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The Hallowed Death Tale of Jedediah Strong Smith
Circumstance, Fact and Fabrication

By, Mark William Kelly, J.D. (2016)

Mark William Kelly is both an attorney and a federally-employed archaeologist. He is the author of the 2013-published *Lost Voices on the Missouri: John Dougherty and the Indian Frontier* and the 2016-published *Annie's Story: The Extraordinary Life of Annie Dougherty Ruff.*

The death of Jedediah Strong Smith, occurring enroute to Santa Fe at the hands of Comanche Indians on 27 May 1831, is a much-venerated account - the event transpiring fully 185 years ago - withstanding, thus far, any attempt to challenge the circumstances of such atrocity. For the sake of reiteration, the earliest accounts of the demise of Jedediah Smith are herein provided, excerpted from the content of two letters of the same date, 24 September 1831, both written by Austin Smith, brother to Jedediah Smith; a third document of same date written by William Sublette to William H. Ashley; and, last, a fourth account, published but one month hence, on 29 October 1831, in the Illinois Intelligencer.

The first Austin Smith letter, written from Walnut Creek, east of present-day Great Bend, Kansas, on his return to St. Louis from Santa Fe, was directed to his father, Jedediah Smith, Sr., addressed "Ashtabula Co. Ohio," excerpted as follows:

> Your son Jedediah was killed on the semerone the 27th of May on his way to Santa fé by the Curmanch Indians, his party was in distress for water, and he had gone alone in search of the above river, which he found, when he was attacke'd by fifteen or twenty of them - they succeeded in alarming his animal, not daring to fire on him so long as they kept face to face, so soon as his horse turned they fired, and wounded him in the shoulder he then fired his gun, and killed their head chief it is supposed they then rushed upon him, and despatched him -[1]

The Austin Smith letter directed to his brother, Ira G. Smith, also written from Walnut Creek, provides additional information regarding the murder of Jedediah Smith:

> ... his company and Soublett's [William Sublette] consisting of 74 men, and animals for 22 Waggons was on the point of Starving

Cimarron River, Oklahoma

for the want of water (near four days without any) he took a due South course from the one we were travelling, which was S. W. and Struck the Simarone. The Spanish traders who trade with those Indians informed me, that he saw the Indians before they attacked him, but supposed there could be no possible chance of an escape, he therefore went boldly up, with the hope of making peace with them,

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> but found his only chance was defence, he killed the head Chief I do suppose that then they rushed upon him like so many blood-hounds; the Spaniards say the Indians numbered from fifteen to twenty. I have his gun and pistols, got from the Indians by the traders. [2]

Both letters are exceedingly similar in their description of the circumstance of the death of Jedediah Smith; each letter, however, is distinct in its transmittal of specific information relative to his death.

The third accounting of the fateful event complements the record, although egregiously shallow in detail. William Sublette wrote William H. Ashley on 24 September 1831, also while encamped at Walnut Creek:

> On our Way out to Santafee we lost Mr. Minter killed on the pawnee fork we suppose by the pawnees.... Mr. J.S. Smith was killed on the Cimeron June [May] 27th by the Comanches. We met with no other losses by Indians & arrive in Santafee July 4th. [3]

One further accounting, printed on 29 October 1831 in the Vandalia Illinois Intelligencer, published, as was supposed, the content of the 24 September 1831 Austin Smith letter directed to his brother Ira G. Smith. This recounting, however, renders an alteration in its reporting of the moments transpiring prior to the killing of Jedediah Smith, to wit:

> The Spanish traders trafficking with these Indians told us that they saw brother a short time before the Indians attacked him, told him there was no hope for escape, so he went boldly up to them in hopes that he could effect a conciliation. [4]

A melding of the particulars derived from the above-noted two letters written by Austin Smith, supplemented by the Sublette note to Ashley, and with the addition of pertinent comment extracted from the Illinois Intelligencer, renders the totality of the historical and tragic accounting of the death of Jedediah Smith, as follows:

Jedediah Smith, being quite aware of the grievous consequences to both men and mules for want of water, determined to venture forth alone in search of the Cimarron River, known to lie some distance to the south of the southwest-trending caravan. His imminent approach to that river was witnessed by an unknown number of Spanish traders, who manifested a desire to interrupt the march of Jedediah to warn him with particularity against the near presence of fifteen to twenty Comanche Indians - and the inevitable disaster certain to ensue should he fail to arrest his determined intent. Jedediah, however, being fully cognizant that he could not outrun or otherwise make his escape on a horse nigh famished for need of drink, determined, forthwith, to manfully approach the Comanche Indians in hopes of negotiating a peace with them, whereby he should be enabled to proceed on to the Cimarron, slake his thirst - and make his return to the wagon train awaiting word of his life-saving discovery. Unwilling, however, to grant such conciliatory passage to but one armed man - and daring not, in their primal lust for blood, to fire on Jedediah face to face - the Comanche Indians therefore contrived to turn about his horse whereby Jedediah's back should be presented as a most propitious target. Immediately wounded in the shoulder, Jedediah turned yet again, confronting directly the cowardly Comanche Indians, raised his weapon and forthrightly shot and killed their head chief. Following which heroic deed, the fourteen or nineteen remaining Indians rushed upon Jedediah in their madness and grievously expunged his life on that fateful day, the 27th of May 1831. The Comanche Indians then appropriated the gun and pistols of Jedediah for purpose of trade with the bystander Spanish traders who had witnessed the entire affair, possessed neither of fear for their own safety nor desire to assist the noble Jedediah in his death struggle. Thereafter, following the exchange of goods, both parties, the vilified Comanche Indians and the ignoble Spanish traders, took their leave of the murdered stalwart Jedediah Smith, whose bones lay evermore bare and unadorned on the desert floor, but mourned nonetheless by scores upon each telling of the chilling tale of the demise of the magnificent mountain man.

