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THE BEGINNING OF THE END

THE INDIAN PEACE COMMISSION OF 1867-1868

KERRY R. OMAN

In 1867, in an effort to avoid the high costs of war and protect overland transportation routes, Congress passed a bill authorizing a commission to establish peace with the Plains Indians. In less than two years, what proved to be the last major commission sent out by the government to treat with the Indians met and signed treaties with the Kiowa, Comanche, Kiowa-Apache, Northern and Southern Cheyenne and Arapaho, Crow, Navajo, Eastern Shoshone and Bannock, and the Brulé, Oglala,

KEY WORDS: American Indian Treaties, Indian Peace Commission, Lakota Sioux, Red Cloud, 1868 Treaty of Fort Laramie, William Tecumseh Sherman

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Miniconjou, Yanktonai, Hunkpapa, Blackfeet, Cuthead, Two Kettle, Sans Arc, and Santee bands of Lakota Sioux. Their efforts helped end Red Cloud's War upon the Northern Plains, and, as a result of their reports and recommendations, they greatly influenced federal Indian policy. Yet, despite these accomplishments, Congress failed to quickly fulfill the treaty stipulations, and instead of initiating an era of peace, the commission commenced a decade of war and bloodshed throughout the Plains.¹

The origins of the Peace Commission can be traced to the early morning hours of 29 November 1864, when the Third Regiment of Colorado Volunteers, led by the reckless Col. John M. Chivington, massacred a friendly band of Cheyenne and Arapaho Indians along the banks of Sand Creek in eastern Colorado. As military and newspaper accounts spread concerning the nature of the attack and the horrific mutilation of the bodies that followed, several governmental agencies launched investigations into the incident.² One such investigation, created by Congress in March 1865, called for a special joint committee, headed by Sen. James R. Doolittle, to inquire into the

condition of the Indian tribes and the actions of the civil and military authorities of the United States.

The "Doolittle Report," as it came to be called, took nearly two years to complete and contained a mass of documents over 500 pages in length. Among its findings, the committee described in detail the deterioration of the Indians' condition and the causes of Indian hostility, which they believed could largely be traced to the "aggressions of lawless white men." The report also condemned the actions of Chivington at Sand Creek and called for the creation of five boards of inspection of Indian affairs that could annually visit the Indian tribes within their districts in an effort to better comprehend their conditions and avoid future military conflicts.³

In July 1867, while Congress brewed over Doolittle's findings, they received a report from another special investigating committee regarding the annihilation of Lt. William J. Fetterman's command near Fort Phil Kearney on 21 December 1866 and Gen. Winfield S. Hancock's destruction of a Cheyenne and Lakota Sioux village in April 1867.⁴ Fort Phil Kearney was one of three forts located along the Bozeman Trail, a route that intersected the Powder River Basin as it took miners to the goldfields of Montana. Both the fort and trail existed on Indian lands set aside by treaty and were in the heart of the last remaining hunting grounds in the Northern Plains. Along with documenting Fetterman's loss and criticizing General Hancock's actions, the report called for the creation of two reservations where the Indians could be induced to take up pastoral and agricultural pursuits. Just how this was to be accomplished was the problem.

Lt. Gen. William T. Sherman, a grizzled Civil War veteran and a relentless advocate of total warfare, had his own ideas of how to deal with the Indians. In a letter to the secretary of war on 17 June 1867, and included in the previous report, General Sherman made it clear that "if fifty Indians are allowed to remain between the Arkansas and Platte we will have to guard every stage station, every train, and

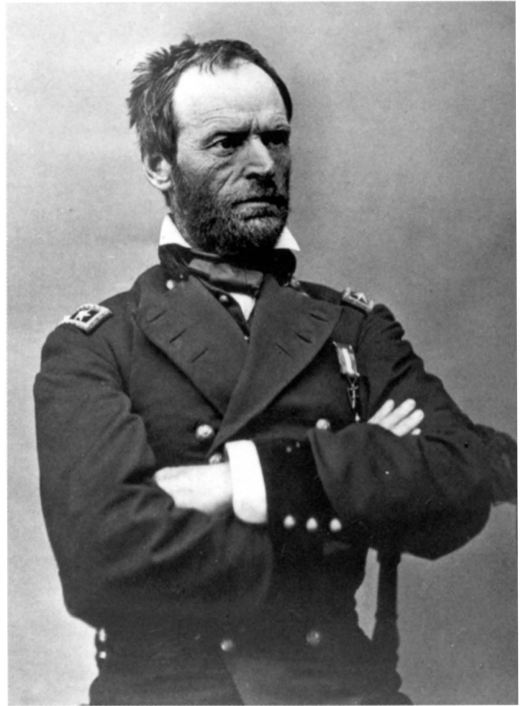


FIG. 1. General William T. Sherman, ca. 1860-1865. Photographer, Mathew Brady Studio. War Department, US Army, Office of the Chief Signal Officer. National Archives at College Park, MD. Photograph no. NWDNS-111-B-1789.

all railroad working parties. In other words, fifty hostile Indians will checkmate three thousand soldiers." Making sure the secretary of war understood him, he proclaimed that "it makes little difference whether they be coaxed out by Indian commissioners or killed," but the government needed to get the Indians out as soon as possible.⁵

As a result of the Sand Creek Massacre, along with the impact of the Doolittle Report, the investigation into the actions of Lieutenant Fetterman and General Hancock, and other conflicts on the Plains, a bill proposing a commission "to establish peace with certain hostile Indian tribes" came before Congress on 15 July 1867.⁶ The bill called for a new reservation scheme with the ultimate aim being the "concentration" of all Plains Indians

onto two reservations—one lying north of the state of Nebraska, west of the Missouri River, and east of the routes to Montana, and another one located in a district south of the state of Kansas and west of the state of Arkansas.⁷ The removal of the Plains tribes onto reservations was not just an effort to establish peace, but more importantly was an attempt to secure the safety of overland transportation routes. Within the Senate, the bill went through a long series of debates over a four-day period that often looked past the specifics of the proposed Peace Commission and centered on what several senators referred to as the “Indian question.”⁸

In 1867 Congress faced a critical point in the history of the country. The question raised within the Senate was whether the government should attempt to assimilate, concentrate, or exterminate the Indians. This was an old argument, and a highly contentious one at that, but this time it became centered on the high price of fighting “hostile” Indians. According to some members of Congress, it cost the government nearly \$1 million for every Indian killed during the present campaign, and from \$1 to \$2 million a week just to defend the frontier populations. Many feared that unless they acted quickly the current operations would burden the treasury for nearly \$100 million before the end of the year, causing the typically soft-spoken Sen. John B. Henderson of Missouri to stand in front of Congress and forcefully demand that “if we can make peace with the Indians we had better do it.”⁹

Reaching consensus that it was better to make peace than war, the discussion moved to the old and highly controversial question of assimilation. Some took the stance that assimilation was the only solution, while others insisted that history had demonstrated the impossibility of the two races living in harmony with one another. Sen. Samuel C. Pomeroy of Kansas summed up many of the senators’ sentiments:

I believe, however, religiously, that the only ultimate solution of this whole question is,

that the Indian shall take his place among other men and accept the march of civilization, as he must ultimately, or there is nothing except his destiny that awaits him, which is extinction.¹⁰

The overriding attitude centered on their insistence that the Indians not be permitted to stand in the way of “civilization” and “progress,” or, as Senator Henderson proclaimed, if nothing but extermination would do, then the Indian’s “termination must come.”¹¹ Congress’s prevailing drive to protect the efforts of the railroad, as well as other overland routes, enhanced their determination to remove or exterminate the Indians.

