Chapter 2

Dispossession and Alienation from the Landscape

2.1 Introduction

With the 1803 transfer of Louisiana Territory to the United States, foreign interests largely collapsed across the Great Plains. That rapid geo-political retreat, especially by the French and Spanish, left an economic and political vacuum that the expanding Unites States was anxious to fill. The expedition of Meriwether Lewis and William Clark demonstrates how quickly the United States government wanted to penetrate the region.[1]

With the American acquisition of Louisiana, French and Spanish traders living in the newly annexed territory quickly altered their national loyalties and economic practices toward Native American communities. The changes were necessary if they were going to retain their preeminent position in the developing trans-Mississippi River fur market. Their experience in trading with Indians would prove beneficial to the burgeoning American fur trade market.[2]

Initially, the American trade confined itself to the lower reaches of the Missouri River, but reports from the Lewis and Clark expedition of the bountiful trapping grounds along the Upper Missouri, combined with fears over British trade domination, forced American economic interests to penetrate the Great Plains toward the Rocky Mountains. President Jefferson viewed the fur trade as the first stage of the progressive settlement of the West. Traders and trappers, Thomas Jefferson believed, would pave the way for eventual American political domination.[3]

Despite American economic designs, the War of 1812 severely disrupted efforts to exploit the headwater Missouri River trapping areas. The international price of beaver dramatically declined, making western exploitation unprofitable. American traders also feared that indigenous societies under British influence would disrupt their fur markets, forcing the price of pelts and furs to fall further. In response, Congress passed the law of 1816, barring foreign interests from trading with Native Americans residing within the United States. The difficulty in enforcing the law in the western reaches of American territory is obvious. The boundaries of the United States were not clearly defined. Moreover, the government did not have the military infrastructure to prevent foreign traders from operating on American soil.[4]

During the immediate post war era, American fur trading activities on the Great Plains and Rocky Mountains remained relatively dormant. The reasons behind the retrenchment of American interests in the West are many. The 1818 Treaty of Ghent permitted joint occupation of British and United States citizens across Northwestern North America. For American economic interests, the treaty meant that British traders would continue to be a direct and, more powerful, economic competitor, particularly across the Northern Great Plains to the Pacific Northwest.

Adding to American political and economic concerns, on February 22, 1819, the U.S. government concluded the Adams-Onis Treaty with Spain. The treaty not only ceded a portion of the Rocky Mountains to Spain, making regional resource extraction more difficult, but the withdrawal of Spanish interest in Oregon Territory opened the possibility for further British exploitation.[5]

Despite the temporary retreat, the United States government recognized the trans-Mississippi West as an important source of wealth for the country. Continued fears over British encroachment onto U.S. territorial holdings as well as increasing Native American hostilities toward American trapping parties lent support to a national policy calling for the construction of a chain of military forts to consolidate United States interests in the American West. Supported by Secretary of War John C. Calhoun, the Army was ordered

to implement the plan. In March of 1818 a military force of approximately 1,126 troops under Colonel Henry Atkinson ascended in steamboats the Missouri River. The purpose of the Yellowstone Expedition was to construct and man forts along the Missouri River to firmly secure American interests. The military force also would serve as a warning to hostile Indians and foreign fur traders operating in American territorial boundaries. Although the Economic Panic of 1819 halted a full-scale effort, the plan to found a military presence did indicate, albeit symbolically, U.S. colonial designs.[6] To further secure an American foothold west of the Mississippi, the United States government began to negotiate "friendship treaties" with various tribes. The 1825 treaty concluded July 6, 1825 with several Cheyenne leaders encapsulates United States' intent. Article 1 proclaims that the Cheyenne acknowledge U.S. "supremacy" and the right of the Untied States to control all trade and intercourse.[7] Treaties with other tribes at this time would contain similar language.

Nationally, the federal government grew increasingly disinterested in supporting the post factory system.[8] The federally sponsored trade system was never profitable. Moreover, the post factory system proved relatively ineffective in creating and holding Native American allegiances to American interests. Leading the charge to abolish the federal trading houses was Congressman Thomas Hart Benton, who later became Chairman of the Senate Committee on Indian Affairs. Another opponent of government trading houses was Mr. Ramsey Crooks of the American Fur Company. By 1822 private trading companies and entrepreneurs convinced Congress to abolish to abolish the post-factory system.[9]

As Congress dismantled federal control over the fur trade, in 1821 beaver pelt prices rebounded from their wartime lows, peaking American interests in unleashing *laizze faire* capitalism toward the Rocky Mountains. To accomplish this, federal control of trade and intercourse with Native Americans was restructured to allow for greater economic penetration of fur rich regions to the West. Full economic and political control of the post factory system gave way to the granting trading licenses to monopoly companies.[10]

St. Louis, after suffering economically during the war, resorted back to a frontier economy, in which the extraction of furs would provide the cornerstone for recovery. Numerous St. Louis companies organized trapping enterprises to the Great Plains and Rocky Mountains. For the tribes of the Great Plains and Rocky Mountains, the rapid movement of the fur enterprises into their territories made demands on their lands and resources, altering forever their landscapes.[11]

As the fur trade developed, a vigorous commercial trade emerged between St. Louis and Santa Fe, Nuevo Mexico.[12] The opening in 1821 of the Santa Fe Trail across the Southern Plains to American commercial trade in manufactured goods caused a disturbance and decline in game as well as a direct intrusion on tribal hunting territories. It also stimulated raiding activity along the trail. Southern and Central Plains Indian raiding parties found the slow moving freight trains easy prey.

While Lewis and Clark successfully delineated the northern portion of the Louisiana Purchase, the southern limits still remained largely undefined. To explore and establish the southern boundary of the Louisiana Purchase, President James Madison commissions Major Stephen H. Long's expedition. Major Long's party in 1820 traveled up the South Platte River to the eastern front of the Rocky Mountains to discover the sources of the Red River. After mapping the region, Long's report declared the region a Great Desert, "unfit" for cultivation and settlement. Secretary of War, John C. Calhoun, partially as a result of Long's assessment urged the area west of the Mississippi River to be set aside for Indian Territory.[13] However his cartographic description of the south central Great Plains eventually would stimulate regional economic development.

Although American traders, by the beginning of the nineteenth century, began to have intermittent contact with Great Plains tribes, no permanent fur trading posts were in the region.[14] Over the next two decades, the American fur trade evolves resulting in the construction of a series of trading forts, particularly along waterways frequently near major Native trails.

By the 1830s trading posts were established for the Kiowa, Comanche, Wichita, Arapaho, Cheyenne, and Ute.[15] American traders found willing customers among the Great Plains and Rocky Mountain tribes. For centuries, the Arapaho, Cheyenne, Comanche, Kiowa, and Ute carried on active trade relations with the Spanish, French, and British.[16] For the region's tribes, the arrival of the American trade and traders represented new trading opportunities with new social and economic circumstances.

Of all the trading forts built, Bent's Fort on the Arkansas River held "undisputed sway over a vast territory for almost a decade."[17] The fort was strategically constructed in 1833 on the north bank of the Arkansas River. Bent's Fort, built by William and Charles Bent and their partner Ceran St. Vrain, held several geographical advantages. It was located on the current boundary between the United States and Mexico near the river fording of the Santa Fe Trail into Mexican territory. The fort also was near favored hunting and trading grounds of the Cheyenne, Arapaho, Kiowa, Comanche, Ute, and other tribes, taking advantage of the viable indigenous trade network. Further the fort was in close enough proximity to the Rocky Mountains to attract beaver trappers.

After the founding of Bent's Fort, numerous other trading posts were constructed across the region. Auguste Chouteau for example in 1835 builds a post on the Canadian River and later, another post on Cache Creek. These were followed in the early 1840s by Bent's Post on the South Canadian River in the Texas Panhandle near principle Kiowa trails.[18] In fairly quick succession, other posts, both permanent and temporary, would be built to compete for indigenous and the Rocky Mountain fur market.[19]

The arrival of permanent American presence held a number of consequences for the region's tribes. New exchange opportunities, along with commercial freighting, provided stimuli for a number of cultural changes. The most obvious cultural change is the widespread availability in material goods. Since Spanish colonization, Native and European goods were exchanged. Aside from horses and guns, two items that would profoundly shape Indigenous cultural practices, tribes also received metal goods, cooking

items, woven blankets and cloth, glass beads, trade paints, and other materials. These items were exchanged over a vast trade network, linking tribes across the region and beyond.[20]

Another consequence of developing trade opportunities on the Southern Plains is the geographical and political fissioning of some tribes into distinct societies. Although the separation of the Cheyenne into northern and southern divisions began earlier as an incremental process, the construction of Bent's Fort in 1833 on the Arkansas River, along the 1834 establishment of Fort William strategically located at Laramee's Fork, accelerated their different historical and sociological trajectories.[21] Over the next two decades, economic and ecological conditions conspired to further divide the Cheyenne. Their separation into southern and northern divisions was made legally and geographically permanent with the signing of the 1851 Ft. Laramie Treaty. Afterwards, the Southern Cheyenne and Northern Cheyenne became a fixed geo-political reality with the *Omissis* band and some *So?taa?e* remaining north, increasingly associating with the Teton Dakota. Most other Cheyenne bands located permanently south of the Platte River. Given the parallel political and economic circumstances, a similar argument for the separation of the Arapaho in to southern and northern divisions can be surmised.[22]

Seeking to maintain a position of dominance in the trade or position themselves in advantageous territorial locations, intertribal conflict increased dramatically across the region. By 1750 eastern Colorado and the mountain parks along the eastern Rocky Mountain front became contested territory. Once used almost exclusively by Ute and Apache bands, the migrations of the Arapaho, Cheyenne, Comanche, Kiowa, and Plains Apache created conflict over land and resources.

To halt the persistent raiding and warfare, federal representatives attempted to create alliances between tribes largely to protect U.S. economic interests.[23] Thus to secure the Santa Fe trade route and halt conflicts among competing tribes and cease hostilities against American traders, the United States met with leaders of the Comanche, Wichita, and other tribes at Camp Holmes, near the Canadian River.[24] The ratified treaty

concluded that peaceful relations shall exist between United States citizens and the Comanche. In addition, U.S. citizens had the right to pass and re-pass through Comanche territory into Mexico and Texas. Finally, the United States will not interrupt their right to enter into Mexican territory to inhabit or hunt.[25]

Echoing the 1835 Comanche treaty, the 1837 treaty between the Kiowa and United States contained almost the exact language, indicating the desire to protect the growing trade along the Santa Fe Trail. Both treaties, in Article IV, did specify their hunting territory as "…said nations or tribes have free permission to hunt and trap in the Great Prairie west of Cross Timber to the western limits of the United States.[26]

Despite the treaties with the United States, the Kiowa and Comanche actively raided into Texas, taking livestock and hundreds of Mexican and Anglo captives.[27] Initially, the raiding of citizens under the jurisdiction of the Republic of Mexico was of little concern to U.S. officials, but after the annexation of Texas in 1846, defending Texans from Indian depredations became a U.S. government responsibility. To that end, United States representatives, on May 15, 1846 meet with Comanche leaders near the Brazo River, Texas and conclude a treaty. The treaty aims at regulating trade, returning all captives, and using force to punish anyone, Indian or non-Indian, for offenses.[28] Although the federal government did not have the frontier infrastructure to carry out any of the functions outlined in the treaty, the document does demonstrate the federal government's intent to enfold the interior West into the national domain.

2.2 Incorporation into the National Domain, 1846-1861

By 1846 Congress solidified the United States' boundaries west to the Mississippi River. With most eastern Native American tribes, through forced removal, now residing in Indian Territory, the boundary between Euro-American "civilization" and Indian "savagery" was established firmly as a geopolitical reality. The boundary however was an illusion and would be short lived. The removal policy of the previous decade offered only a temporary respite toward national expansion west of the Mississippi River. The American sphere of influence desired national completion from the Atlantic to Pacific

coasts. Already political and economic events were occurring that would fuel American emigration beyond the Mississippi River, requiring the further concentration of Native American societies and future confrontation.

