JESSE HENRY LEAVENWORTH: INDIAN AGENT

THESIS

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By

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INTRODUCTION

In 1763, the British government attempted to control land hungry colonists by prohibiting settlement west of the Appalachian Mountains. The ambitious attempt failed. Two years later, Great Britain, submitting to the pressure of land speculators, homestead seekers, and fur trappers, initiated the treaty making process with the American Indians. Although the Indians had no concept of private property, they exchanged their mountains and valleys for whiskey, beads, and muskets.

Following independence, the American government continued the British policy of treaty making and pushing the red men out of the path of white civilization. After the Louisiana Purchase, many Americans considered the region lying beyond the Mississippi River a convenient area in which to settle the Indians. A policy of concentration evolved through John C. Calhoun's idea of a permanent Indian country where settlers had no desire to go. The white man's drive for the western lands doomed this policy to failure. During the 1850's the federal government extinguished Indian title to much of the Great Plains and opened the prairies for white settlement. By the 1860's, only two large areas...
remained in which to concentrate the red men--Indian Terri-
tory and the public lands north of Nebraska.

Treaty negotiations for moving the Indians had always
been carried on as if each small band, village, or tribe
were an autonomous and independent nation. Ohio Senator
John Sherman, brother of General William Tecumseh Sherman,
called the process "... a ridiculous farce."\(^1\) Although
the treaty making policy was attacked, it was not abandoned
until 1871. Why Congress dealt with the savages in the same
manner as it dealt with the French is perhaps best summed up
by one critic who said, "Treaties were made for the accommo-
dation of the whites, and broken when they interfered with
the money getter."\(^2\)

In fairness to the federal government, however, one
should note that the attitude of Indian officials in Washing-
ton and the attitude of frontiersmen contrasted markedly.
Eastern officialdom favored peaceful relations with the
Indians, but the settlers, miners, and soldiers who came into
contact with the Indians desired drastic solutions to the
Indian problem. With both sides exerting pressure upon the
government, procrastination became the accepted solution.
Temporary policies, such as peace commissions, were formulated

\(^1\)Congressional Globe, 39th Congress, 2nd Session, p. 1811.

\(^2\)James McLaughlin, My Friend the Indian (Boston, 1910),
p. 289.
but they usually provided temporary solutions rather than a settlement of the overall racial conflict. Torn by dissen-
sion within its own ranks and goaded by its land hungry citizens, the government attempted to pacify the red men or to evade the Indian issue until conditions forced it to take a definite stand.
In June, 1834, Brigadier General Henry Leavenworth led an expedition of dragoons from Fort Gibson, Indian Territory, into Comanche and Kiowa country in an attempt to make a treaty with the wild nomads of the Southern Plains. By the time the expedition reached the Washita River, many of the soldiers, including General Leavenworth, were fatally stricken with fever. Thirty years later, General Leavenworth's son, Jesse Henry Leavenworth, continued his father's pacification mission when he became a Comanche-Kiowa Indian agent. Young Leavenworth rendered more service and gained more experience in the West than did his renowned father; however, his career as an Indian agent in Kansas has not received the attention that his services merit.

Born in Vermont on March 29, 1807, Jesse Leavenworth was educated in the East. As a boy he often accompanied his father on military explorations into the Great Plains, where the youngster acquired a love and knowledge of the untamed land and its primitive people. Jesse entered the United States Military Academy in 1826 and four years later was
graduated and received a commission as a second lieutenant.\(^1\) Apparently he was dissatisfied with either the military profession or with his assignment to the Fourth Infantry because he resigned his commission within a year. Under the influence of his father, Jesse rejoined the army in August of 1831 and this time became a part of the Second Infantry.\(^2\) The following year he was stationed at Sacketts Harbor, New York, where in June he married Elvira Clark.\(^3\) Again discontented with army life and soon with a growing family to support, Leavenworth once more resigned his commission. He moved his family to Chicago in 1836, and for the next twenty-two years he worked as a civil engineer. When the Colorado gold strike of 1858 stirred great excitement in the East, Jesse Leavenworth joined a gold seeking caravan headed for the lands he had visited with his father.\(^4\)

Three years later when the Civil War erupted, Jesse Leavenworth was still prospecting for gold in the mountains around Denver. At that time the disorganized political affairs in Colorado Territory became a subject of concern to

\(^2\)Ibid. \(^3\)Ibid. \(^4\)"Condition of the Indian Tribes," *Senate Executive Documents*, 39th Congress, 2nd Session, No. 1279 (Washington, 1867), p. 36.
many persons, particularly when governmental machinery barely functioned and authorities had to cope with divided loyalties among the citizens and the possibility of a Confederate invasion from New Mexico Territory by General Henry Hunter Sibley. To add to these problems, rumors reached Denver of secessionist attempts to incite an uprising of the Plains Indians.⁵ Colorado leaders, aware of Leavenworth's military education and experience, called for his appointment as a general of the volunteer forces. Leavenworth refused because he distrusted the extra-legal methods of territorial Governor William Gilpin.

Upon his arrival in Denver in May, 1861, Gilpin began organizing the militia in Colorado Territory. He purchased arms and ammunition and issued a call to form an infantry force, the First Colorado Volunteers.⁶ The territorial government, however, did not have the money to finance the militia, so Gilpin, without authority from the federal government, issued drafts upon the national treasury. Colorado merchants and army contractors accepted the notes, but the War Department refused to honor the "Gilpin drafts" when they reached Washington.⁷ The War Department's rejection of the worthless drafts caused further disruption in territorial

⁶Ibid., pp. 42-43.
⁷Ibid., p. 174.
affairs; Colorado recruits feared they would not be paid and settlers accused Gilpin of scheming to enrich the business community.\textsuperscript{8} Jesse Leavenworth, who had been trained and disciplined at West Point, rejected a territorial generalship for a lesser rank in the Union Army because of the political bickering and general disorganization in Colorado.

In the winter of 1861, he hurried to Fort Leavenworth, Kansas, where Major General David H. Hunter, commander of the Department of Kansas, which administered federal military affairs in Colorado Territory, commissioned him a colonel with authority to raise six companies of infantry which would form the Second Colorado Volunteers. Colonel Leavenworth, with a battery of six guns and 150 men, returned to Colorado to help defend the territory against the anticipated Confederate invasion from New Mexico Territory. By the time Leavenworth and his small force reached Denver in June of 1862, the Confederate thrust toward the Colorado gold fields had been checked at Glorieta Pass.\textsuperscript{9}

Shortly after his arrival, Leavenworth received the first hint of future difficulties with Colorado officials when he learned that Governor John Evans, who had replaced Gilpin in March, opposed the enlistment of Coloradans for


\textsuperscript{9}Colton, \textit{The Civil War in the Western Territories}, p. 49.
service outside the territory. Denver's only newspaper, The Rocky Mountain News, echoed the governor and complained that Colorado troops in New Mexico would not be used "... to advantage except to enrich by Government Patronage the merchants and contractors of that territory." Although Colorado leaders were still concerned with defending the territory against Indians and Confederates, the economy of the area was also becoming a significant factor.

Late in June, 1862, Brigadier General James G. Blunt, newly appointed commander of the Department of Kansas, ordered Leavenworth to establish his headquarters at Fort Lyon in southeastern Colorado and to cooperate with Brigadier General Edward R. S. Canby, commander of the Department of New Mexico, in keeping communications open between Fort Leavenworth and Santa Fe. At that time the Territory of New Mexico extended to California, and although Sibley's army had retreated to Texas, Southern leaders still hoped to acquire the strategically important area and its potential mineral wealth.

10 The Rocky Mountain News, July 7, 1862.
11 Ibid.
Leavenworth's tour of duty at Fort Lyon was a disappointing assignment and one which probably deepened his sympathy and affection for the Indians. He undoubtedly recalled his boyhood experience when he spent three months hunting with the Kiowas in lands that were a paradise of game;\textsuperscript{14} perhaps he recalled the days when no roads divided the prairies and no man killed a buffalo for sport. The bold, proud warriors were disappearing and in their place came diseased, starving Indians who begged for food or stole the immigrant's cattle. The Indian's freedom to roam over the Plains had disappeared with the white man's intrusion, and for Jesse Leavenworth, who had known the Plains when the Indians were the sole possessors of the lands, it was a disillusioning experience. He was ordered to protect the Santa Fe Trail from Confederate or Indian attacks, but learned that most of the raids were committed by guerrillas, and not the Indians. In defense of his friends, Leavenworth wrote his superiors, "If it were not for the friendly Indians of this country our trains on this route would not, in my opinion, be safe a single day."\textsuperscript{15}

Meanwhile, a dispute arose in Denver between the supporters of territorial military control and the advocates of

\textsuperscript{14}Clarence Wharton, Satanta: The Great Chief of the Kiowas and his People (Dallas, 1935), p. 67.

\textsuperscript{15}Jesse H. Leavenworth to Thomas Moonlight, August 8, 1862, Official Records, Ser. 1, XIII, 548.
federal control. Colorado merchants discovered that local troops were large consumers and to insure that the prosperous business would continue, a Denver flour merchant, William Larimer, called for a third Colorado volunteer group. With Colonel Leavenworth's Second Colorado Volunteers still incomplete, Larimer's motives became obvious to the Denver population. Public disputes followed in which Larimer attacked the federal government's control of volunteer forces in a territory. Arguments of this nature did little to fill the ranks of either the Second or the Third Volunteers, and by March of 1863, Coloradans, fearful of impressment, retreated to Utah and Nevada Territories.

Disgusted with Colorado merchants interfering in military affairs, Colonel Leavenworth complained to the commander of the Department of the Missouri, Major General Edwin V. Sumner:

A few interested parties have been very anxious to get a large volunteer force retained in this Territory, more for speculation than anything else, and I do hope they will be disappointed. There is no more necessity for troops at this point than at Syracuse, N.Y. Two companies of the First Cavalry at Fort Lyon, one at Fort Garland, and one

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16 One aggressive Denver company purchased guns from speculators for five to eighteen dollars a piece and then sold the guns to the territorial government for twenty to sixty dollars. Inflationary prices also prevailed in hay, horses, and flour. "Accounts of the Colorado Militia," House Executive Documents, 40th Congress, 2nd Session, No. 1330 (Washington, 1868), p. 9.

17 The Rocky Mountain News, August 25, 1862.

18 Ibid., March 4, 1863.
at Camp Collins, on the overland mail line, are all the troops required, in my estimation, in Colorado. All the rest retained are to protect new town lots, and eat corn at $5.60 per bushel.\textsuperscript{19}

Territorial officials reacted to Leavenworth's criticisms by offering recruits a bounty to enlist in the Third Volunteers. The threat of an Indian attack was also used to arouse public fear in an effort to lengthen recruitment rosters; however, in the summer of 1863, Colorado had no reason to fear an Indian uprising because most of the Southern Plains Indians, the Kiowas, Comanches, Arapahoes, and Cheyennes, were camped approximately 400 miles to the east near Fort Larned, Kansas.\textsuperscript{20}

Leavenworth's criticism of Colorado leaders led to his transfer to Fort Larned on June 8, 1863, where he received the appointment as "Commander of All Troops on the Santa Fe Trail Within the District of Kansas."\textsuperscript{21} Leavenworth immediately requested reinforcements to control the large Indian concentration around the garrison because he noted that the amount of whiskey on the caravans bound for New Mexico was "... enough to intoxicate every Indian on the plains."\textsuperscript{22}


\textsuperscript{20} Thomas Ewing to C. W. Marsh, July 26, 1863, \textit{ibid.}, p. 400.

\textsuperscript{21} General Orders No. 1, June 8, 1863, \textit{ibid.}, p. 313.