The bill, which passed both houses of Congress on 20 July 1867, called for a top-ranking seven-man commission with the aim of establishing peace with the Plains Indians. It would consist of four civilians and three generals, all having a sincere interest and competence in dealing with Indian affairs. The goal was to establish permanent peace between the Indians and whites, and thus the bill gave the commissioners power to call together the chiefs of those Indian tribes then considered to be waging war against the people of the United States. The commissioners were instructed to make treaty stipulations that could secure the overland lines of transportations, and most specifically the property of the railroad. It also required the commissioners to select a district or districts that, after being approved by Congress, would be sufficient to receive all the Indian tribes not peacefully residing on permanent reservations and living east of the Rocky Mountains. Congress believed the commission could accomplish peace in this territory by persuading the Indians to abandon their nomadic lifestyles in exchange for reservation life in which they could support themselves by agricultural and pastoral pursuits. Finally, if the commissioners should fail to achieve peace and remove the Indians onto reservations, then the act authorized the secretary of war to accept as many as 4,000 civilian volunteers to accomplish the task through force.¹²

The first man named on the commission was Nathaniel G. Taylor, then acting commissioner of Indian Affairs. Taylor was a graduate of Princeton; he had served in the House of Representatives before and after the Civil War, and he expressed deep religious beliefs about "civilizing" the Indians. The second civilian was the scholarly Sen. John B. Henderson of Missouri who, as acting chairman of the Committee of Indian Affairs of the Senate, had sponsored the bill that created the Peace Commission. Samuel F. Tappan, a Christian crusader and former chairman of the commission created to investigate Chivington's actions at Sand Creek, as well as a noted supporter of Indian rights, and John B. Sanborn comprised the third and fourth civilian members. Sanborn, a retired army officer, had served on the commission investigating Fetterman's destruction, but at the time practiced law in Washington.¹³

In contrast, the remaining three positions appointed by the president consisted of experienced army officers and well-known advocates of military action. Unquestionably, the most powerful military leader was Lt. Gen. William Tecumseh Sherman. Sherman was an intense and influential commander of the Division of the Missouri, whose terrifyingly successful tactics during the Civil War and outspoken support of military use demanded respect and attention from the other members. Accompanying him was the fair-minded ex-lawyer Maj. Gen. Alfred H. Terry. Standing over six feet in height, Terry was an imposing figure whose clearness of perception, cooperative nature, and Civil War experience had earned him respect throughout the military.¹⁴ The third military officer called was retired Gen. William S. Harney, an experienced, well-respected commander who had made many friends and enemies among the Indians and currently had his home in St. Louis.¹⁵

The commission first met in St. Louis on 6 August 1867. They selected the pro-Indian civilian Nathaniel G. Taylor as president and immediately began discussing how they would

gather the chiefs and leading warriors of the tribes. Taking advantage of the civil and military power possessed by those on the commission, General Sherman sent out orders to the commanders of the various military posts, while Commissioner Taylor instructed the superintendents and agents under his charge to gather the Indians together: those in the northern section were to meet at Fort Laramie on 13 September, and those in the south were to meet near Fort Larned, Kansas, around 13 October. As they waited, the commissioners resolved to charter a steamer and examine the country along the upper Missouri for a suitable reservation. During this time, the commissioners also met with military, governmental, and civilian authorities at Fort Leavenworth, inquiring into the present condition of the Indians and discussing the overall purpose of the commission.¹⁶

Low water hampered their progress up the Missouri River; consequently, just above the mouth of the Cheyenne River they decided to return in order to reach Fort Laramie by the desired time. On the return trip the commissioners held short councils with many of the bands then living along the Missouri. It was the experienced opinion of the Peace Commission after meeting with and viewing the condition of these tribes that many of the treaty stipulations then in force were altogether inappropriate. They felt the treaties had been "made in total ignorance of [the tribes'] numbers and disposition, and in utter disregard of their wants." It was also the commissioners' opinion that several of the agents needed to be removed and replaced by honest, fair-dealing men who would be able to secure respect and confidence from the Indians. Inappropriate treaty stipulations, broken promises by the government, and dishonest agents were just some of the concerns raised in the earlier reports on the conditions of the Indian tribes—all problems that Congress had discussed and hoped that the current Peace Commission could remedy.¹⁷

Arriving in Omaha on 11 September 1867, the commissioners immediately proceeded up

the Platte River on the Union Pacific railroad. In the vicinity of North Platte, Nebraska, they met a considerable number of Lakota Sioux and Northern Cheyenne. Unfortunately, most of these people were with Spotted Tail, a chief of the Brulé Sioux noted for his friendship toward whites. Even more discouraging was information that there was little hope in persuading Red Cloud, one of the most courageous and formidable Indian leaders on the Northern Plains, and his followers to attend the council. With unbridled skill as a warrior, orator, and diplomatic negotiator, Red Cloud had emerged as the leader in the opposition to white encroachment on Lakota Sioux lands, particularly against the three forts built along the Bozeman Trail. These northern bands made it clear that peace could not be achieved until the United States abandoned the Bozeman Trail forts and the soldiers had left. Lasting only two days, the conferences at North Platte accomplished little. The only concession was the commissioners agreed to supply those present with ammunition to aid them on their fall hunt. Nevertheless, the commissioners persuaded them to return after their hunt, sometime around the first of November, hoping that would provide adequate time to convince a delegation of the northern tribes to come in.¹⁸

As the Peace Commission made its way toward Fort Larned, the president summoned General Sherman to Washington, and in his place appointed the long-whiskered and highly competent Gen. Christopher C. Augur. Although Sherman would come and go throughout the life of the commission, Augur became a full, acting member until the end. The commission's path first took them to Fort Harker, a small military post along the Smoky Hill River in central Kansas. Here, nine newspaper reporters, a large military escort, and thirty wagons containing goods for the upcoming council joined the commissioners. On 12 October, they arrived at Fort Larned, from which they passed southward across the Arkansas River and made their way toward Medicine Lodge Creek, some seventy-five miles

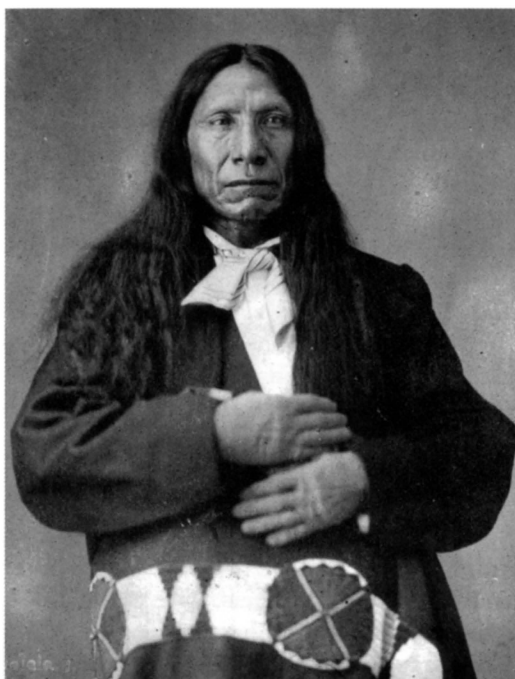


FIG. 2. Chief Red Cloud, Oglala Sioux, c. 1870-1880. Courtesy of the Denver Public Library, Colorado Historical Society, and Denver Art Museum, Denver, CO. Photograph No. X-31824.

