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Tax protesters storm Hayden's office

'Drag out' governor, crowd yells

By MARTIN HAWVER
Capital-Journal staff writer

Scores of property tax protesters stormed the governor's outer office Wednesday at the conclusion of an occasionally rowdy rally on the Statehouse steps.

The rally, organized by the Kansas Association of Realtors through its "Citizens for Fair Taxation," featured what by now have become nearly standard complaints of individually higher tax bills, tax shifts due to classification of property and inability or unwillingness to pay higher property taxes.

Karen France, lobbyist for the Realtors, estimated that about 2,000 people attended the noon-hour rally on the sunny south steps of the Statehouse. Others put the number nearer 1,000.

KAR had distributed leaflets throughout most of the state, with fliers in several major newspapers, to drum up a crowd for the rally.

Several speakers urged changes in property taxes, or a rollback to 1988 property tax levels, and most at the rally appeared to be signing petitions urging the governor to call a special session of the Legislature to deal with the tax increases.

It was at the rally's end, when KAR executive director Jim Mayer led the crowd in singing "God Bless America" to end the rally that several people grabbed the still-alive microphone and shouted, "Bring the governor out, pull him out."

Gov. Mike Hayden was, indoors, working on state budgets during the

Among more than 1,200 tax increase protesters who rallied on the Statehouse steps Wednesday were, left to right, Audrey Hoffiney, Mickey Kanan and Jim Lorance, all of Kansas City, Kan., and Margaret Young, Wyandotte County.

—Staff/Thad Allton

Governor meets group after rally

By MARTIN HAWVER
Capital-Journal staff writer

Gov. Mike Hayden met Wednesday afternoon with two groups of property tax protesters, but they apparently extracted only one promise from him, they said.

Four men from Pottawatomie County said they met with the governor and he agreed to have the Department of Revenue simplify the forms on which property tax protests are filed.

The delegation from Pottawatomie County carried to the governor a resolution passed by their county commission proposing simplified forms for the protest.

"We knew if we went in asking for the moon we wouldn't get anywhere," Wayne Martin of Olsburg said. "But this is something simple that can be done cheaply and will enable people to protest their taxes.

"It doesn't solve the problem, but the current forms for filing a property tax protest are so daunting that a lot of people who should be filing aren't."

The other group that met privately with Hayden in the conference room of the State Budget Division, where the governor was holed up most of the day and during a taxpayer rally at noon, consisted mostly of business people.

For a time Wednesday afternoon, it appeared that Hayden would have to sit down with the executive director and lobbyist of the Kansas Association of Realtors.

When Hayden sent the message to the property tax protesters at noon

Tax code changes that had been voted in during Governor Carlin's administration, coupled with a three-year property tax reassessment in the late 1980s, led to steep increases in the tax evaluation of some Kansans in 1989. Hayden remembered that commercial property owners especially "just absolutely went berserk when they got [their tax] statements. . . . they 'rioted' on the statehouse steps." Newspaper coverage of the events, such as that offered here by the Topeka Capital-Journal, *November 30, 1989, captured the protest during which some citizens were heard shouting for Hayden's impeachment.*

In addition to that the court essentially ordered that all the property in the state be reappraised, because many reappraisals were twenty years old. So you've got these two things working in tandem; you're going to change the system of taxation from uniform and equal to one of class, classifications that you're going to tax. You're going to put in the constitution the rates, but you're going to tax different classes differently. And at the same time you're going to take these twenty-year-old reappraisals and you're to force every county in the state to hire professional appraisers and go out and appraise every single piece of property.

[The new system was authorized by] a constitutional amendment in 1986. So then we started about the task of reappraising all the property in the state. Well that took three years; all of '87, all of '88, and people didn't get their new tax statement, their new value statement, until [November] 1989, that's when the new system came out [less than a year before the next gubernatorial election]. What happened was it truly did protect farmers and homeowners. It truly did. But even so, many people's house hadn't been appraised for twenty years so when the appraiser came out and reappraised it, the value of it went up 40 percent or 50 percent, because the old value wasn't a true value, of course. It was twenty years out of date. But where it really fell, where people were terribly under appraised, was commercial property. I mean it was

scandalous how low most commercial property in the state was appraised.

And, of course [they blamed me]. I was governor, see. We had a "riot" on the south steps of the statehouse; all either real estate agents or small businesses. One of the things we did to help small business, but it also raised taxes on some of these other groups, is we eliminated the inventory tax; that was part of this question to the people. Because in the old days, you paid property taxes on your inventory. If you were a drugstore, every December you had to take inventory. And you had to pay property taxes based on that inventory. Well, we eliminated the inventory tax but what that did, of course, was that just shifted the tax burden on everybody else. So you had this huge [shift]. Farmers and homeowners were protected. The farmers weren't complaining at all. They knew how damn good they had it. They still have it to this day. And the truth is that most homeowners weren't very upset, because their assessed values went up, [but] the mill levies went down correspondingly, so in the end [with] their taxes there was very little difference.

But the big deal was the real estate and commercial property people. They just absolutely went berserk when they got these statements. And like I said, they "rioted" on the statehouse steps. They demanded all kinds of things from the legislature and from me, and the real truth is there was very little or nothing we could do because it was a constitutional amendment and it was approved by the people. They themselves had approved it, and it's in the constitution, it's not like a statute you can just run out and change. So there was a special session [in December] and we voted to do two or three things to help taxpayers. Things like instead of owing all your taxes on December 15, we'll delay that until April 15, so you got four more months to figure out how you're going to pay or save your money to pay, you know those kinds of things. So we did pass four or five minor pieces of legislation to help the transition. But that's what the whole thing was about.[41]

I was sensitive to the power of the reappraisal issue because my father had been a county commissioner out in western Kansas when we reappraised in the 1960s [an initiative of the Avery administration].[42] As a result of that he got defeated when the new tax system was put in place. You know, when you talk about taxes, the only fair taxes, of course, are the ones the other guy pays. And in reappraisal one of two things can happen: your taxes either go up or they go down. If they went down, well, you had it coming, and if they went up, you were mad about that. And of course the easiest person to be mad at is the governor.

So, I knew that reappraisal would be a very, very difficult issue, and so it happened.

I would say the good thing about reappraisal is that no governor will have to go through it again, because when we changed the system, now there is a reappraisal annually of one third of property, so every three years people's taxes are adjusted based on current valuation. That is a very fair system and is not going to cause governors in the future to have to go through what we had to go through in 1990. But I was not at all surprised by it.

It's one of those things that you do what you know is right, and sometimes you suffer the political consequences of that. We were very fortunate to win a primary in that year against several worthy opponents who campaigned on the property tax question. But they had inflicted so much damage in that primary that the Republican Party was deeply split. Governor Finney, who I had known for years as state treasurer, she used to be a Republican and then she changed to become a Democrat. She was not involved in the reappraisal question as state treasurer, as I was, as Governor Carlin had been, who was my predecessor, who actually ran in that primary against her, and probably was defeated in that primary principally because of the reappraisal issue.[43]

So we were in a situation where Governor Finney [Hayden's general election opponent] could say, "It's not my fault, I didn't have anything to do with it." And I was

41. The "riot" to which Hayden refers was a rally organized by the Kansas Association of Realtors held on the south steps of the statehouse at 11:45 a.m. on November 29, 1989. The *Topeka Capital-Journal* estimated attendance at between one and two thousand people and at times the protest grew heated, as chants of "impeach Hayden" and "drag him out" were heard from the crowd and some protesters "stormed" the governor's office demanding a meeting. Governor Hayden did not make an appearance at the rally, but did meet with two small groups of protesters afterwards. The intensity of the protests was also felt at an earlier November 22 meeting sponsored by Kansas realtors at which one attendee proposed a total tax boycott and argued that "government doesn't have the right to tax people out of their homes and businesses, and I will come to your house with my rifle to protect your property from being stolen by the government." See "Special session urged at rally," *Topeka Capital-Journal*, November 22, 1989; "Hayden moves back tax deadline," *Topeka Capital-Journal*, November 23, 1989; "Tax protesters storm Hayden's office," *Topeka Capital-Journal*, November 30, 1989; "Session ends with no tax bill. Payment delay only relief voted," *Sunday Capital-Journal*, December 10, 1989; Flentje, *Selected Papers of Governor Mike Hayden*, 159–60.

42. For more on the politics of taxation in the 1960s, see Beatty, "'You Have to Like People': A Conversation with Former Governor William H. Avery," 60–65.

43. Fred Phelps, Sr., also a candidate in the 1990 Democratic primary against Finney and Carlin, distanced himself from the tax code changes by proposing that a lawsuit be brought against the state legislature, which he believed to be guilty of fraud. See "Special session urged at rally," *Topeka Capital-Journal*, November 22, 1989.

in a position where it occurred on my watch. I knew it was the right thing to do but I also knew that politically it was probably the kiss of death, and ultimately proved to be so as far as that election goes. But you know, I wouldn't have done it any differently. We did do the right thing from a policy standpoint. The truth is, it was such an overwhelming issue we probably couldn't have turned it around no matter what we had done.

I certainly could have attempted to [overturn the new system], but I thought that would be a terrible tragedy. It was not the right thing to do. I discussed it with the speaker of the house, with the president of the senate, both of whom had been former chairmen of the Tax Committee. And they were experts on reappraisal, and they knew we did the right thing. I did too. Legislators who had studied it for years knew that we did the right thing even though it was difficult politically. We knew that we were instituting a system that was far fairer when it came to property taxes. We just simply stood our ground, and we tried to get people to understand that in the long run, they'd be far better off if we had a fairer tax system. And we do have one today. All the studies since have, in fact, verified that fact. Kansas State has studied the impact of reappraisal since 1990 and every time it comes out to show that, in fact, reappraisals are by far fairer than the old system we were under.

So, you know, you have to make the choice and we made the choice, and I don't regret it at all. We did the right thing. It is just one of the consequences of politics. I've always said this about politics: "If you're afraid to lose, you should never run." So I was lucky to win and fortunate to win the first nine elections I ran in. But I was never afraid to lose, and I wasn't afraid to lose in 1990. In fact, I thought there was a very high probability all along we would not be successful in that campaign. But I don't regret it at all, and I am actually proud of the policy that came out of it.[44]

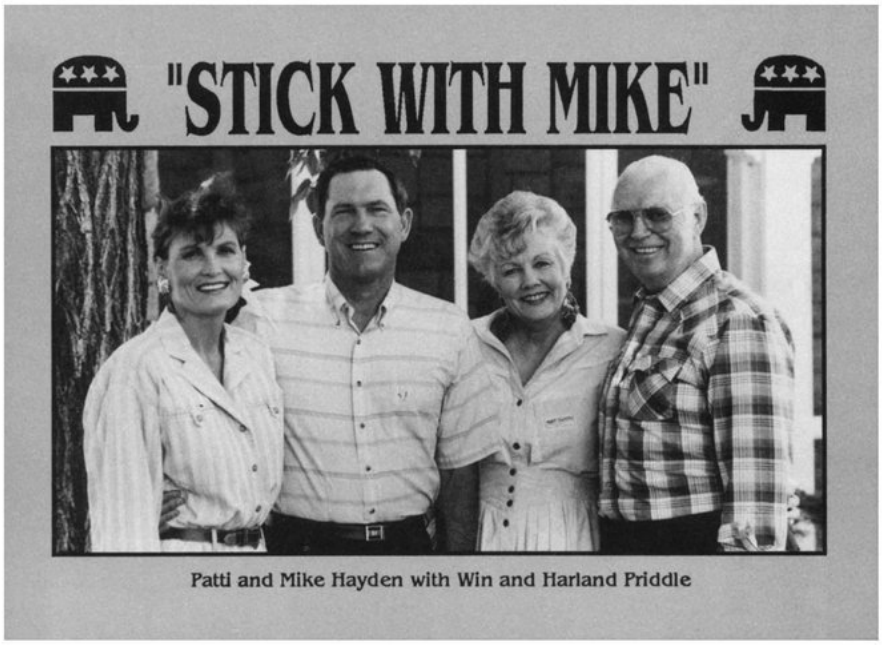
Seeking a Second Term

Jack Walker, for one thing, was getting up there in age. He was still a good lieutenant governor, and he still made good public appearances, but he didn't have any longer the real passion for politics and government. A good guy but let me say—probably the best way to describe it—he was awful low-keyed. And I thought it was time to do two things: one was to think about potentially grooming future governors, grooming someone with at least the potential to run in the future; and two, that was at a time when the concept of lieutenant governor was becoming more proactive. So I wanted somebody who was going to be more active. And that was in the days too, remember this, that more state agencies were merging, and the concept of the lieutenant governor serving as a cabinet secretary, those kinds of things were starting to emerge.

He came and visited with me, and he said, "I want to do it again." But he said, "if you won't commit to taking me next time then I'm going to announce that I'm not going to do it, that I don't want to be on the ticket the second time around." And I said, well, Jack, that's you're choice. You're a good guy, I'm not at all dissatisfied with the job you've done, but there are other people I'd like to consider in the second term; particularly some guys that maybe ought to be groomed for the future or some cabinet secretaries who are active and who could be both a cabinet secretary and a lieutenant governor at the same time. So I said, "Jack, I'm not ready to commit to ya that you're going to be on the ticket the second time around, I haven't made a decision." And he was very upset about it. He had been a loyal lieutenant governor, absolutely, but I felt it was time for someone who might be more of an activist, who would engage to a greater extent. [So I picked] Harland Priddle. He was secretary of commerce, hell of a guy. He'd been secretary of agriculture. He'd been director of White House communications in the Nixon White House. Imagine that. And he was real solid, a real solid guy.[45]

44. In his 1994 book, *Time, Politics, and Policies: A Legislative Year* (Lawrence: University Press of Kansas, 1984), University of Kansas political science professor Burdett A. Loomis offered a comprehensive study of the 1988–1990 period of Kansas politics, focusing on the Kansas legislature and Governor Hayden's priorities, strategies, successes, and failures during that time period. This book is invaluable for any serious study of Governor Hayden and the Kansas legislature of the late 1980s.

