

Excerpt from Governor's  
Biennial Report  
to the Legislature of Kansas,  
1879 36

heretofore assigned, when application was heretofore made for same party for same offense."

Upon examination, it appears that the requisition was based upon an *afidavit charging* the offense, and the warrant should have issued; and I now recommend that the same issue.

With this explanation and correction, I hope the amicable relations between the coëqual States of Kansas and Ohio may be restored.

Your Excellency's obedient servant,

ISAIAH PILLARS, *Attorney General of Ohio.*

INDIAN RAID.

In September and October last occurred an Indian raid resulting in loss of life and property at once terrible and disastrous. About Sept. 8th, it was rumored that a band of Northern Cheyenne Indians had left their reservation, near Fort Reno, and were moving toward this State. This report was promptly communicated to Gen. John Pope, commanding this military department, who assured me that there was no danger. He represented that the Indians in question had been driven out by hunger in search of food, that through neglect, or worse, had been withheld from them by the Government. He assured me, also, in most positive terms, of his disposition and ability to protect settlers from harm, should the Indians come into the State.

Little was heard further until Sept. 18th, when the following message was received by me at Leavenworth:

DODGE CITY, Sept. 18, 1878.

GEN. T. ANTHONY, *Governor*: Three hundred Indians are driving off stock and killing herders. They are now within six miles of our city. We are without arms, having equipped numbers who have gone south. Can you send us arms and ammunition? Situation alarming. We are powerless without arms and ammunition.

JAMES KELLY, *Mayor.*

C. W. WILLETT.

H. E. GREYDEN.

D. SHEELY.

This was at once communicated to Gen. Pope by me, and responded to as follows:

[Telegram to Gen. Pope.]

SEPTEMBER 18, 1878.

MAJ. GEN. JOHN POPE, *Fort Leavenworth*: Following just received from Dodge City: "Three hundred Indians are driving off stock and killing herders. They are now within six miles of our city. Situation alarming. We are powerless and unprotected. Can you send us arms and ammunition?" Are these reports true, and is State intervention necessary to protect life and property? Answer here.

GEN. T. ANTHONY.

[Gen. Pope's reply.]

FORT LEAVENWORTH, KAS., Sept. 18, 1878.

GOV. ANTHONY: Gen. Pope in town. Telegram just received from commanding officer Fort Dodge, who has for a week had his orders about the Indians, makes no mention of their being in the vicinity.

PLATT, A. A. G.

The parties were immediately directed to look to the commanding officer at Fort Dodge for assistance, and Gen. Pope advised accordingly, as follows:

[Dispatch to Mayor Kelly, Dodge City.]

LEAVENWORTH, KAS., Sept. 18, 1878.

TO JAMES KELLY AND OTHERS, *Dodge City, Kas.*: I have your demand for arms. Have you called on commanding officer at Fort Dodge for protection? He does not report trouble to Gen. Pope. Will send on special train arms in charge of Adj.-Gen. Noble.

GEO. T. ANTHONY.

[Dispatch to Gen. Pope.]

SEPTEMBER 18, 1878.

GEN. JNO. POPE, *Fort Leavenworth*: Have referred parties calling for aid to commanding officer, Fort Dodge, and promising arms if U. S. forces could not protect them. Special to Kansas City press reports murders by Indians near Dodge City.

GEO. T. ANTHONY, *Governor*.

Soon after the above, a second and still more urgent demand came from Mayor Kelly, and was followed by a second one upon Gen. Pope, and the inauguration of measures to extend the aid required if the General failed to respond, as the following telegrams will more fully show:

[Dispatch from Dodge City.]

DODGE CITY, KAS., Sept. 18, 1878.

GOV. GEO. T. ANTHONY: Indians are murdering and burning houses within three miles of town. All the arms we have have been sent out: can you send us arms and ammunition immediately?

H. SHINN.

T. S. MCCARTHY.

R. W. EVANS.

JAMES C. CONNOR.

C. W. WILLETT.

[Dispatch to Gen. Pope.]

LEAVENWORTH, KAS., Sept. 18, 1878.

