A High Price for a Lame Cow

by Donald F. Danker

In early August 1854, a man who figured in the history of the first years of Kansas was trying to accomplish a big task. John W. Whitfield, newly appointed Indian agent of the Platte Agency, was charged with supervising the distribution of annuities to the tribes. His territory stretched from Texas on the south to well into Wyoming on the north. He wrote to his superior, the Commissioner of Indian Affairs, "This agency is too large for any one man to attend properly to the duties of..." The truth of his complaint was to contribute to a disaster. Whitfield and his party were slowly traveling north through southeastern Wyoming toward Fort Laramie to distribute goods stored there to the tribes awaiting them. About fifty miles from the fort he met a group of fleeing and frightened Indians. They reported that there had been a fight with soldiers near the fort—people had been killed and by now the fort might have fallen. Whitfield hurried on. What he found is the subject of the following narrative, and some of the details are from Whitfield's reports and observations.

Whitfield was an honorable and respected man, if not the usual run of Kansas pioneer. Born in 1818 in Tennessee, he moved to Independence, Missouri, in 1835. A Democrat, he was appointed Indian agent during the administration of President Franklin Pierce, and from 1855 to 1857 he served as a delegate to Congress from the Kansas Territory. Selected by the proslavery faction, he was appointed register of the government land office at Doniphan in 1857 and served until President Lincoln and the Republicans came to office in 1861. In that year Whitfield left Kansas and entered the Confederate army as a major. By 1863 he was a brigadier general. In 1854, however, he knew not of the troublesome times ahead and concentrated on the troublesome events at hand.

When he reached Fort Laramie, he found the fort safe in the hands of the garrison, but he learned that Lt. John Grattan and thirty men had been killed in a bloody hour a few days before. The killing, the so-called Grattan Massacre, was the first domino to fall in a chain of events that became the Indian wars which culminated at the Little Big Horn and Wounded Knee and are a sad chapter in our nation's history.

Those events surrounding the Grattan Massacre, the individuals concerned, and the consequences of their actions are the subjects of this article. The information comes from army records, reports of officials, accounts by Indians and fur traders, witnesses and participants, and published accounts. Some of the Indian and fur trader accounts can be found in interviews with survivors conducted by Judge Eli Ricker about eighty years ago.

The great Oregon Trail—the Medicine Road—passed through the heart of an area reserved to the hunting tribes of Plains Indians. However, the American people were moving west by the thousands over this road and there was the potential for trouble. In 1851 the government convened a great council at Fort Laramie with the tribes to deal with this situation, and it was agreed that the Indians would receive $50,000 worth of goods in payment for the trail crossing their hunting lands. The goods were stored each year in fur trading buildings near Fort Laramie. The terms of the treaty were followed, but tensions built. In 1882 the Indian commissioner in his annual report wrote that the tribes "continue to suffer from the vast number of emigrants who pass through their country destroying their means of support, and scattering disease and death among them...." It was Whitfield's task to supervise the 1854 distribution of these annuities, and the distribution awaited his tardy arrival.

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The nomadic hunting bands of Sioux, Cheyenne, and Arapaho had been drifting in for weeks to await the
day of distribution of good things—bacon, sugar, flour,
blankets, tobacco. Their lodges stretched for miles
along the Platte Valley and on either side of the great
trail. It was a time of visiting, anticipation, a break in the
usual routine of their lives. But as the agent’s arrival was
slow, they began to be hungry, impatient, and restless.

The soldiers at Fort Laramie observed the increased
number of Indians, but were not concerned. Laramie
had been a fur trading post which the U.S. government
had converted to a military post because of its location
on the trail. Duty there was undesirable and unexciting.
The soldiers saw Indians of the so-called “Loafer bands”
who loitered about the place begging from the passing
emigrants and the soldiers—not worthy foes; indeed,
neither worthy nor foes. They were a far cry from their
untamed hunting and warrior relatives who had come
in from the far buffalo ranges to collect the annuities,
but the soldiers did not recognize that fact.