45. Harland E. Priddle, who grew up on a farm near Haven, Reno County, was a 1952 graduate of Kansas State University. From 1952 through 1974, he pursued a career in the U.S. Air Force, during which time Colonel Priddle served as deputy commander of the White House Communications Agency. He subsequently returned to the family farm, soon began three years of service, from 1975 until 1978, as assistant secretary of the Kansas State Fair in Hutchinson, and then accepted a position with the Hutchinson National Bank and Trust. On January 14, 1982, he was elected only the ninth secretary of the Kansas State Board of Agriculture, and in 1986 he was Jack Brier's running mate in an unsuccessful primary election bid for the Republican Party's gubernatorial nomination. Governor Hayden appointed Priddle secretary of the Kansas Department of Commerce in 1987, and in this capacity he played a key role on the governor's Task Force on Rural Communities, to which he was appointed in December 1987. *Sixty-Fifth Annual Report of the Kansas State Board of Agriculture* (Topeka: Kansas State Board of Agriculture, [1982]), 7; Flentje, *Selected Papers of Governor Mike Hayden*, 197–98; see also "Hayden passes chance to set ticket for 1990," *Topeka Capital-Journal*, December 29, 1988; "Walker says he won't be on '90 ticket," *Topeka Capital-Journal*, September 8, 1989.



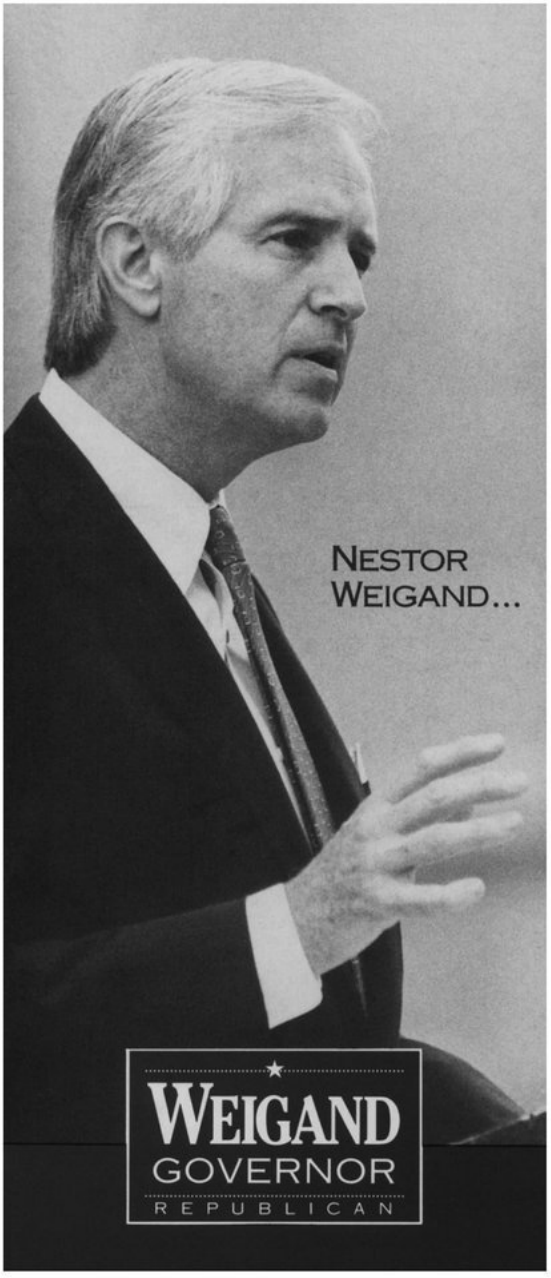
Patti and Mike Hayden with Win and Harland Priddle

In his reelection bid Hayden chose Harland Priddle—who had served as deputy commander of the White House Communications Agency during Richard Nixon's administration, as secretary of the Kansas State Board of Agriculture from 1982 until 1987, and, upon Hayden's appointment, as secretary of the Department of Commerce from 1987 until 1991—as his running mate. Priddle, pictured above on a piece of 1990 campaign literature, had unsuccessfully run against Hayden as Jack Brier's pick for lieutenant governor in the 1986 gubernatorial primary.

I knew that reelection prospects were going to be difficult. Nestor Weigand, the realtor's candidate, [was my main opponent in the 1990 Republican primary]. He was a realtor, and it was the anti-tax movement, and he had the money to buy the ads. I got these consultants and said, here's the ad [or slogan]: "Don't get caught in Nestor's noose." Well, by God, they dressed up a dummy and they put a white face on it, and they put it in a noose! I saw it and I just went ballistic! I said, "You can't run that! You're going to have to redesign this, this thing. I mean, you got the theme right but you got the graphics terribly, terribly wrong and they're terribly offensive." And so that's when they came up with the stick man that's in the ad now. But in the one you never saw, they had a dummy with white face on it and I said that's insane, you're going to kill us on this one. I do take pride in the fact that I designed that [final] ad myself. I said, "I got to come up with a phrase that set [doubts about Weigand] into people's minds." That's what I did. That's where we came up with the ad and the truth is the ad might have been enough—the election was very close, and it might have been enough to win it. We used it kind of right at the end.[46]

And one of the things that I said we did in '86, is we consolidated the base. In 1990, these people were so mad, you know. Nestor never got over losing and so even though we met with him and even though we tried to work with him, we never could. And there was so much anger out there over this property tax thing that you couldn't bring people together after the [primary] election. So I knew from the start it was going to be tough. I knew that against Carlin we had a real good chance, because they couldn't beat us

46. Nestor R. Weigand, Jr., was a member of a prominent Wichita family and a part of the real estate firm established by his grandfather early in the twentieth century. See "Wichita Business Hall of Fame Archives," http://web.mac.com/web_builder/Junior_Achievement_of_Wichita/Hall_of_Fame_Archives.html.



After the uproar caused by the 1989 tax reassessment Hayden "knew that reelection prospects were going to be difficult." One of Hayden's opponents in the six-way Republican primary was Wichita realtor Nestor R. Weigand, Jr., pictured here on a 1990 campaign pamphlet. Hayden himself devised the slogan with which he fought Weigand: "Don't get caught in Nestor's noose." In the end, though he beat Weigand and his other Republican rivals, Hayden lost in the general election to Democrat Joan Finney.

up on the property tax question any more than they could John. But I also knew that if Joan Finney won then it'd really be tough, because how could we ever overcome this property tax issue that everybody was so upset about? But I knew way back—March, February—I knew it was going to be real hard to be reelected, because the undercurrent of anti-property tax fever was everywhere you went. And I knew that, so I didn't have any unrealistic expectations or anything. When Joan Finney won [the Democratic primary] I knew that it was really, really almost an impossible mountain to climb.

Joan Finney was state treasurer, and early on in that campaign was not that credible a candidate. But when she beat John Carlin, a two-time governor, all of a sudden you really become credible. It's one thing to be state treasurer, which gives you some credibility, but when you beat a two-time former governor in your own party's primary, people say, she must really be legitimate. And it just shot her up in the polls, see, and there was no way we could catch her. So we got closer and closer as time wore on, but I didn't think we could catch her—just given the tremendous lead that she had after the primary. We got fairly close, and then the abortion issue, the right to life issue, became a factor at the end. And it was really a confusing thing to the voters because here you have a pro-life Democrat woman, and a pro-choice Republican man, and so the voters were really, really confused. They weren't sure who was for what, because none of it fit the political stereotype. And one of the things that actually may have hurt us, which we didn't ask for or anything, was one of the pro-choice national women's organizations came to Kansas, not at our request and not even involving us, but [they] staged big rallies in our support. It probably ended up hurting us. I was glad when they left. But they were very concerned about Joan Finney,

as far as her position on choice. They found it very offensive that a woman, particularly a Democrat woman, would have that position. And so it turned out just exactly like I thought it would and exactly like what the polls showed.[47]

Gubernatorial Style

[A governor must recognize that Kansas is] a small state. We only have 1 percent of the nation's population. But we're a state large in landmass. So we're very diverse in that respect. We're spread out. You have to have a good lesson in geography. You have to know and understand this state. What did Mark Twain say, "You tell me where a man gets his corn-pone and I will tell you what his opinion is." People are what they're from. You have to have that sense of geography to govern our state successfully, because it is a melting pot of the rural and urban, western and the eastern. And there are great divisions, political divisions, that if you don't understand those and know those, then they can really wreak havoc with you in the way of successful governance.

So, one of the real secrets is being close to the people. In fact, if you look, since the [implementation of] modern-day governorship in 1974, every one of our governors have come from the statehouse family, every single one. The last person to be elected outside of the statehouse and statehouse family was Bob Docking, who was first elected in 1966. And one of the reasons that is is because if you're in the statehouse family, if you're a speaker of the house, or attorney general, insurance commissioner, secretary of state, state treasurer, lieutenant governor, you already have that sense. You've already been through the school of hard knocks in the sense of what it takes to make this state work and what it takes to be a successful governor. That's why the statehouse family is such a tremendous training ground and it will be the training ground for a vast majority of our governors in the future.

The Hayden Legacy

I would hope that people, when it was all said and done, would feel that you cared: that you cared about them; that you cared about the state; that you were in it for the right reasons; you were in it because of your real, real deep concern about Kansas and about the world in which we live. If after it's all said and done people just say, "Yeah, I remember him and he did a good job," or "I remember him and he was an honest guy," those are the kind of things ultimately [I'd like]. It's not the individual programs that are important. It's when it is said and done, you want people to feel good that you really tried to do the right things while you were in Cedar Crest [the governor's mansion] and in the governor's office. That's really, I think, all you can ask.

I've been blessed in my life to have a lot of experiences, meet a lot of people, be in a lot of places, but I have met some of the very best people in government. And they are people who truly want to serve. They truly are there for the right reasons. And that, I think, is the best you can hope for, that when your time is done, people will feel that way about you. That [they say], "Hey, he gave it his best shot and he really did care about the right things on behalf of folks." That's really what it's ultimately about.

Mike Hayden's 1990 defeat marked the end of his eighteen-year career in elected public office. However, it also marked a new beginning for Hayden, who pursued a career in the very field that had compelled him to leave his family farm and pursue a degree in conservation—natural resources, the environment, and outdoor recreation. In April 1991 President George H. W. Bush named Hayden to be the assistant secretary of the interior for fish and wildlife at the Department of Interior, and from 1993 to 2001 Hayden served as the president and CEO of the American Sportfishing Association, a non-profit trade organization that promotes the conservation of fishery resources and environmental measures that improve the aquatic environment. Hayden returned home to Kansas for good with his appointment by Governor Bill Graves in January 2002 as the secretary of Kansas Wildlife and Parks, a position he was reappointed to by Democratic Governor Kathleen Sebelius in January 2003, and in which he still serves today. His return to the office of KDWP secretary is more than fitting since it was then-Governor Hayden who was able to successfully reorganize the Fish and Game Commission and State Park and Resources Authority into a single cabinet-level department in 1987.[48]

47. Hayden and Priddle polled 138,467 votes (44.7 percent), while the Weigand and Miller slate captured 130,816 (42.3 percent), in the six-way August 1990 Republican primary. Richard Peckham came in third this time around with just over 29,000 (9.4 percent) votes. *Election Statistics, State of Kansas, 1990*, 41–46; for former Governor Carlin's comments on the outcome, see Beatty, "'Be Willing to Take Some Risks to Make Things Happen': A Conversation with Former Governor John W. Carlin," 137–38.

48. See "The Inside Story on Outdoors," *Wichita Eagle-Beacon*, December 28, 1986; "Hayden proposes state department of wildlife and parks," *Topeka Capital-Journal*, February 10, 1987; Flentje, *Selected Papers of Governor Mike Hayden*, 85–89.

When asked what he hoped people would remember about him, Hayden replied, "I would hope that people, when it was all said and done, would feel that you cared: that you cared about them; that you cared about the state; that you were in it for the right reasons; you were in it because of your real, real deep concern about Kansas and about the world in which we live." The former governor is pictured here with supporters during his bid for reelection in 1990. Image courtesy of Mike Hayden.

Hayden's energy and commitment to Kansas natural resource protection, organization, and awareness has made him a sought-after speaker throughout the state, and his presentations on Kansas's demographic and environmental changes and challenges have been given at universities, public policy seminars, and organizational meetings across the country. The argument can be made that no other former governor in the United States is more involved in such a key aspect of his or her state than Hayden is with Kansas's natural resource use and protection. As Hayden himself related in the 2003 interview, "maybe in a sense I'm getting a second chance now because my interest was in natural resources, but I felt like we had left a significant unfinished agenda as it relates to water. We did get funding for the state water plan in 1989 and that was one of our major accomplishments. . . . So I was pleased with that. But we didn't get accomplished near what we needed to to ensure the future of Kansas as it relates to water. So maybe it's a little poetic justice that both Governor Graves and now Governor Sebelius have given me an opportunity to reengage on that issue. . . . That's a rewarding thing." KH

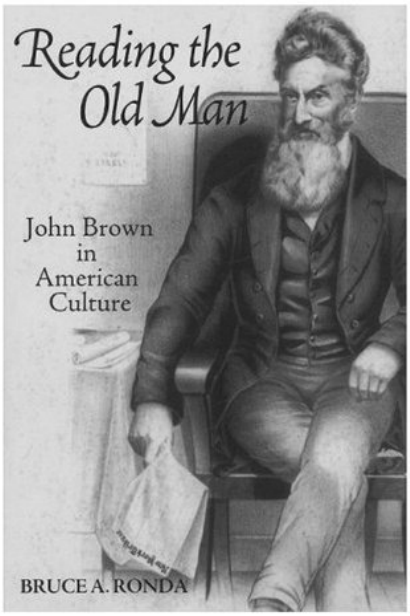
[In Progress] Kansas history: a journal of the central plains

REVIEWS

Reading the Old Man: John Brown in American Culture

by Bruce A. Ronda

xxiii + 218 pages, illustrations, notes, index.
Knoxville: University of Tennessee Press, 2008, cloth $39.95.



Politics is hardly an ideal source for great literature. Any historian quickly collects a sheaf of fractured literature on subjects like railroads, or slavery, or presidential leadership. However, such pieces make up for their shortcomings as pure literature through their interest as a mirror on the culture that produced them, and as documents confirming the longevity and morphology of people whose influence was perhaps greatest felt only after they lived. So it is certainly with John Brown. James Malin was able to devote eight hundred pages in 1942 to the historiography of Brown, even as John Steuart Curry was reinterpreting the man in paint on the walls of the Kansas Statehouse in Topeka. It is no surprise, then, that Brown had an enormous impact on American literature, from Stephen Vincent Benet's classic poem "John Brown's Body" (1928) to a vast store of lesser efforts spread over many years and addressing a wide variety of times and audiences. Bruce A. Ronda's new book is a fine guide, both in reinterpreting relatively well-known works, and, perhaps more fascinatingly, in introducing readers to authors with whom few are familiar, but who made a significant niche contribution in perpetuating the memory of Brown and his deeds. Ronda addresses art as well as literature, and documents the reaction of blacks as well as whites.