Suffice to say, the perpetuation of the hallowed death tale of Jedediah Smith - as justly represented above - appears mandated. Yet, there is much therein that begs review and reconsideration. Were it not for the stellar career of Mr. Smith, the subject of manifold illuminating and worthy biographies, the accounting of his death likely would have been shelved many long years ago as no more than a regrettable incident, much like the deaths of such stalwarts as George Drouillard, Hugh Glass, John Hoback, and Michael E. Immel, and, perhaps, a hundred more who perished by the hands of Native Americans. This investigative revisit of the Jedediah Smith tale of death certainly does not take issue either with the reputation of Mr. Smith or the extraordinary tally of accomplishments achieved during his life's term, but seeks solely to supplement with presentation of fact or credible evidence, as warranted, an otherwise seemingly spurious tale that does not fare well under scrutiny. The author, thus, has determined to pursue adequate responses to a few select questions, which responses, it is hoped, might render a more realistic accounting of the circumstances inherent in the death tale of Jedediah Smith.

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1 - *Why did Jedediah Smith propose and prosecute a trading venture to Santa Fe?*

The prospect of pecuniary gain is, of course, the proper response - whatever the proximate impetus. Indeed, it appears that Jedediah Smith was in need of capital, being incapable of completing a purchase or payment of a debt of $8,225.00 by contracted date and, therefore, of a consequence, was charged a penalty or "forfeit" of $102.81, payable to an entity (individual or institution?) identified merely as "Globe," which transaction is recorded in the ledger book of James and Robert Aull of Lexington, Missouri, date of 29 April 1831. [5]

Further, as to the factual record preparatory to the Santa Fe expedition of Mr. Smith, it appears William H. Ashley, on behalf of Mr. Smith, petitioned Senator Thomas Hart Benton of Missouri for a "passport and certificate of good character," which documentation was issued to Mr. Smith on 3 March 1831 for the proposed "trading Expedition to the Mexican Provinces." [6] Curiously, William H. Ashley, again, on 23 March 1831, contacted the State Department seeking a second passport to Santa Fe for one William Sublette, for reason given that although Sublette would accompany Mr. Smith "to a certain point, Thence they will take different directions [thus, the necessity for a second passport]." [7] The record, however, does not reflect the occurrence of such scenario; apparently the caravan headed by both Mr. Smith and Mr. Sublette never reached that "certain point" whereby they should have divided their commands - perhaps owing to the premature death of Mr. Smith.

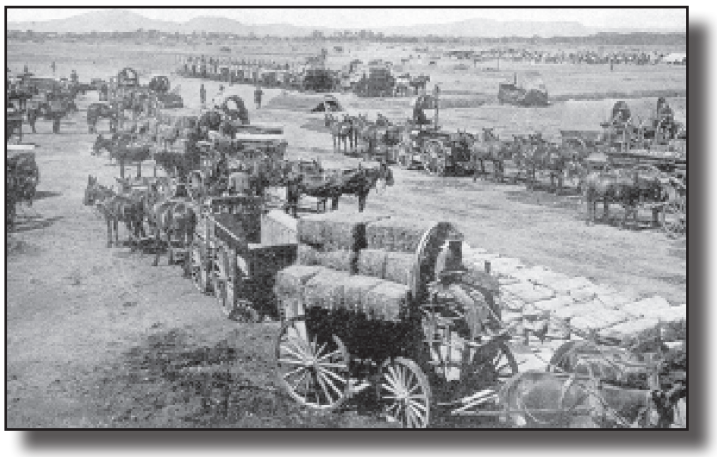
Nothing extraordinary appears in the remainder of the record pertaining to the preparation and mounting of the overland trading venture to Santa Fe except, perhaps, for the curious statement embedded in the content of a letter written by Mr. Smith to his brother Ralph Smith, dated 26 January 1831, "... it is certainly verry far from my wish to have too much publicity given to our business." [8] Dale L. Morgan interprets the verbiage rendered by Mr. Smith as that of a businessman merely seeking to forestall competition. Morgan does not, however, explain why such wording was included in a letter to Ralph Smith, then residing in "Wayne County Mohican T. Ship Ohio," far removed from St. Louis, the point of embarkation for Santa Fe.[9] Nevertheless, the curious verbiage has not been elsewhere explained and no incident smacking of intrigue warranting such pronouncement has surfaced to date.