Although the discovery of the Oregon-California Trail extends back to 1824, the first wave of emigrants began in 1841.[29] The overland travel along the trail generated a growing resentment among tribes who witnessed the increase in travel across their territories. In response, the government dispatched Colonel Stephen Watts Kearney with 2,590 dragoons with artillery along the trail. Colonel Kearney, on June 16, 1845, met in council with about 1,200 Indians near Fort Laramie. The colonel promised that no punitive action would be taken for past depredations, but expected that any further harassment of emigrant wagon trains be halted immediately. The military presence did create an element of uncertainty, if not fear about the intentions of the government among the attending tribes.

The economic depressions of 1837 and 1841, combined with the 1839 collapse of the international fur market, prompted emigrants to travel west to seek new opportunities. Initially the flow of emigrants remained relatively small, but the 1848 gold discovery in north central California launched a mass migration across the central Great Plains. The rapid American colonization of the Far West, primarily California and Oregon, extended the citizenry and boundaries of the United States beyond the federal government's effective control. The solution, from the government's perspective, is to consolidate itself politically and economically, especially amidst growing fears about dissolving the nation over the growing economic rift between the northern and southern economic sectors.

After 1848, Indian policy was directed toward protecting the overland transcontinental routes of the Santa Fe, California, and Oregon trails. Safeguarding immigrants and settlers became a military priority. The solution to accomplish this task was restricting Indians to certain areas in an attempt to limit their interaction with emigrants. While military force remained a potential option, treaties, in combination with

the distribution of gifts and rations, emerged as the preferred policy. It was more economical than military force, but military force would be used when necessary.[30]

The next year, Congress passes a bill, the first of many, authorizing the construction of military posts to protect travel along the Oregon Trail. Two years later, Fort Kearney was built along the trail in Nebraska, and in 1849, the War Department purchased for $ 4,000.00 Fort Laramie in the heart of the Northwestern Great Plains. The military foothold would be the impetus for the appropriation of Native lands and resources. Aiding this effort Congress, over the next several decades, would ratify several treaties, fund numerous military expeditions, and pass a series acts to firmly secure Indigenous lands and resources.[31] As a result, Great Plains societies would witness the erosion of their sovereignty as they were forced onto reservations.

The need to make available western lands coincides with a rising demand for wheat in Europe and the eastern United States, reinforced by the trans-Atlantic migration of European emigrants. The immigration of labor and capital to the West prompted capitalist speculation about trade and investment, especially in extracting western natural resources.[32] To accomplish the rapid colonization of the West required acquiring land at minimal cost.

With the appropriation of Native lands and resources crucial to the future economic development of the West, the United States government, on March 3, 1849, transfers the responsibility of Native American affairs from the Department of War to the newly created Department of the Interior.[33] The transfer is more than a bureaucratic reorganization. During the latter half of the decade, the United States acquired vast amounts of land through the Oregon Treaty of 1846 and the war with Mexico.[34]

In order to expedite the appropriation of land and resources, the Federal government created the General Land Office under the Department of Interior. Secretary of the Treasury Robert C. Walker expressed the implications for Native American policy succinctly in a report to Congress:

> The duties performed by the Commissioner of Indian Affairs were bound to increase with the opening up of vast areas of the West...More important, however, was the fact that the Indian Commissioner, like the Commissioner of the General Land Office, would be under the supervision of the same Secretary. Because of the close relationship between Indian treaties, military bounties and land warrants, private land claims, and public lands, it was logical that there be a coordination of effort in the field.[35]

The Indian Office adopted a policy of treaty making as the most cost effective mechanism to alienate Native Americans from their lands and resources.[36] Thus, in February 1851, Congress passed the Indian Appropriation Act. The act allocated $ 100,000.00 to negotiate treaties with various tribes. The act also initiates the federal policy of concentrating western Native American societies onto defined land bases. The establishment of reservations accomplished a number of desired ends. Reservations permitted the appropriation of vast land holdings into the national fold for economic development. It also would minimize, so federal policy makers thought, violent conflicts between Native Americans and Euro-Americans through isolating Native people from American society.[37]

Those policies were put into effect immediately. On September 9, 1850 Congress ratified a treaty with Ute Indians. Negotiations took place a year earlier by Indian Agent James C. Calhoun at Santa Fe, New Mexico. Under the treaty terms, the Ute acknowledged that they are legally and exclusively under the jurisdiction of the United States government. As such, they were subject to the regulation of all trade and intercourse, must allow free passage of American citizens through their territory, and the construction of military posts, Indian agencies, and trading houses. The Ute also agree to maintain a perpetual peace with the United States and its citizens. Although, the treaty did not designate a reservation, it did demand that the Ute must stay in their "accustomed territory." *Quiziachigiate* and 27 other Ute leaders signed the treaty.[38]

Within a year, a Ute Agency was founded at Taos. While the Ute treaty and agency attempted to restrict Ute movements, settlers continued to invade Ute lands. The towns of Costilla and San Luis were founded in the heart of Ute territory. To protect the growing settlements and travel to and from the newly acquired territory of New Mexico, the United States military constructed in 1852 Fort Massachusetts on Ute Creek in the San Luis Valley. The fort's construction allowed more settlers to move into the area, resulting ultimately in the destruction of Native resources.[39]

Over time, settlements were located in areas in close proximity to water and resources also used by indigenous people. Non-Indians hunted wild game, tilled land that contained valuable plant resources, and gathered edible food resources. They also altered the landscape through diverting streams, mining, and introducing foreign species. For the Ute as well as the other tribes, these activities would have a lasting impact on their ability to practice aspects of their life ways.

Regional economic development of the southern portions of Ute lands went unabated. The invasion of Ute lands was considered a hostile action. Ute raiding parties struck numerous settlements, killing settlers, capturing livestock, and supplies. Despite the state of war, in 1853, Captain John H. Gunnison led a military expedition through Ute territory west to find a rail route. His surveying expedition heightened growing Ute anger over the invasion of their lands. That tension lead to open warfare. The Ute killed Captain Gunnison in Utah.[40]

Disturbed by the growth of settlement and military presence, in 1854 the Ute and Jicarilla Apache under the leadership of Tierra Blanca attacked and took the trapper outpost of El Pueblo. In the attack, they killed 15 men and captured a woman and child. Hostilities at El Pueblo and throughout northern New Mexico led to a punitive expedition against the Ute. Colonel Thomas T. Fauntleroy, dispatched from Fort Union to Fort Massachusetts, organized an expedition. After relentless pursuit and several engagements, U.S. troops managed to attack a Ute camp near Salid, killing 40 men.[41]

After several other battles and skirmishes by July 1855 the Capote and Mouache bands sued for peace. Ute leaders signed new treaties that did end major hostilities, but the United States Senate never ratified them.[42]

As Ute bands fought to protect their lands and resources, the Cheyenne and Arapaho negotiated and signed the 1851 Fort Laramie treaty. Held on Horse Creek, near Fort Laramie in Wyoming Territory, the Cheyenne and Arapaho, along with delegations from the Sioux, Crow, Assiniboine, Hidatsa, Arikara, and Mandan, agreed to several stipulations with critical consequences. The negotiators wanted achieve a number of objectives. Foremost, they desired to protect settlers as they travel along the emigrant trails crossing tribal territories.[43] To accomplish this task, Article 2 permitted the United States to construct roads, military posts, and other posts in their territories. The signing tribes also agreed to refrain from intertribal hostilities by making a lasting peace with each other and define their territorial boundaries. For the Cheyenne and Arapaho their defined territorial boundaries commenced:

> At the Red Butte, or the place where the road leaves the north fork of the Platte River; thence up the north fork of the Platte River to its source; thence along the main range of the Rocky Mountains to the headwaters of the Arkansas River; thence down the Arkansas River to the crossing of the Santa Fe Road; thence in a northwesterly direction to the forks of the Platte River, and thence up the Platte River to the place of beginning.[44]

The delineation of a proscribed territory acknowledged legally that these tribes by the early 1850s held firm possession of the lands north of the Arkansas River to the North Platte River. The treaty also recognized the southern and northern Cheyenne as politically distinct.[45]

In return for agreeing to the treaty terms, the United States Government pledged to protect tribes from depredations and compensate them for any damages they suffer at the hands of Euro-American citizens. Further, the United States agrees to deliver

annuities equal to $ 50,000.00 per year for fifty years.[46] However, before the treaty is ratified, the U.S. Senate altered the article to read $ 50,000.00 worth of annuities for only ten years, with an option of extending the annuities for another five years. The federal government also required each tribe to select "head chiefs" "...with whom all national business will hereafter be conducted."[47] The same year the treaty is concluded federal bureaucrats begin to develop plans for the “final solution to the Indian problem.” The plan, according the Commissioner of Indian Affairs Luke Lea, calls for the Indians' "...concentration, their domestication and their incorporation..."[48]

Two years later, on July 27, 1853, the Comanche, Kiowa, and Plains Apache sign treaties at Fort Atkinson. The treaty language largely echoes the article stipulations in the 1851 treaty. The tribes agree to peaceful relations with not only the United States, but also Mexico. Although the Kiowa and Comanche remained on relatively good political terms with the United States, they continued to raid constantly into Mexico, New Mexico, and Texas until after the Civil War.[49]

Another treaty stipulation allowed for the construction of military posts and roads through their territory that was vaguely defined as the lands south of the Arkansas River.[50] The treaty article obviously was directed toward protecting emigrant travel and further regional incorporation.

The signing of the treaties parallels the geo-political incorporation of the Great Plains that began in 1853 with the creation of numerous western territories.[51] Over the next three decades the remainder of western lands would be politically integrated into the Untied States leading to the development of a policy of concentration for the surviving independent indigenous societies.

Emigrant travel along the trails crossing the central and southern Great Plains impacted each tribe differently. The Oregon Trail drove a deepening ecological and sociological wedge between northern and southern tribal divisions and bands. Game and other resources, particularly in the vicinity of the emigrant trails, diminished.[52] The trail

also made communication between bands increasingly difficult. On October 25, 1851, Superintendent of Indian Affairs D.D. Mitchell reported to Mr. Luke Lea, Commissioner of Indian Affairs, about the rapidly changing conditions among Great Plains tribes. Superintendent Mitchell wrote:

> The conditions of the prairie and mountain tribes presents a gloomy prospect for the future. I had the opportunity during the present year of seeing and talking with a majority of the wild nations, and was much surprised to witness the sad change which a few years and unlooked for circumstances had produced. The buffalo, upon which they rely for food, clothing, shelter and traffic, are rapidly diminishing. In addition to their other misfortunes, the hordes of emigrants passing through the country seem to have scattered death and disease in all directions. The tribes have suffered much from small-pox and cholera, and perhaps still more from venereal disease.[53]

The impact of environmental degradation in altering the landscape is only surpassed by the introduction of infectious diseases. Since European colonization, epidemic episodes spread among societies of the Great Plains and Rocky Mountain West. From the beginning of the nineteenth century into the early reservation period, the Arapaho, Cheyenne, Comanche, Kiowa, and Ute experienced at least five major epidemics.[54] The demographic losses, estimated to be between 50 to 75 percent by the reservation period, profoundly impacted tribal life.[55] The 1849 Asiatic cholera epidemic for example, drove two Cheyenne bands to extinction. The survivors of a third band, the *Mah sih' ko ta* or Flexed Legs merged with the Dog Soldiers to form a new, militaristic political force within the Council of Forty-Four. The Dog Soldier band moved into the Smoky Hills region. Being located between the Southern Cheyenne and Northern Cheyenne bands, the band attracted southern and northern members. The Dog Soldier band, after 1849, would emerge as a powerful independent political force that would shape Cheyenne political events over the next two decades.[56]

Reacting to their deteriorating situation, by 1857 hostilities erupted along the emigrant trails. In a show of military force, Colonel Edwin Sumner led four companies up the North Platte River to Fort Laramie. His force then turned south, rendezvousing with Major John Sedgwick's forces, which traveled along the Arkansas River, near present-day Greeley, Colorado. The combined forces then traveled east into the heart of Cheyenne country. They met the Cheyenne on the Salomon River, inflicting a defeat on the Cheyenne forces.[57]

The 1857-58 Pike's Peak gold rush radically altered the region's complexion. It prompted an influx of miners and the development mine boom economy.[58] Miners swarmed into the area, cutting new trails, and building settlements across the landscape. In the process, miners were invading tribal territories, destroying food resources, and reshaping the environment to fit the mining economy.[59] An Arapaho leader, after witnessing the rapid influx of miners along St. Vrain Creek, demanded that they "Go away…You came to get our gold, eat our grass, burn our timber, and kill and drive off our game."[60] A growing resentment grew among all the regional tribes, who witnessed the erosion and degradation of the environment that threatened their existence.

