Fr. Pierre-Jean De Smet's 1851 map of the upper Great Plains and Rocky Mountain region, showing the territories of tribes.
Library of Congress Geography and Map Division

LAKOTA STATESMEN *and the* HORSE CREEK TREATY *of* 1851

BY KINGSLEY M. BRAY

The Horse Creek Treaty of 1851 (sometimes called the First Treaty of Fort Laramie) was one of the set piece events of interethnic diplomacy on the Great Plains. For three weeks representatives of the United States government counselled with over 10,000 Plains Indians in an effort to redefine relations between native communities and the white man. It was one of the last times when native diplomatic protocols meshed with white procedures, resulting in the uniquely American experience of the Indian Peace Council. Extensive newspaper coverage of the gathering has permitted historians to construct narratives of the event, and to weigh the cultural assumptions, motivations, and agendas of both sides in approving the landmark agreement.[1]

Much has remained mysterious, however. No official council proceedings have surfaced. The lack of Indian accounts of the treaty has skewed our understanding of native perspectives on these crucial events. Above all, the intentions of native statesmen in concluding the pact have been obscure. The interpretation has prevailed that, like many other Indian treaties, Horse Creek was essentially a white project to impose colonial control on the tribal societies of the plains. Indian players, with incomprehension of or indifference to white agendas, were cajoled into signing an agreement they had no interest in, at best to share in the mass distribution of treaty presents. This view is typically grounded in sympathy with Indians, but it dangerously implies that the only role they played in their own dealings with Americans was as victims.

By contrast, this essay foregrounds Indian motivations and protagonists, and the political structures that shaped native engagement with their world. The role of men's societies will be assessed in the diplomacy leading up to the treaty. Historians have habitually viewed these associations as simply "warrior societies," their function limited to warfare. In fact men's societies played critical roles throughout tribal life. They were crucial to the redistributive economy of the Plains Indians, and the civil leadership of chiefs and elders repeatedly called upon societies to aid in shaping political strategies, and to pronounce decisions on making war and peace.[2]

As with "The Oglala Lakota and the Atkinson-O'Fallon Treaty of 1825" in this issue of *Nebraska History*, this article draws in detail from the American Horse ledger described in that article.

Over the past two years I have been uniquely privileged to assess traditional history preserved by Oglala Lakota leader American Horse (1839-1908). His original winter count, still preserved by descendants, contains a wealth of new detail which illuminates the period in question. The version published by the Smithsonian Institution in 1886, contains copies of the pictographs and English translations of the brief mnemonic captions for each "winter." The ledger book in which American Horse had his count transcribed in Lakota has extensive commentary on each of the entries, drawn from American Horse's own experiences and from his lengthy discussions with tribal elders. We shall draw in detail from American Horse as we go forward.[3]

In the 1840s the world of the Plains Indian was facing momentous changes. Hitherto their principal contact with white Americans was limited to the fur trade. The seven tribal divisions of the Teton Sioux or Lakota, principal power on the central plains, enjoyed a working accord with Americans that was grounded in the shared economy of the buffalo robe trade. In 1815 and 1825 they had signed treaties with the United States which in American terms extended sovereignty over Indian tribes. To the Lakotas these pacts seem to have legitimized, first, American water traffic along the Missouri River, then the movement of fur company pack trains through the interior of their territory. Presents given out at occasional councils with American officials were considered as recompense for these rights-of-way. In 1831 the goods issued to the Lakota were valued at just $920.00, a handful of knives, blankets, and goodwill gifts to a tribal population topping 11,000 souls.[4]

After 1840 these pacts came under critical review by the Lakotas. A new white presence appeared along the Oregon Trail ascending the Platte River at the southern end of their hunting grounds. Emigrants bound for new lands across the Rockies passed along the trail in growing numbers. Counted at first in scores, then hundreds, in 1844 the number passed 1,500, and in 1845 exceeded 2,700. These numbers skyrocketed after the discovery of gold in California in 1848 (see Table 1). Even in 1845 the comparatively low numbers of emigrants were creating an inordinate ecological effect. Their wagon trains were drawn by oxen which ate the same grasses as the buffalo, denuding pasture for game and pony herds. Oxen also transmitted diseases to buffalo. Coupled with an ecological downturn, the cyclical onset of droughty conditions which further eroded pasture, the buffalo economy of the Plains Indians was facing its most severe challenge in three centuries. Buffalo began to shun the Platte valley, foreshadowing the division of the animal's range into distinct northern and southern herds.

Table 1. Numbers of emigrants using the Oregon and California Trails, 1840-1851. Source: John D. Unruh, *The Plains Across: Emigrants, Wagon Trains, and the American West*, pp. 84-85.

Year	No. Emigrants
1840	13
1841	58
1842	125
1843	913
1844	1,528
1845	2,760
1846	2,700
1847	4,450
1848	1,700
1849	25,450
1850	50,000
1851	4,700

Indians were not slow to make the equation between resource loss and the emigrant traffic. The wagon trains were not covered, in Indian eyes, by the pacts agreed with the United States. Lakota camps traversing the Platte valley expected emigrants to offer goodwill feasts and presents. In 1846 a number of incidents indicated a growing native unrest. No wagon train faced the kind of frontal attack beloved of Hollywood, but emigrants were subjected to low-grade abuse. Francis Parkman documented an incident when Smoke's band of Oglala Lakotas was feasted near Fort Laramie. "One evening, they broke to pieces, out of mere wantonness, the cups from which they had been feasted; and this so exasperated the emigrants, that many of them seized their rifles . . . Before we left the country this dangerous spirit . . . had mounted to a yet higher pitch. They began openly to threaten the emigrants with destruction, and actually fired upon one or two parties of whites."[5]

A note of tension had been introduced into the long interlude of the robe trade alliance. American officials of the Office of Indian Affairs, in Washington, and especially at regional headquarters in St. Louis, Missouri, began to monitor the rumblings of discontent. Recommendations

by Indian Office personnel for reassessment of diplomatic relations with the Plains tribes began with the annual report of St. Louis District Supt. Thomas H. Harvey, penned in September 1846:

"The buffalo is already greatly diminished in number, and, judging from the comparatively limited country upon which they range, must, in process of time, be entirely destroyed. The emigration to the west is already keeping up an almost continual tide of travel over the plains, and all experience proves that game rapidly disappears before the fire-arms of the white man. Notwithstanding that the Indians kill great numbers of the buffalo, they do not kill them wastefully; and are exceedingly careful not to alarm them when they have no use for them. Not so with the white man; he kills for the sake of killing; and complaints have reached this office from the Indians that the whites are

Above: detail of the De Smet map, showing the area of present-day Nebraska

Left: a detail of the detail above (corresponding to the red box) on which Fr. De Smet noted the location of the "Great Indian Council & Treaty Ground" at the confluence of Horse Creek and the North Platte River.

wantonly destroying the buffalo—often killing them for their tongues."

"When the buffalo becomes scarce, the stock and persons of the emigrants will hardly be safe in meeting with half-famished savages in pursuit of game, especially when they look upon the emigrants as the cause of the scarcity of their source of subsistence."[6]

To remedy this situation Harvey recommended:

"I have suggested, in a former annual communication, the advantages that would result to the Indians in holding a general council, under the direction of the government, at some designated point, for the purpose of inducing them to enter into treaties of peace and friendship… The simple circumstance of bringing them together in a friendly way, would have a good effect; and were such a council held every three or four years, I have reason to believe its consequences would have been salutary. Surely the government, taking into view its humane and philanthropic policy towards the Indians, would be amply repaid, in the security of human life it would effect, for the two or three hundred head of cattle that might be consumed on the occasion."[7]

Picked up in succeeding years both by Indian Office field agents and Washington, the call for a general council of the Plains tribes was first sounded by Harvey. He explicitly grounded his recommendation in "complaints . . . from the Indians" themselves reaching his office. Those complaints were embodied in a petition addressed "To Our Great Father the President of the United States" by sixteen "Chiefs and head men of the Ogallalah and Brule Bands of Sioux Indians, inhabiting on the borders of Platte River." Forwarded from Fort Laramie, the chief trading post among the southern divisions of the Teton Sioux or Lakota people, the petition crossed Harvey's St. Louis desk early in May 1846. Because it is the document which set in motion the chain of events leading to the 1851 treaty, and because it clearly sets out the motivations of Lakota leaders, we should read the petition in full (text reproduced on right page).[8]

The petition was brought to St. Louis by Andrew Drips. Like all the white principals in the diplomacy leading to the treaty, Drips was a former fur trader.[9] An employee of Pierre Chouteau and Co., the biggest fur company headquartered in St. Louis, from 1842 he doubled as Indian Agent for the Upper Missouri. Drips' remit included closing the illicit trade in liquor to the Indians. Like other Chouteau appointees, he performed his duties favoring "the Company" while doing down all "Opposition" concerns. Drips based himself at Fort Pierre on the Missouri, but undertook annual circuits of the vast agency, visiting Lakota camps along the White and Cheyenne rivers, extending his progress as far as Fort Laramie, the Chouteau Co.'s main post in the Platte River valley. It was there, in January 1846, that he met in council with the chiefs and headmen of the Oglala and Brule Lakotas.