Last, there is one notable assessment of the character of Mr. Smith that perhaps warrants pause to consider in light of the above-noted comments. William Kittson, in his journal entry for 19 March 1825, wrote regarding circumstances albeit far removed from the proposed Santa Fe expedition of 1831: "One Jedediah S. Smith is at the head of them, a sly cunning Yankey." [10] It is supposed such critique perhaps should not be restricted to but one episode in the life of Jedediah Smith. In any event, the full measure of the intent of Mr. Smith, as to his trek to the "Mexican Provinces," will likely never be revealed.

Sly, cunning, or not, on 10 April 1831, Jedediah Smith, in company with his former partners William Sublette and David E. Jackson, embarked on his journey to Santa Fe at the head of a caravan comprised of twenty-two mule-drawn freight wagons and one additional wagon carting a six-pounder rifled field gun with a range in excess of 1,000 yards, perhaps the first trade caravan to be so equipped, independent of military escort. Regardless, no definitive reasoning has yet surfaced warranting the need for such equipage by Mr. Smith; certainly, no such circumstance - or fear thereof - appears to have arisen during the caravan trek to Santa Fe. In any event, the subsequent addition of two more wagons increased the number of men accompanying the expedition to eighty-three, seemingly a substantial force, should necessity dictate the need for armed resolve.[11] Regardless the comfort derived therefrom, it appears Mr. Smith - without noticed provocation or premonition - was mysteriously obliged, on "April Thirty first," to craft a new will, naming his particular friend, Mr. William H. Ashley, as executor. [12]

2 - *Was Jedediah Smith competent in his management of the mule-drawn freight wagons*?

By the last week of April, the wagon train had reached Lexington, Missouri, whereat Mr. Smith entered the mercantile establishment of James and Robert Aull, located at the east end of present-day South Street, one of three such stores owned by the Aull brothers favoring clientele bound for Santa Fe, the other two being established across the Missouri River, in the cities of Liberty and Richmond, Missouri. Identified as Client #254, the listing of transactions by Mr. Smith, as recorded in the Aull Brothers' ledger book for the week of 23-29 April 1831, number no fewer than



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24, of which 14 are revealing, not only as to that portion of the trek yet to be accomplished, but, as well, particularly reflective of the conduct of the caravan, thus far, across the interior of Missouri. [13] Under date of 23 April 1831, Mr. Smith purchased "socks & paper" for 69 cents and "1 pr. Tra. [trace] Chains" at $1.75. On 25 April, Mr. Smith purchased "Silk & Linseed oil" at $1.25; "Water Buckets etc." for $2.81; and "12 lb Salt" for 24 cents (additionally, on that date, Mr. Smith curiously tendered $3.00 for "Storage of Goods"). On 26 April, he made the following purchase: "9 Galls. Tar @ .75 [per gallon] Keg @ .25" totaling $7.00. On 27 April, Mr. Smith purchased "26 yds Rustt. [russet] Sheeting @ .50" [per yard] for a total of $13.00. From the Aull Brothers' Liberty store, on the same date, he purchased "1 Mule ea. 40, 35 & 30 dolls." totaling $105.00. On 28 April, Mr. Smith purchased "Tar & Nails" for $2.69. On 29 April, he made the following purchases: "20 lb Sugar [at] .25" for a total of $5.00; again, from the Aull Brothers' Liberty store, "2 Mules [at] 40," totaling $80.00 and "Mdse [merchandise] for 2 Mules [at] 35 [dollars each]" totaling $70.00, rendering the sum total of $150.00; "22 lb [hog] Jowls @ .3" for a total of 66 cents; and, last, Mr. Smith purchased "4 Blank Books" for $1.00. [14]

Within that same limited span of time, William Sublette and David E. Jackson, together identified in the Aull Brothers' ledger as Client #251, purchased goods also reflective of the conduct of their Santa Fe trek, thus far. On 26 April they bought "Tar & Br[i]dles" for $7.50. On 27 April, they purchased "1 Keg [at] .75 Book [at] .25" for $1.00 and "6 Bridles..." for 62½ cents. On 28 April, Sublette and Jackson purchased "Trace Chains" for $1.75 and on 29 April, they purchased from the Aull Brothers' Liberty store "1 pair Hems [hames]" for 50 cents.[15]

Mr. Doran Degenstein of Lethbridge, Alberta, a recognized authority on wagon trafficking utilizing both mules and oxen, reviewed the listing of purchases made by Jedediah Smith and Sublette and Jackson, following which, he declared, as follows:

> The purchase from Aull brothers of 5 mules, 6 bridles, trace chains and a pair of hames is telling. Five mules represents a herd loss of about 5% in the early stages of the trip. 6 new bridles probably replaced six broken bridles, to me an indicator that the handling of the mules is not being tended to by an accomplished mule skinner. Hames although wooden at that time should not be breaking unless defective or improperly adjusted.[16]

That Mr. Smith, Mr. Sublette, and Mr. Jackson delayed their departure from Lexington, Missouri for a full week is, perhaps, indicative of the hard wear exercised on the mules, thus far, across Missouri. Thereafter, on 4 May 1831, the party finally quitted civilization and headed for the Arkansas River via a plainly marked, heavily utilized route - albeit not previously traveled by either Mr. Smith or his former partners, William Sublette and David E. Jackson. [17]

3 - *Having determined to forego use of the main or "Mountain Route" to Santa Fe, which crossing of the Arkansas River did Jedediah Smith utilize to access the "water scrape?"*

Although not without incident, the Jedediah Smith party reached the South Bend of the Arkansas River, with their wagons and cargo intact, date not noticed in the record, but prior to mid-month May 1831. As the record provides, Mr. Smith and Mr. Sublette had yet to reach that "certain point," whereby the division of command should be accomplished. Indeed, Mr. Smith and Mr. Sublette both determined to forego usage of the well-marked wagon road adjoining the left bank of the Arkansas River, heading upstream to the northwest. Having thus determined to ford the Arkansas River, it appears Mr. Smith, in the midst of a supposed drought, sought to access and cross the dreaded "water scrape," if the Dale L. Morgan commentary - without authoritative reference - be relied upon:

> South of the Arkansas lay a plain, forty or fifty miles wide, which had to be crossed to the Cimarron.... This plain, the "water scrape," was the most dreaded stretch of the Santa Fe Trail. It was not only dry but flat, utterly featureless, and the more bewildering for the maze of buffalo trails which furrowed its surface. No discernible trace marked the course of the wagon road across this desert and Jedediah's party struck it an especially bad time, when the country was parched by drought.[18]

Utilization of the Cimarron Cutoff, as the departure from the main road would henceforward be identified, is not precisely noted in the contemporary record of this venture, but the same must have been accessed - and accessed quite early to accommodate the details acknowledged in the above-noted accounts of the demise of Mr. Smith. It may be suggested, as

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did Morgan, that a trek across the Arkansas River and beyond could well supplement a contemplated work of literature by Mr. Smith on the subject of his travels, to be published with his own personally-crafted map of the West.[19] Certainly, the purchase of paper and four blank books from the Aull brothers suggests intent to record his observations across the "water scrape."

Regardless, it appears certain that, without guide, either Jedediah Smith or, perhaps, William Sublette or David E. Jackson, must have been privy to particular knowledge of one or more accessible wagon ford locations on this reach of the Arkansas River. Indeed, it appears, further, that none of the biographers of Mr. Smith, to date, postulated use of a particular crossing of the Arkansas River. It is known, however, that Joseph C. Brown had earlier produced explicit notes and maps during the 1825-1827 United States Surveying Expedition of the Santa Fe Road, wherein he described in significant detail four such crossings.[20]

The earliest ford to be encountered by Mr. Smith, as identified by Joseph C. Brown, was that permitting the ascent of the Mulberry Creek, in present-day Ford County, Kansas, at the South Bend of the Arkansas. As provided by Brown, an ascent of this stream to its source would permit ready access

> to the lower spring [Wagon Bed Spring] on the Semaron; but on trial of the way travelers have discontinued it as unsafe It is incommodious of water and timber for fuel, and wants such prominent land marks as will be a sure guide. On this route has been much suffering, in a dry time 'tis dangerous.[21]

Unacknowledged by Brown, this route to Wagon Bed Spring via the Mulberry Creek ascent was approximately 103 miles in length, an extraordinarily lengthy trek across the most destitute reach of the Santa Fe road.

Further upstream on the Arkansas River, approximately 19 miles distant from the Mulberry Creek access, was the crossing at the noted "Cashes," [Caches] also located in present-day Ford County, Kansas, described by Joseph C. Brown as permitting direct access to

> ... the aforenamed Semaron Spring, but this (though in a less degree) is subject to the same objections as that directly from the south bend [the Mulberry Creek route]. The road this way is good, and in the spring and early summer, to those who may be acquainted with it or may have a compass to direct them, it is about 30 miles nigher than the upper route. [22]

It should be noted the route to Wagon Bed Spring utilizing the route accessed via the "Cashes" was approximately 83 miles in length, altogether a still perilous trek across the "water scrape" for both men and mules.