The gold rush also raised concerns among authorities about allowing tribes to roam freely across the Colorado landscape.[61] Of special concern were the Ute. Miners and prospectors directly invaded Ute lands seeking mineral wealth. Colorado Territory Delegate Hiram Bennett wrote to Commissioner of Indian Affairs William Dole expressing his concerns:

> I am justified in saying that a larger number of miners and prospectors and explorers will go into this country this summer, searching for gold and other precious metals overwhelming the entire country now occupied by these band of Utes.
>
> I need not attempt to draw a picture of the horrors of a war of extermination with these numerous and hardy Indians of the

> Rocky Mountains, nor I suggest the economy of choosing to treaty with them at the present time.
>
> For these various considerations I am induced to ask and most seriously urge upon your department the propriety of treatying with the Ute Indians of Colorado Territory in such a manner as to extinguish their title to the mineral land of Colorado and to preserve the public peace therein.[62]

Colorado settlers and their representatives now viewed Indians as impediments to regional economic development. Both treaty making and wars of extermination would be used to extract the necessary lands and resources to secure Colorado's future.

2.3 Tribal Dispossession and Alienation from the Landscape, 1861-1868

The onset of the American Civil War on April 12, 1861 marks a shift in western Native American-United States relations. Economically, the Civil War ignites U.S. industrialization along the Atlantic northeast, creating an unprecedented demand for western natural resources.[63] Although the war shifted national attention east, the West continued to experience an influx of settlers. Along with the 1861 Colorado gold rush, the discovery of gold in 1862 along Grasshopper Creek set off a massive invasion of miners and emigrants into western Montana Territory. The gold rush led to the founding of another road extending from Fort Laramie to the Montana gold fields. It was named the Bozeman Trail. The Lakota, Northern Cheyenne, and Northern Arapaho resented the road as it traversed through their prime hunting territories.

The continuing settlement of the Great Plains called for a policy shift to adapt to the changing political realities.[64] Growing demand for natural resources and land required further transfer of Native lands and the confinement to reservations. Thus Secretary of Interior Caled Smith in 1862 recommended that Native Americans be declared "wards" of the United States Government. The proclamation required their full submission to federal authority and incarceration on reservations. Consequently,

Secretary Smith's recommendation placed the Indian Bureau's central policy and military practices on parallel tracks. Treaties and military solutions would work hand-in-hand to achieve the same goals.[65]

Across the Great Plains, tribes witnessed the erosion of their lands and resources. The increasing Euro-American presence on the Great Plains, in combination with the surge in demand for bison robes and products, began by the 1860s to take its toll on bison populations. Bison became increasingly scarce on the Plains, no bison inhabited the tall-grass prairies east of the Missouri River, and most of the mountain park bison inhabiting the Rocky Mountains were on the verge of extinction.[66] Thomas H. Twiss, Agent for the Upper Platte wrote in his 1860 Annual Report to the Commissioner of Indians Affairs that bison "...no longer covers the valleys of the North Platte and its tributaries...but is found, in small bands only, on the Republican and Loup Fork, L'eau qui Court, White River, Cheyenne Water, and the Yellowstone, very far distant for the tribes of Indians of the agency."[67]

Even before the Civil War, enormous ecological changes were underway on the Southern Great Plains. The bison robe trade, advances in firearm technology, European infectious diseases, the post-removal settlement of eastern Indians, ranching, mining, and non-Indian settlement "…contributed to the declining stability of native wildlife populations and the ecosystems upon which they depended."[68]

The Civil War sparked widespread fears about Indian intentions across the West. Settler concerns over Indian hostilities were heightened by a number of circumstances. Militarily, settlers witnessed a sudden, but temporary diminishment of regular United States military troops from their territories, as they were redeployed to fight elsewhere. In place of military regulars, local militia, in many regions, took over the protection of the American frontier, often with disastrous results.

Local settlers across the West, had fears about Indian hostilities without military protection. On the Northeastern Plains, events would alter the political landscape of the

Great Plains. Since 1815, the Santee of Minnesota had lost their lands through a series of treaties, followed by a dramatic increase in American immigration. The loss of their lands pushed the Santee into a complete state of dependency and destitution, almost entirely reliant on the United States government for their well-being. Their plight was heightened by the onset of the Civil War. The war brought a complete withdrawal of economic support for the Santee. In 1861 their crops failed. The situation worsened in 1862 after a prolonged delay in their annuity payments and ration issues. Out of desperation, the Santee attacked settlements, the Indian agency, and plundered the agency warehouse.[69]

As the conflict spread, local Anglo settlers formed militias and available United States troops were dispatched. Many Santee sought refuge in British Territory. Other Santee fled west, joining their Teton Dakota relatives on the Northern Great Plains. The influx of embittered Santee united now with Teton Dakota already willing to defend their territories against further American intrusion, sent panic across the thinly populated Dakota territories. The situation was further aggravated by the military expeditions of Brigadier Generals Henry Sibley and Alfred Sully, who not only pursued Santee refugees, but also Teton Dakota bands west as far as the Yellowstone River.[70]

A year after the 1862 Santee incident, the Teton Dakota renew their attacks on immigrants and others crossing their hunting grounds. They also attack traders, prompting prominent merchants to request cavalry for protection against depredations. At the battle of Killdeer Mountain, July 28, 1864, Brigadier General Alfred Sully confronted approximately 1,600 Sioux. After driving the warriors from the field of battle, Sully's command captured the encampment containing vast quantities of supplies. Realizing that a permanent military presence is necessary, General Sully in 1864 establishes Fort Rice in North Dakota.[71]

Although Commissioner of Indian Affairs William P. Dole supports military operations, he also recommends that treaty preparations be made in case of a military failure. In 1863 General John Pope directs the Northwest Military Expedition against the

Sioux. Over the next two years, U.S. troops manage to destroy a number of villages, along with their provisions, but the Teton Dakota and Santee Sioux suffer few casualties.

Events on the far western fringes of the Great Plains also would require a military solution. Since the mid-1840's, European immigrants traveled over the Immigrant Road, spilling across the Great Plains following the Oregon Trail. Many Bannock and Shoshone bands, in response, attacked American migrants and settlers. The federal government responded to the attacks by patrolling the road, but the task was difficult. Finally local citizens formed a volunteer militia. Under Colonel Patrick E. Connor, they attacked *Pocataro's* Bannock and other Northern Shoshone bands on January 19, 1863 at Battle Creek, a tributary of the Bear River. The bands lost an estimated 400 people.

After *Pocataro's* defeat, Washakie emerges as the most influential Shoshone leader. He exerts a great influence over the Eastern Shoshone and some Bannock bands.[72] To end the hostilities, Washakie signs the Treaty of Fort Bridger on July 2, 1863, permitting American immigrants safe passage through Shoshone and Bannock lands. Some of the claimed Eastern Shoshone lands defined under the treaty were areas occupied by Northern Ute bands.[73] Four years later, on July 2, 1868, Washakie and other Shoshone leaders finalize a treaty with the United States officials. The agreement stipulates the confinement of the Eastern Shoshone to approximately 3,059,182 acres on the Wind River Reservation.

As hostilities grow on the Northern Great Plains, tensions between Southern Plains tribes and American settlers also reach new heights. The Kiowa, Comanche, and others took advantage of the withdrawal of troops during the Civil War by carrying out continuous raids. In fact, both western Union and Confederate authorities encouraged tribes to raid each other's supply trains to support their causes. The southern plains tribes took full advantage of the nation's political turmoil, raiding Union and Confederate supplies, western settlements, and ranches, taking goods and captives. The regional turmoil and lack of military protection left local Anglo settlers in a vulnerable position.

In an effort to quell the violence, U.S. representatives met with a delegation Southern Cheyenne and Arapaho leaders at Fort Wise, Kansas on February 18, 1861.[74] The chiefs present, all advocates peace, agreed to cede and relinquish to the United States all lands now owned, possessed, or claimed by them, wherever situated, except a tract within the following boundaries:

> Beginning at the mouth of the Sandy Fork of the Arkansas River and extending westwardly along said river to the mouth of the Purgatory River; thence along up the west bank of the Purgatory River to the northern boundary of the Territory of New Mexico; thence along said boundary to a point where a line drawn due south from a point on the Arkansas River, five miles east of the mouth of the Huerfano River, would intersect said northern boundary of New Mexico; thence due north from that point on said boundary to the Sandy Fork to the place of beginning.[75]

The treaty allocated about 600 square miles, but ceded all other territorial holdings of the Cheyenne and Arapaho. Article 6 also set the legal stage for the forced removal of the Northern Cheyenne and relocation of the Northern Arapaho by stating that "The Arapahoes and Cheyennes of the Upper Arkansas, parties to this agreement, are anxious that all members of their tribe shall participate in the advantages herein provided for respecting their improvement and civilization, and, to that end, to induce all that are now separated to rejoin and reunite with them."[76] The Senate ratified the treaty with amendments on August 6, 1861.[77] Predictably the Cheyenne and Arapaho leaders who did not attend or sign the document did not comply with any of the treaty stipulations.[78]

The same year that some Southern Cheyenne and Arapaho leaders relinquished their claim to vast territorial holdings under the 1861 treaty, Colorado achieves territorial status. President Lincoln appoints William Gilpin, a firm believer in American expansionism, as the first Territorial Governor. Governor Gilpin assisted in raising Union troops, including the First Colorado Volunteers, who won a victory in 1862 at Glorieta Pass. After Colorado City is selected as the Territorial Capitol, the first

Territorial Congressional Assembly meets and organizes Colorado into 17 counties that are delineated for administration and settlement.

Within weeks after taking the territorial governorship Gilpin wrote a lengthy report to the federal government about the relationship between Colorado Territory's economic development and its indigenous populations:

> Since my arrival here (May 27th) I have been necessarily occupied in perfecting my knowledge of this territory and it people and Indians. This scrutiny has acquainted me with the most wonderful array of facts. The fertility of the soil, the metals, the climate, the scenery, are all of a superlative excellence. These all surpass my most extravagant expectations. Denver City has a location at once adjacent to the mountain system and to the Great Plains. Accessible to all the great roads upon the line of travel and commerce between the two oceans…
>
> The numerous bands of Indians roam over this whole area and come into contact with the women, the children, the stock and property of all descriptions. Innumerable temptations and opportunities for isolated attack, for theft and debauchery everywhere occur.
>
> To establish and maintain order over so large an area and such a variety of elements is a delicate task. The management of the Indian relations is of first and cardinal interest. These Indians forming twelve distinct bands, all subdivided into wandering villages, having horses, and unrestrained by treaties to any locality; dependent on the chase for existence and hemmed in by roads and lines of settlements, are menaced by fears, which are immediate prelude of despair and desperation.[79]

Governor Gilpin went on to suggest the founding of an efficient organization of agencies would possibly avert conflict.

After improperly using drafts against the Federal Treasury to finance the Colorado troops, Governor Gilpin was removed from office. John Evans replaces Gilpin as governor and assumes the position of Superintendent of Indian Affairs. Governor Evans, confronted with raids on Anglo settlements, attacks on supply wagons, and livestock raids, believed the Cheyenne were plotting with the Lakota Sioux to clear the region of Anglo settlers. In spring 1864, Indians ran off cattle. Troops clashed with a small band of Cheyenne, and again on May 12, 1864. Four days later, troops engaged a Cheyenne band near Cedar Bluffs in the Smokey Hills. In that engagement, Lean Bear, an advocate for peace was killed. An underlying fear grew in Colorado that a general Indian uprising would turn Colorado into another Minnesota. Many also believed that the Confederates were encouraging tribes to attack settlers.[80]

With the escalating hostilities along the Platte and Arkansas roads, the citizens of Colorado became increasingly fearful of a united Indian uprising. As the Lakota Sioux committed depredations along the Platte River road, throughout 1863-1864 some Cheyenne, especially members of the Dog Soldier band, carried out raids along the Platte River and as far south as the Arkansas River.[81] The simultaneous and continuous raids solidified Colorado Territorial Governor John Evans' belief that the Cheyenne were plotting with the Lakota to rid their territory of all "Whites." To counter the threat Governor Evans raises a regiment of 100 volunteers under the command of Colonel John M. Chivington. The majority of the volunteers are drawn from lower segments of Denver.[82] In a proclamation to Colorado citizens, Evans wrote:

> Patriotic citizens of Colorado: I again appeal to you to organize in defense of your homes and families against the merciless savages…Any man who kills a hostile Indian is a patriot…"[83]

Although a segment of Cheyenne bands did desire war to protect their lands, many Cheyenne civil leaders sought a peaceful solution to the escalating hostilities. On September 29th, Cheyenne and Arapaho leaders led by Black Kettle traveled to Denver

and met with Governor Evans and Colonel Chivington. Escorting the peace leaders was Major Edward W. Wynkoop, commander of Fort Lyon. Their goal was to assure them of their peaceful intentions.[84] During the council, the chiefs were led to believe that if they camped near a military post, they could distinguish themselves from the "hostiles," and would be safe from attack.