distant. Known to the Indians as Timbered Hill River, the site was a favorite Sun Dance location for the Kiowa and a medicine lodge still stood there from their 1866 ceremony—thus the whites' name for the stream.¹⁹ This location had been chosen because the Cheyenne, still angered from General Hancock's destruction of one of their villages earlier that year, refused to meet any closer to the forts along the Arkansas River.²⁰

When the Peace Commission neared the great encampment of the Southern Plains Indians, their numbers had increased to the formidable size of nearly 600 men and more than 1,200 animals. Yet, as they approached Medicine Lodge Creek, they could not help but be impressed with what lay in front of them—thousands of ponies and hundreds of lodges belonging to the more than 5,000 Indians

scattered throughout the valley.²¹ The councils began on 19 October with the Comanche, Kiowa, Arapaho, and Kiowa-Apache, while most of the Cheyenne remained camped some forty miles distant along the Cimarron River.²²

Senator Henderson opened the formal proceedings by pledging the commission's "sacred honor" in correcting the wrongs performed by the government and stating their intention of making a lasting peace between the two peoples. As the commissioners sat amidst the grand council tent that had been erected for this occasion, Senator Henderson proposed the Great Father's wish to remove the Kiowa, Comanche, and Kiowa-Apache to a reservation on the Red River and around the Wichita Mountains. He explained that the United States would provide them homes, school-houses, churches, teachers, agricultural implements, cattle, sheep, hogs, and other tools needed to make the shift to "civilization." Satanta, the great Kiowa leader, then rose to speak. Complaining about the actions of white soldiers, he professed his "love to roam over the wide prairie" and his disgust with the thought of living upon a reservation. Henry M. Stanley, one of the news correspondents, recorded that Satanta's bluntness "produced a rather blank look upon the faces of the peace commissioners." In similar fashion, and over the course of the next two days, the commissioners listened as several chiefs and headmen rose and expressed their wishes for peace while also maintaining a desire to remain on the lands of their fathers.²³

Despite the negative reactions to the prospect of reservation life, and more likely in response to the large quantity of gifts brought to the council, the Peace Commissioners concluded two separate treaties with the Kiowa, Comanche, and Kiowa-Apache bands on 21 October. The treaties placed the bands on reservations in present-day Oklahoma where they would receive a token amount of annual goods. But more significantly, the treaties would force some of the most powerful warrior-hunter societies into a foreign world of sedentary farming. As a reward for signing, the commissioners

gave them tens of thousands of dollars' worth of goods.²⁴ During this time, Black Kettle, a highly respected advocate of peace and one of the few survivors of the Sand Creek Massacre, along with some other Cheyenne approached the commissioners and asked them to remain for a few more days until those camped along the Cimarron River would come in. Recognizing the importance in establishing peace with the Cheyenne, and yet to the disgust of some members of the Peace Commission, they agreed to wait.²⁵

As the requested days came and went the commissioners grew leery of the long delay. Mounted with this agitation was the growing concern among some members of the commission, along with the Kiowa and Comanche, that violence would erupt when and if the Cheyenne eventually decided to come. Around noon on 27 October, loud shouts, rifle fire, and the thunderous noise of galloping ponies signaled the arrival of the Cheyenne delegation. Dashing across Medicine Lodge Creek within feet of the commissioners, their impressive entrance exemplified the pride and power that characterized the lives of these nomadic warriors. As the chiefs and headmen emerged in friendship, fears dissipated and they agreed to hold a "Grand Council" the following day.²⁶

As with the earlier treaty council, Senator Henderson made the initiatory remarks. In his speech he professed peace and the desire to create a reservation south of Kansas and between the Arkansas and Cimarron Rivers where the Cheyenne and Arapaho could live without being molested by white settlers. After conversing with the principal chiefs, the commissioners convinced them to sign a treaty of peace. The commissioners then distributed presents, along with some annuity goods that had been detained since the proceeding spring, throughout the ranks of the Cheyenne and Arapaho tribes, which, as Stanley recorded, "caused universal satisfaction to all parties."²⁷ George Bent, a white trader and interpreter married to Black Kettle's niece, was at the treaty signing, and recognizing its significance,

he later wrote that this was “the most important treaty ever signed by the Cheyenne,” as it “marked the beginning of the end” for these people as free and independent warriors and hunters.²⁸

The treaties concluded along Medicine Lodge Creek in October 1867 assigned the Indians to two reservations within the western part of Indian Territory. This land was to be held in common among the tribes, invalidating any cession of the lands without the agreement of three-fourths of all the adult males. In response to the commissioners’ insistence that the Indians end their old way of life and settle down to cultivate the land, the treaties provided for farming implements, buildings, mechanics’ shops, clothing, and other necessary goods that, in the minds of the whites, would allow the Indians to move closer to “civilized” life. The treaties promised annuity goods for a period of thirty years, with the stipulation that war between the parties should forever cease. From statements made during the councils, it appears likely that the treaties might not have been signed had not the commissioners agreed to give the Indians the right to hunt on any lands south of the Arkansas as long as the buffalo existed in such numbers as to justify the chase.²⁹

In hopes of procuring a council with Red Cloud and the Lakota Sioux and Northern Cheyenne, the commission immediately returned to the North Platte area and then moved on to Fort Laramie. Upon arriving at the fort the only Indians found waiting were Crow. This was frustrating because the Crow had a history of being friendly toward whites. In the report filed by the commission the following winter, they expressed their regret in their “failure” to procure a council with Red Cloud and his leading warriors. They lamented that had they had the opportunity, they did “not for a moment doubt that a just and honorable peace could have been secured.”³⁰ Before leaving Fort Laramie, however, the commissioners received word from the defiant Lakota leader Red Cloud. He declared that their war revolved around white intrusion into

their last remaining hunting grounds along the Powder River. He also assured the commission that once the government abandoned the military forts in the Powder River country the war would cease. Prior to departing, the commissioners sent word back to Red Cloud proposing a spring or summer meeting. With this the commission dismissed until December, when they were to reassemble in Washington and draft a report of their proceedings for Congress.³¹

During the winter the commissioners reviewed their efforts, submitted a report to the president, and made future plans to meet with the northern bands in the spring. The report, submitted to the president on 7 January 1868, expressed in a sympathetic yet somewhat patronizing tone toward the Indians, outlined a general history of their actions. Yet, the majority of the document described what they understood to be the causes of the past fighting. The report mentioned the consequences of the Chivington Massacre, the role of the Powder River forts, the problems caused by frontier settlers overrunning Indian lands, the results of General Hancock’s destruction of the Cheyenne and Lakota Sioux village, and other wrongs that instigated Indian aggression. It also pointed out that once the Indians signed the treaties, promising government action and aid, war with these tribes ceased.³²

In the concluding section of the report, the commissioners expressed a strong desire for the establishment of two districts of land where the Indians could be introduced to agricultural implements that would allow them to begin to abandon their nomadic ways and place them on a path toward assimilation into the white man’s world. As the commissioners saw it, by following their proposals the Indians could become civilized in the short period of twenty-five years. Therefore, the commissioners made an impassioned call for prompt congressional action in ratifying the provisions of the treaties.³³

