historical Quarterly* 29, no. 2 (Summer 1998), 152.

"obligate and bind themselves individually and collectively, not only to cease all hostilities against the persons and property of its citizens, but to use their influence, and, if necessary, physical force, to prevent other bands… from making hostile demonstrations against the Government of the United States or its people."[10]

Such demands show the subjective and even illusory nature of federal authorities' expectations in treaty proceedings. To begin with, each of these treaties required that Plains Indians move to reservations which did not yet exist in their late nineteenth-century form. Yet agents at these reservations exercised little power over native people until the postwar period, and were even then responsible for little more than distributing annuity goods and attempting to track bands' movements. Indian agents' reports also attest to the fact that they struggled to provide for starving bands of Sioux in the immediate postwar period, yet perhaps their greatest obstacle lay in their inability to appreciate the nuances of native culture and society.[11]

Lakota communities were made up of *tiyospaye*—extended families that are linked by language, culture, and ethnic heritage. These groups constitute the basic social and political unit of Lakota society. The tiyospaye that appeared 'local' to agents in fact

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[10] Charles J. Kappler, ed. *Indian Affairs: Laws and Treaties*, vol. 2 (Washington D.C.: Government Printing Office, 1904). For example, the treaties made with the Cheyenne and Arapaho, 890; the Blackfeet, 898; and the various Sioux bands, 883, 885, 896, 899, 901, 903, 905, 907.

[11] *Annual Report of the Commissioner of Indian Affairs to the Secretary of the Interior for the Year 1866* (Washington: Government Printing Office, 1866), 209. The Upper Platte Agency, established in 1846, bore responsibility for overseeing the groups mentioned. The agency moved from the vicinity of Fort Laramie and the North Platte to Whetstone Creek, a tributary of the Missouri River. In 1869 the agency was renamed Whetstone, and responsible for Spotted Tail's band of Brulé Lakota, and also Oglala and Minneconjou Lakotas. In 1871 the agency relocated again, to the White River on the Dakota-Nebraska border, was renamed Spotted Tail Agency in 1874, and was finally moved to its present location and renamed the Rosebud. Red Cloud's Agency fell under the aegis of the Upper Platte Agency until 1871, when it was established as a separate agency. The agency was moved again in the fall of 1873, as well as in years thereafter, until it was established as the contemporary Pine Ridge in 1878. South Dakota State Historical Society, Indian Archives Project, Finding Aid. Robert W. Larson, *Red Cloud: Warrior-Statesmen of the Lakota Sioux*, vol. 13 of the Oklahoma Western Biographies series (Norman: University of Oklahoma Press), 152-53.

migrated to summer and winter camps, moving "in relation to the [buffalo] herds in a definite pattern."[12] Multiple tiyospayes were linked in a flexible system of seasonal interaction, marriage, and alliances occasioned by their given needs. However, the federal government lacked the armed power and financial resources to force significant numbers of Indians on to reservations, much less make native people stay within set geographical boundaries. As a result, the United States turned to ever-increasing land cessions after the Civil War as a means of confining native people on reservations, controlling them, and seizing their land.

Tribal lands came under the scrutiny of the Board of Indian Commissioners in July of 1867 in response to the widespread violence that had racked the frontier in the last four years. Starting in 1863, Lakota warriors attacked miners traveling from Fort Laramie to Bozeman, Montana, on the Bozeman Trail. The next year, the government sent a physician to vaccinate native people in the Southern plains, yet the governor of Colorado threatened to exterminate some of those same people.[13] In the winter of 1864, Colorado civilians formed a volunteer militia under John M. Chivington and brutally murdered many members of Black Kettle's Cheyenne and Arapaho band at Sand Creek. In the spring of 1866, the federal government sought a council at Fort Laramie so that Anglo-Americans could obtain permission to pass through the Powder River country. Red Cloud, the Oglala leader, discovered that American troops, tasked to build three forts

[12] James R. Walker, *Lakota Society*, ed. Raymond J. DeMallie (Lincoln: University of Nebraska Press, 1992) 3-4, 89; Roxanne Dunbar-Ortiz, "Indian Political Economy," in *The Great Sioux Nation : An Oral History of the Sioux Nation and its Struggle for Sovereignty*, ed. Roxanne Dunbar-Ortiz (New York: Random House and the American Indian Treaty Council, 1977), 68.

[13] J. Diane Pearson, "Lewis Cass and the Politics of Disease: The Indian Vaccination Act of 1832," *Wicazo Sa Review* 18, no. 2 (Autumn 2003): 28.

in the region, had already occupied native land. He left the council promising to resist any Anglo-American incursions into Lakota-claimed territory.[14]

Red Cloud and other Oglala warriors harassed the troops throughout the hot, dry summer and prevented them from escorting civilian expeditions to Montana and Idaho. That winter, Captain William J. Fetterman, who bragged that he could ride through the entire Sioux Nation with eighty men, died in a Lakota ambush. Federal authorities supported plans to improve the Bozeman Trail, also known as the Powder River road, yet Lakotas and their northern Cheyenne and Arapaho allies effectively closed the road throughout 1867.[15] They halted further Anglo-American traffic, but civilians could reach Montana and the Dakotas through other routes. Montana residents also retaliated against the Lakota without restraint. One man wrote that leading citizens in Virginia City were raising militia units and "killing everything the shape of Indians they meet" in return for a scalp bounty of two hundred dollars and "everything in the shape of plunder" that they could find, including ponies and buffalo robes.[16]

Red Cloud's War, as the daring joint raids and assaults came to be called, earned Lakota warriors prestige and influence. However, the army failed to mount an offensive; missions led by General Winfield S. Hancock and George Armstrong Custer could not even secure railroad workers, supply depots, or stage lines from Sioux attack.[17] Anglo-American assumptions about the war's causes alternately placed the blame on frontier residents and, much less deservedly, native people. An article in *Harper's Weekly*

[14] Utley, *Frontier Regulars*, 135.

[15] Dennis Driscoll Reminiscences, 3 October 1913, Special Collections, Montana Historical Society, Helena.

[16] Francis Elliot to father, May 1867, Francis Elliot Letters, Special Collections, Montana Historical Society, Helena.

[17] Utley, *Frontier Regulars*, 100, 119, 125.

declared that "[f]or several years past the settlers of Colorado and Kansas have been desirous of driving their Indian neighbors from their reservations in those Territories; they sought and made opportunities for war, and have persistently forced that issue on the Indians."[18]

The spaces contested by the Lakota during Red Cloud's War illustrate one of the fundamental ways in which army officers and government officials failed to see native sovereignty. In order to best understand this failure, an explanation of sovereignty vis-à-vis federal treaties is in order. The Lakota fought not only within the boundaries of Lakota land, but also Crow land that had been granted to that tribe in the first Fort Laramie treaty of September 1851. That year, Sioux, Cheyenne, Crow, Arikara, and Shoshone people had gathered to meet the federal government in council and left with re-defined boundaries assigned to their territories. Anglo-Americans also promised to give the Lakota a wide berth if they stayed north of the Platte River and allowed emigrants to travel on the Oregon Trail without interference. The treaty ostensibly recognized Lakota sovereignty over sixty million acres, extending west from the Missouri River to the Black Hills, and from the Platte River north to the Heart River. But the government made ambiguous promises to more than one party, hoping to increase the leverage which the United States had over native people.

For instance, the Crow, whose relationship with the Lakota was often tenuous, received the Powder River territory that was also claimed by the Lakota. This area included the Bighorn, Tongue, Powder and Rosebud rivers—essentially the northern half of Wyoming and southern half of Montana, nearly forty million acres. Federal authorities probably hoped to increase the hostility between the Lakota and Crow, the

[18] "The Indian War," *Harper's Weekly*, 15 June 1867, 371.

potential for which was already created by the imbalance of the Crows' ownership of rich horse herds that were targeted by neighboring Indian communities.[19] Anglo-Americans did not approach the Lakota, or any other native people, as a truly sovereign nation. One senior leader in the army, for instance, argued that the United States had to establish its dominance in councils or continue the risk of losing to the Sioux in unconventional warfare. "To dictate terms to an enemy it is necessary to establish power. . . . It is better to make peace than to continue a war feebly conducted."[20]

Federal authorities came to realize that the elective, decentralized nature of Lakota society would not facilitate the treaty process. Therefore, they asked the Sioux to choose representatives who would speak for the entire nation. But the Lakota lived by consensus. Members of the *tiyospaye* chose leaders who had distinguished themselves by their combat skills, eloquence, generosity, and other characteristics by which they, as a prominent Indian historian has noted, "best represented the idea of what it was, as is, to be Lakota" and "carried out the collective mind, the collective wishes," of his *tiyospaye*.[21] Even then, not all members agreed with community decisions. Still, Americans interpreted the fluid Sioux polity as proof that native people lacked true political institutions and interests. Indian agent John Burbank believed that the Lakota chose their leaders "in proportion to their powers in the field and in the chase . . . as soon

[19] Ostler, *The Plains* Sioux, 37-38. *Indian Life on the Upper Missouri*, ed. John C. Ewers, vol. 89 of The Civilization of the American Indian series (Norman: University of Oklahoma Press, 1968; reprint, Norman: University of Oklahoma Press, 1988): 21, 144-46. Frederick E. Hoxie, *Parading through History: The Making of the Crow Nation in America, 1805-1935* (Cambridge University Press, 1995), 42. Rodney Frey, *The World of the Crow Indians: As Driftwood Lodges*, vol. 185 of The Civilization of the American Indian series (Norman: University of Oklahoma Press, 1987), 28-29.

[20] "Statement of General Hancock Before the Indian Peace Commission," 12 August 1867, in *Proceedings of the Great Peace Commission of 1867-1868* (Washington: Institute for the Development of Indian Law, 1975), 13.

[21] Father Peter Powell, "The Sacred Way," in *The Great Sioux Nation*, 63.

as any band of Indians abandon the war path . . . their chiefs lose their influence."[22] This primitive reading of sophisticated native societies meant that Americans often underestimated their Indian foes.

Most significantly, the treaty of 1851 stated that the Plains' nations would "not abandon or prejudice any rights or claims they may have to other lands."[23] This equivocal language was meant to satisfy competing claims on a superficial level and spare federal authorities the trouble of addressing native concerns in great depth. Like the later provisions in the 1865 treaties which exhorted native people to prevent attacks on whites, the 1851 treaty ostensibly supported conflicting native land claims while it fomented intertribal violence in reality. There was little reason for the Lakota to give the Crow unanimous control of valuable hunting territory in 1851. Red Cloud's War of 1866 can be seen as an extension of this Lakota agenda, in which warriors not only resisted Anglo-American encroachment, but simultaneously bid for control of enemy territory. As a result of this second Treaty of Fort Laramie, the government whittled away the Crow Reservation to one-fifth of its original size.[24] This land was set apart for the "absolute and undisturbed use" of the Crow. Indeed, in 1876 Crow scouts would help guide Custer to the joint Lakota-Cheyenne-Arapaho encampment on the Little Bighorn River, deep within Crow territory, with the obvious intention of expelling Lakota enemies. These tensions illustrate the government's often willful ignorance of native political interests and the ironic ways in which this ignorance later plagued federal

[22] John A. Burbank to Ely S. Parker, 1 October 1869, Dakota Superintendency, *Report of the Commissioner of Indian Affairs to the Secretary of the Interior for the Year 1870* (Washington: Government Printing Office, 1870), 305.

[23] Kappler, *Indian Affairs*, 2:595.

[24] *Landmark Indian Law Cases*, National Indian Law Library, American Association of Law Libraries Series No. 65 (Buffalo, N.Y: Wm. S. Hein Publishing, 2002), 401.

authorities. The 1868 Treaty of Fort Laramie—the most influential and destructive treaty in the span of American and Lakota relations—was no exception.

In 1868, the recently-formed Indian Peace Commission convinced Spotted Tail and other native leaders, including Swift Bear, Iron Shell, and Man that Walks Under the Ground, to meet them at Fort Laramie. There they signed a major treaty that designated Lakota territory as the "Great Sioux Reservation." The federal government promised that the Lakota would command all of South Dakota west of the Missouri River and the Lakota would also retain their rights to hunt adjacent lands in northwestern Nebraska, eastern Wyoming, and southeastern Montana. Native people balked at the construction of the Union Pacific Railroad, which ran along the Platte and cut directly through Brulé land by 1867.

One other major obstacle to Lakota mobility—the Powder River Road—slashed through their territory as well. Lakota leaders hoped to convince the government to close both of these routes, which allowed unprecedented numbers of civilians to settle in Lakota territory. Most important, they hoped that war between the Lakota nation and the United States would cease. This particular provision held the most importance for Indians, who viewed the treaty as a binding promise between two sovereign nations. Moreover, they viewed themselves as the aggrieved party, and rightly so; white people had invaded Lakota land, not the other way around. It is clear that Lakota views of sovereignty, tribal authority, property rights, and even the perception of time, differed radically from Anglo-American concepts of the same.[25] Native people understood resources as key to their hold on territory, not boundary lines. This access to particular

[25] Raymond J. DeMallie, "Treaties Are Made Between Nations," in *The Great Sioux Nation*, 114-15.

parts of the country at certain times of the year was crucial for survival. When Americans invaded those lands, they put native people on notice that they did not care whether Indians lived or died. Access to resources also overlapped with territory claimed by other tribes, creating intertribal feuds. Thus, warriors who protected those resources through combat were considered important members of their societies.

It is also clear that white authorities did not understand the complexities of Lakota belief; the testimony of native leaders would have established a singular and distinct perspective that was undeniably native in its character, and therefore largely alien to the average government functionary. At council proceedings in September and November 1867 and April 1868, Spotted Tail, Swift Bear, and Pawnee Killer reiterated their chief concern and aim—stopping hostilities between whites and Indians. They said little or nothing about the future education of subsequent generations and nothing of cultivating the land. Swift Bear's first question to the commissioners – "Did you come here to make peace with us?" illustrates the fact that the Lakota focused on putting an end to native-white violence. Pawnee Killer, an Oglala, said, "We need what little country we have and the game that is in it to live on." Turkey Leg, a Cheyenne, referred to the unity between his people and many Lakota: "All around this country and around us, the tribes are all like us. We have all the same kind of flesh." Spotted Tail hoped that the whites would stop building roads through Indian country, and he clearly expressed his interests: "I do not look for anything in this country but game; that is what we live on. We want to live on the wild game as long as it lasts. This country across the river all belongs to us. . . . There is plenty of game in our country at present and we cannot go to farming until all

that is gone. When that time comes, I will let my grandfather [President Johnson] know it."

Such remarks show that native leaders' main concerns centered around a ceasefire, their ability to move freely within their own territory, and their intent to continue living in the traditional ways. As ethnohistorian Raymond DeMallie has noted, the Lakota believed that, based on their position as a sovereign nation, they were giving Anglo-Americans the right to cross Sioux territory, but not to permanently occupy it. Anglo-Americans, understanding themselves as sovereign, believed that the Lakota submitted to the power of the federal government and ceded land. The Lakota understood the "protection" of the United States "to be the same kind of kinship metaphor which they used in any kind of interaction between human beings," and most likely protection by the government against white civilians. Thus, the treaty meant vastly different things to both parties.

Treaty proceedings happened fairly quickly; the councils with Lakota leaders occurred over a scant number of days, making it even less likely that they had time to consider the treaty at length, much less discuss among themselves how its provisions might affect them. The commissioners worded the treaty in ambiguous ways that concealed the ultimate intention to forcibly assimilate native people into white society and therefore destroy Lakota culture. Two significant assertions—that the Lakota would establish private land ownership, cultivate the land, and ensure their children attended Anglo-organized schools—followed this pattern. The third, sixth, and seventh articles referred to an indefinite future in which Indians would assume a "disposition to commence cultivating the soil," a "desire to commence farming," and a "pledge

. . . to compel their children" to go to school, but there was no explanation of when this might or ought to occur. From the Lakota point of view, these stipulations probably carried little or no sense of obligation toward the federal government. Other aspects of the treaty ostensibly reinforced Lakota sovereignty, yet provided ways to dismantle it at the same time. Article 1 asserted that only the United States had authority over criminal offenses committed within the reservation. It also stipulated that Lakotas could seek restitution through annuity payments if a Lakota person were the victim of a crime, echoing the idea of reciprocity, a concept fundamental to Lakota life. While this provision gave Lakotas ways to redress wrongs done to them, it jeopardized their claim to sovereignty in American minds because it reduced the idea of due process to a material transaction. Indians' lack of control over methods of restitution meant that American officials could turn a blind eye to civilian crimes against natives. [26]

The treaty lacked legitimacy on other grounds, for the men who signed it did not represent all of the Lakota *tiyospayes,* something of which government authorities were aware. Conflicts of *tiyospaye* interest versus band or national interest also meant that native leaders would have been hard pressed to make decisions for dissenters. Nor were council participants receptive to treaty proceedings for the same reasons. Spotted Tail may have worried that his *tiyospaye* risked punishment if he refused to participate in the councils. The government would have labeled him as an associate of Red Cloud, who balked at the Powder River Road that cut through Lakota land. Spotted Tail's community would have been subject to twin threats of starvation and American reprisal if it continued to resist the Americans. Army officers argued that other Brulés to the north had already suffered through terrible conditions that would face more native communities

[26] *Proceedings of the Great Peace Commission,* 112.

as game populations declined. General Samuel Ryan Curtis, assigned to the Northwestern Treaty Commission, described Indians eating "all the dead carcasses in the country" in the summer of 1866. Locals had implicated Brulé warriors in the murder of a trader, as well as an ox. "Even now, when they have nothing but dry buffalo meat, and not much of that . . . they will run like chickens to gather the offal from . . . garrison kitchens, while they pass a pile of corn and hundreds of loose cattle without touching a thing except when told . . . corn is plenty for horses, mules, and cattle . . . but not a pound can be issued to the craving Indians, whose hunting grounds we occupy."[27]

Leaders from several of the Lakota bands had intimated at the multiple dilemmas that faced Plains communities. By convincing actively "hostile" bands to come in to the agencies, other bands could get food, weapons, and ammunition from the government. Yet these efforts led to greater factionalism within the Lakota polity, and to make matters worse, the government never provided the promised annuities after the first round of treaty councils at Fort Laramie. This led a Two Kettle warrior to protest, "By doing all this for the whites I thought it would help me more but I do not believe they will help me at all . . . I thought the hostile Indians were the ones to suffer but they are better off than I am." Oglala leader Man that Walks Under the Ground referred to the growth of dependency, declaring that Lakotas "always share what we have . . . [we] cannot make powder. We cannot make balls and caps, and in what direction shall we go to make peace and to live happy, unless we can get ammunition from you?" He also hinted at the factionalism that drove a wedge between Lakota bands. Eager to obtain signatures for

[27] Major General Samuel Ryan Curtis, member of the Northwestern Treaty Commission, to Commissioner of Indian Affairs, 30 May 1866, *Report of the Commissioner of Indian Affairs to the Secretary of the Interior for the Year 1866* (Washington: Government Printing Office, 1866), 167-68.

the treaty, the government declared him a 'chief' of the Oglala nation. The position hindered him. Said Man Under the Ground, it "caused me to be very poor and my children have suffered by reason of my holding it."

At the councils in 1867 and 1868, Spotted Tail objected to the government's interests in blunt terms that were echoed by other Lakota leaders. His remarks illustrate that native people were willing to accommodate limited American aims in return for recognition of Lakota rights – the most fundamental of which was to live as Lakota and not as whites.

> The country in which we live is cut up by the white men who drive away all the game. That is the cause of our troubles. I have been friend to the whites and am now their friend. I hope, my friends, that you will ask our grandfather [President Grant] to stop these two roads. They run right through our buffalo country. I do not look for anything in this country but game; that is what we live on. We want to live on the wild game as long as it lasts. This country across the [Missouri] river all belongs to us. . . . If these two roads are stopped, there will be no further troubles. There is plenty of game in our country at present and we cannot go to farming until all that is gone.[28]

Spotted Tail realized that the future of his community was intertwined with the now-unavoidable Anglo-American presence. Historian Kingsley M. Bray has called him "an astute antagonist to relentless government efforts to weaken his people and his own authority." Like Little Big Man, Spotted Tail took advantage of a Lakota "consensus for negotiation" that allowed him to retain status as a leader at the same time that he tried to guarantee the protection of his community against the growing Anglo-American threat. Signing the treaty meant that the Brulés acknowledged the American presence in the region while hoping to ensure their long-term security.[29] Theirs was even a position of power which whites would be wise to recognize and respect. Orators balanced frank

[28] *Proceedings of the Great Peace Commission*, 59, 64

[29] Kingsley M. Bray, "Crazy Horse and the End of the Great Sioux War" in *American Nations: Encounters in Indian Country, 1850 to the Present*, eds. Frederick E. Hoxie, Peter Mancall, and James Hart Merrell (New York: Routledge, 2001), 43, fn. 34

assessments of the difficulties that faced them with declarations of sovereignty. Man that Walks Under the Ground declared, "Tell our grandfather that our hands are long as we can almost reach to where he is." Iron Shell, one of the older Brulé men at the council, argued that Anglo-Americans upheld a double standard for native behavior; from the Lakota perspective, whites had instigated frontier conflict. "I know that the whites are like the grass on the prairie . . . You have come into my country without my consent and spread your soldiers all over it. I have looked around for the cause of the trouble and I can not see that my young men were the cause of it." Many of these leaders argued that they would be willing to live in proximity to whites if only the government controlled its civilian citizens and soldiers.

In contrast, Red Cloud refused to sign the Treaty of Fort Laramie until troops abandoned Forts Phil Kearny, Reno and C.F. Smith. Lakota warriors burned the forts in the summer of 1868. Finally satisfied that the army had been excised from Indian territory, Red Cloud signed the treaty that November. However, the disagreement between Spotted Tail and Red Cloud over the 1868 treaty—and more accurately, the Lakota polity—does not negate the existence of Lakota sovereignty. Nor does it mean that Spotted Tail was "friendly" and Red Cloud "hostile." Spotted Tail had met army troops in combat at Blue Water creek in 1855, and during the winter of 1864-65, he helped organize raids on Julesburg, Colorado Territory, a border town that served as a junction point on the Overland Trail. Spotted Tail and Red Cloud would later work in tandem; both went to Washington DC in 1870, hoping that federal officials would clarify the terms of the 1868 treaty. Spotted Tail consistently defended the rights of the Brulé, and other Lakota, as sovereign. Although Spotted Tail refused to participate in Red

Cloud's War, both leaders shared similar goals—retaining Lakota sovereignty. While their approaches differed dramatically at times, they reiterated their commitment to protect their interests, and they believed that other Lakotas shared those interests.[30]

Assumptions about "traditional" or "historic" inter-tribal relationships underscored government officials' strategy of creating divisions between native people. This approach reflects their limited and derisive characterization of Indian societies as apolitical or incapable of developing dynamic political systems. Many historians echoed these assumptions in the past. Robert Utley, for instance, wrote that in dealing with the Crows, the "Lakota leadership [tried] to outwit their historic enemies." American councils with the Crows, however, prove the inadequacy of these descriptions of the Lakota-Crow relationship. The Crows were not really "historic" or constant enemies of the Lakota. Richard White has argued that too many historians have treated intertribal warfare as a fixed concept, one that is more the product of "ingrained cultural pugnacity," rather than a fluid political system. According to ethnohistorian Theodore Binnema, native people were able to "achieve through informal means exactly what state societies accomplish in other ways . . . the flexibility, fluidity, and informality of band societies enabled them to respond quickly and effectively" to the changes created by the Anglo-American presence on the frontier. Native people practiced aggression in ways that were fundamentally

[30]R. Eli Paul, *Blue Water Creek and the First Sioux War, 1854-1856* (Norman: University of Oklahoma Press, 2004), 156. David T. Courtwright, *Violent Land: Single Men and Social Disorder from the Frontier to the Inner City* (Cambridge: Harvard University Press, 1996), 83. Susan Badger Doyle, *Journeys to the Land of Gold: Emigrant Diaries from the Bozeman Trail, 1863-1866* (Helena: Montana Historical Society, 2000), 41. George E. Hyde, *Spotted Tail's Folk: A History of the Brulé Sioux,* vol. 57 of The Civilization of the American Indian Series, 2nd edition (Norman: University of Oklahoma, 1974), 107. DeMallie, "Treaties are Made Between Nations," in *The Great Sioux Nation*, 115.

different from Anglo-Americans; the Lakota might feud with rivals, then take up trade with them for a time, and eventually return to fighting.[31]

Even those less receptive to the Lakota admitted that some Sioux had tried to engineer an alliance. At councils with American authorities, a Crow leader named Wolf Bow said that he "did not want his country made the battle ground of the Sioux, as you might think my nation was mixed up with them." Bear's Tooth, another Crow leader, told the Americans, "You called for the Sioux the same as you did for us . . . the Sioux told us to come and listen to you and then return and tell them what we had heard. They told us that you were going to fool us and not give us back our country and that you would play us the same trick you did them." This potent statement demonstrates the strength of the Lakota bid for sovereignty in the West, the frankness with which they assessed American goals, and the fact that they were interested in forming an association with rivals who, they believed, had more than enough cause to join them. Like Lakota leaders, the Crow leaders emphasized the culpability of Anglo-American civilians and soldiers: "Your young men have destroyed the young grass and have set the country on fire. They kill all the game, not because they want it. They leave it to rot on the roadside. Suppose [we] were to go into your country and destroy your cattle?"[32]

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[31] Robert M. Utley, *Sitting Bull: The Life and Times of an American Patriot* (New York: Macmillan, 2008), 97. See also Joseph Marshall, *The Day the World Ended at Little Bighorn: A Lakota History* (New York: Viking, 2006), 41, for the claim that the Crow were "among their fiercest and most determined enemies." See also Frederick E. Hoxie, *Parading Through History*, 107, for the claim that "the Sioux were considered enemies wherever they appeared." However, Hoxie does take into account the Sioux offer of alliance to the Crows, 91. Joseph Medicine Crow, *From the Heart of the Crow Country: the Crow Indians' Own Stories* (Lincoln: University of Nebraska Press, 2000), 36. For Crow rivals, see Richard White, "The Winning of the West: The Expansion of the Western Sioux in the Eighteenth and Nineteenth Centuries," *The Journal of American History* 65, No. 2 (Sept. 1978): 342. Theodore Binnema, *Common and Contested Ground: A Human and Environmental History of the Northwestern Plains* (Norman: University of Oklahoma Press, 2001), 11, 139. Alvin M. Josephy, Jr., "Distortions of Indian History," in *The Great Sioux Nation*, 56. *Proceedings of the Great Peace Commission*, 88, 91.

[32] *Proceedings of the Great Peace Commission*, 101, 109.