To be commander of Fort Laramie was not a desired
assignment for a U.S. Army officer. In 1853, Lt. Richard
B. Garnett of Virginia was the post commander. He did
not like the country or the Indians. (However, he left
behind an Indian son when he was transferred back
East; Garnett was to die a Confederate general charging
with Pickett up the hill at Gettysburg.)4 In 1853, however,
he gave a questionable order to Lt. Hugh B. Fleming,
which resulted in the killing of three Indians of the
Miniconjou band of Sioux. The dead Miniconjou had a
relative named High Forehead who after that incident
hated the white man with considerable intensity. On
August 18, 1854, Fleming was in charge of the fort, and
High Forehead, who was waiting with his people for the
annuities, had gone from his own camp to the nearby
one of the Brulé to visit friends.5

On that day, a wagon train of Mormons, many of
them Danish immigrants, was slowly passing up the trail
bound for Salt Lake. From that wagon train, a worn-out
cow strayed and, as its owner chased it, it ran into the
Brulé camp where High Forehead was a guest.

Here was a chance for High Forehead to entertain
his hosts. It was a worthless cow. He did not owe the
whites any affection. He killed the cow and the hungry
Indians feasted. The Mormon owner of the cow did not

4. For information on Lt. Richard Brooke Garnett and his
half-Sioux son, William, see Donald F. Danker, “The Violent Deaths
of Yellow Bear and John Richard, Jr.,” *Nebraska History* 63 (Summer
1982): 137.

5. Lloyd E. McCann, “The Grattan Massacre,” *Nebraska History* 37

pursue the matter with the Indians, but stopped at the
fort and complained to Lieutenant Fleming. The cow, if
in good shape, was worth forty dollars at most.6 The
chief of the Brulé village, Conquering Bear, was worried
about the incident and went to the fort, offering to pay
for the cow with a horse or horses. He also suggested
that everyone wait for the arrival of Indian Agent
Whitfield, who could settle the matter.7

There are several versions of what happened then.
One of the sources is an interview in the Judge Ricker
papers with Frank Salaway, a half-blood Indian trader
who was at Fort Laramie in 1854. Salaway stated that
the chief offered the choice of the horse from his herd
of sixty.8 At first, the post commander did not take
the matter seriously, but perhaps as a result of poor

6. Ibid.


8. Frank Salaway Interview, Eli S. Ricker Collection, Tablet 2,
Nebraska State Historical Society, Lincoln, Nebraska (microfilm,
possession of author).
interpreting, Fleming became insistent that the cow-killer be brought to the fort for punishment. Conquering Bear could not comply and retain the respect of the people. High Forehead was a guest in the Brulé camp, and in the custom of Indian society, a guest had to be protected. One of the problems was that the commander knew little of Indian customs or culture and perhaps cared even less.

At the post was twenty-four-year-old John L. Grattan, graduated from West Point and assigned as a lieutenant in Company G of the Sixth Infantry. He had spent a year at Fort Laramie without advancement of his career and without excitement. He urged the somewhat reluctant Fleming to assign him the task of going out and arresting the cow-killer—the Miniconjou, High Forehead. Fleming agreed and Grattan called for volunteers. Twenty-nine men made the mistake of accepting the call. They, the post interpreter called Lucien Auguste by some, and Lieutenant Grattan made up a force of thirty-one doomed men.

As they prepared to march out, they were described by a then-friendly Oglala Sioux named Man Afraid of His Horse, who had come to the post to try and resolve the situation. His statement, now in the National Archives, said in part:

I saw the soldiers draw a cannon out.... I saw them clean out the cannon.... The two officers talked a great deal together. The wind was blowing very hard at the time. The interpreter said to me that he believed he had to die. At this time the young officer was playfully sticking at the interpreter with his sword, telling him to make haste. The interpreter said to me, "I am ready but must have something to drink before I die." They gave him a bottle and he drank.

The drinking was to become an important and controversial aspect of the affair. The thirty-one men, accompanied by Man Afraid of His Horse, proceeded with a wagon down the trail about four miles to the American Fur Company post.

