

The Kanza Reserve 150 Years Ago

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This is the 15th in a series of monthly articles by Ron Parks about the Kanza Indians and Council Grove 150 years ago.

The Greenwood Treaty of 1859

On Tuesday evening, October 4, 1859, “the sun sank in a sea of crimson, and the moon appeared with her face painted like a war savage for battle, grew darker, and finally disappeared in an ambush of impenetrable smoke.” The Emporia newspaper editor retired to bed, his peace of mind disturbed “with visions of the distant roar of the fiery monster” while “the wind whistled a mournful requiem to the departed year...”

Prairie fires, “the terror of the settlers,” once again marched across the central Flint Hills. Destroying property and transforming the landscape, “these annual visitors” were ruthless agents of autumnal transition, marking, in the editor’s Shakespeare-inspired words, “the first day in this season of the sere and yellow leaf.”

October 4, 1859, was also a transformational day in Kansas history. Voters across the Kansas territory cast their ballots to approve the Wyandotte Constitution under which fifteen months later Kansas would be admitted to the Union as a state free of slavery. The constitution was overwhelmingly approved 10,421 votes for and 5,530 against. Only two of the 27 counties cast a majority of their votes against the free-state constitution: Johnson (373-377) and our own Morris (25-50).

But settlers were not the only area residents subject to profound transformational events during those early October days. On October 5, chiefs of the Kanza tribe, as they often did, gathered at the Kaw Agency located three miles southeast of Council Grove to conduct tribal business with government representatives. But this was no ordinary council with their agent.

Meeting with the 28 assembled chiefs, led by Hard Chief *(Kehiganahchieffe), Speckled Eye (Ishtalasa), Fool Chief (Kihigaawatteingah) and Allicawahho was none other than Alfred B. Greenwood, the Commissioner of Indian Affairs from Washington D.C.

Georgia-born and raised Greenwood had come to Kansas to negotiate treaties with the Delaware, Sac and Fox, and Kanza tribes. For at least three decades federal Indian policy had reflected the official view that “Indians should be encouraged to settle on reservations and there be prepared for assimilation into the dominant white society.”

Greenwood went one step further, endorsing the policy of “concentration,” whereby the reservations would be made significantly smaller “for a limited period until they [the Indians] can be fitted to sustain themselves.” This also entailed allotting lands in the newly diminished reserves in farm-sized plots to individual Indians, a policy initiated in 1854 by Greenwood’s predecessor, George Manypenny.

The chiefs learned that Greenwood wanted them to agree to the reduction of their 20-mile-square reservation, assigned to the tribe by the Treaty of 1846. The “Diminished Kaw Reservation” was to be a nine by fourteen-mile tract of land located in the southwest corner of the original reservation, a reduction from 256,000 to 80,620 acres.

The 185,000-acre “surplus lands” were to be held in trust by the U. S. government. This land was to be sold at fair market price in 160-acre parcels to the highest bidder in cash. The proceeds from these sales would pay off Kanza debts and be used for betterment of the tribe.

Each member of the tribe would be assigned a 40-acre tract of land. This was necessary, the treaty solemnly proclaimed, because the Kanza were “desirous of promoting settled habits of industry amongst themselves by abolishing the tenure in common by which they now hold their lands.” The newly assigned lands were “to be cultivated and improved for their individual use and benefit.”

A school for Kanza children would be established near the Agency building. Houses were to be built for the Kansas and the government would “furnish them agricultural implements, stock animals, and other necessary aid...to commence agricultural pursuits under favorable circumstances.”

The Kansas, then, would be turned into property holders, the men become farmers and stock raisers, their children educated and Christianized, a work ethic firmly established in their minds and hearts, at which point they could participate in civil society as U. S. citizens and function as producers and consumers in a market economy.

“I am strongly impressed with the propriety and beneficial influences which would result to many of the members of the tribes,” enthused Superintendent of Indian Affairs A. M. Robinson, “could lands be allotted to such as deserve them, with an assurance of permanent location and enjoyment of labor and products of soil. Certainly there could be no greater stimulus to industry...”

Article Five of the 1846 treaty had in fact stipulated that a new reservation “be selected and laid off for the Kansas a suitable country...which shall remain for their use forever.” Thirteen years later this “assurance of permanent location” had proven ephemeral, a fact surely not lost on Hard Chief, the first chief to sign both treaties.

Why then, given the radical cultural transformation imposed on their people by the terms of the agreement, did Hard Chief and the 27 other Kanza chiefs put their Xs on the 1859 Treaty document?

For one, by 1859 the Kansas had incurred debts totaling \$36,494.47. During the previous decade, Indian traders, including Council Grove stalwarts Columbia, Hays, Conn, Simcock, and Huffaker, had sold goods on credit to individual Kansas. These were influential men, both with the government and the Kanza chiefs, most of whom owed them money, and payment of these debts was guaranteed by the treaty.

Secondly, although treaties were made between sovereign nations, the Kanza, not unlike most tribes by 1859, had become dependent on the United States government. The bargaining position of the Kanza chiefs was seriously weakened by debt, military inferiority, diminishing population, vanishing game, reliance on annuity payments, and the destitute condition of their people. Commissioner Greenwood could dictate the terms of the treaty.

Finally, by October 1859 illegal white squatters, in numbers estimated from 250 to 800, had overrun the Kanza Reservation, where they occupied the most desirable home sites, the fertile and well-timbered valleys of the Neosho River and its tributary creeks. These places, of course, were also the Indians' village sites.

As a result the Kanzas were "compelled to roam between them [Plains Indians] and the border settlements," reported Kanza agent Milton C. Dickey in February, 1860, "mingling as they do with the settlers...not having anything to attract them on their Reserve (it being settled upon and in dispute)....Such being the case feelings of the bitterest hatred spring up against the Indian which must ere long break out in a war of extermination."

Finding themselves exiled and much reviled wherever they went, the Kanza chiefs would accept a diminished reserve where, according to Article Two of the proposed treaty "...no white person, except such as shall be in the employment of the United States, shall be allowed to reside or go upon any portion of said reservation...."

The only available means for Kanza chiefs to reclaim their homeland was to sign the Treaty of 1859. But returning home was not to be simple or expedient, for the response of the white squatters and their many allies to the proposed treaty [*the subject of the November article*] was emphatic in its opposition.

Sources: Emporia News, 10-8-1859, 11-12-1859; *Letters Received by the Office of Indian Affairs from the Kansas Agency, 1856-61*; *LR, OIA, KA 1862-64*; *Annual Report of the Commissioner of Indian Affairs, 1859 and 1860*; *The Great Father* by Francis Paul Prucha; *The Commissioners of Indian Affairs, 1824-1977*, edited by Kvasnicka and Viola; *Kansas Press* (Council Grove), 10-10-1859.

*Spellings of the names of the Kanza chiefs vary considerably; these spellings appeared on the Treaty of 1859 document.