Nevertheless, the appeal of a coalition with the powerful Lakota could not change the minds of many Crows. Decades of being challenged by rivals among the Lakota and Blackfoot nations left the Crows more vulnerable to the incentives offered by the United States. "We are very poor and keep getting poorer," argued Sits in the Middle of the Land (Black Foot), the leader of the Crow. "The great spirit has forgotten me. We are being surrounded by the whites and by other nations." They Fear Even His Horses, his Oglala brother-in-law, said that the Lakota would stop fighting the Americans as soon as the Powder River road was closed. The rush of emigration did not abate, however, and thus cemented Lakota enmity toward the Crow.[33]

The threat of illegal prospectors also made it difficult, if not impossible, for both the Lakota and the army to adhere to the terms of the 1868 treaty. Colonel Stanley, for one, did not believe that the civilians could elude his troops in the Black Hills. "A party could hardly collect . . . without my knowing it," he wrote confidently. He had orders from General Alfred Howe Terry, commander of the Department of Dakota, to stop, by force, any miners who were travelling through the region. Stanley also suggested that native people who encouraged others to report to the agency be rewarded for their efforts, but he would not make promises or provide provisions to the Lakotas until given further instructions. The government had promised annuities to the Lakota in the winter of 1867,

[33] Catherine Price, *The Oglala People, 1841-1879* (Lincoln: University of Nebraska Press, 1996), 83. *Proceedings of the Great Peace Commission*, 101, 109. Wolf Bow was one of the few Crows who seemed truly interested in staying at the Crow agency. Their agent, Lieutenant Camp, assumed that once he built Wolf Bow a house, the other Crows would see the benefits that Wolf Bow received. The lieutenant never considered that the Crows might see this as favoritism and resent Wolf Bow, or see Wolf Bow as a naïve recipient of government aid that would only hurt the Crow nation as a whole. E.M. Camp to Alfred Sully, n.d. August 1870, Crow Agency, Montana Superintendency, *Report of the Commissioner of Indian Affairs to the Secretary of the Interior for the Year 1870* (Washington: Government Printing Office, 1870), 198.

but by the spring, few goods had arrived at the agencies, and game was scarce. Stanley forecast trouble from these worried Indian people.[34]

Spotted Tail had told the peace commissioners in 1868, "All the people north are relatives of ours and I want them to come down and live like we do." Yet Stanley reported that the landscape of native communities on the Upper Missouri was shifting as the Lakota polity began to structure itself in new ways. By the spring of 1868, most of the Lakota bands moved their attention to the northwest, far away from the Northern Pacific Railroad and civilian traffic. The majority of the communities in five out of the seven Lakota bands would eventually establish themselves in Montana near the Yellowstone and Big Horn rivers. Their southern relatives faced familiar challenges, particularly hunger and pressure to accommodate federal interests. The southern Oglalas and Brulés had chosen to go to the new Whetstone agency. Meanwhile, wary bands of Minneconjou, Sans Arc, and Oglala Sioux had meant to visit their agency, but then they refused to go. Minneconjou, Two Kettle, and Sans Arc leaders were trying to convince the other Lakota bands to make peace agreements, but they had little success. The Oglalas were friendly but said that some of them would leave the area for the summer, heading south to the Republican River valley in Nebraska instead. The Hunkpapas also refused to go to the agency, saying that they planned to trade on the Red River in Canada. These changes in the Lakota polity foreshadowed the armed conflicts of 1875 and 1876 as the strong northern nation readied for war.[35]

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[34] Stanley to Terry, 19 May 1868, Middle District, DoDak, LS, RG 393. The Upper Platte River Agency was located on the North Platte River near Fort Laramie from 1863-1867, then moved to the mouth of Whetstone Creek on the Missouri in December 1868. It was renamed Whetstone Agency the following June.

[35] See *Proceedings of the Great Peace Commission,* 101, 104-105, 110-11 for native testimony about hunger and resentment among the different bands.

Political decisions and debates being weighed in Washington in the late 1860s and early 1870s also contributed to the tensions in the region, and were often tied to the outcome of events on the frontier. While civilian agents were responsible for distributing annuities, notifying native people of policy changes, hearing their grievances, and ensuring basic housing and health needs, army officers often played these roles as well, and argued that they could perform more justly and efficiently than the Department of the Interior's Office of Indian Affairs. As a result, bitterness between departments made it difficult to manage Indian affairs without constant friction.

Neither department communicated directly with the other; as a result of this haughty behavior on both sides, Sherman struggled to get copies of Indian treaties from the Office of Indian Affairs, and Indian agents often refused to tell army officers where native people had camped outside of the agencies.[36] If Congress decided that the Indian Office would have exclusive control over Indian affairs, Sherman hoped that the army would be "absolved from all responsibility and can only act when their agents confess their inability to hold the Indians in subjugation." Army leaders, as well as their advocates in the House of Representatives, proposed transferring the Office of Indian Affairs to the War Department several times from 1868 to 1876. Each time, the Senate rebuffed the army's demand for greater control of Indian Affairs. Legislators' connections to reformers' interests, as well as support from territorial leaders, made them less inclined to give more power to the military. Sherman told one his subordinate commanders, "This mixed business is bound to fail and will in the end impose on the military a most difficult war, but we must not interfere so long as the secretary thinks he

[36] Robert Wooster, *The Military and United States Indian Policy, 1865-1903* (New Haven: Yale University Press, 1988; reprint, Lincoln: University of Nebraska Press, 1995), 80.

can manage his red subjects." [37] These problems made it harder for army officers like Stanley to satisfy the needs of the Indians for whom the military was deemed responsible.

Equitable relations with native people became even more difficult for army officers to achieve as a result of the Piegan massacre, which also created a maelstrom of negative public opinion. Although these events occurred outside of the Black Hills, they illustrate that the army's challenges formed on not only local, but departmental and regional levels. In January 1870, the Second Cavalry murdered 173 Piegan Indians on the Marias River in Montana. The Piegans, a division of the Blackfeet tribe, had been blamed for raiding Anglo-American settlements on both sides of the border.[38] Under the command of Major Eugene Baker, cavalrymen swept into the villages and shot, stabbed, and bludgeoned unarmed Piegans. Baker claimed that only 53 of the casualties were women and children. Vincent Colyer, secretary to the Board of Indian Commissioners, said that 158 women and children had been killed. Coyler, an advocate of Grant's peaceful Indian policy, earned Sheridan's wrath. In his description of alleged Piegan atrocities, Sheridan relied on the conventional, grisly, and often exaggerated themes of rape and mutilation that characterized popular writing and media reporting about Plains people.[39] "It would appear that Mr. Vincent Collyer [sic] wants this work to go on," the general wrote.[40] Sherman reminded Sheridan that the army had to deal with "two classes of people, one demanding the utter extinction of the Indians, and the other full of love for

[37] William T. Sherman to Alfred Sully, 15 April 1867, Alfred Sully Papers, Western Americana Collection, mBeinecke Rare Book and Manuscript Library, Yale University.

[38] Sully to Ely S. Parker, 10 February 1870, House Ex. Doc. no. 185, 41st Congress, 2d Session., Serial 1418, 6.

[39] Robert F. Berkhofer, *The White Man's Indian: Images of the American Indian from Columbus to the present* (New York: Knopf, 1978), 98.

[40] Paul Hutton, *Phil Sheridan and His Army*, (Lincoln: University of Nebraska Press, 1985; reprint, Norman: University of Oklahoma, 2003), 190-94; "The Piegan Massacre," *New York Times*, 29 March 1870.

their conversion to civilization and Christianity. Unfortunately the army stands between and gets the cuffs from both sides."[41] This assertion is central to understanding the role which the frontier army played in respect to the American public and the government. It is also indicative of the ways in which army officers saw themselves as having been marginalized by civilians and federal officials.

In the aftermath of the Piegan killings, Congress launched an inquiry. General de Trobriand argued that "the whole thing is no more than an intrigue to prevent the Office of Indian Affairs from being placed under the War Department."[42] The failure of the transfer bill, while in part a response to Grant's attempts to dismantle the Congressional patronage system, ultimately limited the power of the army over Indian affairs.[43] Legislators also put limitations on the army's numbers of enlisted men and prohibited army officers from holding civil offices—for instance, Indian agency positions on reservations. The passage of this legislation explains why troops were initially ordered out of all agencies in the Department of the Dakota in the spring of 1871; this order was soon rescinded, in all likelihood because legislators realized that the army provided much-needed protection for agency officials.[44] Such legislation was meant to solve the constant quarrels between the Department of the Interior and the War Department, but in reality it created more animosity.

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[41] Sherman to Philip Henry Sheridan, 5 March 1870 and 7 March 1870, Sheridan Papers, microfilm, University of Oklahoma.

[42] Regis de Trobriand to Albert Kintzing Post, 18 March 1870, de Trobriand Letters, Special Collections, Montana Historical Society, Helena. Marie Caroline Post, *The Post Family* (New York: Sterling Potter), 207.

[43] Utley, *Frontier Regulars*, 191.

[44] Stanley to Assistant Adjutant General (hereafter abbreviated as AAG), 1 October 1871, Middle District, DoDak, LS, RG 393. For more on the Congressional issue of army officers as agents, see William T. Hagan, *United States-Comanche Relations: The Reservation Years* (New Haven: Yale University Press, 1976), 57. Hagan argues that Congress was "[reluctant] to spend the money necessary to impose a military solution on the Indian problem in the West" during this time period. This makes sense when considered in concert with the Piegan massacre—Congressmen were also reluctant to fund operations that might lead to the deaths of noncombatants and would thus create an outcry among Eastern constituents.

The Piegan case also revealed the individual animosity felt between some senior army leaders. More importantly, it showed that Sheridan, as commander of the Division of the Missouri, often deliberately sought to expunge officers from influential positions in his command if they did not meet his expectations. As Paul Hutton has argued, Sheridan's "pragmatism and elastic ethics" allowed the general to feel justified in treating ill-favored subordinate commanders with a vindictive attitude. While the army had no consensus on how to reach its objectives, Sheridan knew what kind of fighters he wanted. Alfred Sully had fought the Dakota Sioux from 1863 to 1865; although he did not manage to quell Dakota resistance in the Canadian-American borderlands, the public and fellow army officers considered his mission a success for the most part. But Sully, in Sheridan's eyes, was not tough enough.

In 1868, Sully had twice failed to find and destroy the Cheyenne and Arapaho bands that were responsible for raids across Kansas and Indian Territory. He clashed with not only Sheridan, but the most favored of Sheridan's men— George Armstrong Custer. Custer succeeded in attacking Black Kettle's Cheyenne band at the Washita River that November.[45] Custer's troops had moved on his initiative, not Sully's; in fact,

[45] Jerome Greene, *Washita: The U.S. Army and the Southern Cheyennes, 1867-1869* (Norman, University of Oklahoma Press, 2004), 136-137. Estimates of Indians killed at the Washita River range from at least two dozen warriors and thirty to fifty women and children killed. At least sixty people, badly wounded, fled from the camp Greene and Hutton find that Custer exaggerated his given estimate of 103 to over 140 native deaths, based on native testimony and oral history. His actions at the Washita massacre in 1868 are also revealing. Sheridan had ordered Custer to go to "the supposed winter seat of the hostile tribes; to destroy their villages and ponies; to kill or hang all warriors, and bring back all women and children." (Hutton, *Phil Sheridan and his Army*, 63) Warriors in the camp had fought Hazen's soldiers and their leaders had been told that they would find themselves facing the army if they did not surrender. Black Kettle's supposed sister and the other women had feared that they and the children would be killed (Hutton, 73) but during the firefight, Custer stopped noncombatants from being killed (Hutton, 100). Stan Hoig takes a different tack, arguing that the troops committed a massacre because they attacked without warning and killed indiscriminately. Cheyenne people today dispute the notion of the Washita massacre as a battle, arguing that women and children did not participate in battles (i.e. the defense of the camp). See testimony of John L. Sipes, Jr.in *Washita Memories: Eyewitness Views of Custer's Attack on Black Kettle's Village*,

several days earlier, Sully had refused to give Custer permission to follow the Cheyenne warriors.[46] Sheridan himself went to the field, and he responded to Sully's pacific attitude by ordering him back to district headquarters.[47] By May 1869, Sully had been assigned as superintendent of Indian affairs in Montana, but his tenure there was short-lived.

Spurred by the vociferous complaints of Montana residents, Sully had argued that relations between natives and whites were tenuous, and without reinforcements, settlements would be in danger. Colonel de Trobriand believed that Sully exaggerated the evidence of violence in order to help bolster business and mining interests and opportunities for contractors. Given that Sully probably hoped to restore his reputation, and his willingness in the Dakota Conflict to at least consider using volunteer militia troops in the field, these accusations may have had some truth. However, Sully did not subscribe to the broad anti-Indian ideas expressed by other army officers. His balanced reading of the violence in Montana suggests just the opposite.

As he had done during the Dakota conflict, Sully argued that both Anglo-Americans and native people bore responsibility for conflict. Piegan and other Blackfoot Indians traveled through the Powder River country, the borderlands, and the Pacific Northwest to raid white settlements. Before the Piegan massacre of 1870, two white men were killed by non-Blackfoot Indians while they herded cattle near Fort Benton. In retaliation, civilians at Fort Benton shot four Piegans, including an elderly man and a teenage boy. Sully reacted strongly to these murders writing that white men "retaliate by

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ed. Richard G. Hardoff (Norman: University of Oklahoma Press, 2006), 331. There is some validity to the idea that soldiers were under the influence of alcohol as well. See Hardoff, 300.

[46] Hutton, *Phil Sheridan and his Army*, 61.

[47] Langdon Sully, *No Tears for the General* (Palo Alto, Calif., American West Publishing Co., 1974), 217-18.

killing *any* Indians they may chance to meet, sometimes in the most brutal and cowardly manner." The stipulations of reciprocal killing meant that Blackfeet warriors would be in the right by killing other whites in retaliation. The agent for the Blackfeet made an effort to grasp this fact. "Though the chiefs are using every exertion to restrain the young men from taking revenge, which usually falls upon defenseless persons, innocent of the deeds for which they are called upon to pay the penalty, I fear they will not be able to control them," he wrote to Sully. Anglo-American civilians ignored these kinds of culturally-based decisions and lumped all the Piegans together as savages.[48]

The government contributed to this myopia too, in the case of the brave actions of two Blackfeet brothers. These two warriors, who were connected to the Yankton Agency, rescued two white women from captivity in 1865. Even though they gave up two of their horses in exchange for the women, the brothers' bravery went largely ignored. Three years later, their meritorious actions were finally recognized; the generals on the Indian peace commission paid them three hundred dollars in silver. Instead of questioning the prevalent views of native people, the army officers and the Indian agents involved said little or nothing about the fact that the brothers' actions negated every Anglo-American stereotype about native people.

Sully, for one, pointed out that local white residents were often responsible for the endemic violence in the Department of Dakota. He wrote privately to Brevet Major General Nelson A. Miles, then the commander of the Fifth Infantry in Kansas.

> We have every prospect of having a nice Indian war on hand … the population of this Territory is composed of some of the best people in our country as a whole, yet they have among them some of the most unmitigated cut throats to be found who live by selling whisky to Indians & shoot

[48] Sully to Ely S. Parker, 3 August 1869, House Ex. Doc. no. 185, 41st Congress, 2d Session., Serial 1418, 2. F.D. Pease to Sully, 10 August 1869, Blackfeet Agency, *Annual Report of the Commissioner of Indian Affairs to the Secretary of the Interior for the Year 1869* (Washington: Government Printing Office, 1870), 300.

> down a harmless Indian when the fancy takes them. Of course the Indians retaliate & usually a peaceable citizen is their victim. This sort of thing has been going on for over a year. At Berthold over a week ago two Indians were killed in broad day in the street in the most brutal manner. I have ever since been trying to get the names of the murderers but cannot. Those who are disposed to tell are afraid to do so. [49]

Sheridan, however, put little stock in Sully's assertions. In the aftermath of the killings, de Trobriand would applaud Baker's actions as "a complete success, with most of the murderers, and marauders, of last summer" now dead, and Sheridan would do the same. Three weeks later, newspapers published an official account of the massacre that counted 140 women and children killed. This report was contrary to Baker's report, which reported only 53 killed, and its publication infuriated Sheridan.[50] The report had been written by Lieutenant Pease, agent to the Piegans; he forwarded it to Sully, who forwarded it to Colyer. Sheridan believed that Sully should have sent it to him first, as commander of Division of the Missouri, but Sully was the territory's superintendent of Indian affairs, and like all other superintendents, was obligated to contact the Office of Indian Affairs.

This was not a deception on Sully's part, but another example of the ways in which the blurred boundaries between civilian and military handling of Indian affairs created friction. The situation also demonstrated the efforts of some officers to treat native people fairly. Sully's endorsement read: "The report that Lieutenant Pease sends is entirely what the Indians say of the affair, and of course it is natural to suppose it is prejudiced in their own favor. It is the Indians' side of the question, and, as I am here as

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[49] Sully to Nelson A. Miles, 14 August 1869, Sully Papers. A.J. Faulk to Charles Mix, Dakota Superintendency, 22 October 1868, *Annual Report of the Commissioner of Indian Affairs to the Secretary of the Interior for the Year 1868* (Washington: Government Printing Office, 1868), 186.

[50] Sheridan to Sherman, 29 January 1870, Sheridan Papers, microfilm, University of Oklahoma.

their only representative, I consider it my duty to give them a hearing."[51] Sheridan considered Indian sources suspect and refused to recognize their veracity; Sherman accused Sully of unprofessional conduct, another indication of the clannish behavior within the army. Both generals expected that the public sphere would react negatively in the aftermath of the massacre. Their predictions, for the most part, were correct.

Some critics agreed that armed force should be used against 'hostile' Plains Indians, yet they also averred that it had a "retroactive influence" on the Grant administration's Indian policy. An editorial in the *New York Times* located the central hypocrisy of Sheridan's complaints – he condoned and encouraged Anglo-Americans' use of violence, yet he would have citizens "regard as virtuous in us which we shudder at in savages."[52] *Harper's Weekly* characterized federal Indian policy as one of "extermination." Four months after the massacre, when tempers had cooled, *Harper's* editors wrote, "War has plainly failed. Let us try a policy of peace."[53]

Newspapers farther west decried the reports of Indian deaths and mocked eastern attitudes, rhetorically asking Sheridan, "Why do you want to go around making a graveyard of everybody that murders American citizens? . . . Suppose the poor Piegans have taken a scalp or two, and dug the bowels out a few live babies . . . You should send missionaries to them. Send them a Peace Commissioner . . . send them a bald-headed Quaker that can't be scalped."[54] Newspaper editors in Yankton, South Dakota, remarked that eastern newspapers "discuss the late Indian fight with more brass than brains."

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[51] Sully to Ely S. Parker, 10 February 1870, House Ex. Doc. no. 185, 41st Congress, 2d Session., Serial 1418, 6.

[52] "The Piegan Slaughter and its Apologists," *New York Times*, 10 March 1870.

[53] "Our Indian Policy of Extermination," *Harper's Weekly*, 19 March 1870. "A Policy of Peace," *Harper's Weekly*, 2 April 1870.

[54] "A Little Wholesome Advice Administered to Philip Sheridan Esq," *Leavenworth Bulletin*, 12 March 1870.

Frontier papers trotted out the popular stereotypes of native people, pointed out that only they knew the circumstances "out here in these wild, unclaimed territories."[55] These papers failed to recognize Baker's criminal actions (and Sheridan's tacit approval of them) at the same time that they harangued the army for failing protect civilians—or worse yet, protecting native people at civilians' expense. Moreover, these remarks show that Anglo-Americans in the West rarely recognized that their ethnocentric behavior and their avarice for native-controlled territory contributed to violence.

Despite critical missteps in dealing with the Lakota throughout the 1860s, federal authorities did sometimes recognize that stemming civilian emigration could benefit relations with native people. In the case of the Big Horn Mining Expedition, the army acted swiftly to stop a breach of the 1868 treaty. Not long after the Piegan massacre, the members of the Big Horn Mining Expedition, based in Wyoming, aimed to open parts of Montana to increased settlement; they assumed that the government would support them. The expedition's leader, W.L. Kuykendall, had received lucrative government contracts to build forts for the army in 1866 and 1867; with his business partners, he helped boost Cheyenne from a railroad point into a thriving town. Kuykendall and other frontier entrepreneurs stood to benefit from territorial development; he argued that "it must have been the intention of congress in organizing [the] territory to secure its speedy settlement and development."[56] Kuykendall's expedition was a small one that provided its own security, relied on vociferous local promotion for publicity, and

[55] "The Piegan Massacre," *Yankton Press and Dakotan*, published as *The Union Dakotian*, 24 March 1870. "From the Plains," *Leavenworth Bulletin*, 1 June 1870.

[56] A.W. Bowen, *Progressive Men of the State of Wyoming* (Chicago: A.W. Bowen & Company, 1903), 115-16. T.A. Larson, *History of Wyoming* (Lincoln: University of Nebraska Press, 1990), 170. James C. Olson, *Red Cloud and the Sioux Problem* (Lincoln: University of Nebraska Press, 1965), 91. See also Raymond L. Welty, "The Policing of the Frontier by the Army, 1860-1870," *Kansas Historical Quarterly* 7 (1938): 154-69.

received little approbation from the government, if not outright criticism. Frontier papers bragged of the strength of these illegal groups, yet the miners in both cases did not represent a "massive" civilian force, much less ones that were "armed to the teeth." As they strove to drum up support in the autumn of 1869, Cheyenne businessmen made false claims that their plans were backed by the government and investors in Chicago and Omaha. The expedition grew into a community-led effort that reflected the goals of its founding members, including special interests rooted in town development, railroad expansion, livestock ranching, and land acquisition. What served the Big Horn Mining Expedition would serve the town. This remained the case for other frontier communities that shared a common goal of trampling native rights throughout the Northern Plains in order to increase Anglo-American power.

Two weeks before the Grant administration discovered the "pretended exploring party" and their planned dash through Indian country in Montana, the army stepped in. General C.C. Augur, commanding the Department of the Platte, held up the expedition long enough for it to dwindle to 127 members. When Kuykendall and his men finally departed Cheyenne in the summer of 1870, Augur sent a cavalry detachment to overtake them. Although he let the demoralized group disband and slink back to Wyoming, Augur's rebuff showed that the army could not be easily swayed from its mission by civilian influences. His prompt actions mollified the anger that smoldered among the Oglalas and Brulés who were still settling in at the relocated Whetstone Agency. Many of these people affiliated with either They Fear Even His Horses and other *iwastela* (moderates) with whom Red Cloud became increasingly allied in the late 1860s. Crazy Horse and other northern leaders led an enduring core of resisters; their

presence did not dissuade gradualists from seeking negotiation with whites, and probably boosted other Lakota leaders' confidence that the nation as a whole could go head to head with the army if they needed to do so.[57]

Captain DeWitt Poole, an agent at Whetstone, worried that Lakota people would leave the agency if the expedition took place. He had good reason to be nervous – several Lakota warrior societies and resistance leaders had given their approval to the proposed delegation to Washington D.C. in the late spring. This new development bolstered Poole's hopes that more Sioux could be convinced to stay on the reservation. With the exception of Swift Bear, who tried to convince his *tiyospaye* to farm, most of the Brulé leaders and their families balked at agents' attempts to 'domesticate' them. Spotted Tail roved thirty to sixty miles from the agency from the time of his arrival there in 1869, and he refused to stay at the agency itself for the most part. Agency officials agreed that Spotted Tail was interested in peace, but he made it clear to them that he wanted to go to the White River, eighty miles northwest. That location had better land, more wood, and more fresh water; it would also put his group farther away from the Missouri River and the dangers posed by white emigrants.

Spotted Tail's response to the agents made sense. Americans had not fulfilled the 1868 treaty in terms of stemming civilian encroachment or annuity payments to Indians. To protect his community, he kept them at least a day's ride from government control, enough to convince the army of his intentions, yet far enough to maintain

[57] Kingsley M. Bray claims that the expedition was "massive" and "armed to the teeth." See *Crazy Horse: A Lakota Life*, vol. 254 of the Civilization of the American Indian series (Norman: University of Oklahoma Press, 2008), 133. For the *iwastela* and growing moderation in parts of the Lakota polity, see 134-36, 139. See *Cincinnati Daily Gazette*, 21 June 1870, for information about the expedition. While the initial membership of the association was high, it fielded a much smaller number of actual prospectors. The men were armed with 'needle' guns (typical breech-loading bolt action rifles) and a 12-pound howitzer. For the town of Cheyenne and the expedition, see Gilbert Stelter, "The City and Westward Expansion," *The Western Historical Quarterly* 4, no. 2 (April 1973): 193-94, 196, 199-200.

independence and an advantage if they decided to leave the area. The Brulés also wanted to stay close, both in terms of geography and shared interests, to Red Cloud's community. Through the fall and winter of 1869, Brulé and Oglala at Whetstone continued to argue for the relocation of the agency to the White River. Civilian agents chalked up their discontent to their "nomadic habits" rather than real concerns. Hunger struck the agency once again that year, making everyone even less inclined to farm. Spotted Tail still kept his community far away from the agency; the younger men would come to the agency for cattle and drive them back to their camp. Poole made little effort to force Spotted Tail to come in, reasoning that he retained more control over his warriors away from the agency.

Poole also observed that Brulé and Oglala leaders frequently "talked of the power and greatness of the Government since their return" from the council in Washington D.C. He attributed this to their awe at the nation's capital, but it stands to reason that the Lakota were not simply daunted by their experiences on the trip. They were debating how to best deal with the intractable American empire. By the summer of 1870, of the nearly five thousand Brulés and Oglalas who drew annuities at Whetstone, only half lived there on a mostly permanent basis. Spotted Tail and others still lived outside the agency. Through Spotted Tail's influence, warriors voluntarily returned stolen stock without being asked to do so, but other than this their overtures toward the government were minimal. One of their solutions, moving to White River, remained unrealized. Poole recognized that the Lakota were suspicious of the government that had

consistently failed to uphold its end of the bargain: "They recall the promises made… and ask, pertinently, who can they believe now?"[58]

One major change in federal Indian policy likely served as an impetus for the Lakota's reaffirmation of sovereignty in the early 1870s. The Indian Appropriations Act of March 1871 declared that the United States would no longer acknowledge Indian people as members of sovereign, independent nations with which the United States could contract by treaty. In the spring of 1871, troops were ordered out of all agencies in the department, but the order was then countered. Agents told Colonel Stanley that they could not work without the protection of troops. Their fears were unfounded, for retaliatory killing provoked many of the violent encounters. A Sioux horse raid in June was not directed at Anglo-Americans but instigated by a young man whose brother had been killed by the Arikara enemies of the Sioux; he wanted to capture the enemy scouts' ponies but was dissuaded. In another incident, George Baldwin, a white man, had been killed by Indians for trespassing. Wrote Stanley,

> I am sorry for him, and sorry for his friends, but the plain truth is that he had no business there. The number of unemployed men who hang around the agencies, living no one knows how, any way but by work, is the greatest obstacle in the way of civilizing the Indians. They do more harm in one year than the peace commissions, and missionaries can commit in ten years."[59]

Fractured Dakota Indian communities, although now less visible than their Lakota relatives, presented another challenge to the army. Stanley's references to Standing Buffalo's Sisseton band demonstrate that the Dakotas continued to use the Canadian-

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[58] DeWitt Poole to John A. Burbank, 4 March 1870, Dakota Superintendency Records, Letters Received, RG 75. Poole to Ely S. Parker, 20 August 1869, *Annual Report of the Commissioner of Indian Affairs to the Secretary of the Interior for the Year 1869* (Washington: Government Printing Office, 1870), 316. Poole to Burbank, 29 August 1870; Burbank to Parker, 30 September 1870, *Annual Report of the Commissioner of Indian Affairs to the Secretary of the Interior for the Year 1870* (Washington: Government Printing Office, 1870), 206-207.

[59] H.R. Clum to Columbus Delano, 12 December 1871, *Report of the Commissioner of Indian Affairs to the Secretary of the Interior for the Year 1871* (Washington: Government Printing Office, 1871), 12.

American borderlands to their advantage several years later. Armed with bows and arrows and heavy rifles acquired at the British trading posts, Thundering Bull and his Sisseton community often traveled and camped with a Yanktonais group. These Yanktonais, a few hundred lodges strong, "pretended to be friendly" and entered Fort Peck, Montana, "without fear." They were better armed with trade rifles, Henry rifles, and shotguns. Together, these two communities moved with the buffalo herds and stayed clear the reservations. Stanley believed that it would be impossible to get them to rejoin their relatives in the Dakotas, and their proximity to trade opportunities across the border may have worried him as well.[60]

Stanley also attested to the growing power of the northern nations and the persistence of native defiance. In the spring of 1871 he reported that Hunkpapas "who came all the way from the Yellowstone for that purpose," had stolen horses belonging to whites. Stanley also reported that almost five thousand Lakota lived in the Yellowstone region in December 1871, including Two Kettles, Sans Arc, Minneconjou, and a few Ogalala and Brulé people. He estimated that this population included over a thousand warriors—"a number we know they can put in the field, but whether that many can be induced to make war upon the whites is in my mind doubtful." Those bands had joined together in the Powder River basin every summer that Stanley had been in the department, since 1866. The army would have to be careful to avoid a "collision" with them. Stanley argued that the Lakota should be treated as men and not "children or brutes" who could be bullied.[61] Pressured by territorial leaders and convinced of

[60] Stanley to AAG, 1 October 1871 and 30 July 1871, Middle District, DoDak, LS, RG 393.
[61] Stanley to AAG, 11 December 1871, Middle District, DoDak, LS, RG 393.

American superiority, the army's senior leaders seem to have had little use for Stanley's remarks.