GEN. JNO. POPE, *Fort Leavenworth, Kas.*: Mayor and citizens say Indians are murdering and burning houses within three miles of Dodge City. I must send arms and ammunition if you have not an adequate force there to protect citizens. Answer.

GEO. T. ANTHONY.

[Dispatch to General-Manager Strong.]

SEPTEMBER 18, 1878.

W. B. STRONG, *Gen'l Manager A. T. & S. F. R. R., Topeka*: Can you send special with arms and ammunition in charge of Adjutant-General Noble, to-night?

GEO. T. ANTHONY.

[Mr. Strong's reply.]

TOPEKA, KAS., Sept. 18, 1878.

GEO. T. ANTHONY: Yes, sir. Name the hour you wish to have the train start, and the place you wish to reach.

W. B. STRONG.

Mayor Kelly answered my telegram, referring him to commanding officer at Fort Dodge, in words following:

DODGE CITY, Sept. 18, 1878.

GOV. ANTHONY: No U. S. troops here, and no arms at post. The country filled with Indians. Send arms immediately—breech-loaders.

JAMES H. KELLY,  
*Mayor Dodge City.*

Upon receipt of this I at once visited Gen. Pope, who again asserted that it was a "scare," and said there were not more than seventy-five warriors in the party, and they absolutely free from hostile intent upon the lives of settlers. His information also was to the effect that no Indians had been within many miles of Dodge City, and the report to me of depredations on that day entirely without foundation. On this authentic information the sending of arms was deferred until the following day. Mayor Kelly was advised of Gen. Pope's views, and was offered arms, if still required, as follows:

[Dispatch to Mayor Kelly.]

SEPTEMBER 19, 1878.

JAMES H. KELLY, *Mayor Dodge City, Kas.*: Adjutant General will come with arms and ammunition by to-day's train, if you still deem it necessary. Gen. Pope says there are not seventy-five Indians now at large. Answer at Topeka.

GEO. T. ANTHONY.

[Dispatch to Manager Strong.]

SEPTEMBER 19, 1878.

W. B. STRONG, *General Manager, Topeka*: Adjutant General will go down with arms on passenger train to-day. Please provide for him.

GEO. T. ANTHONY.

Adjutant-General Noble went out with arms and ammunition, as above indicated, and issued them in numbers and manner shown by the following report:

DODGE CITY, KAS., Oct. 20, 1878.

GOV. GEO. T. ANTHONY: Have issued one hundred stand of arms and seven thousand rounds of ammunition to Mayor of Dodge; forty stand and two thousand ammunition to citizens of Cimarron; also, sixty stand and ammunition to Capt. Friedley, of Medicine Lodge, upon urgent request. All quiet at Dodge now, and citizens feel confident that they can meet any

emergency. Rumors that Indians are near Lakin, and United States troops concentrating at other points. Shall return to-night, as nothing further can be accomplished by staying. P. S. NOBLE, *Adjutant General*.

I was at Iuka, Pratt county, on the 24th of September, and found much excitement; some settlers actually leaving from points not less than twenty miles south and west of that place. To get the truth and allay fears, I sent a trusty messenger to Capt. Johnson at once, with a request that they go to Sun City and report the result of careful investigation. Capt. Johnson reported the next day, as follows:

Sept. 25, 1878.

MR. ANTHONY: I received a letter from you this morning, handed me by our friend Mr. Nelson. Was pleased to see the interest you take in our Indian scare, which is much smaller than reported. Mr. Nelson and myself went to Sun City, and found out all particulars in regard to the Indian trouble. Mr. Nelson has the names of killed and wounded, except two men. I anticipate no further trouble from Indians. A. J. JOHNSON.

Mr. Nelson reported three killed and three wounded, and fully sustained the views of General Pope, that the Indians were only in quest of food, ponies and arms, and were not disposed to attack any one until resisted in such taking of property.

#### THEY GO NORTH.

On October 2d the following telegrams were received by me at Leavenworth:

ELLIS, October 2, 1878.

GOV. ANTHONY: Reliable information has just been received that eighteen white men were killed this morning by Indians, near Buffalo. Please send immediately one hundred guns and ammunition to Ellis, together with such other assistance as you can afford. We can furnish a number of volunteers.

DAVID RATHBONE.