\textsuperscript{22} Jesse H. Leavenworth to H. Z. Curtis, June 11, 1863, \textit{ibid.}, p. 316.
Leavenworth's hopes for obtaining troops disintegrated only one day after he was assigned to Fort Larned. Army authorities abolished the Kansas District and divided it in two military areas: the District of the Border, which encompassed Kansas north of the thirty-eighth parallel, and the District of the Frontier, which included territory south of that line. The Santa Fe Trail now ran through four military districts whose commanders were all desperately short of troops.

In petitioning troops from the new commander of the Department of the Missouri, Major General John M. Schofield, Leavenworth pointed to the First and Third Colorado Volunteers who were sitting idle in Denver. Brigadier General Thomas Ewing, commander of the newly created District of the Border, corroborated Leavenworth and also requested that inactive troops in Colorado District be utilized on the Santa Fe Trail. Apparently Governor Evans learned of Leavenworth's and Ewing's complaints because he telegraphed General Schofield's headquarters in St. Louis "... the Indians have given notice that we must fight or leave." Evans then sent the same message to Washington as a guarantee that the troops would remain in Denver; he realized the Civil War demanded the full attention of the War Department and military officials.

23 General Orders No. 48, June 8, 1863, ibid., p. 315.
24 John Evans to John M. Schofield, May 27, 1863, ibid.
sought to avoid fighting another war with the Indians. The Colorado Volunteers, therefore, stayed in Denver to subdue any prospective Indian difficulties.

On July 9, 1863, Colonel Leavenworth's acute troop shortage at Fort Larned became desperate when a sentry killed a Cheyenne warrior and a full-scale uprising became imminent. Surrounded by approximately 3,000 to 4,000 belligerent Indians with only 200 men at his command, Colonel Leavenworth, hoping to settle the matter without bloodshed, sent peace messages to the tribal chiefs.\(^{25}\) To impress the chiefs with his superior weapons, Colonel Leavenworth then ordered a demonstration of the firing power of Fort Larned's cannon. He also sent instructions to "The Commanding Officer of any Troops on the Santa Fe Road"\(^{26}\) ordering troops to Fort Larned regardless of military districts.

Six days later as the Indians brooded and contemplated an attack, a mail rider arrived at Fort Larned and reported to Leavenworth that the commander of a Colorado cavalry patrol refused him an escort on the Santa Fe Trail.\(^{27}\) The commander told the rider he had orders to that effect from


Colonel John M. Chivington, commander of the Military District of Colorado. With this news, Leavenworth intensified his dispute with Colorado officials and with Colonel Chivington in particular.

A Methodist preacher before the Civil War, John M. Chivington refused a commission as chaplain of the First Colorado Volunteers to accept a field command. For his distinguished service in checking the Confederate advance from New Mexico Territory at the Battle of Glorieta Pass, Colonel Chivington became commander of the Military District of Colorado. He took his authority seriously and resented any encroachment upon it. When Leavenworth complained about the holding of so many troops in Colorado, Chivington on June 23, 1863, issued the following order to Lieutenant Colonel Samuel F. Tappan, commander of Fort Lyon:

The rebels will be much more likely to strike at Lyon than at Larned; at least such is the present indication. You will not, therefore, send or go with your forces to Larned, or indeed out of the district except for temporary purposes, and then you will not report for duty; only cooperate with other troops. Colonel L. [Leavenworth] has not authority to call for troops from this district, and will not have authority.29

Two weeks later, Colonel Tappan defied Chivington's order and sent the First Colorado Cavalry to Fort Larned to

assist Leavenworth in peacefully solving the Indian crisis.
An enraged Chivington relieved Tappan of his command of Fort Lyon, a move which stunned Leavenworth. As a West Point graduate, he believed in military cooperation in time of need. In view of Chivington's uncooperative policy, Colonel Leavenworth appealed to General Schofield to remove Fort Lyon and any section of the Santa Fe Trail which ran through Colorado from Chivington's jurisdiction. Schofield requested Chivington to explain his insubordinate action. Only one week prior to Chivington's order to Tappan, Schofield had instructed Chivington "... to give all possible assistance in case of need, and to act promptly without waiting for orders from me." 

In his long reply to General Schofield, Colonel Chivington gave four reasons for his failure to comply with Leavenworth's requests for reinforcements: he said he needed the Colorado troops to protect the Overland Stage Line and the Pacific Telegraph Company, to provide escort duty, to defend Fort Lyon from the threatening Kiowas and Comanches,

30 Jesse H. Leavenworth to C. W. Marsh, July 22, 1863, ibid., p. 401.
31 Ibid.
32 John M. Schofield to John M. Chivington, June 17, 1863, ibid., p. 324.
and to insure the safety of Colorado's gold production. Of these reasons only the protection of the stage and telegraph lines is valid. The necessity for troops for escort duty was a deception inasmuch as a mail rider was denied even one horseman to accompany him outside Colorado. Furthermore, the Indians who came to Fort Lyon in 1863 were not in any condition to attack. Whooping cough and smallpox raged through the tribal encampments to such an extreme that the Interior Department provided funds to assist the diseased Indians at a time when money was desperately needed for the war effort. Chivington's final justification, however, persuaded Schofield to reconsider the Colorado commander's policy:

Colorado, in my judgment, is not of second importance to any State or Territory to the General Government. If protected and kept quiet, she will yield twenty millions of gold this year, and double yearly for years to come, and, in view of the national debt, I think this important, very!\footnote{John M. Chivington to John M. Schofield, September 12, 1863, \textit{ibid.}, p. 528.}

Fort Lyon was not removed from Chivington's jurisdiction and Colonel Tappan was assigned to another post.

\footnote{"Subsistence of Indian Tribes," \textit{Senate Executive Documents}, 38th Congress, 1st Session, \textit{No. 1182} (Washington, 1864), pp. 260-261.}

\footnote{John M. Chivington to John M. Schofield, September 12, 1863, \textit{Official Records}, Ser. 1, XXII, pt. 2, 528.}
Colonel Chivington's victory in retaining military control of Colorado forecast the end of Jesse Leavenworth's army career. Leavenworth's criticisms of Chivington's policies not only engendered animosity between the two men, but bred within Chivington a desire for revenge. Chivington's opportunity to eliminate his critic arrived in late September of 1863 when he learned of a recruiting irregularity in the Second Colorado Volunteers. Leavenworth's commission authorized him to form an infantry regiment; however, he allowed one of his officers, Captain William McClain, to recruit an artillery company. When McClain's men learned that they were to be in the infantry and not the artillery as they had been led to believe, they reported the matter to Chivington, who immediately notified Secretary of War Edwin M. Stanton of Leavenworth's "deceptive conduct."\(^{36}\) Within two weeks Jesse Leavenworth was dishonorably discharged from the Union Army, and on October 18, 1863, a humiliated West Pointer relinquished command of Fort Larned.\(^{37}\)

Jesse Leavenworth was devoted to the Union cause and hoped to play an important role in defending the West from the Confederates; however, his assignment to a complex political and economic environment frustrated him when local

\(^{36}\)The Rocky Mountain News, October 4, 1863.

civilian objectives took precedence over federal military needs. Thus, rather than fighting Confederates, Leavenworth struggled with territorial officials who were also Union supporters. These experiences were bitter and frustrating, and although he had little opportunity to utilize his military training, his Civil War service was not entirely lost. He acquired a great deal of knowledge about settlers, politicians, speculators, and Indians, all of which provided him with an excellent viewpoint of the powerful clash that would erupt on the Great Plains when the Civil War was over. Leavenworth's awareness of the conflicting racial desires, combined with his sympathy for the Indians, perhaps accounts for his decision to remain on the frontier. On March 26, 1864, special orders changed his discharge to an honorable one, and in the summer of 1864, because of his knowledge of the Southern Plains Indians, Jesse Leavenworth was appointed Indian agent for the Kiowas and Comanches. ³⁸

³⁸Ibid.
CHAPTER II

A DOVE OF PEACE

On November 28, 1864, the Third Cavalry of Colorado Volunteers under the command of Colonel John M. Chivington, attacked a peaceful gathering of Cheyenne and Arapaho Indians camped at Sand Creek in southeastern Colorado.¹ The carnage which followed is a blot on American-Indian relations. Cheyenne chief Black Kettle raised an American flag to indicate his loyalty and a white flag in a futile attempt to surrender, but the soldiers disregarded both signs and in the ensuing melee killed approximately five hundred men, women, and children.

The Sand Creek Massacre had far-reaching effects on both the public's and the government's attitude toward the red men. The immediate effect, however, was war. Indian thirst for revenge combined with natural savagery turned the Great Plains into a nightmare. White men abandoned cabins, farms, and ranches as they raced eastward to Missouri and Iowa for safety. With the Civil War raging few cavalry regiments could be spared for frontier defense, and the absence of the

¹Rupert N. Richardson, The Comanche Barrier to South Plains Settlement (Glendale, 1933), pp. 284-285.
military further encouraged the Indians to acts of daring and boldness.

Throughout the winter of 1864-65, as disturbances reached a high point, Indian agent Jesse Leavenworth worked desperately to stop the bloodshed. He believed that in spite of the disturbing Sand Creek affair several of the tribes desired peace. The agent felt the Comanches, the Cheyennes, the Caddoes, and Little Raven's band of Arapahoes wanted to call a truce; however, he thought that the Kiowas were too belligerent and needed military punishment. Therefore, in his efforts to arrange a conference, Leavenworth sent scouts from his agency at Cow Creek, Kansas, to the Comanches, Arapahoes, and Cheyennes, but not to the Kiowas.

In February, 1865, a friendly band of Wacos reported to Leavenworth that the Comanches and Arapahoes agreed to meet him, but gave no definite date. They would notify the agent when they were ready to talk and in the meantime would not raid or molest settlers. This small success convinced Leavenworth that if he could restrain the military he could bring peace to the frontier.


Anxious to prevent any attacks that would destroy his progress, Leavenworth hurried to Fort Riley, Kansas, headquarters of the District of the Upper Arkansas. He asked the commander, Brevet Brigadier General James H. Ford, what plans the military had concerning the Indians. It is at this point that the argument whether the War Department or the Interior Department should have control of Indian Affairs became significant. General Ford believed that his task was to kill hostile Indians and prepared an expedition against the Comanches. Bewildered by Leavenworth's news, Ford referred the matter to his superior in St. Louis, Major General Grenville M. Dodge. "Is it the intention to make peace before punishing them?" Ford asked. General Dodge wired back that the army "... had no authority to make treaties..." and ordered Ford to continue organizing his campaign.

Leavenworth decided to take his case to Washington and to Wisconsin Senator James Doolittle, Chairman of the Senate Committee on Indian Affairs. Up to 1864, Doolittle favored turning Indian affairs over to the War Department, but the army's heavy expenditures combined with its inability to defeat the Indians discredited military control. Looking for less expensive ways to subdue the red men, Doolittle

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5 Grenville M. Dodge to James H. Ford, April 10, 1865, ibid., p. 67.
gave his immediate endorsement to Leavenworth's peace move-
ment.

With Doolittle's powerful political support behind him, Leavenworth then consulted the Army Chief of Staff, General Henry W. Halleck, who assured him that the army did not fight friendly Indians. General Halleck telegraphed General Ford to cooperate with Leavenworth and also advised the agent to consult with Dodge on his way back to Kansas.6

Leavenworth stopped at St. Louis, where Dodge reassured him of cooperation from the military. The general stated positively that his soldiers would not attack peaceful Indians and wired Ford to avoid conflict with the Comanches and especially Little Raven's band of Arapahoes.7 Filled with optimism, the agent left for Kansas to continue arrange-
ments for a peace council.