As increasing numbers of civilians slunk around the Black Hills like ravening wolves, Stanley reported that miners at Sioux City, Iowa, were outfitting an expedition. Their plans were bolstered by rumors spread by J.M. Washburn, the unscrupulous and absentee agent at the Whetstone Agency for the Brulé Lakota. Stanley described the stories as "enormous lies" meant to encourage emigrants to spend money. Mining expeditions, composed of the "greatest scoundrels in the country," would endanger emigrants and provide the impetus for another war with native people. If the current encroachment continued, said Stanley, the assimilation policy might "as well be given up." The frontier newspaper editors knew that the rumors were meant to "bring dopes into their particular towns to get their money."[62] Stanley's strenuous objections to civilian activity would later be echoed by other field grade officers and their superiors as Anglo-Americans became the dominant force in the region.

By the spring of 1872, chances for accommodation between natives and whites appeared less frequently. Nowhere were these differences more apparent than at a meeting between Stanley and a Lakota warrior who represented the growing power of the northern nations. Spotted Eagle, an influential Sans Arc Lakota, had been wounded while leading a war party against the Crows in 1871. He and his warriors came from the Rosebud River and stayed at Fort Sully to trade and then return home. Spotted Eagle refused to accept rations or annuities while at the agency, but he talked to Stanley at length. The colonel reported, "I was somewhat surprised to find the savage so well

[62] Stanley to Francis A. Walker, 16 March 1872, Middle District, DoDak, LS, RG 393. Hyde, *Spotted Tail's Folk*, 195-97.

informed. He knew all about the threatened invasion of the Black Hills" as well as the Pacific Telegraph line and the Northern Pacific Railway, which had reached Moorhead, Minnesota in the winter of 1871. When Stanley asked him how the Lakota would respond to continued railroad construction, Spotted Eagle responded that he would tear up the railroad line and kill its builders. The driving off of the buffalo meant certain death to his people. Stanley took Spotted Eagle's dispassionate speech seriously. Like Hunkpapa warriors who accused white men of failing to listen to native people because they had "no ears," Spotted Eagle recognized the dangers of dependency. His stance can be seen as part of a concerted, though not yet unified, Sioux challenge to Anglo-American invasion of the Lakota nation. This situation would begin to change by 1873 when the Brulés forced an opportunity to maintain their part of the southern Lakota polity, by demanding that the government move their agency closer to their Oglala allies.[63]

Officials in the Office of Indian Affairs by 1873 believed that the relationship between native people and the United States contained "a radical hindrance . . . which require[d] [Indians] to be treated as sovereign powers and wards at one and the same time . . . the weakness of the early republic required the government to engage native people as members of independent nations." They argued that this led to "a kind of fiction and absurdity" in federal policy. The "double condition of sovereignty and wardship" also changed the meaning of native leadership by making Indian leaders little more than the conduit for government goods and left them at the center of the anti-American feelings that often flared among Indians at agencies. But federal domination struggled to assert

[63] Stanley to Walker, 7 April 1872, Middle District, DoDak, LS, RG 393. Carroll Engelhardt, *Gateway to the Northern Plains: Railroads and the Birth of Fargo and Moorhead* (University of Minnesota Press, 2007), xiv.

itself at Spotted Tail's and Red Cloud's camps, where Lakotas drew more rations at agencies than they were allowed. Both Lakota leaders refused to allow the agents to count lodges, so native people provided population numbers themselves. The agents had no way to quell resistance and ultimately issued too many goods, which strengthened Lakotas' sense of control over their own affairs.[64] Events like these demonstrate that even when they became increasingly reliant on government aid, Indian people found ways to exercise agency and relieve themselves of the dependency to which they were subject.

Native-white violence occurred at a constant pace through 1874 and 1875, with the federal government opening formal negotiations for the Black Hills toward the end of this period. The agent at Spotted Tail Agency feared violence between Indians and trespassers; he asked for assistance in making arrests from the nearest military post. An officer with the First Infantry pleaded for more recruits – "The Sioux Indians are very uneasy about the invasion of their countries by lawless bands of whites and it may prove impossible to restrain them from committing outrages along the borders." A company commander responsible for enforcement within the Black Hills reported that a group of Lakota leaders, including Red Cloud and Spotted Tail, had demanded $60,000 for the damages done by miners "digging holes in their country." Expeditions from Fort Rice, South Dakota pursued various groups of Indians who stole government stock in the Black Hills and from contractors elsewhere, as well as Indians who killed two citizens on separate occasions. Lakota and Cheyenne raids for American horses continued throughout the winter. Army officers did in fact recognize the anger that percolated

[64] Edward P. Smith to Columbus Delano, 1 November 1873, *Report of the Commissioner of Indian Affairs to the Secretary of the Interior for the Year 1873* (Washington: Government Printing Office, 1873), 3-6.

among native people, and many of them took Indian responses seriously. "There is no disguising the fact," wrote one officer, "that there is a general and bitter discontent among them . . . No Flesh [a Lakota leader] says a few of his young warriors have gone on the War path, and he fears he cannot restrain other discontents."[65]

Custer's 1874 expedition to the Black Hills angered the Lakota people as a whole, who saw it "as a palpable infraction of their treaty" that "filled [them] with the apprehension that it might lead to their exclusion from a country held sacredly their own." Officials in the Department of the Interior hoped that the miners, confronted with a paucity of gold, would eventually give up prospecting in the Black Hills. The Indians and the army would then be able to limit civilian encroachment. Yet Army officers were perhaps most often hampered by their inability to detain, arrest, or otherwise restrain Anglo-American civilians who committed crimes against native people. Although Sheridan had ordered Terry in September 1874 to "burn the wagon trains, destroy the outfit, and arrest the leaders" of trespassers in the region, officers struggled to achieve this objective. Their lament would have been familiar to all those who study frontier military history: among other problems, the lack of troops, the difficulty of operating patrols in mountainous terrain that allowed miners to slip away unnoticed, and the problem of maintaining positive public relations when Anglo-American citizens insisted that they alone, and not native people, had the right to the resources of the Black Hills. A few officers also intimated that state authority seemed to trump their own federal authority as well.

[65] Anson Mills to AAG, 9 April 1875, Department of the Platte, LS, RG 393. Pickney Lugenbeel to AAG, 24 April 1875, District of Southeastern Dakota, LS, RG 393. Edwin Pollock to AAG, 2 August 1875, District of Black Hills, Endorsements Sent, RG 393. 30 November 1875, District of Black Hills, Endorsements Sent, RG 393. Anson Mills to AAG, 16 May 1875, Department of the Platte, LS, RG 393.

A case of horse theft puts many of these issues in stark perspective. In December 1875, two Anglo-American men stole twenty seven ponies from the Indians at the Spotted Tail agency. The rustlers herded the horses to Sidney Barracks, Nebraska, and then to Julesburg, Colorado, where the horses were bought by a white buyer. One of the thieves was able to elude a deputy US marshal and a contingent of soldiers. Stock owners in Sidney feared a retaliatory raid by Indians, yet several local citizens were said to be involved in the theft, including the sheriff. The agent at Spotted Tail vouched for the integrity of the ponies' Lakota owners, but the animals had been rebranded. "These fellows can get as many [illegible] as they want to swear to their ownership. This is the worst nest of villains and cutthroats I ever saw!" exclaimed the captain at Sidney Barracks. "The only way the stock can be recovered is by force, upon recognition by these Indians—and I judge that will be interfering with the state authority." It is clear that while army officers supported the government's ultimate aim to seize the Black Hills, many of them were also fully cognizant of the mistreatment heaped upon native people.[66]

By the late summer of 1875, over twelve hundred miners were reported to be in the Black Hills. There were probably many more in reality. Prospecting work was sometimes haphazard because of miners' fear of arrest, but by and large, this fear did not keep Anglo-Americans from searching for gold. George Crook, commander of the Department of the Platte, wrote that as soon as reconnaissance patrols stopped, the miners always returned, believing that the Black Hills would be opened to settlement by the time

[66] Edward P. Smith to Columbus Delano, *Report of the Commissioner of Indian Affairs to the Secretary of the Interior for the Year 1874* (Washington: Government Printing Office, 1874), 7-8. *New York Times*, 3 September 1874. Frederick Van Vliet to George Crook, 1 January 1876, Department of the Platte, LS, RG 393.

they arrived there. "The majority have all they have in the world invested in their outfit; they have no means to live outside of the claims they have made."[67]

The claims that these men struck carried with them tremendous personal risk. Their Anglo-American identity, of course, ensured that they would be supported by federal authorities and the rights of native people ignored. This kind of sentiment helps account for why the government later reneged on the guarantees made to the Lakota in 1868. Understanding the Lakota interpretation of the Treaty of Fort Laramie—and their responses to it—allows us to see the ways in which native people approached their Anglo-American opponents on the frontier. The Lakota nation did not act as a monolithic entity, and the fact that it was distinguished by an unfamiliar value system, constant change, and even contradictions, explains why the army had such difficulty in predicting what native people might do next. Yet rather than offer blind support for the prevailing ethnocentric and racist opinions of their age, army officers like David Stanley criticized the illegal actions of white civilians in Lakota territory at the same time that they called Indians "savages." A surprising number of officers recognized that Indians were justified in resisting the relinquishment of their land, and they offered quiet but generally consistent support for the most basic Indian treaty rights through the mid-1870s.

In the short time between Custer's 1874 expedition and the government's attempts to seize the area in the winter of 1875, the native-white relationship in the Black Hills changed in a number of ways. First, the government sought native submission through negotiation with many different Lakota communities, then allowed miners to run roughshod over Sioux territory. The voices of dozens of Lakota warriors and leaders

[67] Crook to AAG, 16 August 1875, Department of the Platte, LS, RG 393.

were recorded by a government committee led by Senator William Boyd Allison in the summer of 1875; these minutes show that Lakota opinions on the fate of the Black Hills were strong and varied. The Lakotas' overall refusal to surrender the Black Hills was ignored, and despite army officers' continued efforts to uphold the law in favor of their native foes, they continued to lose control over civilian activity in the Black Hills through the winter of 1875. In the end, given the choice to defend the rights of native people or to support the goals of national expansion and Manifest Destiny, army officers would ultimately chose the latter.

CHAPTER FIVE: The Lakota Nation, the Army, and the Theft of *Paha Sapa*

The army felt keenly the threat of illegal prospectors by the late summer of 1874, when reports of Custer's expedition to the Black Hills began to filter through to newspapers around the United States. Reporters promised "quantities so great that with pick and pan a single miner may take out $100 per day." The conclusions reached by Custer's expedition, however, were radically different.[1] The journals of members of Custer's 1874 expedition reflect the fact that gold was found in small amounts; the majority of finds were less than fifty cents' worth each. Some members of the expedition doubted whether it existed in quantity. Newton Horace Winchell, the University of Minnesota geologist who accompanied the expedition, made no reference to finding gold at all.[2] Despite Winchell's opinion—that he had "taken the gold reports with a large grain of allowance" and had not seen any gold—both Custer and the newspapers proclaimed that the Black Hills' mineral resources exceeded everyone's expectations. When Winchell contradicted these reports by repeating his assertions to the Minnesota Academy of Natural Sciences, newspapers in Chicago, Minnesota, Dakota Territory, and other parts of the west labeled him "absent minded" and incompetent.[3] In a letter to General Sheridan, however, Lieutenant Colonel Frederick Grant doubted the legitimacy of the gold claims. He argued that the miners "all lived together and could concoct any plan they wished," and that they lied about the amount of gold they found. "I don't

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[1] *New York Times*, 23 August 1874.

[2] These facts are corroborated in Lawrence K. Fox, "Gold Discovery," typescript, n.d., Lawrence K. Fox Papers, State Archives, South Dakota State Historical Society, Pierre.

[3] G.B. Morey, "Newton Horace Winchell, The George Armstrong Custer Expedition of 1874, and the 'Discovery' of Gold in the Black Hills," *Earth Sciences History* 18, no. 1 (1999): 78, 86. Custer's report is reproduced in Peter Rosen, *Pa-Ha Sa-Pah, or, The Black Hills of South Dakota* (St. Louis: Nixon-Jones Printing Company, 1895), 274-307. Rosen was in charge of the St. Ambrose Parish in Deadwood, and the Roman Catholic missions in the Black Hills in the 1880s.

believe there was two dollars all put together and that they took out of there with them . . . I don't believe that any gold was found at all."[4] To banish further doubt and confirm the Custer expedition's findings, the government launched an expedition under geologist Walter P. Jenney in the summer of 1875.[5] Despite the proliferation of these mixed reports, the threat of illegal prospecting soared in the Black Hills.

Federal authorities and senior army leaders often condoned the activities of illegal miners by 1874, but line officers were less inclined to do so.[6] Their role in preventing and controlling native-white violence in the Black Hills made them acutely aware of the precarious position that they occupied. At the same time that they monitored the activities of Indians and miners, they fielded the bitter complaints of both parties. Some native leaders acknowledged these officers' attempts to protect Indian rights, but they recognized also that the army lacked the ability to keep miners off of their land. Therefore, when the government-endorsed Allison Commission approached Lakota community members about relinquishing their claim to the Black Hills, many of the Indians who spoke with the Commission reacted with disbelief and anger.

The commissioners' statements about their objectives—to secure a treaty that surrendered the Black Hills—demonstrate that government officials wanted to dismantle the protections afforded by the 1868 Treaty of Fort Laramie at the same time that army officers were tracking and arresting illegal prospectors. This contradictory stance undermined officers who were committed to keeping miners out of the hills, and it

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[4] Morey, "Black Hills," 87; see also Frederick D. Grant to Acting Adjutant General, 7 September 1874, Division of the Missouri, Letters Received, RG 98. (Hereafter Acting Adjutant General is abbreviated as AAG). Grant was Ulysses S. Grant's son.

[5] For this expedition, see *The Black Hills Journals of Richard Irving Dodge*, ed. Wayne R. Kime (Norman: University of Oklahoma, 1996). Colonel Dodge led the military escort for Jenney's surveying party.

[6] Line officers are those trained to lead ground combat units.

proved to the Lakota that the United States, once again, was intent on making them destitute. President Grant worsened this contradiction when he decided on November 3, 1875 that the army should stop protecting the boundaries of Lakota territory from the miners. Clearly, individual army officers remained dedicated to their mission to arrest miners through the winter of 1875-1876. Military and civilian leaders, however, seemed equally dedicated to creating a long-standing "engineered crisis" that put in motion the theft of *Paha Sapa* years before Grant's 1875 order.[7]

Restlessness and short tempers swept the main Lakota agencies in the winter of 1873, several months before Custer's expedition to the Black Hills. Spotted Tail succeeded in slowing down farming efforts, and the communities at his and Red Cloud's camps stymied Indian agents' efforts to count their lodges. Hundreds of northern Lakotas came to the agencies for the winter and demanded food; the chief clerk at Red Cloud was murdered.[8] Frightened by the Lakotas' "impudent manners and . . . hostile threats," afraid for their safety, and without military reinforcements, the Indian agents gave up and issued rations to all.[9] After a number of relocations, by the spring of 1874, agencies were forty-two miles apart—a one- or two-day ride at most. The proximity of Red Cloud and Spotted Tail agencies worried the commander of the Black Hills district, leading him to

[7] Janet E. Graebner, "The Last War Cry: Battle Butte, January 8, 1877," in *The Way West: True Stories of the American Frontier,* 100. Graebner argues that perhaps "Custer and others were sacrificed by an engineered crisis in the cause for western expansion." This chapter, however, argues that plans to seize the Black Hills were set in motion long before Custer's death in June 1876.

[8] George E. Hyde, *Spotted Tail's Folk: A History of the Brulé Sioux*, vol. 57 of The Civilization of the American Indian Series, 2nd edition (Norman: University of Oklahoma, 1974), 221. Paul Hutton, *Phil Sheridan and His Army,* (Lincoln: University of Nebraska Press, 1985; reprint, Norman: University of Oklahoma, 2003), 287.

[9] Edward P. Smith to Columbus Delano, 1 November 1873, *Report of the Commissioner of Indian Affairs to the Secretary of the Interior for the Year 1873* (Washington: Government Printing Office, 1874), 6.

recommend that both agencies be consolidated.[10] The agencies remained separate and the Lakota continued to win concessions from the timid agents who oversaw them. The threat of illegal prospectors, however, became just as troubling for the army by 1874.

The Black Hills attracted some attention from miners even before Custer's expedition. In February 1874, Charles Avery, a member of an illegal prospecting party, described the gold fever that struck both Montana and Dakota Territory. "As men had been driven out of the Black Hills for prospecting, we did not care to have our old Uncle Sam take too much interest in our trip, as we had very sure knowledge that the boys with brass buttons . . . would take us in before we got started."[11] In late August, the staff at Fort Hale, South Dakota, was told be on the look-out for miners leaving Sioux City and Yankton and heading for the hills.[12] A small detachment headed to nearby Brule City, an Anglo-American settlement south of the Lower Brule reservation. The lieutenant in charge of the detachment could not find any evidence of mining parties at the time. Two or three weeks later, however, a group of four or five men crossed through the Lower Brule reservation and headed for the Black Hills. The leader of the group was an associate of men who owned Brule City and promoted it as a starting point for mining expeditions. Dougherty had learned that these men were trying to divert emigrants from other areas to bolster up Brule City. Although he did not record whether the men were

[10] Luther P. Bradley to Reverend Samuel D. Hinman, 6 September 1874, District of the Black Hills, Department of Dakota, Letters Sent, RG 393. (Hereafter cited as DoDak, LS, and LR for Letters Received).

[11] Charles E. Avery Reminiscence, [1915?], Special Collections, Montana Historical Society, Helena.

[12] Assistant Adjutant General to Pinkney Lugenbeel, 27 August 1874, Fort Hale, Letters Received, RG 393, Part V. Fort Hale was located north of Chamberlain, South Dakota, on the west bank of the Missouri River (near the contemporary Crow Creek and Lower Brule reservations. South Dakota Historical Society, Finding Aid on "Forts and Posts."

able to get close to the Black Hills, the lieutenant's report indicated that the army faced an uphill struggle against civilian incursions.[13]

General Sheridan, therefore, ordered General Alfred Howe Terry, commanding the Department of the Dakota, to strike back against the miners. Terry's subordinate commanders were to "burn the wagon trains, destroy the outfit, and arrest the leaders" of parties that crossed into Sioux territory. Terry replied that if Sheridan's instructions were made public, there would be little or no occasion to use force, perhaps assuming that the mere threat of violence would chase away the miners. Terry then wrote to George Custer at Fort Lincoln, saying that if Congress opened up the hills "by extinguishing the treaty rights of the Indians," Terry would give his "cordial support" to the settlement of the hills.[14] This early demonstration of support for the 1868 treaty's revocation, and Terry's acknowledgement of Congressional interest, suggests that federal authorities, both civil and military, were interested in acquiring the Black Hills at an early rate. Although Terry did at times express his willingness to uphold Lakota treaty rights, the fact that he dismissed those rights illustrates where his true intent lay.

The staff at Fort Hale sent to their headquarters newspaper excerpts from the *Yankton Press and Dakotan*, a regional newspaper. Men had gotten word of Sheridan's telegram to Terry, which ordered him to arrest prospectors and destroy their property. Citizens believed the orders were arbitrary and illegal. The intent of the "Black Hills Pioneers," and similar citizens' groups, after all, was "simply one of exploration" aimed

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[13] William Dougherty to Post Adjutant, Lower Brule Agency, 11 September 1874, Fort Hale, LR, RG 393, Part V. For Brule City, see Democratic Party National Committee, *The Campaign Text Book: Why the People Want a Change; The Republican Party Reviewed; Its Sins of Commission and Omission* (New York: 1876), 703.

[14] Philip H. Sheridan to Alfred Howe Terry, 3 September 1873, Division of the Missouri, Special File, Box 1, RG 393; Terry to Sheridan, 3 September 1873, Division of the Missouri, Special File, Box 1, RG 393; George Armstrong Custer to Terry, 3 September 1873, Division of the Missouri, Special File, Box 1, RG 393. See also *New York Times*, 4 September 1874.

at making peaceful settlements and had "no intention of interfering with the rights of the Indians." In the *Yankton Press* article, men declared that as "free American citizens," they were allowed "to go when and where we please, without asking the consent" of a 'military chieftan.'" Walter A. Burleigh, the corrupt Indian agent and Republican representative for Dakota Territory, was now a citizen of Montana. He gave his support to the organization, and was "frequently applauded" by citizens as an advocate for further settlement into Indian lands.[15]

Many local commanders applied Sheridan's orders stringently, but the limits of their authority hampered their ability to arrest suspected miners. The commander at Fort Ellis was told that he had no authority to capture miners or destroy their property on the *suspicion* that they would enter the hills, but that he could act if they crossed the boundaries of Lakota territory.[16] The lieutenant colonel in command of the First Infantry, stationed at Fort Randall, wrote, "The squatters care nothing about law, orders, or Indian rights, and would undoubtedly resist any attempt on my part to drive them out." Because the country was covered in snow, any expedition sent out would have to take grain and hay for their horses. To the colonel's dismay, the command did not have enough horses in the first place to mount an expedition.[17] Other patrols were similarly unsuccessful. General Terry told Sheridan in late December 1874 that a patrol unit sent out from Fort Sully had gotten thirty miles into the Black Hills but had to retreat when their horses came up lame. Lakota guides from Red Cloud and Spotted Tail agencies accompanied patrols into the hills, for, "being interested parties," they had an incentive to

[15] William Smith to Anson Mills, 13 September 1874, Fort Hale, LR, RG 393, Part V.

[16] AAG to the commanding officer at Fort Ellis, 24 September 1874, Department of Dakota, LS, RG 393.

[17] Pickney Lugenbeel to AAG, 23 December 1874, Southern District, DoDak, LS, RG 393.

discover where prospectors were. Colonel Bradley, commanding the Black Hills District, had told Terry that "the guides must be charged not to molest the miners themselves," recognizing implicitly the Lakota anger over intrusion into their lands.[18]

The new year brought few changes to the situation in the Black Hills region. Lakota leaders, infuriated by the state of affairs, wanted to go to Washington and talk to President Grant. The captain in command of Camp Robinson, the military post at Red Cloud's agency, wrote that Indian agents had led Red Cloud to believe that he could go with them to Washington that spring. Red Cloud asked the officers to remove white men who were loafing at the agency, but the captain refused, saying that the civilians were out of his jurisdiction. The captain also took on a defensive tone, saying that Red Cloud had lied to him, saying that the army officers at the post had interfered with Indian affairs. Equally "absurd" was Red Cloud's claim that Indian Agent John Saville had cheated the Indians.[19] When Saville was acquitted of fraud, Lakota enmity grew toward Indian agents.

Similarly, at Spotted Tail's agency, the Indians asked the acting agent to rid their camp of trespassers. Some of these men were mixed-blood men and residents of the agency. They had been caught in the Black Hills and were brought in by soldiers from Camp Sheridan, the sister unit to Camp Robinson. The acting Indian agent at Spotted Tail wrote to the Department of the Interior, stating that he could not remove the trespassers without help from the military. In a rather perfect example of the bureaucracy

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[18] Luther P. Bradley to Terry, District of Black Hills, LS, enclosed in Special Order No. 13, Terry to Sheridan, 31 December 1874, District of Black Hills, LS, RG 393.

[19] William Jordan to AAG, 11 February 1875, District of Black Hills, DoDak, Endorsements Sent, RG 393. (Hereafter abbreviated as ES). Following the killing of Frank Appleton, the chief clerk, the government assigned troops to Red Cloud's agency and thus established Camp Robinson. For more on Saville, see James C. Olson, *Red Cloud and the Sioux Problem* (Lincoln: University of Nebraska Press, 1965), 158-70. Similarly, the army established Camp Sheridan at Spotted Tail's agency.

that often stymied the frontier army, the commander at Camp Sheridan had to wait for authorization from the War Department before he could do anything about the civilians who plagued his own jurisdiction.[20] When three of these miners were released, they started off for the hills with pack animals. "It is rumored," wrote Willard, "that they are going to the Black Hills and that they are going to assist the troops. If they are not going by permission, ought they not to be recaptured by the troops?"[21]

In March, General Terry made it clear that the army faced a difficult future unless commanders could shut out the miners decisively.

> I think that there is no longer room for doubt that as soon as the spring opens a persistent effort will be made by numerous parties of miners to invade the Black Hills. It seems to be established that at least one such party has passed the winter in the hills and that it has found gold. . . . a corporation with large capital has been formed at Sioux City [with the] avowed purpose . . . to violate and defy the law. [Now] when large numbers are out of employment, men are easily attracted to any scheme of adventure which promotes profit . . . [unless the Army acts] the whole of the hill country will be over run by miners as soon as the season will permit. . . . Every part of it which is left unguarded will be invaded. I need not dwell on the importance [of] the enforcement of the law because it is law, considerations touching the national good faith and honor. . . any attempts to defy the law and to trample on the rights secured to the Sioux by the treaty of 1868 should be met in the most vigorous manner. . . . If during the coming season the Hills can be absolutely closed to intruders [this would dissuade miners when they see others fail]. . . . The temper of the Sioux along the Missouri is such that it will be no surprise to me should an outbreak occur as soon as the grass grows in the spring.[22]

Terry's letter seems to refute the popular contention that the army succeeded in keeping all miners out of the Black Hills until November 1875, when officers were told to stop resisting the civilian invasion. The letters of Lieutenant Dougherty of Fort Hale and Lieutenant Colonel Lugenbeel of Fort Randall, as well as the complaints levied by Colonel David Stanley at Fort Laramie, indicate that a small but nonetheless significant

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[20] Edward P. Smith to Columbus Delano, 9 April 1875, Department of the Platte, LS, RG 393; enclosed with Edward Willard to Office of Indian Affairs, 28 March 1875, Department of the Platte, LS, RG 393. E.A. Howard and Edward Willard to Anson Mills, commanding Camp Sheridan, 5 May 1875, Department of the Platte, LS, RG 393. (Hereafter abbreviated as DoPlatte). The problem of War and Interior Department bureaucracy is discussed in chapter 4 of this manuscript.

[21] Edward Willard to Anson Mills, 10 May 1875, DoPlatte, LS, RG 393.

[22] Terry to AAG, 9 March 1875, Division of Missouri, LR, RG 393.

number of miners may have eluded the army. Given that the two major commands in the Black Hills district—the Ninth Infantry and Twenty-Second Infantry—had limited numbers of troops and had to patrol a large area with inhospitable terrain, it would have been impossible for the army to prevent every single miner from getting into the Black Hills.[23] Lakota resistance was a very real concern, particularly because all of the agencies in the region had suffered for want of food over the winter. Custer reported in March that the Hunkpapa and Blackfeet Lakota at the Standing Rock agency had been on half rations for two months. His patrols had not seen any game for hundreds of miles. By the end of the month, the agency would run out of food. Custer pointed out that most of the yearly ration was still in Sioux City warehouses.[24] Chronic mismanagement, therefore, continued to add to Lakota unrest.

Many officers recognized that the railroad had an indispensable role to play in the development of the West, and railroad agents realized that the army could help their business. The army's involvement with the railroad industry does not exactly constitute a matter of unhindered cooperation; both Sheridan and Sherman, for instance, had little patience for railroad owners who treated the army like a private security force.[25] Still, the suggestion of tacit collusion between the railroad and the army reflects the degree to

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[23] Fred Radford Brown, *History of the Ninth U.S. Infantry, 1799-1909* (Chicago: R.R. Donnelley and Sons, Co., 1909), 104-16 for the unit's activities on the Northern Plains from January 1872 to December 1875. Elements of the unit were often assigned to missions outside of the Black Hills; limited manpower on the Plains meant that many units were over-extended. See also Hutton, *Phil Sheridan and His Army*, 291-294.

[24] Custer to AAG, 10 March 1875, DoDak, LS, RG 393. See also *Report of the Commissioner of Indian Affairs to the Secretary of the Interior for the Year 1875* (Washington: Government Printing Office, 1876), 6, 91, for problems at Standing Rock and its tribal composition.

