

Stone Houses for the Kansa Indians

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The 19th century was a time of extreme hardship for the Kaw or Kansa (Kansas) Indians. As with most native Americans they were forced to live with a changing, undefined, and at times a conflicting United States government Indian policy. The Indians also had to deal with somewhat less than scrupulous individuals -- the government officials, lawyers, and contractors that used the guise of Indian policy to promote their self-interests. The remnants of the stone houses built for the Kansa Indians southeast of Council Grove in the 1860s and the story of how they were built and paid for profile this changing and undefined government policy and also show how individuals exploited government and Indian funds in the process.

The Indian policy of exchanging land the Indians occupied for land further west that was to be "theirs forever" was repeatedly amended and their land holdings gradually reduced. This policy started in the 1820s and not only forced the Kansa to give up their claim to land in Missouri but also brought tribes from east of the Mississippi River into land used and occupied by the Kaw in what was to become Kansas. These land exchanges increased tension and conflict between the various Indian tribes already in Kansas, especially a sometimes violent conflict between the Kaw and the Pawnee over hunting grounds in northcentral Kansas.

The United States government also attempted to persuade the Indians to give up the chase of hunting and become a more sedentary, agrarian society. For the Kansa, however, promises of livestock, agricultural equipment, and aid in planting went lacking. Combined with a few years of agricultural failure due to flooding or drought, such failures brought the Kaw to near starvation and reduced them to begging from the recently arrived emigrant tribes and from white settlers on the frontier to the east.

The sometimes violent conflicts with other tribes and the virtual starvation from agricultural failures resulted in the Treaty of 1846 which moved the Kaw out of the Kansas River valley and into a 20 x 20 square mile section of the Neosho River valley to the south. The government promised the Kaw they would receive help to make the move and told them to be out of the Kansas River valley by May 1847. However, without provisions and with little or no government help, many of the Kaw wandered around the Kansas valley begging and stealing what they could from the other tribes until the spring of 1848, when most of the

tribe had found its way to the Neosho valley. Government officials began to wonder if they had made a good choice in moving the Kaw when some of the first arrivals to the Neosho valley were attacked by a group of traders on the Santa Fe Trail near Council Grove. One of the Kaw was seriously injured, and the traders were ordered to pay for the attack.

The Kaw chose to settle just downstream from where the Santa Fe Trail crossed the Neosho at Council Grove. Council Grove had been the site where treaties had been negotiated between the government and the native tribes of Kansas -- mainly to insure safe passage for traders between Missouri and the Mexican town of Santa Fe. During the Mexican-American War of 1846-1848, Council Grove became the site of a government station to service or repair military vehicles, which traveled the road in great numbers to help defeat the Mexicans. Although Kansas was not officially opened to settlement, several people licensed by the government to trade with the Indians and even unlicensed traders began to settle around Council Grove.

The Kaw settled in three villages in the Neosho valley. One village was located less than two miles downstream from Council Grove, to the southeast, where Big John Creek and Little John Creek enter the Neosho. This village was ruled by Peg-gah-hosh-she or American Chief. The next village downstream was located near the present town of Dunlap. This village was ruled by Fool Chief. The third village was south and east of Fool Chief's village on a tributary to the Neosho called Kahola Creek. This village was ruled by Hard Chief and was the largest of the three villages.

From the time the Kaw left the Kansas River until 1855, there was little government contact with them. The agency for the Kaw was transferred from place to place in northeast Kansas, but was never closer than 50 miles from the Neosho valley. The only contact was through a sort of official authority in the form of a missionary-teacher named T.S. Huffaker. He was sent by the Methodist Episcopal Church South, which had worked with the Kaw earlier, when they were in the Kansas valley. The Methodists sent Huffaker and a few others to build a mission and school for the Kaw. (The Mission building completed in 1850, is still an impressive landmark in the city of Council Grove, and is also a state historic site) Huffaker had little success in converting the Indians to Christianity, and in fact, Kaw society degenerated. A steady flow of whisky from Council Grove merchants and from traders on the trail eroded the health of the Kaw and drained the

tribes' resources. Huffaker also had little success in education. Attendance was a problem. The government cut the funding to the Methodists, and they closed the school in 1854. Finally in 1855 the Bureau appointed John Montgomery as resident agent for the Kaw. Before Montgomery could arrive, squatters had begun to overrun the Kansa Reserve.