During Leavenworth's absence the Indians remained quiet and kept their promise not to raid, but an attack on the Santa Fe Trail soon interrupted the tranquility. The caravans taking supplies, horses, and mules into New Mexico had always tempted the Indians to attack. This time a band assaulted a Mexican train traveling near the Little Arkansas River,

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7 Ibid.
killing four traders. Ford and Leavenworth investigated and from the arrows and moccasin tracks concluded the raid was the work of Northern Cheyennes. Relieved that the offenders were not the Comanches or Kiowas, and with Ford's assurance that the army would not move against the Indians, Leavenworth once again took up his quest for peace.

Several days after the raid, Leavenworth received a startling message from Ford's adjutant, Major Robert S. Roe, informing him the general had "... received orders from departmental headquarters to proceed with all his troops in active hostilities and to pay no attention to any peace movements or propositions." A disheartened Jesse Leavenworth wrote the Commissioner of Indian Affairs, William P. Dole, that he had no alternative but to tell the Indians not to come for a peace conference. He warned that the white man's vacillation would force the Plains Indians to unite and the result would be a long and costly war.

Once again Senator Doolittle came to the aid of Jesse Leavenworth. Doolittle argued with many of his Congressional


colleagues who openly advocated a policy of total destruction of the Indians. A great deal of the lawmakers' vindictiveness stemmed from Indians aiding the South during the Civil War; however, Congress also contemplated the communications aspect of the Great Plains. Railroad interests, telegraph corporations, and express companies sought federal support in connecting the East with the scattered settlements of the West. Moreover, troops returning to civilian life pressured the government for the free land under the Homestead Act of 1862. It was unthinkable to destroy the Indian civilization, many Congressmen declared, but why let savages obstruct American progress. To combat their arguments, Doolittle simply pointed to the high cost of the frontier army which was unable to win a decisive victory: each regiment on the Great Plains cost the government two million dollars a year.

In view of the expense and concluding that the government needed to make a thorough examination of the Indian problem, Doolittle organized a special committee to inspect the frontier. In addition to Chairman Doolittle, the other committee members were Connecticut Senator L. F. Foster and Illinois Congressman L. W. Ross.

11 William P. Dole to James Harlan, December 4, 1865, ibid., p. 7.
12 Ibid.
The Congressional Committee to Investigate Indian Affairs left Washington in early May of 1865, and after stopping in Fort Leavenworth, Kansas, to pick up Major General Alexander McCook of Major General John Pope's divisional staff, arrived at Fort Larned on the last day of May.\textsuperscript{13} Jesse Leavenworth consulted with the group and once again pressed his claim for peace.

Despite the presence of the Committee at Fort Larned, General Ford, 200 miles away at Fort Riley, continued his preparations for a campaign against the Comanches. Since he had not been ordered otherwise, Ford occupied the awkward position of preparing for war while, nearby, members of Congress searched for peace. General McCook rescued Ford from his predicament when he suspended the campaign in General Pope's name.\textsuperscript{14} Leavenworth may have attributed McCook's action to his peace arguments, but this was hardly the case. After inspecting the frontier installations, McCook confided to General Pope that it would be militarily unwise to take on a campaign against the Comanches at this time.\textsuperscript{15}


\textsuperscript{14} Alexander McCook to James H. Ford, \textit{ibid.}, p. 708.

\textsuperscript{15} Alexander McCook to John Pope, \textit{ibid.}, pp. 707-708.
With McCook's order the prospects for peace became more definite. The Indians desired to end the fighting before winter set in, and Leavenworth believed he could make an agreement before that time. Having accomplished its task at this frontier, Doolittle's committee acknowledged its confidence in Agent Leavenworth and left Kansas to inspect Colorado and New Mexico.

Jesse Chisholm, who previously had served as a guide and interpreter for Leavenworth's father and who later blazed the celebrated Chisholm Trail for Texas cattle, now appeared as a valuable agent for the son. The half-blood Cherokee trader was trusted and respected by all of the Indians of the Southern Plains. Chisholm got in touch with the chiefs of the various tribes and arranged a meeting for August 15 at the mouth of the Little Arkansas River.

On the appointed day sixteen chiefs of the Comanches, Kiowas, Kiowa-Apaches, Arapahoes, and Cheyennes waited at the site of present-day Wichita, Kansas. Inasmuch as the Kiowas offered to meet, Leavenworth had to abandon his original plan to separate that tribe. Accompanying the agent to the council were Brevet Brigadier General John B. Sanborn,

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17 James Mooney, Calendar History of the Kiowa Indians (Washington, 1889), p. 179.
who had replaced Ford as commander of the District of the Upper Arkansas, Jesse Chisholm, who acted as a Comanche interpreter, and John Smith, a Cheyenne interpreter. The chiefs agreed to stop all attacks on the Santa Fe Trail and to meet on October 4, 1865, at Bluff Creek, forty miles south of the Little Arkansas River, to conclude a treaty of perpetual peace. Sanborn pledged that the army would not attack them as long as they kept their promise not to raid.18

The time between the August meeting and the October conference was filled with preparations for a peace commission. General Pope, who had been involved in concluding the Civil War, now turned his attention to subduing the Indians. Sanborn's optimistic report of his meeting with the chiefs prompted Pope to suggest to Secretary of the Interior James Harlan that Western mountainmen Kit Carson and William Bent be appointed to the commission.19 Both men had lived with the Indians; Bent was married to an Arapaho and Carson was a friend of Little Raven. Their appointment would demonstrate the good faith of the United States government. To satisfy the military and the civilians, President Andrew Johnson appointed a mixed commission to negotiate with the Indians.


19 John Pope to James Harlan, August 21, 1865, ibid., p. 580.
Along with General Sanborn, the delegated president of the group, Johnson named Jesse Leavenworth, William Bent, and Brevet Brigadier General William S. Harney. Thomas Murphy, superintendent of the Kansas tribes, and James Steele, an official in the Indian Bureau, concluded the delegation. Kit Carson did not receive an appointment, but did attend the conference and sign all the treaties.  

In late September, 1865, equipped with wagonloads of goods from the supply depots at Fort Leavenworth, the commission left for the Little Arkansas River. Its instructions were to make peace, to secure the release of white prisoners, and to restrict the Indians to reserves south of the Arkansas River.  

The commission first met with Black Kettle, head chief of the Cheyennes, and Little Raven, a chief of the Arapahoes. General Sanborn opened the council with a lengthy speech on peace and an apology for the Sand Creek Massacre. He offered land to the relatives of the massacred and annuities to all other tribe members. Quickly on the heels of his apology, however, Sanborn changed his approach with a mild threat and

22Rupert N. Richardson, The Comanche Barrier to South Plains Settlement (Glendale, 1933), p. 292.
said, "... our nation has become great and our people are as numerous as the stars." The white man, he declared, was scattering all over Colorado, Idaho, and New Mexico. It was best that the whites be kept away from the Indians and this, he concluded, could be achieved if the Cheyennes and Arapahoes moved south of the Arkansas River.

Little Raven protested wistfully, "It will be a very hard thing to leave the country ... our friends are buried there and we hate to leave those grounds." The chief said he wanted to make peace now, but asked Sanborn to wait until spring for his decision about moving. Sanborn refused and said, "We have all got to submit to the tide of emigration and civilization." He regretted that the Indians had to be separated from the graves of their ancestors, but said he had no control of events.

Negotiations with the Cheyennes and Arapahoes continued for several days. William Bent advised his Indian friends not to hesitate to sign a treaty with the whites, for neither the commission nor the American government practiced deception. Whether they believed Bent or whether they recognized the fatal truth in Sanborn's philosophy is uncertain. Quite

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24 Ibid., p. 702. 

25 Ibid.
likely the chiefs did not give either man much thought; they simply wanted peace before winter set in and they wanted the presents which the commission had brought. On October 14, 1865, the Cheyenne and Arapaho chiefs placed their marks on the white man's paper and agreed to leave the lands where their fathers were buried and to move south of the Arkansas River. In return the United States government made reparations for Sand Creek by awarding 320 acres each to the chiefs and 160 acres each to the widows and orphans. Annuities, by now a standard in Indian treaties, amounted to $20.00 a person until the red nomads became settled on the reservation, whereupon the amount would be increased to $40.00 a year.  

Two days later the commission met with the Kiowas, Comanches, and Apaches. Sanborn's approach was somewhat different with these tribes. He asserted that many whites advised the Great Father at Washington to send his soldiers against them, but the President refused because he considered their outbreaks as "... acts of children." In spite of the President's benevolence, however, he would not tolerate continued aggression. Sanborn told the chiefs:

The Great Father is determined, if you pursue such a course as the tribes have east of the great river, the Seminoles, Winnebagoes, Cherokees,


Choctaws, and Chickasaws, and like them are brought to poverty and wretchedness, your miserable survivors shall not have it to say that this is the result of the wrongs and cruelties of the whites, but shall be compelled to say that their condition is the result of their own folly.28

Since the rich caravans on the Santa Fe Trail tempted the Indians, Sanborn continued, the commission thought it would be wise for the tribes to remove themselves from this temptation. To cede all their lands north of the Canadian River and to move south of the Little Arkansas would be to their ultimate benefit. The government would pay generously for the lands, and would allow the Indians to hunt for game in the unsettled regions outside their reserves.29 In conclusion, Sanborn said, it was impossible to arrange a treaty until the white prisoners which the Kiowas and Comanches held were released to the commission.

Little Mountain, a Kiowa chief, spoke for his tribe. He said the land from the north fork of the Platte River to Texas had always belonged to the Kiowas for it was given to them by the Great Spirit. But then the white man came and divided the land and made war and chased away the game. The Great Father in Washington always promised something to the Kiowas, but never did anything. The chief admitted that he had four white prisoners but did not want to release them.30

28Ibid., p. 714.  
29Ibid.  
30Ibid., pp. 714-715.
A Comanche chief, Eagle Drinking, advised the Kiowa to turn over the prisoners and the white people would give them food, horses, blankets, and calicoes. The Comanches wanted to end the war, he said, and were glad the Big Father sent men to make a treaty. His tribe could be relied on to keep the peace, for his intentions, he said, were "... as white as paper."31

The meeting adjourned without the Apaches stating their position. That same evening, however, Poor Bear, chief of the Apaches, informed General Sanborn that his tribe wished to break its confederation with the Kiowas and Comanches and instead ally with the Cheyennes and Arapahoes. The chief gave no reason for his decision. Sanborn, willing to accept any move that would weaken the predatory Comanches and Kiowas, immediately called a council with the Cheyennes and Arapahoes. Rather indifferently Black Kettle and Little Raven accepted their new ally. The commission then drew up a brief agreement which included the Apaches in the Cheyenne and Arapaho Treaty and assigned them to share the same reservation.32

In the meantime the Comanches and Kiowas sent word to have the white prisoners brought to the council grounds. While awaiting the return of the captives, Leavenworth and the Comanche and Kiowa chiefs in a private council worked out

31Ibid., p. 715.
32Kappler, Indian Affairs, Laws, and Treaties, II, 892.
a large reservation area south of the Kansas border. The chiefs relinquished all claims to territory north of the Cimarron River and west of the eastern boundary of New Mexico.\footnote{Ibid., II, 893.}

As soon as the prisoners were released, the commission reconvened and negotiations continued. Besides the agreement made with Leavenworth, the Comanches and Kiowas made several other concessions. They agreed to allow the government to build roads and military posts on their reservation, not to leave their assigned area without the written consent of their agent, and when absent from their reservation not to camp within ten miles of any main road, military post, town or village. In return, the United States agreed that the assigned reservation would be set apart for the absolute occupation and use of the Comanche and Kiowa Indians. The United States government also guaranteed annuity payments of $10.00 a person, which would be increased to $15.00 when the Indians moved to their new lands.\footnote{Ibid., II, 893-894.}

After the chiefs signed the treaty and the commission distributed the presents, Sanborn made his final speech. He declared that the new treaty opened the way to perpetual peace and harmony for the white man and the red man, and
because of the agreements the Indians and the whites could live in friendship forever. 35

Unfortunately, Sanborn's optimistic prediction was not realized; peace and harmony lasted less than a year owing to three major defects in the Little Arkansas Treaties. First, the reservation assigned to the Cheyennes, Arapahoes, and Apaches had been inhabited since the 1700's by the Comanches and Kiowas, who had not relinquished their claim to it. Second, the commission had no right to cede any lands in Texas to the Indians since that state had retained its public lands when entering the Union. Texas later refused to recognize the Indian claim to the Panhandle. Third, the two reservations overlapped. Thus, treaties which intended to bring peace succeeded instead in prolonging confusion. In view of the results, one critic of the government's Indian policy had some justification in calling these treaties the misguided work of a "... self-appointed dove of peace." 36

Jesse Leavenworth worked diligently for a treaty and his recommendations ultimately prevailed, but giving advice was the extent of his influence. General Sanborn, as president of the commission, had the strongest position and dominated


the negotiations. As a military man his habit was to make war, not peace.