Frank Salaway was there and later said that the interpreter was by then drunk. An infantryman told Salaway, "They are drunk and we all will get killed. It is

a piece of foolhardiness anyway." As the soldiers rounded a bend, they saw the many tipis in the valley and the disturbing sight of Indians hurriedly rounding up their ponies in the face of trouble. A short distance down the trail, the little force of men stopped at the post of James Bordeaux. Bordeaux was a well-known frontiersman and trader with a Sioux wife, knew Indians very well, and was a fluent interpreter. He was also known for a cautiousness which bordered on cowardice. Bordeaux recalled that he gave advice: "I told him [Grattan] that he [Auguste] would make trouble [by then, the drunken interpreter was yelling threats] and that if he would put him in my house, I would settle the difficulty in thirty minutes. He said he would stop him. He told him several times to stop, but he did not mind him."13

Conquering Bear and other Brulé leaders arrived at Bordeaux's post. Again, Conquering Bear urged payment in horses for the cow. He tried to explain that the cow-killer was a guest in the Brulé camp and that by now he, High Forehead, was excited and wanted to die fighting. The chief asked that they wait for Whitfield to arrive. Lieutenant Grattan refused and marched his men the three hundred yards from Bordeaux's to the center of the Brulé camp.

Women and children from the camp began to slip away and hide among the willows along the stream. More ominously, so did young warriors led by a future chief, Spotted Tail. They had their weapons and horses with them.

At the Brulé camp, the talking continued for an incredible forty-five minutes—all with the assistance of the drunken interpreter. The soldiers who were about to die became bored with the babble, half of which they could not understand. Salaway, who was there, said that they sat and lay down upon the ground. High Forehead was posturing with his weapons in a tipi. The unfortunate Conquering Bear sent a messenger for Bordeaux to come and replace Auguste as the interpreter. Someone even brought a horse for Bordeaux. He mounted, but got off again, stating that the saddle did not fit him. Bordeaux was to live a good many years more.14

From a safe distance the traders watched; some had spyglasses. Salaway had now joined them. Salaway said that he saw the chief walk up to Grattan and point at High Forehead's tent, then turn and walk back toward his own tent. Shooting started and Conquering Bear fell. Two cannon had been brought out by the soldiers. These were fired but were aimed high and only nicked the tops of the tipis. There was a storm of return fire. Grattan fell at once. The surviving soldiers started back up toward the trail and the fort—some riding in the wagon, some holding on and returning a slow fire toward the Indians. They lasted until they came to a stretch of open ground where they were overwhelmed by the charging, mounted warriors. The interpreter had a good horse and fled at first fire. Perhaps he had become instantly sober. It seemed to the observers that he was going to escape his pursuers; however, some Indians who had been hunting antelope were riding toward the sound of the firing. Auguste's pursuers motioned to their friends to stop him, which they did in a violent and final way. One soldier, Pvt. John Cuddy, hid when he was wounded and was sheltered for several days by the traders and some Indians, but he too died.15

Bordeaux sent word to the fort commander of what had happened, but Fleming could do nothing to avenge Grattan. He had less than twenty men left in his command. He requested that Bordeaux calm the Indians as best he could and recover and bury the bodies. The traders went out and did the task. The soldiers' bodies had been badly mutilated, and Grattan could be identified only because of his watch. It is doubtful if attempts were made to identify the others. All but Grattan were buried in a shallow grave near the trail. It was a hurried job; diaries from a Mormon wagon train that passed by a month later recorded that some of the men's heads were uncovered. After a few years, the corpses were covered by a huge pile of stones, and in 1910 the bodies were moved to Fort McPherson National Cemetery near North Platte, Nebraska, and were buried in a common grave. There, a large marker is inscribed with all their names. Grattan was not buried with his men. After temporary burial at Fort Laramie, his body was sent to Fort Leavenworth, Kansas, for burial.16

At the time, Fleming had to attend to the living. He prepared to defend the fort from the strongest building, an adobe relic left from the fur trading days. If the Indians had made a concerted effort, it probably would not have held. He also sent a messenger on a fast, strong horse to Fort Leavenworth. The man reached there on September 7 and the shocking news was soon telegraphed to Washington, D.C.

12. Salaway Interview, Nebraska State Historical Society.
15. Ibid., 99-102.
Most of the Indians realized that they were not going to receive the annuities for which they had waited and rushed to the buildings where the goods were stored. Bordeaux and some of the Indians urged restraint and tried to calm the situation. Many traders fled, not to be reunited with their Indian families for months.