Major Scott Anthony replaced Wynkoop in November. He ordered the bands to move 40 miles away to Sand Creek with the understanding that the surrendered bands were still under military protection.[85] Acting on that advice, in November Black Kettle moved his camp of about 600 Cheyenne to the Sand Creek Valley, about forty miles from Fort Lyon. A camp of Arapaho under Left Hand, *No-ta-nee*, and others also settled next to their allies. From the onset, relations between the United States soldiers at Fort Lyon were good. Black Kettle and Left Hand assumed their people would be out of harms way, thinking that the soldiers would distinguish them from "hostiles."[86]

Colonel Chivington, who remarked that he hoped to be "wading in gore," marched his column, along with four howitzers to Sand Creek. On the morning of November 29, 1864 Chivington's troops surround Black Kettle's peaceful camp at night. At daybreak his 700-man militia, along with four deployed howitzer cannons, viciously attack the camp. He gave the order that no prisoners should be taken. During the massacre, Chivington's militiamen beat children's brains out with gun butts, cut off men's testicles to later make pouches, ripped open pregnant women, and scalped women's vaginas. When the carnage ends, over 500 lay dead, mostly Cheyenne. Only Little Raven's Arapaho camp, which was somehow warned in time and managed to largely escape the massacre. After the blood bath, Colonel Chivington leads his men triumphantly back to Denver, where some of their war trophies were displayed on the stage of a local theater.[87]

Many survivors made their way north into the camps of the Dog Soldiers, Northern Cheyenne, Northern Arapaho, and Lakota. Others sought refuge among other Southern Cheyenne and Southern Arapaho relatives. With war erupting across the Great

Plains, Colorado Territory was plunged into a state of emergency, martial law, and economic crisis.[88]

Angered by the massacre at Sand Creek about 1,000 Cheyenne and Sioux warriors congregate south of Julesburg, Colorado. After a failed attack at Fort Rankin, the warriors attack Julesburg. The U. S. Army pursues Cheyenne and Arapaho into the Republican River region. The raiding parties elude their pursuers and return to Julesburg to raid it again. Over the next month, raids and skirmishes break out along the Platte and near Forts Laramie and Mitchell. By summer, the Great Plains is in a state of general war. Sioux, Cheyenne, and Arapaho warriors in July attack a cavalry patrol along the Oregon Trail. On July 26, 1865 warriors fall on the military post at the Upper Platte Bridge, severely punishing the cavalry troops.[89]

To crush the hostilities General Sully launches a military expedition into Dakota Territory and Brevet Major Patrick E. Conner leads 3,000 troops into the Powder River country of Wyoming to seek out and destroy the "hostiles." Eventually the distance from the forts, cold weather, and food shortages led to ineffectual campaigns. The federal government, as a result, directed its military efforts to protecting the roads, rather than seeking out “hostiles” on the open prairie.[90]

In 1864 miners and emigrants pioneered a route, the Bozeman Trail, from the Oregon Trail to Virginia City, Montana. The rapid influx of settlers into Montana elevated the region toward territorial status. The Bozeman Trail however sliced through the remaining pristine bison hunting grounds of the Northern Cheyenne, Northern Arapaho, and Teton Dakota. These tribes resisted not only the trail's opening, but also the founding of military forts to protect the miners and settlers. Over War Department objections, it was clear that military action could not bring immediate stability to the Northern Great Plains. In August of that year, President Andrew Johnson commissioned the Northwest Treaty Commission to sue for peace.[91]

Although the massacre at Sand Creek provoked a public outcry, especially in the eastern United States, and investigation into Chivington's actions, among western Anglo citizens such savage actions were not only justified, but also necessary to solve rid the landscape of murderous barbarity.[92] Senator Doolittle, who was investigating the Sand Creek Massacre, succinctly summarized the feelings of western Anglo citizens toward Indians. After visiting the massacre site, where he picked up and inspected infant skulls still lying on the ground, Doolittle traveled to Denver to hold a public meeting at the Denver Opera House. During his public speech, he asked the audience whether it is best to place Indians on reservations and teach them to become self-supporting or exterminate them. Immediately, the audience in unison shouted, "Exterminate them! Exterminate them!" loud enough that the Senator wrote to "raise the roof of the Opera House."[93]

The Sand Creek Massacre did not alter the military's course of actions. In November 1864, the U.S. military launches a campaign to eliminate the "Indian Problem." Kiowa and Comanche raiders carried out raids on Santa Fe wagon trains, after witnessing how the freighters would kill their game. General James H. Carlton ordered Colonel Christopher "Kit" Carson, commanding the First Calvary, New Mexico Volunteers to lead an expedition against the Kiowa and Comanche while in their winter camps. Seventy-five Muache Ute, along with Jicarilla Apache, arrive at Maxwell's Ranch, New Mexico. Seizing an opportunity, the U.S. Army supplies them with rations, clothing, blankets, and firearms. The Ute and Jicarilla, join 336 troops who march into the Texas Panhandle in search of "hostiles." Near Adobe Walls, the ruins of Bent's trading post on the Canadian River, his troops encounter a Kiowa and Comanche camp. On November 26, 1864 he attacks the *Tohausan's* Kiowa camp using howitzer cannons. Carson's force captures the camp, killing at least 60 people, burnt 175 lodges, along with numerous bison robes and winter provisions. The Ute captured the Kiowa horse herd.[94]

The winter campaign eventually forced the Comanche and Kiowa to negotiate a treaty. The treaty, held along the Little Arkansas River October 18, 1865, stipulated that a perpetual peace shall exist between the tribes and the United States Government. Although *Tohausen*, the principle leader of the Kiowa since 1833, objected to the treaty

terms, the Kiowa and Comanche agreed to accept a reservation in present-day western Oklahoma and Texas.[95] The Comanche and Kiowa also agree to not leave the reservation without written consent, refrain from depredations or harming U.S. citizens, and not camp within ten miles of main roads, routes of travel, military posts, or towns. Further all former Kiowa and Comanche lands outside of the reservation boundaries are permanently ceded to the United States.[96] The Kiowa and Comanche were no longer legally part of the Colorado landscape.

Four days earlier, the commissioners, which included William W. Bent, met in council with a delegation of Southern Cheyenne and Southern Arapaho leaders. Many bandleaders boycotted the council out of anger and suspicion over Sand Creek.[97] The treaty language parallels the basic articles concluded with the Comanche and Kiowa. Aside from promising to maintain a perpetual peace with United States, the treaty designated a "district of country" for their "absolute and undisturbed use and occupation."[98] The treaty also granted 320 acres to several band chiefs, 160 acres of land to each widow or to anyone who lost a parent as reparation for the Sand Creek Massacre. In addition, persons who are related to the Southern Cheyenne and Arapaho by blood are to be given 640 acres from lands designated under the treaty of February 18, 1861.[99] While the treaty attempted to amend the atrocities committed at Sand Creek, it did little to quell the general state of hostility. Moreover, under Article 2, Black Kettle, Little Raven, and the other band leaders present agreed to relinquish all claim, rights, and cede the region:

> …beginning at the junction of the north and south forks of the Platte River; thence up the north fork to the top of the principal range of the Rocky Mountains, or to the Red Buttes; thence southwardly along the summit of the Rocky Mountains to the headwaters of the Arkansas River; thence down the Arkansas River to the Cimarone crossing the same; thence to the place of beginning; which country they claim to have originally owned, and never to have relinquished the title thereto.[100]

The treaty, ratified May 22, 1866, effectively ceded most lands in Colorado Territory. The treaties echoed the sentiments of Colorado citizens, who by the 1860s, were clamoring to have eastern Colorado "free of Indians." The ethnic cleansing of Colorado would be accomplished by sheer force, either through political manipulation or military action.

On April 9, 1865 the Civil War ended. Before the Civil War drew to a close, the Federal Government redirected their interests West. Faced with the post-war reconstruction of the South, massive unemployment, and the freeing of Northeastern capital for speculative investment, the West offered a viable solution to prevent the impending political economic crisis. Earlier, the government's intent was to secure title to Indian lands, if at all possible, through peaceful negotiations. But during and after the Civil War, there grew increasing pressure for more western land. On the Great Plains, the growing American population resulted in resistance and warfare by Plains tribes. The United States government reacted to Native American resistance by shifting its policy from negotiation to force. To accomplish this policy shift required the federal government to establish and maintain a permanent military presence in the West.

Before western lands could be exploited further, national leaders had to craft a definitive policy to settle permanently the "Indian problem." The rapid invasion of miners as well as the immigration across indigenous lands during the previous two decades, led to inevitable militarization of the region. United States military confrontations, especially the massacres inflicted by volunteer militias on the Southern Plains, created a state of hostility that required an immediate solution. Post-Civil War Indian policy shifted quickly to solve the Indian question. The federal government insisted that Native societies confine themselves to assigned small reservations and give-up their way of life. To achieve these objectives, the United States government demanded that all Native American tribes must bend to the will of the United States government or face the possibility of extinction.[101]

To halt the conflict and prevent further the illegal seizure of Native lands by miners and settlers, Congressional leaders in 1865 appointed a joint committee to investigate frontier conditions and propose a resolution.[102] Wisconsin Senator James R. Doolittle headed the 77-man committee. Committee members dispersed across the West, interviewing military officers, American citizens, Indian agents, and Native American leaders about frontier conditions. As the committee members traveled throughout the Great Plains, they witnessed firsthand the destruction and impact Euro-American expansion had on Native American societies.

By the spring of 1866, Government representatives met with the Crow, Assiniboine, Northern Cheyenne, Northern Arapaho, and the Missouri River tribal leaders. A second commission traveled to the Northwestern Plains in June of 1866 to meet with Teton Dakota leaders to discuss relinquishing the Powder River country. The commission's goal was to quell the increasing hostility through another round of treaty negotiations.[103] The Doolittle Committee's findings took two years to reach Congress. The 1867 publication, Report on the Condition of the Indian Tribes, concluded that Indian hostilities resulted from unlawful settler intrusion onto Native lands and the overzealous actions of the military. Although the committee pointed to American actions as the primary reasons for Native resistance, their recommendation for halting the conflicts lay in changing Native American life ways. In the committee's judgment, Native Americans would have to relinquish their nomadic existence, accept reservations, and adopt Euro-American practices. In other words, Native Americans had to alter their cultural existence to prevent future warfare and establish peaceful relations. The Doolittle Report and its recommendations served as a policy guide for federal bureaucrats for the final elimination of tribal sovereignty.

As the Doolittle Commission gathered information and wrote their findings, the Untied States military continued to pursue "hostile" bands.[104] On August 29, 1865, the command of General Patrick E. Connor attacked Chief Black Bear's Northern Arapaho camp along the Tongue River. Eventually General Connor's force captured the village. While his troops attempted to destroy the camp, Arapaho warriors launched a counter-

attack that drove Conner's troops down the Tongue River valley. General Connor's action prompted the Northern Arapaho to ally themselves closely with the Northern Cheyenne and Sioux bands resisting the invasion of their lands.

Two days later, Northern Arapaho warriors in the Tongue River Valley attacked Colonel James A. Sawyer's survey team under military escort. The ensuing battle lasted days. Only the arrival of General Connor's forces permitted the road builders to continue to Virginia City, Montana.