ELLIS, October 2, 1878.

GEO. T. ANTHONY: Cheyennes depredating western Kansas; troops have scattered them, and made matters worse. Our men need arms badly; help us.

J. C. HENRY,

*Secretary Western Kansas Stock Association.*

Response was immediately made that arms would be sent and Adjutant General directed accordingly, by wire:

[Telegram to Mr. Henry.]

LEAVENWORTH, October 2, 1878.

J. C. HENRY AND DAVID RATHBONE, *Ellis, Kas.*: Will send Adjutant General with arms to-night. Keep me fully advised of the situation.

GEO. T. ANTHONY.

[Telegram to Adjutant General.]

LEAVENWORTH, KAS., Oct. 2, 1878.

P. S. NOBLE, *Adjutant General*: Be prepared to go west on Kansas Pacific train to-night, with one hundred and fifty arms and ammunition, if ordered.

GEO. T. ANTHONY.

[Telegram to Sup't Oakes.]

LEAVENWORTH, KAS., Oct. 2, 1878.

T. F. OAKES, *Gen'l Supt. K. P. R. R., Kansas City*: Call for arms to resist Indians at Ellis. Will you authorize passenger train to take them to-night?

GEO. T. ANTHONY.

[Sup't Oakes's reply.]

HUGO, COL., Oct. 2, 1878.

GEO. T. ANTHONY: This will authorize you to ship the arms to Ellis by passenger train, free of charges.

T. F. OAKES.

I went at once to Fort Leavenworth and had an interview with Gen. Pope. He gave me particulars of the movement of Indians, and of troops in pursuit. Did not believe the report of massacre, and authorized me to say to all parties on line of Kansas Pacific Railroad that the Indians had all left the State with military in close pursuit—"Not a hostile Indian within a hundred miles." This interview was immediately reported, and additional information sought.

[Telegram to Mr. Henry.]

LEAVENWORTH, Oct. 2, 1878.

J. C. HENRY AND DAVID RATHBONE, *Ellis, Kansas*: Had interview with General Pope, who says: No hostile Indians in Kansas; no Cheyennes within a hundred miles of Buffalo to-day. Have you confirmation of dispatches sent me? Answer.

GEO. T. ANTHONY.

[Telegram to Station Agent.]

LEAVENWORTH, Oct. 2, 1878.

STATION AGENT, *Buffalo Station, Kansas*: Reported eighteen citizens killed by Indians to-day near you. Give me essential facts by wire at once.

GEO. T. ANTHONY, *Governor*.

[Station Agent's reply.]

BUFFALO, KAS., Oct. 2, 1878.

GEO. T. ANTHONY, *Governor*: J. C. Henry has given you all the particulars.

C. T. LYON, *Agent*.

Telegrams were immediately received fully confirming reports of outrages made earlier in the day, and claiming that Indians were still in the vicinity:

[Telegram from Mr. Keeny.]

WAKEENY, KAS., October 3, 1878.

GEO. T. ANTHONY: Three Indians seen this morning eleven miles north from here by Clark, whose word is as good as General Pope's.

J. F. KEENY.

[Telegram from Mr. Henry.]

BUFFALO, KAS., October 2, 1878.

GEO. T. ANTHONY, *Governor*: Seventeen men known to be killed, on Sappa; one wounded, on Solomon, night before last; settlers in southern Nebraska in great danger. Surgeons from here with citizens' guard to go north will meet Adjutant.

J. C. HENRY.

Arms and ammunition were sent with the Adjutant General, who issued them, and took security therefor, at such points as they were demanded; a full report of which follows:

TOPEKA, KANSAS, Oct. 15, 1878.

TO HIS EXCELLENCY GEO. T. ANTHONY, *Governor, and Commander-in-Chief*: According to orders received from you, I proceeded to distribute arms along the line of the Kansas Pacific Railway, taking such security therefor as I could get, in consideration of the exigencies of the case and demand of the parties. The following are the places and names of parties to whom arms were issued under the above orders:

J. F. Keeny, Wakeeny, Kas., 50 Sharp's carbines and 1,300 rounds of ammunition.

O. B. Richards, at Carlyle, Kas., 10 carbines and 300 rounds of ammunition.

G. W. Kimball and others, Ellis, Kas., 50 carbines and 1,000 rounds of ammunition.

J. R. Hamilton, 20 carbines and 700 rounds of ammunition.

Kansas Pacific Railway Company, at Buffalo, 30 Sharp's carbines and 1,000 rounds of ammunition.