The official paper trail leading to the 1851 treaty begins with the chiefs' petition. It is crucial to realize that it was Indian initiative which generated the diplomacy. Their felt need for compensation for resource loss due to emigrant traffic motored the deepening dialogue from 1846 through 1851. This is not to say that the government did not have its own agendas in redefining treaty relations. In 1845 a new concept entered the American vocabulary. "Manifest Destiny" was the phrase coined by columnist John O'Sullivan to justify American expansion across the continent. It played into racialist theories like those of Senator Thomas Hart Benton, which rationalized the subjection of all other races (including American Indians) to the Caucasian or "White race." When officials in Washington began engaging with the concept of redefining U.S. treaty relations with the Lakotas, their mindsets were shaped by Manifest Destiny and its racial assumptions. Not for the last time, idealism, hardbitten realism, and deep-dyed cynicism marked the nation's Indian policy.[10]

White Americans were not alone in reimagining interethnic relations in light of new concepts. One of the most far-sighted of the rising generation of Lakota leaders was Man Afraid of His Horse (c. 1808-1889). He came from an Oglala family with a long tradition of leadership, which favored engagement with the white man. In 1835 he had been one of four leaders invested as Shirt Wearers—men dubbed "Owners of the Tribe," who embodied Oglala nationhood. At thirty-seven years old, in 1845 Man Afraid of His Horse was pondering

Laramis Fork Platte River

January 14, 1846.

To Our Great Father the President of the United States.

We the undersigned Chiefs and head men of the Ogallallah and Brule Bands of Sioux Indians, inhabiting on the borders of Platte River, take the opportunity through our agent to humbly make you the following representations [.]

For several years past the Emigrants going over the Mountains from the United States, have been the Cause that Buffaloe have in a great measure left our hunting grounds, thereby Causing us to go into the Country of our enemies to hunt, exposing out lives daily for the necessary Subsistence of our wives & children and getting killed on several occasions—We have all along treated the Emigrants in the most friendly manner, giving them a free passage through our hunting grounds, and in one and the only instance when our neighbours stole seven of their horses, we went in pursuit Captured the Horses and returned them to the owners gratis –

We are poor and beg you to take our Situation into Consideration, it has been Customary when our white friends made a road through the Red mans Country, to remunerate them for the injury Caused thereby; and we humbly hope you will not make us an exception to this rule; we do not claim this as a right but respectfully request it of you as a favor; and your Red Children will for ever pray for your happiness & prosperity—

In presence of

A. Drips Ind. Agt. / G. P. Cerre —Interpreters—Honore Picotte

Brule Band

Manto wa you we	*his mark*	*The Bustling Bear*
Wamandi Wakan		*The Medicine Eagle*
Chante Sapa		*Black Heart*
Nanpe Ganish Ka		*Mad hand*
Eraka irahkita		*Elk Hunter*
Tatanka Sapa		*Black Bull*
Chapapi		*He that Stabs*
Hoka san douta		*Red Bald Eagle*

Ogallallah Band

Ta chonka KoKi pa	*his mark*	*He who fears horses*
Chota		*Smoke*
Wakean zee		*Yellow Thunder*
Tatanka Nange		*Standing Bull*
Wahchichon Tanka		*Big white man*
Wa mini omini		*Whirl wind*
Mini sha		*Red Water*
Sia Tanka		*Big Foot*

Man Afraid of His Horse and Lone Horn at the 1868 Fort Laramie treaty council (detail of group photo).
Edward A. Ayer Collection, Newberry Library, Chicago

the changing nature of the American presence. The public mood, volatile, confused, demanded resolution. Scaling the face of Bear Lodge Butte, modern Devil's Tower, Man Afraid of His Horse sought a vision of guidance. The revelations he received were among the most complex and powerful, comparable to the great vision of Black Elk preserved by Nebraska's Poet Laureate John G. Neihardt. For the rest of his life, Man Afraid of His Horse called upon his vision to lend strength and insight to the strategy he began, that summer of 1845, to propound.[11]

Days later, Oglala bands gathered at Bear Butte on the northeast edge of the Black Hills to offer their annual Sun Dance. [12] Political debate focused on the emigrant traffic along the Platte. Councils were steered by the council of chiefs and elders, the *naca omniciye*. The *naca* had a long history of engagement with the colonial powers. They held a ceremony of renewal, inducting a new generational cohort of members. Man Afraid of His Horse was one of the inductees, who staged a dramatic dance, attired in horned headdresses, stamping and hooking like buffalo bulls. The membership acclaimed a select body of tribal chiefs, *wicasa itancan*, to handle relations with the United States for each of the bands that made up the Oglala people. This willingness to engage with Americans reflected these bands' position as key patrons of the buffalo robe trade anchored on Fort Laramie.

The northernmost Oglala band, the Oyuhpes, had weaker ties to the Fort Laramie trading community, and strong relationships with the northern Teton divisions. Among those divisions a philosophy was crystallizing which favored disengagement from the United States. Articulated by the Strong Heart warrior society, this isolationist strand of Lakota opinion resonated with the Oyuhpe leadership. At Bear Butte they acclaimed their own cohort of leaders, who argued for a less accommodating response to the white presence (see Table 2).

Invitations drew in significant numbers of other Teton divisions, plus delegations from eastern tribesfolk from beyond the Missouri. Councils reviewed the treaty signed in 1825, which Lakotas believed conceded to Americans the right to "take . . . pack-trains through their country." They concluded that the wagon trains on the Oregon Trail "abused the privilege and . . . made a bare place and frightened away the game."[13] It was determined to open dialogue with American officials about the emigrant issue. Reflecting the ideological tension between alliance-builders and isolationists, the candidacy of two spokesmen was debated. Red Dog, Hunkpapa by birth, had married into the Oyuhpe Oglalas. A proven warrior, he was honing a reputation as a persuasive orator, which he deployed in favor of redrawing the terms of the American alliance. A minimalist peace, grounded only in trade, with no agreement on rights-of-way through Lakota country, was articulated by Red Dog, approved by the Oyuhpe Shirt Wearers.

Table 2. Oglala tribal leadership, 1845. Source: Rick Two Dogs conversations with Kingsley M. Bray, 2015-2016.

OGLALA PROPER DIVISION,

Shirt Wearer (invested 1835)
Man Afraid of His Horse
***Wicasa Itancan* (invested 1845)**
Smoke
Shell Man
Standing Bull
Yellow Eagle

KIYUKSA DIVISION,

Shirt Wearer (invested 1835)
Big Crow
***Wicasa Itancan* (invested 1845)**
One Eye (Le Borgne)
Red Water
Fast Whirlwind
Bad Wound

OYUHPE DIVISION, Shirt Wearers (invested 1845)

Bear Comes and Stands
White Plume
Big Road Sr.
Black Bear

For the accommodationists, Man Afraid of His Horse made a series of important speeches which drew on his recent vision for spiritual sanction. His proposals centered around the concept of *igluwaste*, to make things right by gifts/reparations. Through his life Man Afraid of His Horse was repeatedly called upon to heal feuds and quarrels. His mastery of the calculus of gift reparations was acknowledged across the nation. In 1845 he deployed it to demand compensation from the Americans for resource loss—tapping into a long history of alliances with the colonial powers who bought tribal loyalty through gifts of clothing, tools, weapons, and food.

Consensus shaped around his position, and the council acclaimed Man Afraid of His Horse to present

Thomas Fitzpatrick.
National Park Service

the Lakota case. Reviewing his strength in battle, dream, and council, the massed warrior societies of the Lakota feasted their spokesman, proclaiming him "the brave man" of their nation. Thirty-four years later, greeting Secretary of the Interior Carl Schurz to the new Pine Ridge agency, Man Afraid of His Horse recalled the time "in former years [when] he was a great chief, and was the acknowledged ruler of the larger portion of the Sioux tribes."[14]

When agent Drips visited Fort Laramie in January 1846, he was met by Man Afraid of His Horse. Through Chouteau Co. interpreters Pascal Cerre and Honore Picotte, the Oglala chief made his concerns known. Supported by a Brule delegation, a formal appeal was made to "Our Great Father the President." The chiefs observed how earlier administrations had legitimized the use of routes through Indian territory by compensating "for the injury caused thereby." Citing the shifts in buffalo range away from the Oregon Trail, the chiefs urged that the Great Father "remunerate" the Lakota. Man Afraid of His Horse deployed the Lakota concept of *igluwaste* in his central contention, that the United States formalize and increase the distribution of goodwill gifts.