As to the "upper route" crossing, referenced by Joseph C. Brown, that particular ford, in present-day Finney County, Kansas, located 73 miles upstream on the Arkansas River from the Mulberry Creek ascent, was described by Brown as being located

> just below the bend of the river at the lower end of a small island, with a few trees. At this place there are no banks on either side to hinder wagons. The crossing is very oblique, landing on the south side a quarter of a mile above the entrance on this side. The river here is very shallow, not more than knee deep in a low stage....[23]

Brown further provided use of this particular crossing to be

> ... more safe for herding stock and more commodious to the traveler, as he will always be sure of wood and water on the river and a sure guide, and in general it is easier to kill buffalo for provision. [24]

The fourth and final crossing available on the Arkansas River for selection by Jedediah Smith, had he access to the field notes of Joseph C. Brown, was that identified in the vicinity of Chouteau Island, located 93 miles upstream of the Mulberry Creek ascent, in present-day Kearny County, Kansas. As described: "It is the largest island of timber on the river...." As to the trek to Wagon Bed Spring utilizing this particular ford, Brown reported: "After leaving the river the road leads southward ... a due south course will strike the lower spring [Wagon Bed Spring] on the Semaron creek...."[25] Indeed, had the Chouteau Island crossing been utilized by Mr. Smith and company, the Wagon Bed Spring would have been but 40 miles distant.

It may be properly assumed that the Chouteau Island crossing ought to be dismissed from consideration as that utilized by Mr. Smith to access the "water scrape." As noted, the wagon road from that crossing trended south toward the lower or Wagon Bed Spring, not southwest, which direction was recorded as to the caravan direction by Austin Smith, in his 24 September 1831 letter to Ira G. Smith, at the time Jedediah Smith made his departure to the south. Further, should that early record be accorded reliability, it would seem, having filled all water kegs and containers prior to leaving the Arkansas River and exercising prudence in consuming the contained supply, there could not have been "four days without any" water before reaching the Wagon Bed Spring, particularly over but a mere 40-mile trek. As well, utilizing similar reasoning, the "upper route," as described Joseph C. Brown, likely should be excluded from consideration, being located but 20 miles downstream from Chouteau Island. It

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is not likely the road accessed by this "upper route" ford to the Wagon Bed Spring could well accommodate a four-day passage without water without serious dereliction in the application of trail savvy, although the road does, indeed, trend southwest.

Should both the Chouteau Island and the "upper route" crossings be dismissed from consideration, particularly if Jedediah Smith was, in fact, possessed of pertinent data contained in the 1825-1827 survey field notes of Joseph C. Brown, the question then to be asked is: Why would Mr. Smith choose to access the Mulberry Creek ascent or the crossing via the "Cashes," either one capable of, if not certain, to provide the circumstance of extreme want of water? That Mr. Smith and caravan accessed one or the other of the two lower crossings cannot now be disputed, should the dire comments contained in the 24 September 1831 letters of Austin Smith be accorded legitimacy. Perhaps it should again be noted that Austin Smith wrote his two letters of that date from Walnut Creek, on his return trek to St. Louis, which location could be accessed via either crossing, the "Cashes" or Mulberry Creek; thus, no indication as to which crossing specifically was utilized, to or from, may be extrapolated from the early record.

4 - *How did the otherwise capable leadership of Jedediah Smith result in the extreme deprivation of water for men and mules prior to reaching the lower or Wagon Bed Spring?*

Again, although he makes no reference to a specific Arkansas River crossing, Dale L. Morgan, as do all Smith biographers, concedes that such river crossing was indeed made, whereupon Jedediah Smith committed the caravan to a crossing of the "flat, utterly featureless" upland with no discernible trace of the wagon road. [26] Albert Pike also trekked the "water scrape" in 1831, albeit in the wake of Jedediah Smith. In company with a caravan captained by Charles Bent, Pike recorded the experience, as follows, indicating Morgan's assessment as to its being "flat, utterly featureless" to be somewhat in need of revision:

> The prairie, however, between the Arkansas and Semaron, (a distance, according to our route, of about a hundred miles) [note: the "hundred miles" indicates use of the Mulberry Creek ascent by Pike], was not level, but composed of immense undulations, as though it had once been the bed of a tumultuous ocean - a hard, dry surface of fine gravel, incapable, almost, of supporting vegetation. The general features of this whole great desert - its sterility, dryness and unconquerable barrenness - are the same wherever I have been in it.[27]

Mr. Doran Degenstein, upon being apprised of the less-than-stellar conditions met with on this trek by Jedediah Smith, comments: "The hard dry surface of fine gravel would have been brutal on the mules, even with shoes. Traction in handling the loads would be a challenge over these waterscrape conditions."[28]

Of particular merit in this discussion regarding the trek across the "water scrape" by the caravan headed by Mr. Smith, was the selection of mules to pull the freight wagons, no doubt for the distance that could be traveled per day above that of oxen under optimum conditions; that is to say, per Mr. Degenstein, should the mules be accorded sufficient grain and a minimum of two gallons of water per day, and be driven upon a good road, a pace of four miles per hour could be maintained. For sake of comparison, it appears oxen, albeit slower at three miles per hour, required more in the way of water consumption - eight gallons per day - but, on the other hand, they did not require grain, being capable of subsisting on native vegetation, when and if available.[29] Despite the ostensible desire for speed across the "water scrape," it likely was not possible to carry sufficient water or grain for the mules to expeditiously reach the Wagon Bed Spring from either the Mulberry Creek crossing, at 103 miles, or the crossing at the "Cashes," 83 miles distant, particularly in that the complement of service-worthy mules must have numbered above one hundred.