When Kansas was officially opened for settlement under the Kansas-Nebraska Act in 1854, the United States government began a policy of selling excess lands the Indians owned under the treaty but could not effectively occupy due to low population. The resulting diminished reserves were another way the government tried to encourage the Indians to give up the chase, because their hunting grounds would be reduced. The resulting land sales were often conducted in ways that benefited land speculators and not the Indians. For example, a New York lawyer and contractor named Robert Stevens arrived in Kansas and got himself appointed as a land agent to help with the selling of the excess lands. The territorial governor, James Denver, instructed Stevens to avoid any schemes or unfair connections to rig the sale of these lands. In June and July of 1857 Stevens sold more than 200,000 acres of land belonging to several different tribes and collected more than \$10,000 for his work in the sale. Many Indians later charged that Stevens sold to low bidders and for as little as possible. A year later Stevens sold some 900 acres of land (that supposedly would not sell the year before) to a close friend named J.B. Chapman. When Chapman failed to pay for the land, the deed was somehow transferred back to Stevens. The Indians also claimed that a choice section of timber land was sold without their consent.

The question also arose what to do with the money gained from these land sales. The money was supposed to be for the Indians' benefit, but they had little say on where and how this money was invested. Robert Stevens' name came up again as an agent to sell bonds for the state of Kansas, and Indian trust money was invested in this way.

When Montgomery arrived as resident agent, he found the Kansa starving and a new outbreak of smallpox coming on. Their condition was so terrible that he wrote to his superiors, "they must soon become extinct, and the sooner they arrive at this period, the better it will be for mankind." Montgomery was rebuked for this statement by Commissioner of Indian Affairs George Manypenny. For the rest of his time as agent, Montgomery did indeed work for the Kaws, mainly by fighting the

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onslaught of the squatters on the Kaw reserve. He posted eviction notices and even burned some of the squatters' shacks. Montgomery repeatedly appealed for federal troops to help him clear the reserve of settlers as he received virtually no cooperation from the Kansas territorial government. The frustrated Montgomery was replaced by Milton Dickey in March, 1859.

Agent Dickey's attitude was that there was no way to clear the squatters, and that maybe the Kansa should be removed. Things looked even worse for the Kansa in June of 1859 when two of the Kaw, including a son of Fool Chief, were hung by an angry mob in Council Grove for stealing two horses from Mexican traders on the trail. They were left to hang until the next day, when a wife and mother of the pair cut them down and took their bodies away for burial. All this tension and conflict resulted in a new treaty signed with the Kaw by Commissioner of Indian Affairs A.B. Greenwood at the Kansa villages on October 5, 1859.

This 1859 treaty reduced the size of the Reservation to an area of nine miles by 14 miles. Each Kaw family was to receive a 40-acre farm. Houses were to be constructed for each family, along with a new mission school. Why the Kaw were not removed to Indian Territory was in part because there were several different factions developing that could not agree on a plan of action and canceled each other out.

One faction, the squatters, definitely wanted the Kaw removed. However, another faction was the townspeople of Council Grove, who had just received their town charter from the territorial legislature, saying that the town could legally exist even though it was located on an Indian reservation. The townspeople had tried not to make any trouble in the months the treaty was being discussed; they therefore did not push for removal of the Kaw. The Kaw were willing to settle differences and to cooperate after the lynching in June. Only Fool Chief vowed personal revenge against those who had killed his son. The rest of the tribe remained silent on the issue and in fact looked forward to getting their houses and farms. Another faction was the land speculators and

contractors who were ready to take advantage of the building contracts. They were in favor of letting the Kaw stay -- at least temporarily.

Robert Stevens received the house-building concession, and being both lawyer and contractor, was able to influence and in some cases write the contracts under which the houses were built. Traveling back and forth between his Washington law office and the Indian reserves, he got the Secretary of Interior and the Commissioner of Indian Affairs to sign the contracts he had written. Stevens was allowed to begin working on the houses immediately after the treaty of 1859 was signed and then over the next three years was able to get the contracts changed at least four times -- probably in his favor each time.