Giants were attracted to writing about Brown in many literary forms. E. A. Robinson wrote about him, along with Edgar Lee Masters, Frederick Douglass, Theodore Parker, Herman Melville, Richard Henry Dana, Allen Tate, William Dean Howells, Robert Penn Warren, Oswald Garrison Villard, C. Vann Woodward, and W. E. B. DuBois, to mention a few treated in Ronda's book. More obscure authors like Franklin Sanborn, Truman Nelson, Robert Hayden, Michelle Cliff, and J. C. "Kate" Swayze also had special interest in the man.

Perhaps Brown was more effective as a myth than a man. He received little publicity during his activity in Kansas in 1856, and it was not until he began himself to create literature in his eloquent trial speeches after Harper's Ferry that he loomed large in the national consciousness. What made the story fascinate and still does is the ambiguity of the events, the mix in the man's character, and the extremes of the possible reactions he elicited. Brown portrayals range from murderer to martyr. A reviewer of Robert Penn Warren's work on Brown, quoted by Ronda, noted that Warren had "gathered much interesting material to prove that John Brown was a brutal murderer, a horse-thief, a liar and a hypocrite, that his vaunted hatred of slavery was 'merely an incident and an opportunity in his career.' Nevertheless, he leaves the weird genius of that gaunt man unaccounted for and undefined. Like every one else who has tried to write this story, he is baffled by the complication of psychological forces which drove John Brown to his spectacular martyrdom" (p. 79).

Ronda makes clear that to some degree John Brown became useful to latter-day ideologues of various stripes. His analysis of the relation of modern novelist Russell Banks to Brown makes much of Banks's own involvement in the political issues of his time, and of his personal affinity with Brown. To Ronda, Banks's Brown novel, *Cloudsplitter*, is partly "an extended meditation on terrorism." Banks compared Brown to Che Guevara; a later writer might find parallels with Osama bin Laden.

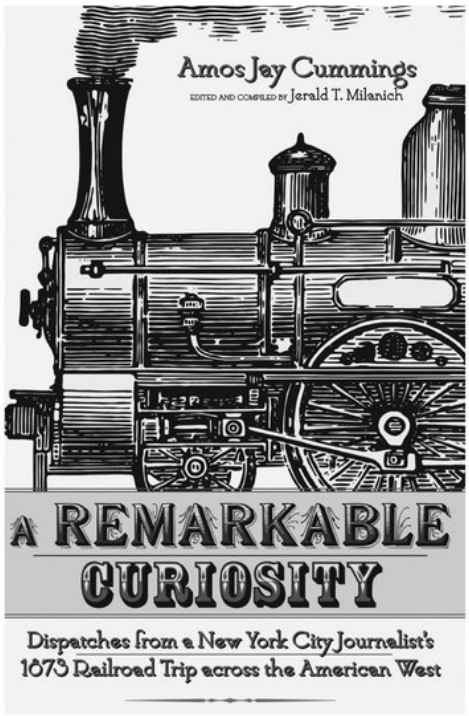
Maybe overall, Ronda concludes, Brown continues to be of interest because of America's continued failure to live up to its ideal of human equality. He "troubles" us. As Edwin Arlington Robinson wrote in the last line of his poem on Brown: "I shall have more to say when I am dead."

Reviewed by Craig Miner, *Willard W. Garvey Distinguished Professor of Business History, Wichita State University, Wichita, Kansas.*

A Remarkable Curiosity: Dispatches from a New York City Journalist's 1873 Railroad Trip across the American West

by Amos Jay Cummings, edited and compiled by Jerald T. Milanich

x + 371 pages, illustrations, notes, bibliography, index. Boulder: University Press of Colorado, 2008, cloth $26.95.



The lengthy title of this edited book by Jerald Milanich indicates the nature and scope of the publication: *A Remarkable Curiosity: Dispatches from a New York Journalist's 1873 Railroad Trip Across the American West*. Milanich has collected a series of articles written by Amos Jay Cummings, a popular feature writer for the *New York Sun*, during a sojourn into the rather raw American West. This seven-month journey from New York to California, which Cummings and his wife made mostly by rail, provided ample opportunities to comment on a variety of topics. Unlike typical contemporary accounts of railroad journeys through the Trans-Mississippi West, Cummings offered a limited description of rail travel and little in the way of commentary about the immediate railroad corridor. His most railroad-centered writing depicts his trip through Kansas on the Kansas Pacific Railroad, made from Kansas City, Missouri, to Denver, Colorado Territory. Readers learn about tree plantings between Ellis and Wallace, the buffalo-bone trade, and the opportunities and limitations of agriculture on the central Great Plains. Cummings is at his journalistic best with pieces on gold mining in Colorado and the Mormon Church in Utah, Territory. His penetrating interview with Brigham Young, president of the Church of Jesus Christ of Latter-day Saints, and commentary about Mormon activities in Utah and the region, surely helped to mold the public perception of this powerful and controversial religious figure.

There is no question that the series of reports written by Cummings for the *Sun* deserve publication in book form and hence wider recognition. Collectively, they provide another core of primary documentation about the West during the Gilded Age. The editorial commentary, however, is less satisfying. Editor Milanich, a curator of archaeology at the Florida Museum of Natural History in Gainesville, is not a trained historian and at times fails to place Cummings's accounts into proper historical context and prospective. In his coverage of Cummings's visit to the Union Colony of Colorado, he ignores the leading secondary literature, including the marvelous chapter on this cooperative community that appears in Dolores Hayden's book *Seven American Utopias: The Architecture of Communitarian Socialism, 1790–1975*.

Moreover, Milanich often offers breezy commentary, better suited for an oral presentation than for a published book. Examples abound: "After reading Cummings, I now understand that mining for gold was a great deal more involved than simply picking up nuggets from a streambed or extracting gold dust from the walls of a mine, a misapprehension fueled in part by watching the 1969 classic movie *Paint Your Wagon*" (pp. 3–4), or "Then I surfed the Internet to see if I could get more information. Bingo!" (p. 143). And there are places where editorial commentary is needed, even expected. When Cummings and his wife traveled from St. Louis to Kansas City, the reader should be told that they took either the cars of the North Missouri Railroad or the Pacific Railroad of Missouri. A review of printed schedules would likely suggest that the couple patronized the latter road.

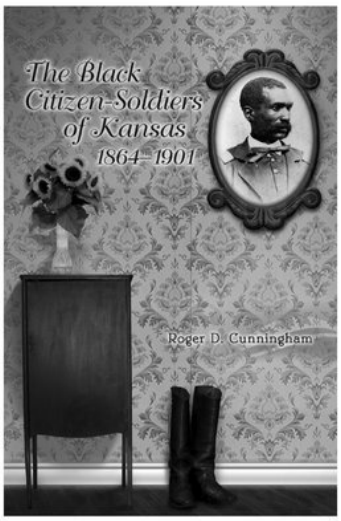
Nevertheless, Milanich furnishes a good biographical treatment of Cummings, a task that was not without difficulties. And undeniably he has resurrected an interesting body of Gilded Age newspaper accounts of the rapidly changing and intriguing American West.

Reviewed by H. Roger Grant, *Kathryn and Calhoun Lemon Professor of History, Clemson University, Clemson, South Carolina.*

The Black Citizen-Soldiers of Kansas, 1864–1901

by Roger D. Cunningham

xix + 206 pages, illustrations, notes, appendix, index.
Columbia: University of Missouri Press, 2008, cloth $34.95.



African-American history is a rich field of inquiry, but few scholars focus on the black military experience in the late-nineteenth century. Even fewer historians have made the effort to share with the general reader the military tradition found in the African-American community in the Sunflower State. But that drought has come to an end with the recent publication of Roger D. Cunningham's *The Black Citizen-Soldiers of Kansas 1864–1901*. Cunningham, a retired professional soldier, knows the field and has spent years researching his subject, traveling from his home in Virginia to the Kansas Historical Society in Topeka and the numerous county historical societies along the way.

Cunningham's study begins by recounting the plight of Grace Omstead, the widow of Charles Grinsted of Detroit, Michigan. Grinsted died of bladder cancer in 1925, at a time when social security was still a dream for millions. In order to support her daughter, Omstead sought a pension based on her late husband's service. The significance of Omstead's request, in Cunningham's study, is not so much its outcome as the fact that it led Cunningham to Grinsted, a veteran who served in the ranks of the United States Colored Troops as well as with the Second Regiment of the Kansas National Guard in 1876 and later with the Seventh Missouri Immunes during the Spanish-American War. Even more intriguing was Grinsted's role in the history of the Kansas National Guard, since he was the commander of the first black militia company formed in the state following the Civil War. Cunningham's rendition of Grinsted's military service offers him the opportunity to review the evolution of African Americans in the U.S. Army and various state volunteer formations during the Civil War, in which over 180,000 persons of color fought for the Union.

For Kansans, fighting for the Union meant joining border patrols to protect residents from Confederate guerrillas and raiders. *The Black Citizen-Soldiers of Kansas* traces the role that blacks, many of them ex-slaves, played in repulsing Sterling Price in 1864 and their later actions in further campaigns in both Missouri and Arkansas. But when the war was over, Kansas blacks faced a more arduous task in gaining admittance to the Kansas Militia and, later, the Kansas National Guard. What is the significance of African Americans serving in the Kansas Militia? Cunningham's study points to the obvious trend during the Gilded Age of men seeking to demonstrate their manliness, but it also finds a far more imperative reason for black participation in the militia: full citizenship for the black community.

White Republicans dominated the state's militia and guard leadership during much of the nineteenth century, with a few notable exceptions. As Cunningham's book demonstrates, the Republican establishment sought to tie persons of color to the Republican Party, not only by citing the party's role in emancipation, but also through the creation of independent or second-tier militia formations in Leavenworth, Olathe, Kansas City, Lawrence, Wichita, and Topeka. Today few Kansans remember the Garfield Rifles, the Osborn Guards, or the other militia formations created by black Kansans during the nineteenth century.

Cunningham's readers will discover that not only Kansas's schools were segregated, but state authorities also barred black militia companies from joining the National Guard. In 1887, the Kansas National Guard advocated the removal of the offensive term "white" from the Kansas Constitution in regards to membership in the militia. Nevertheless, Kansas continued to bar black independent companies from serving with the National Guard and strictly adhered to the "color line," common to the U.S. Army until 1948. Cunningham noted that even when Kansas provided weapons and uniforms to those black companies marginally associated with the militia, they issued equipment so far below standard that the authorities did not bother to retrieve it when company members were demobilized. Such callousness further dramatized the lack of esteem official Kansas had for those units and the men who served with them.

Cunningham's account provides a valuable narrative in the struggle of African Americans seeking the American dream. What is more, Cunningham introduces readers to the many colorful personalities that played a pivotal role in the fight for admittance into the Kansas National Guard—men such as John Waller, George Jackson, and James Beck. Cunningham's contribution to the historiography of the black military experience makes *The Black Citizen-Soldiers of Kansas* a significant addition to the field, and ranks his book on par with *Smoked Yankees and the Struggle for Empire: Letters from Negro Soldiers 1898–1902* by William B. Gatewood, Jr., and *The Black Regulars, 1866–1898* by William A. Dobak and Thomas D. Phillips.

Reviewed by Christopher C. Lovett, *professor of history, Emporia State University, Emporia, Kansas.*

Rabbit Creek Country: Three Ranching Lives in the Heart of the Mountain West

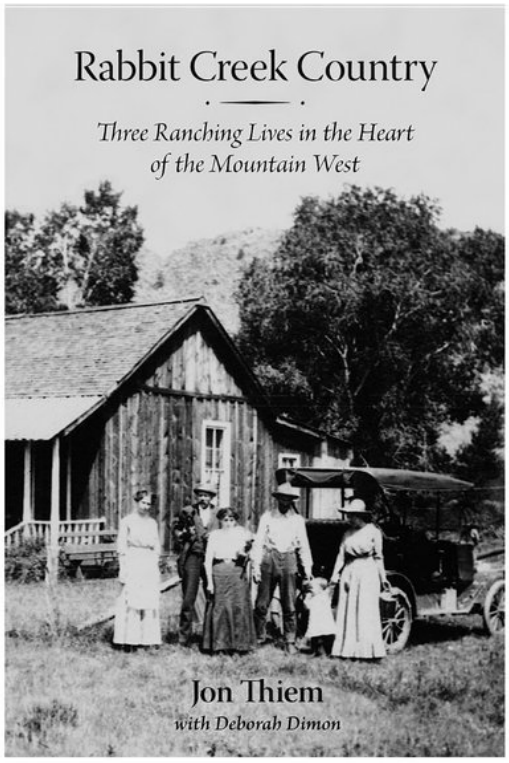
by Jon Thiem, with Deborah Dimon

xxvii + 440 pages, illustrations, map, notes, bibliography, index.
Albuquerque: University of New Mexico Press, 2008, cloth $29.95.

If the late Tip O'Neill's dictum that "all politics is local" were expanded to "all history is local," the champions of such thinking might consider offering this account of three remarkable individuals, who a century ago inhabited several thousand acres of ranchland northwest of Fort Collins, Colorado, as "Exhibit A." Centered on the Rabbit Creek and Lone Pine tributaries of the North Fork Cache la Poudre River west of Livermore, Colorado, and extending west to the upper Laramie River drainage, these multifarious acres were obviously attractive to the trio for the value that would accrue on them from breeding, grazing, and otherwise preparing cattle for market, slaughter, and human consumption. In short, John Elliott, Ida (Meyer) Elliott, and Josephine Lamb saw their self-defined ranch country west of Livermore as land in its natural state awaiting its proper fulfillment by human hands.