In spite of their weaknesses, however, the treaties produced some positive results. By making reparations for the Sand Creek Massacre, the United States government recognized that obliteration of the Indians was not the solution to the problem. The wide support for President Ulysses S. Grant's humanitarian but impractical peace policy proved the extent of Eastern resentment toward ill-treatment of the Indians. Furthermore, Northern capitalists, railroad interests, homestead seekers, and a nation hoping to pursue its dreams after years of civil conflict wanted an immediate removal of the Indian barrier; but the small frontier army of 1865 was unable to meet their demands. Although military officials hindered and berated the peace efforts of Jesse Leavenworth, they should have accepted the treaties with relief because Leavenworth averted an extended war and the army gained valuable time to strengthen itself and to make plans for the final subjugation of the red men. Like most treaties with the Indians, the agreements of 1865 restricted them to smaller reserves and to lands not yet wanted by the whites. Peace was an objective too, but only until the white population increased and the army grew stronger. Then war and slow starvation put an end to the Indian as a barrier to settlement. To the Indians, treaties were simply an opportunity
to obtain trinkets, food, or a respite from warfare. To the Americans, treaties were a legal justification for expansion into the red man's land. The primitive Indian had no conception of the Anglo-Saxon attachment to legal documents, and thus made agreements which he could not retract and relinquished lands which he could not regain.

The Treaties of the Little Arkansas were a high point in Jesse Leavenworth's life; he believed he brought peace to the frontier and protection for his wards. Unfortunately, the success he had in his first year as an Indian agent deceived him, because experiences more bitter than his struggle with Colorado politicians awaited him.
CHAPTER III

AN ANTI-CLIMAX TO THE LITTLE ARKANSAS

In 1865, Jesse Leavenworth almost single-handedly prevented an Indian war; in 1866, he faced a series of problems largely economic and political in nature, which often defied solution. Moreover, with the ending of the Civil War, the army made a stronger bid for control of Indian affairs, and the dismal argument between the War Department and the Interior Department emerged as an important factor in Indian relations. ¹

In 1789, when Congress created the War Department, it placed Indian affairs under a civilian branch of that department. In 1832, Congress established a distinct office for the Indian service with a commissioner subordinate to the Secretary of War. Following the formation of the Department of the Interior in 1849, Indian affairs became a part of the new department and from that time on civilians officially handled Indian relations. Nevertheless, the Interior Department

¹Loring Benson Priest, Uncle Sam's Stepchildren, The Reformation of the United States Indian Policy (New Brunswick, 1942), p. 15.

had to fight a constant battle against the attempts of the army to regain control of the Indians. With the dispute over control in the background, Jesse Leavenworth found that his second year as an agent demanded more patience with the government than with the government's wards.

In 1866 Leavenworth faced dissension and lack of cooperation not only from the War Department, but from within his own department as well. Although Commissioner of Indian Affairs D. N. Cooley showed great confidence in the Treaties of the Little Arkansas and commended Leavenworth's efforts, he had no praise for his agents in general and said "... for every case of hostilities ..." some misconduct of an agent was involved.

In addition to Cooley's lack of support, Congress failed to abide by its treaty agreements and, despite continued requests, persisted in providing funds delinquently. Jesse Leavenworth appealed for financial aid and warned the Interior Department that unless his tribes received the promised annuities, the Indians would repudiate the Treaties of the Little Arkansas. In July, 1866, Congress belatedly took action and appropriated $18,000 for the Kiowas, Comanches

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and Apaches under an 1853 treaty with these tribes.4 The amount was hardly enough even for the approximately 6,000 to 8,000 Comanches!

In 1866, the Interior Department further complicated Leavenworth's assignment by transferring his agency headquarters from Cow Creek, Kansas, to Fort Larned, Kansas. The army post lacked storage space for Indian annuities, which forced the agent to use the quartermaster facilities at Fort Leavenworth.5 When the Indians came to receive their goods, unlicensed traders and frontier knaves who loitered around Fort Leavenworth took advantage of the easy prey. They exchanged a half pint of diluted whiskey for fine buffalo robes, and even traded the unknowledgeable innocents out of their poor quality government-issued blankets. In an attempt to stop these practices, Jesse Leavenworth requested permission to use the abandoned military installation of Fort Zarah, but the army refused to cooperate and denied his request on the contention that it occasionally used the fort to guard the Santa Fe Trail.6 Military authorities, however, did not interfere with gun traders and whiskey merchants who used the fort as a rendezvous. Charles Rath, described as one who

4U. S. Statutes at Large, XIV, 259 (1866).
6Ibid., I, 18.
"... contributed not a little to Indian disturbances...", 7
used the fort as a gun station while nearby a Council Grove
merchant operated a distillery and sold a concoction of
alcohol, water, pepper, and tobacco to the Indians. 8 In many
cases the added ingredients, and not the alcohol, debilitated
the highly susceptible Indians. 9

Whiskey was the biggest source of problems in the Indian
trade 10 and one which contributed most to the demoralization
of the Indian. Controlling the liquor traffic was an old
problem and in 1866 was still without a solution. According
to a law passed in 1847, if whiskey was available "... within
convenient reach..." 11 of tribes under treaty with the
United States government, money or goods were not to be
delivered. Indian agents were unable to enforce the law and
in 1864 the federal government made a stronger effort at con-
trol. Merchants found guilty of trafficking in liquor with
the Indians could be fined and imprisoned; Indians could
serve as witnesses in trials, and informers could keep one-half

7 Ibid., I, 22.
8 Carl Coke Rister, "Harmful Practices of Indian Traders
in the Southwest, 1865-1876," New Mexico Historical Review,
VI (July, 1931), 236.
9 Ralph K. Andrist, The Long Death: The Last Days of
10 Francis Paul Prucha, American Indian Policy in the
11 U.S. Statutes at Large, IX, 203 (1847).
of the whiskey seized. Unfortunately, the law did not apply to liquor introduced to military installations by the War Department.\textsuperscript{12} Apparently Congress believed corruption did not exist around army posts, an example of the distorted view Eastern politicians had toward frontier conditions. The 1864 law also proved ineffective and did not prevent liquor merchants along the Kansas frontier from continuing their trade among the Indians.

Jesse Leavenworth closed some of the whiskey rings around Fort Dodge and Fort Larned,\textsuperscript{13} but business quickly resumed when Leavenworth departed to attend to other agency affairs. Determined merchants turned to beer following Leavenworth's whiskey campaign. Theodore Weishelbaum, a Fort Larned sutler, set up a brewery south of the army post and openly sold beer to the Indians and soldiers.\textsuperscript{14}

When Agent Leavenworth attempted to close the illegal whiskey and beer enterprises, the military offered little assistance because army commanders resented civilians summoning troops to settle Indian difficulties. State officials were also recalcitrant, but for an economic reason. Frontier towns were in an expansive mood following the Civil War, and

\begin{footnotes}
\item[12]U.S. Statutes at Large, XIII, 29 (1864).
\item[13]Stanley, My Early Travels, I, 17.
\item[14]Ibid.
\end{footnotes}
merchants demanded free competition in the Indian trade.\textsuperscript{15} Under the 1834 trade laws still in force in 1866, Indian agents issued trading licenses and selected trading stations.\textsuperscript{16} As frontier towns grew so did opposition to the antiquated trade laws which created a monopoly for the few licensed traders. Settlers and the merchants themselves probably did not care if an agent profited from the Indian trade--and agents were notorious for cheating their wards--as long as the agent did not interfere with the unauthorized trading. Leavenworth realized the old trade laws were ineffective but was apprehensive of unregulated Indian commerce.\textsuperscript{17} He warned open competition would destroy the economic relationship between Indians and whites that had been established by experienced traders. Moreover, Leavenworth predicted, "... when the rush is over and the Indians have no trader they will be forced to raid in order to live."\textsuperscript{18}

Leavenworth's prediction was ignored, and the advocates of free competition won their demands in July, 1866. Iowa Senator James W. Grimes proposed an amendment to the Indian

\textsuperscript{15}D. N. Cooley to James Harlan, May 18, 1866, House Executive Documents, 39th Congress, 2nd Session, No. 1284 (Washington, 1867), pp. 17-18.

\textsuperscript{16}Prucha, American Indian Policy, pp. 253-254.

\textsuperscript{17}The Rocky Mountain News, April 12, 1866.

\textsuperscript{18}Jesse H. Leavenworth to D. N. Cooley, April 12, 1866, House Executive Documents, 39th Congress, 2nd Session, No. 1284 (Washington, 1867), pp. 35-36.
Appropriation Bill which provided that "... any loyal person ... of good character ...,"\(^{19}\) after posting a bond of between $5,000 and $10,000 and obtaining a permit from a district attorney or judge, was eligible to trade with any tribe of Indians. Senator Grimes declared the Indians themselves desired free trade in order to learn to economize.\(^{20}\) Kansas Senator James K. Lane opposed the amendment because he feared that competition would increase the liquor traffic among the Indians and cause more violence. In a short debate with Grimes, Lane admitted Kansas merchants were anxious to trade with the Indians. When the vote was taken on the amendment the Kansas senator decided to favor it. Lane undoubtedly remembered that merchants and not Indians went to the polls on election day. With the passage of the Grimes amendment, Indian trade reopened to anyone able to post bond and to obtain a permit from a local official. Since politicians were anxious to inflate the local economy and also faced elections, the permit was really no restriction.

Jesse Leavenworth had reason to fear the tragedies that would result if profit-minded frontiersmen traded with the Indians. In February, 1866, five months before the Grimes

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\(^{19}\) *Congressional Globe*, 39th Congress, 1st Session, p. 1492.

\(^{20}\) Ibid.
amendment, an aggressive Fort Dodge settler entered a Cheyenne village and traded eleven one-dollar bills for eleven ten-dollar bills. When the Indians discovered the deception they murdered the man's son. 21 Shortly after the Grimes amendment, a similar incident occurred when a Fort Dodge merchant agreed to pay $100.00 to a Cheyenne for a horse; however, he gave the Indian ten one-dollar bills. Later the merchant made up the deficit with his life.

As the scalpings and murder increased, Agent Leavenworth demanded regulation of the Indian trade. In 1867, Acting Commissioner of Indian Affairs Charles E. Mix agreed with Leavenworth and recommended that Congress repeal the law which encouraged speculation. 22 One year later Congress finally examined Indian commerce and complained "... everyone trades with or without authority of ... officials ... and corrupt and dangerous men thus find their way among the Indians." 23 Nonetheless, open trade continued and speculators, at least those able to keep their scalps, made great profits at the Indian's expense. Leavenworth's criticism was

21Leavenworth Daily Times, February 15, 1866.


undoubtedly regarded as that of just another unscrupulous Indian agent trying to protect his own interests.  