The tone of this document, along with numerous suggestions of doing “good to them that hate us,” have led one scholar to conclude



FIG. 3. General William T. Sherman and commissioners in council with Indian chiefs at Ft. Laramie, Wyoming, c. 1867-1868. Photographer, Alexander Gardner, Office of the Chief Signal Officer. National Archives at College Park, MD. Photograph no. NWDNS-111-SC-95986.

that this must have been written by Commissioner Taylor, who then persuaded the generals to sign it. As a former preacher, Taylor had been schooled in biblical thought, and the sympathy for the Indian warriors expressed in this report speaks contrary to the philosophies of military men like General Sherman. Nevertheless, despite advocating a policy of kindness, the report contained the signatures of all the commissioners.³⁴

As the commissioners hoped to engage the northern tribes in the spring, they sent out various so-called "chief-catchers" who worked throughout the late winter and early spring in efforts to convince the Lakota Sioux leaders to come to Fort Laramie for an April council.³⁵ With this in mind, the January report also suggested moving the Bozeman Trail route to Montana west of the Bighorn Mountains, thereby relinquishing the need for the Powder

River forts and appeasing the Lakota Sioux and Northern Cheyenne. As winter continued, the government soon became convinced that something had to be done to end the bloodshed along the Powder River. Red Cloud, whose physical characteristics matched his prowess and unwavering leadership, now commanded the respect and attention of the US government. Consequently, on 2 March, Gen. Ulysses S. Grant wrote to General Sherman, "I think it will be well to prepare at once for the abandonment of the posts, Phil Kearny, Reno and Fetterman and to make all the capital with the Indians that can be made out of the change."³⁶ For the only time in history, the US army was giving in to the demands of a "hostile" Indian leader.

In early spring the commissioners once again headed toward Fort Laramie. Arriving in Omaha, Nebraska, in early April, Sherman



FIG. 4. *Indian Peace Commission, c. 1868.* Courtesy of Denver Public Library, Colorado Historical Society, and Denver Art Museum, Denver, CO. Photograph no. X-32463.

received orders to immediately return to Washington and testify in President Johnson's impeachment trial. Prior to his departure, the militarily minded leader strongly admonished the commission to proceed with its previous intentions of placing the northern tribes on one large reservation, while also being cautious about giving arms and ammunition to those tribes currently residing off the designated reservation area. As well, he pointed out the importance in settling questions that had arisen regarding the Navajo Indians, recommending that the solution to their problems would come from removing them to Indian Territory near the Red River.³⁷

Once again, Fort Laramie proved disappointing. Greeting them was the familiar Brulé leader Spotted Tail, but Red Cloud and his followers were nowhere to be found. There was some hope—granted, a small one—that

they would come in toward the end of the month. The commissioners had arrived prepared to submit to all of Red Cloud's unrelenting demands, specifically the abandonment and closure of the Bozeman Trail and the granting of hunting rights along the Republican River. After waiting only a short time, however, they decided to hold a preliminary council with the Brulé on 13 April, outlining treaty stipulations that defined a reservation designed to concentrate the northern tribes on a large tract of land encompassing nearly all of present-day South Dakota west of the Missouri River. Agencies would be built along the Missouri River where the government could easily access them by river travel, although the Lakota Sioux would later use this as an argument against the government, proclaiming that this was simply a tactic to force them into moving to an area where they had no

desire to live. Along with granting hunting rights on the Republican River, the treaty set aside the country north of the North Platte River and east of the Big Horn Mountains as "unceded Indian territory," forbidding white people from settling upon it. The remainder of the treaty was similar to those signed during the Medicine Lodge councils the proceeding year, calling for farming implements and other tools that would aid them in moving closer to the white man's way of life.³⁸

With no sign of Red Cloud, the commissioners convinced the Brulé Sioux to sign the treaty on 29 April. After that, they held a council with some Crow who arrived at Fort Laramie during the first week of May. The commissioners had prepared a treaty for them to sign granting them country within Montana Territory and carrying with it the characteristic conditions and annuities promised in the other treaties. On 7 May the headmen of the tribe placed their marks in agreement. They also concluded another treaty on 10 May with the Northern Cheyenne and Northern Arapaho, granting them the choice of living on the lands given to their southern relatives as a result of the treaty of Medicine Lodge or with the Lakota Sioux in the north.³⁹

Although by the first of May news had reached Red Cloud of the army's decision to abandon the Bozeman Trail, he reportedly sent word to the commissioners telling them "when we see the soldiers moving away and the forts abandoned, then I will come down and talk."⁴⁰ This information spread serious doubts throughout the commission whether they could get the remaining Lakota Sioux to sign the treaty. With this in mind, and not wanting to sit around indefinitely, the commissioners agreed to divide into four parties: General Alfred Terry would proceed to Fort Randall and Fort Sully to provide for the Indians "en route to the reservation"; General Augur would go to Fort Bridger to establish treaties with the Snake, Bannock, and other Indians residing along railroad lines in Utah; General Sherman and Samuel Tappan would hold a council with the Navajos; and General Harney

and John Sanborn would stay at Fort Laramie and conclude treaties with the Lakota Sioux Indians and then proceed up the Missouri River, join General Terry, and convince the Indians near Fort Sully and Fort Rice to place their marks on the same Fort Laramie Treaty.⁴¹

At Fort Laramie, Harney and Sanborn were the first to meet success. On 25 and 26 May some Oglala, Miniconjou, and Yanktonai Sioux came and signed the treaty. A short time later, the two commissioners carried the Fort Laramie Treaty up the Missouri River and joined General Terry at Fort Rice. Aided this time by Father Pierre-Jean DeSmet, known throughout Indian country as "Black Robe" because of his Jesuit background, a party of Hunkpapa, Blackfeet, and Yanktonai, including the famous leader Sitting Bull, assembled on 2 July. In reality, there would not be any discussions about the treaty stipulations. The three commissioners planned on having the Fort Laramie treaty read, allowing some time for the chiefs to speak, and then instructing them to place their marks on the prepared document. These proceedings, as historian Robert Utley has pointed out, "dramatized the fantasy world in which Indian treaties were concocted."⁴² These tribes had little interest in or understanding of what had taken place at the Fort Laramie councils. They wanted the whites out of their country and would fight as long as necessary. An important opponent of the treaty was Chief Gall, one of the most bold and aggressive leaders in the Sioux Nation's fight against unwanted white aggression. His impressive physical strength, combined with his bravery and determination, made him a formidable leader of his people. Nevertheless, the council went as planned, and despite the prophetic statements by Gall that "if we make peace, you will not hold it," the chiefs placed their marks on the treaty.⁴³