Superintendent Harvey forwarded the petition to the Indian Office in Washington. Five years of diplomatic activity, reports and recommendations, followed before Congress voted funds for a comprehensive treaty to redefine interethnic relations on the Northern Plains. Matching the ethos of Manifest Destiny, these were years of American expansion. Settlement of the Oregon question with Great Britain, and victory in the Mexican War, consolidated the republic's hold on the West. In April 1846 the Indian Office denominated a vast swathe of the plains as the Upper Platte and Arkansas Agency, and appointed Thomas Fitzpatrick as its agent in dealings with the Indians. Shuttling between St. Louis and field headquarters at Bent's Fort and Fort Laramie, Fitzpatrick would establish a more permanent American presence than his predecessor Andrew Drips. Handling diplomatic relations with half a dozen major tribes, his remit included the southern Teton divisions which traded into Fort Laramie.[15]

Fitzpatrick's appointment marked the start of deepening contact with the Oglalas and Brules. The Lakotas themselves were once more actively engaged in furthering relations.[16] In fall 1847 a large Oglala camp in the Nebraska Sandhills received word that the new agent planned to visit his Lakota charges. The chiefs' council convened. To widen the consensus for engagement, the chiefs invited another men's society, the Miwatani, to manage diplomacy with Fitzpatrick. The Miwatani was the Lakota version of the Plains-wide Dog society, an old and respected organization. With the chiefs' society the Miwatani were considered "men of sense," mature in judgment. The society pipe-carriers, Fast Whirlwind and White Cloud, were pledged to use their pipes "to quiet quarrels among Indians whether they belong to the society or not."[17] After conferring with the chiefs, this pair co-ordinated talks during a series of feasts and colorful society dances.

The Miwatani nominated four men to serve as Deciders, or *Wakichunze*, in relations with the Americans. Two were civil leaders, older men recognized as chiefs (*wicasa itancan*). The senior spokesman was Old Smoke, the chief memorably met by Francis Parkman the previous year. Portly, genial, an accomplished diplomat, Smoke was supported by another chief, Shell Man. Two younger men, Black Hawk and Brave Bear, were recruited from the Miwatani headmen. These Deciders were tasked by the council to administer dealings with Agent Fitzpatrick and to further the agenda of *igluwastte* propounded by Man Afraid of His Horse. The latter chief was not sidelined. He knew American engagement had to be supported widely throughout the tribe. Approving the Miwatani as peace facilitators, and Smoke as his partner in American diplomacy was a carefully calculated move. Smoke played a central role in dealings with Fitzpatrick during the agent's visits in spring 1848 and winter 1849-50.[18]

The new agent did not initially share the attitude of superiors in St. Louis, that the crisis in Plains Indian relations required a diplomatic solution. Fitzpatrick recommended a military response, strengthening the Army presence on the plains and inflicting punishment on offending tribesfolk. By the time the War Department ceded control of Indian Affairs to civil powers in 1849, Fitzpatrick had undergone a change of heart. Although he did not write detailed reports of his dealings with the Lakotas, Smoke and his peers convinced the agent that their people were sincere in their commitment to peaceful relations with the United States. Emigrant numbers grew exponentially after the 1848 discovery of gold in California, but Fitzpatrick acknowledged that Lakota attitudes to the wagon trains had improved.

The variable in the equation seems to be the influence of the Miwatani society in preventing warrior reprisals. After counselling with the Lakota in spring 1848, Fitzpatrick began recommending a great treaty council to which all the Plains tribes would be called, a landmark agreement to stabilize intertribal relations and secure the safety of the Oregon Trail. In St. Louis and Washington, Fitzpatrick's recommendation echoed the support of Superintendent Harvey for a "general council," and of Harvey's successor David D. Mitchell.

One plank of Fitzpatrick's strategy for the Plains remained the garrisoning of the Oregon Trail. He recommended strong cavalry installations on the lower Platte and at Fort Laramie. In June 1849 the Chouteau Co. sold Fort Laramie to the Army, relocating its Platte River operation to a smaller post downstream. Overnight Fort Laramie's function switched from trading post to protector of the emigrant trains. By August two companies of Mounted Rifles and one of the Sixth Infantry manned the post. Nine officers and 171 enlisted men comprised this initial garrison—a tiny force, but an unprecedented American presence on Lakota hunting range.[19]

The Lakotas were assured that the fort was to protect them from the surging emigrant tide. Skeptics and isolationists reserved judgement, but Smoke and his fellow Deciders approved the military presence. Over the next few years Smoke's own band of Oglalas "made their headquarters at Ft Laramie." Their camp was swelled with increments from other Oglala bands. Each summer the band departed on its buffalo hunt, uniting with other Oglalas near the Black Hills, but increasingly

***Ka-pés-ka-da, Shell Man, an Oglala Brave,* by George Catlin, 1832.** Smithsonian American Art Museum, 1985.66.76

Portrait of Col. David Dawson Mitchell by Charles Chambers.
Missouri History Museum, 1904-003-0001

"the old folks staid [sic] behind at Ft. Laramie, as did some people who had no horses."[20] Band members worked on the fringes of the cash economy, serving as herders, messengers, and interpreters for the traders. Marriages were made to officers and men at the fort, and within a few years more irregular liaisons followed. Beginning 1852, the Oglala council approved that Smoke's womenfolk plant gardens at campsites along Laramie Fork. Their approval was part of a strategy formulated by the chiefs and elders to tighten Lakota territorial claims in the changing world after the Horse Creek treaty.

What of the wider Lakota response to the United States? At the northern edge of the Lakota domain the Hunkpapa division had forged the weakest links with the American trading community. Conservative and aggressive in intertribal policy, they contrasted starkly with Smoke's attitude of accommodation. It was within their influential warrior society, the Strong Hearts, that an ideology of isolationism had taken root. Characterizing headman Little Bear, Joseph Nicollet summed up the attitude of many Hunkpapas: "Enemies of the whites . . . Independent spirit, who does not want the assistance of whites, and wishes that his band get along without them."[21] Such an ethos sat squarely against the values of the alliance builders backing new treaty relations with the United States. Yet in 1849 signs of a new moderation emerged. The Hunkpapa were clashing regularly with the River Crow in a new intertribal war in the valley of the lower Yellowstone. Well armed through their access to traders, the Crows landed a sequence of heavy blows along the west edge of the Lakota range, targeting the Hunkpapa summer buffalo hunt at the head of Grand River. Realizing their need to maximise trading opportunities, the Hunkpapa chief's council elected a complement of four *wicasa itancan*. These men, Running Antelope, Four Horns, Red Horn, and Loud-Voiced Hawk, were invested with hair-fringed shirts and authority to steer tribal policies. They nicely bridged the ideology gap, with Running Antelope a proponent of trade and alliance and Loud-Voiced Hawk a skeptic. For the moment their peers leaned toward Running Antelope's position. They accorded a cautious welcome to messengers from Man Afraid of His Horse, carrying news of Fitzpatrick's undertaking to hold talks on the Platte.

