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### *Contraband Camps and Indian Reservations: Federal Authority Beyond the Reconstruction South*

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*“The territory no longer precedes the map, nor survives it. Henceforth, it is the map that precedes the territory—**precession of simulacra**—it is the map that engenders the territory and if we were to revive the fable today, it would be the territory whose shreds are slowly rotting across the map.” –**Jean Baudrillard**, (Simulacra and Simulations) 1988.*

Soldiers schemed in ways that would enrage their Northern ministers, bring shame to their families, and devastate their wives and mothers, to whom they wrote weekly letters. The war ended, and the remaining members of the Union Army no longer faced an enemy in dressed in grey, who could plan a surprise attack on them in the middle of the night. They no longer worried if they would be taken to a prison in the Deep South, starved and beaten at the hands of former slaveholders, who did not wince at the sight of blood dripping from a whip or who would feel no remorse at witnessing grown men reduced to tears. They also no longer feared their bodies would be infected with measles or dysentery or pneumonia, because, unlike in the South, plagued by a decade of disease and death, the West promised to be different.

In the Western territories, away from the destruction of war, the troubles of freed slaves and the condescending attitudes of white Southerners, they recognized the unfettered power they had. The blue uniforms they wore carried currency and had meaning, particularly to a population of people, whom they considered as “savages“ and who were actually starving to death. So, they began to hedge their bets, to see how valuable the limited food they had was to Native Americans. We cannot hear them as they began conniving, whispering propositions and cajoling their fellow soldiers that this was a good idea. We can’t see how their whispers eventually turned into gazes and snickers as they let go of their morality and their homespun virtues of manhood and allowed their sexual desires and imagination to take over. This would not be the first time that some of them saw their Union uniform as a license to have sex with whomever they wanted.<sup>1</sup>

Throughout the war, reports flooded chaplain’s tents and rumors filled the air about how Union soldiers sexually assaulted freedwomen and white Southern women. While these reports probably represent only a fraction of what transpired, as many women, both black and white lacked an outlet during the war to report on sexual violence, these accounts, at the very least, flowed to commanding officers and chaplains because of the violence and immorality associated with such crimes, or to borrow the nineteenth-century parlance, “outrages”.<sup>2</sup>

Yet, in the West, according to federal official reports, Native women began to prostitute to themselves in order to obtain food. Some of these women were even accused of prostituting their own daughters for food.<sup>3</sup> The Union official who reported on this debacle describes that the Indian women were “compelled to prostitute their daughters.”<sup>4</sup> The question, nevertheless, remains: who compelled them?

Union soldiers saw the value in the food that they possessed. They likely came up with the plan to barter food for sex. They likely recognized that their licentious glances could materialize into something sexually satisfying. They called the shots; they set up the propositions; they determined who

got hard bread and uncooked pork and under what circumstances these meager rations would be distributed. The defeat of the South likely made some soldiers believe in their own power. Victory enabled them to ignore how their families in the North would think of them; how their mothers would react, or even what God thought.

The Native Americans were refugees from the explosive Dakota War of 1862, which was fought between U.S. Army and the Santee Indians, who were part of Sioux Nation. Sometimes referred to “Little Crow’s War” or “Sioux Uprising,” the war broke out because the government failed to uphold their promise of paying annuity to the Santee for land that they bought from them. To compound matters, white settlers, who lived in the region, exploited Native Americans by taking advantage of their dependent status on government annuities and charging them outrageous sums of money for basic necessities. Like many Native American groups in the 19<sup>th</sup> century, the Santee had worked out trading arrangements with white settlers. The combination of the Treaty of Traverse des Sioux and the Treaty of Mendota ceded the southeastern and southwestern parts of Minnesota to the U.S. government in 1851 and placed Santee on reservations bordering the Minnesota River. By 1862, a year after the start of the Civil War, the federal government’s annuity payments were late and the local settlers refused to offer credit to the Natives. The Santee, as a result, were starving. Andrew Myrick, spokesman for the traders, allegedly stated: "So far as I am concerned, if they are hungry, let them eat grass."<sup>5</sup>