Meanwhile, in late May, General Sherman, who had returned from Washington at the time the commission agreed to disperse, and Samuel Tappan met with the Navajo at the Bosque Redondo in eastern New Mexico. In 1864 the government forcibly removed the Navajo to

this remote and desolate location in an effort to make them agriculturalists and prevent further raiding into the New Mexico settlements. In one of the most tragic episodes of Indian exile in US history, Colonel Kit Carson rounded up 8,000 Navajos and forced them to walk more than 350 miles from northeastern Arizona and northwestern New Mexico to Bosque Redondo, a desolate tract on the Pecos River in eastern New Mexico. More than 3,000 people died either by starvation, freezing to death, succumbed to sickness or were shot by soldiers during the tragic years of what the Navajo called "The Long Walk." Bosque Redondo was supposed to demonstrate the feasibility of the reservation system, yet it was a dismal failure and the Navajo wanted desperately to return to their homeland. Sherman initiated talks on 28 May at Fort Sumner. He began by informing them he had come for the purpose of learning about their condition and what could be done for them. Barboncito, designated by Sherman as the head chief of the Navajo, then talked at length. He related the extent and depth of their sufferings during the past four years. Numerous people had died, many were currently ill, and despite their efforts to cultivate the land the soil simply failed to yield—all graphically displayed by their current state of poverty. Afterward, Sherman explained that there was land within "Indian Territory" south of the Arkansas River where they could send a delegation to decide if they wanted this for their reservation. If their desire was to return home, however, the government would draw a boundary and the Navajo would not be allowed to cross that line except to trade. Without hesitation Barboncito responded to Sherman, saying that "we do not want to go to the right or left but straight back to our own country."⁴⁴

Consequently, on 1 June 1868 Sherman and Tappan presented the Navajo with a treaty which, in the words of one scholar, "gave the Navajo a new beginning."⁴⁵ It allowed them to leave the Bosque Redondo reservation while establishing strict boundaries within their old homeland. It also called for the creation of an

agency consisting of a warehouse, carpenter shop, blacksmith shop, schoolhouse, chapel, and a home for an agent. It ordered children to attend school and learn English "in order to insure the civilization of the Indians entering into this treaty." And like the Medicine Lodge treaties and Fort Laramie Treaty, the Navajo would be given the necessary farming implements to make them self-supporting and "civilized." After listening to the treaty stipulations, Barboncito led the other chiefs and headmen in placing their marks upon the document, following which they immediately began preparations for removing to their homeland.⁴⁶

While all of this was happening, General Augur traveled west to Fort Bridger in present-day southwestern Wyoming. The Eastern Shoshone and Bannock were currently at peace with the whites, and as Augur explained when he began negotiations, it was the government's desire to "arrange matters that there may never hereafter be cause of war between them." In truth, this meant that Augur intended to place the Indians on permanent reservations where they would not interfere with the expanding railroad lines. On 3 July 1868 they signed a treaty that placed the Eastern Shoshone on a reservation in the Wind River country and stipulated that the Bannock be located somewhere near the mouth of the Portneuf River, with detailed boundaries to be designated at a later time. True to form, the provisions within this treaty were almost identical to the other treaties made by the Peace Commission during the previous two years.⁴⁷

Along the Bozeman Trail, the abandonment of the Powder River forts proved to be a slow, drawn-out process lasting throughout much of the summer. As a result of frustrating attempts to negotiate the sale of the forts' goods to the Bureau of Indian Affairs and the public, it was not until 29 July that the troops at Fort C. F. Smith marched away for the last time. Early the next morning Red Cloud and his warriors, who had watched from a distance the activities of the preceding day, triumphantly rode into the fort and burned it to the ground. By the first of August, Fort Phil Kearny

had suffered a similar fate and Fort Reno had been abandoned, making it appear the time had come to make peace. Red Cloud, however, still failed to come in, and attacks continued throughout the month of September.⁴⁸

The commission reunited in Chicago during the early days of October. Overall, aside from some bands of Lakota Sioux, the commissioners concluded treaties of peace with most of the Indian tribes east of the Rocky Mountains and west of the Mississippi River, and they still hoped Red Cloud would place his mark on the treaty before the end of the year.⁴⁹ Nonetheless, war had once again returned to the Southern Plains, as stipulations within the Medicine Lodge treaties were going unfulfilled. As it was not considered worthwhile for the commissioners to continue efforts to bring in Red Cloud, all that was left for them was to submit a final report representing their considerations of the existing situation of Indian affairs.

President Johnson's impeachment proceedings continued to detain Senator Henderson, so the remaining seven members drafted the final report. First, they recommended that Congress consider the treaties made by the commission to be in full force regardless of whether they had been ratified. Next, they urged Congress to provide provisions for those tribes who had been or would be located permanently on their respective reservations. One of the most important recommendations came from General Terry, regarding the future process of Indian negotiations. He suggested from this point on the government "cease to recognize the Indian tribes as domestic dependent nations," and that in the future no more "treaties shall be made with any Indian tribe," forcing the Indians into being personally subject to the laws of the United States. With bloodshed once again encompassing the Southern Plains, Congress needed to reconsider whether treaty making was the proper method of doing business with the Indians.⁵⁰

Essentially, the commissioners all agreed on the first section of the report; however, the last portion strongly represented the feelings

of the military officers and particularly General Sherman. In light of the depredations currently being committed by the Southern Plains Indians, the commissioners called for military force to compel the Indians to go to their reservations and further recommended that they should no longer be permitted to hunt outside their reservation boundaries. And, despite strong opposition from Commissioner Taylor, they voted to recommend the transfer of the Bureau of Indian Affairs to the War Department. Sherman had long believed that by giving the War Department control over Indian Affairs the army could act more efficiently, giving them greater power to end the fighting between the whites and Indians. With this completed on 10 October, the Peace Commission disbanded, never to meet again, ending the last great effort by the US government to make treaties with the Indians.⁵¹

After the Peace Commission dissolved, and following a successful fall hunt, the Lakota Sioux, led by the confident Red Cloud and a large delegation of approximately 125 of his warriors, came into Fort Laramie for a conference. The commissioners had left a copy of the treaty at the fort, and the post commander, Maj. William Dye, had been given authority to represent the Peace Commission. The government wished to have Red Cloud's mark upon the already prepared treaty, and consequently they were not willing to negotiate. Finally, after a two-day council, and with a show of reluctance, Red Cloud reportedly "washed his hands with the dust of the floor" and signed the document. Although Major Dye came away apprehensive about the prospect of lasting peace, the government had at last obtained the long-awaited end to Red Cloud's War.⁵²

Although the Indians had placed their marks on the treaties, Congress still had to ratify them and appropriate the necessary funds to carry out their provisions. One of the problems of treaty making existed with Congress's failure to support treaty commissioners' actions in the field. The nineteenth century is replete with instances when, for one reason or

another, Congress either rejected treaties or their stipulations went unfulfilled.⁵³ Aware of this, the reports and letters of the Peace Commission continually demanded that Congress act swiftly in ratifying the treaties and appropriating the necessary funds to fulfill them. One such example came from Commissioner Taylor during the summer of 1868. Writing to O. H. Browning, acting secretary of the interior, Taylor recounted the Lakota Sioux treaties from that year and implored the secretary that "if peace is to be preserved," then "speedy action in appropriating the funds necessary to care for and feed the most destitute is absolutely necessary."⁵⁴

"The prime object of the government in the pacific policy pursued by its commissioners," wrote General William S. Harney on 23 November 1868, "has been to secure and preserve peaceful relations with our Indian tribes." As he saw it, "to secure perpetual peace with the Sioux Indians it is only necessary to fulfill the terms of the treaty made by the peace commissioners."⁵⁵ Later that year, acting on his own accord in an effort to begin fulfilling the government's obligations, General Harney purchased articles of food, agricultural implements, building materials, and other articles necessary for the establishment of agencies and the support of the Lakota Sioux throughout the winter. Although Congress later forced Harney to account for his actions, General Sherman recognized the importance of keeping peace and supported the unauthorized expenditures. Nevertheless, the extended debates that accompanied Congress's delay in appropriating the necessary funds needed to fulfill the treaty stipulations brought discouragement and shame to those men instructed to deal with the Indians. Coupled with the government's legacy of broken promises, the problem of gaining congressional support for the 1867 and 1868 treaties caused added problems among a people who already had reason enough to distrust the white man.⁵⁶