In an effort to protect gold seekers on their way to the Montana gold fields, the United States Army began to build a series of forts in 1866 along the Bozeman Trail through the heart of the Powder River Country. The trail cut through the heart of the bison rich hunting territory claimed by the Sioux, Northern Cheyenne, and Northern Arapaho. Within a short period of time, the Army establishes a series of forts. Reacting to the occupation of their lands, Sioux, Northern Cheyenne and Northern Arapaho forces carry out raids on travelers and harass the forts. Northern Cheyenne and Sioux anger was aptly demonstrated on December 21, 1866 when warriors were able to decoy Captain William J. Fetterman and 80 men from Fort Phil Kearny, Wyoming Territory into a planned ambush. Northern Cheyenne and Sioux resistance toward the intrusion of their lands would continue until the signing of the 1868 treaty. On August 2, 1867 for example, Sioux warriors attacked Captain James Powell with 31 soldiers assigned to guard woodcutters outside Fort Kearny. During the five-hour battle, Powell lost five men with two wounded.[105]

Northern Cheyenne and Sioux insistence to rid their lands of military occupation and emigration led to a state of incessant warfare. While war raged along the Bozeman Trail, in the Smokey Hill region and along the Republican River in western Kansas, Cheyenne Dog Soldiers openly fought to retain their land and resources. Fearing that open hostilities would filter to the Southern Plains, Major Henry Douglass, commander of Fort Dodge, advised his superior, General Winfield Scott Hancock that large, armed

bands of Arapaho, Cheyenne, and Sioux were moving south. Major Douglass reported that he expected trouble.[106]

In response, General Hancock on April 7, 1867 meets in conference with Cheyenne and Oglala leaders 30 miles from Fort Larned. Few Cheyenne leaders show up because of bad weather, which prevented their travel, but reported the other bands, was camped some distance from the fort. Perceiving the poor turn out of leaders as a sign of hostile intent, General Hancock proceeds to bully the bandleaders in attendance into submission. Failing to achieve his objective, Hancock on April 15th marches toward the combined Cheyenne and Sioux camp to deliver a stern message to more Chiefs. On seeing Hancock's approaching column, the Indians flee in panic, fearing an attack on their village similar to the Sand Creek Massacre. Witnessing the Cheyenne and Sioux reaction, General Hancock perceives their action as a "...commencement of war."[107] He orders Lieutenant George Armstrong Custer's detachment to pursue the fleeing Indians. When the brief battle ended, Hancock's troops destroyed the Cheyenne and Sioux village.[108]

In July of 1867, Congress passes the Peace Commission Act. The law authorizes the President to appoint a commission to meet with hostile tribes. Using the Doolittle committee findings as a guide, the Peace Commission proceeds west to end Native American resistance to American expansion and development. The commission travels across Great Plains negotiating a series of treaties. The major goal was to end U.S.-Indian hostilities.

Despite the formation of a commission to seek peace, the Northern Cheyenne and their allies, the Teton Dakota continued to fight against the military presence in their territory. On August 1, 1867, approximately three miles from Fort C. F. Smith, Montana Territory 700 Cheyenne and Sioux warriors attacked 31 civilians and soldiers. The battle, known as the Hayfield fight, lasted for six hours before soldiers arrived from the fort to rescue them.

To restore peace to the Southern Plains, on October 18, 1867, commissioners and U.S. military officials met with headmen from the Kiowa, Comanche, Apache, Southern Cheyenne, and Southern Arapaho on Medicine Lodge Creek, 70 miles north of Fort Larned Kansas. Aside from the assignment of designated reservation lands for the Southern Cheyenne and Arapaho apart from the Kiowa, Comanche, and Plains Apache, the treaty articles contained several common clauses. Foremost, the tribes agree to cease all hostilities against the United States and non-Indian citizens.[109] Of special concern, outlined in Article XI.1 for the treaty concluded with the Southern Cheyenne and Arapaho is the complete withdrawal of resistant opposition to the construction of the railroad along the Smoky Hill River, "whether it be built to Colorado or New Mexico."[110] The stipulation is a direct attempt to end the militancy of the growing Dog Soldier band, which dominate Southern Cheyenne and impact, to a lesser degree, Northern Cheyenne politics.

These tribes, the Kiowa, Comanche, Plains Apache, Southern Cheyenne and Southern Arapaho, agreed further to settle permanently on reservations in Kansas and Oklahoma while retaining the right to hunt in uninhabited portions of their surrendered lands. The United States also promised to prevent White bison hunters from entering reservation lands and grant annuities including guns and ammunition, build schools, churches, and offered farming implements to farm reservation land. Finally, the tribes agree to withdraw all opposition to established military posts and roads and any future posts and roads constructed not in violation of current or future treaties.[111]

While "settling" hostilities with the Southern Plains tribes, other commissioners begin to organize treaty negotiations among the "hostile" Northern Plains tribes. In 1868 begins to negotiate a series of treaties with tribes at Fort Laramie, Wyoming. Federal authorities conclude agreements with Northern Cheyenne and Northern Arapaho headmen. The Northern Arapaho negotiated a treaty with the Sioux that was ratified on February 16, 1869. They also concluded a treaty with the Northern Cheyenne on May 10, 1868 that was ratified July 25, 1868.[112]

Similar to the provisions of the 1867 Treaty of Medicine Lodge the tribes agree to cease all hostilities and receive annuities and benefits for assigning themselves to a reservation. Under Article II, the Northern Cheyenne and Northern Arapaho:

> …hereby agree to accept for their permanent home some portion of the tract of country set apart and designated as a permanent reservation for the Southern Cheyenne and Arapahoe Indians by a treaty entered into by and between them and the United States, at medicine Lodge creek, on the – day of October, eighteen hundred and sixty-seven, or some portion of the country and reservation set apart and designated as a permanent home for the Brule and other bands of Sioux Indians, by treaty entered into by and between said Indians and the United States, at Fort Laramie, D. T., on the twenty-ninth day of April, eighteen hundred and sixty-eight. And the Northern Cheyenne and Arapahoe Indians do hereby relinquish, release, and surrender to the United States all right, claim, and interest in and to all territory outside the two reservations above mentioned, except the right to roam and hunt while game shall be found in sufficient quantities to justify the chase.[113]

The article went on to demand that the tribes within one year move to a permanent agency established at the mouth of Medicine Lodge Creek, Fort Randall, on the Missouri River, or at the Crow Agency near Otter Creek.[114]

The treaty signings did not halt raiding, warfare, or the resentment of Anglo intrusion among some portion of the tribes. Despite the insistence by government officials for tribes to attach themselves permanently to an agency, many bands continued to hunt freely across the Great Plains and remained detached from any agency authority. They considered the practice of their traditional life ways a sovereign right, guaranteed by the treaty and tradition.

The treaties reached at Fort Laramie did temporarily halt Indian-Anglo hostilities on the Northern Great Plains. During the cessation of hostilities, the United States army, under the direction of General Philip H. Sheridan, decided to launch a large-scale winter campaign to crush Southern Plains tribes.[115] Over the winter and beyond, the U.S. military carried out a series of unprecedented campaigns against many tribes living on the Central and Southern Great Plains.

Failing to receive the annuities and rations promised by treaty and facing the continued intrusion of their lands, a number of bands resume their resistance. The Kiowa and Comanche begin raiding other tribes and Texas Anglo ranches for horses and food. Efforts are made by government officials to settle them on their reservation to avoid further conflict, but economic conditions prohibited the tribes from settling at a location that could not meet their needs.[116]

About 700 Cheyenne Dog Soldier and Oglala Sioux warriors besiege Major George A. Forsyth and 50 men while patrolling western Kansas. The battle begins the morning of September 17, 1868. To prevent complete annihilation, Forsyth's party takes refuge on a sandbar in the Republican River in eastern Colorado. Over the next eight days, the warriors assaulted the troops until being rescued by Captain Louis Carpenter's 10th Cavalry. During the siege, the warriors killed 22 men, including Lieutenant Fredrick Beecher. However, the Cheyenne lost Roman Nose, a powerful leader.[117]

The Beecher Island siege was only a temporary setback in bringing a military solution. Throughout the remainder of the spring and into July, General George Armstrong Custer also leads the Seventh Calvary in pursuit of the "hostile" Cheyenne and Sioux. The so-called "hostiles" although manage to evade Custer's command. General Custer, not satisfied, decided to mount a winter campaign to find Indians settled in their sedentary camps. His troops located a large Indian encampment, composed of the Kiowa under Big Tree and Woman's Heart, the Plains Apache, Southern Arapaho, and Southern Cheyenne bands, along the Washita River.

Before Custer's attack, the Southern Cheyenne, led by Black Kettle, a Sand Creek massacre survivor, among other bandleaders, moved their winter camp south, separating them from the other bands. On November 27, 1868, Custer's troops attack the peaceful Southern Cheyenne camp. Among the 103 causalities inflicted by his troops, 93 were women, children, and elderly men. Black Kettle and his wife also were killed in the massacre. Fifty-three Cheyenne were captured. Military officials and Anglo civilians immediately hailed the attack as a significant victory aimed at reducing Indian depredations.[118]

The outright massacre of Southern Cheyenne men, women, and children offered a stark lesson for the other tribes. Soon afterwards, the Kiowa, Plains Apache, and Comanche after returning from hunting bison in Texas complied with government demands, settling on their reservation. Within one year, the Fort Sill Agency is built in the center of the reservation.[119]

Reservation conditions for the Kiowa and Comanche however led to a renewal of raiding. The federal government routinely failed to adhere to the articles of the 1867 Medicine Lodge. Hundreds of bison continued to be illegally slaughtered on and off the reservation. Anglo hunters and entrepreneurs sold alcohol, arms, and ammunition to them for stolen livestock taken in Texas. Reservation conditions would continue to erode, eventually forcing the Kiowa and Comanche to mount a desperate attempt to regain their independence.[120]

Along the Saline and Solomon Rivers, Cheyenne warriors attacked hunting parties, railroad crews, Anglo settlements and homesteads. On May 30, 1869 the Cheyenne attack a German immigrant settlement, killing 13 and capturing three women before returning to the camps on the Republican River. On June 3, 1869, Brevet General Eugene A. Carr received orders from his commanding officer to "…clear the Republican country of Indians."[121] After pursuing Tall Bull's Dog Soldier band, which was moving east and north to join the Northern Cheyenne, General Carr on July 11, 1869 discovered his camp along White Butte Creek, northeastern Colorado. After a two hour battle, the

Fifth Calvary, supported by Pawnee scouts, delivered a crushing defeat to Dog Soldier band, including the death of their leader Tall Bull. The attack killed 52 Cheyenne, captured 17 women and children, 274 horses, 144 mules, most of the camp's provisions and weaponry. Before abandoning the camp, Carr order it burned to the ground.[122]

The relentless fighting and military pursuit took its toll. By April 1869, some Arapaho leaders expressed interest in settling on a reservation. Little Raven, reciting his interpretation of the Medicine Lodge Treaty, assumed the reservation was on the upper Arkansas River between Bent's Fort and Rocky Mountains. Southern Arapaho bands, along with a few Northern Arapaho bands eventually arrived at Fort Sill, Indian Territory. Their willingness to settle, along with Indian Agent recommendations, led President Grant to issue a proclamation assigning a new reservation to the Southern Arapaho and Southern Cheyenne along the North Canadian River and the upper Washita River, lying west of the 98th meridian. Its boundary on north was the Cherokee Outlet. The eastern boundary was the Cimaron and on the south the Kiowa, Comanche, and Plains Apache Reservation. The western boundary was the Texas state line.[123]

The successful completion of the first transcontinental rail route through southern Wyoming by 1869 prompted the final appropriation of Native lands and resources for regional economic development of the Great Plains.[124] A system of land grants was implemented to finance that economic development. This created a political alliance between development financiers and settlers, who viewed the railroad as a vital link to move agricultural and natural resources to eastern markets. Thus land companies, the railroad financiers, and Congress set about to destroy the remaining Indian land tenure.[125] To achieve this goal, the United States Government had to halt indigenous resistance to the occupation of their lands and the destruction of their way of life.