With the grassy meadows, serene valleys, and intermittent springs that characterized their land, along with the granite monoliths providing stern warning of the towering Rocky Mountain front range to the west, one cannot fault the Elliots and Lamb for being where they were, especially at time when the American West as a rural and often isolated society was in decline. They were, perhaps, more emotionally attached to their land than many of their neighbors because they were more sensitive to the nature, beauty, and wonder of their surroundings. And it certainly was a stage where their intertwined lives played out to the fullest, regardless of the spoken (and unspoken) thoughts of the larger Livermore community.

In this new study Jon Thiem offers informative commentary regarding environmental change in the Livermore ranch country dating back to prehistoric times, and an even more penetrating examination of social function and disfunction at Rabbit Creek, which culminates in his capstone chapter, simply titled "Three Lives." Gleaning information largely from local interviews, he recounts and tries to understand how John and Ida, who were married in 1908, interacted with Jo Lamb, a local schoolmarm who taught John and Ida's son Buck and lived in their household for decades. Lamb was apparently a "New Western" feminist in the making, and, according to the best Livermore gossip, was John Elliott's mistress. Also according to rumor, John and Jo—who eventually got her own ranch nearby, under what some locals believed were shrouded circumstances—snubbed and even mistreated poor Ida.



This, of course, makes for captivating, albeit conjecturable reading. But the author's evenhanded treatment of the alleged triangle compliments his primary purpose: to shed new light on human occupation, use, and abuse of an important pastoral place during a pivotal juncture in the history of Colorado and the American West. In this he succeeds in an absorbing manner. Some readers may find his documentation occasionally lacking in exactness and difficult to follow and may wonder about the phrase "Heart of the Mountain West" in the book's subtitle. In fact the topography less than thirty miles east of Livermore is more similar to the high plains east of Fort Collins and Denver than the actual "heart" of the Rocky Mountains many miles to the west. Taken metaphorically, however, "Heart of the Mountain West" may work.

Reviewed by William E. Unrau, *emeritus distinguished professor of history, Wichita State University, Wichita, Kansas.*

Hunting and Trading on the Great Plains, 1859–1875

by James R. Mead, edited by Schuyler Jones

xx + 276 pages, illustrations, notes, bibliography, index. Wichita, Kans.: Rowfant Press, 2008, paper $17.00.

James R. Mead was twenty-three years old when he arrived in Kansas in 1859. Over the course of sixteen years he worked as an Indian trader and hunter before settling down as a community builder in Wichita. Enchanted with the people, places, and animals on the Great Plains, Mead was of two minds about the coming of American settlement. He saw the railroads, farms and ranches, and thriving communities that existed in 1890 as unbelievably "wonderful" (p. 248). Still, he suggested, "the beauties and blessings of civilization" were "largely a myth" that overran the untrammeled "wilderness" he grew to love (p. 256).

Hunting and Trading on the Great Plains, 1859–1875, originally published in 1986 by the University of Oklahoma Press, is an extension of Mead's unpublished manuscript, "Reminiscences of Frontier Life," which he produced sometime in the 1890s. Editor Schuyler Jones—an anthropologist from Oxford University and Mead's grandson—augmented this work with letters and articles Mead produced over the years and in this new edition corrected some errors of the 1986 printing and offered a new preface. The sum of these efforts is a readable and intriguing narrative that, while prone to exaggeration, is wonderfully descriptive of the region and the psyche of a nineteenth-century frontiersman.

Mead, like most early Kansans, viewed local resources as commodities. Working on the "western boundary of civilization," he was especially keen to harvest the furs of grey wolves (p. 47). Apparently more interesting than bison, he found their presence "disturbing" (p. 56), but hunting them lucrative. He made a small industry of poisoning and skinning these predators. In a single day he claimed his party of three killed and dressed one hundred hides (pp. 166–67). The hunters left the carcasses on the prairie still laced with strychnine, and, while Mead later bemoaned collateral damages to raven populations, such losses were merely a matter of doing business.

In Mead's estimation Native Americans were both a source of trade business and a hindrance to hunting efforts. Through extensive dealings, he claimed to understand the "disposition of wild Indians" (p. 79). He demonstrated a deep knowledge of cultural diversity on the plains, an understanding of the international competition among these peoples, and a nineteenth-century disdain for all Indians that was tempered only by a grudging respect. His dealings brought him in contact with Kaws; Otoes; Omahas; Osages; Kiowas; Cheyennes; "Sioux"; Wichitas—by this time a confederation of Wichitas, Wacos, Towakonis, and Kechis; Caddos—also a confederation that included Ionis and Nadarkos; "semi-civilized Indians" from Indian Territory (p. 218); Comanches; and Pawnees. He seemed most impressed with Comanches, who demonstrated "honor among Indians" by consistently keeping their word and repaying their debts (p. 156). He was less impressed by the "thieving Pawnee" (p. 68), who other Indian nations called "prowling cowards" because of their penchant for horse capture (p. 183).

Mead's world was a place of hidden whiskey forts, border ruffians, and the Santa Fe Trail. In the course of his wanderings he turned his observant eye towards the personalities he encountered—some anonymous and some famous. He described bullwhackers on the Santa Fe Trail as "mostly semi-Indian, faithful, patient, brown-skinned" (pp. 46–47). He also claims to have known and greatly respected Jesse Chisholm, Satanta, and Charles Bent.

Portraits of these latter individuals are included in the volume's collection of illustrations. They are augmented by a number of well-placed maps that are spread throughout the chapters. These are quite useful, as rivers and other points of physical geography are especially important to the narrative. Additionally, Mead's life is contextualized in an introduction penned by his daughter, Ignace Mead Jones. While this section is ultimately useful in understanding the author, it is written flatly and belies the vitality of the greater work. Perhaps it is best read as an afterward.

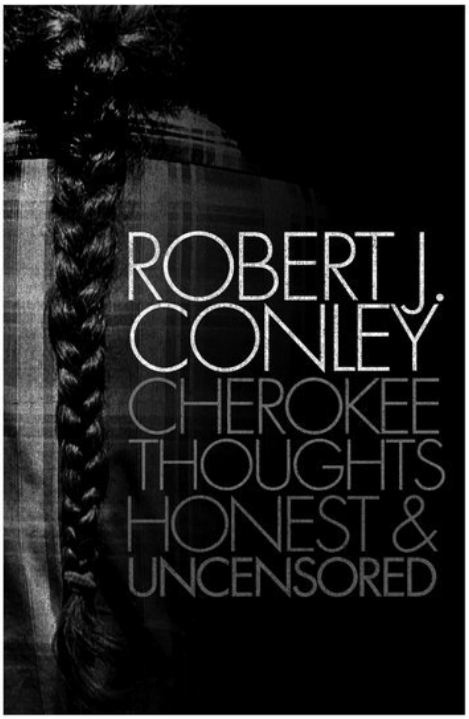
In total, the successes of this volume far exceed any of its minor foibles. *Hunting and Trading* is a valuable resource for plains scholars and a well-told story that can be enjoyed by historians of all kinds.

Reviewed by Kurt E. Kinbacher, *instructor, Spokane Falls Community College, Spokane, Washington.*

Cherokee Thoughts: Honest and Uncensored

by Robert J. Conley

vii + 200 pages, notes, index.
Norman: University of Oklahoma Press, 2008, paper $19.95.



Diversity among Cherokees seems undeniable. The existence of three federally recognized Cherokee tribes, including the Cherokee Nation, the United Keetoowah Band of Cherokee Indians, and the Eastern Band of Cherokee Indians, is an indication of this point. But, what does it mean to be Cherokee within this diversity? In *Cherokee Thoughts: Honest and Uncensored*, Robert J. Conley addresses this question by intermingling tribal history with personal thoughts on some of the issues and controversies that are on the minds of modern-day Cherokees.

A Cherokee and Oklahoman, Conley is an acclaimed novelist, short story writer, historian, and poet. Some of his most recent awards and honors include receiving the Cherokee Medal of Honor from the Cherokee Honor Society, being named the Sequoyah Distinguished Professor in Cherokee Studies at Western Carolina University, and winning the 2009 American Indian Festival of Words Author Award. Conley's background and many accomplishments make him highly qualified to write on Cherokee history, and to offer his thoughts on what it means to be Cherokee. *Cherokee Thoughts* includes twenty-eight brief essays that cover many fascinating stories and controversial topics from both the past and present. Some of the more contentious essay topics include those on Cherokee outlaws, Cherokee "Wannabes," Indian treaties, Cherokee citizenship, and "California Cherokees." Slightly less controversial, but no less interesting, are essays dealing with Will Rogers and other Cherokee celebrities, Cherokee literature, and Conley's biography and family history. In one essay, Conley even takes aim at the McClellan-Kerr Arkansas River Navigation System.

In the introduction Conley acknowledges that readers probably will not agree with him on some issues. Moreover, he makes it clear that the essays are not meant to represent the thoughts of all Cherokees. After all, as he writes, "Cherokees today come in all shapes and fashions" (p. 4). Once Conley has cleared with the reader that he is only speaking for himself, he immediately jumps into the fray with the first essay on the controversies surrounding Indian casinos. When considering the chosen essay topics, and in recognition of Conley's directness on some of the most controversial subjects permeating Cherokee society today, it seems clear that he welcomes disagreement and debate. After all, as Conley writes, "Cherokees like to argue," adding that this could be why there are so "many Cherokee lawyers" (p. 5).

Although each essay stands alone topically and many can be read fairly quickly, this is a difficult book to put down. The inclusion of many fascinating stories and pertinent examples grabs the reader, making Conley's unique personal commentary all the more insightful. Scattered throughout the book, and sometimes popping up in unexpected places, the author also skillfully uses humor and sarcasm to help make serious points. This is especially true of the essay titled "Indian Humor," in which he uses jokes and funny stories to point out that "Indians are smart, have tremendous senses of humor, and really like to laugh" (p. 109).

Conley offers a unique view of Native American history, and many of the essays provide capsule accounts of some of the most important events in Cherokee history. As a result, students of Cherokee history would greatly benefit from including this work in their studies. However, this book is about more than history. There are many engaging stories involving Cherokee culture, folklore, family life, politics, and literature. In addition, some of the essay topics, such as the "Freedmen Controversy," could be pulled from today's news headlines. Conley offers a serious and entertaining look at Cherokees from the past and the modern day. *Cherokee Thoughts* is a captivating book that leaves this reader hoping for a sequel.

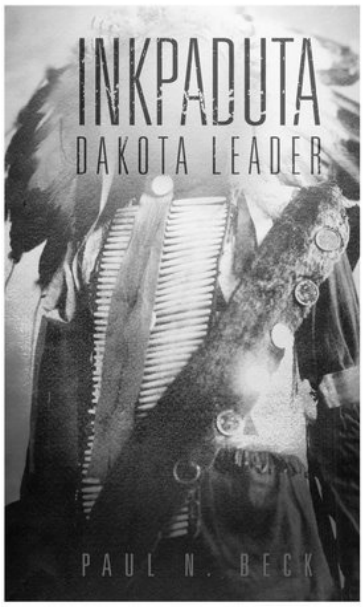
Reviewed by Gary L. Cheatham, *assistant professor of library services, Northeastern State University, Tahlequah, Oklahoma.*

[In Progress] Kansas history: a journal of the central plains

Inkpaduta: Dakota Leader

by Paul N. Beck

xx + 188 pages, illustrations, maps, notes, bibliography, index.
Norman: University of Oklahoma Press, 2008, cloth $24.95.



The last couple of decades have been good ones for biographers of Native Americans, especially of Sioux leaders. Robert M. Utley's masterpiece on *Sitting Bull* (1993) set the gold standard. Gary Clayton Anderson preceded Utley with a book on Little Crow (1986), the 1860s Dakota leader, and Robert Larson followed with two on Red Cloud (1997) and Gall (2007). Kingsley Bray's *Crazy Horse: A Lakota Life* (2006) succeeded where others—Mari Sandoz, Stephen Ambrose, and Larry McMurtry—had failed; he brought to life the most enigmatic of Lakota leaders, whose short career had become myth. Collectively these biographies provide valuable models for others toiling in this surprisingly robust subgenre.

Why are these narratives so popular? These men did not lead thousands as did their Civil War contemporaries, nor represent millions as did their white political counterparts. Their followers numbered few. At their surrenders Crazy Horse led 899, Sitting Bull only 187; at their deaths, far fewer. Even the great Red Cloud oversaw the affairs of only a few thousand people, the equivalent of a Kansas county seat. The answer may be that each resisted the United States, usually by dramatic military feats followed by political wrangling of mixed but usually predictable results. The United States government always won in the long run. But there was a question that remained: how would their reputations fare? Those of Crazy Horse and Sitting Bull survived intact and grew, as they became models for the living, who faced similar challenges. For Red Cloud it required recent scholarship to help restore a tarnished reputation. The primary job of biographers has been to confront and then challenge and reshape the current conception of "Indians of the imagination"; to create profiles more reasonable and real given the facts at hand.

In that environment Paul N. Beck offers *Inkpaduta: Dakota Leader*, a long-needed reassessment of that "resistor" and "renegade," the 1850s "Dakota chief best known and most feared by the whites" (p. xvi), who was "the embodiment of all the fears and stereotypes whites held" (p. xvii). That's a lot for one person to shoulder, especially for a leader who, at the pinnacle of his infamy, commanded only eleven warriors and who came from the Wahpekute, a tiny branch of the Dakota tribe.

In March 1857 Inkpaduta—and, basically, his extended family—attacked some Iowa settlements, killing thirty-nine men, women, and children and carrying away four captives and a load of loot. Henceforth he glided across the northern plains, reappearing at critical points in the Sioux-U.S. conflict, particularly the fights at Wood Lake (1863), Whitestone Hill (1864), and Little Bighorn (1876). He escaped to Canada, dying there about 1879, unreconstructed, unredeemed, and, to white America, unpunished (if one does not count the lives of the many family members he lost along the way).

Due to the paucity of personal details other than those from the time of the Spirit Lake massacre, much of his life "remains vague" (p. xii), as the seven chapters in *Inkpaduta* reveal. Of his formative years virtually nothing is known. Found in Beck's new study, though, is a sizeable literature on the middle-aged Inkpaduta, much of it occasioned by the 1857 episode, plus a few interviews of his modern descendants. Do more sources exist? From the author's assertions, the U.S. Army apparently spent much time and effort on determining Inkpaduta's whereabouts. One wonders whether relevant military documents exist in the National Archives (in Washington, D.C., and the regional branches) awaiting discovery. The sources used by the aforementioned biographers indicate this would have been research time well spent.