In addition to speculating in commerce, white men soon discovered another opportunity to profit from a custom usually attributed to Indians. Beginning with the Spanish colonization of the Southwest, Kiowas and Comanches kidnapped Mexicans and Spaniards for personal prestige and slavery as well as for sale to relatives. As early as 1835 the United States made treaty agreements to end this practice, but the tribes not only repudiated the treaties but extended their kidnappings when they learned Anglo-Americans paid higher ransoms than Mexicans. Jesse Leavenworth attempted to end this traffic in human lives but once again met with opposition from government regulations. In 1854, the federal government began providing funds of up to $1,500 for the rescue of captives, thus inducing the Indians to continue the practice. White desperadoes, aware of the large government ransoms, often purchased the captives from the Indian raiders for resale to the families or the government.

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26 *U.S. Statutes at Large*, X, 332 (1854).

In 1865 and 1866, Leavenworth obtained the release of approximately ten white captives from the Comanches and Kiowas. Securing freedom for white prisoners was no easy task for an agent because some Indians proclaimed love, often genuine, for the whites and were reluctant to release them; however, unless the captive had lived since infancy with the tribe, the affection was seldom reciprocated.

Despite delayed appropriations, occasional scalpings, and the liquor traffic, Jesse Leavenworth was able to maintain relatively peaceful conditions in his agency throughout most of 1866. The tranquility ended abruptly in August when the renowned Kiowa chief, Satanta, rode to Cooke County, Texas, murdered James Box, and seized the victim's wife and four children. Satanta took his captives to Fort Larned, where he attempted to sell the woman and children to Arapaho Indian Agent I. C. Taylor. The agent refused to pay the Kiowa chief and in reporting the matter to Commissioner Cooley wrote, "They boastfully say that stealing white women is more of a lucrative business than stealing horses." Taylor immediately informed Leavenworth who at the time was

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29 Rister, Border Captives, p. 132.
at Fort Leavenworth arranging shipment of the overdue annuities. In the meantime, the Indians murdered one child and took the remaining captives to Fort Dodge, where post commander Major Henry Douglas paid $2,000 for the release of the Box family.31 Leavenworth protested Douglas's purchase on the grounds that every ransom encouraged the Indians to commit the act again; however, the gruesome tortures Comanches and Kiowas inflicted on prisoners were too well known on the frontier and military officials willingly paid the ransoms. Following the Box incident, Leavenworth, with the approval of the Interior Department, withheld Satanta's fall annuities as punishment for the violence in Texas.32 In early 1867, on returning to Fort Dodge to complain to Major Douglas that Leavenworth failed to give his band the annuities promised the Kiowas under the 1865 treaty, Satanta brazenly wore the clothes of the murdered James Box. Contradicting the usual army policy of punishing the Indians for hostile acts, Douglas supported Satanta's claim and accused Leavenworth of keeping the goods and money for himself,33 a charge that clearly indicated the lack of cooperation and communication existing between frontier officers and Indian agents.

31 Ibid.
33 Ibid., I, 242-243.
Satanta left Fort Dodge without his annuities because his Cooke County raid had initiated a wave of hostilities on the Texas and Kansas frontiers. Bands of Comanches and Kiowas attacked wagon trains on the Santa Fe Road, terrorized isolated settlements, captured women and children, and murdered crews laying railroad tracks. When these two tribes learned that troops were at a premium in the outlying areas, the raids rapidly increased. In September a band of Comanches surrounded a schoolhouse in Hamilton County, Texas, terrified the children, and shot the teacher. Later in the month they attacked the garrison at Fort Lancaster, Texas, captured some of the soldiers, and tortured them to death. Leavenworth attempted to arrange a peace meeting with the chiefs, but the tribal leaders refused a council. In early autumn the agent informed the Commissioner of Indian Affairs that he had lost contact with his wards.

In the summer of 1866, Congress angered all the Southern Plains Indians by changing the reservation allotted to the Cheyennes and Arapahoes under the treaty of 1865. The Union Pacific Railroad planned to build to Denver through the Smoky Hills, the traditional hunting lands of the Cheyennes and

34Crawford, Kansas in the Sixties, pp. 266-270.
Arapahoes, and Congress, giving priority to the railroad interests, ordered Indian agents to withhold annuities until these Indians accepted a new reservation, no part of which was to be in Kansas. Although he was not the agent for these tribes, Jesse Leavenworth was sensitive to any aspect of the Arkansas Treaties and demanded that the Interior Department defend the treaty rights of Indians. He warned the reservation change would breed sullenness and hostility among all the Indians; but once again Leavenworth's advice was ignored and the raids in Kansas intensified.

The numerous depredations convinced Washington officials the Little Arkansas Treaties were not bringing peace to the frontier. In the summer of 1866, in an effort to gain control of Indian affairs, the War Department ordered an entire change in territorial commands. The vast area lying west of the Mississippi River and east of the Rocky Mountains became the Military Division of the Missouri, and the conqueror of Georgia, Lieutenant General William Tecumseh Sherman, assumed the command.

Following a tour of inspection of his division, General Sherman reported to General Ulysses S. Grant, Commander of the United States Armies, that while the civilians were unable

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to restrain the Indians, the army was not yet prepared to subdue the hostiles. An effective solution to the entire Indian problem, Sherman believed, depended wholly on a system of rapid transportation and, until the railroads crossed the prairies, the army could offer only temporary solutions. 39

Since the army was not yet able to punish Indians for hostile acts and civilians were not equipped to control the warriors, 1866 ended with the Indians as the victors in the triangular contest. For Agent Leavenworth it was a year of disappointment and disillusionment. He faced an expanding economy in which he attempted to regulate the economic relations between settlers and Indians; however, the War Department, the Interior Department, and Kansas state officials too often obstructed his work. Chronic lack of money and outdated governmental machinery further restricted effective Indian relations. The agent tried to enforce the trade laws of 1834, but realized their uselessness. At the same time, he was aware of the ill effects free competition would have upon the Indians. Any personal success Leavenworth felt for his role in the Little Arkansas Treaty negotiations lost its aura in 1866.

CHAPTER IV

A TARNISHED AGENT

In January, 1867, in an attempt to emphasize the failure of the Interior Department's conciliatory approach to the Indians and in reaction to the Fetterman Massacre of December 21, 1866, The Rocky Mountain News assailed the Treaties of the Little Arkansas and charged "... the Indians killed more during the peace year of 1866 than in 1865, when they were supposed to be at war ..."¹ The newspaper blamed Jesse Leavenworth for the hostilities and accused the agent of making promises to the Indians which contradicted the interests of the settlers, the railroads, and the United States government.² Apparently the Denver newspaper knew nothing of Leavenworth's predictions concerning Indian trade or the Cheyenne-Arapaho reservation change, or preferred to ignore the agent's warnings.

Shortly after the newspaper's attack on Agent Leavenworth, Major Henry Douglas, commander of Fort Dodge and a critic of Leavenworth since the Box episode, accused the agent of distributing guns to the Indians for attacks on

¹The Rocky Mountain News, January 12, 1867.
²Ibid.
settlers and helping to form an alliance for an uprising in Kansas.\(^3\) Douglas based his charge on a letter Leavenworth wrote to David A. Butterfield, a Kansas trader and stage line operator, who asked the Indian agent if he could legally sell guns to the Indians. Leavenworth replied:

> You as an Indian trader, licensed for that purpose by the U.S. Government are authorized to trade or sell arms and ammunition to any Indians that are at peace with, and receiving annuities from the U.S. Government. This rule applies to any other regularly licensed traders, as well as yourself.\(^4\)

Douglas's concern over the arms traffic was warranted. If the Indians planned an uprising strict control was therefore necessary. In defense of Leavenworth one should note that he simply explained the new trade laws and forwarded a copy of the letter to Douglas as a means of maintaining communication lines with the military. Although Douglas's accusation was based on a personal dislike of the agent rather than on fact, the commander's alarm over the arms distribution confirmed Leavenworth's own fears of free trade. Since Indian agents no longer controlled commerce, neither the civilians nor the military could predict the Indians' intentions.

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\(^3\)Henry Douglas to Winfield S. Hancock, January 30, 1867, Senate Executive Documents, 40th Congress, 1st Session, No. 1308 (Washington, 1868), pp. 52-53.

\(^4\)Jesse Leavenworth to David A. Butterfield, January 17, 1867, ibid., pp. 41-42.
Major General Winfield Scott Hancock, commander of the Department of the Missouri, supported Douglas in criticizing both Leavenworth and the traders who armed Indians. Hancock believed that once the Indians were supplied with weapons the military would be unable to protect the frontier. In February, Hancock reported that the traders who sold guns to the Indians were withdrawing from Fort Zarah and Fort Larned because they feared the tribes were planning a full scale uprising.

In the same month Kansas officials joined the list of Leavenworth critics. A resolution from the Kansas State Legislature to the United States Senate Committee on Indian Affairs warned that unless officials immediately removed the "wholly incompetent" agent, the Indians would slaughter Kansas settlers.

Jesse Leavenworth defended the issuance of weapons, but insisted authorized agents, and not traders, distribute guns. He argued that the scarcity of buffalo would reduce the

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6 Ibid.


ability to gather food for braves who could not kill small game with a bow and arrow. Unless the Indians were given weapons to obtain food, the agent believed, they would starve. The only other alternative was for the government to provide sufficient staples for the tribes to prevent them from having to supplement their diets by hunting small game.

Upon learning of the arms traffic among the Indians, General Sherman furiously warned General Grant that if the sales continued the army would have no recourse but to withdraw entirely from the Plains. Sherman wanted to end all gun sales to Indians but, after listening to Leavenworth's views and with the federal government's approval, he allowed Indian agents and post commanders to issue weapons, but denied gun selling permits to all Kansas traders.⁹

Not long after Sherman's restriction, news more alarming than the gun sales reached General Hancock. Late in January, a trading party composed of John Tappan, an army sutler, Fred Jones, a Kiowa interpreter, and Major Daniel Page of the Fort Dodge staff, had gone to a Kiowa camp twenty miles south of Fort Dodge. When the group returned in early March they reported to Major Douglas that the Kiowas, now well-armed, threatened an uprising unless all troops and settlers left Indian country. Furthermore, the Kiowas promised to kill all crews laying track if the railroad construction continued

⁹General Orders No. 4, February 2, 1867, ibid., p. 107.
west of Council Grove. The climax of the report, however, was Fred Jones's testimony that during his stay in the Indian village a war party arrived with the scalps of seventeen Negro soldiers. 10

Major Douglas wired the details of the report to General Hancock, who became convinced that an Indian war was approaching. 11 With Sherman's approval, Hancock alerted the Seventh Cavalry and seven companies of the Thirty-Seventh Infantry, approximately 1,400 men, and prepared for a show of force in Indian country. Hancock notified Leavenworth, who was in Washington, of his intention to fight if the Indians showed the slightest sign of hostility. He informed Leavenworth that the Kiowas had committed a grave offense in murdering the Negro soldiers and invited the agent to accompany the expedition. 12

By the time Leavenworth returned to Kansas at the end of March, Hancock's expedition had already left for the Smoky Hills. Leavenworth doubted the Jones report and feared the consequences Hancock's expedition might have on many of the

10 Henry Douglas to Winfield S. Hancock, March 2, 1867, ibid., pp. 101-119.


Indians who still remembered the Sand Creek Massacre. The agent overtook the expedition at Fort Zarah and admitted to Hancock that the Kiowas raided in Texas, but denied any hostile acts in Kansas.\textsuperscript{13} Moreover, he told Hancock that Fred Jones had a bad reputation with both Indians and whites and the trader's word could not be trusted. Leavenworth's fears increased when he learned Hancock accepted the report without investigation.\textsuperscript{14}

Jesse Leavenworth hoped his presence would prevent any possibility of bloodshed, but he was disappointed. On April 19, 1867, Hancock's forces encountered a Sioux and Cheyenne village on the Pawnee Fork of the Arkansas River. The tribal chiefs rode out and asked Hancock not to bring his troops close to the camp because the soldiers would panic the people. While Hancock conferred with the chiefs, the villagers quietly left camp. When the general reached the nearly deserted village, he demanded the chiefs bring back their people. After a short search, the leaders returned and told Hancock they were unable to locate them. Hancock then sent Lieutenant Colonel George Armstrong Custer and the Seventh Cavalry in pursuit of the Indians. Custer was also unsuccessful in locating the Indians, but reported to Hancock

\textsuperscript{13} Jesse H. Leavenworth to N. G. Taylor, May 4, 1867, \textit{ibid.}, p. 78.