Hitherto the other southern Lakota division, the Brules, had played an unaccustomed secondary role in the U.S. dialogue forged by the Oglala leadership. The Brules considered themselves the parent group of all Lakotas. Since the days of Lewis and Clark the Brules had led their tribesfolk in critically engaging with the American presence on the plains. In 1849 the Brules moved to reassert their primary status. Late in the spring the Brules met in a great camp on the Platte. Events there underscored their unequalled ability at orchestrating large-scale gatherings. Contrasting with the incremental Oglala engagement with Drips and Fitzpatrick, the Brule council oversaw a systematic overhaul of their tribal organization. In a great double tipi on the campground almost 200 chiefs and elders gathered. Ten councillors assumed seats of honor, consulted among themselves, then dispatched escorts to bring forward four named leaders. The four—Iron Shell, Big Partisan, Eagle Feather Back, and Little Thunder—were invested to great public acclaim with pipes, pipe bags, and hair fringed shirts and leggings. They were proclaimed Honored Men,

Wicasa Yatapika, and empowered with authority nominally extending over all Lakotas. The elders harangued that the Honored Men's special responsibility was "to do everything with the whites that was good for their nation."[22]

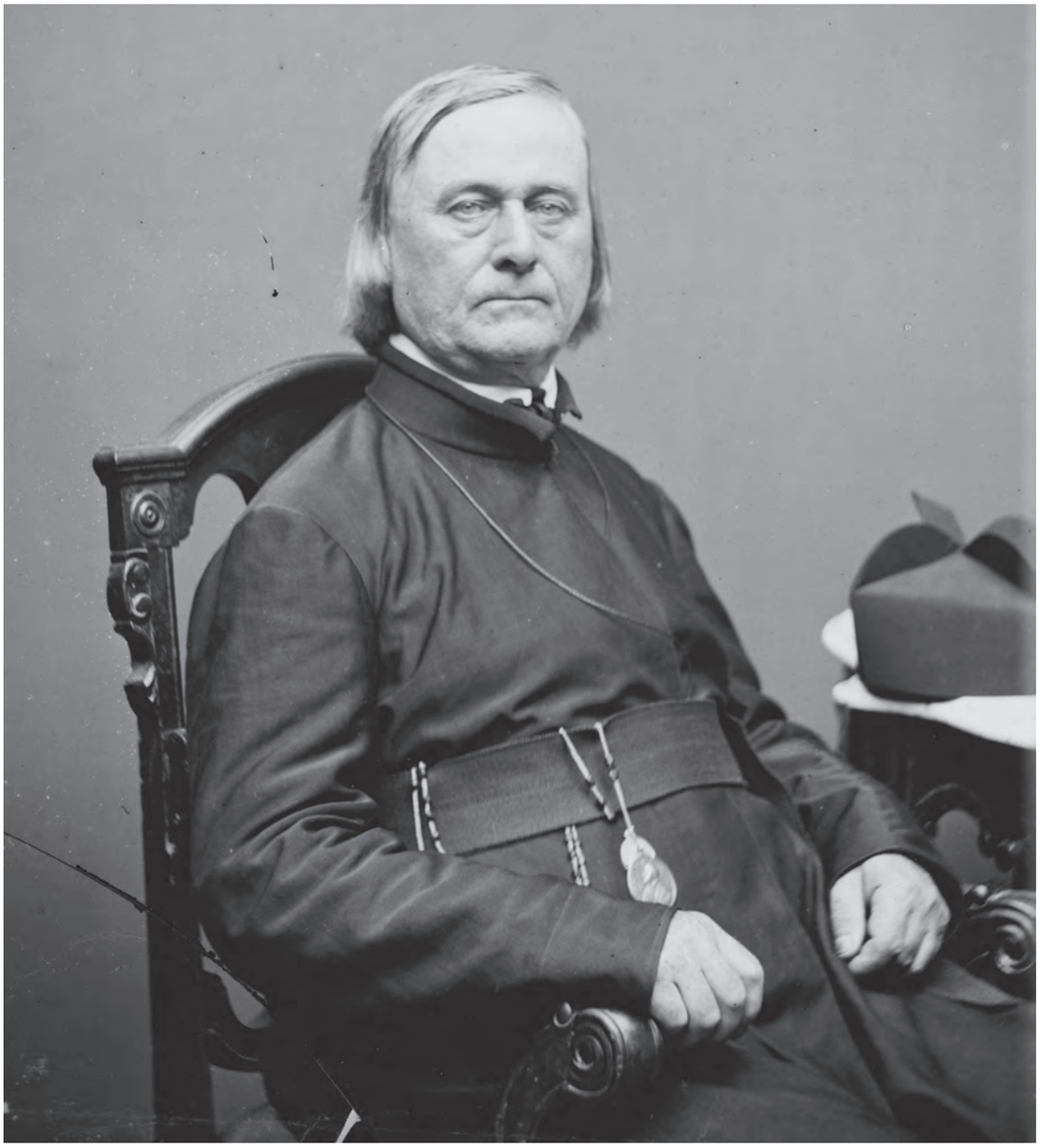
A cohort of leaders had been named to assert control over the dialogue with Fitzpatrick, and to shape the promised treaty councils. The Brule council had other appointments to make. To reflect all Lakota shades of opinion, it invested two younger leaders with hair fringed shirts. The Honored Men themselves chose Spotted Tail and Two Strike to serve as Shirt Wearers. Head warriors of their own bands, the pair balanced the peace agenda—they would critically oversee the American alliance, urge resistance should the situation warrant.[23]

An unforeseeable factor played a wild card in 1849. The emigrant numbers that summer topped 25,000, as the California Gold Rush started in earnest. Asiatic cholera, accessing the continental interior via the port of New Orleans, was carried westward from Missouri by the wagon trains. Hundreds of Brules and Oglalas were killed as the epidemic took hold along the North Platte.[24] Convinced that the sickness, followed by an 1850 recurrence of smallpox, was deliberately sent by the white people "to cut them off," a minority of Brules began to question the American alliance. If the pattern of leadership evident in the 1860s holds good, warrior factions found a voice in the Shirt Wearer Two Strike, who for much of his life advocated an arms' length relationship with whites. His comrade Spotted Tail was instinctively more expansive, but the two men effectively propounded resistance when interethnic relations crashdived during the First Sioux War (1854-56).

Fitzpatrick returned to Fort Laramie in December 1849, remaining for a six weeks' visit among the Lakotas. If Two Strike and others of his opinion were disaffected, they could not shake the consensus for peace and the treaty presents which alliance builders could define as reparations for white abuses. Fitzpatrick counselled with the large Lakota gathering, and made a careful distribution of presents. He advised that he hoped the treaty could be concluded in the summer, listened sympathetically to suggestions that a delegation of chiefs be invited to Washington. After lengthy sessions with the chiefs and Deciders, Fitzpatrick concluded that the Lakotas were fully committed to making a new treaty. Fitzpatrick returned to Washington to urge immediate action in holding treaty talks. He advised superiors that "the Indians of that country will never be found in better training, or their disposition more pliable, or better suited to enter into amicable arrangements with the Government, than they are at the present time." Further delays in settling their grievances, he stated, would be attributed by the Indians "to a course of tampering and temporizing, in order to gain time for the purpose of a maturing some plan or occasion for their disadvantage or injury."[25]

Despite Fitzpatrick's urgings, backed by recommendations from Superintendent David D. Mitchell, in 1850 Washington was preoccupied with the issue of slavery and the debates that culminated in September in the Great Compromise. Congress failed to vote appropriations to fund the treaty

Iron Shell, 1872.
National Archives



Fr. Pierre-Jean De Smet, portrait made in the Mathew Brady studio in Washington, D.C., in the 1860s. Library of Congress

councils. A whole year passed without significant advance in the peace plan. Finally, on February 27, 1851, an appropriation of $100,000 was voted "For expenses of holding treaties with wild tribes of the prairie, and for bringing delegates on to the seat of Government." Mitchell and Fitzpatrick were appointed commissioners to treat with the tribes, and they announced that councils would be held at Fort Laramie beginning September 1. Fitzpatrick undertook to advise the Indians of the time, venue, and the importance of securing adequate representations from all tribes.[26]

The Oglala and Brule councils convened to debate how to manage the treaty, and its unprecedented representation—many thousands of native people from eight tribal nations. Local privileges had to be balanced with collective identities. Able executive leadership had to be in place. The chiefs skillfully widened the debate once again. Their messengers invited four headmen of the Kit-Fox (*Tokala*) warrior society to the council tipi. One of the oldest of the societies, the Kit-Fox were the widest distributed—chapters existed in all Lakota divisions, while every tribe on the

Plains had local versions. They had developed a distinctive attitude toward the whites—a critical engagement, unlike the rejectionist Strong Hearts ideology. Their distinctive regalia, hairstyles, and paint-designs would be widely recognized. The Kit-Fox leaders—Brave Bear and Last Horse for the Oglalas, Come Killing and Trouble in Front for the Brules—agreed to engage their members in preparing for the summit.

The presence of northern Lakota leaders was essential to the success of the treaty. Hunkpapa guests had been present at the Sun Dance. Man Afraid of His Horse gathered a large embassy of headmen and warriors to travel to Fort Pierre on the Missouri and secure the presence of more Miniconjous, Sans Arcs and Two Kettles. He arrived about the time the Chouteau Co. steamboat arrived from St. Louis. The boat carried Pierre-Jean De Smet, a Jesuit priest who had won the respect of many Plains tribes. He came to ensure the success of the treaty. De Smet was carried on a robe from the landing by the four Hunkpapa chiefs, an encouraging sign from this most skeptical of the Lakota divisions. Over the next few days, Man Afraid of His Horse's invitations were matched by printed circulars presented to the major leaders. To match the host divisions' organizations, four men were chosen to figurehead the embassy as Deciders: Lone Horn (Miniconjou), Red-Tailed Eagle (Sans Arc), Black Moon (Hunkpapa), and Long Mandan (Two Kettle). Sacral blessing was extended when Hollow Horn, the keeper of the holiest of Lakota holies, the sacred Calf Pipe Bundle, agreed to travel to Fort Laramie.