With so little at hand on the real Indian, the biography turns to myth, legend, and bad press. Here the book is more successful, yet it sometimes contradicts itself. Inkaputa's white detractors are credited with effectively blackening his reputation, even while the refugee became "something of a national patriot" (p. 119). Yet elsewhere examples are given in which his fellow Sioux and whites alike used Inkpaduta as a convenient scapegoat, blaming him for various frontier treacheries. That Indian peoples needed their own "bogeyman" (the author's term) makes this the more interesting Inkpaduta, one whose story still remains murky a century and a half later.

Reviewed by R. Eli Paul, *museum director, National World War I Museum at Liberty Memorial, Kansas City, Missouri.*

High Plains Horticulture: A History

by John F. Freeman

xiv + 270 pages, illustrations, map, notes, bibliography, index.
Boulder: University Press of Colorado, 2008, cloth $34.95.

High Plains Horticulture: A History provides insight into the post-settlement history of horticulture in the High Plains of western Kansas, Nebraska, and South Dakota and eastern Colorado and Wyoming. John Freeman views horticulture as a civilizing influence, and he carefully reviews its role in the settlement of the area. He discusses horticulture's role in providing food for farm families and, later, ornament for the homes of Denver, Cheyenne, and even small towns, including Bird City, Kansas. He traces the importance of researchers—especially Charles Bessey in Nebraska, Aven Nelson in Wyoming, and Niels Hansen in South Dakota—and their influence on the development of new horticultural crops adapted to the region. And he shows how settlement and irrigation changed the land and the food grown on it.

Freeman has done his research, and obviously spent considerable time in the musty pages of old government documents in many libraries in the region. This is a unique and focused work, a good book to read, that nevertheless leaves me with many questions and a few criticisms. His chapter on "Horticultural Beginnings" does not start early enough or look at the successes of horticulture by Native Americans. Corn, beans, squash, and many wild fruits are found in archeological remains in the regions studied, as demonstrated by Robert Hoard and William Banks in the volume they edited in 2006, *Kansas Archaeology*, and Raymond Wood in his 1998 *Archaeology on the Great Plains*. The trials, tribulations, and stories of native growers, including the historic growers at El Quartelejo pueblo in western Kansas, would have helped the early settlers' feeble attempts to garden. Although prairie turnips (*Pediomelum esculentum*) are mentioned by Freeman as a wild food that was being harvested as recently as 1905, I have observed that it is still harvested on the Lakota reservations in the region, and it is even available on the internet as a flour product for fry bread. These omissions demonstrate the repeated lack of interaction between native peoples and settlers that has resulted in a tremendous lost opportunity that continues today.

Freeman's book expands the discussion of horticulture in the region by detailing some of the history of both fruit and ornamental trees, especially the attempts to establish forests such as the Nebraska National Forest. While this history is interesting and deserves even further discussion, the lack of success in establishing forests in western Nebraska and Kansas is not adequately addressed. The role of windbreaks and trees as ornamentals in cities and towns is highlighted and has been perhaps the most successful horticultural development in the region.

Recent horticultural accomplishments in the region are noteworthy, especially the development of xeriscaping by the Denver Water Department and the growth of farmers' markets and renewed local production. Freeman is somewhat dismissive of the latter, stating that part of the reason for this is "nostalgia for a simpler time of small, independent farms, when produce was grown with few or no artificial fertilizers, pesticides, and herbicides" (p. 234).

Such a conclusion leads me to question why Freeman offers almost no discussion of the federal agricultural policies that promoted larger and larger farms, which in turn used more and more water, fertilizer, and pesticides. Surely these national policies have had a direct, negative impact on horticulture in the region. What percentage of produce eaten today in Hays or Fort Collins or Bird City comes from the region? How does that compare to one hundred years ago, or fifty years ago? These questions need to be asked not only in Freeman's book, but also to become part of an ongoing discussion of what we grow and eat on the High Plains and what policies we implement to support (or to oppose) horticulture. Perhaps Freeman's dismay at the new mission given to the Cheyenne Horticultural Field Station, which recently converted to a focus on native grass research, should have caused him to become concerned with the state and national agricultural policies and subsidies that have primarily promoted large-scale agriculture almost to the exclusion of horticulture in the region.

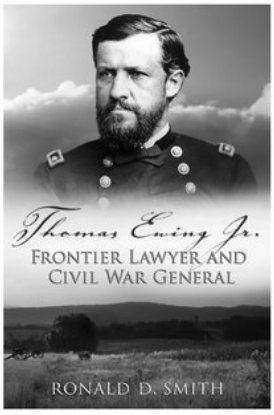
Reviewed by Kelly Kindscher, *associate scientist, Kansas Biological Survey, University of Kansas, Lawrence, Kansas.*

[In Progress] Kansas history: a journal of the central plains

Thomas Ewing Jr.: Frontier Lawyer and Civil War General

by Ronald D. Smith

xvi + 377 pages, illustrations, notes, bibliography, index. Columbia: University of Missouri Press, 2008, cloth $44.95.



Termed by Alvin M. Josephy as the Civil War's "forgotten war," the Trans-Mississippi theater is often portrayed as a sideshow to the broader war. As recent scholarship has demonstrated, scholars and popular writers who ignore the conflict in the West do so at their peril. The critical social and political dynamics of the war's western frontier served as prologue to what it soon enough became everywhere: a "people's contest," as Abraham Lincoln would label the conflict. Critical wartime initiatives, including confiscation, emancipation, African American recruitment, and guerrilla warfare, began on the Kansas-Missouri frontier.

Among the advocates of this scorched earth, western way of war was Thomas Ewing, Jr., who until now has escaped biographical treatment. Ewing hailed from a famous—and famously complicated—Ohio political family of U.S. senators, cabinet members, presidential candidates, and federal generals. William T. Sherman, his more famous foster brother (and brother-in-law, having married Ewing's sister), has been the focus of most historical studies that involve the Ewings. As Ronald Smith points out rightly in his new study on Ewing, these family connections do not alone make for a worthy book. Rather, they are essential components to the story of the widening hard war in which Ewing was participant, on the Kansas-Missouri frontier and beyond.

Staked in part by family trust money, Ewing moved to Leavenworth, Kansas, where, as a lawyer and land speculator, he was an active, if moderate freestater. Consistent with his Whig family politics, Ewing condemned both abolitionists and ultras alike. In the spring of 1856, he saw the second invasion of Missouri "border ruffians." A year later he blew the whistle on blatant voting fraud in the election of territorial legislators. His brave integrity earned him election in December 1859 as chief justice of the first state supreme court, a position he assumed only after Kansas's admission to the Union in 1861.

Within a year, Ewing underwent something of a conversion about slavery and the war. Believing those who supported the peculiar institution needed to be made to feel a harder hand of war, he helped to raise a regiment of Kansas cavalry and led it at Cane Hill and Prairie Grove. In 1863, despite the opposition of James H. Lane, the Kansas senator and military commander with whom Ewing had a long and complicated relationship, Lincoln appointed Ewing to command the new District of the Border over Lane's choice, hard-liner James G. Blunt. The Ohioan vowed to "set the border right in ninety days" by reining in the region's various paramilitary bands: jayhawkers, Red-Legs, Border Guards, and border ruffians alike (Thomas Ewing, Jr., to John M. Schofield, June 23, 1863, Library of Congress, Washington, D.C.). Ewing's response to William Quantrill's bloody raid on Lawrence, Kansas, on August 21, 1863, made his reputation. Although Smith argues rightly that the mechanics of his infamous Order No. 11, issued four days after the atrocity, were already in the works, he echoes timeworn arguments that the order was thus not retaliatory. Surely it was. Criticized for some two hundred civilians deaths on his watch, with the president himself calling for Kansans to "punish their invaders," and with hard-liner Lane threatening to invade Missouri in an unauthorized war of extermination, Ewing acted swiftly and precipitously (Abraham Lincoln to John M. Schofield, August 27, 1863, in *The Collected Works of Abraham Lincoln*, ed. Roy P. Basler [Springfield, Ill.: The Abraham Lincoln Association, 1953], 6:415). Believing that some two-thirds of all Missouri residents in the border district were kin to the guerrillas, he ordered the expulsion of virtually all civilians in four Missouri counties, in effect weeding a garden with a bulldozer, as Arthur Schlesinger later wrote of American military strategy in the guerrilla conflict in Vietnam. Despite redeeming himself by delaying Sterling Price's invading horsemen at Pilot Knob in 1864, the controversy over Order No. 11 would overshadow such competence, and for the remainder of his life the combative Ewing reaped this whirlwind. Smith narrates much of this with particular skill, weaving into his story all the Ewing family members, especially those in military command.

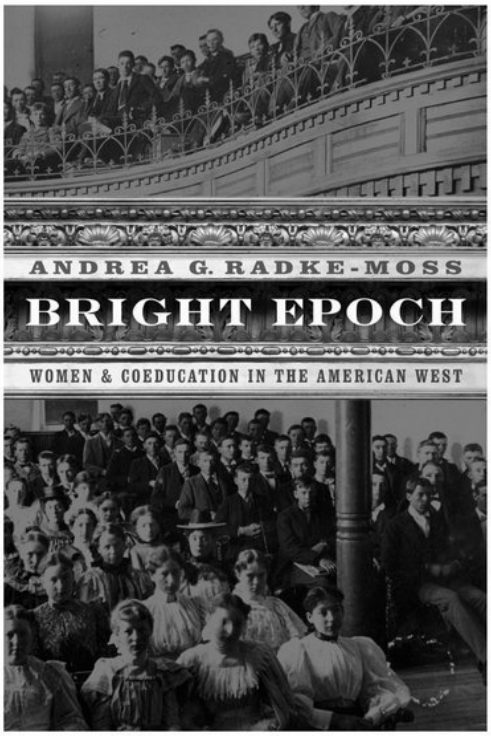
The author has mined extensively the extant sources on the Ewings, including a cache of Tom Ewing's correspondence outside the well-used materials at the Library of Congress, the University of Notre Dame, and the Ohio Historical Society. If criticisms are to be made of this book, they would include Smith's near-complete focus on Ewing's Kansas and Missouri experiences; that critical paragraphs lack citations and interpolations substitute for evidence on key historical subjects; and that the author too frequently lapses into clichéd prose. But these are little more than grumbles. No serious reader will fail to recognize that this book makes a valuable contribution to the field of Civil War studies generally and the Trans-Mississippi specifically, reminding us yet again that the "forgotten war" should not be such.

Reviewed by Christopher Phillips, *associate professor of history, University of Cincinnati, Ohio.*

Bright Epoch: Women and Coeducation in the American West

by Andrea G. Radke-Moss

xiv + 354 pages, illustrations, notes, bibliography, index. Lincoln: University of Nebraska Press, 2008, cloth $45.00.



In *Bright Epoch: Women and Coeducation in the American West*, Andrea Radke-Moss examines the genesis of coeducation in the West, using four schools as examples: Iowa Agricultural College (now Iowa State University), the University of Nebraska, Oregon Agricultural College (now Oregon State University), and Utah State Agricultural College (now Utah State University). Although the focus is on these institutions, other notable land grants, such as Kansas State, also make an appearance in her analysis. Radke-Moss argues that rather than limiting women's participation in the educational experience, western land grant universities provided opportunities for women to create their own place on campus. Sometimes that meant participating right alongside men, and sometimes they voluntarily chose to separate themselves.

Radke-Moss's analysis follows a number of different threads. She examines the discourse of coeducation among administrators and students at the land grants, making use, among others, of the inaugural address of Adonijah Strong Welch, the first president of Iowa Agricultural College. She also examines the language of inclusion rampant in the student publications of the day. She studies the ways in which male and female students were, quite literally, separated, but also the ways in which women integrated themselves into literary societies, student publications, and the classroom. Another chapter examines sociability, both with women and men. Although the land grants hoped to cultivate relationships leading to marriage among their male and female students, some students, such as Willa Cather at the University of Nebraska, used this opportunity to forge lifelong loving relationships with other women.

Women's athletics were an important form of female expression in the land grant schools, with women engaging in a variety of activities, from exercise programs to competitive sports such as basketball and track and field. Perhaps most interesting is her chapter "The American Eagle in Bloomers," which details women's participation in military drill activities. Those activities reached their apogee at Iowa Agricultural College, where women demanded the right to military drill, and performed along with the school's men at the 1893 World's Fair in Chicago. Also notable is Radke-Moss's discussion of women's political organizing on behalf of suffrage on land grant campuses. Her work is a necessary antidote to other historical sources that locate the impetus for suffrage with eastern activists entirely outside of the region.

Bright Epoch is an engaging work that puts to rest the idea that coeducational land grant education somehow stifled, rather than empowered, western women. Radke-Moss's exhaustive research has uncovered many instances in which these young women forged their own place and purposes within their schools. As noted above, her last two chapters are among her best, presenting material very different from the traditional take on women's activities at these institutions. Although generally well written and very useful, the book would have benefitted from a bit more editing. For example, Radke-Moss identifies one of Iowa Agricultural College's female World War I casualties as Hortense Ward, and implies that she was a nurse. Her name, however, was Hortense Elizabeth Wind, and she was a naval dietician, not a nurse. Small issues such as this aside, however, *Bright Epoch* is well worth reading, and will be useful to anyone interested in women's history, or the history of education. It would also be good reading material for undergraduate women's history classes. It comes highly recommended.

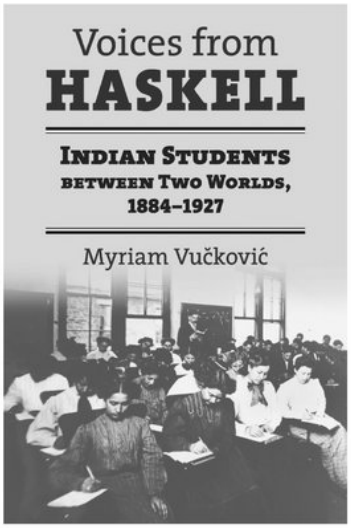
Reviewed by Pamela Riney-Kehrberg, *professor of agricultural history and rural studies, Iowa State University, Ames, Iowa.*

[In Progress] Kansas history: a journal of the central plains

Voices from Haskell: Indian Students between Two Worlds, 1884–1927

by Myriam Vučković

xii + 330 pages, illustrations, notes, bibliography, index. Lawrence: University Press of Kansas, 2008, cloth $34.95.