\textsuperscript{14} Winfield S. Hancock to Jesse H. Leavenworth, March 11, 1867, \textit{ibid.}, pp. 97-98.
that three stations on the Smoky Hill Road had been attacked, several guards killed, and their bodies mutilated. Assuming the Indians from Pawnee Fork committed the depredations, Hancock burned the village, killing several women and children.  

Civilians reacted in unison in condemning Hancock's action. Officials in the Interior Department called the act unwarranted and the entire expedition based on an uninvestigated report, and added that if the report were true the Kiowas should be punished, not the Sioux and Cheyenne. Commissioner of Indian Affairs Lewis V. Bogy charged that impulsive military acts would surely bring warfare to the western settlements because the Indians would retaliate. In an understatement, Thomas Murphy, Superintendent of Indian Affairs in Kansas, observed, "It would have been better for the interest of all concerned had General Hancock never entered the Indian country." Jesse Leavenworth solemnly concluded, "I am sorry to say that little good, but a great deal of harm has resulted from this expedition."


17 Thomas Murphy to Lewis V. Bogy, May 10, 1867, ibid., p. 139.

18 Jesse H. Leavenworth to N. G. Taylor, May 2, 1867, ibid., p. 78.
Speaking for the War Department, General Sherman fully concurred with Hancock's act and recommended no indemnification be awarded the tribes for loss of lives and property. Payment, Sherman believed, would encourage Indians to commit any number of murders and thefts and would also imply that the United States feared to strike the Indians' most vulnerable points: their property and their families. 19

After Hancock's destruction of the Pawnee Fork village, the hostile Kiowa bands of Satanta and Satank fled south of the Arkansas River, murdering settlers and stealing cattle along the way. The less belligerent bands, led by Kicking Eagle and Stumbling Bear, remained near Fort Dodge because the chiefs wished to discuss recent events with Hancock and Leavenworth.

At the council, the chiefs declared that it was not safe for any Indians to roam the lands between the Arkansas and Platte rivers because the soldiers did not distinguish friendly Kiowas from unfriendly Sioux. They also complained that the railroads and the settlers trespassed on territory which the treaty of 1865 clearly assigned to the Kiowas as hunting lands. 20 The chiefs did not understand why soldiers always punished Indians but never protected their treaty rights, a

19 William T. Sherman to George K. Leet, October 1, 1867, House Executive Documents, 40th Congress, 2nd Session, No. 1337, p. 34.
20 Stanley, My Early Travels, I, 52.
complaint which underscored the basic problem of divided responsibility in Indian affairs.

Hancock informed the Kiowas that friendly Indians stayed south of the Arkansas River and advised the chiefs to teach their children to raise corn and animals. With respect to the 1865 treaty, Hancock explained that the military had no authority over civilian matters, whether it was railroads or treaties.21

Jesse Leavenworth also advised the chiefs to keep their bands south of the Arkansas River until the Sioux and Cheyenne, who were making reprisals for the Pawnee Fork incident, were restrained. The agent told the Kiowas he could do nothing about the settlers or the railroads until the present crisis ended, but as their agent he would defend their treaty rights.22

In early May, the wily Satanta returned to Fort Dodge for a discussion with Hancock. Henry M. Stanley,23 reporting Hancock's expedition for the Missouri Democrat, attended the conference and described the Kiowa chief as firm, unyielding, and honorable. With Jesse Leavenworth, Stanley was less generous:

Colonel Leavenworth is now a cripple, and his beard is silvered with age. He has an astute

21Ibid., I, 53-54.  
22Ibid.  
23The same Henry M. Stanley who later found David Livingstone in Africa. Stanley, My Early Travels, II, 40-59.
look and is devoted to red tapeism. His coat pockets are always full of official documents, and at the end of said papers, will be found legibly inscribed, "Leavenworth, Indian Agent." 24

Satanta told Hancock the Kiowas were the first to make peace with Leavenworth in 1865, but the agent had broken the treaty by refusing to give his band their annuities in the fall of 1866. The chief declared that he tried to remain peaceful and raided only because his people starved. 25

Fred Jones, the Fort Dodge trader, testified that Jesse Leavenworth had not given the annuities to Satanta because the agent had taken them to Fort Leavenworth and sold them to a merchant named Durfy for a profit of several thousands of dollars. 26 Furthermore, Jones added, Leavenworth told Satanta not to complain to Hancock, but to go to Fort Zarah on the next day and he would give Satanta food and guns.

Leavenworth rejected Jones's entire testimony. He denied making any agreement with Satanta and stated he had withheld Satanta's annuities under instructions from the Interior Department. 27 The agent related Satanta's part in the Box family murders and gave notice that until the chief gave sufficient assurances he would commit no further depredations

24 Stanley, My Early Travels, I, 63.
and would return all captives without ransom, Satanta would receive no annuities.\(^{28}\)

Satanta appealed to Hancock to secure another agent for his band so that his people might obtain food, but Hancock disclaimed any responsibility for Leavenworth's actions. Instead, he emphasized his burning of the Pawnee Fork village and warned the Kiowas to behave peacefully or the army would march south of the Arkansas River and attack a Kiowa village.

Ignoring Hancock's threat, Satanta returned to the question of annuities and asked Hancock why Stumbling Bear's band was given food and guns in 1866. Hancock said the military did not control annuities and if an agent refused to distribute them, the army could do nothing. Deciding no favorable arrangement would be accomplished with Satanta, Hancock presented the Kiowa chief with a major-general's uniform and adjourned the conference.\(^{29}\)

In reporting the meeting for the Missouri Democrat, Henry M. Stanley blamed Jesse Leavenworth for the Indian problems in Kansas and accused the agent of cheating the Indians. The reporter believed that if Hancock had encouraged Satanta to discuss annuities "... other dark deeds of Indian agents ..."\(^{30}\) would have been disclosed.

\(^{28}\)Stanley, My Early Travels, I, 77.

\(^{29}\)Ibid., I, 88.

\(^{30}\)Ibid., I, 89.
After Stanley's story was published, a weary Jesse Leavenworth demanded an official investigation of his agency. He said Fred Jones lied to Major Douglas about the Negro scalps and lied to General Hancock about the annuities. The agent believed the first lie nearly caused open warfare and the second weakened his relations with the Indians who trusted him.  

The Interior Department appointed Henry Lawrence of Topeka, Kansas, to investigate Leavenworth's agency operations. Lawrence examined the agent's financial records and concluded that both Stanley's and Jones's charges had absolutely no foundation. Unfortunately, it was not until the fall of 1867, after depredations on the Plains had reached a high point, that a peace commission finally investigated Jones's story of the Negro scalps. The report which emerged was nothing like the original version.

When Page, Tappan, and Jones entered the Kiowa camp in January, 1867, they had several barrels of whiskey with them. After consuming a large amount of alcohol, the Indians became exuberant and defiant and, instead of paying the traders for the merchandise, they helped themselves to the traders'

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31 Jesse H. Leavenworth to N. G. Taylor, May 15, 1867, Senate Executive Documents, 40th Congress, 1st Session, No. 1308 (Washington, 1868), pp. 75-78.

32 N. G. Taylor to Thomas Murphy, May 27, 1867, ibid., pp. 134-136.
goods and forced the men to leave the village empty-handed. Anxious to recover their wares and angry because the Indians had cheated them, the traders filed a depredation report with the Fort Dodge commander in which Jones maliciously included the false story of the Negro scalps.  

After a thorough investigation, the 1867 Peace Commission concluded:

The Kiowas and Comanches, it will be seen, deny the statement of Jones in every particular. They say that no war party came in at that time stated or at any other time after the treaty of 1865. They deny they killed any negro soldier, and positively assert that no Indian was ever known to scalp a negro. In the later statement they are corroborated by all the tribes and by persons who know their habits; and the records of the Adjutant Generals Office fail to show the loss of the 17 soldiers or any other soldiers at all. Tappan's testimony was taken in which he brands the whole statement of Jones as false and declared that both he and Page so informed Major Douglas within a few days after Jones made his affidavit. We took testimony of Major Douglas, in which he admits the correctness of Tappan's statement, but for some reasons unexplained he failed to communicate this correction to General Hancock.  

Why Douglas reported to his superiors a story which he knew was false can be interpreted either as a frontier officer's desire for action or as another incident in his quarrel with the Kiowa agent Jesse Leavenworth. Douglas's irresponsible behavior, however, brought about the chas...
the Indians which Sherman and the settlers desired, and the commander of Fort Dodge was neither reprimanded nor removed from his post. General Hancock was also excused of any blame for the summer's hostilities. The Peace Commissioners believed "... circumstances had been ingeniously woven to deceive him."35

In June, 1867, after Lawrence's investigation, Jesse Leavenworth traveled to Sherman's headquarters in St. Louis to discuss the results of Hancock's expedition and to enlist the general's support in preventing rash military action. Leavenworth was disappointed with Sherman because the commander not only supported Hancock, but proposed more attacks similar to Pawnee Fork. Moreover, Sherman told Leavenworth that when the railroad reached the Rocky Mountains the army would solve the Indian problem in an easy manner. The country would fill up with settlers who would separate the northern and southern tribes, and the army, by using the railroad for rapid transportation, could direct its forces against either group of Indians.36

Jesse Leavenworth left St. Louis concluding, "I have made up my mind things pertaining to the Indians will have

35Ibid., p. 17.
to take their course." The disruption of Indian affairs which followed the Pawnee Fork incident, combined with Sherman's intentions, convinced the agent that open warfare would erupt on the plains unless Congress intervened.

During the summer of 1867, terror and death spread across the Plains. Taking revenge for Pawnee Fork, bands of Sioux and Cheyenne burned isolated farms, ambushed wagon trains, and captured immigrant stragglers. The Comanches and Kiowas joined their northern neighbors in a rampage of torture and pillage. Unable to restrain the Indians of his agency, Leavenworth reported his failure to the Commissioner of Indian Affairs. The peace commission Leavenworth hoped for did not arrive until the fall, after violence in Kansas had reached its peak.

From January to May of 1867, Jesse Leavenworth's reputation as an Indian agent was continually questioned. Newspapers blamed him for hostilities on the Plains, officers reproached him for arming Indians, the Kansas State Legislature demanded his removal, and journalists humiliated him in the press. The agent attempted to cooperate with the army in controlling the arms distribution, but for his efforts he was accused of forming an Indian alliance. When he punished Satanta for

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38 Jesse H. Leavenworth to N. G. Taylor, July 1, 1867, _ibid._, p. 121.
belligerent acts, he was charged with selling annuities for personal profit. Leavenworth advised Hancock of Jones's bad reputation, but the general ignored the warning. The result was an unnecessary break in Indian-American relations. An Official investigation, made at his own request, proved Leavenworth's honesty in distributing annuities, but the stain on the agent's reputation remained. The 1867 Peace Commission confirmed his judgment of Fred Jones; however, confirmation came too late because Hancock's expedition had already initiated the hostilities which Leavenworth tried desperately to prevent. Commenting on Jones's contention that the Kiowas almost killed him, Henry Lawrence wrote, "... in the sequel, this may be regarded as a great misfortune."39 Undoubtedly, Jesse Leavenworth agreed with Lawrence.