Frank Salaway told the account. He and others watched the Indians gather outside an American Fur Company post. Red Leaf, brother of Conquering Bear, stood on the steps and gave an impassioned speech, stating that Conquering Bear was still alive, had been a friend of the traders, and did not want them robbed. It was his wish that his people leave them alone. Before he finished talking, the Indians surged past him, broke open the door, and took what they wanted. They missed the whiskey accidentally (the employees of the company then drank most of it).

Nine days after the battle, Conquering Bear died. His relatives and friends buried him on the Niobrara River and then returned to kill another white man in revenge. They met an unfortunate stagecoach on the trail thirty-five miles below Fort Laramie, killed three drivers, wounded a passenger named Kinkaid bound for Salt Lake, and rode off with $10,000 in gold coins. The Indians did not know the value of the money and, in the weeks to come, a few wagon train emigrants were astonished to be given a $20 gold piece for a little coffee or sugar by an Indian who did not know what he was giving away.

A few days after the battle, Indian Agent Whitfield arrived. Following his investigation, he gave some goods that had been overlooked to a few Cheyenne who had not participated in the affair and had remained in the vicinity. His report, written in Westport, Missouri, on October 2, 1854, reached Washington. He was irate:

No regulations that I have yet seen, give officers the right to arrest and confine any Indians for an offence of no more magnitude than stealing a cow.... I regret that the demand for the offender had not been postponed until my arrival. If it had been, I could have settled the whole affair without the least trouble.... The Sioux would have paid any number of horses...

17. Salaway Interview, Nebraska State Historical Society. 18. Ibid.; Mattes, Great Platte River Road, 518.
they prefer to die to being taken and confined... if the lieutenant had understood the character of Indians, I doubt whether he would have done as he did."

In a few months, Whitfield became a representative to Congress from the Kansas Territory where, in that capacity, he continued to figure in the debate over the Grattan tragedy.

The U.S. Army responded slowly but massively. First, a relief column of two infantry companies reached Fort Laramie in November. It was commanded by a veteran officer, Lt. Col. William Hoffman, who launched an intensive investigation and collected statements from witnesses, including fur traders and the fort chaplain, William Vaux. The chaplain stated:

I was on terms of the greatest intimacy with [Grattan] from the day of arrival at this post until the hour of his departure for the fatal mission. However unpleasant the duty... justice and truth demand an impartial inquiry. Mr. Grattan, I know, had an unwavering contempt of Indian character which frequently manifested itself in my presence... The cause [of the whole occurrence] can be traced to the fact of the garrison being left under the command of inexperienced and rash boys."

Colonel Hoffman’s investigation found in favor of the Brulé and against Grattan. However, Adjutant General Samuel Cooper rejected the findings as unjust to Grattan. When Hoffman learned of this, he was furious:

I was ordered to investigate the affair—no pleasant duty, I assure you... and did so conscientiously and without favor... and for doing so, you charge me with making an unsustained statement in spite of the written evidence... The charge is published to the world... and I learn it after a lapse of four or five months... I find myself after twenty-five years of service... publicly charged..."

The controversy continued until Secretary of War Jefferson Davis, who in a few years would be president of the Confederate States of America, brought an end to the controversy in an imperious and abrupt way and found against Colonel Hoffman. The official army position was that Grattan was a hero who had been treacherously ambushed and killed by the Brulé; therefore, the Brulé must be punished. Davis recommended that the army be increased by three thousand mounted soldiers to deal with the Sioux. Such an increase needed money appropriated by Congress and there the debate continued over what had happened in Conquering


22. Hoffman to Col. S. Cooper, Adjutant General, U.S.A., Washington, D.C., Fort Laramie, July 8, 1855, correspondence and reports regarding the Grattan Massacre, National Archives.

