

Ron Parks

“The Kanza 150 Years Ago”

July 4, 2008

### Covered All Over with White Settlers

As he traveled horseback through the Kaw Reservation in early July, 1858, Preston Plumb was pleased with what he saw. The publisher of Emporia’s *Kansas News* and future U.S. senator noted “...evidences of thrift and enterprise... on every hand. Where, one year ago, there were but few settlers, and little or no improvement, there is now a large population, highly cultivated farms, and comfortable dwellings.”

From sheriff Cy Goddard’s place at the mouth of Rock Creek near present Dunlap, Plumb rode eight miles up the creek to Agnes City. Here he visited a few hours in the home of Judge Arthur I. Baker, who had in the mid 1850s established a fine limestone house and trading post where the Santa Fe road crossed Rock Creek. Baker’s place, too, was located on the Kaw Reservation.

“Every timbered claim on the Reserve is occupied,” wrote Plumb. “Much has been done, however, as the large fields of grain on every hand attest.” That the recently-arrived Euro-American denizens of these well-timbered and productive claims were not legal occupants seemed not to faze Plumb, who asserted “Their [the Kaws] claim to a reservation 20 miles square...was of a later date and is in violation of the treaty made between them and the General Government. Their illegal claim will doubtless be set aside, and the settlers allowed to pre-empt the land.”<sup>1</sup>

Plumb’s confident assertion that the Kaws were late to claim this land seems unwarranted by the facts. The 1846 Kaw Treaty obliged the federal government to set aside a twenty-mile-square reservation for the tribe. In 1848, at the direction of the Office of Indian Affairs, the Kaws moved onto their new reservation on the upper Neosho. Then in December, 1856, a well-publicized survey commissioned by the U.S. government precisely defined the reservation’s boundaries.

From the site of Council Grove located inside the reservation, the distance to the west boundary was five miles, to the east boundary fifteen miles, and to both the north and south boundaries ten miles. The Kaws had established three villages in 1848, one on Rock Creek less than a mile from the home of Cy Goddard, the county’s chief law enforcement officer.

What the Kaws thought of their reservation being overrun by white squatters was of no concern to Preston Plumb. But the governor of Kansas Territory, James W. Denver, after a meeting with a full delegation of Kaw chiefs in his LeCompton office on March 24, 1858, expressed in a letter to acting commissioner of Indian Affairs Charles Mix a radically divergent point of view:

“Their reserve is covered all over with white settlers, who will not allow them to plant their corn this spring, and they have no agent to protect them in their rights. If prompt measures are not taken in this matter you will find yourself compelled to subsist these Indians during the coming season or pay for their depredations on the surrounding whites...the settlers have set up their opinions at variance with the action of the government and resolved to resist it. Nothing but prompt and decided measures will do any good, and if you do not buy them out, the law ought to be rigidly enforced.”<sup>2</sup>

Denver's prediction of depredations was born out when on August 12 a fracas broke out between a party of Kaws and white squatters on Big John Creek near the northernmost of the Kaw villages. The white people involved were Adam Helm, P. D. Reed, and their wives. Some Kaws had come into Reed's house and allegedly became unruly. A struggle ensued during which several blows were struck. Helm shot a Kaw in the arm, whereupon the Indians struck both Mrs. Reed and Mr. Helm with a tomahawk, "...cutting his hand and head badly." With the Kaws in pursuit, Helm fled to his home, which the enraged Kaws proceeded to rob.

Later Helms claimed he lost beds and bedding, clothing, meat, flour, sugar, coffee, one calf, poultry, beans, melons, pumpkins, corn, and potatoes worth \$176.00. Reed's claim for stolen property was for \$63.25.

Two days after the incident, according to the testimony of another Big John Creek squatter, John Back, "...the greater portion of the tribe met with the citizens of Council Grove, and country surrounding it, Mr. T. S. Huffaker and Sam Sampson [a member of the Kaw tribe] acting as interpreters. The headmen were present, and admitted that they had taken property both from Mr. Reed and Mr. Helm,--and agreed to restore what was not destroyed or lost, and to pay for what they did not restore."<sup>3</sup>

That there were more benign ways to co-inhabit with the Kaws is illustrated by the contents of three letters signed by "Maggie" in April and May of 1857. We know very little about Maggie beyond what she revealed in these letters sent home.

In the spring of 1856 she had settled with her husband and extended family on Rock Creek three miles south of A. I. Baker's place. Her letters describe profound difficulties: sickness in the family, cold winds, cramped quarters, rampant claim jumping, and a meager diet. Maggie also clearly understood the ramifications of establishing a home on the Indians' land:

"All the land hereabouts really belongs to the Kaw Indians,...[It] has been set apart by Uncle Sam, as their reservation. It is a most excellent section of country,...White men come in here and are taking claims looking forward to the time when the Indians will be removed and the first settlers be able to get their land..."

Apparently, Maggie and her family succeeded in earning the Kaws' trust. On May 3 she wrote: "We feel we have some friends here. Even the Indians feel sorry for us. They go in and out at their own will, bringing articles to trade or giving us sympathizing calls. We are not at all afraid of them..."<sup>4</sup>

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1. *Kansas News* (Emporia), July 24, 1858.
  2. James Denver to Charles E. Mix, March 25, 1858, *Letters Received, Office of Indian Affairs*, Kansas Agency.
  3. Affidavits of Adam Helm and John Back, January 27, 1862, *Letters Received, Office of Indian Affairs*, Kansas Agency.
  4. *The Daily Republican* (Emporia), "Series of Old Letters," October 11, 1882.