[25] Hutton, *Phil Sheridan and His Army*, 172-73. Colonel Lugenbeel (at Fort Randall) argued that "all the vagrant population of this frontier will endeavor early in the season, to go into the Sioux reservation." He felt that "railroad and newspaper people," among others, fueled the public's interest in the Black Hills. See in Hutton, 293 fn 3, Pickney Lugenbeel to Terry, 5 March 1875, Division of the Missouri, Special File, Box 1, RG 393. See also the classic study by Robert G. Athearn, *William Tecumseh Sherman and the Settlement of the West* (Norman: University of Oklahoma Press, 1956), 186.

which their interests were intertwined. Thomas L. Kimball, the general ticket agent for the Union Pacific Railroad, wrote to General Edward Ord, commander of the Department of the Platte, in March 1875. Kimball wanted to know about local whites' numerous inquiries about rates and routes to the Black Hills. While Kimball admitted that he had done nothing to discourage the prospectors, he asked whether the railroad should cooperate with the military and refuse to make arrangements for miners. If some men succeeded in getting to the hills, however, Kimball suggested that the railroad encourage others to outfit themselves at Omaha and Cheyenne.[26]

Developments outside of the Black Hills illustrate that the gold rush was fast becoming a matter of national concern. On March 17th, President Grant forwarded correspondence about the Black Hills situation to the Senate. Congress wanted to know about civilian emigration to the region and whether the Indians consented to white encroachment on their lands. Secretary of the Interior Columbus Delano told the president that his department was organizing a Lakota delegation to Washington, in the hopes of getting the Indians to relinquish their possession of the Black Hills. Yet while Delano promised that both the Interior and War Departments would strive to protect the Indians' rights under the 1868 treaty of Fort Laramie, he promised to "use every effort possible to extinguish the Indian title to the Black Hills country and open the same to settlement." Thus, Delano, Grant, and other federal authorities, with the help of the army's senior leadership, introduced yet another paradoxical element into the government's relationship with Indians. One wonders whether Grant was influenced by

[26] Thomas L. Kimball to Edward Ord, 11 March 1875, Department of the Platte, LS, RG 393. Ord's reply, if any, to Kimball could not be located in the archives.

the petition from citizens from Nebraska, asking him for the "Simple justice" that opening the Black Hills would bring.[27]

A few days later, Delano wrote to the Secretary of War, William Belknap, insisting that "trespassers now in that country, in violation of law and treaty stipulations, [would] endanger the success of these negotiations."[28] Others, however, had worried about the implications of attempting to court the favor of the Lakota at the same time that the government supported the invasion of their territory. When he had learned of Custer's expedition in June 1874, William H. Hare wrote a long and worried letter to Grant. As the Episcopal bishop of the Dakota region, Hare had worked closely among both white and Indian communities in rural areas. Either the government could invite Lakota delegates to Washington, or it could permit Custer's expedition to cross the boundaries of Sioux territory—but the government could not do both. He wrote, "An invasion of the Black Hills means, I fear, or at least will surely result in, *War*, and war to the knife. . . . this invasion of the Indian territory will almost beyond a question be made the occasion of the inroad of large numbers of rapacious and unprincipled civilians." Belknap mollified these fears of a "general Indian war" in a letter to Delano, arguing that the army's planned reconnaissance mission would not provoke the Lakota. In fact, Custer's expedition encountered few Lakotas, and his successful return to Fort Lincoln reinforced the idea that Hare's worries were unfounded.[29] The expedition proceeded as planned, and as of the spring of 1875, nothing had really been done to mollify Lakota discontent.

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[27] Ulysses Simpson Grant, *The Papers of Ulysses S. Grant, 1875*., ed. John Y. Simon, vol. 26 (Carbondale: Southern Illinois University Press, 1967), 84.

[28] *Ibid.*, 85.

[29] *Ibid.*, 87.

Frustration and confusion characterized officers' reactions to illegal prospectors in the late spring of 1875, perhaps because some commanders were aware of the government's avowed interest in acquiring the Black Hills through a treaty. A letter to General Ord on March 17 directed that all expeditions into the Black Hills would be prevented as long as the 1868 treaty existed. "Efforts are now being made to arrange for the extinguishment of the Indian title"—but if those efforts failed, the settlers would be expelled.[30] At Fort D.A. Russell in Wyoming Territory, an infantry major described a party of miners pursued by his cavalry troops. Twenty-four miners had collected in Cheyenne and headed for the Black Hills. Wrote the major, "I have little faith in the success of such expeditions," for the miners headed in different directions, and if each party was followed, they would deplete the garrison. The major doubted that the miners would reach the hills successfully, for the men were "mostly ignorant of the country and would be afraid of encountering Indians." Either the citizens in Cheyenne were ignorant of the miners, or they refused to tell the army what they knew. The miners, "knowing how much depends on secrecy," had kept quiet about their plans. The major lamented in closing that every officer and enlisted man in his unit, even in civilian clothes, was known to Cheyenne residents, which made it impossible for them to get information.[31] In a letter to Custer, General Terry wrote that parties from Sioux City and Yankton would aim for the hills through Nebraska, making it difficult for the troops at Fort Randall to catch them. Custer had not thought that miners would be expelled during the negotiations for the hills, but Terry corrected him, saying that the miners would be expelled as soon as the weather permitted. "I don't see how any sale of the hills country

[30] AAG to Edward Ord, 17 March 1875, DoPlatte, LR, RG 393.
[31] Major A___ (illegible) to AAG, 24 March 1875, DoPlatte, LS, RG 393.

can take effect until the next session of Congress. Until the sale if made is ratified by Congress, the government must keep intruders out."[32]

Line officers' reports reflected disturbing developments throughout the region. The commander at Fort Randall insisted, "Recruits are *very much needed*. The Sioux Indians are very uneasy about the invasion of their countries by lawless bands of whites and it may prove impossible to restrain them from committing outrages along the borders."[33]

Captain Anson Mills, commanding Camp Sheridan, wrote of his conversation with No Flesh, the man who served in Spotted Tail's absence when the Brule leader went to Washington for the May 1875 council with President Grant. The Minneconjous wanted No Flesh to hold a council with them, but he did not know why they wanted to talk to him. No Flesh had not decided yet whether he would join them. Mills described No Flesh as "very bitter in his denunciations of the Agents here," for the people were hungry. Mills knew that wild game was scarce and admitted that the agent had only presented the Lakota with thirteen head of cattle.[34] When he had first arrived at Camp Sheridan, Spotted Tail had told him that the Indian agent, Mr. Howard, did not let them have enough food. When Mills confronted Howard, the man told him that he had given the Indians "all they were entitled to, and if they starved it wasn't his fault." Without permission, Mills issued the Lakotas ample amounts of bread and bacon.[35]

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[32] Terry to Custer, 7 April 1875, DoDak, LS, RG 393.

[33] Pickney Lugenbeel to AAG, 24 April 18 75, Southern District, DoDak, LS, RG 393.

[34] Anson Mills to AAG, 16 May 1875, DoPlatte, LS, RG 393.

[35] Anson Mills, *My Story*, ed. C.H. Claudy, 2nd ed.(Washington: Press of Byron S. Adams, 1921), 151-52. Mills describes a close working relationship with Spotted Tail and other Indian leaders, who impressed him with their candor and sense of humor. When Lone Horn, the Minneconjou leader, came to the agency on a hot day, Mills made him a big glass of cold lemonade. Seeing Lone Horn gulp the cold drink, Spotted Tail warned him, "Have you drank all that? You had better lie down and hold onto the grass, for the whole world will begin to turn over in a few minutes." Lone Horn was genuinely startled,

Mills had been present at a Brulé Lakota council on April 29th as well, and wrote about the anger that characterized that meeting. "There is no disguising the fact… that there is a general and bitter discontent among them… No Flesh says, a few of his young warriors have gone on the War path, and he fears he cannot restrain other discontents." Spotted Tail and other leaders had been "unusually bitter" before they left for Washington. The Lakota were most likely still starving, and their leading men must have sensed the belligerence of the white men who would not deign to protect the reservation from interlopers and thieves who smuggled alcohol to the agency and crossed into the Black Hills. Leaders like Red Cloud and Spotted Tail must have seen a journey to Washington as a kind of recourse, where they would meet American authorities with far greater power than a local Indian agent.[36] Despite the risk of alienating the Lakota further, General Sheridan allowed miners under arrest at Fort Randall (and possibly other installations) to be released if they signed a written affidavit.[37] Sheridan's interest in protecting Lakota treaty rights remained a procedural interest only—not a matter of the fair treatment of Indians that some of his subordinates supported.

Conflict with civilians became increasingly violent and risky in the early summer months. Thawed streams, lack of snow and more easily navigable terrain allowed the miners to elude the troops. And although some officers manifested helplessness against the miners in their reports, they did not hesitate to challenge miners when they had the

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much to Spotted Tail's amusement. See Mills, *My Story*, 161-62. On a more serious note, Mills attests to the direct connection between the Black Hills invasion and increased Lakota militancy.

[36] Mills to AAG, 16 May 1875, DoPlatte, LS, RG 393.

[37] Lugenbeel to R. Armstrong, 15 May 75, Southern District, DoDak, LS, RG 393. Lieutenant Armstrong commanded the guard in charge of the captured miners. Hutton argues, "Sheridan did not oppose white settlement in the Black Hills, except to the extent that he was required by law and duty to prevent trespass on the Sioux reservation, but he was even more eager for whites to move into northern Wyoming and southeastern Montana. . . . Sheridan saw a way to [stop Lakota resistance] through the promotion of western lands. As these lands filled with whites, the politicians would be made to listen, the game killed off, and the Indian right to hunt nullified." Hutton, *Phil Sheridan and His Army*, 292.

chance. Fergus Walker, a captain with the First Infantry, had encountered nearly a hundred and fifty well-armed men on the outskirts of the Black Hills. Since he only had thirty soldiers with him and wished "to avoid bloodshed," Walker allowed the men to remain in the area under a written pledge that they would not attempt to enter the hills again until the government withdrew its restrictions against the miners. Walker insisted that "it was the opinion in Washington" that the mere organization of an expedition violated the law as much as an actual incursion on to Indian land.[38] Walker wrote Mills a few days later that he had arrested fifty to seventy five men who were the "bad spirits of the original outfit." The prospectors were well armed, possessing nearly a hundred firearms between them. "There is a rumor that many of them have arms, and that it was their intention to resist if I attempted to move them by force across the River towards Randall," he wrote. While Walker did not "altogether credit" that rumor, his cautious action showed that he took the miners' threats seriously.[39] In response, Captain Mills struck out for Walker's location with sixty soldiers and a Gatling gun, and was able to turn back the miners.[40]

The miners in question were led by the infamous John Gordon, who took a small party to the hills in the winter of 1874. Generally credited as the first party to winter successfully in the Black Hills, Gordon's first group arrived there on December 9, 1874 and built a sizeable stockade. In February 1875 Gordon and another leader of the party went to Sioux City to announce their successful strike. In April, when the remaining prospectors were bogged down by snow storms, troops from Fort Randall accosted

[38] Fergus Walker to Anson Mills, 15 May 1875, DoPlatte, LS, RG 393.
[39] Walker to Anson Mills, 20 May 1875, DoPlatte, LS, RG 393.
[40] Special Order No. 35, 17 May 1875, DoPlatte, LS, RG 393. Captain Mills' detachment consisted of fifty non-commissioned officers and enlisted men; a detachment of ten soldiers manned the Gatling gun.

them.[41] Despite Gordon's orders that no one could leave the camp, men deserted it in his absence, and two of them led the Randall troops to the stockade. Now Gordon was trying to get to the hills again, and this time with a much larger and openly aggressive force. His men, who had left Sioux City for the hills in April, refused to leave the area and surrender themselves at Spotted Tail Agency. They told Walker that he had no right to do so under General Sheridan's order. A civilian wrote to General George Crook, now commander of the Department of the Platte, about Captain Walker's obdurate behavior. Evidently Walker had allowed his men to seize the miners' property, even some of their boots and shoes, in an effort to discourage them from trying to come back to the area.[42]

When the governor of Nebraska heard about the incident, he was livid. Silias Garber's constituents lived on the outskirts of the Black Hills, and many of Nebraska's citizens clamored to get into the mountains. In a vituperative tone, Garber complained that emigrants had been "stripped of their arms and provisions and taken prisoners." The men had claimed that they were not heading for the Black Hills, but waiting for the land to be opened to white settlement. Garber insisted that the 1868 treaty did not "set aside a portion of a sovereign state [Nebraska] as unceded Indian lands." Although he would have known that Nebraska territory served as a primary place of refuge for emigrants, Garber demanded that the army release the prisoners. He called the current reading of the treaty "unwarranted and unjust."[43] While Crook stood firm and continued to enforce his

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[41] John S. McClintock, *Pioneer Days in the Black Hills: Accurate History and Facts Related by One of the Early Day Pioneers*, ed. Edward L. Senn (Deadwood, S.D., 1939; reprint, Norman: University of Oklahoma Press, 2000), 24-28.

[42] Fred Evans to George C. Crook, 29 May 1875, DoPlatte, LR, RG 393. Anson Mills details this incident as well; see *My Story*, 153-54.

[43] Silias Garber to George C. Crook, 29 May 1875, DoPlatte, LR, RG 393.

orders, Garber's letter illustrates that state authorities in the west saw the army as not only an aid to western expansion, but also an obstacle.

In the midst of these unsettling events, the Lakota delegation traveled to Washington to meet President Grant. On May 19, Grant met Red Cloud, Spotted Tail, and other Oglala and Brulé representatives. Lone Horn spoke first, making the bold and honest assertion that "part of the country which I own now, the white people wish to take from me." Grant responded," We have the interests of the Indians at heart, and in view of the great growth of the population among the white people, we know better what is for your interests than you can know yourselves, and it is your interests we are looking after." The Lakota leaders continued to speak to Grant at length, but his blatant reply made the perspective of the government obvious. Two days later, the Lakotas met with members of the Department of the Interior to talk about their dissatisfaction with the outcomes of the Treaty of Fort Laramie. Grant had refused to discuss future treaties with them, and for good reason. John Collins of the Red Cloud Agency had told Grant in March that he believed that the Lakota "would be perfectly willing to sell the Black Hills."[44]

Collins promised the Lakotas that the army would keep miners away from the Black Hills, but his assertions did not go over well with Red Cloud: "White men are beginning to know that this is my land. Look at me! I am no dog. I am a man. You tell me about the Great Father's troops. He has troops all over the world, and I do not believe that the Great Father has not troops enough to keep white men away from the Black Hills

[44] Ulysses Simpson Grant, *The Papers of Ulysses S. Grant, 1875*, ed. John Y. Simon, vol. 26 (Carbondale: Southern Illinois University Press, 1967), 121. See 119-25 for more Indian testimony (and the American response).

. . . . [The commissioners] all lie to me and want to steal everything I have."[45] Red Cloud could not have been more correct. Shortly after the Lakotas' return to their agencies, a cavalry company was detailed from Camp Robinson to escort the Indian Commissioners to Camp Sheridan and the Black Hills.[46] The Allison Commission had one purpose—convince the Lakota people to give the Black Hills to the whites. The commissioners included Senator William Boyd Allison of Iowa, Reverend Samuel D. Hinman, and a number of lawyers and judges. General Terry was also a member, but he did not participate in the initial hearings, which were held at Spotted Tail's and Red Cloud's agencies in the summer of 1875.[47] The official report of the September 1875 "grand council" between the commissioners and the Indians has been widely available for years; less well-known are the preliminary discussions that took place before that meeting. These minutes reveal that the question of the Black Hills had divided the Lakota community. To the Lakota people, the Black Hills were (and are) a sacred place, a "nexus to the cultural well being of Lakota people [and] a mediator in their relationship with all other living things."[48] Surrendering them would bring the Lakota closer to the uncertainty of economic dependence on the United States.

The testimony gathered over a two-month period by the Allison Commission vividly illustrates Lakota communities' distrust and anger over the proposed sale of the

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[45] *Ibid.* See also *New York Times*, 20 May 1875.

[46] Special Order No. 14, 30 June 1875, District of the Black Hills, DoDak, LS, RG 393.

[47] Rosen, *Paha Sapa*, 341-344. See also Mills, *My Story*, 163-65. The commissioners were William Boyd Allision, the Honorable A. Comingo of Illinois, Reverend Samuel D. Hinman, G.P Beauvais, Esq., of Saint Louis, W.H. Ashby, Esq., of Nebraska, and A.G. Lawrence, Esq. John S. Collins of the Indian Office served as secretary. See *Report of the Commission Appointed to Treat with the Sioux Indians for the Relinquishment of the Black Hills* (Washington: Government Printing Office, 1875), 5.

[48] John P. LaVelle, "Rescuing *Paha Sapa*: Achieving Environmental Justice by Restoring the Great Grasslands and Returning the Sacred Black Hills to the Great Sioux Nation," *Great Plains Natural Resources Journal* 40, no. 5 (2001): 66. See also Donald Worster, "The Black Hills: Sacred or Profane?" in *Under Western Skies: Nature and History in the American West* (New York: Oxford University Press, 1992): 106-153.

Black Hills. From July to August of 1875, the commission went to Red Cloud's and Spotted Tail's agencies and also spoke with their Cheyenne and Arapaho allies. The minutes of the preliminary meetings were condensed into a three-page report to Congress, but they reflect little of the complexity of the issue from the Lakota perspective. The Lakota saw the talks as a series of discussions between two sovereign nations, one of which seemed intent on deceit; the Americans saw the talks as a re-affirmation of the Lakotas' status as wards of the state. The commissioners decided that $70 million would compensate the Lakota adequately. However, the Lakota did not see themselves as the recipients of American paternalism; they used the term "Great Father" in a rhetorical sense and did not shy from expressing disappointment in him. Furthermore, they argued that the government owed them restitution for civilian trespass on their property. They wanted the commissioners and the president to honor treaty obligations, and they wanted the miners off of their land.

The commissioners first met Red Cloud, They Fear Even His Horses, Pawnee Killer, and other Oglala leaders on the 4th of July; they met Spotted Tail, Standing Elk, Swift Bear, and other Brulés. Their goal—"uniformity and one opinion" from the Lakota—was fraught with assumptions about native polity. While the Lakota nation in general opposed the sale of the Black Hills, some members, particularly older people, saw land cession as a promise (albeit unreliable) of security. When the commissioners first approached the Lakota, they said nothing about another land cession; they referred merely to "doing business." They did so almost exclusively, out of fear of alienating Lakota leaders. Spotted Tail rebuffed them quickly, however, saying

> If anything displeases me, I say so. I hold nothing back . . . what I say, I do not [say] for myself. If you go to the hills the Indians in other parts of the country would look upon you as they look upon other white men who have gone there without authority. . . . The government has given the

> guardianship of the Black Hills to the soldiers . . . the Indians look to the Great Father and hold him responsible.[49]

Red Cloud and some of the other Lakota men present at the councils realized that their economy would have to shift from a hunting-based system to one based on domesticated livestock, farming, and the continued receipt of government annuities. In fact, Red Cloud "[clearly] understood both the value of the Hills and the danger of economic support that would have been necessary to achieve an effective transition" to Anglo-American expectations of Indians.[50] When he met the commissioners on July 14, 1875, he declared, "This ground is mine and today my Great Father has been pretty hard to me. My Great Father has promised me our pay and I want to try to get that for us." Moreover, the Oglala warehouse had no rations over the winter of 1874. Spotted Tail added, "We went to Washington [and] I gave a great deal of land to the Great Father for nothing. . . . My people were not satisfied at all. The Indians called you flying birds." Thus he criticized the commissioners for their capricious behavior—always traveling somewhere new and expecting land to be given to them.[51]

The commissioners created another major point of contention when they insisted that they had to go to the Black Hills to ensure that whites purchased as little native land as possible. They tried to disguise their motives with offhand remarks, saying that that had kept their travel plans secret from the other Lakotas "because they did not ask us and we did not think it concerned them." Spotted Tail reminded them that the military

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[49] Commission Appointed to Treat with the Sioux Indians for the Relinquishment of the Black Hills, "Minutes of the Preliminary Meetings, July-August 1875," 55, Western Americana Collection, Beinecke Rare Book and Manuscript Library, Yale University, New Haven. (Hereafter referred to as Allison Commission, "Preliminary Meetings.")

[50] James Stripes, "We Think in Terms of What is Fair": Justice versus "Just Compensation" in Elizabeth Cook-Lynn's "From the River's Edge," *Wicazo Sa Review* 12, no. 1 (Spring 1997): 179.

[51] Allison Commission, "Preliminary Meetings," 70-71.

command was responsible for the Black Hills and told them to wait for more information from the army. Senator Allison lied to him, saying, "The president wants to know whether gold is actually there before the whites buy the country." Spotted Tail repeated his assertion, saying that it was better for the commissioners not to go to the hills. Allison retorted, "You suffer the soldiers and miners to go the Black Hills but when government commissioners want to go in your interests, you raise objections which you not ought to do."[52]

Spotted Tail's brusque reply quieted Allison—Grant had sent troops to keep miners out; he had not sent the commissioners to go the Black Hills. If he had, the men would have bypassed the agencies instead of visiting them. If they went to the hills, the Brulés would refuse to talk with them, for the Indians feared that the whites would "take all the best claims" for themselves. Spotted Tail's threat—"You had better remain here and attend to this council"—demonstrates that the Lakota, more often than the commissioners, had the upper hand during the meetings. When they did go to the Black Hills, a Brule and Oglala delegation accompanied them and continued to harangue them. Red Dog told them, "I find white men like grasshoppers in the Black Hills. All the creeks are full. . . . The agents at Red Cloud and Spotted Tail did not tell me true. They told me you was here to drive these miners out. I find that you are here and nobody is away."[53] The colonel in command of the Jenney geological expedition followed up with a slip that is recorded in the minutes—he would do everything "with regard to keeping the Indians out of the Black Hills."[54]

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[52] *Ibid*., 58.
[53] *Ibid*., 86.
[54] *Ibid.*, 88. Either this is Dodge's slip or a mistake made by the commission secretary; it speaks volumes about the commission's true intentions and attitudes.

The commissioners laid bare their feelings in a private meeting after they first spoke to Red Cloud and Spotted Tail. Their comments reveal that they were worried about the Lakotas' ability to sway the outcome of the council. They also desired to deceive the Indians by withholding information and using the Lakotas' mixed-blood interpreters and relatives against them.[55] One critical admission—their hope that the government would not prevent miners from trespassing into the hills—indicates that some federal authorities considered taking this step before Grant's official decision in November 1875. At the same time, the commissioners recognized that the miners' presence threatened their success at the great Lakota council. Reverend Hinman averred, "The Indians are really discussing whether they should not go themselves and drive the miners out of the hills. They do not seem to consider that such a step would lead to a general Indian war." In fact, the Lakota may have already been trying to rout the miners. According to Captain Mills at Camp Sheridan,

> [t]he Indians at my agency, and I presume at the others, were constantly forming war parties to go out against these trespassing miners, and Spotted Tail, realizing the critical status, made a confidant of me, and frequently reported as near he could the probable time and numbers of warriors that were leaving his agency, suggesting that I intercept them by sending out soldiers to head them off, which I often did. As they were acting in violation of his orders, it was difficult for him and the other Sioux chiefs to know where they went, and for what purpose, but he did his very best to suppress the insurrection which was then before him.[56]

By the time they met with the Lakotas' Cheyenne and Arapaho allies, the commissioners had changed their tack once again. The commissioners took advantage of

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[55] *Ibid*., 64. The commissioners were worried particularly about Louis Richard, a mixed-blood interpreter, and Francio Bouche, who was a son-in-law of Spotted Tail. Of Bouche: "He has lived among the Indians a long time and they listen to him. He has influence . . . . In view of that he must be employed by us in some capacity or he must be ignored and we must take the chance of his working against us." For biographical information on Bouche, see Donovin Arleigh Sprague, *Rosebud Sioux* (Chicago: Arcadia Publishing, 2005), 20. For more on Louis Bordeaux, Brulé-French interpreter, see Richard G. Hardoff, *The Death of Crazy Horse: A Tragic Episode in Lakota History* (Lincoln: University of Nebraska Press, 2001), 95.

[56] Mills, *My Story*, 151, 394.

the fact that the Arapaho were experiencing what Loretta Fowler has termed a "crisis in authority." According to Fowler, between 1874 and 1876, the Arapahoes' increasing inability to sustain themselves politically and economically meant that their leaders had difficult decisions to make. Eventually, the Arapaho "resolved the dilemma . . . by seizing the opportunity to provide scouting services to the army" in the autumn of 1876.[57] At the meeting, the commissioners tried to insinuate that the Cheyenne and Arapaho were less well-off than their Lakota friends in order to gain leverage against the Sioux. Little Wolf, Black Coal and The White Maned Horse (White Horse) disagreed with the Americans' take on Cheyenne-Arapaho affairs. [58] Little Wolf reminded them, "I consider this my country. We are living here together; the people you see in the county [the Lakota] and we are friends." Despite Little Wolf's assertion, Allison pressed the issue, saying, "We will try to fix it so you will be as well off as the Sioux," and that the government was "very sorry" for the Cheyenne and Arapaho. Turning to the Indian agent John Saville, Allison asked whether the Indians were getting rations. Saville replied that they got rations through government generosity but were not entitled to them, and added cold-bloodedly, "If stopped they would starve to death." The Indians would have none of the Americans' nonsense, insisting, "The Sioux and the Cheyennes are all the same people: we have been . . . together and we want to remain together." Black Coal added, "Our forefathers are buried all over this country and when we go just a little

[57] Loretta Fowler, *Arapahoe Politics, 1851-1978: Symbols in Crises of Authority* (Lincoln: University of Nebraska Press, 1982), 58. The Arapahoes had not been able to secure a reservation in Wyoming at this point, which would have made them vulnerable.

[58] *Ibid*., 74. Little Wolf was Northern Cheyenne; Black Coal and White Maned Horse were Arapaho. Little Wolf was forced onto a reservation near Fort Reno, Indian Territory, after Ranald Mackenzie attacked Dull Knife's winter camp in November 1876. In September 1878, Little Wolf and Dull Knife escaped the reservation with around 300 people, and headed for Pine Ridge, where Red Cloud and Spotted Tail had been relocated. For more on the Northern Cheyenne exodus, see John H. Monnett, *Tell Them We Are Going Home: The Odyssey of the Northern Cheyennes* (Norman: University of Oklahoma Press, 2001).

buffalo hunting the white man comes against us and hunts us first." The commissioners, who must not have had very good hearing, said in closing that the Cheyenne and Arapaho ought to be provided for like the Lakota.[59]

When they returned to Red Cloud's Agency, the commissioners reiterated the fact that land cessions would provide physical and financial security to the Lakota people. Red Cloud criticized them for ignoring the problems that plagued the agency, including the disorderly behavior of intoxicated soldiers and civilian employees, and instead focusing their energies on the Black Hills. Red Cloud reminded the commissioners that they had deceived him by going to the Black Hills without informing him. "We look ahead for our children," he told them. This declaration seems to be key in understanding the origins of Red Cloud's status in the Lakota political hierarchy, and more important, the Anglo-American interpretation and corruption of that hierarchy.[60]

Red Cloud distanced himself from more militant leaders like Sitting Bull and American Horse by accepting a reservation-bound life as well as the status that Anglo-Americans assigned to him. But while Red Cloud acknowledged that the commissioners could now influence the future for the Lakotas, he was also acknowledging that the Oglalas' sought pragmatic solutions to their growing dependency—solutions that still allowed them a hefty measure of autonomy. They might sell land, but they would do so to provide for their families and their descendants. As Elizabeth Cook-Lynn has argued, "In 1873, when he had finally settled [on the reservation] and his influence among the people had diminished considerably, there was every indication that though he had

[59] Allison Commission, "Preliminary Meetings," 66.