39 Henry Lawrence to N. G. Taylor, August 18, 1867, ibid., p. 134.
CHAPTER V

THE WHITE MAN'S ROAD

During the summer of 1867 the nation demanded an end to the Indian uprisings on the Great Plains. Since 1862 the Sioux and Northern Cheyennes intermittently besieged the Bozeman Trail, many survivors of the Sand Creek Massacre raided the Smoky Hill Road, and Hancock's burning of the Pawnee Fork village incited all Southern Plains Indians to commit acts of violence in Kansas, Texas, and Colorado. Sympathetic Easterners insisted on humane treatment of the red men, but hard-bitten Westerners supported actions similar to Hancock's as a means of pacifying the hostiles.

Kansas Governor Samuel J. Crawford, a strong critic of the federal government's Indian policy, demanded severe punishment of the Indians. The increased depredations especially jeopardized the Union Pacific Railroad's Eastern Division, which prompted Crawford to appeal to Washington for permission to muster a state militia. The War Department referred the matter to General Sherman, who opposed using state volunteers; however, with the Indian situation in Kansas fast approaching a crisis, Sherman allowed Crawford to raise a
battalion of six to eight companies.\textsuperscript{1} He ordered the volunteers to the end of the line at Fort Harker with instructions to protect the railroad workers.

After gaining permission to guard the Union Pacific crews, Governor Crawford decided to take stronger action against the Indians. In early July he learned that the 1867 annuities for the Comanches and Kiowas were arriving for Leavenworth's agency. Crawford asked Sherman for authority to seize the goods and food. General Sherman, who later recommended the governor for Commissioner of Indian Affairs,\textsuperscript{2} consented wholeheartedly. On July 20, 1867, state troops intercepted the supply train at Emporia, Kansas, and took the annuities to Fort Larned, where they were held until October; they were then used at the Medicine Lodge Council.\textsuperscript{3}

Crawford's seizure of the supply wagons placed Jesse Leavenworth in a predicament. The agent had lost contact with the Comanches and Kiowas in May, but had sent runners to locate them. It would be of little value to restore communications, the agent believed, without annuities to

\begin{itemize}
  \item \textsuperscript{1}Samuel J. Crawford, \textit{Kansas in the Sixties} (Chicago, 1911), pp. 256-258.
  \item \textsuperscript{3}Crawford, \textit{Kansas in the Sixties}, p. 264.
\end{itemize}
Moreover, since Hancock, Sherman, and Crawford were in agreement with respect to an Indian policy, the agent realized he could do nothing constructive until Congress intervened.

In the middle of July the United States Senate decided to take action on the Indian question. Senator John B. Henderson, Chairman of the Senate Committee on Indian Affairs, introduced a bill for a unique peace commission. Besides considering the negotiation of peace treaties with hostile Indians, the bill provided for a commission to establish a system for civilizing the nomadic tribes. Since warfare caused a great expense and treaties resulted in temporary truces, Henderson resolved upon a course of coexistence, with the Indians learning to live as white men. Congress approved the bill and President Andrew Johnson once again appointed a mixed commission of civilians and army officers. In addition to Senator Henderson, Johnson named N. G. Taylor, the Commissioner of Indian Affairs, Samuel F. Tappan, former Colorado militia officer, and John B. Sanborn, the negotiator of the Treaties of the Little Arkansas. To the military seats on the commission the President appointed Lieutenant General

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5 Congressional Globe, 40th Congress, 1st Session, p. 753.
William T. Sherman, Major General William S. Harney, and Major General Alfred H. Terry.\textsuperscript{6}

The Peace Commission of 1867 decided to meet the Northern tribes at Fort Laramie in September and the Southern Plains Indians at Fort Larned in October. The commission allotted three months time to assemble the hostile tribes at the designated places.

Collecting the nomads of the Southern Plains was a large assignment for Indian agents. In July, Jesse Leavenworth and Edward Wynkoop, agent for the Cheyenne and Arapaho Indians, sent runners with the news of the autumn talks, but not until early September did the tribes, all except the Comanches, agree to meet the commission.\textsuperscript{7}

Realizing a peace conference would be a failure if the Comanches refused to participate, Jesse Leavenworth decided to journey south of the Arkansas River in search of his wards. With Jesse Chisholm as his guide and interpreter, the agent located a large Comanche camp at the North Fork of the Canadian River. Ten Bears, an old Comanche chief, told the agent he had no faith in the words of white men and doubted that the Comanches could benefit from a council. In an

\textsuperscript{6}Athearn, \textit{Sherman and the Settlement of the West}, p. 172.

adroit manner Leavenworth convinced the Comanche of the
government's good intentions and persuaded the old chief to cooperate.8 Reluctantly, Ten Bears sent word of the peace
conference to the widely scattered bands on the Staked Plains.
Thus, through Leavenworth's efforts, every band of Comanches, except the fierce Kwahadi, who never made a treaty with the whites, was represented at Medicine Lodge.

While Leavenworth negotiated with Ten Bears, Thomas Murphy, the head of the Central Indian Superintendency which administered Indian affairs in Kansas and Indian Territory, suggested to Commissioner Taylor that the Peace Commission meet the Indians on the Plains instead of at the military installation of Fort Larned. When the Peace Commission agreed to this gesture of peaceful intentions, Murphy selected the southern Kansas area where Medicine Lodge and Elm creeks converge.9

Jesse Leavenworth returned to Kansas to join the commis-
sion, which arrived at Fort Larned on October 31, 1867. The agent must have been stunned by the sight of the entourage, for in addition to the ambulances carrying the commissioners and thirteen newspaper correspondents, General Sherman sent an escort of 200 soldiers and two Gatling guns. Following

8Jesse H. Leavenworth to N. G. Taylor, September 3, 1867, ibid., p. 25.
9Thomas Murphy to N. G. Taylor, September 7, 1867, ibid., p. 28.
the escort was an immense train of 165 wagons bearing gifts of saddles, beads, ribbons, blankets, small arms, and bugles.\textsuperscript{10}

After a short rest at Fort Larned, the small army crossed the Little Arkansas River for the eighty-mile journey to Medicine Lodge. On the first night south of the river, Jesse Leavenworth had a warning of the accusations awaiting him at Medicine Lodge. Since many of the Indian problems on the Plains originated in Kansas, Governor Crawford and Senator E. G. Ross were invited to accompany the group to Medicine Lodge. Before meeting with the Indians, Commissioner Taylor convened the commission on the evening of October 14 and asked Crawford to present his views on the Indian uprisings.

Crawford complained of the large number of Indians in his state and asked that no lands in Kansas be assigned as reservations. He then read a long statement describing depredations on the frontier since the Sioux uprising in Minnesota in 1863. From that time, Crawford claimed, all the Plains Indians, including the Osages, who had a small reserve in southeastern Kansas, had been members of an Indian alliance to wage a guerrilla war against the whites.\textsuperscript{11} This Indian army, Crawford declared, was highly organized and


\textsuperscript{11} Crawford, \textit{Kansas in the Sixties}, pp. 266-271.
well equipped with guns supplied by mercenary traders and bad Indian agents.

Governor Crawford then attacked Jesse Leavenworth and charged that the agent's inefficiency was the source of all Indian troubles in Kansas:

J. H. Leavenworth, agent for the Comanche and Kiowa Indians, is also a bad man. His traders at the mouth of the Little Arkansas River, and wherever else he may have them stationed, have been supplying the wild Indians of the Plains with everything necessary to enable them to prosecute the war against our people. I would respectfully suggest the propriety of appointing some man who can be relied upon as agent in place of J. H. Leavenworth. He, in my opinion, is directly responsible for many of the outrages committed by the Indians.  

Commissioner Taylor defended Leavenworth and said the agent was prompt and efficient in his duties and showed great courage in visiting the hostile Indians. Leavenworth, Taylor said, was solely responsible for convincing the Comanches to meet at Medicine Lodge. Taylor noted, moreover, that with the exception of Satanta all the Kiowa and Comanche chiefs trusted and respected their agent.  

After listening to Crawford's accusations and Taylor's strong defense, Henry Stanley, whose attack on Leavenworth in April prompted the Lawrence investigation, changed his opinion of the agent. Both Stanley and the commission were

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12 Ibid., p. 272.
13 Stanley, My Early Travels, I, 230.
aware of Crawford's interest in building a railroad through the Osage lands, 14 and since these Indians were known to be friendly, the governor's condemnation of the tribe brought his entire report into question. Furthermore, anyone familiar with the Plains Indians realized the nomads were incapable of organizing and administering an army.

John Sanborn, who had worked with Leavenworth in negotiating the 1865 treaties, rejected Crawford's charges and joined Taylor in commending the Indian agent. On the basis of Taylor's strong defense and Sanborn's praise, the commission refused to consider dismissing Leavenworth. 15 Thus, as in 1866, Kansas politicians once again failed to remove Leavenworth from his post.

On October 15, 1867, the Peace Commission arrived at Medicine Lodge, where 5,000 Comanches, Kiowas, Apaches, Cheyennes, and Arapahoes waited to listen to the promises of the white man and to receive the commission's gifts. For several days the Indian chiefs and the white ambassadors feasted on roasted dog meat and made speeches of friendship and good will. 16 During the preliminary ceremonies before the real negotiations began Commissioner Taylor decided to take advantage of the time to initiate one of the commission's

14 Ibid., I, 232. 15 Ibid., I, 235.
functions: determining the causes of the 1867 hostilities in Kansas.

The commission formally convened and called Agent Edward Wynkoop to testify. Wynkoop said Governor Crawford had misinformed General Hancock on the entire Indian problem in Kansas. Hancock acted in good faith, Wynkoop stated, and although he did not question the general's integrity, the agent questioned his judgment. Wynkoop said the Pawnee Fork village was friendly and both he and Leavenworth had warned General Hancock of the consequences.\textsuperscript{17}

Commissioner Taylor then asked Major Henry Douglas to give his opinion of the cause of Kansas's Indian troubles. Like Crawford, Douglas blamed Leavenworth and said all the leading chiefs were dissatisfied with the agent. Douglas claimed that, through a trader, the Indians had written a letter to him in which they listed all their grievances with Agent Leavenworth. When asked to produce the letter for the commission, Douglas said he lost it in an Indian skirmish.\textsuperscript{18}

Doubtful of Major Douglas's testimony and fearful for General Hancock's reputation, the commission adjourned its first inquiry into the causes of the warfare. Later, at Fort Larned, the blue-ribbon Congressional group discovered

\textsuperscript{17}Stanley, \textit{My Early Travels}, I, 235.

\textsuperscript{18}Ibid., I, 239.
the circumstances which precipitated Hancock's unfortunate campaign and the resulting hostilities.19

On October 18, the commission returned to its primary purpose of negotiating treaties with the Southern Plains Indians. The Comanches and Kiowas presented their case first. Satanta, whom the correspondents called the orator of the Plains because of his verbosity,20 claimed he had never broken the Treaties of the Little Arkansas. He said all the land south of the Little Arkansas belonged to the Kiowas and he did not want to part with any of it. Furthermore, Satanta said he did not want white men's houses built in his country, but wanted the papooses brought up as he had been--on the prairies. The Kiowa chief then launched a bitter attack against Jesse Leavenworth and demanded another agent who would distribute the annuities fairly.21

Ten Bears, the Comanche chief, defended Leavenworth and said his people trusted the agent and would accept no other man. Satanta, angry with Ten Bears, stormed from the council, but after sulking momentarily rejoined the gathering. The

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Kiowa chief knew if he left Medicine Lodge he would receive none of the presents the commission abundantly displayed.