Angered by the callous attitude of the white settlers, four Indians attacked and killed five white settlers in August 1862 on the Minnesota frontier. This attack mobilized other Santee Indians to make similar attacks on neighboring white settlers. O. O. Howard, director of the Freedmen’s Bureau, claimed that the uprising resulted in direct response to the Civil War. “Previously to this, Little Crow, seeing how much our garrisons had been weakened to supply the wants of the Civil War, had carefully planned a hostile rising on the part of the Indians with a view to pillage and the driving back of new settlements.”<sup>6</sup> A bloody war ensued between the Santee and white settlers, and did not end until the U.S. Army

intervened, forcing the Santee to surrender. According to one report, 700 people were massacred in this war.<sup>7</sup> Once U.S. officials became involved, they ordered for 300 Santee to be executed based on the death of the white settlers. In a surprise twist, President Lincoln commuted the sentence of the majority of Indians to imprisonment instead and reduced the number of those to be hanged from 300 to 38. On December 26, 1862, a week before the issuance of the Emancipation Proclamation, the federal government ordered 38 Santee Indians instead to be hanged. This marked the largest mass execution in U.S. history, and it happened on the eve of the largest liberation of people in the United States.<sup>8</sup>

From the remaining days of 1862 to the end of the Civil War in April of 1865, Indian refugees of the Dakota War remained under tight military surveillance. Yet, by 1865, Northern victory in the Civil War combined with the apparent success of free labor among freedpeople in the South impelled Union and federal officials to use the Reconstruction South as a template to develop federal agricultural policy in response to the dilemma of Native American refugees in the West. Similar to the ways in which the federal government and the U.S. Army transported newly emancipated slaves to regions in need of plantation laborers, by September 1865, military authorities began the process of moving the refugees of the Dakota war from the Minnesota frontier to reservations in Crow Creek and Yanktown, Dakota to become agricultural laborers.

The reservation system established in Dakota, and the many others established throughout the West in the last decades of the 19<sup>th</sup> century, resembled the contraband camps and Freedmen's Villages that Union and federal officials created for newly emancipated slaves in the Reconstruction South. The federal government's idea of establishing a camp that would be powered by free labor and placed under military control developed during Reconstruction. The experience in the South offered a model on how the federal government could respond to a displaced population.<sup>9</sup>

While the reservation system officially predated the contraband system by a decade, the establishment of reservations exploded throughout the West after the Civil War. Before the Civil War,

many Native Americans under U.S. government control remained stagnant as either captives of unfair treaties or refugees from military conflict, the Civil War, however, encouraged the federal government to begin the process of using the military to facilitate the creation of a labor force.<sup>10</sup> During the late 1860s and 1870s, skirmishes and war broke out between Indians and white settlers in the West. At the conclusion of these battles, in the cases when the federal army claimed victory over Native Americans, the question arose on how to respond to the social and political status of Native Americans displaced by war. In response to this dilemma, President Grant increased the number of reservations throughout the West. Thus, the reservation system became the government's panacea to the question of Indian war refugees, similar to the ways in which the creation of contraband camps and Freedmen's Villages developed in response to the questionable predicament of former slaves as refugees of the Civil War.

Furthermore, it is not a coincidence that Congress approved the Indians Appropriation Act on April 10, 1869, which provided President Grant to allocate over two million dollars to assist in the transition of Native Americans from "nomadic life" to reservations, just as the Freedmen's Bureau began to collapse throughout the South. By 1869, the government had received reports from Freedmen's Bureau agents that suggested Reconstruction had succeeded.<sup>11</sup> According to these accounts, mortality rates had declined, free labor had succeeded with the employment of many freedpeople, suffrage had been extended to freedmen, and the care of destitute freedpeople had been transferred to newly-formed state governments. While the government had developed treaties with Native groups before the war, after the Civil War, during Reconstruction, Congress passed another act, the Indian Appropriation Act of March 3, 1871, which no longer recognized Indians as part of a tribe or nation and thereby did not draw treaties with Native American groups. This Act instead defined Native peoples as individuals and as "wards."

The federal government's development of Reconstruction programs offered a model, a strategy on how to manage these once diverse nations, and how to get Native peoples to work for the benefit of the Republic. The government planned for Native Americans to no longer depend on hunting, fishing, and

collecting fruits and vegetables for their subsistence but instead to turn to agricultural labor. Modeled after plantations in the Reconstruction South, reservations would enable Native Americans to become self-supporting. As one agent explained, as early as 1869, “If these Indians are encouraged and assisted in this undertaking and it will be successful. It would encourage others and do much toward promoting industry and civilization among their various tribes in this Superintendancy.”<sup>12</sup>