[60] *Ibid.*, 70. For Red Cloud and questions of status in the Lakota polity, see Mario Gonzalez and Elizabeth Cook-Lynn, *The Politics of Hallowed Ground: Wounded Knee and the Struggle for Indian Sovereignty* (Urbana: University of Illinois Press, 1999), 28-32.

accepted the reservation as a homeland, he had not given up his commitment to sovereignty."[61]

Accordingly, Red Cloud, Red Dog, and other Lakota leaders did not hesitate to criticize the government's conduct in front of the commissioners. They named specific individuals who should oversee ration and annuity issues, and they named others who had cheated them with "lean old steers" instead of "fat beef cattle." They demanded restitution for the property stolen from their elders; they described the "principal rascals" and thieves who "came in with Pawnee scouts in the Black Hills." Brown Hat (Baptiste Good), another Lakota leader, declared, "We want to get our pay for the damage that has been done our country. The Brulés and Oglalas are going to have their agencies so long as the ground don't give in and the skies don't fall." The Lakotas also dwelled on the commissioners' eagerness to secure more land cessions before the annuities promised in the last treaty were provided.[62] Fast Bear mused, "There is something here that don't suit me. I sent my people to Washington and they brought me news here. The white men wanted the country that I had for game and I let them have it. I sent them to keep the people from going into the Black Hills and they have not done it.[63]

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[61] *Ibid.*, 30-31. Cook-Lynn explains, "The flaws of Red Cloud were never overlooked by the people who understood their nationalistic/sovereign legacy; though they recognized him as an accomplished warrior, they passed him over at least twice during the years of his war exploits [1866-1868] and political fame for the position of "shirt wearer," a position of the highest and most influential status. . . . in tribal terms . . . to the people themselves, there were other Indians on the Plains with power, and Red Cloud's acceptance of that supreme title was, at the very least, ambiguous. Eventually, in spite of what Red Cloud considered snubs by his people, he became a decision maker for agency politics. . . . In 1872, when Sitting Bull, Gall, Crazy Horse . . . and hundreds of other tribal leaders would not go to the designated reservations nor enter into negotiations which they considered stacked against them, Red Cloud was available to white politicians for the framing of the dialogues concerning the eventual defense and ultimate theft of the Black Hills."

[62] Allison Commission, "Preliminary Meetings," 70, 71, 75. For more on Baptiste Good (Brown Hat), see Mario Gonzalez and Elizabeth Cook-Lynn, *The Politics of Hallowed Ground: Wounded Knee and the Struggle for Indian Sovereignty*, 246-47.

[63] Allison Commission, "Preliminary Meetings," 80.

Clearly, Lakota and Anglo-American perspectives diverged wildly on the meanings of treaties and the intent behind them. Lakota people would have seen a treaty promise as binding— "an inviolable agreement between the parties. . . . an agreement that encompasses the whole world, the sacred and secular, a promise they are bound to keep, made on the Pipe."[64] But the commissioners operated with an entirely different set of assumptions. Perhaps the most shocking element of the meetings is the commissioners' justification for a new treaty. Senator Allison declared that the Lakota had not understood the 1868 treaty's provisions correctly—rather than receive food and clothing both for thirty years, the Indians had received food for only four years.[65] "When the treaty came to be printed and distributed so that we could read it, we found that it read differently," Allison claimed. This bald lie, therefore, became the basis for the new demand for Lakota land.[66] The commissioners could then argue that the Lakota had been fed by the generosity of the government just as the Cheyenne and Arapaho had, which then obligated the Indians to cede land to their benefactors. Decoding the intended treaty stipulations requires little imagination. In all likelihood, the government promised thirty years of food in council talks, but authorities then changed the wording of the treaty to reflect a four-year time span instead. This subterfuge allowed Allison to argue, "One reason why the president wants to make a new treaty is because the treaty that they have now is a bad one. . . . Now for two years the president of his own accord . . . has been

[64] Raymond DeMallie, "Treaties are Made Between Nations," *The Great Sioux Nation : An Oral History of the Sioux Nation and its Struggle for Sovereignty*, ed. Roxanne Dunbar-Ortiz (New York: Random House and the American Indian Treaty Council, 1977), 110.

[65] Allison Commission, "Preliminary Meetings," 79.

[66] For the text of the Treaty of Fort Laramie, see *Indian Affairs, Laws and Treaties*, Vol. 2, ed. Charles J. Kappler (Washington: Government Printing Office, 1904), 998-1007; for the food and clothing provisions, see Article 10.

feeding you by the gratuity of the whites."[67] In this way, the commissioners took full advantage of the Lakota adherence to reciprocity and used the threat of starvation to exact more concessions from them. The Lakota resisted this combination of coercion and sleight-of-hand, however, and refused ultimately to agree to the commission's proposal for the sale of the Black Hills. In the end, the Lakota remained sovereign despite internal disagreements, and their refusal to agree to a land sale meant that the commissioners went home empty-handed.

The commission's final report highlights the dual nature of the "fiction" that ruled Indian affairs in the postbellum era. In one sense, native-white relations were a fiction because native people were treated simultaneously as sovereign nations and wards of the government. In another sense, the "fiction" of Indian affairs can be seen in Anglo-American ignorance of native sophistication. The preliminary meetings reveal that the Lakota and their allies were not "ignorant and almost helpless people," as the government made them out to be.[68] Rather, they were dymanic in their use of negotiation, highly aware of their wrongful treatment by the Indian Office, and determined to let the commissioners know they would not be cowed.

Nevertheless, the commissioners perpetuated this fiction of Indian affairs. They intimated that the Lakota had been ignorant of the Black Hills' value until the staff at the Indian agencies gave them other ideas. They suggested that only greed motivated the

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[67] Allison Commission, "Preliminary Meetings," 79. While some might consider this a wild interpretation of events, a number of things are clear from the wording of the Allison Commission: first, that the Indians understood initially that they would receive food and clothing for thirty years; second, Allison's contention that the treaty "read differently" when printed, as if it had changed magically between its being written and then printed; and third, Allison's contention that the Lakotas were receiving food on borrowed time. All of these factors point to the coercive nature of the 1868 Treaty of Fort Laramie and the use of it as leverage in 1875.

[68] For the "fiction" in Indian affairs, see chapter 4 of this manuscript, fn. 64. See *Report of the Commission Appointed to Treat with the Sioux Indians for the Relinquishment of the Black Hills* (Washington: Government Printing Office, 1875), 3.

Lakota to sell the land, since the Indians wanted "an exorbitant sum" for it. Their interpretation totally ignores Lakota leaders' constant assertions of sovereignty and their demands for restitution. At the grand council on September 20th, Red Cloud wanted "seven generations ahead" to be cared for; Red Dog told the Americans that the Lakota did not want to surrender all of the Black Hills and they wanted whites to stop building roads into their country. Spotted Tail wanted the troops out and for the government to pay the Indians "as long as we live on this earth." Reinforcing the Lakotas' regard for the sacred nature of the land, Red Cloud added, "Maybe you white people think that I ask too much from the Government, but I think those hills extend clear to the sky—maybe they go above the sky, and that is the reason I ask for so much."[69]

Dead Eyes may have put it best.

> You have put all our heads together and covered them with a blanket. That hill is our wealth, but you have been asking it from us. It is not a very small thing, you must remember . . . it is not very much when we ask equal shares. You white people, you have all come in our reservation and helped yourselves to our property, and you are not satisfied; you went beyond to take the whole of our safe. These tribes all here spoke with one word in saying that they look after their children for seven generations to come.[70]

The rest of the story is fairly well known. The Lakota nation refused to sell the Black Hills, leaving the Anglo-Americans to devise a way to take it from them. By November 9th, when Sheridan wrote to Terry, President Grant had decided on the method. "At a meeting which occurred in Washington on the 3rd of November . . . the

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[69] *Report of the Commission Appointed to Treat with the Sioux Indians for the Relinquishment of the Black Hills* (Washington: Government Printing Office, 1875), 6. In August, Colonel Richard Dodge met Spotted Tail and Mr. Howard. Dodge wrote to Crook, "My private opinion is that this trip is intended to enhance the Indians' idea of the value of the Hills. Spotted Tail seems all at once to have discovered that this is a very valuable country and worth a great deal of money." Richard Irving Dodge to Crook, 10 August 1875, DoPlatte, LS, RG 393. Captain Edwin Pollock reported that a group of Lakota leaders, including Red Cloud and Spotted Tail, had demanded $60,000 for the damages done by miners "digging holes in their country." Edwin Pollock to AAG, 2 August 1875, District of the Black Hills, DoDak, ES, RG 393.

[70] *Report of the Commission Appointed to Treat with the Sioux Indians for the Relinquishment of the Black Hills* (Washington: Government Printing Office, 1875), 8.

President decided that . . . no further resistance by the military should be made to the miners going in, it being his belief that such resistance only increased their desire and complicated the troubles."[71] All Lakota people not living on reservations were ordered to report to the agencies by January 31. But the Lakota had no way to comply with the order—the horses were at their weakest, and runners could never had made it to all the outlying Lakota communities in the cold weather and deep snow. The troops left the hills; Crook mounted a winter campaign that fell flat; the summer campaign in 1876 ended when Custer got what was coming to him. Less well-known, however, are the stories of increasing internecine violence and the devastating failures encountered by miners over the autumn and early winter of 1876, or the problems that line officers encountered while trying to extricate themselves from a mission that had lasted seven or eight years and now suddenly came to a close. These events reveal that, at least among some army officers, the impulse to resist the miners and uphold Indian rights still remained.

Throughout the summer of 1875, more miners went deeper into Lakota territory. They faced Lakota retribution on one hand and the army on the other. Lieutenant Colonel Luther Bradley, commanding the District of the Black Hills, ordered in July 1875 that miners who entered the hills would be held as prisoners.[72] General George Crook issued a proclamation shortly thereafter: "The President of the United States has directed that no Miners, or other unauthorized Citizens, be allowed to remain in the

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[71] Ulysses Simpson Grant, *The Papers of Ulysses S. Grant, 1875*., ed. John Y. Simon, vol. 26 (Carbondale: Southern Illinois University Press, 1967), 163.

[72] Luther P. Bradley to AAG, 12 July 1875, District of Black Hills, DoDak, ES, RG 393. Bradley's order included this caveat: "until permitted to do so by government authority." George Crook announced that his department had the authority to expel unauthorized parties from the Black Hills as well. George Crook to AAG, 16 August 1875, DoPlatte, LS, RG 393, enclosed in Edward P. Smith to Ulysses S. Grant, 13 September 1875, DoPlatte, LS, RG 393.

Indian Reservation of the Black Hills, or in the unceded Territory to the west, until some new treaty arrangements have been made with the Indians." All miners were required to leave the Hills by August 15. When the government opened the country, each miner would be able to secure "the benefit of his discoveries and the labor he has expended."[73] The wording of this circular suggests that the Allison Commission approached the proposed land sale as an assumptive close. Civilians came to expect that access to the Black Hills was a right; like the indignant governor of Nebraska, they internalized the tenets of American exceptionalism. Miners at French Creek, one of the prime prospecting areas, thanked General Crook for the "kind and gentlemanly manner" with which his command treated them. Although the miners were turned out of the hills, they were convinced that the area was "one of the richest mining districts" in the country. They told Crook, "In obeying the command of the President, Resolved that we do so under protest."[74]

In August, expeditions from Fort Rice in central Dakota Territory pursued various groups of Indians who stole government stock in the Black Hills and from contractors elsewhere; they also chased down Indians who killed two white men near Bismarck in August and September.[75] Raids for horses continued throughout the winter.[76] Crook wrote that patrols in the Black Hills were only partially successful, though his soldiers had to resort to "stringent measures" in some cases to convince miners to leave.[77] Miners were killing each other. An army surgeon at Camp Collins performed an autopsy on a

[73] George Crook to AAG, 29 July 1875, Department of the Platte, LS, RG 393.
[74] W.H. Wood, et al. to Crook, 10 August 1875, DoPlatte, LS, RG 393.
[75] [Unknown], Middle District, DoDak, LS, RG 393.
[76] Frederick Van Vliet, commanding Camp Sidney, to Acting AAG, 30 November 1875, District of the Black Hills, DoDak, ES, RG 393.
[77] Crook to AAG, 15 September 1875, DoPlatte, LS, RG 393.

man who had been bludgeoned to death with a pick: "Bones, portions of the scalp with hair attached, and parts of garments, were strewn along the slope and over the little valley . . . scattered by wolves while [they were] devouring the body."[78] Despite the promises of travel literature—that elk, deer, and antelope could be found at any of the streams, and that stockpiling food was not essential—men starved to death.[79] Miners simply wandered in the hills when they ran out of food. Captain Pollock collected a prospector who had not eaten in five days: "He had the coldest eyes I have ever seen out of the head of a mad man." Upon leaving Pollock's outpost, another man started a tremendous fire that lasted for six days, burning all the grass in sight.[80]

Removing prospectors from the hills proved difficult, for the army lacked enough men to escort miners away from the hills and also ensure that miners did not turn around once they were out of range of soldiers. Pollock questioned all miners brought into his camp but told his superiors, "I don't think they are many." These men were "hard to find . . . if they should desire to stay all winter, they will keep away from the creeks where prospecting has been done."[81] Miners often lied to the army; at French Gulch, some civilians told Pollock that Crook had given them permission to stay in the hills, collecting stray horses. "We can not help but feel under obligation to the owners of property which we have promised to guard and protect," wrote one of the civilians to Pollock, referring to the miners.[82]

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[78] B.G. McPhail to W. F. Norris, 10 September 1875, Camp Collins, District of the Black Hills, LS, RG 393.

[79] Thomas McLean Newson, *Drama of life in the Black Hills* (Saint Paul: Dodge and Larpenteur, 1878), 15. Minnesota Historical Society, St. Paul.

[80] Edwin Pollock to AAG, 2 August 1875, District of the Black Hills, DoDak, ES, RG 393.

[81] Pollock to Crook, 14 September 1875, District of the Black Hills, DoDak, LS, RG 393.

[82] W.H. Wood, et al to Pollock, 17 September 1875, District of the Black Hills, DoDak, LR, RG 393.

October heralded the prospect of "serious trouble" at Red Cloud's agency and other places throughout the region. William Rowlands, the agency interpreter for the Cheyenne, had killed a Cheyenne man; this led to the revenge killing of his mules and horses, and his cabin was gutted and burned. The agency had also stopped rations from going to Red Cloud's Oglala bands.[83] Most troubling, a large party under Sitting Bull supposedly planned to harass the road from Fort Stevenson to Fort Buford in October 1875.[84] A series of orders that directed lenient treatment of miners only worsened the atmosphere of unease. In the Department of Dakota, miners could not be detained by soldiers any longer than five days, at which point they would have to be released.[85] This order effectively invalidated army officers' authority, making it impossible for them to restrain miners who sought to repeatedly enter the Black Hills. General Terry ordered that first-time offenders be taken to the reservation's limits and released, and that previous offenders be turned over to local law enforcement.[86] Thus, at the same time that the army attempted to stem white encroachment, the willingness of senior military leaders and civil authorities to condone illegal prospecting weakened line officers' ability to protect reservation boundaries.

In the last few weeks before the commanders in the District of the Black Hills withdrew with their troops, they received a series of conflicting orders, reflecting the confusion that had come to dominate the government's approach to the Black Hills.

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[83] W.H. Jordan to Acting AAG, 16 October 1875, District of the Black Hills, DoDak, ES, RG 393.

[84] [Unknown], 14 October 1875, District of the Black Hills, DoDak, LS, RG 393. Fort Stevenson, North Dakota, was established in 1867, and was located near Garrison, North Dakota. The site is now under water as a result of damming projects. Fort Buford, also in North Dakota, was established in 1866, and is located in Buford.

[85] George D. Ruggles to Luther P. Bradley, 13 October 1875, District of the Black Hills, ES, RG 393.

[86] Acting AAG to Lugenbeel, 17 October 1875, District of Southeastern Dakota, LS, RG 393.

First, General Crook ordered that supplies would be sent to Captain Pollock's command, and that the supplies would last until December 1st. Pollock was told that he would not have to leave the area until he received further orders. A few days later, the timetable was cut short, and a half-month's ration was set instead.[87]

On November 9th, six days after Grant made his decision in Washington, the companies assigned to the Black Hills were ordered to withdraw.[88] On General Crook's orders, Captain Pollock pulled his troops and left.[89] The week before, his executive officer had noted with chagrin that he had arrested eight prospectors. The leader of the group, a Mr. Kenyon, convinced Captain Pollock that he needed to look for a lost horse. Pollock assented, and the man promptly disappeared. "I was very reluctant to give up my belief in his honesty of purpose," wrote the captain in his final report.[90] Thus the army's mission in the Black Hills ended without much fanfare, and the troops and their horses tramped through the snow to Fort Laramie and other installations. In an ironic denouement, nearly two months after the troops left, staff members in the Department of Dakota sent out copies of the regulations under which soldiers were allowed to detain illegal prospectors.[91] Scarcely any officers would have been present in the Black Hills to receive these instructions, and the instructions themselves were moot.

In subsequent months, federal authorities made a series of impossible demands on the Lakota people that were meant to restrict their movements, their access to weapons, and their allies. John Q. Smith, Commissioner of Indian Affairs, wrote to the new Secretary of Interior that agents at the major reservations and forts were to stop all sales

[87] AAG to Pollock, 20 October 1875, District of the Black Hills, DoDak, ES, RG 393.
[88] Special Order No. 34, Headquarters District of the Black Hills, DoDak, LS, RG 393, Part III.
[89] AAG to Pollock, 8 November 1875, District of the Black Hills, DoDak, ES, RG 393.
[90] Pollock to AAG, 27 November 1875, DoDak, LS, RG 393.
[91] Ruggles to Bradley, 22 December 1875, District of the Black Hills, DoDak, ES, RG 393.

of arms and ammunition to the Indians and to seize any weapons that might reach them.[92] By January 31st, all nonreservation Indians were ordered to surrender. Very quickly, the "federal bureaucracy produce[d] an official justification for a war on the nonreservation Sioux and then put it through proper channels." Of course, it was impossible for runners to reach the agencies and outlying Indian communities in the dead of winter, and authorities knew that. Crook's winter campaign of March 1876 failed to rout a large Oglala and Cheyenne camp near the Little Powder River.[93]

That same month, the Department of Interior restricted hunting licenses to Sioux people in Dakota and Nebraska, forbidding them to hunt south of the North Platte; if those Indians crossed the river, the army was to "attack and destroy them." This blocked Sioux access to southeastern Wyoming and northeastern and central Colorado, and cut off their access to hunting ground even before the season started. The restrictions also made it tougher for the Lakota to reach Northern Cheyenne and Arapaho allies who were not in Dakota Territory or eastern Montana.[94] By early June, thousands of Indian people had left the reservations and headed north to the Powder River country. The commander at Fort Robinson told the major commanding Fort Laramie that at least two thousand Indians, "men, women, and children," had left Red Cloud's agency. Fifteen hundred Lakotas were accompanied by five hundred of their Cheyenne allies, with five hundred warriors among them.[95] They went north to join Sitting Bull. As late as June 12th, the Indian agent at the Lower Brulé reservation wrote that a Sun Dance was underway.[96]

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[92] The agencies included Spotted Tail, Red Cloud, Standing Rock, Cheyenne River, and forts Belknap and Peck. John Q. Smith to Zachariah Chandler, 18 January 1876, DoDak, LR, RG 393.

[93] Hutton, *Phil Sheridan and his Army*, 300.

[94] AAG to Fort Laramie, 11 March 1876, DePlatte, LS, RG 393.

[95] William H. Jordan to E.F. Townsend, 2 June 1876, Fort Laramie, DoDak, LR, RG 393.

[96] John Reid to Isaac D. DeRussy, 12 June 1876, DoPlatte, LS, RG 393.

Two weeks later, the Lakotas and their allies defeated American troops in an inimitable expression of sovereignty.

While historians have acknowledged that the methods of the Office of Indian Affairs and the army were at odds, they also assert that progressive reformers and the military shared the goal of assimilation and the destruction of native sovereignty. In this sense, army operations and treaty councils worked in concert: the army coerced and offered protection to Indians, and then attacked them; federal authorities did the same, forcing assimilation on an unwilling people who became the victims of a colonizing agenda. The army itself advanced this agenda in a variety of ways but the situation in the Black Hills complicates this picture.

Army officers like Stanley, Lugenbeel, and Mills were themselves confused by the conflicting interests—of miners and Indians—that the army was asked to protect. Their superiors, men like Terry, Ord, Custer, Sheridan, and Sherman, entertained collusion with the railroad, turning a blind eye to the onslaught of miners, and advocated the sale or seizure of the Black Hills even before the Allison commission was created. At the commission's preliminary meetings, it is clear that the Lakota retained a strong grasp on the principles that made them sovereign. To ignore sovereignty in the face of Lakota factionalism does a great disservice to the Lakota community members and leaders who each had their own opinions about sovereignty and the best ways to retain it. The Lakota exacted several major concessions from the American government between 1866 and 1875—including Red Cloud's raids, multiple agency relocations that upset government plans for long term Lakota assimilation into the agricultural society, and finally their biggest victory—refusing to give up the seat of their cultural identity. Thus, the United

States had allowed itself one option in dealing with native people, and that option led them to war.

CHAPTER SIX: Oliver Otis Howard and the Nez Percés

In the summer of 1874, the army exiled Major General Oliver Otis Howard from the Portland of his native Maine to Portland, Oregon. His superiors wanted to stop him from creating controversy. In the Pacific Northwest, only thirteen hundred native people, including members of the Nez Percé tribe, were categorized as "hostile" to the government. This area, the Department of the Columbia, was unlike the Department of Dakota, whose staff had to contend with a nation of angry Lakota. Howard felt that his new responsibilities would not be too hard to bear. He told the *New York Times*, "From appearances there would be little work" for him.[1] As early as 1870, many Indians in the Pacific Northwest had been relocated on federal lands. Their assimilation into the dominant white culture seemed assured. What sort of concerns could be raised by the presence of a few scattered bands? [2]

Those who had followed the Union Army through Georgia and South Carolina knew that Howard had served beside William Tecumseh Sherman, hard-charging commander of the western forces. Of Howard, Sherman wrote, "He is very sincere & moral Even to piety but brave having lost an arm already."[3] In placing Howard at the head of the Army of the Tennessee, Sherman ignored the seniority of two other officers. He said that he "made no mistake" in choosing a maimed man who others called a

[1] *New York Times*, 11 October 1874.

[2] "Report of the Commissioner of Indian Affairs", in "Report of the Secretary of the Interior," 1870, 41st Congress, 3rd Session, Serial 1449, 30-33.

[3] William Tecumseh Sherman to Ellen Ewing Sherman, 29 July 1864, in *Sherman's Civil War: Selected Correspondence of William T. Sherman, 1860-1865*, ed. Brooks D. Simpson and Jean V. Berlin

hypocrite and a pious fraud.[4]

Beyond Howard's expressions of temperance and faith, Sherman sensed that he was a conscientious man. Howard promoted cohesion among the general staff by his reluctance to quarrel. He followed orders to the utmost of his ability without comment, and acquitted himself fearlessly in battle. Not only did he fulfill his duties as a commander, Howard served as a combat-hardened chaplain when there were none for his soldiers to approach. He was more than capable of emulating Sherman's toughness, but his compassion and gentle manner benefitted his soldiers and the army's mission as well. Both a staunch defender of Sherman's approach to war and the moral and social dimensions of black emancipation, Howard surprised those who doubted that the army's mission could have an ethical drive.[5]

When Lincoln appointed Howard to direct the Freedman's Bureau, Sherman offered a skeptical judgment of the new position. He warned his subordinate that the kindest intentions would not suffice. The task before him was impossible. Yet, said Sherman, "You can and will do all the good one man may."[6] Aware of the risks, Howard became responsible for ensuring blacks' legal equality. He was challenged by many Southerners who sought to undermine his work. Nor was the federal government free of

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(Chapel Hill: University of North Carolina Press, 1999), 676.

[4] Sherman to Henry W. Halleck, 4 September 1864, *The War of the Rebellion: A compilation of the Official Records of the War of the Union and Confederate Armies* (Washington: Government Printing Office, 1880-1901), ser. 1, vol. 38, pt.5, 793. (Hereafter cited as *OR* with accompanying volume and subsequent information). John A. Carpenter, *Sword and Olive Branch: Oliver Otis Howard* (Pittsburgh, University of Pittsburgh Press, 1964), 25, 69, 288. Oliver Otis Howard, *Autobiography of Oliver Otis Howard, Major General United States Army* (New York: Baker and Taylor, 1907), 2:537.

[5] *New York Times*, 16 January 1863. Howard stated his support of abolition and ascribed an emancipatory aspect to the war; see *Autobiography* 2:26; for Civil Rights Act defense, see 41st Congress, 2nd Session, Serial 1412, 509.

blame. The Johnson administration reneged on Howard's innovative land policy of allocating abandoned and confiscated land to blacks, and denied homes and livelihoods to thousands of freedmen. The general investigated violations of the Civil Rights Act and publicized Klan violence when few federal officials intervened and protected blacks' rights. It shocked Howard when an influential Democratic congressman accused him of diverting over half a million dollars in Bureau funds to a university he helped to found for African-American men. Throughout the next two years, the role of the Bureau faded from reconstruction plans. Were it not for a violent Arizona uprising in the spring of 1871, Howard might have retreated to private life.

White settlers had slaughtered eighty-five Indians near Tucson, creating the danger for large-scale war in the already unstable Southwest. The Department of the Interior requested that Howard negotiate with the belligerent factions. His most visible achievement was his mediation with Cochise, the infamous leader of the Chiricahua Apaches. After venturing into enemy territory with a white scout, his aide, and two Chiricahua warriors of uncertain sympathies, Howard secured what he and others initially believed was a viable and unprecedented settlement. But soon the regional press claimed that he had exempted the Chiricahauas from supervision. Howard had been too lenient in terms of federal policy, but he had also helped make definite improvements.[7] Embittered over the public's failure to recognize his efforts, he was also angry at the generals who had not supported him. "I hope my brother officers will grant me a little indulgence . . .

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[6] Sherman to Howard, 17 May 1865, *OR*, ser. 1, vol. 47, pt.3, 515.

[7] "Report of the Commissioner of Indian Affairs", in "Report of the Secretary of the Interior," 1874, 43rd Congress, 2nd Session, Serial 1639, 608.

for striving to put *peace* before *war* as the president and *all* his officers desire." He did not disguise his disapproval of the army's interpretation of Indian policy.[8] Howard understood Grant's attitude–to "favor any course towards [Indians] which tends to their civilization and ultimate citizenship" in a literal sense. He naïvely trusted that the administration's joint efforts with religious institutions would provide justice. However, this policy had a prescription for violence. Any Indians who refused to obey the government were "hostile" and subject to military action. As an army officer, Howard recognized that violence was sometimes necessary. But as a man of tolerance and sacrifice, he balked at accepting this policy without qualifications.[9] Nevertheless, he tried to separate personal and professional views as was expected.

The notion of the "Christian" and "humanitarian" general is a common and useful starting place for understanding Howard's place in the army during the Civil War and Indian Wars. However, the concept obscures his contradictory behavior during the Nez Percé War of 1877.[10] If we are to view Howard through those sobriquets, then his actions fall into three categories. He comes across as either a competent or incompetent field commander whose spirituality failed to widen his understanding of Native Americans, or a man who was powerless to effect policy for their benefit. With the additional layer of Howard's postwar publications, however, more contradictions are

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[8]Howard to William W. Belknap, 12 November 1872, Howard Papers, George J. Mitchell Department of Special Collections and Archives, Bowdoin College Library, Brunswick, Maine.

[9] Francis Paul Prucha, *The Great Father: The United States Government and the American Indians* (Lincoln: University of Nebraska Press, 1984; reprint, Lincoln: University of Nebraska Press, 1995) 480, 482.

[10]Richard N. Ellis, "The Humanitarian Generals," *The Western Historical Quarterly* 3, no. 2 (April 1972): 169-78; see also Carpenter, *Sword and Olive Branch.*

drawn into the narrative of the Nez Percé War. In these writings, he attempted to excise specific aspects of the war from public memory–aspects that conflicted with the public image that he wanted to achieve. Throughout the campaign, Howard's superiors heaped much doubt and distrust upon him. Their correspondence shows his reluctance to commit to the campaign, not merely word, but in action. In addition, they make obvious his self-conscious and increasingly desperate attempts to hide his reluctance to fight the Nez Percés.[11] Howard still carried his misreading of policy when he was given the Department of Columbia. As a result, he compounded the problems of the Nez Percés. In his misguided attempts to give them more freedom, he increased their suffering. Far from being intent on their capture, he deliberately disobeyed his order to do so.