When Fitzpatrick arrived at Fort Laramie late in July, a significant Lakota presence had already gathered. On August 30 Mitchell arrived with an escort of seventy-five dragoons, but without the wagon train of presents and provisions. That was already delayed by at least one week. Opening talks on schedule on September 1, Mitchell urged the necessity of moving the meeting-place down the Platte to find pasture and to minimize further delays. Debate was intense, observed the Missouri Republican's correspondent. "Big Yancton, one of the Sioux orators, was the only one opposed to moving from our present encampment. The advice and arguments of Terre Blue [Clear Blue Earth, appointed the main Brule spokesman], of the Sioux, and other Chiefs, prevailed, and the mouth of Horse Creek was selected."[27]

On September 4 the move was underway and over two days the massive camps were relocated thirty-six miles to Horse Creek. Two companies of troops led the procession, followed by white dignitaries and traders riding in carriages and spring wagons. Behind the sprawling Indian camps and pony herds, lumbered freight wagons laden with provisions. Extensive grassy meadows stretched on both sides of the North Platte. Mitchell located his headquarters in the angle made by creek and river, while Fitzpatrick made camp with the trading and mixed-blood community further up the creek. The south side of the river stretching eastward was reserved for troops, wagons, and the camps of visiting tribes and delegations like the Shoshone, who viewed their traditional foes with suspicion. The host tribes, Lakotas, Cheyennes, and Arapahos, pitched large camp circles on the north bank, plus unoccupied ground across the river and west from Horse Creek. The commission's military escort posted guards.

On September 6 over 1,000 Lakota men paraded into Mitchell's camp. "They marched in solid column, about four abreast, shouting and singing . . . In the center rode their principal chiefs, who carried an old American flag, which they say was given them by Gen[eral William] CLARK, in the early days of his superintendency." The flag, presented to a Lakota delegation that visited St. Louis in 1807, soon after the return of the Lewis and Clark expedition, memorialized the beginning of the nation's alliance with the United States. Carried in the row of Honored Men, chiefs and Shirt Wearers, it was a symbol of the hopes Lakota statesmen placed in the councils. Mitchell distributed tobacco, targeting the chiefs and elders, and vermilion paint for the warriors. Then he told them that talks would commence two days hence, the morning of Monday, September 8.[28]

On Sunday, the white man's "big medicine day," "the Sioux and Cheyenne women erected in the center of the encampment a kind of amphitheater, out of their lodges and poles, with an arbor in the center for the commissioners, Interpreters, and others." Three stout poles were lashed in tripod formation by the commission staff, and the Stars and Stripes run up in front of Mitchell's tent. In the Oglala village celebration went into overdrive, with large contingents of Cheyennes and Arapahos (tribal allies), and Shoshones (recent foes) being honored with feasting and dancing throughout the night.[29]

At 9:00 a.m. the following morning a cannon sounded assembly. Society staffs and banners marked the place of meeting. Near the center of the arbor chairs were placed for the commissioners,

officials, officers, and interpreters. Each tribal group arrived singing its own song. Around the perimeter were seated scores of chiefs and headmen, with warrior contingents grouped in the rear, and outside a bustle of native spectators, including dandies in their finery and maidens who "flaunted, [and] tittered." Attired in finest clothing, the Lakota contingent occupied the northwest segment of the lodge, with Cheyennes on their right. Guest delegations filled the spaces towards the open front or "horns" of the circle.

Seated at the rear of the council space, facing the officials, were the Deciders, cradling long-stemmed pipes and pipe bags. These men would co-ordinate debate and make substantive speeches. Clear Blue Earth, a revered Brule elder, sat at the honor-place, next to the co-host High-Back Wolf, the Cheyenne head chief. To Clear Blue Earth's left sat Looking Elk, fellow Brule Decider. Smutty Bear and Big Yankton led a deputation of Yankton Sioux from east of the Missouri. Lone Horn, Red-Tailed Eagle, Black Moon and Long Mandan represented Lakota visitors from Fort Pierre. Prominent seats were accorded the Oglala Deciders, Smoke and his peers, who had worked patiently for four years to make the treaty reality. Near them, smoking quietly, sat Man Afraid of His Horse, whose vision of guidance had shaped native agendas through the years of growing emigrant traffic. Poised uneasily between engagement and suspicion, the Hunkpapa chiefs gazed upon the proceedings.

Mitchell made the keynote address. He acknowledged that Americans wanted the right to travel over Indian lands, and for the Army to build posts to protect the travelers. However, the Great Father was aware of native grievances, and wished to compensate the tribes for loss of game and pasture. This compensation, the *igluwaste* that Man Afraid of His Horse and other statesmen had so long argued for, would be forthcoming—provided the tribes establish intertribal peace, define their boundaries, and each nominate a single head chief to be responsible for his people's conduct. Once all was agreed, the treaty signed, a $50,000.00 annuity would be paid for fifty years. A party of chiefs would return with the commissioners to visit the Great Father in Washington. Clear Blue Earth and other leaders made short approving responses, and Fitzpatrick adjourned the next session for two days, giving time for all to discuss the proposals.

The off-day was marked by intense councils within the tribal encampments. Mitchell and Brown found the Oglala village deep in debate over the terms. Although invited to attend they discreetly withdrew. This session was surely when a caucus of councillors appealed to Man Afraid of His Horse to be the Lakota head chief. Unambiguously, he declined.[30] This stipulation was the hardest for Lakotas to accommodate. Man Afraid and his peers knew that the scheme was unworkable. No one leader could represent all the numerous, wide-flung confederacy. Instead they had worked to widen and deepen the dialogue, engaging all the powerbases within tribal society to ensure a successful outcome. The following day, mouthed by Clear Blue Earth, the considered position of all Lakotas was voiced: "we can't make one chief."

Councils continued for the next four days. After Clear Blue Earth declared opposition to the head chieftainship concept, Mitchell warned the Lakota that their relatives the Eastern Sioux had just signed treaties ceding their lands in Minnesota. If they sought a place west of the Missouri, the Lakota should unite. Lakotas resisted the other controversial condition, definition of tribal boundaries. Clear Blue Earth dismissed the concept outright, declaring "we don't care for that, for we can hunt anywhere."[31] On September 12 officials presented a map blocking out the region, limiting Lakotas to the country north of the North Platte River and west of the Missouri. In late-night session in the Oglala council tipi the Strong Hearts warrior society made its voice heard. Matching the skepticism of the northern Strong Heart chapters, Sitting Bear, an Oglala society lance-owner, argued against accepting the terms: "They believed by accepting the terms it was like saying [the Americans] can take the other land outside the boundaries."[32]

Consequently, when talks resumed on the 13th, Oglala speakers pressed this issue. Smoke and Brave Bear argued that while they acknowledged the lands south of the Platte were Cheyenne and Arapaho hunting range, they had "always hunted on the south side" as far as the Republican River and the Arkansas watershed. They "claimed the same right now, and therefore objected to the line." Black Hawk, the main Oglala speaker, made an able presentation of historic Lakota claims south of the Platte, concluding: "You have split the country, and I don't like it . . . we whipped these nations [Kiowas and Crows] out of the way, and in this we did what the white men do when they want the land of the Indians." Forceful and articulate speakers, the Oglala opposition forced Mitchell to concede the point: as long as the tribes remained at peace, they might hunt and roam at will across the boundaries.

While this photo has been variously identified, a strong case can be made that it is Red-Tailed Eagle, the Sans Arc delegate to Washington in 1851-52. Smithsonian Institution, National Anthropological Archives

Long Mandan, Two Kettle Lakota signatory to the 1851 treaty.
American Philosophical Society

It was an important concession. After granting it, Mitchell returned to the issue of a Lakota head chief. He declared that if they could not select a chief, he would do so, but he would not impose a choice they disapproved. Instead he would name candidates until a consensus emerged. Matching the American concession on boundaries, Lakota counsellors agreed to canvass opinion.