A review of period mileage charts permits the calculation of a daily average of but 12.44 miles, from the departure of Mr. Smith at the Big Blue on 4 May 1831 to the arrival of Mr. Sublette in Santa Fe on 4 July 1831 - a trek approximately 759 miles in length accomplished in 61 days. That per day average, when applied to the recorded distance between the Big Blue and the South Bend of the Arkansas River, a distance of 328 miles, indicates an expenditure in excess of 26 days should have been required to reach the Arkansas. With the knowledge that the departure to the south by Mr. Smith in search of water, from an as of yet unknown location upon the "water scrape" took place on or prior to 27 May 1831, a date just 23 days off the Big Blue, it may be realized the pace of the mule-drawn wagons - until the failure of water - was nothing short of superb! That being said, it may, as well, be easily realized that the mules, not having consumed water for "near four days," certainly could not have averaged anywhere near 12.44 miles per day, subsequent thereto, while on the "water scrape." Indeed, the pace of march must have become severely eroded, to such extent as to require the departure of Mr. Smith to go in search of water to salvage the expedition.

Mr. Doran Degenstein has suggested the mules must, of a certainty, have been pushed too hard during the early stages of the journey, resulting in the loss of both strength and stamina; indeed, without adequate water, the mules would have become "balky and honery" to such extent as to be

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rendered quite incapable of providing quality service across the "water scrape."[30] Thus, it appears, coupled with the mismanagement of the mules, as evidenced by the purchases made by Mr. Smith, Mr. Sublette and Mr. Jackson of the Aull Brothers in Lexington, Missouri, the incompetence of the teamsters in marshalling the water supply so as to provide a minimum two gallons of water per day per mule for a period of four days severely jeopardized not only the daily continuance of the caravan, but, as well, endangered the overall trading venture to Santa Fe. It may well be asked: Should oxen have been used rather than mules? The answer is a resounding "NO!" Indeed, Mr. Degenstein succinctly provides: "Oxen would NOT have been the animal of choice on that particular expedition...."[31] Thus, it appears, had oxen been selected for use, Jedediah Smith would still have been obliged to go south in search of water - and still would have been obliged to meet his killers.

5 - *Did Jedediah Smith become lost or bewildered while seeking the Wagon Bed Spring?*

As to the trek across the dreaded "water scrape," Dale L. Morgan wrote: "No discernible trace marked the wagon road across this desert and Jedediah's party struck it an especially bad time, when the country was parched by drought."[32] Josiah Gregg, another 1831 traveler in the wake of Jedediah Smith, described the "water scrape" terrain, thusly:

> There had been a plain track to the Arkansas river, they [the caravan of Mr. Smith] did very well thus far; but from thence to the Cimarron, not a single trail was to be found, save the innumerable buffalo paths, with which these plains are furrowed, and which are exceedingly perplexing to the bewildered prairie traveller. In a great many places which I have observed, they have all the appearance of immense highways, over which entire armies would seem to have frequently passed.[33]

Perhaps it should be noted that the extreme decline in the number of bison would not occur for another decade and a half, not until the mid-1840s, resulting from the deleterious effects of both drought and increased human activities. Thus, the referenced "maze of buffalo trails," as described by Morgan, must be accorded legitimacy.

As to the region being "parched by drought," as so described by Dale L. Morgan, the high plains of Kansas and Colorado are certainly recognized as drought prone, but the failure of instrumental data for the year 1831 (limited to intermittent reports produced by personnel representing the U.S. Army and fur trading companies) can neither substantiate nor discount Morgan's comment. That being said, extensive dendroclimatological studies, as well as pictographic winter counts produced by Native Americans in the region, indicate no egregious drought occurring at the time of Mr. Smith's venture to Santa Fe. Those studies do, however, conclude the region did, indeed, experience severe, widespread drought - but not until the years 1845-47 and, again, in 1855-56.[34] Thus, the claim of "drought," as reportedly experienced by Mr. Smith and companions, cannot now be contested, but, likely, utilization of the term merely referenced the failure of rain during the month of May 1831. In any event, in support of the descriptive prose rendered by Morgan and Gregg, it is elsewhere reported:

> Fatigue, hunger, and thirst could make this stretch of the journey across the high desert country disorienting, an effect heightened by mirages that sent travelers racing toward beckoning ponds of water, only to see those tantalizing illusions vanish.[35]