J. M. Gravelly, 2 Sharp's carbines.

J. C. Henry, Ellis, Kas., 50 Sharp's carbines, with 4,000 rounds of ammunition.

J. H. Edwards, 20 Sharp's carbines and 2,000 rounds of ammunition.

J. H. Marr and others, and J. L. Worley and others, of Norton and Decatur counties, 100 carbines, with 2,000 rounds of ammunition.

I arrived at Ellis, made the proper distribution, and then telegraphed for special train to take me along the line at the different points. Left Ellis, accompanied by Hon. J. H. Edwards, at 7 o'clock; reached the last station, Carlyle, at 12 midnight, and returned as far as Wakeeny, where I found great excitement in regard to a rumor that Indians had stamped the ranch of Mr. Henry. The rumor proved false, and quiet reigned to a certain degree. In fact, the whole country is alarmed, and the demand for arms is tenfold that which can be supplied by the State.

I wish to say right here, that in the matter of bonds, I was compelled to violate the provisions of the statutes as to the issue of such arms, and took the responsibility of letting citizens have them where in my opinion there was danger of attack.

I trust my action in the matter will be justified; and I know it would have been condemned had I lived up to the strict letter of instructions and

the law, and refused such aid. I shall take the opportunity, in making my report, to call the attention of the Legislature to this matter, suggesting that discretionary power be given the Adjutant General in such cases, thereby relieving him of the responsibility imposed by the present law.

I am, sir, very respectfully, your obedient servant,

P. S. NOBLE, *Adjutant General.*

The history of this sad affair is conclusive of neglect and inefficiency somewhere. Confiding in the superior knowledge of Gen. Pope, and his positive and repeated assurances of protection, I did not act beyond urging and demanding what the State had a right to expect from the General Government—absolute protection. That Gen. Pope was sincere in his assurances of safety, there can be no doubt. That he was sadly in error, cannot be denied.

There can be but one means of sure protection from a recurrence of this disaster: the Indians must be put under military surveillance, with an adequate force to hold them upon their reservations. To protect the western border against bands of Indians, allowed, as these were, to roam, would require a standing army larger than the whole military force of the United States.

I have made urgent demand upon the General Government for the surrender of the chiefs, and such members of this depre-dating band of Indians as may be identified, to the civil courts of the State, for trial. Also, that an adequate force be stationed on the southern border between us and the Indian reservations, to fully protect the State. Compliance with both these demands has been assured. That you may fully understand the *status* of the demand for surrender, I add the correspondence in relation thereto:

TOPEKA, KANSAS, NOV. 11, 1878.

SIR: On Sept. 9th past, a band of Northern Cheyenne Indians escaped from their reservation, at Fort Reno, I. T., and took up their march northward. In their passage across this State, which covered a period of nearly thirty days, they not only evaded capture by the U. S. military forces, but they committed crimes against life and property, savage and revolting in their character, and disastrous in pecuniary loss.

More than forty men were murdered, and many women ravished and worse than murdered. An Indian invasion, so unexpected and so revolting in its fiendish details, has awakened a feeling of profound anxiety, and a

rightful demand for the adoption of extreme measures to prevent a recurrence. If this band can be permitted to flee its reservation and traverse two States, plundering and murdering at will, before even a portion of their number are captured, and not meet with exemplary punishment, then the reservation system should be abandoned as a failure, and the frontier citizen surrendered to a condition of perpetual peril.

To end such undertakings on the part of the Indians, and protect the future from their consequences, an example of adequate punishment should be made in their case.

To return this band to their reservation, with its chiefs and leaders, would be a wrong to this State, against which I protest in the name and on behalf of its entire population. I cannot believe such a thing will be seriously contemplated.