Furthermore, Reconstruction in the South revealed how the federal government could use military surveillance in order to get people who were opposed to agricultural production to work as farm laborers. Throughout the American West, the combination of military officials, working alongside agents of the Office of Indian Affairs, mimicked the dynamic in the postwar South. Additionally, the government drew on the assistance of Northern religious and benevolent groups to help them with the plans of “civilizing” Native Americans through the establishment of schools on reservations. President Grant even requested the recommendation of Northern reformers when he sought to appoint agents and commissioners for the Office of Indian Affairs.<sup>13</sup> In some cases, the same Northern reformers who worked in the South moved to the West to assist Native Americans as Reconstruction concluded. For example, Helen Hunt Jackson, the novelist and Native American advocate, described in a letter to federal authorities how a Northern woman from Pennsylvania, who had taught the freedpeople, had organized a school for roughly 30-40 pupils in Southern California in the early 1880s.<sup>14</sup>

In fact, the same type of personnel that had labored alongside freedpeople in the rebuilding of the South were employed on reservations throughout the West. Northern reformers, Union Army, doctors, and federal agents employed by the Freedmen’s Bureau constituted the four major groups in the South. In the West, the federal government replicated this bureaucratic structure by relying on the support of Northern reformers, the military, physicians, and employing federal agents to work for what would become the Bureau of Indian Affairs.<sup>15</sup> While the government had established a federal agency to work with the Indians prior to the Civil War, the increased collaboration with Northern groups and the

employment of doctors in 1870s and 1880s grew out of Reconstruction efforts in the South. Yet, the most significant hallmark of the Reconstruction South that transferred to the West was the military and its leadership. Both the Freedmen's Bureau and the Office of Indian Affairs grew out of the War Department; consequently, O.O. Howard, the famed leader of the Freedmen's Bureau, was appointed as leader of the Department of the Columbia in the West in 1874 when the Freedmen's Bureau ended. While in the West, Charles Erskine Scott Wood served as Howard's chief secretary. Wood often wrote with great admiration of Howard's ability to settle contentious conflicts between the federal government and Native peoples, and how Howard efficaciously resolved the thorny questions of land ownership and resettlement.<sup>16</sup> In his position as a leading military commander in the West, Howard undoubtedly drew upon his experience resettling freedpeople in the South. Howard, however, was not alone. The federal government clearly recognized the experience that many other military and federal agents had gained in the South and transferred them to the West. In sum, the appointment of Howard to the West combined with the duplication of a similar bureaucratic structure illustrates how the federal government relied on the Reconstruction South as a blueprint for developing federal policy regarding Native American resettlement in the West.

More importantly, the program of Reconstruction offered federal authorities a template for establishing a free labor economy in the West, which was, in fact, the government's original plan since the Western territories first entered the Union. Since the 1820s, the crisis that divided the North from the South was the question of whether a free labor or a slave labor economy would be implemented in the Western territories. The crucial debates, which animated the major events of the 1850s from the Missouri Compromise to the Dred Scott decision to the Kansas Nebraska Act, centered on this question. The North feared that if a slave economy expanded to the Western territories, slavery would contaminate the region and subsequently diminish the value of free labor in the North. Conversely, white Southerners recognized that if the territories followed a free labor model, slavery would die—as the cotton economy needed fertile land to remain vibrant. The disagreement over the economic direction of the western territories

ultimately led to sectional conflict and the start of the Civil War. Therefore, once the North won the war, the government exploited freedpeople's displacement in order to transform the Southern slave economy into a free labor economy. Once that system seemed to be successfully implemented, the federal government then fulfilled their hopes, hatched in the antebellum decades, and began to further establish a free labor economy in the West. By turning Native American refugees into agricultural producers, the government transformed various regions in the West into free labor markets. So-called reservations in turn resembled a hybrid of contraband camps, which housed government refugees, and postwar plantation economies, governed by Freedmen's Bureau officials and the government, that fostered free labor.<sup>17</sup> More to the point, just as contraband camps became holding groundings for potential agricultural laborers to be sent to the South, reservations were used similar ways.

By placing freedpeople in federally restricted areas, military officials could then easily draw on this pool of people when labor opportunities arose. Similarly, in response to the Indian wars as well as the government's unease toward the unfettered movement of Native Americans throughout the West in the 1860s, the federal government drew on the model of Reconstruction South and established reservations in the West in order to create order among Native Americans. As Ferdinand Andrews, editor of *The Traveler*, noted regarding the resettlement of Navajo Indians war refugees to reservations in the 1867, "The abolition of peonage, which was finally consummated by the act of Congress of March 22, 1867 afforded the faithful Indians an opportunity to resume their pledges, which they did by embracing Gen. Carleton's order, surrendering themselves as prisoners and submitting to be transported more than 400 miles from their native valleys and mountains to a place selected for them by General Carleton, called the Basque Redondo, on the Pecos river. Here, they have been held ever since guarded and maintained as prisoners at an immense expense with continued and almost fruitless attempts under the direction of the War Dept to settle down quietly and contented by in the pursuit of agricultural and other self-supporting occupations."<sup>18</sup>