All told, such descriptive verbiage of the "water scrape" tends to support a finding that Mr. Smith, in addition to being in dire need of water, may also have been lost or bewildered in the midst of his traverse of the barren landscape, particularly should the road have been obliterated by such circumstances as remarked upon by Morgan and Gregg. Indeed, one author declared forthrightly, as to the caravan under the leadership of Mr. Smith: they "... set out without a single person in their company at all competent to guide them on the route."[36] Another author provides: "Making his first venture in the Santa Fe trade, Smith and his companions lost their way below the Arkansas...." [37] And still another wrote: "... and they were doomed to wander about for several days, with all the horrors of a death from thirst staring them continually in the face."[38]

A conclusion of being either bewildered or lost would certainly support a finding that more water was consumed in travel amidst the featureless and parched desert than should have been utilized under normal conditions, particularly had the wagons deviated significantly from a strict conformity with the presumed track to Wagon Bed Spring. Nevertheless, it is suggested that Mr. Smith, with his extraordinary orienteering skills honed from years in the un-mapped West, did not egregiously depart from his westerly heading - lying between the Arkansas River to the north and Cimarron River to the south - to such extent as to augment depletion of their water supply, despite the inability to observe with particularity the road being followed. That being said, it should again be noted that two caravans followed in the wake of Mr. Smith in the year 1831, neither of which reported such trepidatious circumstances as experienced by the caravan headed by Mr. Smith and Mr. Sublette.

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6 - *Why did Jedediah Smith venture south in search of water?*

The obvious answer is that Jedediah Smith was quite aware of the presence of the Cimarron River to the south of the water-starved caravan. Realistically, however, with the region parched due to rain failure, as supposed, the likelihood of finding easily accessible water in the channel of that upper reach of the Cimarron would have been practically non-existent - apart from damp soils and stagnant pools. Additionally, it may also be suggested the Cimarron River lay in territory Mr. Smith had not previously visited, but, as earlier represented, within the region he had determined necessary to personally observe should he wish to complete, in its entirety, his prospective map of the West. That being said, access to the Cimarron River would not have proved feasible in all instances upon the "water scrape," as herein discussed. In any event, although not mentioned in either account by the hand of Austin Smith, it appears many men may have been charged with responsibility to seek out water in many directions, in hopes of relieving both travelers and mules. That one or more were successful in such search may be supposed, in that, as William Sublette noted above, the mule-drawn wagons did, in fact, reach Santa Fe on the 4th of July - despite the failure of Mr. Smith to make his return to the train.

7 - *When did Jedediah Smith make his departure to the south in search of water?*

For the sake of reference, had Jedediah Smith utilized the Arkansas River crossing facilitating the ascent of Mulberry Creek, a climb of nine miles on a southwest heading would have brought the caravan to the headwaters of that stream, at which locale, a turn to the right was effected, to a west-northwest heading, upon the heights of the "water scrape," paralleling the southeast-trending Arkansas River to the north and the southeast-trending Cimarron River to the south. Another 29 miles subsequent thereto, the wagons should have made their final turn on the "water scrape," to the left, or southwest, toward the still-distant lower or Wagon Bed Spring. In keeping with the 24 September 1831 observation that the caravan was proceeding southwest when Mr. Smith effected his departure to the south, he, therefore, could not have made that departure at any point during that period of time the caravan headed west-northwest from the headwaters of Mulberry Creek. That being said, had the caravan accessed the Arkansas River crossing at the "Cashes," that wagon road did, in fact, proceed therefrom on a southwest heading for 16 miles, at which point the two roads converged, continuing as one to the southwest, toward the Wagon Bed Spring.

Utilizing the collection of maps prepared by Gregory M. Franzwa, the notable Santa Fe Trail historian, and, additionally, utilizing the Kansas Historic Resources Inventory (KHRI) interactive mapping tool,[39] it was determined the point at which the two wagon roads converged, thereafter continuing as one to the southwest, appears to be situated roughly six miles to the north-northeast of present-day Montezuma, Gray County, Kansas (Latitude: 37.679004; Longitude: -100.374558),[40] which point was yet approximately 61 miles distant from their immediate destination, the Wagon Bed Spring (Latitude: 37.402568; Longitude: -101.371220).[41] Thus, the realm of possibility for the departure of Mr. Smith to the south, in search of water, must include the entirety of this remaining 61 miles to Wagon Bed Spring. That being said, the degree of probability as to the specific point of such departure, would appear to be greatly diminished on either extremity of that 61-mile trek, but heightened significantly within the mid-range of the wagon trek to Wagon Bed Spring, for reasons herein identified.