Despite the continual efforts of white educators to force assimilation and subordination on their Native American students, such students in the late nineteenth and early twentieth centuries "were everything but passive victims in the government's assimilation campaign" (p. 2). That is the thrust of Myriam Vučković's argument in *Voices from Haskell: Indian Students between Two Worlds, 1884–1927*, a thorough study of the largest federal boarding school for Native Americans, Haskell Institute, from its inception in 1884 through the 1920s. With this case study, Vučković adds to a rich field of Native American boarding school scholarship aimed at reclaiming and highlighting the voices of the students at the center of a multi-million-dollar government effort to dictate the lives of Indian children.

Voices from Haskell begins in the 1880s, when the federal government shifted responsibility for Native American schools from the hands of missionaries, churches, and private organizations to the Bureau of Indian Affairs. In an introduction and eight chapters, Vučković tells complicated tales of young children's homesickness and fright after arriving at a school full of unfamiliar faces. Many students were forced to attend Haskell Institute by government officials, but even those who wanted to enroll faced a storm of foreign languages and new customs. Teachers demanded that students wear uniforms, march in military fashion, cut their hair, and disregard their own cultural traditions. Some children had to adopt new names and all had to speak English at all times. Industrial training and discipline was at the heart of the school's curriculum, and much of the work done by both girls and boys became important for the school's maintenance and expansion. In 1928, a government investigation, the Meriam Report, would expose such exploitation of child labor and call for an end to unsanitary conditions, harsh rules, and other abuses at the school.

Despite these formidable efforts to alter the identities of young generations of Indian children, Vučković argues that the government's expectations of assimilation and subordination were rarely achieved because Haskell students engaged in multifaceted forms of resistance. For example, students from plains tribes could communicate through sign language, become surrogate parents for each other, and "create a sense of community" (p. 90). Some students showed resistance by simply refusing to study or work. Others demonstrated their opposition by using their coursework to advance their own careers beyond their teachers' low expectations. More frequently, students asserted themselves against the rigid confines of their school environments by sneaking out at night, smoking tobacco, or secretly sharing forbidden cultural practices with each other. There were also several mysterious fires in school buildings that dramatically represented protests. Occasionally parents also voiced resistance, complaining of the crowded conditions and rampant illnesses and protesting to administrators, "Would you like your children to be thus exposed?" (p. 193). Students and their parents exhibited such acts of resistance despite the risk of demerits or more severe physical punishments—Haskell Institute did, after all, operate its own jail, or "guardhouse."

Voices from Haskell sets out to place Haskell Institute into larger political, economic, and cultural contexts from which to examine "the boarding school as a hegemonic structure" (p. 2), but by the end of this otherwise well-crafted book, some questions remain about the role of the school in the government's ultimate failure to help Native American students fully assimilate into white society and gain economic security. Without a formal conclusion, readers are left to wonder about Haskell Institute's role in the era of the Indian New Deal in the 1930s and about its transformation into its present-day existence as a four-year university, Haskell Indian Nations University. Vučković does, however, make good on her pledge to offer a glimpse into the daily lives of students at Haskell Institute through their letters and oral interviews, and her careful mining of over five hundred boxes of archival material is apparent. A section of twenty-five photographs—including images of students playing football, studying blacksmithing techniques, and learning Victorian etiquette—adds an enriching visual element to *Voices from Haskell* and is a treat for readers wanting to see for themselves some students who navigated their way through boarding school with dexterity and dignity.

Reviewed by Kim Warren, *assistant professor of history, University of Kansas, Lawrence.*

Troubled State: Civil War Journals of Franklin Archibald Dick

edited by Gari Carter

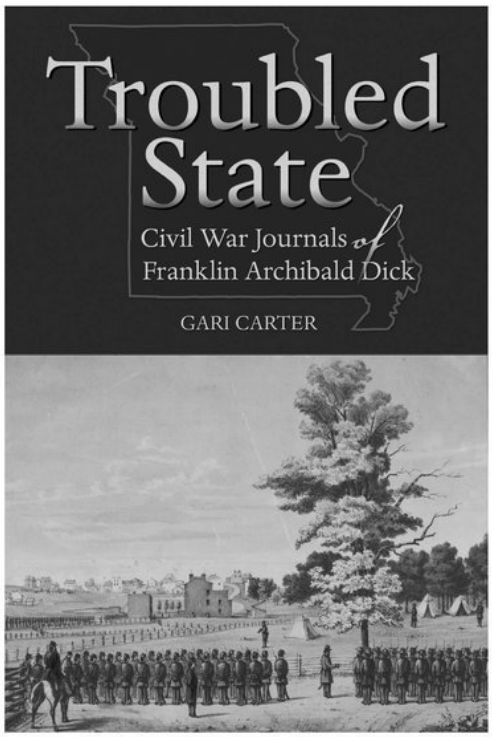
xxxii + 279 pages, illustrations, notes, bibliography, index. Kirksville, Mo.: Truman State University Press, 2008, cloth $34.95.

In the 1960s editor Gari Carter's mother gave her the Civil War journals written by Carter's great-great grandfather, Franklin Archibald Dick. Carter's newly edited volume, *Troubled State*, includes two journals covering the periods from September 1861 through April 1862 and September 1864 through July 1865. Regrettably the intervening journals are missing, but Dick's letters fill in most of that time period.

A native of Philadelphia, Pennsylvania, Dick moved to St. Louis, Missouri, in 1842 and began practicing law there. In 1851 he married Myra Madison Alexander, a sister-in-law of Francis Preston, Jr., "Frank" Blair's. Well-educated and connected to the politically powerful Blair family, Dick's journals provide an interesting look at a civilian's life during the war, convey a sense of the psychological impact of the conflict, and are interspersed with much reflection on war news, religion, and finances.

Dick resided in the Philadelphia area during the beginning and ending stages of the war, and the majority of his surviving journals detail that phase of his life. Although his first entries were written in the Philadelphia area, Dick reflected back on life in politically divided St. Louis in early 1861. Dick vividly detailed his friendship with Brigadier General Nathaniel Lyon, the riot at Camp Jackson, and the meetings of pro-Union supporters in Dick's law office. Upon his return to Philadelphia, Dick invested in a cartridge-making factory along with a brother-in-law. Problems with this endeavor frequently troubled him, and the venture ended in tragedy when the factory exploded in March 1862 and several workers died.

Back in St. Louis, Dick engaged in strenuous and stressful attempts to maintain Missouri's loyalty to the Union. His surviving journals detail some of his work on the Board of Assessors in St. Louis. As the editor ably describes it the "board's purpose was to raise money for the Western Sanitary Commission to support civilian refugees in St. Louis. Southern sympathizers who did not voluntarily donate money to the commission were required to pay an assessment based on the value of their property and the degree of their disloyalty . . ." (p. 87). In November 1862, Major General Samuel R. Curtis appointed Dick provost marshal general for the Department of Missouri, a position in which he served until May 1863. As provost marshal general, Dick served as overseer of military prisons in the department, dealt with suspected spies and others who were disloyal, and had authority to banish individuals. Again, he served in a position that infuriated Southern sympathizers but won him praise from Unionists. Dick's letters from this time convey the challenges of life in that "troubled state," Missouri. As a useful corrective to prevailing



views of Abraham Lincoln, it is interesting to note that although Dick respected Lincoln, he felt Lincoln treated Southerners much too leniently.

In the journal covering the latter part of the war, Dick spent much time considering whether to move back to St. Louis. It is apparent from this portion of his journal that his work in St. Louis had caused some type of psychological trauma leading to great indecisiveness and a desire for vengeance on Southerners. The title of the book also serves as a useful description of Dick's mindset during this part of the war.

The editor has done a good job of identifying individuals written about by Dick and placing his journals and letters in context, although this reviewer desired more information about the explosion at the cartridge-making factory. A helpful chronology of war events is included at the beginning of each chapter, and there are two appendices: one includes short biographical sketches of military leaders and family members and the other is a genealogy of Dick's family. Dick's writings are an unusual addition to Civil War literature, valuable for their portrayal of how the war impacted one man in a politically divided border state.

Reviewed by M. Jane Johansson, *associate professor, Rogers State University, Claremore, Oklahoma.*

BOOK NOTES

The Grace Abbott Reader. Edited by John Sorensen with Judith Sealander. (Lincoln: University of Nebraska Press, 2008, xxxv + 132 pages, paper $21.95.)

A Nebraska native, Grace Abbott (1878–1939) lived much of her life in Chicago, working as a social reformer on behalf of immigrants, children, and women at organizations such as Hull House and the Immigrants' Protective League. She later spent time in Washington, D.C., where she served as the chief of the U.S. Children's Bureau. This collection of Abbott's speeches and essays, the first of its kind, documents her argument "that to have had a part in the struggle—to have done what one could—is in itself the reward of effort and the comfort in defeat" (p. v).

Kansas Trail Tales: A Collection of Railroad History. By Robert Collins. ([Andover, Kans.]: Create Space, 2009, 129 pages, paper $10.00.)

A prolific writer of Kansas history for many years now, Robert Collins, who has recently published biographies of James H. Lane and James G. Blunt, here offers a collection of articles, most of which have been previously published in magazines such as *All Aboard*, *Territorial Magazine*, and *Wild West*. The pieces cover a variety of railroad topics, from the 1898 Andover train robbery to the short-lived Halstead branch established by the St. Louis and San Francisco Railway (Frisco) in 1882. The book includes a bibliography of sources used in each of the fifteen essays.

Buffalo Soldiers: African American Troops in the US Forces, 1866–1945. By Ron Field and Alexander Bielakowski. (New York: Osprey Publishing, 2008, 232 pages, cloth $25.95.)

Buffalo Soldiers, an attractive, heavily illustrated volume, briefly introduces the reader to the black soldier of the Civil War, including those of the First Kansas Colored Infantry that was "unofficially" organized in the summer of 1862, but it concentrates on the postwar years, beginning with the formation of the first regular African American regiments authorized and raised in 1866 and ending with the first moves to desegregate the armed forces in 1946. The book, which is divided into three parts—"New Frontiers," "Buffalo Soldiers," and "World War II"—concludes with a short essay on integration during the Cold War, and although it contains no source notes, a nice bibliography is included.

Where a Hundred Soldiers Were Killed: The Struggle for the Powder River Country in 1866 and the Making of the Fetterman Myth. By John H. Monnett. (Albuquerque: University of New Mexico Press, 2008, xxxiv + 315 pages, cloth $29.95.)

Noted author and professor of Native American history, John H. Monnett, Metropolitan State College, Denver, offers "a new interpretation of events surrounding the Powder River country and Fort Phil Kearny in 1866," particularly with regard to the infamous "Fetterman massacre" of December 21, 1866. The narrative that Professor Monnett so skillfully constructs, drawing on Indian as well as more traditional Anglo-American sources, takes place in northern Wyoming, but it had great impact on the people of Kansas and other plains states in the 1860s. The volume is extensively researched and well illustrated, with photographs and six helpful maps.

Images of Aviation: McConnell Air Force Base. By Steve A. Larsen. (Charleston, S.C.: Arcadia Publishing, 2008, 128 pages, paper $21.99.)

Arcadia Publishing is well known for its wonderfully illustrated and attractive books of community history, based on the work of fine local scholars. Steve Larsen's *Images of Aviation: McConnell Air Force Base* tells the story of this vital Wichita base from its World War II beginnings to the present using more than two hundred illustrations, with captions, a concise introduction, and brief essays at the beginning of each of volume's four chapters: "From Modest Beginnings to National Defense: 1920–1962"; "Missiles, Fighters, and Cold War: 1962–1986"; "McConnell in Transition: 1986–1994"; and "The Modern Era: 1994–2008."

Medicine Under Canvas: A War Journal of the 77th Evacuation Hospital. Edited by Max S. Allen. (Kansas City, Mo.: The Sosland Press, 2008, xvi + 194 pages, cloth $29.95.)

Originally published by the University of Kansas School of Medicine in 1949, *Medicine Under Canvas* documents the history of this Kansas City medical unit that saw action in North Africa, Sicily, and Europe during the Second World War. It is "a unique and fascinating look into military medicine, practiced by a unit of doctors, nurses, and enlisted men who came together to provide care in the midst of the century's largest war." The 2008 edition includes an introduction by Dr. W. Kendall McNabney and a roster of the men and women who served in the unit.

The Nature of Kansas Lands. Edited by Beverley Worster, foreword by Donald Worster. (Lawrence: University Press of Kansas, 2008, xiv + 79 pages, cloth $34.95.)

This beautifully illustrated "coffee table" book, which any true Kansan will be proud to own and display, draws on the historical/environmental, literary, and scientific expertise of four outstanding scholars—Donald Worster, Elizabeth Schultz, and Kelly Kindscher, as well as the editor, Beverly Worster—and the exceptional artistic skills of photographers Edward Robinson and Kyle Gerstner. *The Nature of Kansas Lands* contains dozens of color photographs of the landscape in all seasons and all its subtle diversity and varied Kansas wildlife, up close and personal.

ERRATA, VOLUME 31, NUMBER 4

Winter issue, p. 245, note 7: the extant copy of the *Shawnee Sun*, a part of the Snyder Collection, Special Collections Department, University of Missouri-Kansas City, is accessible at http://library.umkc.edu/spec-col/history/historiography/shawneesun.html, but it is *not* on the microfilm of the Jotham Meeker papers (M7027).

[In Progress] Kansas history: a journal of the central plains

THE HISTORICAL SOCIETY was organized by Kansas newspaper editors and publishers in 1875 and soon became the official trustee for the state's historical collections. Since that time the Society has operated both as a non-profit membership organization (KSHS, Inc.) and a state agency (KSHS). A one-hundred-two-member board of directors, through its executive committee (three of whom are appointed by the governor), governs the KSHS, Inc. The Kansas Historical Society is part of the executive branch of state government.

The mission of the Kansas Historical Society is to identify, collect, preserve, interpret, and disseminate materials and information pertaining to Kansas history in order to assist the public in understanding and appreciating their Kansas heritage and how it relates to their lives. This is accomplished through educational and cultural programs, the provision of research services, and the protection of historic properties. The Society headquarters are in Topeka, and it operates sixteen historic sites throughout the state.