In 1868 these Sioux chiefs were photographed at Fort Laramie. Included in the group portrait were Spotted Tail (far left) who had been a young warrior at the Grattan Massacre and who later succeeded Little Thunder as chief of the Brulé Sioux. Also identified are Old Man Afraid of His Horse, Oglala Sioux chief (with pipe to mouth), and One Horn, Miniconjou Sioux chief (center).
Bear's camp. Congress demanded and got Colonel Hoffman's inquiry papers and report. An authentic old warrior in his own right, Sen. Samuel Houston, avenger of the Alamo in Texas, rose up and tried to explain to his colleagues:

Let us look into the facts... These Indians had committed no depredations until they were fired upon... What was the condition of the Indians there? Why, sir, they had been promised annuities. They were aware that the goods had arrived there. They had been there for nearly three weeks. The Indians had patiently waited. Their provisions [provisions] were scarce. The agent was expected to return daily... Sir, that cow is to become a wonderful prodigy of the present age... It will be an expensive cow... The Indians of the plains are... not like the Indians... of the South; they have no marks of civilization in their habits... They have boundless deserts, and mountains, and plains in which to find security... 26

In the House of Representatives, Thomas Hart Benton of Missouri, calling on Whitfield from Kansas for corroboration, told the Congress:

Why this hostility? Sending our schoolhouse officers and pithouse soldiers to treat Indians as beasts and dogs... A criminal offense was made against an act which was no crime. The exploits of the day Aug. 19, 1854, may be summed up... the balance against us in material and honor... A heavy penalty for the nation to pay for a lame, runaway Mormon cow, and for the folly and juvenile ambition of a West Point fledgling... 30

Houston and Benton, however, were a minority. The troops were raised, and Gen. William Harney, with a reputation for toughness, was named to head them. Harney had hanged nine Indians in the Seminole Wars, had fought bravely and rashly in the Mexican War, and in 1858 would draw up a plan to hang Brigham Young and his twelve apostles in the so-called Mormon war. (He was removed from that command.) He seemed just the man needed for the Brulé—so much so that Jefferson Davis called him back from France where he was on leave. 28 By July 1855, Harney was at Fort Leavenworth assembling what was up to that time the strongest force ever to venture up the Oregon Trail—six or seven hundred troops, infantry, cavalry, and light artillery. He paused at Fort Kearny and then pushed west along the Great Platte River Road. On September 2, 1855, a little over a year after the Grattan fight, he found what he sought, a band of Brulé Sioux Indians.

Little Thunder's band of forty lodges, about four hundred people, were hunting along the Platte. They were camped on Bluewater Creek, a tributary that flows into the Platte from the north. It was near a well-known Oregon Trail site called Ash Hollow. (The present location is in Nebraska near the west end of Lake McConahey near the town of Ogallala.) The terrain is that of hills and steep draws bordering on canyons. Oddly enough, Little Thunder had been warned that soldiers were coming up the trail. News of such a major undertaking had preceded the army, and at Fort Laramie the fur traders had learned of it. Men of divided loyalties and often deep understanding, the traders had Indian wives, and their children bore their names and their mothers' features. (Their names are still found on the Sioux reservations.) James Bordeaux sent a messenger to Little Thunder, but the chief ignored the warning. After all, he was not heading a war party. He did not intend to fight. Bordeaux, less naive and more aware of what was planned, sent a second messenger, but he arrived too late. 27

Harney's scouts found the Brulé camp. A parlay was held with the Indians until the troops were in position, and then Little Thunder was told that there was to be a fight. The upshot was another day of killing. The Indians fought in a steep valley with caves along the sides. Soldiers fired blindly into the caves. When the fight was over, many Indians were dead. Some accounts say eighty-six; some say more. Too many were women and children, probably killed because of the confusion of battle, but dead nonetheless. 28 Another domino had fallen. Now that the Indians had a massacre to avenge, the killing would go on for a generation.

If there is a place where the spirits of fallen warriors go, Lt. John L. Grattan and Brulé chief Conquering Bear must have looked down at places such as Sand Creek, Little Big Horn, and Wounded Knee and wept at the high price that both their peoples were paying for an old, lame cow.

23. Endorsement of the Secretary of War, Jefferson Davis, to a letter from Hoffman to the Adj. General, October 11, 1855, correspondence and reports regarding the Grattan Massacre. National Archives.
25. Appendix to the Congressional Globe, 33rd Cong., 2d sess., House, new series, 31, (February 27, 1855), 337.

28. Ibid., 61.