In both the South and in the West, the government's plans to reconstruct these regions into free labor economies inevitably if unwittingly produced sickness and environmental destruction. In the South, the shortage of employment opportunities, the inadequacies of the federal bureaucracy, the sheer movement of thousands of people, and, most of all, the biological aftershocks of the war caused significant health problems.<sup>19</sup> These problems then reemerged in the West as the government adopted programs that attempted to employ and to civilize Native peoples. Federal efforts to move Native Americans from the so-called "wild" to federally organized reservations were especially problematic. Tens of thousands suffered from starvation, others became infected with tuberculosis and smallpox, and even more died of unknown, unidentified illnesses.<sup>20</sup> As one federal official explained, "The fault is not with the people—the white settlers, who are only accepting the invitation of the laws to settle the country—but with the Government and the Congress, which has failed to establish any practical mode of relief and means for the settlement of the Indians."<sup>21</sup>

When federal officials developed plans for developing reservations among Native Americans, they did not consider the possible environmental setbacks that would thwart agricultural production. As they had in the South, they naively assumed that by providing nominal support to Native peoples that agricultural production would flourish and economic self-reliance would naturally ensue. A federal agent stationed in California in 1866, for example, made a comment about the prospect of developing a system of free labor in the West, which eerily resembled the rhetoric that circulated throughout the Reconstruction South: "It is the policy of this department to make Indians self-sustaining. Those in California have reservations that are represented as being fertile, and producing abundant crops, and it is thought that with proper management and due economy the expense to the government of sustaining them would not be considerable; that nothing but clothing and agricultural implements need to be purchased. It is certainly very strange that it should ever become necessary to incur an indebtedness in taking care of them."<sup>22</sup>

Furthermore, the prevailing assumption is that once army officials placed Native Americans on reservations, they remained stagnant. Taking their cue from Reconstruction efforts in the South, federal and army officials moved many Native Americans throughout the West to areas in need of laborers or to regions that they assumed would be more fertile for agricultural production. Like the Reconstruction South, Army officials failed to take into consideration how the sheer movement of Native Americans from one location to the next would result in severe health problems and destruction to the land. When we return to the opening story, over 1300 Santee Indians were sent on two separate steamboats to the Crow Creek reservation in Dakota after Little Crow's War, but the voyage proved dangerous for all those involved. On one of the steamboats, soldiers confined the Santee to the bowels of the ship, where it was densely crowded and many could not even breathe. A U.S. Army official later defined the lower decks as "suffocating." The lack of fresh air compounded with the fact that the Army did not feed the Santee for over 10 days led to over 16 deaths on the ship. When the Santee finally arrived to their destination, the deadly health conditions aboard the boat caused many of them to be infected with fever, dysentery and malnutrition. According to one report filed by an Army officer, roughly 3-4 Indians died a day; the same report estimated that over 300 Santee had died within the first six months of resettlement on the reservation.<sup>23</sup> Additionally, the sheer movement of these people disrupted the environment, robbing Native peoples of their traditional practices of hunting, cultivating vegetable plots, and to gathering food.

This is the context in which the Santee women opted to prostitute themselves for food and mothers bargained with Army officials in order to ensure that their families survived the deadly wrath of dislocation and disease. Similar to the Reconstruction South, Army officials did not take into account the daily survival or even the work schedule for the Santee when they arrived at Crow Creek. They naively assumed that once the Santee were placed on a reservation, farming would naturally commence. Despite the fact that many of the Santee were sick and starving, they had to wait, nevertheless, for food and medicine, and mostly, for the Army to officially establish the coordinates of the land to be cultivated. They also had to wait for tools and seed to arrive from the East before they could start the process of growing

crops. As they waited, their health conditions grew worse; some became sick and died of starvation. Therefore, when Army soldiers likely suggested to Santee women that sex would lead to food, it was one of the few viable options available to them for survival.