Contracts signed between Stevens and Agent Dickey in January and February of 1861 were considered null and void by a contract signed August 9, 1861, by Stevens and the Secretary of the Interior. However, Stevens was paid off under the contract of August 9 for work he had done under the contracts of January and February. The contract of August 9 was hand written by Stevens and was eight legal pages long. This contract outlined the specifications and prices for 150 wooden houses, an agency building, a school, and a dormitory. Of the 150 wooden houses, 140 were to be 16 feet by 18 feet, and Stevens was to be paid \$360 for each. The other 10 were to be 16 feet by 24 feet, and Stevens was to be paid \$450 for each. Under the contract Stevens was also to plow and fence several acres of ground. The contract stated further that Stevens could build a sawmill and that Stevens, could have the "sole right to use and run" the sawmill, and could "take from said reserve whatever trees, lumber, logs and wood, he may need."

Stevens built sawmills on other Indian reservations, and they became another source of controversy. For instance, Stevens had some building contracts on the nearby Sac and Fox Indian Reservation, and there he built a thousand-dollar mill and charged it to the Interior Department. The Indians questioned why he needed a sawmill with a 40-horsepower steam engine. They charged that Stevens had a deal to sell wood to merchants and others at a profit.

The Indians also complained that Stevens let his friends take wood off of their reserves. The sawmill built on the Kansa reserve sat idle for many years, as the agent for the Kansa during the latter 1860s repeatedly and unsuccessfully tried to sell it.

Before the contract of August 9 could be carried out, a new resident agent by the name of H.W. Farnsworth replaced Dickey in the fall of 1861. Farnsworth decided that it would be better to build the houses of stone to avoid trouble with prairie fires. In a letter to Indian Commissioner Dole he also stated, "if the houses and fences are of wood, the whole reserve will be entirely stripped of timber, leaving hardly a sufficiency for firewood." In an October 5, 1861, letter to Commissioner Dole, Stevens agreed to build some of the houses of stone and stated he would charge an extra \$75 more than for the wooden 16 by 18 houses and \$100 more than for the wooden 16 by 24 houses. The letter also said that the 16 by 30 houses would cost \$120 more, even though the original August 9 contract had not mentioned houses 16 by 30. However, at this point Stevens seemed to have the upper hand in writing the contracts. The changes in price could have netted him an extra \$10,000.

In the meantime Agent Farnsworth wrote to Commissioner Dole stating, "Unless the changes can be made to embrace all the houses, I think the effect on the minds of the Indians would not be favorable." Commissioner Dole's attitude was expressed in the 1861 annual report to the Secretary of Interior in which he noted that it was Commissioner Greenwood that had negotiated with the Kansa in 1859 and also noted -- "Believing it bad policy to build houses for them, instead of assisting and encouraging them to build for themselves and that the prices stipulated were exorbitant, I ordered the work to be suspended. This order caused so much dissatisfaction on the part of those Indians whose houses had not been built that I was induced to compromise with the contractor and continue work under other specifications, and at greatly

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reduced prices."

The stone houses built by Stevens were reported to be of poor quality. The Indians charged that green lumber was used and also that the stairs in the Kansa houses were nothing but ladders. The Secretary of Interior J.P. Usher and Commissioner Dole inspected some of the houses in 1862. Neither was impressed. Both felt Stevens had overcharged for the houses.

From the remnants still standing, it appears the houses were constructed mostly of rubble stone with only a few cut stones used for corners. The mortar appears to have been heated and crushed limestone that was mixed with water. At least two different sized houses were constructed. The smaller ones are approximately 15 feet by 20 feet and had one chimney with a fireplace and a stove opening. At least one house, still partly intact, is approximately 20 feet by 30 feet and had two chimneys -- one on either end of the structure.

Most of the Indians lived in the houses for only a short while. Some of the Indians claimed the houses were unhealthy and bred disease. Others claimed the houses were possessed with evil spirits that lived in the square corners. Chief White Plume was quoted as describing this government housing as "too much fleas." Most Indian families preferred their teepees and wigwams. The houses were used mainly as stables for their livestock.