MEMBERSHIP

Kansas History is distributed to members of the Kansas State Historical Society, Inc. All persons are cordially invited to join the Society. Annual membership dues are: individual $40, household/family $50, 1875 Founders Club $100, Kansas Pioneer Society $1,000. Call 785-272-8681, ext. 209. Corporate membership information is available upon request. Issues of *Kansas History* are $7.00 each (double issues $12.00) available from the Kansas State Historical Society, Inc., 6425 SW 6th Avenue, Topeka, KS 66615-1099; 785-272-8681, ext. 454.

Individuals wishing to provide donations or bequests to the Society should contact Vicky Henley, executive director, Kansas State Historical Society, Inc., 785-272-8681, ext. 201, or vhenley@kshs.org. KSHS, Inc. is a 501(c)3 not-for-profit organization, and donations are deductible in accordance with IRS code section 170.

EDITORIAL POLICIES

Kansas History is published quarterly by the Kansas State Historical Society, Inc., and contains scholarly articles, edited documents, and other materials that contribute to an understanding of the history and cultural heritage of Kansas and the Central Plains. Political, social, intellectual, cultural, economic, and institutional histories are welcome, as are biographical and historiographical interpretations and studies of archeology, the built environment, and material culture. Articles emphasizing visual documentation, exceptional reminiscences, and autobiographical writings also are considered for publication. Genealogical studies generally are not accepted.

Manuscripts are evaluated anonymously by appropriate scholars who determine the suitability for publication based on the manuscript's originality, quality of research, significance, and presentation, among other factors. Previously published articles or manuscripts that are being considered for publication elsewhere will not be considered. The editors reserve the right to make changes in accepted articles and will consult with authors regarding such. The Society assumes no responsibility for statements of fact or opinion made by contributors.

Kansas History follows the *Chicago Manual of Style*, published by the University of Chicago Press (15th ed., rev., 2003). A style sheet, which includes a detailed explanation of the editorial policy, is available upon request or at www.kshs.org/publicat/history/style.htm. Articles appearing in *Kansas History* are available online from EBSCO Publishing and on microfilm from University Microfilms, Ann Arbor, Michigan. Selected articles are published on the Society's web page at http://www.kshs.org/publicat/history/online.htm.

The Edgar Langsdorf Award for Excellence in Writing, which includes a plaque and an honorarium of two hundred dollars, is awarded each year for the best article published by *Kansas History*.

The editor welcomes letters responding to any of the articles published in this journal. With the correspondent's permission, those that contribute substantively to the scholarly dialogue by offering new insights or historical information may be published. All comments or editorial queries should be addressed to Virgil W. Dean, editor, *Kansas History: A Journal of the Central Plains*, 6425 SW 6th Avenue, Topeka, KS 66615-1099; 785-272-8681, ext. 274; e-mail: vdean@kshs.org.

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Kansas History

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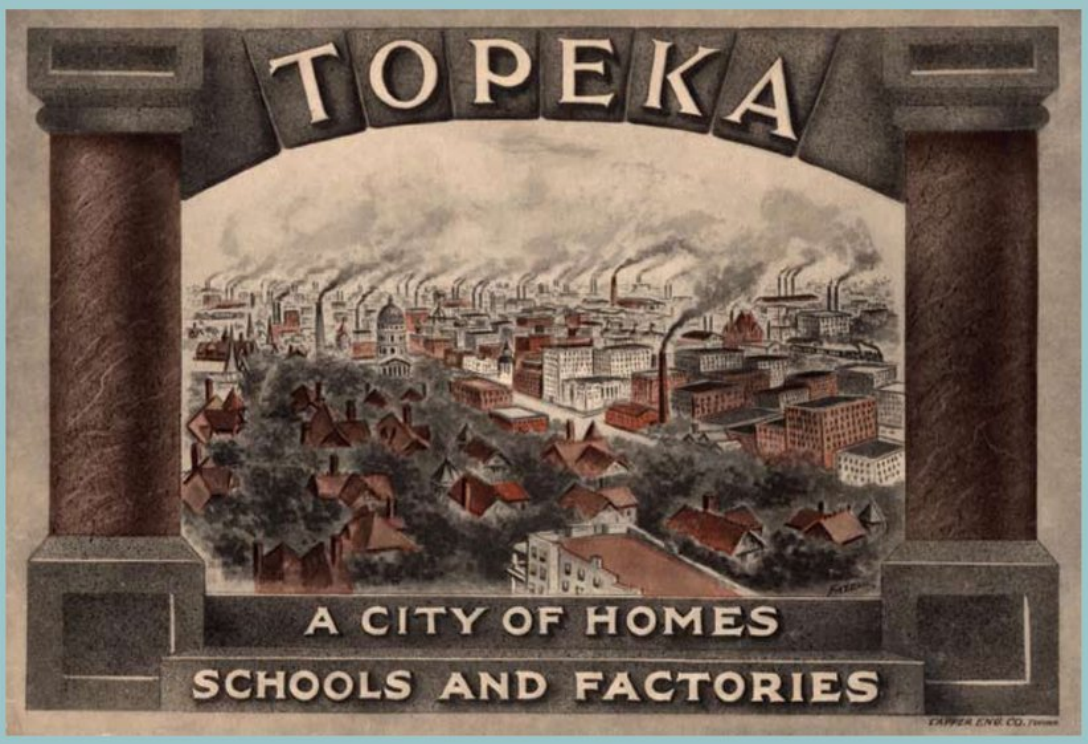

A publication of the Kansas Historical Society

Kansas History

A Journal of the Central Plains

COVER: *This brochure, printed by the Topeka Commercial Club just before WWI, touts the city's many advantages. In this issue we feature an article on the challenges to this portrait of Topeka posed by the Reverends Charles M. Sheldon and Charles F. Parham.* BACK COVER: *Topeka's Best Theater in the late 1930s. The fifth installment of our biennial film review series appears in this issue.*

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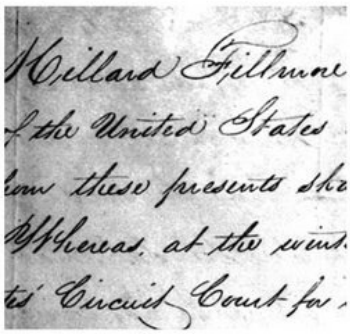

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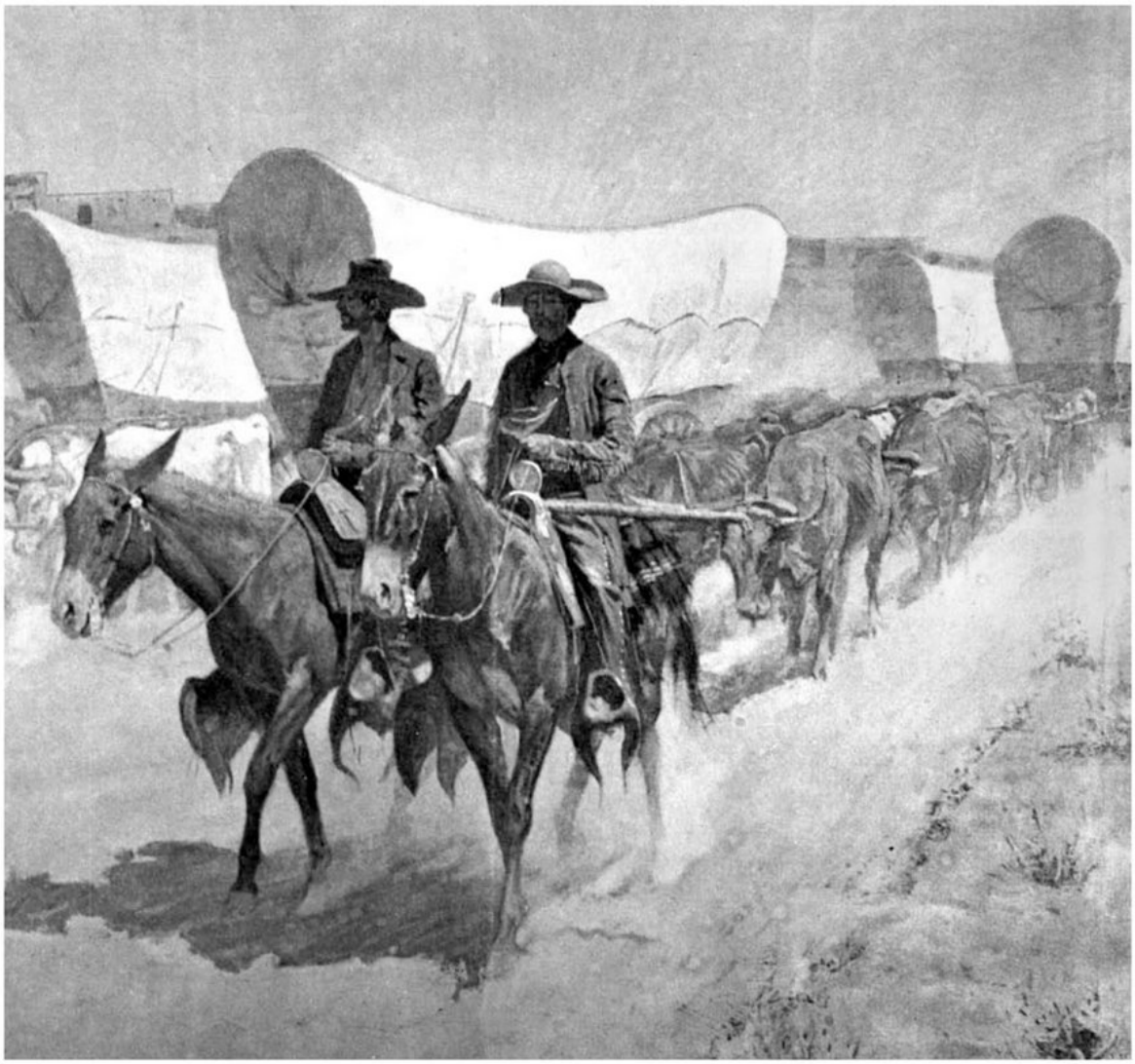


A portion of Frederick Remington's The Santa Fe Trade, *1904.*

Kansas History: A Journal of the Central Plains 32 (Summer 2009): 90–105

[In Progress] Kansas history: a journal of the central plains

Murder on the Santa Fe Trail

The *United States v. See See Sah Mah and Escotah*

by William E. Foley

The popular PBS program *History Detectives* recently began an investigation into the circumstances surrounding President Millard Fillmore's decision to commute the death sentence of See See Sah Mah, a Sac Indian convicted of murdering trader Norris Colburn in 1847 on the Santa Fe Trail near Hickory Point, about ten miles south of present-day Lawrence, Kansas.[1] The current owner of See See Sah Mah's 1851 presidential pardon posed two questions to the television show's host Tukufu Zuberi: who was See See Sah Mah, and why did the American president choose to intervene in his case?

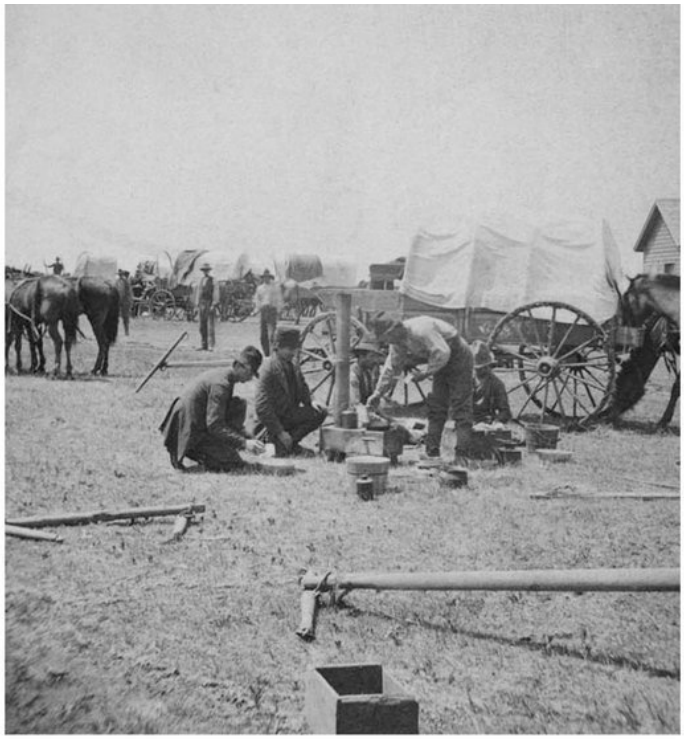
But the import of Fillmore's commutation order extends far beyond the responses to those initial queries. It is rooted in the larger story of Indian-white relations and the U.S. government's attempts to subject native people to the dictates of an American legal system that differed markedly from the ways of customary Indian law. As early as the 1790s Congress had authorized the states to try Indians accused of committing crimes within their borders and assigned the federal government jurisdiction over Indian cases in the U.S. territories. Both state and federal authorities generally chose to leave the adjudication of crimes involving only Indians in tribal hands, but in cases involving whites, American officials expected Indians to surrender the alleged culprits and comply with the rituals of U.S. justice. Mindful that powerful tribes still retained a decided advantage in Indian country, national legislators waited until 1817 to extend the arm of American justice into those regions. Only then did Congress grant the federal courts jurisdiction over cross-cultural crimes committed on Indian lands.

Murder cases were especially problematic, and attempts to try Indians on those charges seldom satisfied anyone. Frontier residents scoffed at efforts to safeguard Indian rights and angrily complained when the alleged perpetrators were not promptly executed. Although local juries seldom hesitated to pronounce them guilty, condemned Indian felons often managed to elude the hangman's noose by having their convictions overturned on appeal or by securing a reprieve, usually in an attempt to prevent reprisals and minimize future violence. All the while, those who criticized clemency for Indians steadfastly refused to sanction the punishment of any white person who killed an Indian.

William E. Foley, *professor emeritus of history, University of Central Missouri, serves as general editor of the Missouri Biography Series for the University of Missouri Press. His most recent book is* Wilderness Journey: The Life of William Clark.

The author thanks producer Shervin Hess and the research staff at *History Detectives*, Jim Holmberg, Pat O'Brien, Lori Cox-Paul, Reed Whitaker, Eugene Morris, Ken Winn, and Jay Buckley for their assistance.