During the 1860s, mining prospects, the railroad, and the Civil War pushed settlers into the Far West. In a decade, tens of thousands of Americans laid claim to Montana and Oregon.[12] In response to white settlement, the Indian Affairs Office had forced many of the Indians in the Pacific Northwest on reservations by 1870. In 1876 alone, twelve thousand individuals settled in Oregon; half of them stayed in the Columbia River Basin, in close proximity to the Nez Percé Indians.[13] The Nez Percés of the Wallowa Valley, who had little enmity toward the whites, faced a unique situation when

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[11] A large part of this correspondence–especially that of the Military Division of the Pacific, which oversaw the Department of the Columbia–is reproduced in "Claims of the Nez Percé Indians," 56th Congress, 1st Session, Senate Document 257, Serial 3867, 9-69. This is a common primary source in histories of the Nez Percé War; however, crucial elements of the correspondence are in the files of the Adjutant General's Office and the Continental US Army records. Because these sources are far less accessible than the "Claims," they are rarely cited.

[12] Dean L. May, *Three Frontiers: Family, Land, and Society in the American West, 1850-1900* (Cambridge: Cambridge University Press, 1994), 89-90.

[13] James B. Hedges, "Promotion of Immigration to the Pacific Northwest by the Railroads," *Mississippi Valley Historical Review* 15 (September 1928): 185, 193. "Report of the Commissioner of Indian Affairs," in "Report of the Secretary of the Interior," 1870, 41st Congress, 3rd Session, Serial 1449,

they were approached for a treaty.[14] They had done nothing wrong, and their autonomy was not immediately compromised by their signing the treaty. As part of the ongoing effort to limit Indians' influence and push them onto reservations, territorial authorities engineered land cessions in exchange for annuities. The Nez Percés surrendered land for two hundred thousand dollars of promised annuities that would provide for life on a reservation.[15]

This provision had no direct effect on the Nez Percés for over twenty years. As a precursor to the violence of 1877, however, the treaty had drastic effects. It restricted the tribes' ability to travel, infringing on their buffalo hunts in Montana. It warped their leadership structure, forcing them to elect largely acculturated individuals who supposedly represented the entire group. Lastly, it increased factionalism between the bands that lived in the upper and lower parts of the Wallowa valley. The Nez Percés who occupied the upper valley did not resist assimilation, because their behavior and outlook had been modified by Christian influence since the late 1840s. The lower valley Nez Percés, however, ignored the treaty. Their continued independence, coupled with the

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[14] The Nee-Me-Poo (called Nez Percés by French Canadian fur trappers for the decorative piercing of nasal cartilage) occupied a tract of eleven thousand square miles–from Bitterroot Valley in southwestern Montana, along tributaries of the Snake and Columbia Rivers in southeastern Washington, and in the upper and lower sections of the Wallowa River valley of northeastern Oregon. They aided Captains Meriwether Lewis and William Clark's expedition in 1805-6; with the acquisition of horses and firearms in the late 18th century, they expanded their diet of fish, venison, and fruit. During their autumnal buffalo hunts in Montana, they allied with the Crow; adopting habits of these Plains Indians, they modified their clothing, songs, and dance, and used the tipi when outside of their home range. Historically, the northern tier tribes of Blackfoot, Assiniboine, Gros Ventre, and Lakota resented the Nez Percés' infringement of their hunting grounds. The Shoshone, east of the Yellowstone area, had no affinity for them either. Jerome Greene, *Nez Percé Summer 1877: The United States Army and the Nee-Me-Poo Crisis (*Helena: Montana Historical Society Press, 2000), 14.

[15] "Executive Orders Establishing, Enlarging or Reducing Indian Reservations, also Restoring Certain Indian Reservations to the Public Domain, From May 14, 1855 to October 29, 1878," in "Report of

stress of the Civil War and unabated emigration, prompted the government to call another council in 1863. At this council, the lower Nez Percés were told that they had to give up the grazing land for their Appaloosa horses. Joseph, leader of that band, walked out of the negotiations. Thereafter, his people were known as non-treaty Nez Percés. With the expectation that the Indians would consent to remain in the Wallowa Valley, the government declared the land a reservation in 1873.[16]

That year, Oregon's governor, L.F. Grover, drew the following conclusions for the Department of the Interior. "Joseph's band do not desire Wallowa Valley for a reservation and a home . . . they will not accept. . . . This small band wishes the possession of this large section of Oregon simply for room to gratify a wild, roaming disposition." Grover set the Indians in direct opposition to whites who, according to their own conceptions of land use, would actively "cultivate" the valley. The annual report of John B. Monteith, agent at the Nez Percés' reservation in Lapwai, Idaho, supported the governor's contentions. Throughout 1872 and 1873, the non-treaty Indians of Wallowa had tried to convince their kin to abandon the reservation with the "subversive" lure of the buffalo hunt. The treaty group refused to leave and disappointment further polarized the tribe. The government revoked the Wallowa group's status as a reserve in 1875.[17] Still, there was no open hostility. Before the 1877 war, sixteen Nez Percés died at the

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the Commissioner of Indian Affairs," in "Report of the Secretary of the Interior," 1878, 45th Congress, 3rd Session, Serial 1850, 765.

[16] "Treaty with the Nez Percé Indians" (June 11, 1855), 12 United States Statutes at Large, 957-62.

[17] L.F. Grover to the Honorable Columbus Delano, 21 July 1873, in "Report of Brigadier General Howard" in "Report of the Secretary of War," 1875, 44th Congress, 1st Session Serial 1674, 129; "Report of Commissioner of Indian Affairs", in "Report of the Secretary of the Interior," 43rd Congress, 2nd Session, Serial 1639, 285. "Treaty with the Nez Percé Indians" (9 June 1863), 14 United States Statutes at Large,

hands of whites; one woman was killed by a miner's pick "on account of her dog whipping a white man's dog."[18] The Nez Percés did not retaliate. Sherman placed Howard into this tense situation, assuming that the Department's conflicts would not pose him any real difficulties.

"I think it a great mistake to take from Joseph and his band of Nez Percé Indians that valley. The white people really do not want it . . . possibly Congress can be induced to let these really peaceable Indians have this poor valley for their own." Howard's startling admission, which he also intimated in his formal report, not only repudiated federal policy, it also denied the primacy of white settlement. Privately, he hoped that conflict would be avoided if the government deigned to be just.[19] In his annual report, Howard also endorsed and included the reports of Captain Stephen G. Whipple and Major Henry Clay Wood. Both of these officers pointed out the weaknesses of the government's position. "Of course," observed Whipple, "before very long the Indians will be forbidden the valley and ordered onto a reservation far from here. They may go without physical resistance, but it is by no means certain they will do so . . . as a community they will cease to exist."[20] Wood's report, researched at Howard's request, contained such inflammatory material that it was never published. "Instructed to state facts," the major blasted the claims of his superiors in Washington. The attachment to home, "not uncommon to whites" precipitated the Nez Percés' discontent. He concluded

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[18] Duncan McDonald, "The Nez Percés: The History of Their Troubles and the Campaign of 1877," *Idaho Yesterdays* 21 (Spring 1977), 9.

[19] Howard to William B. Cudlipp, 12 July 1876, Howard Papers.

[20] "Report of the Secretary of War," 1875, 128-29.

that they had been forced to recognize artificial, elective leaders, suffered greater factionalism, and were compelled to sign the treaty against their will. The treaty of 1855 was not ratified until 1859. Even then, the government had continued to disregard its obligations "with criminal neglect."[21] The treaty had no binding effect on the non-treaty group, and therefore depriving them of their title to Wallowa was illegal. To the government's actions, Howard later sighed, "So much for our ideas of justice."[22]

In January 1877, Howard received the order to occupy the Wallowa valley and supervise removal to the Fort Lapwai reservation. The process of deploying troops and assets lasted through March, and when Joseph requested a council for April 20th, Howard agreed, further delaying the order. Despite his and others' worries that peace might not last, he was nonetheless hopeful. By following the prescription of the Department of War, in preparing for any eventuality, yet also supporting the Department of Interior's insistence on a suppression of violent activity, he tried to fulfill the twin expectations of federal policy.[23] All the while, he feared that others might not see him as being "resolute and persistent." He ordered a detachment to the Wallowa valley, and had two Gatling guns and sufficient ammunition placed at the ready. For a man who had roundly criticized his brother officers for their warmongering, and had insinuated that his

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[21] Henry Clay Wood to Howard, Department of Columbia, Letters Sent, Record Group 393. (Hereafter abbreviated as DoC, LR, RG 393, with LS for Letters Sent).

[22] Oliver Otis Howard, "From the General's Pen: The Nez Percé Campaign of 1877, ed. Linwood Laughy, *In Pursuit of the Nez Percés* (Wrangell, AK: Mountain Meadow Press, 1993), 20. This text reprints the original account entitled *Nez Percé Joseph: An Account of his Ancestors, His Lands, His Enemies, His Murders, His War, His Pursuit and Capture*, by General O.O. Howard, published by Lee and Shepherd of Boston, 1881.

[23] "Supplementary Report of General O.O. Howard," 26 December 1877, in "Report of the Secretary of War," 1877, 45th Congress, 2nd Session, Serial 1794, 587 (hereafter referred to as "Supplementary Report"). See Circular from Adjutant General's Office, 8 May 1877, DoC, LR, RG 393.

supervisors' actions were criminal, he seemed to be in a belligerent frame of mind.[24]

Monteith, the Indian agent, wrote Howard in February, relating Joseph's reaction to the proposed move to Lapwai: "I have been talking to the whites many years about the land in question, and it is strange they cannot understand me. The country they claim belonged to my father, and when he died it was given to me and my people." The non-treaty Nez Percés not alone in refusing to leave; neighboring Nez Percé bands on the Snake and Salmon Rivers did not want to go either. Some of the Nez Percés objected to the move because two Anglo-Americans, men named Caldwell and Finney, claimed much of the best land at Lapwai.[25] Two weeks later, Monteith reported that Joseph had held a council with other Nez Percés, some from the lower Snake River and two chiefs from Salmon River. Joseph had sent word for them to gather and talk about moving to the Lapwai reservation; he was quiet for the most part, allowing his brother Ollicut to speak for him. On the other hand, Toohulhulsote, one of the Salmon River leaders, spoke aggressively. He and most of the other leaders refused to live on the Wallowa Valley, even if it were set aside as a reservation. Monteith reasoned that Joseph pushed the Wallowa option because he wanted to protect the horse herds, but the others "had nothing to lose." Local Anglo-Americans were set against the Indians and wanted them to leave the area entirely. The Lewiston, Idaho, paper, the *Teller*, claimed that Joseph would only go to the reservation if Monteith was "driven off." More ominously, the paper claimed that "an unusual number of Indians came to town" and bought weapons and ammunition from white traders.[26]

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[24] "Supplementary Report," 588, 591.
[25] J.B. Monteith to Howard, 9 February 1877, DoC, LR, RG 393.
[26] Monteith to Howard, 7 May 1877, DoC, LR, RG 393.

In the weeks surrounding Howard's primary meeting with Chief Joseph, tensions grew on all sides. On April 10th, Joseph arrived at the Umatilla agency, asking to speak to Howard in person. The interpreter at the last large council had not relayed Joseph's concerns to Oregon's leaders, and Joseph wanted to reiterate those issues to Howard. The Nez Perces wanted to retain hunting and fishing rights to the Wallowa Valley, but state authorities were not readily endorsing this request. Senior military leaders in the region wanted to avoid bloodshed; in fact, in a letter to Howard, the Pacific Division staff referenced the Sioux War of 1876 and stressed that it was of "paramount importance that none of the responsibility of any step which may lead to hostilities shall be initiated by the military authorities—you are to occupy the Wallowa Valley *in the interest of peace*."[27]

The May 1877 councils with Chief Joseph tested Howard's investment in federal policy and his willingness to perform his duties. At the third and final council, he buckled under when his patience was tested. For the first time, he threatened Joseph and the leader of a nearby band, White Bird, with reprisal–not merely a show of force. Their refusal to concede frustrated Howard even more, but the stubbornness of Toohulhulsote, the representative speaker, made him angry. The man's very appearance rankled him (in an uncharacteristic display of cultural and racial superiority, Howard wrote, "He was an ugly, obstinate, thick-necked savage of the worst type"), and he had shown "no attempt at conciliation even in manner." Howard had refused to do the same, but admitting it would have shown that he was wrong. Toohulhulsote demanded to know, "What person pretends to divide the land and put me on it?" Howard cried angrily, "I am that man! I

[27] Lieutenant Boyle to H. Clay Wood, 24 April 1877, DoC, LR, RG 393. AAG to Howard, 24

stand here for the President, and there is no spirit good or bad that will hinder me. My orders are plain and will be executed." Out of anger, and also to alarm the Indians into submission, Howard forcibly removed the speaker and had him confined. The other Indians conceded to Howard's demands immediately. At the end of thirty days, if he came to the Wallowa Valley, he would not expect to see a single lodge or horse.[28] To the commander at Fort Lapwai, Captain David Perry noted, "Howard thinks 'the backbone is broken.' . . . Joseph and White Bird begin to see things in a different light . . . we look upon the Indian trouble as settled."[29]

Howard's anger was the product of doubt and fear that had been growing over the last five years. His defense of black civil rights had come to nothing, but instead of retiring to private life as some might have hoped, he took on the highly-publicized mediation in Arizona. General William B. Hazen regarded the Indian as "a dirty beggar and thief [who] cares only to live in his vagrancy," yet he believed that Howard had subjected himself to unfavorable public opinion in regard to federal aid of racial minorities. "The duties were new, experimental, and those arrayed against you watched for the chance to trip you."[30] A year later, as the financial investigation of his Bureau activities dragged on, Howard was careful not to exceed the limits of his authority. He wanted to minimize the impact of his decisions in the Department of the Columbia. At

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March 1877, DoC, LR, RG 393.

[28] *Ibid*., 594, 596. Fritz, Henry E. *The Movement for Indian Assimilation, 1860-1890* (Philadelphia, University of Pennsylvania Press, 1963), 132. Bruce Hampton, *Children of Grace: The Nez Percé War of 1877* (New York: Henry Holt and Company, 1994), 53-4. Hampton claims that, according to native sources in Curtis's "The North American Indian," Howard told him to 'shut up' several times and pushed him.

[29] David Perry to commanding officer at Fort Lapwai, 9 May 1877, DoC, LR, RG 393.

[30] William B. Hazen to Howard, 28 June 1874, Howard Papers. Paul Hutton, *Phil Sheridan and His Army* (Lincoln: University of Nebraska Press, 1985), 43.

the same time, he upheld what he believed was the truth in his assessment of the Nez Percés' situation. Forestalling his efforts in September 1876, the Indian Office declared its intent to settle all non-treaty Indians of the Pacific Northwest on the existing reservations. Howard could not help the Nez Percés unless they settled permanently in the Wallowa valley–and two months later, Joseph refused to do that.[31]

Pressure from local citizens also pushed the Nez Percés and the army toward conflict. In May, just before the council with Joseph, Monteith and other civilian officials in the Department of the Columbia were engrossed in making restitution to Anglo-Americans who lived on and near the Lapwai reservation. The three men living within the reservation's boundaries, for instance, were compensated a combined total of $10,720. At the same time, fifty-seven citizens sent a letter to Howard, saying that Nez Percés warriors harassed them, tore down and burned fences, and stole livestock. They wanted Howard to ensure that the Indians were relocated to a reservation. The tone of their letter alternated between belligerence and pleading, which would not have sat well with the general.[32]

In light of tensions with the area's residents, Howard believed that Joseph was jeopardizing his own people. It put Howard in the position of having to once again demonstrate his allegiance to army doctrine. As he had told General John Schofield in 1872, "I have done simply what I was ordered." This too accounts for his deadening reiteration of "you must go to the reserve" to Joseph at the first council of 1877. To

[31] Judith St. Pierre, "General O.O. Howard and Grant's Peace Policy" (Ph.D. diss., University of North Carolina at Chapel Hill, 1990), 375. Report of Bureau of Indian Commissioners, 1876, 44th Congress, 2nd Session, Serial 1749, 60.

guard himself from censure, Howard assumed the pose of the dutiful soldier. He had done this before, to the freedmen of the Sea Islands. Late in the war, he had assisted Sherman in guaranteeing to blacks exclusive settlement rights of that cotton-rich coastal area. Eventually, Howard's land distribution program would have granted them title to these and other confiscated and abandoned lands. But when President Andrew Johnson widened the scope of Confederate amnesty beyond Howard's expectations, blacks faced eviction. Howard had to tell them to leave their homes. His authority (and his authenticity as an advocate of civil rights) had been compromised. He could not do anything to help them, except urge them to lease land or enter into labor contracts with the pardoned Southerners. But because the government failed to protect their rights as free Americans, they were now (again) consigned to slave labor. "Why, General Howard," one man had asked, "why do you take away our lands? You take them from us who are true . . . you give them to our all-time enemies! That is not right!"[33]

"Too weak to do right," Howard told his brother, the nation was "making distinction on account of the color of its people–fickle–fickle and so false to the Indians–running to 'all time enemies' for help . . . sacrificing friends under the false cry of corruption." He was echoing the freedmen's dismay at government hypocrisy and identifying himself with both them and the Indians who were deceived. With no recourse left, he told the Nez Percés what he had told the Apaches: "I am not the President or

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[32] Petition to Department of Columbia from Salmon River, Idaho Territory, 7 May 1877, DoC, LR, RG 393.

[33] Howard to John Schofield, 14 December 1872, Howard Papers. McDonald, "The Nez Percés," 10-11. Carpenter, *Sword and Olive Branch*, 110-11; Howard, *Autobiography*, 2:239.

Great Father. I only obey orders." He convinced himself of the fact.[34] However, once the war against the Indians began, Howard realized that this did not have to be the case. If he let the Nez Percés escape, he could help them and also have the satisfaction of doing what was right.

On June 3rd, Joseph guided his people across the Snake River, just within the Idaho border. Some of their horses drowned, unable to swim the rough current. To preserve their only source of income, Joseph had a group of warriors hold the herd on the opposite bank, within Oregon. He assumed that Howard would not object to the delay. In a river gorge near the villages of Grangeville and Mount Idaho, he consolidated with White Bird's camp. For the ten days of freedom that they had left, the Indians disputed their choices. The younger warriors were encouraged by Toohulhulsote's appeal for violence. After three or four of those men descended on Slate Creek on the 14th, they altered the status of their band. By committing murder, they caused all non-treaty Nez Percés to be considered hostile. [35]

Howard felt that the Indians would comply. Yet, less than twenty-four hours after they were supposed to be on the Lapwai Reservation, Howard was told that twenty civilians had been slaughtered. However, Howard delayed mobilizing the Fort Lapwai command until he could confirm the rumors. He was not eager to go to war; instead, he tried to get the Indians to surrender before anything else went wrong. Howard sent the

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[34] Howard to Charles Howard, 18 December 1874, Howard Papers; Howard to 'Apaches,' 7 February 1873, Howard Papers.

[35] Helen Addison Howard, *War Chief Joseph* (Caldwell, ID: Caxton Printers, 1941), 124-27. This author has no connection to Otis Howard. See Circular from Adjutant General's Office, 8 May 1877, DoC, LR, RG 393. "Indians who fail or refuse to come in and locate in permanent abodes upon reservations will be subject wholly to the control and supervision of the military authorities . . ."

acting chief of the treaty Nez Percés, as well as Joseph's brother-in-law, for Joseph and White Bird, but they could not be reached. A cavalry detachment was sent to the Indians' encampment; they were approached by a truce party. This chance for peace was thrown away when the lead scout, a civilian volunteer, shot one of the warriors. Thirty-four soldiers died in the ensuing firefight.[36]

By the 17th, the governor of Idaho assailed the Secretary of War with outright falsifications. He claimed that an overwhelming force had pinned Howard's small contingent at Fort Lapwai; the government needed to call up volunteer troops. Two days later, another telegram from the governor reached the Department of War. The mayor of Boise City declared that agricultural and mining areas had been abandoned out of panic. Citizens of the Spokane Falls area, near the Washington-Idaho border, believed that their country was "infested" by "very mysterious and threatening" Indians. Citing their lack of arms and ammunition, over forty petitioners asked for military protection but never cited any instances of native-white conflict to support their claim.[37] Sherman, who was more concerned with the strength of the troops in the field, recommended that the Second Infantry should be pulled from the occupation force in Atlanta and transferred to Howard's command. But General William S. Hancock, commander of the influential

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[36] John Dishon McDermott, *Forlorn Hope: A Study of the Battle of White Bird Canyon, Idaho, and the Beginning of the Nez Percé Indian War* (Washington DC, Division of History, Office of Archaeology and Historic Preservation, National Park Service, US Department of the Interior, 1968), Chapters 7 and 8. Also see Floyd Laird, ed, "Reminiscences of Francis M. Redfield, Chief Joseph's War," *Pacific Northwest Quarterly* 28 (1936), 72. The conflicting interpretation–that this incident precipitated violence, rather than a Nez Percé ambush– does not appear in Hampton or Greene's contemporary narratives. Helen Howard cites the testimony of Three Eagles, a warrior present at the battle, but says that neither Howard nor Perry corroborate it, 142-43. The truce incident seems most probable, given the divided nature of the two Nez Percés non-treaty bands and Joseph's peaceful intentions, as well as Howard's willingness to delay conflict and the volatility of civilian volunteers. Howard failed to indicate it in his official report or postwar writings because it would have reinforced the image of him as an officer unwilling apply force.

Department of the Atlantic, denied the need for haste. General Irwin McDowell, the division commander who oversaw Howard's department, was skeptical as well. The expansion of the Nez Percés' group was conjecture; Howard's force could deal with the current threat. However, McDowell affirmed that a growing fear had been kindled, and that reinforcements would positively affect civilian attitudes and help local troops.[38] McDowell did not help Howard when he sent him articles from local newspapers, some of which questioned Howard's capabilities. Perhaps in a sideways dig at his subordinate, McDowell sent an excerpt from the *Portland Standard* that remarked that Howard wanted "the kind of cooperation that will lead off the Indians and if not whip them, at least hold them" until reinforcements arrived. The author then went on to say of McDowell, "He is an ass."[39]

Howard now found himself in a dangerous situation. As with many other installations in the trans-Mississippi West, his lacked the organization, troop strength, and equipment needed to succeed. The public, unaware that he faced an unconventional mission under these circumstances, responded to his cautious assessments with threats. A.D. Pambrun, a local interpreter, warned him, "[Lewiston] citizens are bent on taking your life. From what I can learn, the agent is to blame." If this was only a rumor meant to vex Howard, he reacted. He took to the field four days later, with a thin compliment of four cavalry and three infantry companies–under 300 men. Public sentiment momentarily turned in Howard's favor, but the respite was brief. He reached the Salmon

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[37] Citizens of Spokane Falls to Howard, 21 June 1877, DoC, LR, RG 393.

[38] M. Brayman to George Washington McCrary, 17 June 1877, LR, General Records of the Office of the Adjutant General, Record Group 94. (Hereafter abbreviated as AGO, RG 94). Brayman to Department of War, 19 June 1877; Sherman to Townsend, 4 July 1877; William S. Hancock to Townsend,

River by the 28th of June, but the Nez Percés had crossed it and headed northeast for the Lochsa River that ran to the border of Montana.[40]

To prevent the non-treaty leader Looking Glass from joining the conflict, Howard had sent a cavalry detachment to take his band into custody. This forced the hand of the Indians who had not before resolved to fight; now Looking Glass joined Joseph and White Bird. The Idaho public read the detachment's failure as a betrayal on Howard's part. In response to the unforseen merger of bands, Colonel Alfred Sully, an Indian fighter of some repute, suggested calling up two hundred Washington or Oregon volunteers. McDowell, having scoffed at Howard's similar request a week earlier, supported this course of action.[41]

Without this aid, Howard's force routed the Nez Percés on the 12th. Returning to the Wallowa Valley was no longer an option–the Indians would have to run for Montana. On the 14th, the cavalry were on reconnaissance patrols while the Indians were across the river in plain sight. However, Howard waited until the 15th to pursue them; he gave them time to leave his department. Then Howard sent a cavalry detachment southward, "as if en route to Lapwai." According to his official report, they were going to move twenty miles down river and gain the rear of the Indians' trail with a left hook. However, it is more likely that Howard planned to head back to Fort Lapwai, refit his command, and

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5 July 1877; Irwin McDowell to Sherman, 3 July 1877, all in AGO, LR, RG 94.

[39] Headquarters Division of the Pacific to Howard, 15 September 1877, DoC, LS, RG 393

[40] A.D. Pambrun to Howard, 18 June 1877, DoC, LR, RG 393. LTC John C. Kelton to Sherman, 20 June 1877, AGO, LR, RG 94. Erwin C. Watkins to Howard, 25 June 1877, DoC, LR, RG 393. Helen Howard, *War Chief Joseph*, 158-59.

[41] Alfred Sully to McDowell, 11 July 1877; McDowell to McCrary, 12 July 1877, AGO, LR, RG 94. Charles K. Ford, "Howard's Command and Control of Idaho's Nez Percé War," (M.A. thesis, Command and General Staff College, 1993), 89. St. Pierre, "General O.O. Howard and Grant's Peace Policy," 395.

then settle disputes in the Spokane country. Howard believed that hostilities in his department had ceased; the Department of the Dakota bore responsibility now. He had not wanted to fight the Nez Percés in the first place, and these actions demonstrate that he did not plan to fight them as time wore on.

A group of warriors approached Howard on the 16th, saying that Joseph wished to surrender. Forced to leave the Lapwai region under White Bird's threat of death, the reluctant non-treaty group was demoralized. When presented with Howard's unconditional terms, however, the Nez Percés picked up their flight. Trying to distance himself from the sympathies that were now attached to Joseph, Howard said that the parley was a ruse. In the East, he was criticized for being impatient; Westerners accused him of drawing out the war at their expense.[42]

Before Howard called an end to the mission, he sent Major Edwin L. Mason and a cavalry detachment eastward on a long-range patrol. Mason determined that the cavalry could not follow the Indians; negotiating the mountain pass into Montana was too difficult. Thinking that there would be violence in the Spokane region, Howard turned his attention to his own department. Again, he believed that he had successfully completed his mission. However, when he returned to Lapwai, he received a crushing blow. On June 25th, Sherman instructed him to disregard the division's boundary lines. Seeing this telegram for the first time, Howard realized that he would be perceived as reluctant or disobedient. Sherman was allowing him to supersede the orders of not only

[42] "Supplementary Report," 604-606. Ford, "Howard's Command and Control of Idaho's Nez Perce War," 93. St. Pierre, "General O.O. Howard and Grant's Peace Policy," 399-400. Sherman to McDowell, 25 June 1877; Howard to Kelton, 15 July 1877, AGO, LR, RG 393. Hutton, *Phil Sheridan and his Army*, 311-12, 315-17.

the other department, but division commanders.[43] General Alfred Howe Terry, the Department of Dakota commander, disliked Howard in particular, and he offered minimal cooperation. Communication between Sherman and other generals reveal that the army leadership rapidly lost trust in Howard's ability to win the war. They too realized that he was not eager to fight the Nez Percés, and hoped that they could replace him with more active commanders.

Learning that the Nez Percés had moved into Montana, Sherman reminded McDowell, "I want the troops to follow them up no matter where they go." "Your orders were communicated to Howard in June," the division commander grumbled. "I fear Joseph has too much speed to be overtaken by him." The Nez Percés, passing through the buffalo country of the Bitter Root Valley, alarmed the town of Missoula. General Philip Henry Sheridan, division commander of the Plains region, opined from Chicago. "There are no buffalo this year . . . Should the Indians come through and go to the buffalo grounds, Colonel Miles has not less than one thousand men at a reasonably convenient distance to attack them." He had been silent over the last two months, but the prospect of Howard's running unsupervised through Montana boded ill for the army.[44]

In addition, Sheridan hoped that Colonel Nelson A. Miles, a daring young officer stationed in Montana, would have the final victory. Sheridan ordered the reluctant Terry, "Cooperate with General Howard . . . notify him that there are no hostile Sioux for the Nez Percé to join south of the line of Manitoba and such junction [sic] preposterous." He wanted Miles to "clean them out completely," and declared, "I have my doubts now if

[43] St. Pierre, "General O.O. Howard and Grant's Peace Policy," 400-401. Ford, "Howard's Command and Control of Idaho's Nez Percé War," 94, 95.