The other options for obtaining food proved equally horrific. Some Santee waited for the Union Army to feed the horses. When the Army's horses ran toward the soldiers throwing out corn to them, the starving Santee ran toward the horses' dwelling area and quickly gathered whatever corn remained. The Santee were forced to take scraps left by animals. Since this was not enough to survive, they tried desperately to hunt for the remaining livestock in the area. But the army's occupation of the land forced much of the wildlife to flee far from the reservation area, depleting the game reserves that had fed Native peoples for generations.<sup>24</sup> All that was left were wolves, who brazenly fed off the bodies of dead animals and presumably the unburied human bodies that surrounded the perimeter of the reservation. The Army could not physically fend off the wolves, so they set up traps to poison them. The poison lived in the wolves for a short time and weakened their defenses, making them prime targets for the Santee to hunt and to eat. But the poison that the wolves consumed, the Santee ultimately consumed. Natives then began dying from the poison that was meant for the wolves.<sup>25</sup>

While the actual journey to the Dakota reservation took less than two weeks, without procuring adequate food and clothing to a group of over 1000 people, who were already suffering from starvation, many consequently became sick and died.<sup>26</sup> O.O. Howard explained that "some 1500 of the old men, women, and children died of exposure, and those who survived were obligated to eat their horses and dogs."<sup>27</sup> The government's failure to recognize how the forced migration of Native Americans led to alarming sickness and death rates has a deep and disturbing history that can be traced to the removal of Cherokees from the Southeast to Oklahoma, which caused exorbitant mortality; yet, this travesty failed to serve as a parable for the government's efforts to resettle Native Americans on reservations after the Civil War.

The journey to the proposed reservation alone killed many Santee along the way. Despite the deaths caused by this forced migration, the Army suggested moving the Indians once again to another region due to the infertility of the land. As an army officer explained, “this tribe should be removed to some point further south where it may be self-sufficient by agricultural and pastoral pursuits.”<sup>28</sup> Even though the Army attempted to help the Santee by relocating them to yet another location, which was a common practice during Reconstruction, federal agents generally did not carefully consider the quality and state of the land, access to tools and seeds, and the capricious variations of the climate—which resulted with many Native Americans being left without the necessities to survive and often starving and becoming sick on reservations.

The government’s failure to understand the geology of particular region thwarted their efforts to establish a working system of agricultural production on the reservations, which led to great suffering among Native peoples. Forced to live on reservations, Native Americans also had to contend with the variations of the climate. Federal officials failed to consider how seasonal changes left fertile grounds barren in the West, making it particularly difficult for Native Americans to survive on government reservations. Not only were these plots of land not producing food for Indians during the winter, but the unexpected challenges of living in the snow and cold without basic shelter and food made life particularly treacherous for Indians. In the winter of 1866, for example, Indians living in the Dakota territory were, according to one Indian Agent, “in a suffering condition, literally starving, living on bark, dead horses and cattle, killing a few antelope and begging.”<sup>29</sup> The agent went to describe how the deep snow had prevented the Indians from hunting and they were forced to kill and eat their own ponies.<sup>30</sup>

The construction of reservations, however, did not promote independency and economic autonomy among Indians; in fact, reservations, like contraband camps and postbellum plantations, did just the opposite. Reservations forced Indians into a position of dependency. Reservations robbed Indians of drawing on the modes of survival that they depended on for generations, and left Native peoples with

no choice but to “beg” the Indian Agency for support. As one Native American Chief explained to O.O. Howard, “Our hunting season is past. A great many of our people are sick for being hungry. We may die because you will not pay us; we may die, but if we die we will leave our bones on the ground where our great Father may see where his Dakota children died.”<sup>31</sup> The reservation, in turn, produced economic conditions that left Native groups relying on an agricultural economy for their subsistence, but these burgeoning farming enterprises proved fruitless in their initial creation. Consequently, Natives were left stranded without a source of income or food. Confronted with the sick and dying condition of Native Americans, the federal government ordered Native groups to be relocated. The government and military, however, failed to consider how the forced movement of these people actually worsened their condition and inflamed the rise of illness among them.

The Army and federal officials emphasis on Native Americans’ character and personal traits blinded these authorities in the West from the actual questions of agricultural production, just as it did in the South when the government asked similar questions of freed slaves. According to one Army official, the Santee actually exhibited the skills of being industrious and self-sufficient, the problem, however, was that “Corn cannot be raised at Crow Creek.” The Army led the Santee to settle on a plot of land that proved to be infertile and while there, they suffered and died. Therefore, focusing their attention on whether the Santee would be agricultural producers, which they proved they could be, obscured the major issue at hand—whether the land was fertile.