The mainstay of the Great Plains indigenous economy was bison. The construction of the rail route, along with the proliferation of towns and roads along the route, fragmented the bison into smaller herds. However, in 1870, bison hide found a commercial use in factories along the Atlantic seaboard. Commercial hunters, armed

with long-range repeating rifles, moved quickly to fill market demand for bison hide and bison by-products. Within seven years, the southern and northern herds would be driven to near extinction.[126]

As the military solution played out, a political struggle emerged in the federal government over the future direction Indian Affairs. The political struggle led to the formation of Grant's Peace policy; a policy that required the complete control of Native Americans. To accomplish the task, President Grant appoints Seneca Brigadier General Ely S. Parker as Commissioner of Indian Affairs. In that appointment, Parker actively assists in implementing a policy of providing Native Americans with annuities and clothing in exchange for reconciling themselves to small, marginal reservation lands.[127]

By the end of the 1860s, a number of governmental bodies and significant individuals presented arguments that treaty making with Indian tribes should be abandoned. That issue came to the fore in 1868, after a treaty was negotiated with the Kansas Osage. The debate over the disposition of the ceded lands led to a power struggle between the Senate and House of Representatives. In 1871 the House of Representatives refused to appropriate any money to Indian affairs, unless it was given more power in controlling Indian issues. The Senate, forced to keep the Indians calm through fulfilling treaty obligations, attached a specific amendment to an appropriations bill that read "…no Indian nations or tribe within the territory of the United States shall be acknowledged or recognized as an independent nation, tribe, or power with whom the United States may contract by treaty."[128]

The end of treaty-making, marks a critical shift in toward the final appropriation of Indian lands and resources. The rash of treaties concluded across the Great Plains, in an attempt to halt hostilities to make way for further development, did not satisfy the government, business, or the western public. Across the West, including Nebraska, Kansas, and Colorado, citizens and their representatives demanded that the federal government rid their states of Indians. Treaties, it was perceived, preserved too much reservation land and resources and permitting Indians the right to use off-reservation

resources.[129] The shift in Congressional policy meant increasing pressures to abandon ancestral homelands, relinquish their political and cultural autonomy, and incorporate tribes by placing them on existing reservations, sometimes with other distinct societies.

2.4 Implementing the Policies of Removal and Concentration, 1871-1884

During the conflicts with Great Plains tribes, the Ute remained at a relative peace, often visiting and camping outside Denver to trade. Among the Uncompahgre (Tabeguache) Ute, Chief Ouray desired a treaty in an attempt to secure the best possible land for his people. Ouray, who was one half Jicarilla, lived in New Mexico; witnessing firsthand its conquest.[130] Witnessing the literal takeover of New Mexico, Ouray pressed for a treaty to preserve the bulk of Ute territory. In 1863, the with assistance of Indian Agent Lafayette, Ouray and other Ute leaders arranged treaty negotiations with Governor and Superintendent of Indian Affairs John Evans and other representatives.[131] Article 2 delineated the following lands as their exclusive hunting grounds:

> Beginning at the mouth of the Uncompahgre River; thence down the Gunnison River to its confluence with Bunkara River; thence up the Bunkara River to the Roaring Fork of the same; thence up the Roaring Fork to its source; thence along the summit of the range dividing the waters of the Arkansas from those of the Gunnison River to its intersection with the range dividing the waters of the San Luis Valley from those of the Gunnison's Fork of the Great Colorado River; thence along the summit of said range to the source of the Uncompahgre River; thence from said source and down the main channel of said Uncompahgre River to its mouth, the place of beginning.[132]

Aside from defining Tabeguache band territorial claims, the treaty conveyed consent to construct military posts, roads, rail routes and mail stations on Ute lands not ceded by the Tabeguache band in the treaty. Finally Article 4 stipulated that the Muache Ute may be settled on the lands reserved under the treaty.[133] Most Colorado Ute bands

ignored the treaty. Leaders from the Weeminuche and Muache bands did not attend the negotiations. Capote leaders did attend, but refused to sign the document.[134] The treaty was ratified March 25, 1864.

Within five years, the Treaty with the Ute, signed on March 2, 1868, superceded the 1863 treaty. Article 2 delineated the reservation boundaries as:

> Commencing at that point on the southern boundary-line of the Territory of Colorado where the meridian of longitude 107 west from Greenwich crossed the same; running thence north with said meridian to a point fifteen miles due north of where said meridian intersects the fortieth parallel of north latitude; thence due west to the western boundary-line of said Territory; thence south with said western boundary-line of said Territory to the southern boundary-line of said Territory; thence east with said southern boundary-line to the place of beginning...[135]

The reservation was established for the "absolute and undisturbed use and occupation" of the Ute. The treaty also to protect the reservation from unauthorized use and settlement.[136]

The 1868 creation of the Confederated Ute Reservation, negotiated in Washington D.C., preserved most of lands claimed by the various Ute bands, except for the central Rocky Mountain area and the San Luis Valley. It also acknowledged the political and cultural differences between southern and northern Ute bands by establishing two Ute agencies. The northern agency was located at White River. The southern agency was moved from Conejos to the Los Pinos River.[137] In 1874, the Los Pinos Agency was again moved to the Umcompahgre River, when the Umcompahgre band refused to go farther south than Cochetopa Pass.[138]

The protected reservation was short-lived. Soon after the 1868 treaty, a minor gold rush again took place in the San Juan Mountains. Anglo miners and entrepreneurs

invaded Ute lands seeking fortunes. Instead of protecting Ute bands from the illegal occupation of their lands and rapid destruction of their natural resources, the federal government refused to use troops against their own citizens to protect Indian rights. Instead the government appointed Mr. Felix Brunot to negotiate a new agreement with the Ute. An Episcopalian priest, Mr. Brunot was an advocate of President Grant's Peace policy.

Initially, Ouray did not want to surrender more Ute land, but political circumstances required territorial concessions. Tensions were developing between the Ute and settlers, leading to the death of rancher near Tabernash, Colorado. Resources and game had grown in short supply, forcing the Ute occasionally raid for food.[139] Given the circumstances, Ouray's willingness to negotiate and sign the agreement would possibly divert a war,

The Brunot Agreement, which included the Tabequache, Muache, Capote, Weeminuche, Yampa, Grand River, and Unitah bands, eventually was signed in 1873. These confederated Ute bands in Article 1 relinquished over 6,000 square miles of land and resources, approximately one quarter of their 1868 reservation. The agreement left divided Ute lands into northern, southern, and western strips. The agreement was the most confining land cession ever agreed to by the Ute.[140]

Faced with rapidly disappearing bison herds, along with continued settlement of their lands, the Southern Plains tribes raided heavily into Texas and Kansas. On May 18, 1870 for example, 150 Kiowa, Plains Apache, and Comanche attacked a wagon train carrying corn from Weatherford, Texas to Fort Griffith. Seven teamsters were killed and the raiders drove off 40 mules. For the Warren Wagon Train Massacre, Santana, Santank, Eagle Heart, and Big Tree were arrested at the Fort Sill Agency. As troops prepared the Kiowa leaders for travel to Texas for trial, Santank attempted to escape and was killed. Santana and Big Tree was tried on seven counts of murder and sentenced to death. However, Governor Edmund J. Davis commuted their sentences to life in prison as hostages for Kiowa good behavior. The Comanche, despite the capture of a camp and

taking over 120 women, children and wounded prisons by Colonel Ranald Mackenzie's Forth Cavalry, persistently raided into Texas.[141]

Raiding was a necessity. Reservation rations were never adequate. Among the Kiowa and Comanche rations were so scarce, the situation forced families to kill horses and mules for food. Moreover, the Kiowa, Comanche, Southern Arapaho and Southern Cheyenne were losing livestock to Anglo thieves, who would drive them to market in Kansas or Texas. Furthermore, whiskey peddlers illegally entered reservation lands, taking advantage of the desperation.[142]

After the starvation winter of 1873-1874, forcing people to kill livestock to survive, the tribes had reached a breaking point. Among the Comanche, a profit appeared. *Isa-tai*, claimed to vomit forth bullets by the wagonload. To bolster his prophetic claims, in May he held a Sun Dance to demonstrate his power as a messiah and promote vengeance against "Whites."

Led by Quanah Parker and other chiefs, a plan was devised to destroy the buffalo hunter settlement at Adobe Walls. On June 27, 1874 the Comanche and Cheyenne warriors laid siege to the buffalo hunter's camp. Although the Adobe Wells attack met with little success, Comanche and Southern Cheyenne opted for war, but wanted the Kiowa to join the effort. Lone Wolf advocated war, but was opposed by Kicking Bird's peace faction. Eventually, approximately three-quarters of the Kiowa led by Kicking Bird arrived at Fort Sill to enroll as neutrals. Lone Wolf's faction joined the war effort.[143]

General Sheridan, now in charge of military operations for the entire Great Plains region, orders five columns of military troops to run down the "hostiles" and batter them into submission. Over the summer and into the fall, United States troops relentlessly pursued the Comanche, Kiowa, and Southern Cheyenne "hostiles." The most devastating defeat came on September 28, 1874. Scouts of Colonel Ranald S. Mackenzie's column followed a fresh trail to the edge of Palo Duro Canyon. His soldiers descend the canyon

walls and attacked the Indian camps. Taken by surprise, the Indians abandoned their villages enabling Mackenzie's troops to overrun the camp. Although there were few Native causalities, the military captured over 1,100 head of horses. Colonel Mackenzie orders the horses slaughtered to prevent any attempt at recapturing them. In 1875 General Miles attacks a group of Southern Cheyenne near McClellan Creek.[144]

The unrelenting military pursuit, lack of provisions, and cold weather ultimately forced the Indians into surrendering, bringing a close to the Red River War. The Southern Cheyenne surrendered March 6, 1875. In April 1875 a band of 200 *Kwahada* that had never submitted to living on the reservation, surrender to government authorities at Fort Sill. On June 5, 1875, Quanah Parker's 400 *Kwahada* Comanche also surrendered to government officials. Santana, with a Kiowa band, turned himself in October 4, 1875 at Darlington Agency. Although there is no evidence he participated in the war, his association with hostile leaders sent him back to prison. Four years later he committed suicide. After the war's end, many of the leaders and followers implicated for the "outbreak" were identified and sent to prison in Fort Marion, Florida. As winter set in, more Indians surrendered at their respective agencies, various bands no longer able to live off the reservation.[145]

On August 1, 1876, Colorado officially joined the Union as a state. That same year, a number of events would fuel fervent anti-Indian sentiment across the West. The central and northern Great Plains remained a contested landscape. Elements of the Northern Cheyenne and Sioux remained steadfast in their attempts to halt American intrusion into their lands. On the Northern Plains, Northern Cheyenne, Northern Arapaho, and Sioux warriors attacked railroad survey parties, emigrants, and U.S. military troops assigned to protect the frontier. While the 1873 national financial panic would delay the completion of the Northern Pacific Railroad for another 15 years, the policy of repressing Native resistance through military force continued unabated. The same year the financial panic retarded western rail development; the federal government established the Red Cloud Agency for the Teton Dakota and their allies.[146]

As part of the continual militarization of the West, in spring of 1874, General Philip Sheridan wants to build a post in the interior of the Great Sioux Reservation. To locate a suitable location, Sheridan orders a surveying expedition to the heart of unceded reservation lands. The Black Hills Expedition under the command of George Armstrong Custer in July of 1874, snake their way into the Black Hills. During the expedition, members discover a small amount of gold. The news media immediately sensationalized the gold discovery to a nation suffering from a severe economic depression. The discovery prompts a massive invasion of illegal prospectors into the Black Hills, a place considered sacred by the Northern Cheyenne and Teton Dakota. As a helpless U.S. military stood by, over 15,000 gold seekers and squatters by 1875-76 enter the Great Sioux Reservation in a direct violation of the Fort Laramie treaty.

The illegal settlement of their reservation, combined with an inadequate military response to protect the reservation boundaries, angered the Northern Cheyenne, Teton Dakota, and their allies. Attacks on prospectors grew. Faced with increasing hostilities and the inability to control the influx of illegal miners onto reservation lands, the Federal Government decides to attempt to purchase the Black Hills. The decision, from the United States Government's viewpoint, made good economic and political sense. The acquisition of the Black Hills would prevent future conflict, solve the squatter problem, as well as incorporate a mineral rich region into U.S. control. Moreover, the purchase may prove cheaper than a sustained military campaign.

From the Teton Dakota's perspective, the Black Hills were not for sale. The federal delegation arrived in September of 1875 at Red Cloud Agency, but the Dakota leaders flatly refuse their offer. The Dakota's refusal to entertain the purchase of the Black Hills was a political embarrassment that required forceful action. The refusal to bend to the will of the United States, required decisive action, regardless of cost.