Howard can overtake them." He made the first move to rescind Howard's command. The one-armed general, involved in a limited number of communications and unaware of Miles's proximity, had no idea that his command was to be stripped from him.[45]

Sherman arrived in Helena, Montana, on August 24th. He planned to travel through the Department of the Columbia to assess improvements made by settlers, as well as to inspect several military posts. Sherman and Sheridan had decided that the journey, arranged prior to the Nez Percé conflict, could not be called off. Doing so would indicate that Indians could adversely affect Americans' mobility in the West and could also pose a challenge to Americans' hopes for sovereignty in the region. Sherman kept up constant communication with Howard for nearly a week. The increased tension of Howard's dispatches alerted the commanding general that something was wrong. Using a curious mix of gentle concern, entreaty, goading, and threat, he hoped to incite Howard to act decisively. "Will remain till I know you are all right and have everything," Sherman said. "Telegraph me some account of affairs that I can understand."[46]

For the first time in nearly ten weeks, Howard read a dispatch that steadied him. His reply showed that he bore incredible stress. Four days before, the Nez Percés had stampeded his cavalry horses and mules at Camas Meadows. The soldiers recovered only a third of the hundred scattered animals. The Nez Percés headed straight for Yellowstone

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[44] Sherman to McDowell, 29 July 1877; McDowell to Sherman, 31 July 1877, AGO LR, RG 94.

[45] Benjamin F. Potts to McCrary, 31 July 1877; Sheridan to Townsend, 1 August 1877; Sheridan to Alfred Howe Terry, 13 August 1877, AGO, LR, RG 94.

[46] See William Tecumseh Sherman and Philip Henry Sheridan, *Travel Accounts of General William T. Sherman to Spokan Falls, Washington Territory, in the Summers of 1877 and 1883* (Fairfield, WA: Ye Galleon Press, 1984). Sheridan to Lieutenant Colonel Robert Williams, 30 August 1877; Sherman to Howard, 24 August 1877, AGO, LR, RG 94.

Park, sixty miles to the east, not knowing that they would collide with tourists. Howard hoped to catch the Indians before they entered the park, but his chief surgeon demanded a halt for the sake of the exhausted soldiers. Howard hoped that an eastern force could interfere before the Nez Percés had a chance to unite with the Lakota in Montana. Was it true, he asked, that Miles was on the Yellowstone River, approaching the park? He had previously concealed his unit's condition from McDowell and the other officers with optimism, but he admitted to Sherman, "I cannot push [on] much farther. . . . I think I may stop near where I am, and in a few days work my way back to Fort Boise slowly, and distribute my troops before snow falls in the mountains."[47] These contradictory statements indicate that although Howard had no intention of fighting the Indians any longer, he wanted to make it appear as if he supported the mission by asking about Miles.

"I don't want to order you back to Oregon," Sherman replied, but if Howard wanted to, he could return to the Department of Columbia with "perfect propriety, leaving the troops to continue." In addition, he authorized Howard to transfer command to Lieutenant Colonel Charles C. Gilbert, who was in the area. These potential insults to Howard's leadership capacity were clearly designed to provoke him. Relinquishing control of his unit would be an outright admission of failure. Although the general of the army could not order him to make a change of command, the pressure for Howard to do so increased daily. Moreover, Sherman himself had just embarked on a journey of comparable length and difficulty to Howard's. Although he had plenty of supplies and rode healthy horses, he was ten years senior to the other general.

If the commanding general could persevere where his subordinate could not,

[47] Howard to Sherman, 24 August 1877, AGO, LR, RG 94.

Howard would lose all credibility among the officer corps and in public perception.[48] Throughout the campaign and even after its end, western newspapers still accused Howard of various wrongs that found "industrious circulation." One of the rumors had Howard halting his command for two days after the Battle of the Big Hole to hold religious services on Sunday and to bury dead Nez Percés. The truth of the matter, according to the *Helena Daily and Weekly Herald* was that some of the dead Nez Percés had been disinterred by Bannock and Shoshone scouts, and the bodies had to be reburied. Robert Fisk, an editor of the *Herald*, told Howard that the "chief subsidy-suckers start [rumors] and keep them in circulation." Fisk went so far as to criticize Benjamin F. Potts, governor of Montana, for using the *Helena Independent* to create rumors. Rather than helping Montana's citizens, Fisk alleged that Potts had "made murder easy" and did nothing to protect the citizens of Montana. The effect of all this, Howard told Potts, was to "create distrust" on the part of Montanans, whose cooperation Howard needed.[49] Negative public opinion proved damaging to Howard's reputation among other army officers as the campaign wore on, but General Sherman was an exception.

Sherman wanted to balance Howard's chance of success instead of replacing him with another commander. "I don't want to give orders, as this may confuse Sheridan and Terry" (who together planned a separate objective for Miles at Howard's expense), "but that force of yours should pursue the Nez Percés to the death, lead where they may. Miles is too far off . . . If you are too tired, give the command to some energetic young officer," suggested Sherman. He added that Howard's command was not needed in the

[48] Sherman to Howard, 24 August 1877, "Report of the Secretary of War," 1877. Ford, "Howard's Command and Control of Idaho's Nez Perce War," 100.

Department of the Columbia, "but are needed just where they are." Howard never received this message, perhaps to his benefit. He did respond to Sherman's earlier telegram, insisting, "You misunderstood me. I never flag. . . . the command [was] worn out and weary." Sherman did not have to fear for the campaign–"we move in the morning and will continue to the end."[50]

Sherman replied, "Have every possible faith in your intense energy, but thought it probable you were worn out, and I sometimes think that men of less age and rank are best for Indian warfare. They have more to make." He added that Sheridan would probably send his own forces into the field. Not above expressing his own doubts to Sheridan, Sherman remarked that, although Howard's troops would follow the Indians, they would probably fail. Miles, under Sheridan's direction, had the advantage.[51] Sheridan summoned another two highly successful generals, eight full companies of cavalry, and two hundred Sioux scouts to northern Wyoming. However, there were already three detachments of ground troops in pursuit, and Sheridan was worried by the lack of coordination between them. Nevertheless, these units all pressured the Nez Percés to move north toward Miles.[52]

Howard was convinced that the Nez Percés planned to join Sitting Bull and other

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[49] Robert E. Fisk to Howard, 25 August 1877, DoC, LR, RG 393.

[50] Sherman to Howard, 29 August, 1877; Gilbert to Howard, 16 September 1877, DoC, LR, RG 393. John Gibbon to Alfred Howe Terry, 26 September, 1877, AGO, LR, RG 94. Howard to Sherman, 27 August 1877, "Report of the Secretary of War," 1877. Sheridan felt that the Battle of the Big Hole, fought on August 9, inflicted a "severe if not disastrous punishment" on the Nez Percés; Sheridan to Townsend, 18 August 1877, AGO, LR, RG 94.

[51] Sherman to Howard, 28 August 1877, "Report of the Secretary of War," 1877. Sherman to Sheridan, 24 August 1877, AGO, LR, RG 94.

[52] Sheridan to Townsend, 28 August 1877; Sheridan to Sherman, 30 August 1877; Sheridan to Major George D. Ruggles, 30 August 1877; Sheridan to Townsend, 2 September 1877; Robert C. Drum to Terry, 2 September 1877, Terry to Sheridan, 7 September 1877, AGO, LR, RG 94.

Lakota in northern Montana; if they could do this, they would be safe. However, Sheridan insisted that Lakota hostility toward the Nez Percés made this impossible. Sheridan's opinion may have been influenced by General Alfred Howe Terry, commander of the Department of Dakota, who shared his feelings on the matter as early as August 1877.[53] Because of his preconceived notions about indigenous behavior, Sheridan consistently denied that Howard was right. But when Miles's and Howard's troops apprehended the Nez Percés on October 5th, White Bird and a small group crossed the Canadian border.[54] Howard and Miles expected that the Nez Percés would be transported to the Department of the Columbia in the spring. Instead, they were shipped to Fort Leavenworth, then Indian Territory, where many of them died. The survivors did not return to the Pacific Northwest until 1885.[55]

Howard's attitudes toward the Nez Percés changed between the autumn of 1876 and May 1877. Why did he become so cold and unreachable in council with the Nez Percés? He did not believe that cultural extirpation was imperative. In 1878, his conduct with the Columbia River tribes demonstrated that he was sincere, even when his removal from the department was threatened.[56] Aware that white settlement denied a separate

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[53] Alfred Howe Terry to Howard, 14 August 1877, Department of Dakota, LS, RG 393.

[54] Howard to Nelson A. Miles, 12 September 1877; Miles to Terry, 17 September 1877; Sheridan to Townsend, 1 October 1877; Sheridan to Sherman, 2 October 1877; Sheridan to Townsend, 2 October 1877, Howard to Sheridan, 3 October 1877, AGO, LR, RG 94. Ford, "Howard's Command and Control of Idaho's Nez Percé War," 102.

[55] Howard to Sheridan, 19 October 1877, AGO, LR, RG 94. Howard to Frank Wheaton, 13 November 1877, Howard Papers. Hampton, *Children of Grace*, 330.

[56] Hampton believes that the former is the case. In 1878, the chief of several upper Columbia River tribes refused to take his people on the Yakima Reservation. He believed that Howard would interfere on his behalf: "General Howard wants to do what is right but the great chief at Washington keeps him back and makes him do bad." Howard requested that the Indians be given allotment in severalty; eventually, the government conceded to the chief's requests. Settlers petitioned for Howard's removal from command; knowing that he had the reputation for sustaining 'the sentimental policy," he requested a transfer to an Eastern department. Sherman denied his request. St. Pierre, "General O.O. Howard and

existence to the Indians, he favored allotment in severalty years before the Dawes Act was passed. Howard hoped that his remarks about the 'savagery' of Nez Percé warfare, as well as his postwar writings, would stop him from being discredited as an incompetent officer. In 1879, Howard wrote to the *Army and Navy Journal* that "more horrid outrages than those they committed near the Mount Idaho country [could] not be found in any annals of Indian massacres . . . sickening in their horrors . . . these savages were not saints."[57] In *Nez Percé Joseph*, his book about the campaign, he used the same pretensions of horror, outrage, and moral certitude that were common to the literature of the period, in which Indians existed only as a counterpoint to whites.

However, Howard also incorporated subtle contradictions that proved his support for non-violent policy. He described the Indians as friendly and traditionally and culturally predisposed to kindness and intelligence. Comparing Joseph to the Southerners who felt bound to defend their people, Howard excused the Indians from moral wrong; just as Northerners had learned to reconcile with Confederates, whites would have to come to terms with the native people whose land they had occupied. Subject to bad influences–white encroachment and the less-than-honest federal government–the Indians had no opportunity to rise above their station. Howard also recognized that Joseph was protecting the women and children of the band, which functioned as his extended family. In his conclusion, Howard asserted that Indians' positive "qualities, which we cannot help commending, can hereafter be formed into a common channel" so that Indians might

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Grant's Peace Policy," 430-36.

[57]Greene, "Nez Perce Summer, 1877," Chapter 14. The New York *Herald* suggested that Crook replace him as early as 16 July, but this was total conjecture because Sheridan did not raise this issue until late August. Howard to Editor, *Army and Navy Journal*, 13 April 1879.

receive "a portion of the labor and the comforts of the world's progress."[58] Howard could not commit himself to the racial and cultural superiority of the nineteenth century; thus, his principles are always present in his writings.

After the war, Howard had to contend with the newspapers. The *Philadelphia Times* called him a "feeble braggart" whose "career, both military and civil, [had] been a lamentable failure." The *Army and Navy Journal*, one of his few sources of praise, read the campaign through the metaphor of predator and prey; Howard "followed his game untiringly" and "hunted" the Indians "into the grip" of Miles. In an article for the *North American Review*, Howard referred to himself as the 'supposed' enemy of the Nez Percés. He believed that he could have addressed the Indians' worries, with the prerequisites of making the Wallowa valley a reserve and removing all whites. He had not expressed anger to the Indians; he had not gone on with "a fear of the laughter of white men in his heart." Later, he contradicted this, saying that he doubted if the Wallowa would have ever satisfied the Nez Percés.[59]

When re-evaluated, Howard's tactical decisions illustrate that he did not willingly follow Sherman's exhortation–"Pursue them to the death." Though one of the few officers willing to apply persuasion instead of violence, Howard could not withstand the attitude of the officer corps toward him. He predicated his assessment of Indian policy on his beliefs in social and racial equality; his postwar experiences with freedmen proved

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[58] Robert Berkhofer, Jr. *The White Man's Indian: Images of the American Indian from Columbus to the Present* (New York: Vintage Books, 1978), 92-93, 98. Laughy, *In Pursuit of the Nez* Percés, 51, 55, 77, 105, 172, 193, 209. Berkhofer argues that the ambivalence toward Indians was reconciled by the ideology of American social progress..

[59] Oliver Otis Howard, "The True Story of the Wallowa Campaign," *North American Review* 129, Issue 272 (July 1879), 53-54, 61-62. Laughy, *In Pursuit of the Nez Percés*, 23.

to him that blacks were in no way inferior to whites. He attempted to apply these interpretations to native Americans with little success.[60] Federal policy assaulted Indians' sovereignty and expressions of tribalism, forcing them to relinquish everything that had cultural significance. Although Howard wholeheartedly supported the agricultural and educational intentions of the assimilation policy–and by association, its destruction of culture–he did not think of the 'civilizing influence' in these terms. He desired that Indians be treated on a level plane with whites, for they had the same intellectual capacities, and were motivated by the same matters of the heart. In the winter of 1872, after the Apache settlement, he insisted, "Surely those Indians who are doing just as they agreed are not to be punished for the sins of others with whom they are in no way connected." Even though his statements after the Nez Percé campaign seem to contradict this, he did not discard the cumulative effect of years of laboring on others' behalf.[61]

In effect, the ambiguity of army policy and its failure to establish an ideology regarding Indians allowed its officers to interpret and apply its doctrine in a myriad of ways. By assuming a dual role as both an army officer and someone who was invested in reform, Howard unwittingly incorporated a series of contradictions into his public life. Sherman had always reminded him that these two systems of thought could not work together. "You cannot serve two masters," he warned. "You cannot be purely a military man, and conduct such a machine as the Freedmen's Bureau," or the machine of Indian

[60]Henry E. Fritz, *The Movement for Indian Assimilation, 1860-1890* (Philadelpha: University of Pennsylvania Press, 1963), 124. Although Howard had not received that particular message, it was understood army-wide that pursuing "hostile" Indians meant pursuing them to their capture or death, whichever was easier. See Circular from Adjutant General's Office, 8 May 1877, DoC, LR, RG 393.

reform. "I have always endeavored to befriend you all I could," his commander told him, "I know you consider your duties [with the Apaches] of infinite importance to the Government, but they were non military and for your own sake I wish you had taken command of a department two years ago."[62]

Not only did the army fail to establish consensus on the "Indian Question"–so did the civilian sphere. "There are two classes of people," said Sherman, "one demanding the utter extinction of the Indians, and the other full of love for their conversion to civilization and Christianity. Unfortunately, the army stands between and gets the cuffs from both sides." The constant tug-of-war between the Departments of Interior and War paralleled the dialogue (or lack thereof) between citizens of the Eastern and Western United States over the Indians' future.[63] During the Nez Percé campaign, he tried to overcome this by manifesting a desire to close with the enemy through word and not action. At West Point, Howard had learned to be silent about what he believed was wrong. Although he published his radically tolerant views as a grown man, he was not without hesitation; his reaction towards the Sea Islands freedmen and the Apaches illustrate as much. It was only in 1877, after the stress of several years devolved upon him, that he saw the appeal of capitulating to the needs of the many. At the same time, he

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[61] Howard to Schofield, 14 December 1872, Howard Papers.

[62] Sherman to Howard, 2 May 1869; Sherman to Howard, 12 February 1872, Howard Papers. See Michael L. Tate, *The Frontier Army in the Settlement of the West* (Norman: University of Oklahoma, 1999). Ford, "Howard's Command and Control of Idaho's Nez Perce War," 112.

[63] Thomas C. Leonard, "Red, White and the Army Blue: Empathy and Anger in the American West," *American Quarterly* 26 (May 1974), 184. Robert Wooster, *The Military and United States Indian Policy, 1865-1903* (New Haven: Yale University Press, 1988) 21, 28. Prucha, *The Great Father*, 54. Berkhofer, *The White Man's* Indian, 113. Robert C. Key, "The US Army, Public Opinion, and President Grant's Indian Peace Policy" (MA thesis, US Command and General Staff College, 1979), 114-17. For Howard at the United States Military Academy, see St. Pierre, "General O.O. Howard and Grant's Indian Policy," 61.

was unable to reconcile his ideas of racial and social equality with the national goals that the army–and he as an officer–was tasked to achieve. Howard's confusion reflects the failure of the nation (and the army) at large to adequately address the inconsistencies in federal Indian policy. Neither, however, dared to renounce their beliefs in the indomitable progress of America. In deliberately disobeying his order to pursue the Nez Percés, Otis Howard condemned those he might have helped.

CONCLUSION

Sherman's contention—that "the army stands between and gets the cuff from both sides"—is perhaps the best way to understand the position of the army in the West, as an institution subject to the pressure of competing demands and often unable to reconcile the dual nature of its mission. The army could not save Indians and kill them at the same time. In the past, historians have argued that native resistance in the nineteenth-century buckled under as a result of the loss of land and animal resources, the divisions wrought by tribal factionalism, and the overwhelming threat posed by military forces. Yet the success of the army was in reality less inevitable than scholars have made it out to be. A number of factors— including the paradoxical expectations of territorial officials and American civilians, the demands of the army's senior leaders, and the obstacles created by Indian agents—made it difficult for the Indian-fighting officers to achieve their objectives. Most important, officers' inability to recognize the sophistication of their Indian foes meant that they ignored a fundamental aspect of military doctrine—knowing the capabilities of one's enemy. While rivers at high tide could force troops to a standstill, these other tensions created persistent dilemmas for the frontier army.

The scholarly literature on the frontier army has focused largely on the ways in which officers were hampered by operational problems, internal debates, or the lack of a cohesive Indian-fighting doctrine. While these interpretations are useful in helping us understand the broad outlines of the army's limitations on a national level, they tend to offer little information about the disconnect between federal Indian policy in theory, and that policy as it was practiced in the field. The government's formal response to Indian affairs was developed largely in the eastern United States, where authorities were often

unaware of the pragmatic aspects of Indian affairs. The army's senior leaders hammered out their plans far away from the battlefields as well, in the urban setting of Saint Louis. As a result, when officers received orders, they had to approach their missions on their own initiative. How to deal with state leaders who demanded protection for frontier settlements at the same time that they complained about the lack of vigorous Indian-fighting on the army's part? How to deal with newspapermen who supported officers one day and slandered them the next? Little guidance, however, existed for the problems that officers encountered. This lack of centralization meant that officers worked in a state of frustration, for at the same time that they had the freedom to act independently, that freedom could be curtailed quickly by their superiors or their civilian critics. As a result, even though the army was regarded as the dominant force in the west, their primacy was not always assured.

In turn, understanding the disconnect between policy in theory and practice helps us see that army officers did not subscribe to a monolithic set of ideas about Indians. Instead, their experiences on and off the frontier informed their encounters with native people. Officers came to the frontier with confidence, and they often left it with disappointment. Furthermore, the institutional culture of the army did not encourage officers to take Indian actions seriously. Thus, when Indians declared, either implicitly or openly, that they would give ears to their foes, army officers often shut out Indian voices. When they did listen, army officers learned that native people were perceptive and capable opponents whose own societies were divided in their reactions toward and beliefs about Anglo-Americans. The persistence of native sovereignty, then, made it all the more harder for the army to fight Indians effectively. In the end, however, ethnocentric

ideas dominated officers' perceptions and the anti-Indianism implicit in government action prevailed. Even the most forward-thinking officers like Benjamin Grierson and Otis Howard could not escape the cultural notions that characterized the times in which they lived.

What drove these officers to behave as individuals at the same time that they promoted national goals shared by their peers? First, all of them were career army officers and they took their work seriously; they accepted Sherman's polarized version of Indian affairs and approached interacting with Indians, in peace and combat, as their job. Most of the leading characters in this study seem to have made earnest attempts to shelve their personal feelings when dealing with native people. Sully's letters to Pope and Miles show that he was concerned about his standing among his fellow officers; when it came to his opinions about Indians, he was quick to attack them at Whitestone Hill but just as quick to point out Dr. Walter Burleigh's misdeeds as an Indian agent, as did Pope. The opinions of less-visible officers like David Sloane Stanley and Pickney Lugenbeel are harder to decipher, simply because they left behind little correspondence or other written evidence of their ideas. Grierson and Howard, however, were prolific writers, and there is a rich historical record of their views on race relations, Indian affairs, and affairs within the army and the United States at large.

Second, all of these men were committed to national agendas of territorial expansion and the assimilation plan, albeit to varying degrees. At the same time, their correspondence often bears testimony to their occasional but important interest in "Indian rights," as they put it. For them, these notions were not mutually exclusive. One could fight Indians at the same time that he advocated for their just treatment, as Pope wrote to

Grant at the end of the Civil War. Third, it is clear that these officers responded to institutional pressures and demands; their correspondence bears ample testimony to the fact that they were aware of others' perceptions of them and that they were often quick to respond to criticism. With the exception of Pickney Lugenbeel, all of them reached a general officer rank through either standard or brevet promotion. This suggests that all of them were invested in their careers and the army's greater mission. Grierson and Howard had impressive Civil War records, tactical or otherwise. The fact that Howard remembered Sully as an Indian fighter of some repute in the late 1870s, almost fifteen years after his stint in Minnesota, shows that officers took note of each others' careers. Like army officers today, they sought to distinguish themselves among their contemporaries, and one of the ways to do that in the nineteenth century was by fighting Indians.

Finally, although there is a highly speculative element to drawing conclusions about individuals' personal motivations, we can establish some basic facts about their dispositions. Howard and Grierson were clearly ahead of their times when it came to issues of race, and in this light their approach to Indian fighting may seem rather unorthodox. That is to say, they were not always eager to fight. Both of these men best represent the diversity of opinion within the army (the fact that Sherman befriended them seems to belie the belligerence for which he is often remembered). Pope has long been remembered as one of the "humanitarian" generals as well. While Sully does not ostensibly share that reputation, a dark episode in his background—the death of his Hispanic wife when he was thirty years old—seems to have imprinted a note of cynicism and pessimism on him.

Regardless of their experiences off the field, their experiences on it demonstrate that their work was not free of complications and contradictions. Sully and Pope clashed with leaders in Minnesota over issues ranging from the civilian clamor for military protection, the success of their campaigns against the Dakotas, and international politics. Throughout the military operations that followed the Dakota revolt, Sully and Pope were not shy about expressing their distrust and irritation towards civilians and federal authorities whose interference, in their view, made their work more difficult. Grierson bore the brunt of tremendous criticism when he was attacked by both Texans and his brother officers when he tried to advocate Grant's peace policy in dealing with the Kiowas and Comanches. Howard, too, became the subject of many complaints when he failed to pursue the Nez Percés with the aggression that was expected of him. The officers in the Black Hills saw themselves as a barrier against Anglo-American greed. These officers were not often rewarded for their independence; Sully was given a non-military position as superintendent of Montana's Indian affairs; Grierson was sent to the recruiting command for a year before he was reassigned to combat assignments in the southwest; Howard was quickly removed from command after Chief Joseph's surrender. Sheridan prized commanders who reacted earnestly to his version of Indian affairs, for Mackenzie, Custer, Miles all applied themselves to the task of defeating Indians. Other officers, like David Sloane Stanley, are more obscure and it is hard to draw conclusions about their careers based on limited records.

Nevertheless, even those lesser-known officers expressed themselves in ways that run counter to the martial attitudes frequently expressed in the work of notable military historians like Robert Utley.

This re-evaluation of army officers' attitudes, as well as a corresponding focus on Indian interactions with the military, sets this study apart from its predecessors. The latter is particularly important because while well-established literature examines Indian agency throughout the last five centuries of North American history, very little of this literature intersects with the history of the nineteenth-century U.S. Army—an institution that had enormous consequences on native peoples' lives. The "canonical" works on frontier military history are anywhere from twenty to forty years old, and while the scholarship on Indian agency elsewhere forges ahead, scholarship on this subject remains rather static. At the same time, while a number of fine biographies have added nuance to our understanding of pivotal native figures like Sitting Bull, Red Cloud, Spotted Tail, and Crazy Horse, these texts offer very limited analyses of the American military. Furthermore, recognizing native sovereignty, and not just native agency, is also important. Indian attitudes in the nineteenth-century make it clear that native people thought of themselves as members of autonomous nations that had the ability to manipulate Anglo-American control of the West. Even the less aggressive nations, like the Nez Percés, argued forcefully for their right to control their own futures in the face of military coercion.

Finally, an updated assessment of the frontier army is needed in a field that has a reputation both advantageous and injurious. The popularity of frontier military history means that few people are unacquainted with Custer and Sitting Bull, but at the same time, the literature encountered by the reading public is often sorely lacking, for it rarely contributes to a meaningful discourse that involves both Anglo-American and native perspectives. Therefore, this intellectual history of leading members of the officer corps

provides a fresh look at a subject that has much potential to add to our understanding of the American West in the nineteenth century.

BIBLIOGRAPHY

MANUSCRIPTS

Charles E. Avery Reminiscence. Special Collections, Montana Historical Society, Helena.

The Colonial Intelligencer; or, Aborigines' friend, vol. 1. London: Aborigines Protection Society, 1847. Minnesota State Historical Society, St. Paul.

Dennis Driscoll Reminiscences. Special Collections, Montana Historical Society, Helena.

Francis Elliot Letters. Special Collections, Montana Historical Society, Helena.

James Liberty Fisk Papers. Minnesota State Historical Society, St. Paul.

Lawrence K. Fox Papers. State Archives, South Dakota State Historical Society, Pierre.

Benjamin Henry Grierson Papers. Edward E. Ayer Manuscript Collection, Newberry Library, Chicago.

Benjamin Henry Grierson Papers. Southwest Collection, Texas Tech University, Lubbock.

Edwin Aaron Clark Hatch Papers. Minnesota State Historical Society, St. Paul.

Otis Oliver Howard Papers. George J. Mitchell, Department of Special Collections and Archives, Bowdoin College Library, Brunswick, Maine.

Andrew Osland Letter. Special Collections, Montana Historical Society, Helena.

Records of United States Army Continental Commands, RG 393, Department of the Northwest, 1862-1865. National Archives, Washington, D.C.

Records of United States Army Continental Commands, RG 393, Military Division of the Missouri,
1866-91. National Archives, Washington, D.C.
Letters Received, 1866-1878
Letters Sent, 1868-1878.

John B. Sanborn Papers. Minnesota State Historical Society, St. Paul.

Phillip Henry Sheridan Papers. Library of Congress.

William Tecumseh Sherman Papers. Library of Congress.

"Sioux Indians. Return to an address of the Honorable the House of Commons," Great Britain,

Colonial Office. Minnesota State Historical Society, St. Paul.

Alfred Sully Papers. Western Americana Collection, Beinecke Rare Book and Manuscript Library, Yale University, New Haven.

Texas Indian Papers, Archives and Information Services Division, Texas State Library and Archives Commission, Austin.

Francis McGee Thompson Papers. Special Collections, Montana Historical Society, Helena.

Régis de Trobriand Letters. Special Collections, Montana Historical Society, Helena.

United States. Commission Appointed to Treat with the Sioux Indians for the Relinquishment of the Black Hills. *Minutes of the Preliminary Meetings, July – August 1875.* Western Americana Collection, Beinecke Rare Book and Manuscript Library, Yale University, New Haven.

GOVERNMENT DOCUMENTS

United States. *Report of the Commissioner of Indian Affairs to the Secretary of the Interior for the Year 1865*. Washington: Government Printing Office, 1865.

United States. *Report of the Commissioner of Indian Affairs to the Secretary of the Interior for the Year 1866*. Washington: Government Printing Office, 1866.

United States, William T. Sherman, George Henry Thomas, John Pope, John G. Foster, A. J. Pleasanton, Ethan Allen Hitchcock, Philip Henry Sheridan, James B. Ricketts, and Norman Wiard. *Supplemental Report of the Joint Committee on the Conduct of the War: In Two Volumes; Supplemental to Senate Report No. 142, 38th Congress, 2d Session*. Washington: Government Printing Office, 1866.

United States. *Condition of the Indian tribes: report of the Joint Special Committee, with an appendix: hearings before the United States Joint Special Committee to Inquire into the Condition of Indian Tribes, Thirty-Ninth Congress, first session and Thirty-Eighth Congress, second session*. Washington: Government Printing Office, 1867.