## **Conclusion**

From the vantage point of the federal government, in both scenarios, Native Americans and freedpeople’s undefined political, social, economic and legal positions potentially threatened the social order and the economic welfare of the nation. By using military force to corral both Native Americans and freedpeople into productive agricultural laborers, the federal government attempted to address the chaos of Reconstruction and the unsettled question of Native Americans in the West. According to the

federal government, as long as both Native peoples and freedpeople could be “self-sustaining,” a hallmark of free labor ideology, then they would be able to contribute to the economic welfare of the nation. More to the point, the common assumption is that the federal government attempted to draw on the labor of emancipated slaves in order to economically rebuild the South; whereas, the government isolated Native Americans on reservations in order to clear the West for settlement and economic productivity. Yet a closer examination of the emancipation experience reveals that former enslaved people were kept under federal lockdown in contraband camps during the war until their labor power could be deployed to regions in need of workers in the Reconstruction South.<sup>32</sup> The idea of using the contraband camp as a holding ground during the Civil War became a template that military and federal officials built on during the federal government’s resettlement of the West. Unlike reservations created before the war, on postwar reservations, federal and military leaders espoused a doctrine of free labor ideology, orchestrated migrations in need of laborers, and relied on the assistance of Northern reformers—all of which trademarks of Reconstruction.

In both the Reconstruction South and the West, efforts to develop free labor economies powered by agricultural production failed to consider the problems of drought, soil erosion, climate, the status of the land, wildlife, and most importantly, the time it took for these systems to develop. More to the point, even when military officials and federal agents gained experience in agricultural production in the postwar South, the West posed a whole new set of environmental questions and challenges about agricultural production and climate. These challenges led to systematic inefficiencies that left both freedpeople and Native Americans without the basic necessities to survive. In short, the federal government’s efforts to reconstruct both of these areas led to sickness, suffering, and environmental destruction.

Charting how sickness became a coefficient to federal power is not meant to indict the government, although there are moments when the government was to blame for the alarming death rates.

Rather the objective is to expose that there was a coming together of similar federal policies, military personal, benevolent reformers, and, most of all, bodies of knowledge that attempted to transform displaced people in both the South and the West into agricultural producers. This effort, in both situations, often led to sickness, which often gets lost in the shadow of these transformations.

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<sup>1</sup> On rape in the South during the Civil War and Reconstruction, see Hannah Rosen, Terror in the Heart of Freedom: Citizenship, Sexual Violence, and the Meaning of Race in the Postemancipation South (Chapel Hill: University of North Carolina Press, 2008); Catherine Clinton, "Bloody Terrain: Freedwomen, Sexuality, and Violence during Reconstruction," *Georgia Historical Quarterly* 76 (1992): 313-332, Clinton, Reconstructing Freedwomen, in Divided Houses: Gender and the Civil War, edited by Clinton and Silber, pp. 306-319, (NY: Oxford University Press, 1992).

<sup>2</sup> In military documents, there are often the references to "murder and other outrages." On outrage as rape, see OED. "a. To subject (a person) to outrage; to do violence to; to wrong grossly; to insult, violate, assault; (sometimes) *spec.* to rape, assault sexually (in later use more usually metonymically with the person's chastity, modesty, etc., as object). Also *intr.*" "outrage, v.1". OED Online. November 2010. Oxford University Press.

<http://www.oed.com/viewdictionaryentry/Entry/133858> (accessed January 10, 2011). My thinking here developed from Crystal Feimster's new work on rape during the Civil War. Crystal Feimster, "How Are the Daughters of Eve Punished? Rape and the American Civil War," Paper Presented at Boston Seminar Series on the History of Women and Gender, Radcliffe Institute for Advanced Study, Harvard University. December 10, 2009.

<sup>3</sup> The idea that Indian women prostituted themselves in order to obtain food transpired in other parts of the West, see, for example, Report of Chas. A Wetmore, Special U.S. Commissioner of Mission Indians of Southern California, 9 January 1875, (Washington: Government Printing Office, 1875), 5, 9.

<sup>4</sup> Yankton Dakota, 11 September 1865. "Extract from the testimony of John Williamson taken at the Lawkton September 9 1865 before Hon. A.W. Hubbard, Letters Received by the Office of Indian Affairs, 1824-1880; Dakota Superintendency 1861-1880, 1861-1867. M234, Roll #250, NA.

<sup>5</sup> Andrew Myrick, Retrieved from <http://www1.assumption.edu/users/mcclymer/his260/defaultsioux.html>, 17 February 2011.

<sup>6</sup> Howard, My Life and Experiences Among Our Hostile Indians, p. 110

<sup>7</sup> Howard, My Life and Experiences Among Our Hostile Indians, p. 113

<sup>8</sup> For more on the Dakota War, see Ruth Landes, *Southwestern Journal of Anthropology*, Vol. 15, No. 1 (Spring, 1959), pp. 43-52. By placing Native Americans and the history of the West, I want to underscore the connection between the liberation of slaves and the hanging of 38 Santee, which marked the largest mass execution.