While Harney tried to fulfill the Fort Laramie Treaty, the military decided to punish the Southern Cheyenne and Arapaho for

supposed breeches in their treaty agreements. In the Southern Plains, annuity goods had been slow to arrive, with some even being withheld from the Cheyenne as a result of a raid on the Kaw. Angered and frustrated with the actions of the government, a Cheyenne raiding party headed out toward the Pawnee. When they returned in August, fifteen white men had been killed, and war once again spread across the Southern Plains. The following month a party of fifty scouts under the ambitious Maj. George A. Forsyth fought for their lives on the banks of a small island within the Arikara Fork of the Republican River in what has come to be called the Battle of Beecher's Island. Then on 27 November 1868, Lt. Col. George A. Custer tested the effectiveness of the army's new policy of winter campaigns as he attacked and destroyed Black Kettle's Cheyenne camp along the Washita River. Thus, by the end of the year, the Medicine Lodge treaties had done little to bring peace to the Southern Plains.⁵⁷

Regarding the Lakota Sioux treaties, it appears that in large measure the Indians did not learn the full content of the Fort Laramie Treaty until Red Cloud returned from Washington in 1870; had they understood that the government expected them to take up a life of farming near the agencies along the Missouri River, they might never have consented.⁵⁸ Nevertheless, for all intents and purposes the Fort Laramie Treaty proved to be the most lasting and significant at the time, as it successfully ended Red Cloud's War. Despite those Indians who refused to settle on the reservation, the treaty placed Red Cloud in a situation where, as Robert Utley has pointed out, he became "a maddeningly disruptive influence for the next forty-one years, [but] never again took the warpath."⁵⁹

Because war existed on the Southern Plains when the commission dissolved in October 1868, their activities have often been viewed as a failure. Yet in the end, the Peace Commission left a large legacy. Many of the changes within federal Indian policy following 1868 can be traced in one form or another to the ideas or recommendations brought forth by

the commissioners. For example, Francis Paul Prucha has demonstrated that the reports of the peace commissioners "gave new impetus to reformers interested in the Indians" and spurred new interest in those promoting a Christian approach to Indian policy.⁶⁰ The development of President Grant's celebrated "Peace Policy" advocating concentration, education, and civilization, along with the creation of a Board of Indian Commissioners, also profited greatly from the two reports made by the Peace Commission.⁶¹ The end of treaty making with the Indians in 1871 can be traced to ideas present within the final report of the commission. In fact, aside from a treaty made with the Nez Perce in late 1868, the Peace Commission was the last authorized group sent out by the government to conclude treaties with the Indian tribes of the United States.⁶² As well, the issue of transferring the Bureau of Indian Affairs to the War Department, recommended by the commissioners in their final report, became a major issue for more than a decade.⁶³

The final sentiments of the Peace Commission supported General Sherman's intent to increase military control in the West. Sherman firmly believed in using military force to end Indian conflicts, a fact largely illustrated by the actions of Custer on the Washita River not even two months after the commissioners issued their report. Although Sherman was not opposed to the policies of peace prescribed for the Indians, he understood the persuasive power of military might. In his annual report for 1868 he remarked on this policy as a "double process of peace within their reservations and war without." He further intended to "prosecute the war with vindictive earnestness against all hostile Indians, till they are obliterated or beg for mercy; and therefore all who want peace must get out of the theatre of war."⁶⁴ This philosophy of war against those Indians residing outside their reservations quickly became the driving force behind Indian policy throughout the next decade, and in many ways must be viewed as the most lasting and ironic result of the Peace Commission.⁶⁵

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NOTES

1. See Robert Utley, *Frontier Regulars: The United States Army and the Indian, 1866-1891* (1973, reprint, Lincoln: University of Nebraska Press, 1984), pp. 130-41; Francis Paul Prucha, *American Indian Treaties: The History of a Political Anomaly* (Berkeley: University of California Press, 1994), pp. 279-310; Douglas C. Jones, *The Treaty of Medicine Lodge: The Story of the Great Treaty Council as Told by Eyewitnesses* (Norman: University of Oklahoma Press, 1966); Douglas C. Jones, "Medicine Lodge Revisited," *Kansas Historical Quarterly* 35 (1969): 130-42; Henry G. Waltmann, *The Interior Department, War Department and Indian Policy, 1865-1887* (Ph.D. diss., University of Nebraska, 1962), pp. 132-61; Arthur H. Mattingly, "The Great Plains Peace Commission of 1867," *Journal of the West* 15 (1976): 23-37. The proceedings of the commission have been published in Vine Deloria Jr. and Raymond DeMallie, comps., *Proceedings of the Great Peace Commission of 1867-1868* (Washington, D.C.: Institute for the Development of Indian Law, 1975).

2. Stan Hoig, *The Sand Creek Massacre* (Norman: University of Oklahoma Press, 1961).

3. The Doolittle Report first appeared as *Conditions of the Indian Tribes*, 39th Cong., 2d sess., 1867, Rept. 156, serial 1279, 3; and contained a ten-page report and a 532-page appendix. It was later combined and issued as *Condition of the Indian Tribes* (Washington: Government Printing Office, 1867). For a fuller discussion, see Henry Kelsey, "The Doolittle Report of 1867, Its Preparation and Shortcomings," *Arizona and the West* 17 (summer 1975): 107-20, and Donald Chaput, "Generals, Indian Agents, Politicians: The Doolittle Survey of 1865," *Western Historical Quarterly* 3 (July 1972): 269-82.

4. *Letter to the Secretary of the Interior, communicating. In compliance with a resolution of the Senate of the 8th Instant, information touching the origin and progress of Indian hostilities on the frontier*, 40th Cong., 1st sess., S. Ex. Doc. 13, 1867, serial 1279, 3.

5. *Ibid.* For Taylor's recommendations, see pp. 1-6; for Sherman's statement, see p. 121. See also Utley, *Frontier Regulars* (note 1 above), pp. 130-32.

6. *Congressional Globe*, 40th Cong., 1st sess., 1867, 667.

7. For a fuller discussion on the concentration ideas that emerged following the Civil War, see Loring Benson Priest, *Uncle Sam's Stepchildren: The Reformation of United States Indian Policy, 1865-1887* (New Brunswick, N.J.: Rutgers University Press, 1942), pp. 3-14.

8. For the full debates, see the *Congressional Globe*, 40th Cong., 1st sess., 15-20 July 1867, 655-757.

9. *Ibid.*, 16-17 July 1867, 667, 672, 681.

10. *Ibid.*, 17 July 1867, p. 681. For similar comments, see pp. 670, 672-673, 679-681, 684-685, 689-690, 706, 709, 711-712.

11. *Ibid.*, 16 July 1867, p. 670.

12. *US Statutes at Large* 15 (1867): 17-18.