The following day was another off-day, with public events centered on Fr. De Smet's mass baptism of over 200 children.[33] In the evening, the commissioners were visited by "large parties of soldiers belonging to two of the Sioux bands [probably Brule and Oglala, who] came in and gave us a dance."[34] During the day Lakota councils met. The Strong Hearts reserved judgment on the boundaries issue, but the consensus was to match concession. As hosts the Oglalas and Brules fielded the only serious candidates for the chieftainship. After Man Afraid of His Horse ruled himself out, a number of Oglala leaders were considered, with Smoke one obvious choice. Brule Honored Men Little Thunder and Iron Shell were also proposed. Speeches were made in favor of them all. Brule-Oglala rivalry, effectively muted over the weeks of preparation, now reared its head. The candidates cancelled each other out. Here if anywhere in the proceedings was the point when Kit-Fox officers may have been called upon to prevent escalating disagreement.

On the last full day of councils, September 15, Mitchell invited response.[35] Smoke, Clear Blue Earth, and other Lakotas made speeches, assuring the commissioners they could not name a head chief. Most speakers were candidates, or vocal supporters of candidates. At last Mitchell ordered the Lakotas to choose, pro rata from the divisions present, twenty-four "good men" to make a final choice. "This gave to some of the bands six or seven, and to others only three voters, but a fair representation according to numbers." The voters were seated in a semi-circle before the commissioners, with each division's voters grouped together, "and the whole band a few yards in the rear." Each voter was given a tally stick. Mitchell explained that he would bring forth his first nominee as "Chief of the nation. If they were willing to take him, and respect and sustain him as such, they would give their sticks to the Indian selected. If they did not wish to take him, they would keep their sticks or give them back to [Mitchell]." Then Mitchell led into the circle his and Fitzaptrick's preferred candidate, Scattering Bear.[36]

The commissioners' choice was canny. Scattering Bear was not a prominent chief identified with a specific band. He belonged to the Wazhazhas, a band whose main affiliation lay with the Brules but with a distinctive identity and connections to the Oglala and northern divisions—"a large and powerful family, running into several of the bands." Possibly the calculation of sidestepping the Brule-Oglala rivalry lay in the commissioners' reasoning. Scattering Bear had led the Brule contingent which addressed the petition to the president in 1846. Moreover, though not reckoned a chief, he was "a brave of the highest reputation." Fitzpatrick and Mitchell knew the support of the warrior body was fundamental to any ongoing agreement. Scattering Bear was eminent enough to be selected by the Brules to sit as one of the voting circle. The commissioners presumably had backup candidates in mind, but Scattering Bear ticked a lot of their boxes.

From the spectators his kinswomen shrilled their praise, to be immediately silenced by Scattering Bear himself. Stunned by the nomination, he addressed Mitchell: "Father, I am a young man and have no experience. I do not desire to be chief of the Dahcotahs. I have not attended the Councils much, because there are older and better heads in our nation than I am. There are men who know the white man longer than I have, and they know better what to do, and understand what you and our Great Father proposes for out good better than I do. Father, I have not attended the councils for several suns. I have been hunting buffalo, and I would not come here today if I had known that this would have happened. Father, I think you should have selected some older and wiser man than myself."

Reassured by Mitchell, Scattering Bear underlined his concerns and imperatives: "Father, I am not afraid to die, but to be chief of all the Dahcotahs, I must be a Big Chief . . . or in a few moons I will be sleeping (dead) on the prairie. . . . If I am not a powerful chief, my opponents will be on my trail all the time . . . [but] If you, Father, and our Great Father, require that I shall be their chief, I will take this office. I will try to do right to the whites, and hope they will do so to my people." Addressing the issue of opposed Lakota factions, he reiterated that he did not fear death by assassination. "I know the Great Spirit will protect me, and give many spirits of my enemies to accompany me, if I have to sleep for doing what you and our Great Father asks. The Great Spirit, the sun and moon, and the earth, knows the truth of what I speak."

Only after an hour of debate, during which chiefs and headmen hurried between their seats

and the inner circle of "good men," did a Yankton voter rise and present his stick to Scattering Bear. Then, each voter placed his stick in a pile in front of the candidate. The Brule voters did not move "until all the others had given in theirs," then they too placed their tallies before Scattering Bear. Finally the nominee threw away his own stick before rising to accept the vote. Immediately one of the old chiefs—representing the chiefs' council that had supported the big council for six years—"harangued the bands, and especially the young men, telling them to open their eyes and look upon the man who was hereafter to be the Chief of the nation—to have their ears bored, that they might listen to his words, and do what he said. Hereafter, this Chief was to be the voice of their Great Father."

Mitchell concluded the day's events by issuing to Scattering Bear "a number of presents to distribute among the nation. These he distributed with great exactness and justice, but reserved nothing for himself, nor would he give anything to his relations."

Another off-day in the schedule allowed the tribes time to prepare for the signing of the treaty, set for September 17. Signatories were agreed by councils. Just six Lakotas touched the pen to the document, four Brules, a Yankton, and a Two Kettle (see Table 3). This has led to controversy over whether the Oglalas and northern Lakotas actively refused to sign, either from opposition to the agreement, or from jealousy over Scattering Bear's acclamation. Undoubtedly such considerations animated discussions on the sixteenth. The Oglala chapter of the Strong Hearts continued opposing the agreement.

But we should not over-read the evidence. Commissioner Mitchell's conclusion bears repeating: "The different tribes, although hereditary enemies, interchanged daily visits, both in their national and individual capacities; smoked and feasted together, exchanged presents, adopted each other's children according to their own customs, and all that was held sacred or solemn . . . to prove the sincerity of their peaceful intentions . . . Invitations were freely given, and as freely accepted by each of the tribes to interchange visits, talk and smoke together like brothers, upon ground where they had never before met but for the purpose of scalping each other."[37] Even as clear-sighted an observer as trader E. T. Denig would remark how, after Horse Creek, truces between warring tribes became for several years "tolerably general."[38]

A national consensus favored the treaty. The role of the Deciders is fundamental here. They were pre-selected to act as speakers, signatories, and delegates. After the treaty was signed the delegation was named (see Table 4), and it included Miniconjou and Sans Arc Deciders Lone Horn and Red-Tailed Eagle, representatives of the northern divisions. Shell Man, one of the Oglala Deciders working for the treaty since 1847, was another delegate, suggesting that Oglala approval of the agreement was secured—however their council may have resented the imposition of Scattering Bear.

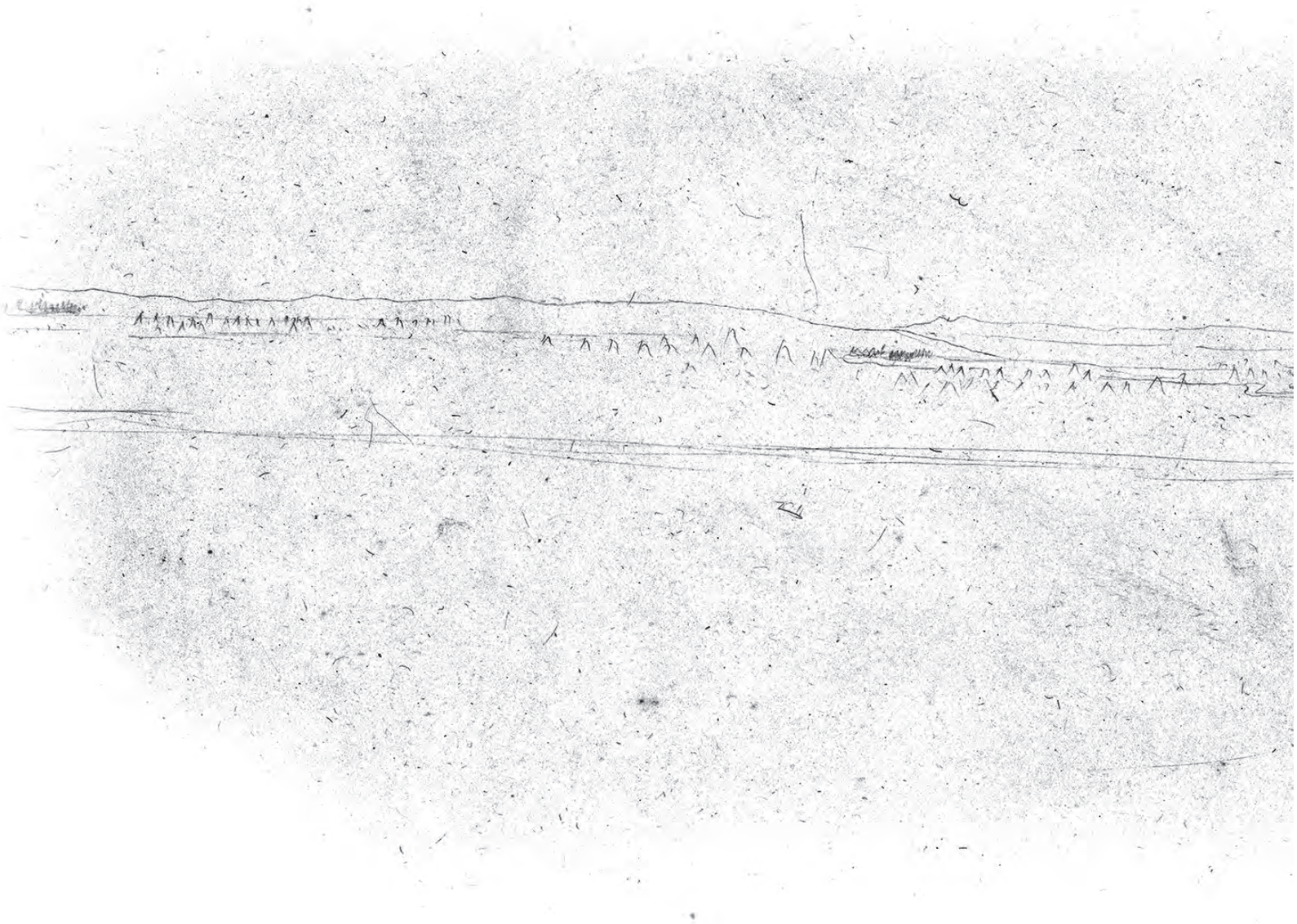
It was the two northernmost Lakota divisions where we can detect premonitory unrest. The Hunkpapa chiefs acclaimed two years earlier were all present, but notably did not field signatories or