<sup>9</sup> Richard White has brilliantly argued that the West "served as the kindergarten for the American State." While this is certainly true, I am fascinated by the ways in which the South and West, which have been typically seen as two separate entities, actually shared some common features during Reconstruction. As I explain throughout the paper, there was a coming together of similar federal policies, military personal, benevolent reformers, and, most of all, bodies of knowledge that attempted to transform displaced people in both the South and the West into agricultural producers. This effort, in both situations, often led to sickness, which government officials in both regions of the country needed to respond to. Furthermore, historians of late have been calling for scholars to recognize the connections between the South and the West during Reconstruction. Historian Elliot West asks, "Where is a common thread to emancipation, the Freedmen's Bureau, and federal occupation of the South on the one hand and western railroad surveys, reservations, Indian Wars, and Yellowstone National Park on the other? It's as if there are two independent historical narratives, and because the one that is set in the East and centered on the Civil War has been tapped as the defining story of its time, the one that is set out West seems peripheral, even largely irrelevant, to explaining America during a critical turn of its history." Steven Hahn further submits, "We have examined the West from the perspective of Reconstruction. We have not seen Reconstruction from the perspective of the postbellum West." See Richard White, "It's Your Misfortune and None of My Own": A History of the American West (Norman: University of Oklahoma Press, 1991), 58. Elliot West, The Last Indian War: The Nez Perce Story (NY:

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Oxford University Press, 2009), xix. Steven Hahn, "Reconstruction and the American Political Tradition," Keynote Address, W.E.B. DuBois' Black Reconstruction in America 75<sup>th</sup> Anniversary Symposium, November 10, 2010

<sup>10</sup> While one can certainly draw a comparison to the government's forced removal of Native Americans from Georgia to Oklahoma, in what has become famously defined as the "trail of tears," my sense is that this was a different occurrence based on the government's effort to create a reservation system powered by free labor in the West in the late 1860s. In the 1830s, the government was simply concerned with removing Native peoples from the land without even gesturing toward how they would survive in the newly settled region. By the late 1860s, something had changed: Reconstruction in the South had provided a blueprint on how to address the dislocation that a marginalized group of people endured. The government consequently developed ways, which ultimately proved ineffective, in responding to Native people's conditions. Although the government and military's efforts did not thwart the alarming mortality, sickness and starvation that plagued Native peoples, their efforts represent a change from the Trail of Tears. Additionally, for a sophisticated analysis of federal policy that responded to Native Americans in the West and the last Indian War, see Elliot West, The Last Indian War (NY: Oxford University, 2009)

<sup>11</sup> *Laws in Relation to Freedmen, U.S. Sen. 39th Congress, 2nd Sess. Senate Executive Doc. No. 6.* (Washington: War Department, Bureau of Refugees, Freedmen, and Abandoned Lands, 1866-67).

<sup>12</sup> John A. Burbank to Hon E.S. Parker, 9 July 1869, Frame 363, Letters Received by the Office of Indian Affairs, 1824-1880; Dakota Superintendency 1861-1880, 1861-1867. Roll #251, NA.

<sup>13</sup> On the role of the Quakers in the West working among Native people, see Louis Fisher, "Indian Religious Freedom: To Litigate or Legislate?" *American Indian Law Review*, Vol. 26, No. 1 (2001/2002), pp. 6-7

<sup>14</sup> Report on the Condition and Needs of the Mission Indians of California made by Special Agents Helen Jackson and Abbot Kinney to the Commissioner of Indian Affairs (Washington: Government Printing Office, 1883), 17

<sup>15</sup> During the 19<sup>th</sup> century, the federal government organized the Office of Indian Affairs, under the Officer of the Interior. Throughout the archival records, military officials often casually refer to it as "The Indian Agency." In 1947, it became its own entity as the Bureau of Indian Affairs.

<sup>16</sup> "Proceedings of a council between Moses of the Spokane and other Indians and Brigadier General O.O. Howard." September 7-8, 1878, WD Box 153 (7); O. O. Howard to the Assistant Adjutant General Military Division of the Pacific, 14 September 1878, WD BOX 153 (8); O.O. Howard to Messers. G.W. Parish, M. Becker, 26 September 1878, WD Box 153 (10), Charles E.S. Wood Papers, Huntington Library

<sup>17</sup> On the centrality of free labor ideology in 19<sup>th</sup> century American political discourse, see Eric Foner, Free Labor, Free Soil, Free Men: The ideology of the Republican Party before the Civil War (NY: Oxford University Press, 1971). Foner also underscores how the development of a free labor economy necessitated the maintenance of a dependent labor class, see Foner, Nothing But Freedom: Emancipation and Its Legacy (Baton Rouge: Louisiana State University Press, 1983)

<sup>18</sup> Ferdinand Andrews, "Indians in New Mexico and Arizona," Andrews Manuscript Collection ("Indians Mohave"), Huntington Library

<sup>19</sup> I chart the outbreak of sickness and the biological problems that the war produced in n my forthcoming book, Sick From Freedom: African American Illness and Suffering (NY: Oxford University Press, 2012).