13. *Ibid.*; Francis Paul Prucha, *The Great Father: The United States Government and the Indians* (Lincoln: University of Nebraska Press, 1984), vol. 1: 489; Waltman, *Interior Department* (note 1 above), pp. 138-39; *Army and Navy Journal* 5 (7 December 1867): 251; Mattingly, "Peace Commission" (note 1 above), pp. 23-37, focuses on Senator Henderson's involvement during the first year of the commission.

14. An excellent account of Terry's involvement in the post-Civil War military is John W. Bailey, *Pacifying the Plains: General Alfred Terry and the Decline of the Sioux, 1866-1890* (Westport, Conn.: Greenwood Press, 1979).

15. *US Statutes at Large* 15 (1867): 17; Prucha, *American Indian Treaties* (note 1 above), p. 280; Utley, *Frontier Regulars* (note 1 above), p. 132. For Sherman's actions throughout the life of the Peace Commission, see Robert G. Athearn, *William Tecumseh Sherman and the Settlement of the West* (Norman: University of Oklahoma Press, 1956).

16. *Message from the President of the United States, transmitting, Report of Indian Peace Commissioners, 40th Cong., 2d sess., 1868, H. Ex. Doc. 97, serial 1337, pp. 2-3.*

17. *Ibid.*, p. 3

18. *Ibid.*, pp. 3-4; George E. Hyde, *Red Cloud's Folk: A History of the Oglala Sioux Indians* (Norman: University of Oklahoma Press, 1937), pp. 162-63; Robert W. Larson, *Red Cloud: Warrior-Statesman of the Lakota Sioux* (Norman: University of Oklahoma Press, 1997), pp. 115-16; Utley, *Frontier Regulars* (note 1 above), pp. 124-25; Catherine Price, *The Oglala People, 1841-1879: A Political History* (Lincoln: University of Nebraska Press, 1996), pp. 71-76; Deloria and DeMallie, *Great Peace Commission* (note 1 above), pp. 57-65.

19. Jones, "Medicine Lodge Revisited" (note 1 above), pp. 131-32; James Mooney, "Calendar History of the Kiowa," *17th Annual Report, Bureau of American Ethnology, 1895-1896* (Washington: Government Printing Office, 1898), pp. 227-32; Utley,

Frontier Regulars (note 1 above), pp. 132-33. Jones, *Treaty of Medicine Lodge* (note 1 above), is the classical work on the Medicine Lodge Treaty, while an excellent firsthand account made by newspaperman Henry M. Stanley is "A British Journalist Reports the Medicine Lodge Peace Councils of 1867," *Kansas Historical Quarterly* 33 (autumn 1967): 249-320.

20. On 19 April 1867, on the Pawnee Fork some thirty-five miles west of Fort Larned, General Hancock destroyed 111 Cheyenne lodges and 140 Lakota Sioux lodges. See Utley, *Frontier Regulars* (note 1 above), p. 118.

21. These figures come from Stanley, "Medicine Lodge Peace Councils," (note 19 above), pp. 260-63.

22. George Bird Grinnell, *The Fighting Cheyennes* (1915, Scribner; reprint, Norman: University of Oklahoma Press, 1956), p. 273.

23. Stanley, "Medicine Lodge Peace Councils," (note 19 above), pp. 279-84; Deloria and DeMallie, *Great Peace Commission* (note 1 above), pp. 68-73; Waltman, *Interior Department* (note 1 above), pp. 144-45.

24. A good discussion surrounding the nuances of treaty making is Raymond J. DeMallie, "Touching the Pen: Plains Indian Treaty Councils in Ethnohistorical Perspective," in *Ethnicity on the Great Plains*, ed. Frederick C. Luebke (Lincoln: University of Nebraska Press, 1980), pp. 38-53; Raymond J. DeMallie, "American Indian Treaty Making: Motives and Meanings," *American Indian Journal* 3 (January 1977): 2-10.

25. Stanley, "Medicine Lodge Peace Councils" (note 19 above), pp. 287-89.

26. Jones, *Treaty of Medicine Lodge* (note 1 above), pp. 164-69.

27. Deloria and DeMallie, *Great Peace Commission* (note 1 above), pp. 79-83; Stanley, "Medicine Lodge Peace Councils" (note 19 above), pp. 309-20.

28. George E. Hyde, *Life of George Bent, Written from His Letters*, ed. Savoie Lottinville (Norman: University of Oklahoma Press, 1967), p. 285.

29. The treaties are reprinted in Charles J. Kappler, comp., *Indian Affairs: Laws and Treaties* (Washington: Government Printing Office, 1904), 2:977-89. Mooney, "Calendar History of the Kiowa" (note 19 above), p. 321.

30. *Message from the President of the United States, transmitting, Report of Indian Peace Commissioners, 40th Cong., 2nd sess., 1868, H. Ex. Doc. 97, serial 1337, 5.*

31. *Ibid.*

32. *Ibid.*, pp. 6-16.

33. *Ibid.*, pp. 16-23; Waltman, *Interior Department* (note 1 above), pp. 147-48; Henry E. Fritz,

The Movement for Indian Assimilation, 1860-1890 (Philadelphia: University of Pennsylvania Press, 1963), pp. 64-67.

34. For further discussion, see Fritz, *ibid.*, pp. 64-66.

35. These "chief-catchers," as George E. Hyde has called them, were comprised of "traders promised new licenses, squawmen, interpreters, and half-breeds," along with Father DeSmet and the Reverend S. D. Hinman. See Hyde, *Red Cloud's Folk* (note 18 above), p. 163.

36. Grant to Sherman, 2 March 1868, Letters Sent, Commanding General, National Archives, RG 108, as quoted in Waltman, *Interior Department* (note 1 above), p. 150. Interestingly, on this same day, Commissioner Nathaniel G. Taylor signed a treaty with the Ute Indians in Washington, D.C., that created new reservation boundaries for the Utes living in Colorado and Utah. See Kappler, *Indian Affairs* (note 29 above), 2: 990-96.

37. Sherman's statement can be found in Deloria and DeMallie, *Great Peace Commission* (note 1 above), pp. 96-97.

38. The treaty is in Kappler, *Indian Affairs* (note 29 above), 2: 998-1007.

39. A. Glen Humphreys, "The Crow Indian Treaties of 1868: An Example of Power Struggle and Confusion in United States Indian Policy," *Annals of Wyoming* 43 (1971): 73-89. See Kappler, *Indian Affairs* (note 29 above), 2: 1008-11, for the Crow treaty, and pp. 1012-15 for the Northern Cheyenne and Northern Arapaho treaty.

40. Quoted in James C. Olson, *Red Cloud and the Sioux Problem* (Lincoln: University of Nebraska Press, 1965), pp. 74-75.

41. The commission agreed to remove the Northern Plains Indians to areas along the Missouri River where the United States would find it cheaper and more efficient to transport goods and other forms of communication to the Indians.

42. Robert Utley, *The Lance and the Shield: The Life and Times of Sitting Bull* (New York: Ballantine Books, 1993), p. 82. Utley describes the situation surrounding this meeting, noting that men such as Gall gave "no hint even that he fathomed the nature of a treaty."

43. Deloria and DeMallie, *Great Peace Commission* (note 1 above), pp. 125-44; *ibid.*, pp. 76-84; Hiram Martin Chittenden and Alfred Talbot Richardson, eds., *Life, Letters and Travels of Father Pierre-Jean De Smet, S.J., 1801-1873*, 4 vols. (New York: Francis P. Harper, 1905), see pp. 887-922, volume 3, for his role in the Peace Commission. Prucha, *American Indian Treaties* (note 1 above), p. 282.