1. Louise Barry, *The Beginning of the West: Annals of the Kansas Gateway to the American West, 1540–1854* (Topeka: Kansas State Historical Society, 1972), 668–69. The *History Detectives* episode featuring the See See Sah Mah pardon airs in July 2009 on PBS stations nationwide.



An experienced western traveler, Norris Colburn was no stranger to the Santa Fe Trail. The previous summer he had completed the journey from Santa Fe to Independence, Missouri, in a record-setting twenty-four and a half days. Colburn's pace would have made stops, like the one pictured here near Pawnee Rock in Barton County, Kansas, few and far between.

If white citizens found much to criticize in the judicial system devised for handling Indian cases, Indians did not regard it any more favorably. Hangings and incarceration may have been the norm for Americans intent on assigning blame and punishing offenders, but those practices seemed bizarre to Indian people who had developed systems of ritual recompense that deflected individual punishment and emphasized reciprocity. See See Sah Mah's lengthy judicial ordeal graphically illustrates the consequences of long arming Indians into American courtrooms. From the moment he first landed in U.S. custody, the beleaguered Sac had to cope with language barriers, racial prejudice, and a bewildering judicial process.[2]

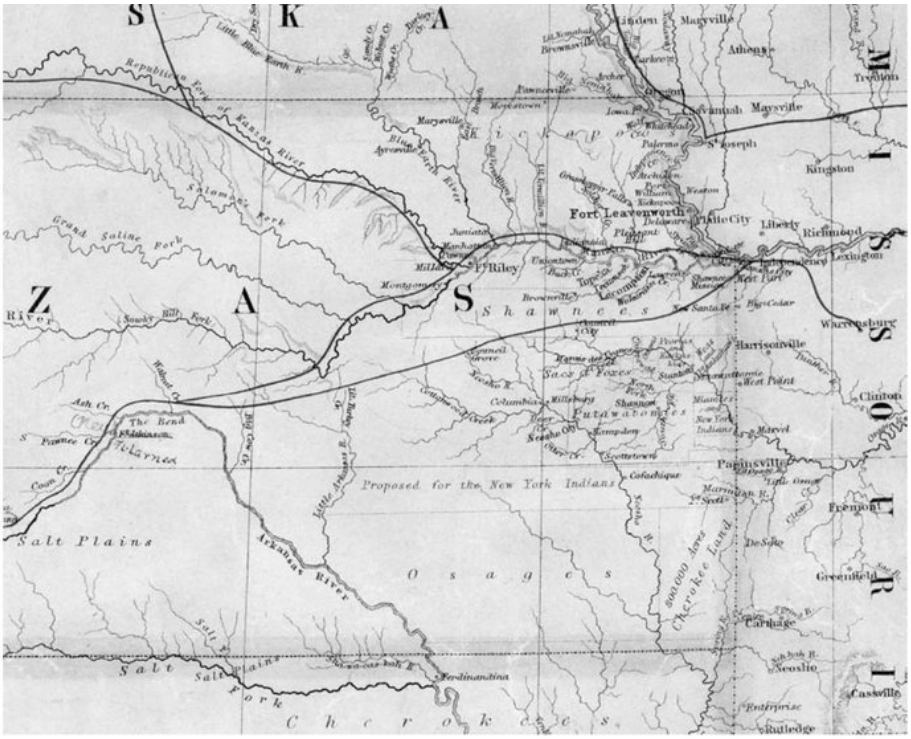
Neither the intervention of the president of the United States nor the involvement of a nationally prominent and politically powerful family proved sufficient to forestall an unhappy end for See See Sah Mah. His sad tale captures the plight of nineteenth-century America's dispossessed Indian populace. Forcibly removed from their native lands, once dominant tribes found themselves stateless and subject to the laws of an alien government. And so it was for See See Sah Mah and the proud and formidable Sac and Fox bands exiled to the prairies west of Missouri in the 1840s.[3]

When Colburn, a St. Louis merchant who had come to Santa Fe on a business trip, uttered adios to his New Mexican friends and associates in March 1847, nothing seemed amiss. To the contrary, these were flush times for the veteran trader who was heading back to Missouri carrying saddlebags filled with gold dust, coins, treasury notes, and checks worth perhaps as much as $12,000.[4] An experienced western

2. For a more extended discussion of these matters, see William E. Foley, "Indians on Trial: The Missouri Cases," in *A History of Missouri Law*, ed. Mark Carroll and Kenneth H. Winn (Athens: Ohio University Press, forthcoming); Foley, "Different Notions of Justice: The Case of the 1808 St. Louis Murder Trials," *Gateway Heritage 9* (Winter 1988–1989): 2–13; Kathleen DuVal, "Cross Cultural Crime and Osage Justice in the Western Mississippi Valley, 1700–1826," *Ethnohistory 54* (Fall 2007): 698–700.

3. William T. Hagan, *The Sac and Fox Indians* (Norman: University of Oklahoma Press, 1958), 225–29.

4. *Darby v. Charless* (13 Mo. 600 [1850]). Colburn was active in the Santa Fe trade. In 1845 he formed a partnership with William T. Smith of Santa Fe. He also was a member of the firm E. Leitensdorfer & Company, which included brothers Eugene and Thomas Leitensdorfer. Colburn married Josephine Leitensdorfer, a sister of Eugene and Thomas, on April 2, 1846. See Mark Gardner, ed., *Brothers on the Santa Fe and Chihuahua Trails* (Niwot: University Press of Colorado, 1993), 152n86.



Once their caravan reached Walnut Creek in Indian country, which stands on the 1857 map above at the fork in the road on the left, Colburn and Leitensdorfer struck out on their own. A short time later Leitensdorfer showed up alone in Independence, Missouri, at the right of the map reprinted here. When asked to explain his partner's absence, Leitensdorfer reported that after Colburn's mule had given out at Elm Grove, about thirty-five miles southwest of Independence, he had left him behind and forged ahead to seek assistance.

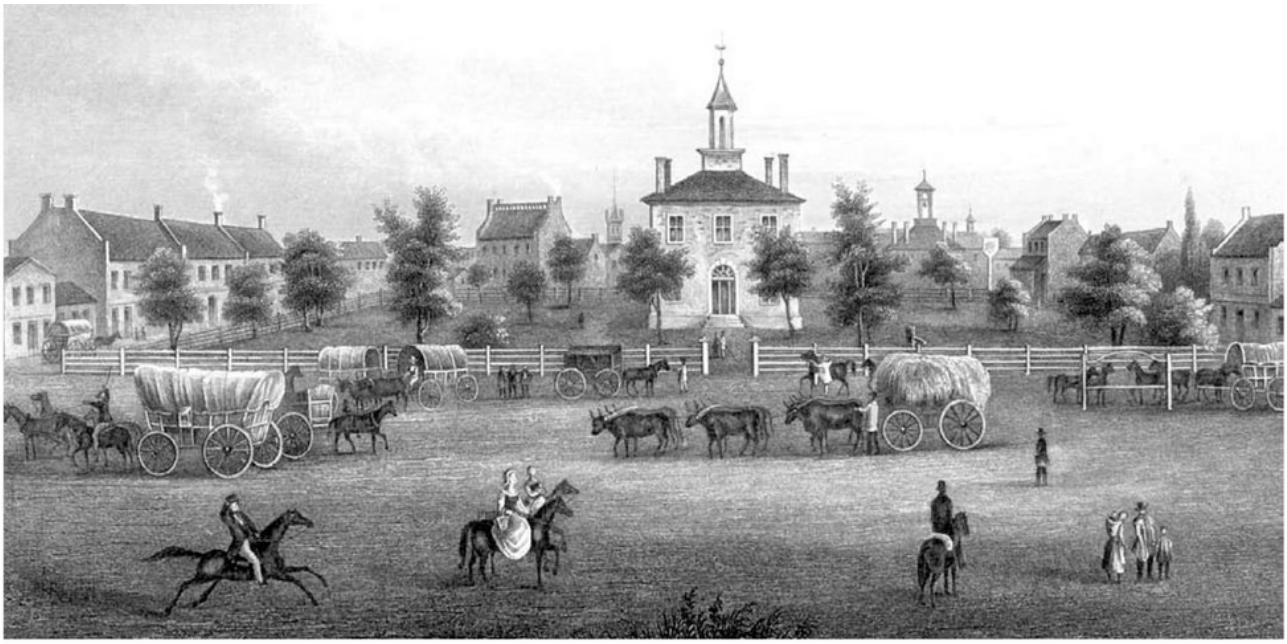
traveler, Colburn was no stranger to the Santa Fe Trail. The previous summer he had completed the journey from Santa Fe to Independence, Missouri, in a record-setting twenty-four and a half days, and many expected him to equal or exceed that mark on this trip, which he took with his new brother-in-law and business partner Thomas Leitensdorfer.[5]

Once their caravan reached Walnut Creek in Indian country, Colburn and Leitensdorfer placed the teams under the care of their traveling companions and struck out on their own. A short time later Leitensdorfer showed up alone in Independence with the money, which he deposited with local saddler and Santa Fe freighter John Lewis for safekeeping. When asked to explain his partner's absence, Leitensdorfer reported that when Colburn's mule had given out at Elm Grove, about thirty-five miles southwest of Independence, he had left him behind and forged ahead to seek assistance. Many thought it curious that they had chosen to separate and questioned why Leitensdorfer had taken a circuitous route to Independence after leaving Colburn. Understandably the finger of suspicion was quickly pointed in his direction.[6]

With the suspect relative in tow, a hastily organized search party set out to find the missing trader. Their failure to locate Colburn raised new doubts about the veracity of the brother-in-law's story, but family and friends in St. Louis rushed to his defense, citing his good character and the absence of any apparent motive for harming his

5. (St. Louis) *Missouri Republican*, September 2, 1846.

6. The Walnut Creek crossing, near present-day Great Bend, Barton County, was a well-known location on the Santa Fe Trail, as was Elm Grove (also known as Round Grove or Lone Elm), a familiar camping ground in southwestern Johnson County. The several contemporary accounts of the exact place the two men parted company are somewhat confusing and contradictory, but it seems most likely that it was somewhere near the present Douglas-Johnson County line, between "the Narrows" (Black Jack Grove/Park) and Elm Grove. *Daily Union* (St. Louis, Mo.), April 19, 1847; *Daily Union*, April 17, 1847; (Columbia) *Missouri Statesman*, May 7, 1847; *Darby v. Charless* (13 Mo. 600 [1850]). Testimony of Thomas Leitensdorfer, copy of evidence from notes taken by Judge R. W. Wells, *U.S. v. See See Sah Mah and Escotah*, n.d.; B. Gratz Brown, Synopsis of Trial, n.d., in Petitions for Presidential Pardons, RG 59, Records of the Department of State, entry 893, Petitions of Pardon, 1789–1860, National Archives, College Park, Maryland, hereafter cited as "Petitions of Pardon, 1789–1860, RG 59, entry 893, NA-College Park." See also "The Santa Fe Trail in Johnson County," *Kansas Historical Collections, 1909–1910* 11 (1910): 457; Gregory Franzwa, *The Santa Fe Trail Revisited* (St. Louis, Mo.: The Patrice Press, 1989), 56–57, 61, 101; Barry, *The Beginning of the West*, 599.



United States officials wasted little time in bringing See See Sah Mah and Escotah before the American bar of justice. In late August 1849 a military detachment from Fort Leavenworth escorted the pair to Independence, Missouri, for a preliminary hearing. The city's courthouse is pictured above.

partner. Their contention that a party of vagabond Indians had likely taken Colburn captive failed to persuade the skeptics. When Colburn's mutilated body was finally discovered several weeks later, partially covered with sand, stones, and leaves in a steep gorge well off the trail, an initial press account declared, "The general opinion on the frontier is, that he was not killed by Indians."[7]

Contradictory reports about how and where Colburn died deepened the mystery. According to one early version making the rounds, he had been shot in the head and his body rolled in a blanket and weighted down with stones in the ravine. Another account, however, claimed that wild animals probably had dragged the body into the gulch where Nondawa, an Oto Indian, came upon it after observing wolves and buzzards circling about. Nondawa reported his discovery to the authorities in Independence, and they dispatched an investigative party to the site where the body had been found about a quarter mile off the Santa Fe road near Willow Spring, north of the Osage boundary line.[8]

Determining the cause of death was no easy task. The victim's flesh had been eaten away everywhere except on the hands and feet. Officials could not positively confirm that the mutilated remains were in fact Colburn's until a local dentist identified his distinctive artificial and plugged teeth. A small round hole in the side of the victim's head had led Nondawa to believe a gunshot had killed him, but Samuel Ralston, an Independence farmer and businessman dispatched to the scene to investigate, concluded that the assassin had likely used a hatchet or knife.[9] There were signs of a scuffle, and footprints made by a boot or shoe, not a moccasin, formed a track leading from where the body was found to a nearby stream where Ralston surmised the killer had washed his hands before heading up the hill in the opposite direction. That suggested to him that, "a white man did the deed." Suspicious that Leitensdorfer might be the culprit, he measured the footprints and compared them with a pair of boots the prime suspect had left behind at a nearby way station. When they failed to match, the search for the killer shifted elsewhere. The uncertainty surround-

7. *Boonville* (Mo.) *Observer*, April 22, 1847; *Daily Union*, April 17, 19, and May 6, 1847.

8. *Boonville Observer*, May 6, 1847; *Missouri Statesman*, May 7, 1847; *Daily Union*, May 11, 1847; testimony, copy of evidence from notes taken by Judge R. W. Wells, *U.S. v. See See Sah Mah and Escotah*, n.d., in Petitions of Pardon, 1789–1860, RG 59, entry 893, NA-College Park.

9. *Liberty* (Mo.) *Tribune*, May 15, 1847; testimonies of Nondawa, Samuel Ralston, and Dr. Belt, copy of evidence from notes taken by Judge R. W. Wells, *U.S. v. See See Sah Mah and Escotah*, n.d., in Petitions of Pardon, 1789–1860, RG 59, entry 893, NA-College Park. Ralston, who occasionally outfitted traders going to Santa Fe, later sided with Missouri bushwhackers, and one of his daughters married the notorious outlaw Frank James. See W. Darrell Overdyke, ed., "A Southern Family on the Missouri Frontier: Letters from Independence, 1843–1855," *The Journal of Southern History* 17 (May 1951): 216–37.