<sup>20</sup> See Report of Colonel Robert J. Stevens, Special Commissioner to Make and Investigation and Report Upon Indians in California (Washington: Government Printing Office, 1868), 8; Report on the Condition and Needs of the Mission Indians of California made by Special Agents Helen Jackson and Abbot Kinney to the Commissioner of Indian Affairs (Washington: Government Printing Office, 1883) 17, 24; Ferdinand Andrews, 1867, "Indians in New Mexico and Arizona," *The Traveler*, 1867, Andrews Papers Manuscript Collection, vol. 2, p. 17-18 (listed under "Indians Mohave") Manuscript Collection, Huntington Library. Usher L. Burdick and Eugene D. Hart, "Jacob Horner and the Indian Campaigns of 1876 and 1877 (The Sioux and Nez Perce) (Baltimore: Wirth Brothers, 1942), 16-17. David S. Jones, Rationalizing Epidemics: Meanings and Uses of American Indian Mortality since 1600 (Cambridge: Harvard University Press, 2004),

<sup>21</sup> Report of Chas. A Wetmore, Special U.S. Commissioner of Mission Indians of Southern California, 9 January 1875, (Washington: Government Printing Office, 1875), 5.

<sup>22</sup> D.N. Cooley to Robert J. Stevens, Esq. 3 August 1866, pp. 3, Report of Colonel Robert J. Stevens, Special Commissioner to Make and Investigation and Report Upon Indians in California (Washington: Government Printing Office, 1868) Huntington

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<sup>23</sup> Yankton Dakota, 11 September 1865. “Extract from the testimony of John Williamson taken at the Lawkton, September 9 1865 before Hon. A.W. Hubbard, Letters Received by the Office of Indian Affairs, 1824-1880; Dakota Superintendency 1861-1880, 1861-1867. M234, Roll #250, NA.

<sup>24</sup> Legal scholar Eric Kades claims that only in Minnesota did the government take the land from Native peoples by conquest. See Kades, “The Dark Side of Efficiency: Johnson V. M’Intosh and The Expropriation of Amerindian Lands”, *University of Pennsylvania Law Review*, Vol. 148, No. 4 (Apr., 2000)

<sup>25</sup> Yankton Dakota, 11 September 1865, Extract from the Testimony of Samuel C Haynes, Asst Surgeon, 6<sup>th</sup> Regiment, taken before Honary A. W. Hubbard, 2 September 1865, Letters Received by the Office of Indian Affairs, 1824-1880; Dakota Superintendency 1861-1880, 1861-1867. M234, Roll #250, NA. Many other Native American groups continually and quite accidentally ingested poison left by white settlers for dogs and wolves. Among the Black Feet Nation, for example, see W. J. Cullen to Hon. N.G. Taylor, 18 September 1868, Huntington.

<sup>26</sup> Yankton Dakota, 11 September 1865. “Extract from the testimony of John Williamson taken at the Lawkton, September 9 1865 before Hon. A.W. Hubbard, Letters Received by the Office of Indian Affairs, 1824-1880; Dakota Superintendency 1861-1880, 1861-1867. M234, Roll #250, NA.

<sup>27</sup> O.O. Howard, My Life and Experiences among our Hostile Indians (Harford: A.D. Worthington and Company, 1907) 109

<sup>28</sup> E. B. Taylor to Hon D. N. Cooley, 30 December 1865, Letters Received by the Office of Indian Affairs, 1824-1880; Dakota Superintendency 1861-1880, 1861-1867. M234, Roll #250, NA

<sup>29</sup> P.A. L. Day to Edmonds. 5 November 1866, Frame 402; P.H. Corges to Newton Edmonds, 26 March 1866, Frame 411. Letters Received by the Office of Indian Affairs, 1824-1880; Dakota Superintendency 1861-1880, 1861-1867. M234, Roll #250, NA

<sup>30</sup> Ibid

<sup>31</sup> O.O. Howard, My Life and Experiences among our Hostile Indians (Harford: A.D. Worthington and Company, 1907), 105-106

<sup>32</sup> I develop this point in my book, *Sick from Freedom*.