A political response came swiftly. Commissioner J. O. Smith on December 6, 1875 issued a directive. The directive instructed all Indian agents to inform off-reservation Indians to proceed to their respective agencies by January 31, 1876. Those

bands that refused to comply with the order would be considered hostile and face U.S. military action. On February 1, 1876, the War Department proclaimed that all Teton Dakota, Northern Cheyenne, and Northern Arapaho bands not on their assigned reservations, were in defiance of Commissioner Smith's orders and were hostile.[147]

Northern Cheyenne, Northern Arapaho, and Dakota Sioux resistance to the governmental demands culminated in the 1875-1877 military operations.[148] To bring all off-reservation bands that failed to follow Commissioner Smith's directive, the army organizes forces to subdue the "hostile" bands.

Drawing on successful tactics learned during winter campaigns on the Southern and Central Plains, General Sheridan organized a three-pronged attack. Sheridan called on General Crook in the Department of Platte in Omaha, Nebraska and Alfred Terry of the Department of Dakota in St. Paul, Minnesota. The strategy was rather simple. A column of Crook's troops, under the command of Colonel Joseph J. Reynolds, would move north from Wyoming, while one column in Terry's command, under Colonel John Gibbon, would move east from Montana Territory, and Terry's second column would move west from Dakota. The Dakota column would be under the command of George Armstrong Custer.[149]

Because of the winter's severity, neither Gibbon's or Custer's troops could enter the field until spring. General Crook although traveled to Wyoming, entering the field as an observer with Reynold's command. Marching into the Powder River country, his forces encountered a Northern Cheyenne and Dakota winter camp. On March 17, 1876, Colonel Joseph Reynolds' troops assaulted the camp under Crazy Horse on the Little Powder River. The Indians rout Reynold's troops. Word of the attack spread quickly among the Teton Dakota, Northern Cheyenne, and Northern Arapaho. The various camps join Sitting Bull's Hunkapapa, forming a massive multi-ethnic camp that continually moved to avoid the U.S. military.[150]

Continuing to follow Sheridan's three-pronged battle plan, by late spring Gibbon's forces move into the field. Twice his scouts report to Gibbon that they have located the massive Indian encampment, but he chose not to attack them. Custer's command, Seventh Calvary, also enters the field. Custer was relegated to a subordinate role for publicly humiliating President Grant earlier in the year. In late May, General Crook takes the field again, establishing a base camp at Goose Creek in the foothills of the Bighorn Mountains, near present Sheridan, Wyoming.[151]

From his base camp, Brigadier General George Crook set out against the Dakota and Northern Cheyenne to the north. On June 17, 1876, his force of 1,050 soldiers supported by 260 Crow and Shoshone scouts meet a combined force of Northern Cheyenne and Sioux under the leadership of Crazy Horse. After the six-hour pitched battle, the 700 warriors withdraw, but they inflict heavy causalities on Crook's troops. With his heavy losses and wounded, General Crook withdrew to his base camp, unable to rendezvous with General Custer.

After the battle of the Rosebud, the Indians move their camps to a large meadow called Greasy Grass along the Little Big Horn River. The number of Indians encamped along the river swell as many others left their assigned agencies after a harsh winter. The multi-ethnic camp grows to over 7,000. Eight days after General Crook's battle, Custer's command discovers the massive encampment along the Little Big Horn River.

His troops attack the camp on June 25 1876, but are quickly repelled by overwhelming Indian forces.[152] By afternoon's end, Custer's Seventh Calvary was annihilated by Teton Dakota, Northern Cheyenne, and Northern Arapaho warriors. Two days later, Gibbon's and Terry's columns find the dead and rescue the remainder of Reno's command.[153]

News of the crushing defeat reaches the East during the nation's centennial celebration. The extermination of Custer's column was a national and international embarrassment to the United States government. A people that most Euro-Americans felt

were "savages" crushed one of the world's most powerful military. Severe retaliation was in order. General Sheridan launches a full-scale military campaign. Miles and Mackenzie are transferred north with their regiments. The government authorizes the construction of two new military posts and expands the army. To avoid another Custer massacre, Congress gave the military all the resources and authority necessary to destroy indigenous resistance. From now on all "hostiles" would be pursued with impunity.[154]

Following Custer's defeat, Generals Alfred Terry and George Crook launch a largely unsuccessful summer campaign. The only encounter was the attack on a Northern Cheyenne camp on Warbonnet Creek, in northwestern Nebraska. During his march north to join Crook's forces, Colonel Wesley Merritt's troops, discover a camp of about 1,000 Northern Cheyenne. The Cheyenne were soundly defeated in the encounter, raising public morale in the wake of Custer's disaster.

Throughout the summer and into the fall, U.S. troops relentlessly pursued all off-reservation Indians. General Crook for example, marched troops from his Goose Creek base camp north to the Yellowstone River, then east toward the Black Hills. The Horse Meat or Starvation march as it was known, kept the Indians constantly moving. They were unable to hunt for the impending winter and their ponies began to starve. The tactic of constant pursuit and engagement took its toll. Many Indians, once "hostile," trickled back to their agencies. At the agencies they discovered the realities of military rule.[155]

Viewing the successes of military action, Congress on August 15th approves an ultimatum that would force tribes to surrender all unceded lands in Montana and Wyoming territories as well as all lands west of the 103rd meridian on the Great Sioux Reservation. The reservation land cession included the Black Hills. The Indians would receive no further rations until they complied with U.S. demands. It was surrender completely demand or starve ultimatum.[156]

As General Crook exerted full control over his agency "captives," he organized another military expedition under Mackenzie. The Fourth Calvary, on November 25,

1876, locates and attacks Dull Knife's Northern Cheyenne camp on Crazy Woman Creek on the Powder River, Wyoming. After fierce fighting, the soldiers capture the camp where many battle trophies are discovered from the Custer affair. Mackenzie orders the lodges and their winter provisions destroyed, leaving the Northern Cheyenne survivors destitute.[157]

In General Terry's Military Department, field operations were left entirely to Nelson Miles. General Miles, who recently returned north from defeating Southern Plains "hostiles" in the Red River wars, sets out on a winter campaign to "…chase down the Indians regardless of season or weather."[158] His main objective was to break the will of Sitting Bull and his followers, believing that his defeat would spell the collapse of the hostilities. General Mile's tactics eventually forces Sitting Bull's followers to move to a Indian Agency for safety or to seek asylum across the border in Canada.[159] On June 2, 1877, Sitting Bull with about 1,000 followers and Medicine Bear's Yankton arrive in Canada settling in a Dakota refugee community at Wood Mountain in the Cypress Hills, near the Montana border.[160]

With Sitting Bull's "hostiles" neutralized, General Miles turns his attention to Crazy Horse and his followers. On January 7, 1877, his troops engage Crazy Horse's camp at Wolf Mountain in southern Montana. Over the course of two days, fierce fighting, which included hand-to-hand combat, Miles' forces eventually emerge victorious.[161]

Military operations continue into the spring. Mile's troops in May, manages to capture a large Minneconjou camp, killing Lame Deer in the ensuing fight. The sustained military campaigns through the winter and beyond take their toll on indigenous resistance. Realizing that further fighting is increasingly futile, many bands begin to surrender to military authorities or attach their band to various Indian agencies. After a long and bitter struggle, Crazy Horse leads his battle-worn band to surrender on May 17, 1877 at Fort Robinson, Nebraska. Within fours months, Crazy Horse is shot by a contingent of U.S. soldiers and Indian police.[162]

In the aftermath of the 1876-1877 war, the Northern Arapaho accepted rations at the Red Cloud Agency. Pressured by government authorities and military officials, Northern Arapaho leaders reluctantly agree to remove south to Indian Territory.[163] While traveling south, disagreement arose over the decision. Although some northern bands continued to Indian Territory, a number of Northern Arapaho bands refused to cross the Platte River until they had the opportunity to talk with Washington D.C. officials. They wanted a reservation near Old Fort Caspar. The bands, severely impoverished, set up camp near Fort Fetterman. The Wyoming Governor urged that they be moved temporarily to the Wind River Reservation, to reside with their traditional enemies the Shoshone. Over the reluctance of Shoshone leader Washakie, on March 18th, April 6th, and April 11, 1878 the Northern Arapaho arrived at the Wind River Reservation.[164]

Three years after their southern relatives were driven to surrender, the Northern Cheyenne could no longer effectively resist the constant pressure of the United States military.[165] By April of 1877, the severe winter and U.S. military winter campaign forced most of the Northern Cheyenne bands to surrender.[166] Two Moons band surrenders at Fort Keogh, Montana. Another Northern Cheyenne band traveled to the Wind River Agency, seeking refuge from the Northern Arapaho. They too were not removed, but permitted to reside temporarily near their allies. These bands were not considered for removal to Indian Territory.

The bands led by Little Wolf and Dull Knife surrendered in April 1877 at Fort Robinson, Nebraska. The Fort Robinson bands, one month later, were forcibly transferred to the Cheyenne-Arapaho Agency, Indian Territory.[167] Arriving August 5 1877, the Northern Cheyenne faced oppressive policies, unhealthful conditions, malnutrition, and cultural alienation leading them to break out and flee north September 8, 1878.[168]

The bands traveled together, avoiding United States military troops until crossing the North Platte River. At that juncture, the bands separated following different political

decisions about where to go. Little Wolf and 114 of his followers wintered on Lost Chokecherry Creek, but eventually surrendered to Lieutenant W. P. Clark north of the Black Hills. Clark escorted the band to Fort Keogh to reside with Two Moon's band. Morning Star's band attempted to reach Red Cloud Agency. In route the band was captured by a military patrol and escorted to Fort Robinson, Nebraska.

On January 3, 1879, despite the pleas from Morning Star not to be sent back to Indian Territory, the Indian Office sends orders to the military authorities to return the band south. Learning of their fate, the Northern Cheyenne leaders refuse to return south. For their defiance, Captain Wessells locked them in a barracks under military guard and withdrew all firewood, food, and water for a week in order to starve them into compliance. The result of his actions was a desperate escape attempt, which led to 64 Northern Cheyenne deaths, seven unaccounted for, and 78 people recaptured.[169]

Of the 78 survivors, the military escorted 20 to Kansas to stand trial for alleged murders committed during their flight home. The remaining 48 were permitted to transfer to the Pine Ridge Agency.[170] After the trial, the 20 Northern Cheyenne were taken back to the Southern Cheyenne and Arapaho Agency, where they joined Little Chief's band, who also was forcibly removed to Indian Territory.[171]

In August of 1881, Northern Cheyenne leader, Little Chief arrived in Washington D.C. Through his negotiations, Little Chief obtained permission to relocate his band to the Pine Ridge Reservation to live among the Oglala. Two months later, Little Chief's band left the Southern Cheyenne and Arapaho Agency, Indian Territory for Pine Ridge Agency, South Dakota. After Little Chief's departure, the remaining 684 Northern Cheyenne in Indian Territory also began to request to be returned to Pine Ridge Agency. Since their forced removal to the Southern Cheyenne and Arapaho Agency, Indian Agents labeled the Northern Cheyenne as “anti-progressive” and a constant source of “disturbance.” Thus on July 19, 1883, 343 Northern Cheyenne, under military escort, was transferred to Pine Ridge Agency. The remainder voluntarily elected to settle permanently in Indian Territory, amalgamating themselves among the Southern

Cheyenne. The Northern Cheyenne at Pine Ridge was not well received by Agent McGillicuddy, who described them as "guileless children of nature" that are "here to-day and off for the Yellowstone region in Montana tomorrow, where, after awhile, tiring of the precarious living to be picked up hunting or stealing cattle, they return for a time to their Great Father's storehouse at the agency."[172] To solve the Northern Cheyenne issue, on November 26, 1884 an Executive Order created the Tongue River reservation.[173] The establishment of the reservation coincides with the extermination of the last known Montana bison herd, which delivered the final blow to the last vestiges of economic independence. Without bison, all tribes could no longer remain economically independent or leave their reserves to hunt. With the last vestiges of economic and political independence destroyed, governmental concern turned toward moving Native Americans toward economic self-sufficiency. The goal was the disbursement of rations until each family achieved self-sufficiency.[174]

The defeat of Custer's force, along with the aftermath hostilities left many Colorado citizens more than uneasy. Although the Northern Cheyenne bands for example, in their trek north never entered Colorado, the citizenship began to demand the removal of all Indians from the state[175]. The declaration for an "Indian Free State" has already been partially achieved by the late 1860s. The Arapaho, Cheyenne, Comanche, and Kiowa, through a series of treaties and military actions, were removed from eastern Colorado. Colorado citizens now wanted the Ute removed from the western and southern portions of the state. Using their growing political clout by providing the winning margin in the 1876 presidential election, Colorado congressmen managed to have Congress in 1878 approve a commission to investigate the removal of the Ute.