On mature reflection, and with thoughtful reference to the demands of law and justice, as well as the ends of public safety, I feel it an imperative duty to call upon you for a surrender to the proper officers of the civil courts of the State of Kansas, for trial and punishment under its laws, the principal chiefs, "Dull Knife," "Old Crow," "Hog," "Little Wolf," and others, whose identity can be established as participants in the crimes of murder, and woman-ravishing.

I believe there is a precedent for this demand, in the surrender to the civil courts of Texas of "Satanta," and one other chief, in the year 1872. But if there is no precedent, public necessity and simple justice would, I believe, be ample justification for this demand.

The laws of Kansas work a practical abolition of capital punishment, but the fact of surrender to the civil authorities for trial, with a conviction followed by sentence of death, or imprisonment for life, would have a salutary effect, and, as I believe, work protection and comparative security.

Very respectfully,

GEO. T. ANTHONY, *Governor of Kansas.*

To the Hon. Secretary of War, Washington, D. C.

HEADQUARTERS DEPARTMENT OF THE MISSOURI, }  
FORT LEAVENWORTH, KAS., Dec. 31, 1878. }

*Hon. Geo. T. Anthony, Governor of Kansas, Topeka, Kansas:*

GOVERNOR: I have the honor to inform you that I have received orders from the War Department to turn over to the civil authorities of Kansas, such of the Cheyenne prisoners *en route* to this place, from the north, as can be identified as the criminals who committed murder or other crimes during the raid of the Indians through Kansas in September last. As it is desirable not to keep these Indians here longer than necessary, I have to request that such persons as may be needed for the identification of the criminals be sent to meet the Indians on their arrival here. I cannot yet tell exactly when they will reach here, but I will notify you by telegraph as long as possible in advance—perhaps a week.

A considerable force of infantry will be sent within a few days to Camp Supply, and to a point on the Canadian, half-way between that post and Fort Reno, to cover the southern line of Kansas as far as is practicable for the present.



Of course you know as I do, that infantry is not a very effective force to head off or pursue parties of mounted Indians. You know also that until parties of Indians from the Indian Territory break away we have no right to act against them except on application of the Indian agent, or until they have passed out of the limits of their reservation; and that we have no power to inquire into their condition or wants, or to remedy either, nor can we use any precautionary measures of repression, whatever may be the indications of their purpose to break away, unless first asked to do so by the agent. Thus tied up, there is nothing left to the military except to wait until the Indians are gone or until the agent asks the military to act, which for obvious reasons he is very reluctant to do until it is too late for effective measures to prevent trouble.

For these reasons, a considerable cavalry force is needed, not only near these Indians, but on the western frontier of Kansas, to take the field whenever parties of Indians leave their reservations.

The condition of affairs in the Indian Territory makes such a force absolutely necessary on this frontier, but I regret to say that necessities equally pressing in other parts of the country, and even more pressing in some places, demand the service of cavalry elsewhere; and although both Gen. Sheridan and myself understand and have long understood and tried to provide for the necessities of the situation, as has also the General of the Army, there is actually not the cavalry force to send for the present. I hope, however, before many weeks, to get six companies of cavalry, which I will so place as to secure the frontier settlers as far as activity and zeal can do so with such a force.

I write this letter to you, that you may understand the position in which the military forces of this department are placed in relation to the Cheyennes and Arapahoes, Kiowas and Comanches, and other wild Indians in the Indian Territory.

I repeat that we are powerless to act against these Indians, whatever we may know or believe of their purposes, until they leave the limits of their reservations, or until the Indian agent asks military interposition.

It would not be difficult for the military forces, if they had the authority to encamp at these agencies, to feed the Indians so that they would have no excuse to leave; and to enforce their stay at the agencies by constant repressive force, if necessary. Unfortunately we have no such power; and our only function is to *pursue*, which, as you need not be told, is almost unavailing over these wide plains, after the Indians have once started. It is due to the military forces that I should write these facts to you, as there appears to be a disposition to censure the troops for transactions which they have no power to control, either by precautionary or repressive measures.

Very respectfully, your obedient servant,

JNO. POPE,

*Brevet Major General U. S. A., Commanding.*

GEO. T. ANTHONY, *Governor.*

EXECUTIVE DEPARTMENT, TOPEKA, Jan. 13, 1879.