Table 3. Lakota signatories to the Horse Creek treaty, September 17, 1851.

1.	*Mah-toe-wha-you-whey*	*Mato Wayuhi, Scattering Bear* (Brule)
2.	*Mah-kah-toe-zah-zah,*	*Makato Zhanzhan*, Clear Blue Earth (Brule)
3.	*Bel-o-ton-kah-tan-ga*	*Blotahunka Tanka*, Big Partisan (Brule)
4.	*Nah-ka-pah-gi-gi*	*Nahpa-zhizhi*, Yellow Ears (Brule)
5.	*Mak-toe-sah-bi-chis*	*Mato Sapiciye*, Smutty Bear (Yankton)
6.	*Meh-wha-tah-ni-hans-kah*	*Miwatani Hanska*, Long Mandan (Two Kettle)

Table 4. Lakota delegates to Washington following the Horse Creek treaty.

Looking Elk	(Brule, Wazhazha band)
Shell Man	(Oglala, Payabya band)
Lone Horn	(Miniconjou)
Red-Tailed Eagle	(Sans Arc)
Goose	(Sihasapa—nb. unaccredited by his divisional council)



Horse Creek Treaty Encampment, September 19, 1851. Sketch by William Quesenbury. The view is from the military camp and shows a number of tipi villages along the banks of Horse Creek. The sketch was made as the participants were preparing to disperse. It is the only known image of this important event. From the *Omaha World-Herald* William Quesenbury Sketchbook, NSHS RG5495.AM

delegates. A Sihasapa (Blackfoot Sioux) headman, Goose, presented himself as a delegate, but came without the nomination of his council. It may not be accidental that Goose belonged to the Sihasapa branch of the Wazhazhas, Scattering Bear's own farflung band. The Brule delegate Looking Elk was also a Wazhazha, hinting at that band's kinship networks working overtime in the days following Scattering Bear's acclamation.

Intelligence reaching Fort Union the following winter indicates an outline of the Hunkpapa response to the treaty: "they are willing to try and keep it for 1 year, so as to find out whether they derive any benefits from it or whether it is nothing more than empty promises—white men's lies."[39] The guarded opportunism of the Hunkpapa chiefs prefigures how their leadership first became intensely skeptical of entangling alliance with the white men. And Sitting Bull, in later years the key articulator of Hunkpapa resistance, was present at Horse Creek—scarcely twenty years old, but a proven warrior and vocal member of the Strong Hearts society. His speeches already carried weight when councils debated signing on September 16.

As impatient Indians prepared to leave Horse Creek for game and pasture, the wagon train of presents finally arrived on September 20. Twenty-seven wagons loaded with goods were unpacked and the presents distributed over the next two days. *Wakpamni tanka*, Big Giveaway, was the idiom many winter count keepers selected as the caption phrase for the year, drawing a striped blanket to symbolise the piles of blankets, nest of kettles, yards of cloth, crates of muskets, and kegs of gunpowder unloaded on the council ground. $100,000.00 worth of goods was an unprecedented, almost unimaginable windfall for tribesfolk used to a few knives and tobacco twists as goodwill gifts. In retrospect the spectre of a dependency culture hangs over the image; on the day it seemed to vindicate the diplomatic fight to secure *igluwaste*, compensation for the loss of resources.

The Kit-Fox society oversaw the distribution, a role they would reprise for the next generation when treaty goods were annually dispensed. A consignment of Army dress uniforms was presented to the chiefs—a Major General's outfit for Scattering Bear and the other tribal head chiefs, then down the scale through generals, colonels, and lesser officers. The uniforms were soon stowed away in parfleche trunks, but Scattering Bear was careful to appear in his when called upon to mediate in disputes with the Americans. White visitors viewed them as absurd, comic opera props, but to native communities they underlined the chiefs' influence with the United States, their two-way influence as "the voice of their Great Father."

The Horse Creek Treaty was the product of years of patient planning. Historians have long recognized the critical roles played by white officials like Harvey, Mitchell, and Fitzpatrick, in furthering interethnic diplomacy. Indian contributions have been neglected. Accounts have foregrounded the native pageantry of the event, stressed the cultural incompatibilities of the two races, or presented the treaty as a projection of colonialist interests while reducing the role of native players to unwitting foils. With our wider knowledge of Lakota tradition, we can now rehabilitate the role played by Indian statesmen. They initiated the dialogue with white officials that led to the treaty, and at every stage strove to widen and deepen the tribal backing for new treaty relations with the United States. That backing was multi-stranded, just as was the thinking in Washington that generated the treaty. The Lakota councillors present at Horse Creek spanned a gamut of positions via-a-vis the American presence on the plains. Some argued for a deeper engagement with the whites, were willing to consider radical proposals about the changing social and ecological environment of their homeland. Others tacitly approved the peace, while reserving judgment on controversial issues of guaranteeing intertribal truces. But all were actively engaged in shaping the terms of a new diplomatic paradigm on the high plains, intelligent players in a drama which set the stage for the critical era of Indian-white relations in the continent's heartland.

A large tipi circle at a Fourth of July celebration, Rosebud, South Dakota. J. A. Anderson photo, ca. 1890s-1910. NSHS RG2969-2-256

NOTES

[1] Extensive reports filed by DeGratz Brown were printed in the *Missouri Republican* through September-November, 1851. Several useful secondary accounts have been constructed from the reports, notably in LeRoy T. Hafen and Francis Marion Young, *Fort Laramie and the Pageant of the West, 1834-1890* (rpt. Lincoln, University of Nebraska Press, 1984), 177-96; LeRoy R. Hafen, *Broken Hand: The Life of Thomas Fitzpatrick, Mountain Man, Guide and Indian Agent* (rpt. Lincoln, University of Nebraska Press, 1981), Chapter 15; Remi Nadeau, *Fort Laramie and the Sioux Indians* (rpt. Lincoln, University of Nebraska Press, 1982), Chapter 5; Burton S. Hill, "The Great Indian Treaty Council of 1851," *Nebraska History* 47 (1966): 85-110. Modern ethnohistoric analyses of the treaty reports are presented in Catherine Price, *The Oglala People, 1841-1879: A Political History* (Lincoln, University of Nebraska Press, 1996), 31-37; Raymond J. DeMallie, "Touching the Pen: Plains Indian Treaty Councils in Ethnohistorical Perspective," in Frederick C. Luebke, ed., *Ethnicity on the Great Plains* (Lincoln, University of Nebraska Press, 1980), 38-53.

[2] The most important source on men's societies remains Clark Wissler, "Societies and Ceremonial Associations in the Oglala Division of the Teton Dakota," American Museum of Natural History, *Anthropological Papers*, Vol, XI, Part 1 (1912). Comparative information from a Brule perspective is afforded by Royal B. Hassrick, *The Sioux: Life and Customs of a Warrior Society* (Norman: University of Oklahoma Press, 1964), esp. Chapter One; and from a Hunkpapa perspective in Frances Densmore, *Teton Sioux Music and Culture* (rpt. Lincoln: University of Nebraska Press, 1992), 311 ff.