Stevens was paid more than \$79,000 for his part in building the Kansa houses. Part of this was paid in Kansa scrip which was issued until more of the excess lands belonging to the Kansa were sold off. Kansa scrip was traded on the market back east -- no doubt adding to Steven's wealth. Stevens also managed to buy several thousand acres of land in Kansas with Kansa scrip. He even put in a bid to move the Kansa to Indian Territory when in 1873 the Kansa agreed to resettle on a piece of the Osage Reservation in Oklahoma. Stevens continued to work in Kansas and became an officer in the Kary Railroad, which was built through the Kaw reserve. In the late 1870s Stevens was elected to the United States Congress from New York. He evidently gave an impassioned speech in which he said that he was never fully compensated for his work in Kansas. Congress then appropriated him more money on the spot.

When the Kansa were asked to move to Indian Territory in 1873, many did not want to go. One white family that settled on the Kansa reserve before the Kansa left were the Barth's. They settled near the Kansa village on Little John Creek. Mrs. Thelma Barth Gilman, who still lives close to some of the house remnants, recalls her mother telling the story of hearing Kansa women crying and wailing when told they would be moving. After being there for 35 years, many Kansa were buried in the area. Many Kansa approaching middle age had spent their entire lives in the Neosho valley.

The most distinguished person to live on the Kansa reserve was Charles Curtis. He was part Kansa Indian and spent a good deal of time with his Indian side of the family on the Kansa reserve. When the tribe left for Indian Territory in 1873, Curtis' grandmother persuaded him to move to Topeka instead and go to school. Charles Curtis went on to be vice-president of the United States under Herbert Hoover.

Another white family that settled on the reserve shortly after the Kansa were removed was the Streit family. Apparently arriving late in the year, and being without much shelter, they spent their first winter in Chief Washunga's stone house. Chief Washunga's house is largely still intact and appears to have been used recently as a fishing shack, since it is close to the Neosho but sets back from the road.

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Other Kansa houses were used by settlers as dwellings. One house just south of Dunlap was added onto, with the original stone dwelling serving as a kitchen.

The first school in Dunlap is reported to have been one of the Indian houses. It later became the Negro school in Dunlap.

Another family that moved into the reserve was the Haucke family. August Haucke arrived in the valley in 1872 to go to work on the Katy railroad. He purchased land near Big John and Little John creeks for \$6 an acre. Part of the Haucke family lived for a while in the agency building near Little John Creek and used some of the Indian houses along the creek. These houses and the agency building are still partially standing.

Frank Haucke owned the land along Little John Creek until 1979 when his niece, Helen Haucke Huston, and her husband, Willis Huston, purchased the land. Frank Haucke, who served in the Kansas Senate, wrote and did his research on the Kansa reserve and was even made an honorary chief of the Kansa in 1925. Frank Haucke's wife, Margaret, who lives in Council Grove and serves on the board of the Kansas State Historical Society, made an attempt to get some of the Kansa villages declared state historic sites. The state cited the cost of restoring and maintaining the buildings

as the major obstacle.

In 1952, one of the stone houses along Little John Creek was removed stone by stone and reassembled on the Kansa Mission Grounds in Council Grove by the Council Grove Rotary Club. An attempt to place the house on the National Register of Historic Sites was turned down because a concrete floor was poured inside it.

Willis Huston reported that when he purchased the land along Little John Creek in 1979, one of the stone houses was still intact and in pretty good shape. However, a big wind storm came up the day he got title to the land and a large tree fell on the only house still intact along the creek.

The extent of my research turned up only 10 of the 150 or so stone houses built for the Kaw by Stevens. More research into the areas of the three villages would probably reveal more remnants. Records kept of the actual construction sites seem non-existent. Possibly this was done intentionally by those involved to stifle any investigations into fraud surrounding the construction. The fact that the nation was on the verge of civil war perhaps explains why more attention was not given to the dealings of certain individuals responsible for carrying out the nation's policy towards these native Americans.

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