United States. *Report of the Commissioner of Indian Affairs to the Secretary of the Interior for the Year 1869*. Washington: Government Printing Office, 1870.

United States. *Report of the Secretary of War.* House Executive Document, 41st Congress, 3d Session, No. 1, Pt. 2 (1869). Serial Set 1412.

United States. *Expedition against Piegan Indians. Letter from the Secretary of the Interior in answer to the resolutions of the House of March 4, 1870, in relation to the late expedition*

against the Piegan Indians. House Executive Document No. 185, 41st Congress, 2d Session (1870). Serial Set 1418.

United States. *Report of the Secretary of War*. House Executive Document No. 1, Pt. 2, 41st Congress, 3d Session, Vol. 2, Pt. 1 (1870). Serial Set 1446.

United States. *Report of the Commissioner of Indian Affairs in Report of the Secretary of the Interior*. House Executive Document No. 1, 41st Congress, 3rd Session, Vol. 1, Pt. 4 (1870). Serial Set 1449.

United States. *Report of the Commissioner of Indian Affairs for the Year 1870*. Washington: Government Printing Office, 1871.

United States. *Report of the Commissioner of Indian Affairs for the Year 1871*. Washington: Government Printing Office, 1871.

United States. *Report of the Commissioner of Indian Affairs for the Year 1873*. Washington: Government Printing Office, 1873.

United States. *Report of the Commissioner of Indian Affairs for the Year 1874.* Washington: Government Printing Office, 1874.

United States. *Report of the Secretary of the Interior.* House Executive Document, 43rd Congress, 2nd Session, Vol. 6, No. 1, Pt. 5 (1874). Serial Set 1639.

United States, and William B. Allison. *Report of the Commission Appointed to Treat with the Sioux Indians for the Relinquishment of the Black Hills*. Washington: Government Printing Office, 1875.

United States. *Report of the Secretary of War.* House Executive Document, 44th Congress, 1st Session, Vol. 2, No. 1, Pt. 5 (1875). Serial Set 1674.

United States. *Report of the Bureau of Indian Commissioners in Report of the Secretary of the Interior.* House Executive Document, 44th Congress, 2d Session, Vol. 4 (1876). Serial Set 1749.

United States. *Supplementary Report of General O.O. Howard in Report of the Secretary of War.* House Executive Document, 45th Congress, 2d Session, Vol. 2, No. 1, Pt. 5 (1877). Serial 1794.

United States. *Report of the Commissioner of Indian Affairs in Report of the Secretary of the Interior*. House Executive Document, 45th Congress, 3d Session, Vol. 8 (1878). Serial Set 1850.

United States, Robert N. Scott, H. M. Lazelle, George B. Davis, Leslie J. Perry, Joseph W.

Kirkley, Fred C. Ainsworth, John S. Moodey, and Calvin D. Cowles. *The War of the Rebellion: A Compilation of the Official Records of the Union and Confederate Armies*. Washington: Government Printing Office, 1880.

United States. *Claims of the Nez Percé Indians.* 56th Congress, 1st Session, Senate Executive Document No. 257 (1900). Serial Set 3867.

DISSERTATIONS and THESES

Ford, Charles K. *Howard's Command and Control of Idaho's Nez Perce War*. Thesis -- Masters of Military Art and Science, University of Idaho, 1993.

Meadows, William C. *Remaining Veterans: A Symbolic and Comparative Ethnohistory of Southern Plains Indians Military Societies*. Thesis (Ph. D.)--University of Oklahoma, 1995.

St. Pierre, Judith. *General O.O. Howard and Grant's Peace Policy*. Thesis (Ph. D.)--University of North Carolina at Chapel Hill, 1990.

PERIODICALS

Army and Navy Journal
Austin State Weekly Journal
Denton Monitor
The Goodhue Volunteer
Harper's Weekly
Honey Grove Enterprise
Leavenworth Bulletin
Mankato Record
New York Times
St. Cloud Democrat
St. Paul Pioneer
The Union Dakotian (*Yankton Press and Dakotan*)

BOOKS, ARTICLES, and PAMPHLETS

Abelson, Frances Simpson and Rheba Rippey Marshall. *Bolivar, Texas—A History*. Denton County Historical Commission, Denton.

Adams, George Rollie. *General William S. Harney: Prince of Dragoons*. Lincoln: University of Nebraska Press, 2001.

Anderson, Gary Clayton. *Kinsmen of Another Kind: Dakota-White Relations in the Upper Mississippi Valley, 1650-1862*. Lincoln: University of Nebraska Press, 1984. Reprint, St. Paul: Minnesota Historical Society Press, 1997.

_____. *Little Crow, Spokesman for the Sioux*. St. Paul: Minnesota Historical Society Press, 1986.

Anderson, Gary Clayton, and Alan R. Woolworth. *Through Dakota Eyes: Narrative Accounts of the Minnesota Indian War of 1862*. St. Paul: Minnesota Historical Society Press, 1988.

Anderson, Gary Clayton. *Sitting Bull and the Paradox of Lakota Nationhood*. New York: HarperCollins College Publishers, 1996.

_____. *The Conquest of Texas: Ethnic Cleansing in the Promised Land, 1820-1875*. Norman: University of Oklahoma Press, 2005.

Athearn, Robert G. *William Tecumseh Sherman and the Settlement of the West*. Norman: University of Oklahoma Press, 1956.

Berkhofer, Robert F. *The White Man's Indian: Images of the American Indian from Columbus to the Present*. New York: Knopf, 1978.

Binnema, Ted. *Common and Contested Ground: A Human and Environmental History of the Northwestern Plains*. Toronto: University of Toronto Press, 2004.

Bowen, A.W. *Progressive Men of the State of Wyoming*. Chicago, Ill: A.W. Bowen & Company, 1903.

Bray, Kingsley M. "Crazy Horse and the End of the Great Sioux War," in *American Nations: Encounters in Indian Country, 1850 to the Present.* Frederick Hoxie, Peter Mancall, and James Hart Merrell, eds. 15-45. New York: Routledge, 2001.

_____. *Crazy Horse: A Lakota Life.* The Civilization of the American Indian series, 254. Norman: University of Oklahoma, 2008.

Brown, Fred R. *History of the Ninth U.S. Infantry, 1799-1909*. Chicago: R.R. Donnelley & Sons Company, 1909.

Butts, Michele T. "Trading Gray for Blue: Ex-Confederates Hold the Upper Missouri for the Union," *Prologue* 37, no. 4 (Winter 2005): 14-21.

Calloway, Colin G. "Neither White nor Red: White Renegades on the American Indian Frontier," *The Western Historical Quarterly* 17, no.1 (January 1986): 43-56.

_____. *Our Hearts Fell to the Ground: Plains Indian Views of How the West Was Lost*. The Bedford series in history and culture. Boston: Bedford Books of St. Martin's Press, 1996.

Carley, Kenneth. *The Sioux Uprising of 1862*. St. Paul: Minnesota Historical Society, 1976.

Carpenter, John A. *Sword and Olive Branch; Oliver Otis Howard*. Pittsburgh: University of Pittsburgh Press, 1964.

Carter, Robert G. *Pursuit of Kicking Bird: A Campaign in the Texas Badlands.* Washington: Gibson Brothers, 1920.

Clodfelter, Micheal. *The Dakota War: The United States Army Versus the Sioux, 1862-1865*. Jefferson, N.C.: McFarland, 1998.

Cook-Lynn, Elizabeth. *Anti-Indianism in Modern America: A Voice from Tatekeya's Earth*. Urbana, Ill: University of Illinois Press, 2001.

Cooper, Edward S. *William Babcock Hazen: The Best Hated Man*. Madison, N.J.: Fairleigh Dickinson University Press, 2005.

Courtwright, David T. *Violent Land: Single Men and Social Disorder from the Frontier to the Inner City*. Cambridge, Mass: Harvard University Press, 1996.

Cutler, Lee. "Lawrie Tatum and the Kiowa Agency, 1869-1873," *Arizona and the West* 13, no. 3 (Autumn 1971): 221-44.

Davy, Peter B. "Capt. P.B. Davy's Expedition," Blue Earth City, "South West," 1868. Minnesota State Historical Society.

DeMallie, Raymond J. "'These Have No Ears': Narrative and the Ethnohistorical Method," *Ethnohistory* 40, no. 4 (Fall 1993): 515-38.

Democratic Party. *The Campaign Text Book. Why the People Want a Change. The Republican Party Reviewed: Its Sins of Commission and Omission*. New York: National Democratic committee, 1876.

Dobak, William A. "The Army and the Buffalo: A Demur: A Response to David D. Smit's 'The Frontier Army and the Destruction of the Buffalo, 1865-1883," *The Western Historical Quarterly* 26, no. 2 (Summer 1995): 197-202.

_____. "'Our Most Reliable Friends': Army Officers and Tribal Leaders in Western Indian Territory, 1875-1889." *Proceedings of the Combat Studies Institute, 2008 Military History Symposium: The US Army and the Interagency Process: Historical Perspectives*, ed. Kendall D. Gott. Fort Leavenworth, Kan.: CSI Press, 2008.

Dodge, Richard Irving. *The Black Hills Journals of Colonel Richard Irving Dodge*, ed. Wayne R. Kime. The American exploration and travel series, v. 74. Norman: University of Oklahoma Press, 1996.

Doyle, Susan Badger. *Journeys to the Land of Gold: Emigrant Diaries from the Bozeman Trail, 1863-1866*. Helena: Montana Historical Society Press, 2000.

Dunbar-Ortiz, Roxanne. *The Great Sioux Nation: Sitting in Judgement on America : Based on*

and Containing Testimony Heard at the "Sioux Treaty Hearing" Held December, 1974, in Federal District Court, Lincoln, Nebraska. New York: American Indian Treaty Council Information Center : distributed by Random House, 1977.

Eells, Myron. "Aboriginal Geographic Names in the State of Washington." *American Anthropologist* 5, no. 1 (January 1892): 27-36.

Ellis, Richard N. "The Humanitarian Generals," *The Western Historical Quarterly* 3, no. 2 (April 1972): 169-78.

Engelhardt, Carroll L. *Gateway to the Northern Plains: Railroads and the Birth of Fargo and Moorhead*. Minneapolis: University of Minnesota Press, 2007.

Ens, Gerhard J. "The Border, the Buffalo, and the Métis of Montana." In *The Borderlands of the Canadian and American Wests: Essays on Regional History of the Forty-Ninth Parallel*, ed. Sterling Evans, 139-54. Lincoln: University of Nebraska Press, 2006.

Ewers, John C. *Indian Life on the Upper Missouri*. The Civilization of the American Indian series, 89. Norman: University of Oklahoma Press, 1968. Reprint, Norman: University of Oklahoma Press, 1988.

Ewers, John C. "Intertribal Warfare as the Precursor of Indian-White Warfare on the Northern Great Plains," *The Western Historical Quarterly* 6, no. 4 (October 1975): 397-410.

Fehrenbach, Theodore Reed. *Lone Star A History of Texas and the Texans*. New York: Macmillan, 1986. Reprint, New York: Da Capo Press, 2000.

Foreman, Carolyn T. "General Benjamin Grierson," *Chronicles of Oklahoma* 24, no. 2 (1946): 26-39.

Foster, James S. *Outlines of History of the Territory of Dakota, And Emigrant's Guide to the Free Lands of the Northwest, Containing a Description of Towns, Climate, Soil ... Stage Routes, Railroads. And a Complete Business Directory of the Upper Missouri Valley*. Yankton, Dakota Territory: M'Intyre & Foster, "Union and Dakotaian" Office, 1870.

Fowler, Loretta. *Arapahoe Politics, 1851-1978 Symbols in Crises of Authority*. Lincoln: University of Nebraska Press, 1982.

Frey, Rodney. *The World of the Crow Indians: As Driftwood Lodges*. The Civilization of the American Indian series, v. 185. Norman: University of Oklahoma Press, 1987.

Fritz, Henry E. *The Movement for Indian Assimilation, 1860-1890*. Philadelphia: University of Pennsylvania Press, 1963.

Gilman, Rhoda R., Carolyn Gilman, and Deborah L. Miller. *The Red River Trails: Oxcart Routes between St. Paul and the Selkirk Settlement, 1820-1870*. St. Paul: Minnesota Historical Society, 1979.

Gilman, Rhoda R. *Henry Hastings Sibley: Divided Heart*. St. Paul: Minnesota Society Press, 2004.

_____. *Henry Hastings Sibley: Divided Heart*. St. Paul: Minnesota Historical Society Press, 2004.

Gluek, Alvin C., Jr. "The Sioux Uprising: A Problem in International Relations," *Minnesota History* 34, no. 8 (Winter 1955): 317-24.

Gonzalez, Mario, and Elizabeth Cook-Lynn. *The Politics of Hallowed Ground: Wounded Knee and the Struggle for Indian Sovereignty*. Urbana: University of Illinois Press, 1999.

Grant, Ulysses Simpson. *The Papers of Ulysses S. Grant*, ed. John Y. Simon. Vol. 15, 26. Carbondale: Southern Illinois University Press, 1988, 2003.

Gray, John S. "The Story of Mrs. Picotte-Galpin, A Sioux Heroine: Eagle Woman Learns about White Ways and Racial Conflict, 1820-1868," *Montana: The Magazine of Western History* 36, no. 2 (Spring 1986): 2-21.

Greene, Jerome A. *Nez Percé Summer, 1877: The U.S. Army and the Nee-Me-Poo Crisis*. Helena: Montana Historical Society Press, 2000.

_____. *Washita: The U.S. Army and the Southern Cheyennes, 1867-1869*. Norman: University of Oklahoma, 2004.

Hagan, William T. "Kiowas, Comanches, and Cattlemen, 1867-1906: A Case Study of the Failure of U.S. Reservation Policy," *The Pacific Historical Review* 40, no.3 (August 1971): 333-355.

_____. *United States-Comanche Relations: The Reservation Years*. Yale Western Americana series, 28. New Haven: Yale University Press, 1976.

Hamilton, Allen Lee. "The Warren Wagon Train Raid: Frontier Indian Policy at the Crossroads," *Arizona and the West* 28, no. 3 (Autumn 1986): 201-24.

Hämäläinen, Pekka. "The Rise and Fall of Plains Indian Horse Cultures," *The Journal of American History* 90, no.3 (December 2003): 485-513.

_____. *The Comanche Empire*. New Haven: Yale University Press, 2008.

Hampton, Bruce. *Children of Grace: The Nez Percés War of 1877*. New York: Henry Holt and Company, 1994.

Hardorff, Richard G. *The Death of Crazy Horse: A Tragic Episode in Lakota History*. Lincoln: University of Nebraska Press, 2001.

_____. *Washita Memories: Eyewitness Views of Custer's Attack on Black Kettle's Village*. Norman: University of Oklahoma Press, 2006.

Hargrave, Joseph James. *Red River*. Montreal: Printed for the author by J. Lovell, 1871.

Heard, Isaac V. D., and Henry Benjamin Whipple. *History of the Sioux War and Massacres of 1862 and 1863*. New York: Harper & Brothers, 1865.

Hedges, James B. "Promotion of Immigration to the Pacific Northwest by the Railroads," *Mississippi Valley Historical Review* 15, no. 2 (September 1928): 183-203.

Her Many Horses, Emil and George P. Horse Capture. *A song for the horse nation: horses in Native American cultures*. Golden, Colo: Fulcrum Publishing, 2006.

Hine, Robert V., and John Mack Faragher. *The American West: A New Interpretive History*. New Haven, Conn: Yale University Press, 2000.

"Historical News and Comments," *The Mississippi Valley Historical Review* 26, no. 2 (September 1939): 301.

Hoover, Herbert T. "Walter Atwood Burleigh." In *Bon Homme County History*, ed. Herbert T. Hoover. Tydall: S.D. Bon Homme County Historical Society, 1994.

Howard, Helen Addison. *War Chief Joseph*. Caldwell, Id.: Caxton Printers, 1941.

Howard, Oliver Otis. "The True Story of the Wallowa Campaign," *North American Review* 129, No. 272 (July 1879): 53-64.

_____. *Autobiography of Oliver Otis Howard, Major General, United States Army*. 2 vols. New York: Baker & Taylor Co, 1907.

_____. "From the General's Pen: The Nez Percé Campaign of 1877." In *In Pursuit of the Nez Percés*, ed. Linwood Laughy. Wrangell, Alaska: Mountain Meadow Press, 1992.

Hoxie, Frederick E. *Parading Through History: The Making of the Crow Nation in America, 1805-1935*. Cambridge studies in North American Indian history. Cambridge: Cambridge University Press, 1995.

Hutton, Paul Andrew. *Phil Sheridan and His Army*. Lincoln: University of Nebraska Press, 1985. Reprint, Norman: University of Oklahoma, 2003.

Hyde, George E. *Spotted Tail's Folk A History of the Brulé Sioux.* The civilization of the American Indian series, 57. Norman: University of Oklahoma Press, 1974.

Kappler, Charles J. *Indian Affairs; Laws and Treaties.* Vol. 2. Washington: Government Printing Office, 1904.

Kavanagh, Thomas W. *The Comanches: A History, 1706-1875*. Lincoln: University of Nebraska Press in cooperation with the American Indian Studies Research Institute, Indiana University, Bloomington, 1999.

Key, Robert C. *U.S. Army, Public Opinion, and President Grant's Indian Peace Policy*. Combined Arms Research Library Digital Library. Fort Leavenworth, Kan.: US Army Command and General Staff College, 1979.

Kingsbury, George. *History of Dakota Territory*, ed. George Martin Smith. Chicago: S.J. Clark Publishing Company, 1915.

Laird, Floyd. "Reminiscences of Francis M. Redfield, Chief Joseph's War." *Pacific Northwest Quarterly* 28 (1936): 66-77.

Larson, Robert W. *Red Cloud: Warrior-Statesman of the Lakota Sioux*. The Oklahoma western biographies, v. 13. Norman: University of Oklahoma Press, 1997.

Larson, T. A. *History of Wyoming*. Lincoln: University of Nebraska Press, 1978. Reprint, Lincoln: University of Nebraska Press, 1990.

Laurie, Clayton D. "Filling the Breach: Military Aid to the Civil Power in the Trans-Mississippi West," *The Western Historical Quarterly* 25, no. 2 (Summer 1994): 149-62.

Lavelle, John P. "Rescuing Paha Sapa: Achieving Environmental Justice by Restoring the Great Grasslands and Returning the Sacred Black Hills to the Great Sioux Nation," *Great Plains Natural Resources Journal* 40, no. 5 (2001):

Laviolette, Gontran. *The Sioux Indians in Canada*. Regina, Sask: [The Marian Press], 1944. Reprint, Winnipeg, Man.: DLM Publications, 1991.

Leonard, Thomas C. "Red, White, and the Army Blue: Empathy and Anger in the American West," *American Quarterly 26* (May 1974): 176-90.

Leckie, William H., and Shirley A. Leckie. *Unlikely Warriors: General Benjamin H. Grierson and his Family*. Norman: University of Oklahoma Press, 1984.

Lincoln, Abraham. *The Collected Works of Abraham Lincoln*, ed. Roy P. Basler. 8 vols. New Brunswick: Rutgers University Press, 1953.

May, Dean L. *Three Frontiers: Family, Land, and Society in the American West, 1850-1900*. Interdisciplinary perspectives on modern history. Cambridge: Cambridge University Press, 1994.

McClintock, John S., and Edward L. Senn. *Pioneer Days in the Black Hills: Accurate History and Facts Related by One of the Early Day Pioneers*. Norman: University of Oklahoma Press, 2000.

McCrady, David G. *Living with Strangers: The Nineteenth-Century Sioux and the Canadian-*

American Borderlands. Lincoln: University of Nebraska Press, 2006.

McDermott, John Dishon. *Forlorn Hope: A Study of the Battle of White Bird Canyon, Idaho, at the Beginning of the Nez Percés Indian War*. Washington: Division of History, Office of Archeology and Historic Preservation, National Park Service, U.S. Dept. of the Interior, 1968.

McDonald, Duncan. "The Nez Percés: The History of their Troubles and the Campaign of 1877," *Idaho Yesterdays* 21 (Spring 1977): 2-15, 26-30.

Meadows, William C. *Kiowa, Apache, and Comanche Military Societies: Enduring Veterans, 1800 to the Present*. Austin: University of Texas Press, 1999.

Medicine Crow, Joseph. *From the Heart of the Crow Country: The Crow Indians' Own Stories*. Lincoln: University of Nebraska Press, 2000.

Mills, Anson, and C. H. Claudy. *My Story, by Anson Mills*. Washington: The Press of Byron S. Adams, 1921.

Monnett, John H. *Tell Them We Are Going Home: The Odyssey of the Northern Cheyennes*. Norman, Oklahoma: University of Oklahoma Press, 2001.

Morey, G.B. "Newton Horace Winchell, The George Armstrong Custer Expedition of 1874, and the 'Discovery' of Gold in the Black Hills," *Earth Sciences History* 18, no. 1 (1999): 78-90.

National Indian Law Library, and United States. *Landmark Indian Law Cases*. American Association of Law Libraries publications series, no. 65. Buffalo, N.Y.: W.S. Hein, 2002.

Newson, T. M. *Drama of Life in the Black Hills ... Illustrated with 40 Engravings. To Which Is Added ... a Historical Sketch of the Hills ... Accompanied by an Original Poem Entitled Golden Nuggets*. Saint Paul: Dodge & Larpenteur, 1878.

Nye, Wilbur Sturtevant. *Carbine & Lance: The Story of Old Fort Sill*. Norman: University of Oklahoma Press, 1983.

Olson, James C. *Red Cloud and the Sioux Problem*. Lincoln: University of Nebraska Press, 1965.

Ostler, Jeffrey. "'They Regard Their Passing as Wakan': Interpreting Western Sioux Explanations for the Bison's Decline," *The Western Historical Quarterly* 30, no. 4 (Winter 1999): 475-97.

_____. *The Plains Sioux and U.S. Colonialism from Lewis and Clark to Wounded Knee*. Cambridge: Cambridge University Press, 2004.

Paul, R. Eli. *Blue Water Creek and the First Sioux War, 1854-1856*. Campaigns and commanders, v. 6. Norman: University Of Oklahoma Press, 2004.

Pearson, J. Diane. “Lewis Cass and the Politics of Disease: The Indian Vaccination Act of 1832,” *Wicazo Sa Review* 18, no. 2 (Autumn 2003): 9-35.

Post, Marie Caroline. *The Post Family*. New York: Sterling Potter, 1905.

Price, Catherine. *The Oglala People, 1841-1879: A Political History*. Lincoln: University of Press, 1996.

Prucha, Francis Paul. *The Great Father: The United States Government and the American Indians*. Lincoln: University of Nebraska Press, 1986.

Rister, Carl C. “Outlaws and Vigilantes of the Southern Plains, 1865-1885,” *The Mississippi Valley Historical Review* 19, no. 4 (March 1933): 537-554.

Robinson, Charles M. *General Crook and the Western Frontier*. Norman: University of Oklahoma Press, 2001.

Robinson, Doane. *A History of the Dakota or Sioux Indians: From Their Earliest Traditions and First Contact with White Men to the Final Settlement of the Last of Them Upon Reservations and the Consequent Abandonment of the Old Tribal Life*. Aberdeen, S.D.: News Print Company, 1904.

_____. *History of South Dakota*. Logansport: Ind.: B.F. Bowen, 1904.

Rosen, Peter. *Pa-Ha-Sa-Pah; Or, The Black Hills of South Dakota. A Complete History of the Gold and Wonder-Land of the Dakotas, from the Remotest Date Up to the Present*. St. Louis: Nixon-Jones Printing Company, 1895.

Royster, Charles. *The Destructive War: William Tecumseh Sherman, Stonewall Jackson, and the Americans*. New York: Knopf, 1991.

Sherman, William T., and Philip Henry Sheridan. *Travel Accounts of General William T. Sherman to Spokan Falls, Washington Territory, in the Summers of 1877 and 1883*. Fairfield, Wash: Ye Galleon Press, 1984.

_____. *Sherman's Civil War: Selected Correspondence of William T. Sherman, 1860-1865*. Brooks D. Simpson, and Jean V. Berlin, eds. Chapel Hill: University of North Carolina Press, 1999.

Smith, Sherry L. *The View from Officers' Row: Army Perceptions of Western Indians*. Tucson: University of Arizona Press, 1990.

_____. “Lost Soldiers: Re-Searching the Army in the American West,” *The Western Historical Quarterly* 29, no. 2 (Summer 1998): 149-63.

Smits, David D. “The Frontier Army and the Destruction of the Buffalo, 1865-1883,” *The Western Historical Quarterly* 25, no. 3 (Autumn 1994): 313-38.

_____. "More on the Army and the Buffalo: The Author's Reply," *The Western Historical Quarterly* 26, no. 2 (Summer 1995): 203-208.

Sowell, A. J. *Rangers and Pioneers of Texas; With a Concise Account of the Early Settlements, Hardships, Massacres, Battles, and Wars, by Which Texas Was Rescued from the Rule of the Savage and Consecrated to the Empire of Civilization*. Shepherd Bros., 1884. Reprint, New York: Argosy-Antiquarian, 1964.

South Dakota State Historical Society. *South Dakota Historical Collections.* Aberdeen, S.D.: News Printing Company, 1904.

Sprague, Donovin Arleigh. *Rosebud Sioux*. Images of America. Chicago: Arcadia Publishing, 2005.

Stelter, Gilbert. "The City and Westward Expansion," *The Western Historical Quarterly* 4, no. 2 (April 1973): 187-202.

Stripes, James. "We Think in Terms of What is Fair": Justice versus "Just Compensation" in Elizabeth Cook-Lynn's "From the River's Edge," *Wicazo Sa Review* 12, no. 1 (Spring 1997): 165-87.

Sully, Langdon. *No Tears for the General; The Life of Alfred Sully, 1821-1879*. Palo Alto, Calif: American West Publishing Company, 1974.

Tate, Michael L. *The Frontier Army in the Settlement of the West.* Norman: University of Oklahoma, 1999.

United States, Vine Deloria, and Raymond J. DeMallie. *Proceedings of the Great Peace Commission of 1867-1868: With an Introduction*. Washington: Institute for the Development of Indian Law, 1975.

Utley, Robert Marshall. *Frontier Regulars: The United States Army and the Indian, 1866-1891*. Lincoln: University of Nebraska Press, 1973.

_____. *Frontiersmen in Blue: The United States Army and the Indian, 1848-1865*. New York: Macmillan, 1967. Reprint, Lincoln: University of Nebraska Press, 1981.

_____. *Sitting Bull: The Life and Times of an American Patriot*. New York: Macmillan, 2008.

Walker, J. R., and Raymond J. DeMallie. *Lakota Society*. Lincoln: University of Nebraska Press, 1982. Reprint, Lincoln: University of Nebraska Press, 1992.

Wallace, Ernest, and E Adamson Hoebel. *The Comanches: Lords of the south plains*. The Civilization of the American Indian Series, 34. Norman: University of Oklahoma Press, 1988.

Welty, Raymond L. “The Policing of the Frontier by the Army, 1860-1870,” *Kansas Historical Quarterly* 7 (1938): 154-69.

White, Helen McCann. “Captain Fisk Goes to Washington,” *Minnesota History* 38 (March 1963): 216-30.

White, Richard. “The Winning of the West: The Expansion of the Western Sioux in the Eighteenth and Nineteenth Centuries,” *The Journal of American History* 65, no. 2 (September 1979): 319-43.

Wilson, Angela Cavender. “Decolonizing the 1862 Death marches,” *The American Indian Quarterly* 28, nos. 1 and 2 (Winter/Spring 2004): 185-215.

Wood, W. Raymond. “Integrating Ethnohistory and Archaeology at Fort Clark State Historic Site, North Dakota,” *American Antiquity* 58, no. 3 (July 1993): 544-559.

Wooster, Robert. *The Military and United States Indian Policy, 1865-1903*. Yale Western Americana series, 34. New Haven: Yale University Press, 1988. Reprint, Lincoln: University of Nebraska Press, 1995.

Worster, Donald. *Under Western Skies: Nature and History in the American West.* New York: Oxford University Press, 1992.

_____. *Nelson A. Miles and the Twilight of the Frontier Army*. Lincoln: University of Nebraska Press, 1993.