As Indian removal gained political and economic force, some Ute in 1878 were moved into Colorado. A portion of the Mouache band was living on the Maxwell Ranch in New Mexico near Taos. They were moved to a reservation strip in southern Colorado. Immediately an agency was established for them, the Capote, and Weminuche bands at Ignacio on the Los Pinos River.[176]

That same year, Nathan Meeker assumed control of Northern Ute Indian Agency at White River. A devout reformist, who wanted to raise the Ute out their state of "savagery" toward "civilization," he immediately attempted to implement a number of policies to alter the Ute way of life. Initially, the Ute tolerated his efforts, but over time grew to resent his efforts. With time the Ute refused to accept many of the accoutrements of civilized life.

Contrary to Ouray's pro civilization stance, Jack and Douglas were leaders who strongly believed the Ute should maintain their life ways. They led the Ute resistance against Meeker's policies. Ute families would not place their children in school or allow them to attend school. Children in school would not stay in school. Young Ute men refused to farm. Instead, they would conduct horse races. Agent Meeker viewed their obstinacy as a rejection to "civilized" life. In retaliation, he had several horse pastures plowed. Agent Meeker also constantly threatened the Ute stating that they need to change their life ways, or Whites will take their land.

The escalation of Ute resistance to his demands led Agent Meeker to call in federal troops, especially after Johnson, the Ute medicine man roughed up the agent. A detachment led by Major Thomas Tornburgh, fresh off his unsuccessful attempt to capture the Northern Cheyenne, marched toward the reservation. Enraged by the military threat Chief Jack and a contingent of Ute warriors moved to meet the troops at the edge of the reservation.

Major Thornburgh was warned not to enter reservation lands. He found the conditions unacceptable and ordered his troops to march into the reservation. The Ute surprised them at Milk Creek, killing the major and putting the soldiers under siege. After four days, Captain Francis Dodge led a detachment to attempt to lift the siege. It was only after the arrival of Colonel Wesley Merritt's four companies on the seventh day did the Ute relinquish their positions.

With the soldiers pinned, the Ute attacked the White River Agency, killing Agent Meeker and all other male employees. They captured Mrs. Meeker, her daughter, and another woman. Ouray's sister, Susan, during their captivity sheltered the women from harm, having been a captive of the Arapaho.[177]

After the press labeled the battle the "Meeker Massacre," Colorado Governor F.W. Pitkin issued a statement:

> It will be impossible for the Indians and whites to live in peace hereafter…This attack had no provocation and the whites now understand that they are liable to be attacked in any part of the state… My idea is that, unless removed by the government they must necessarily be exterminated.[178]

Rather than seek a military solution, Secretary of Interior Carl Schurz commissioned General Charles Adams to work with Chief Ouray for a solution. Adams traveled to the Grand Mesa camp where the women were held captive. Ouray to ill to travel sent Sapovanero and Shavano with General Adams to negotiate on his behalf. An agreement to stop fighting was eventually reached and the women captives after 32 days were returned with out harm.

Colorado citizens however used the conflict as an excuse to press for the "Indian free Colorado." On January 16, 1880, Ute leaders, including Ouray arrived in Washington D.C. to negotiate their fate. On their arrival, the Washington Post headline read "Unwelcome Citizens" and five days later it read "The Utes Must Go," parroting the call for the removal of all Ute from Colorado.[179] Governor Pitkin, after arriving in Washington D.C. to support the removal initiative, called the Ute "worthless savages, whose pastime is destroying life and property…"[180]

After hearings and testimony, the 1880 agreement was signed. Congress approved the land cession agreement in 1880, with more than of the Ute male population agreeing

to the terms. According to the agreement, the White River Ute would remove to a reservation in Utah, the Umcompahgre Ute were to select individual allotments near the Grand (Colorado) River, and the Southern Ute, already living on a reservation near Ignacio, Colorado since 1877, would also be forced to allot. The remainder of the Ute bands would be removed to a reservation in Utah.[181]

Complying with the agreement, the White River Ute in 1881 moved to Utah. The Umcompahgre however refused to take allotments. For their open resistance, Colonel Ranald Mackenzie who was dispatched from Fort Garland forcibly removed them. Under military escort the Umcompahgre Ute arrived at their new home in Utah reservation.[182] Northwestern and central Colorado west of the Rocky Mountain front was effectively devoid of Indians.

With the removal of the White River and Umcompahgre Ute bands, there grew pressure to have the Southern Ute bands from Colorado to a proposed new reservation in San Juan County, Utah. The Denver and Rio Grande Railroad reached Durango, raising prospects for land speculation and profiteering. The Southern Ute bands were perceived as barriers to development.

Leading Colorado politicians and community leaders from 1882 until 1885 pushed federal authorities to have the remaining Ute bands removed but failed despite Senator Teller being Secretary of Interior. The movement to cleanse Colorado of all Indians may have been accomplished if Utah was not slated to become a state. Utah territorial political leaders and ranchers vehemently opposed having more Indians occupying lands. Between 1886 through 1894, removal bills were introduced into Congress, but they all failed. In 1895 however, Congress passed the Hunter Act setting aside the southern strip of the 1868 reservation in southwestern Colorado as the Southern Ute Reservation.[183] By the beginning of the twentieth century, the Arapaho, Cheyenne, Comanche, Kiowa, and most Ute bands was alienated politically from the Colorado landscape. Those Ute that remained were confined to reservations, unable to continue

their traditional subsistence pattern that would take them seasonally to hunt bison on the Southern Great Plains.

2.5 Conclusion

Beginning with the acquisition of Louisiana Territory the United States government policies quickly evolved toward permanently solving the growing "Indian Question." Westward expansion and the desire for national completion required that the architects of mid-nineteenth century federal Indian policy shift from attempting to geographically isolate indigenous societies through removal to an outright agenda of concentration and national incorporation. On assessing the rapid development of western lands, Secretary of Interior Alexander H. H. Stuart in 1850 demanded a new solution to the "Indian Question." The Indians, Secretary Stuart observed:

> …were encompassed by an unbroken chain of civilization; and the question forces itself upon the mind of the statesmen and Philanthropist, what is to become of the aboriginal race?...The question must now be fairly met…The policy of removal…except under peculiar circumstances, must necessarily be abandoned.[184]

From 1851 until 1880, the United States government crafted the reservation system for concentrating and controlling Native societies. Reservations were not created for the sole purpose of supplying resources to the United States economy, but were the end product of a larger colonial intent to acquire the majority Indian lands and resources.[185] By the final two decades of the nineteenth century, the United States had essentially achieved its objective. It had complete government control of the central two-thirds of the United States, including the Great Plains and Rocky Mountain West.

In 1900 the United States Census Bureau announced officially the disappearance of the frontier.[186] During this period of rapid incorporation, tribes witnessed a radical alteration of their cultural landscape and traditions. Tribes lost most of their lands and

resources. Importantly, all lost most of their sovereignty as independent indigenous nations. Tribes of the Great Plains and Rock Mountain West after 1880, under American hegemony, were transformed into "domestic, dependent nations," subject to the colonizing will of the federal government. The politics of dispossession led to their complete incorporation.

[1]. Abraham P. Nasatir, Borderland in Retreat: From Spanish Louisiana to the Far Southwest. (Albuquerque: University of New Mexico Press, 1976); Denis Vaugeois, America: The Lewis and Clark Expedition and the Dawn of a New Power. (Montreal: Vehicule Press, 2005).

[2]. For a comprehensive treatment of the fur trade see, Hiram M. Chittenden, The American Fur Trade of the Far West. Two Volumes. Reprint Edition. (Fairfield: Augustus M. Kelley Publishers, 1976).

[3]. David Lavender, Bent's Fort. (Garden City: Doubleday and Company, Inc, 1954); David J. Wishart, "The Fur Trade of the West, 1807-1840: A Geographic Synthesis," In. The Frontier: Comparative Studies. David H. Miller and Jerome O. Steffen, editors. (Norman: University of Oklahoma Press, 1977), 162-163.

[4]. Chittenden, The American Fur Trade of the Far West, I:145-146; LeRoy Hafen, editor, The Mountain Men and the Fur Trade of the Far West. Volume I. (Glendale: The Arthur H. Clark Company, 1965), 33-34; Wishart, "The Fur Trade of the West, 1807-1840: A Geographic Synthesis," 165.

[5]. Richard Clokey, William H. Ashley, Enterprise and Politics in the Trans-Mississippi West. (Norman: University of Oklahoma, 1980), 34; Hafen, editor, The Mountain Men and the Fur Trade of the Far West, I:56; David J. Wishart, The Fur Trade of the American West, 1807-1840: A Geographical Synthesis. (London: Croom Helm, 1979), 14.

[6]. Although the expedition failed to found a series of forts to secure American interests along the Missouri River, Colonel Henry Atkinson received orders to build one fort to protect the Missouri River. He selected a site over looking the river near Council Bluffs. Fort Atkinson, from 1819 onwards, became the gateway to the fur regions of the upper Missouri River and into the Rocky Mountains, see Virgil Ney, "Prairie Generals and Colonels at Cantonment Missouri and Fort Atkinson," Nebraska History. 56(Spring, 1975):51-52.

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[19]. Leroy R. Hafen, "Fort Vasquez," The Colorado Magazine. XLI(3, 1964):197-212; refer also to, Hiram M. Chittenden, The American Fur Trade of the Far West. Two Volumes. (Stanford: Academic Reprints, 1954).
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Plains, W. Raymond Wood and Margot Liberty, editors. Lincoln: University of Nebraska Press, 1980), 98-109.
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…at the northeast corner of New Mexico, thence south to the southeast corner of the same: thence northeasterwardly to a point on main Red River opposite the mouth of the North Fork of said river: thence down said river to the 98th degree of west longitude: thence due north on said meridian to the Cimarone river: thence up said river to a point where the same crosses the southern boundary of the State of Kansas: thence along said southern boundary of Kansas to the southwest corner of said State: thence west to the place of the beginning, shall be and is hereby set apart for the absolute and undisturbed use and occupation of the tribes who are parties to this treaty, and of such other friendly tribes as have heretofore resided within said limits…The parties hereto on their part expressly agree to remove to and accept as their permanent home the country embraced within said limits…cited from Kappler, Indian Affairs: Laws and Treaties, 893.
[96]. Kappler, Indian Affairs: Laws and Treaties, 893-894.
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[98] The district of country began "…at the mouth of red Creek or Red Fork of the Arkansas River; thence up said creek or fork to its source; thence westwardly to a point on the Comarone River, opposite the mouth of Buffalo Creek; thence due north to the Arkansas River; thence down the same to the beginning,.." cited from Kappler, Indian Affairs: Laws and Treaties, 887.

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As the U.S. military moved to crush Native American resistance across the Great Plains, federal officials set in a number of laws that would dissolve further indigenous collective solidarity. Congress, in 1875, amended the Homestead Act to include Native Americans. The ideological motivation behind the legislation was that Native Americans would become "civilized" by accepting a 160 acre parcel of land and transforming himself and his family into small-scale farmers. The extension of the agrarian ideal to Native Americans explicitly carried with it the racist belief that if Indian people are to break the "pagan chains" that held them in a state of "savagery," they must sever their ties with their collective past and replace it with the moral and economic benefits of Protestant individualism, see, Joseph G. Jorgensen, "A Century of Political Economic Effects on American Indian Society, 1880-1980," The Journal of Ethnic Studies. 6(1978):12.

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[167]. A number of Northern Cheyenne families, fearing that removal was inevitable, voluntarily migrated to Indian Territory incorporating themselves with their Southern Cheyenne relatives at Darlington Agency. Military insistence to remove the Northern Cheyenne's was consistent with the Bureau of Indian Affairs' policy of concentrating large numbers of Native Americans in a designated locale. Fewer reservations, with larger number of Native Americans settled at each location, would be economically expedient and provide greater military control, see, Powell, Sweet Medicine: The Continuing Role of the Sacred Arrows, the Sun Dance, and the Sacred Buffalo Hat in Northern Cheyenne History, I:195.
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