44. Deloria and DeMallie, *Great Peace Commission* (note 1 above), pp. 120-24; Gerald Thompson,

The Army and the Navajo (Tucson: University of Arizona Press, 1976), pp. 151-55; Prucha, *American Indian Treaties* (note 1 above), p. 283; John L. Kessell, "General Sherman and the Navajo Treaty of 1868: A Basic and Expedient Misunderstanding," *Western Historical Quarterly* 12 (1981): 258-61.

45. David Lanehart, "Regaining Dineta: The Navajo and the Indian Peace Commission at Fort Sumner," in *Working the Range: Essays on the History of Western Land Management and the Environment*, ed. John R. Wunder (Westport, Conn: Greenwood Press, 1985), pp. 25-36.

46. Thompson, *The Army and the Navajo* (note 44 above), pp. 155-57. The treaty can be found in Kappler, *Indian Affairs* (note 29 above), 2: 1015-20. Kessell points out some of the problems with this treaty in "General Sherman and the Navajo Treaty of 1868" (note 44 above), pp. 251-72.

47. Washakie was the principal leader of the Eastern Shoshones, while Taggie was designated the head chief of the Bannocks. See Kappler, *Indian Affairs* (note 29 above), 2: 1020-24; Deloria and DeMallie, *Great Peace Commission* (note 1 above), pp. 151-56. For a history of Fort Bridger, see Fred R. Gowans and Eugene E. Campbell, *Fort Bridger, Island in the Wilderness* (Provo, Utah: Brigham Young University Press, 1975).

48. Olson, *Red Cloud* (note 40 above), pp. 78-79; Utley, *Frontier Regulars* (note 1 above), p. 136.

49. Apparently, the commission had also dispatched W. J. Cullen, Indian agent in Montana, to make treaties with the Indians residing in Montana. On 13 July 1868 he negotiated a treaty with the Gros Ventres Indians at Fort Hawley, and two days later he concluded another treaty with the River Crow tribe of Indians. Then, on 1 September 1868, he negotiated a treaty with the Piegan, Blood, and Northern Blackfeet tribes at Fort Benton. Cullen turned these treaties over to Taylor in October, but for some reason the commission chose to avoid them and consequently they were never ratified. See Kappler, *Indian Affairs* 3: 705-8, 714-16; John C. Ewers, *The Blackfeet: Raiders on the Northwestern Plains* (Norman: University of Oklahoma Press, 1958), p. 245; Humphreys, "Crow Indian Treaties of 1868" (note 39 above).

50. Deloria and DeMallie, *Great Peace Commission* (note 1 above), pp. 157-58; Prucha, *The Great Father* (note 13 above), 1: 495-96; Prucha, *American Indian Treaties* (note 1 above), p. 285.

51. Deloria and DeMallie, *Great Peace Commission* (note 1 above), pp. 158-73.

52. Larson, *Red Cloud* (note 18 above), pp. 122-25; Deloria and DeMallie, *Great Peace Commission* (note 1 above), pp. 173-76.

53. Laurence F. Schmeckebier, *The Office of Indian Affairs: Its History, Activities and Organization*

(Baltimore: Johns Hopkins University Press, 1927), pp. 59-62.

54. Nathaniel G. Taylor, *Appropriations for Sioux Indians*, 40th Cong., 2d sess., 1868, H. Ex. Doc. 321, serial 1346, pp. 2-3.

55. General Harney to Lieutenant General W. T. Sherman, 23 November 1868, in *Letter of the Secretary of War, transmitting, A copy of the report of Brevet Major General Harney upon the Sioux Indians of the Upper Missouri*, 40th Cong., 3d sess., 1869, S. Ex. Doc. 11, serial 1360, pp. 1-4.

56. W. T. Sherman to General J. M. Schofield, 22 December 1868, in *Letter of the Secretary of War, transmitting, A copy of the report of Brevet Major General Harney upon the Sioux Indians at the Upper Missouri*, 40th Cong., 3d sess., 1869, S. Ex. Doc. 11, serial 1360, 6. In a letter from the Secretary of the Interior to President Grant, dated 7 March 1870, Major General Stanley, operating out of the Dakotas in conjunction with the Lakota Sioux, writes that he is ashamed to even appear in the presence of the chiefs of the different tribes at the Lakota Sioux because the government's promises had yet to be fulfilled, see *Message of the President of the United States relative to the obligation of Congress to make the necessary appropriations to carry out the Indian treaties made by what is known as the Peace Commission of 1867*, 41st Cong., 2d sess., 1870, S. Ex. Doc. 57, serial 1406. For some of the early debates surrounding the "Indian Appropriation Bill," see the *Congressional Globe*, 39th Cong., 2d sess., 23 February 1867; 40th Cong., 2d sess., 27-30 May 1868, 21 July 1868, 2614-2712, 4271-4306.

57. Excellent accounts of these activities are contained in William F. Leckie, *The Military Conquest of the Southern Plains* (Norman: University of Oklahoma Press, 1963), pp. 58-113, and Wilbur S. Nye, *Plains Indian Raiders: The Final Phases of Warfare from the Arkansas to the Red River* (Norman: University of Oklahoma Press, 1968), pp. 105-39. See also *Letter of the Secretary of War, transmitting, A*

copy of the report of Brevet Major General Harney upon the Sioux Indians on the Upper Missouri, 40th Cong., 3d sess., S. Ex. Doc. 13, 1869, S. Ex. Doc. 11, serial 1360, and Uteley, *Frontier Regulars* (note 1 above), pp. 142-57.

58. Hyde, *Red Cloud's Folk*, pp. 168-81; Olson, *Red Cloud*, pp. 83-85 (both note 18 above).

59. Uteley, *Frontier Regulars* (note 1 above), p. 137; Edward Lazarus, *Black Hills, White Justice: The Sioux Nation Versus the United States, 1775 to the Present* (New York: HarperCollins, 1991), pp. 45-70.

60. Francis Paul Prucha, *American Indian Policy in Crisis: Christian Reformers and the Indian, 1865-1900* (Norman: University of Oklahoma Press, 1976), p. 25.

61. Robert M. Uteley, "The Celebrated Peace Policy of General Grant," *North Dakota History* 20 (July 1953): 120-41; Henry G. Waltmann, "Circumstantial Reformer: President Grant and the Indian Problem," *Arizona and the West* 13 (winter 1971): 323-42; Fritz, *Movement for Indian Assimilation* (note 33 above), pp. 56-86.

62. Prucha, *American Indian Treaties* (note 1 above), pp. 284-310. Although this was the last official treaty commission, Congress did send out commissioners to negotiate the sale of surplus Indian lands as a result of the Dawes Act. These commissions included the Crook Commission, the Jerome Commission, and the Dawes Commission.

63. A good discussion of the transfer issue is Priest, *Uncle Sam's Stepchildren* (note 7 above), pp. 15-27.

64. Sherman to Hazen, 13 October 1868, quoted in Athearn, *William Tecumseh Sherman* (note 15 above), p. 229.

65. Uteley, *Frontier Regulars* (note 1 above), p. 139; *Annual Report of the Secretary of War*, 40th Cong., 1st sess., 1868, H. Ex. Doc. 1, serial 1367, 271-272; Athearn, *William Tecumseh Sherman* (note 15 above), pp. 226-30.