Silver Brooch, Satank, and some of the lesser chiefs gave speeches similar to Satanta's, but the Medicine Lodge Treaties, except for a few important provisions, were much the same as those negotiated in 1865. The Kiowas and Comanches renounced their claim to their former hunting ranges in exchange for a small reservation between the Washita and Red rivers, where they were to be given lands in severalty; the Cheyennes and Arapahoes were restricted to a small reservation between the Cimarron and Arkansas rivers. The outstanding feature of the treaties provided exactly what the Indians said they did not want: houses, schools, physicians, and instructions in farming. Indian agents, who had previously lived at army posts, were required to live on the reservations to assist the Indians in changing from a nomadic way of life to a sedentary one.

The Peace Commission of 1867 had no concept of the problems facing Indian agents and military authorities whose job it was to enforce the agreements. The army was skeptical that a permanent peace had been established, and the settlers were convinced that the Indians used the conference to obtain

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23 Ibid.
presents and government protection. Like the settlers and the army, Jesse Leavenworth had no faith in the Medicine Lodge Treaties. From his experience with the Comanches and Kiowas, the agent realized that the nomads who had roamed the prairies for over a hundred years could not be converted from raiders to farmers in a matter of months. Moreover, Indians had their traditional enemies and the government's plan to settle all the Southern Plains tribes in Indian Territory, the agent believed, would result in inter-tribal conflict.

The unfeasible system for civilizing the Indians and the absence of several Kiowa chiefs at Medicine Lodge foretold continued hostilities on the Southern Plains. Young warriors, not even pretending to comply with the agreements made by the older chiefs, continued to pillage the borders of Texas and Kansas. In early January, 1868, a band of Kiowas attacked a settlement in Denton County, Texas, killing eight men and capturing eight children. By February, bands of Comanches also dismissed the idea of farming and reverted to their old

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24 The Rocky Mountain News, February 12, 1868.
26 J. M. Waide to N. G. Taylor, January 10, 1868, ibid., p. 3.
raiding habits. Finally, the two tribes attacked the peaceful Choctaw and Chickasaw reserves in the Eureka Valley.27

In early March, Leavenworth arrived at Fort Cobb, headquarters of the proposed Kiowa-Comanche reservation. He investigated the raids and realized tribal warfare would spread unless he took strong action. After requesting troops from Fort Arbuckle, Leavenworth canceled the request when the hostilities subsided.28 Within a few weeks renewed fighting forced the agent to send for troops again. Leavenworth's indecision angered Major General Philip H. Sheridan, Hancock's replacement as commander of the Department of the Missouri. Sheridan resented Indian agents appropriating military authority and complained bitterly to General Sherman. Sheridan's anger turned to rage when Leavenworth canceled the request a second time.29

Upon learning of the fighting in Indian Territory, Commissioner Taylor held Leavenworth personally responsible. He demanded the impossible of the Indian agent by ordering him to keep the Comanches and Kiowas on their reserve and

27 N. G. Taylor to Jesse H. Leavenworth, March 10, 1868, ibid., p. 11.
28 Jesse H. Leavenworth to N. G. Taylor, March 5, 1868, ibid., p. 5.
prevent their attacking whites or friendly Indians. Taylor warned Leavenworth that if he failed to restrain the "... evil disposed and roving Indians, such further action will be recommended to be taken as the case may require." 

Weary of official dilatoriness and outright lack of cooperation, and discouraged with the insurmountable challenge presented by the Comanches and Kiowas, the agent in 1868 resigned his post. He never trusted the Kiowas, but became equally disappointed with the Comanches when he learned Ten Bears had led the raids on the Choctaw settlements. Jesse Leavenworth realized that, despite his efforts, he could never persuade the Indians to live on a small reservation any more than he could convince them to lay down their arrows for a hoe. Moreover, Leavenworth's confidence in his charges diminished when he saw their depredations at first hand.

While stationed in Kansas, the agent regarded the Arkansas River as a boundary; he confessed that the Kiowas and Comanches terrorized settlements but justified their violence as long as it was committed south of the Arkansas River. Once he moved across the River, however, Leavenworth's attitude changed markedly. He was appalled when he learned that

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31 Ibid.
six of the eight children in the Denton County raid froze
to death or were murdered. In his final report to Commis-
sioner Taylor, Leavenworth suggested that annuities for both
tribes be withheld and confiscated "... for the benefit of
the orphans they have made." In addition to withholding
annuities, the agent recommended that the government demand
guilty warriors be turned over to civil authorities for
punishment. If the Indians refused, Leavenworth recommended
that the military intervene and "... make short and sharp
work of them."

Worn out from his years of service on the Plains, Jesse
Leavenworth returned to his home in Chicago. During the
summer of 1868 conditions grew steadily worse. Albert G.
Boone, Leavenworth's successor, arrived on the reservation
in October, but by that time the Comanches and Kiowas had
returned to their old homelands along the upper Arkansas
River. The Medicine Lodge Treaties gave the army legal right
to compel the Indians to stay away from the white settle-
ments and roads, and General Sherman intended to take full
advantage of his power.

By the spring of 1869 a majority of the Southern Plains
Indians actually resided on reservations. The first attempt


33 Ibid.

34 Ibid.
to force the warriors to stay within designated limits, the one made at the Little Arkansas, had failed completely, but four years later some of the wandering Indians had settled within fixed boundaries. Those reservation Indians, no longer fierce nomads without limits to range and freedom, became government-subsidized settlers restricted to narrow confines and subject to civilian and military authority. Although several hundred Comanches and Kiowas still roamed the prairies, the Treaties of Medicine Lodge marked the beginning of the end for these tribes. They also marked the termination of negotiations with the Southern Plains Indians; in 1871 the army received authority to attack hostile Indians refusing to move to reservations.

After several unsuccessful campaigns in 1871 and 1872, Sherman and Sheridan in 1874 sent five military expeditions against the isolated strongholds in the upper Red River country. By the spring of 1875, the United States Army had completed its task. In June, the last holdout chief, Quanah Parker, led his small band of Comanche followers into Fort Sill and surrendered. The Kiowas, Comanches, Apaches, Arapahoes, and Cheyennes were at last on the reservations, reluctantly discarding their old nomadic ways. Thus, the army achieved through force and violence the separation of the races that Jesse Leavenworth had hoped to accomplish through peace and moderation.
CHAPTER VI
CONCLUSIONS

For nearly seven years in his role as an army officer and Indian agent Jesse Leavenworth was involved in Indian affairs in Colorado Territory and Kansas. As an Indian agent Leavenworth represented a type whom frontiersmen regarded as less respectable than the Indians. Moreover, he attempted to fulfill his duties at a time when frontier politicians, merchants, and settlers were extremely impatient with the government's Indian policy.

During his Civil War service, Colonel Leavenworth learned that if the Indians were to survive they would have to be separated from the aggressive advancement of the white population. Some military officials, especially Major Henry Douglas, regarded Leavenworth's decision to represent the red men as a betrayal of the army. Leavenworth's conversion from a frontier officer who traditionally fought red men to an agent who defended the Indians contributed in part to his poor relations with military commanders.

Lack of cooperation between frontier officers and Indian agents combined with the debate over control of Indian affairs complicated Leavenworth's service as an agent. The War Department hoped to crush the Indians into submission and then make
peace. Lacking the troops to implement such a policy, the military faced reality and acquiesced in the peace treaties of 1865 and 1867. The Interior Department sought peaceful methods, but without well-reasoned methods. The policy of purchasing peace through bribery and cajolery did not bring a lasting settlement and the attempt to transform a nomadic culture to a sedentary one also failed. Since the two departments pressured Congress for support, no consistent policy emerged in the years immediately following the Civil War. The most flagrant example of the government's vacillation occurred in 1865 when the army had an expedition in the field to wage war against the Comanches while a Congressional committee attempted to negotiate a peace settlement with these same Indians.

In the contest over Indian policy, Kansas citizens consistently sided with the military. The governor, the state legislature, and the public demanded a change in Indian administration from the Interior Department to the War Department. Governor Samuel J. Crawford led in condemning Leavenworth and in demanding the removal of all Indians from Kansas, but Congress retained Leavenworth in his position because the agent worked diligently to preserve peace with the Indians. Fearing a costly war, the lawmakers supported Leavenworth rather than the belligerent Kansans. Although Leavenworth agreed with Crawford that the Indians had to be
separated from the whites, he disagreed with the governor's methods.

While the federal government always supported Jesse Leavenworth's peace efforts, it did not always sustain him with money. After the Civil War, merchants and politicians demanded free competition to develop the economy of the western states and territories. Congress answered that plea with the Grimes Amendment. When Leavenworth sought financial aid to assist the Indians, Congress consistently delayed the appropriation.

In addition to stalling money bills, Congress also ignored the Indian treaty rights when those rights conflicted with railroad interests. The Indian agent, however, had the responsibility of maintaining peaceful relations with the noble savages while the Great White Father urged them to surrender their land to the railroads.

The Treaties of the Little Arkansas were the high point in Jesse Leavenworth's career. Following the Sand Creek Massacre, the Indians retaliated across the Great Plains. Almost single-handedly, Leavenworth prevented the uprising from developing into a major Indian war. Although the agent took credit for bringing peace to the Great Plains, he overlooked his responsibility for one of the major defects in the treaties. Leavenworth worked out the Comanche and Kiowa reservation on Texas's public lands, seemingly unaware that
Texas had retained its public lands when it entered the Union in 1845, and therefore he could not grant those lands to the Indians. If other members of the commission knew that Texas owned the Panhandle, they ignored it. Union generals John B. Sanborn and William S. Harney were not anxious to protect the land claims of a Confederate state.

Despite his unpopularity with politicians and army officials, Leavenworth played an important role on the frontier. He prevented a major Indian war in 1865, he gained freedom for many white prisoners, and he defended the treaty rights of Indians. These accomplishments alone are noteworthy for an Indian agent.

For $1,500 a year Leavenworth risked his life with unpredictable savages, regulated trade between Indians and whites, secured the release of white captives, explained delays in annuities to the Indians, suffered personal attacks from newspapers and legislatures, and maintained peaceful relations with the Indians despite lack of cooperation from military officials and obstruction by state authorities. That Jesse Leavenworth lasted four years under such strain is testimony to his genuine concern for the Indians.

Throughout the 1860's, as Congress, the War Department, the Interior Department, peace commissions, and newspapers argued over solutions to the Indian question, the problem narrowed down to federal expenditures. Congress did not
want to appropriate money for a frontier army to subdue the Indians when presents, promises, and token sums could appease the red men. After a trial of relying upon talk and gifts, the national decision-makers exchanged the olive branch for the war arrow, substituted soothing words of a pleasant agrarian way of life for the promise of instant death at the hands of military expeditions for those persons off the reservations, and brought the final solution in an unhumanitarian way so that the land might go to those who would use it in a more productive manner. In the process, America lost part of her generosity, her care for the original occupants of the land, and the feeling of compassion that civilized men such as Jesse Leavenworth had for the subjugated native. Leavenworth became weary of his unsuccessful and sabotaged efforts, but he carried on in pursuit of an ideal--the challenge of making the Indian a productive citizen in the American tradition, without violence and disaster. In the final analysis, one must judge that here was a man with courage, foresight, integrity, but woefully short of cooperation from the sources whence help should have come as he labored in pursuit of a vision of coexistence between white and red people.
Fig. 1—Major army installations in Kansas, Colorado, New Mexico, and Indian Territories, 1865-1868.
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