[3] Details from the American Horse winter count are derived from my conversations with Richard M. Two Dogs. The count is kept in a large ledger book and features pictographs with captions in written Lakota, and extensive glosses on each caption. It covers the period from 1775-76 until American Horse's death in 1908. In 1879 American Horse drew copies of the pictographs to date, together with captions that were taken down in English translation by Dr Wm. J. Corbusier. Corbusier's data are printed in Garrick Mallery, *The Dakota and Corbusier Winter Counts* (Lincoln: J & L Reprint Co., 1987).

[4] Kingsley M. Bray, *Crazy Horse, A Lakota Life* (Norman, University of Oklahoma Press, 2006), 17-19.

[5] Francis Parkman Jr., *The Oregon Trail*, ed. David Levin (Penguin: New York and Harmondsworth, 1982), 160.

[6] Thomas H. Harvey to Commissioner of Indian Affairs, September 5, 1845, in *Commissioner of Indian Affairs, Annual Report, 1845*, 75.

[7] Ibid., 71-72.

[8] The petition is enclosed with Thomas H. Harvey to Commissioner of Indian Affairs, May 6, 1846, Letters Received by the Office of Indian Affairs, Upper Missouri Agency, Record Group 75, National Archives and Records Service, Washington, DC.

[9] Harvey L. Carter, "Andrew Drips," in LeRoy R. Hafen, ed., *Mountain Men and Fur Traders of the Far West: Eighteen Biographical Sketches* (Lincoln: University of Nebraska Press, 1982), 332-45.

[10] The intellectual underpinnings of U.S. Indian policy are vividly rendered in Robert M. Utley, *The Indian Frontier of the American West, 1846-1890* (Albuquerque: University of New Mexico Press, 1984). For a critical reading of U.S. policy vis-a-vis the Lakota, see Jeffrey Ostler, *The Plains Sioux and U. S. Colonialism from Lewis and Clark to Wounded Knee* (Cambridge, UK: Cambridge University Press, 2004), Chapter One.

[11] Details of the vision were given by Jerome Kills Small, conversation with the author, January 16, 2006, and Rick Two Dogs, conversation with the author, April 20, 2015. See also statement of Nellie Two Bulls, in Kaare Vassenden, *Lakota Trail on Man Afraid of His Horses* (n.p., n.d. [Bergen, Norway]), 77-78. For Black Elk's vision, see John G. Neihardt, *Black Elk Speaks* (rpt. Lincoln: University of Nebraska Press, 1979), Chapter III; Raymond J. DeMallie, ed., *The Sixth Grandfather: Black Elk's Teachings Given to John G. Neihardt* (Lincoln: University of Nebraska Press, 1984).

[12] Details on the Bear Butte gathering, 1845, are derived from the American Horse ledger: Rick Two Dogs, conversations with the author, 2015-2016.

[13] This is based on a speech by Red Leaf, June 26, 1873, in *Fifth Annual Report of the Board of Indian Commissioners, 1873*, 168.

[14] "Red Cloud and His People, Secretary Schurz Among the Ogallalla Sioux," *New York Times*, September 22, 1879. For the term "brave man of the Sioux nation," see speech of Sitting Bull the Good, August 10, 1875, in *Report of the Special Commission Appointed to Investigate the Affairs of the Red Cloud Indian Agency, July, 1875; Together with the Testimony and Accompanying Documents* (Washington, DC: Government Printing Office, 1875), 302-303; also George E. Hyde, *Life of George Bent, Written From His Letters* (Norman: University of Oklahoma Press, 1967), 216.

[15] Fitzpatrick's role in diplomacy leading to the 1851 treaty is ably presented in Hafen, *Broken Hand*, chapters 13 and 14. See also Robert A. Munkres, "Broken Hand and the Indians: A Case Study of Mid-19th Century White Attitudes," *Annals of Wyoming*, 50 (Spring 1978): 157-71.

[16] All details on Lakota diplomacy with the United States, including the roles of named headmen and men's societies, leading to the treaty of 1851, are from the American Horse ledger.

[17] On the Miwatani society, see especially Clark Wissler, "Societies and Ceremonial Associations in the Oglala Division of the Teton Dakota," American Museum of Natural History, *Anthropological Papers*, Vol, XI, Part 1 (1912), 41-48.

[18] Fitzpatrick had planned to winter 1847-48 among Lakotas near Fort Laramie but changed his plans. This may be the context for the nomination of the four Deciders.

[19] Hafen and Young, *Fort Laramie and the Pageant of the West*, 139-43.

[20] Alex Adams was born in 1845, the son of trader David Adams and Smoke's niece Red Cedar Woman. He grew up in Smoke's Bad Face band and recalled his upbringing to anthropologist Donald Collier in 1939: Donald Collier, "Ogalala Field Notes, Feb-March, 1939," ms, University of Chicago Library, 28-29. See also Thomas Fitzpatrick to CoIA, November 19, 1853, *Commissioner of Indian Affairs, Annual Report, 1853*, 127-28.

[In] 1849 the Chouteau Co. moved its main operation forty miles down the North Platte. Independent operators James Bordeaux, Joseph Bissonette, and Ward & Guerrier all continued trading in the Fort Laramie vicinity.

[21] Edmund C. Bray and Martha Coleman Bray, *Joseph N. Nicollet on the Plains and Prairies: The Expeditions of 1838-39 With Journals, Letters, and Notes on the Dakota Indians* (St. Paul: Minnesota Historical Society Press, 1976), 261. This section on Hunkpapa attitudes follows Kingsley M. Bray, "Before Sitting Bull: Interpreting Hunkpapa Political History, 1750-1867," *South Dakota History*, 40:2 (Summer 2010).

[22] Little Thunder statement, December 8, 1854, in O. F. Winship, Acting Adjutant General, to Headquarters, Department of the West, January 8, 1855, embodying "Message from five Chiefs of the Brulees." See also Royal B. Hassrick, *The Sioux: Life and Customs of a Warrior Society* (Norman: University of Oklahoma Press, 1964), 28-30.

[23] American Horse ledger under year 1849; Two Strike interview, 1907, Edmond S. Meany Collection, University of Washington, Seattle.

[24] Approximately 500 Brules died in the cholera-smallpox epidemics of 1849-50. Kingsley M. Bray, "Teton Sioux Population History, 1655-1881," *Nebraska History*, 75:2 (Summer 1994): 180. The Orphan band, led by Iron Shell and Eagle Feather Back, was specially hit. Oglala losses were smaller, and focussed in the Skokpa band led by the Decider Black Hawk.

[25] Thomas Fitzpatrick to the CoIA, September --, 1850, in Commissioner of Indian Affairs, *Annual Report*, *1850*, 52.

[26] Hafen, *Broken Hand*, 279.

[27] *Missouri Republican*, September 26, 1851.

[28] *Missouri Republican*, October 5, 1851.

[29] Ibid.

[30] Makula interview, September 18, 1931, in Scudder H. Mekeel, "Field Notes Summer of 1931, White Clay District, Pine Ridge Reservation, South Dakota," ms, American Museum of Natural History, 51.

[31] *Missouri Republican*, November 2, 1851.

[32] Thomas American Horse statement glossing American Horse ledger, Rick Two Dogs conversation with the author, July 18, 2016.

[33] Fr. De Smet baptized 200 Indian children and twenty-five half breeds over Saturday (September 13) and Sunday. Over the next five days until departure after the distribution of presents, he baptized upwards of 700 more children. These included many socially eminent boys and girls.

[34] *Missouri Republican*, November 9, 1851.

[35] This section, including all quotations, is drawn from *Missouri Republican*, November 23, 1851.

[36] This is how the selection is detailed in the *Missouri Republican*. Some Lakota tradition indicates a debate over two candidates, Scattering Bear and Brule Honored Man Iron Shell.

[37] David D. Mitchell to Commissioner of Indian Affairs, November 11, 1851, *Commissioner of Indian Affairs, Annual Report, 1851*, 27-29.

[38] Edwin Thompson Denig, *The Assiniboine*, ed. J. N. B. Hewitt (Norman: University of Oklahoma Press, 2000), 46. For an assessment of one intertribal agreement *post*-Horse Creek, see Kingsley M. Bray, "Lone Horn's Peace: A New View of Sioux-Crow Relations, 1851-1858," *Nebraska History,* 66:1 (Spring 1985): 28-47.

[39] J. N. B. Hewitt, ed., and Myrtis Jarrell, trans,, *Journal of Rudolph Friederich Kurz: An Account of His Experiences among Fur Traders and American Indians on the Mississippi and Upper Missouri Rivers, during the Years 1846 to 1852* (rpt. Lincoln: University of Nebraska Press, 1970), 300.