8 - *Where did Jedediah Smith make his departure to the south in search of water?*

Having completed a trek of 38 miles from the Arkansas River crossing, had the Mulberry Creek ascent been utilized, or but 16 miles, had the "Cashes" crossing been utilized, to the point at which the two prospective roads converged above present-day Montezuma, Kansas, the caravan likely had not yet reached the point of distress regarding their water supply. Nevertheless, proceeding onward from the convergence of the two roads, that point of distress would be fast approaching. One point of consideration should be noted, depending on the precise location of the caravan on its southwest track toward Wagon Bed Spring from whence the searchers for water were dispatched, the Arkansas River could have been many miles nearer the train of wagons than the Cimarron. Indeed, the caravan would have needed to travel perhaps another 32.75 miles further on its southwest heading from the Montezuma convergence - to a point located three miles north of the present-day intersection of US 160 Highway and CR-II, in Haskell County, Kansas (Latitude: 37.606152; Longitude: -100.943969)[42] - to reach such point on the wagon road wherefrom the distance to the Cimarron River to the south should be nearer the wagons than the distance to the Arkansas River to the north. That additional 32.75 miles, however, would render an approximate total of 70.75 miles traversed on the "water scrape," thus far, from the Mulberry Creek crossing of the Arkansas, or a total of 48.75 miles, had the "Cashes" crossing been accessed - certainly sufficient mileage, either way, permitting the failure or near failure of the caravan water supply. If it may be assumed Mr. Smith had determined the Cimarron, to the south, to be the nearer of the two rivers prior to his departure to search for water, it would appear such departure could not have occurred prior to the caravan reaching this point - which

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point is located approximately 22.75 miles distant, due north of the Cimarron River channel. It should be noted that for every mile the caravan trekked further to the southwest, the distance to the Cimarron would ever become shorter, until such time as the river was intercepted by the wagon road in the vicinity of the Wagon Bed Spring.

In terms of feasibility, regarding the point of departure of Mr. Smith, it would appear, further, there must be a point on the wagon road whereon to merely continue onward to the Wagon Bed Spring should be more expedient than to prosecute a trek to, and return from, the Cimarron River for the sake of replenishing the water supply. That point, it is suggested, is located just shy of one mile south of the present-day intersection of US 160 Highway and Kansas Route 190, in Grant County, Kansas (Latitude: 37.548871; Longitude: -101.108410).[43] The Wagon Bed Spring, from that point on the wagon road, is located approximately 18 miles further to the southwest. From that same point on the wagon road, the Cimarron River is located approximately nine miles south; thus, a trek to, and prospective return from, the river by Mr. Smith renders a total of 18 miles. It appears Jedediah Smith likely would not have made his departure to the south beyond this point on the southwest track of the wagons toward the Wagon Bed Spring.

In sum, as to where, respecting the departure point of Mr. Smith, it is postulated that such location must lie on the wagon road between that point located three miles north of the intersection of present-day US 160 Highway and CR-II, in Haskell County - to the east - and that point on present-day Kansas Route 190, one mile south of US 160 Highway, in Grant County - to the west - within a span of opportunity, if you will, of but an approximate ten miles (note: the wagon road, of course, did not follow a straight line between the two points).

9 - *Where on the Cimarron River was Jedediah Smith killed?*

Having identified a plausible stretch of the wagon road, from whence Jedediah Smith likely initiated his departure to the south, it appears that reach of the Cimarron River lying to the south of that ten-mile span, should possess, in heightened probability, the site of the killing of Jedediah Smith - if it may be assumed he did, in actuality, reach the Cimarron, as recorded by Austin Smith, before being attacked and killed.

Utilizing, again, the KHRI interactive mapping tool, the points due south of the two points identified immediately above, delimiting the ten-mile span on the wagon road, may be identified, as well, on the southeast-trending Cimarron: the downstream point - to the east, 22.75 miles distant to the south from the wagon road (Latitude: 37.273075; Longitude: -100.943969), located in Seward County, Kansas; and the upstream point - to the west, 9 miles distant to the south from the wagon road (Latitude: 37.417437; Longitude: -101.108410), located in Grant County, Kansas. It should be noted, however, that the length of the Cimarron's reach between the two points thereon identified is considerably longer than the corresponding ten-mile span of the wagon road to the north, owing to its strong southeast-trending channel - not to mention the additional mileage resulting from numerous tight meanders on that upstream reach.

One final consideration, however, regarding the possibility Jedediah Smith was killed between the above-identified downstream and upstream points on the Cimarron, is whether he may have deviated from his, as reported by Austin Smith, due south heading; in such instance, the area of heightened probability, as to the scene of his death, could easily be expanded, depending, of course, on the degree of diversion.

10 - *What role did the Spanish traders play in the death of Jedediah Smith?*

The presence of multiple traders at the death scene of Jedediah Smith appears certain, if only because Austin Smith admits to having been personally informed of such death by a plurality of traders. Identified as Spanish traders, it further appears, strictly speaking, they could not have been such, apart from the language utilized, owing to the fact the First Federal Republic of Mexico had been established years earlier on 4 October 1824. Regardless, questions have oft been asked concerning the proper identity of those traders and their authority to conduct trade with a roving band of fifteen to twenty Comanche warriors; indeed, were they a party fulfilling its rightful role in an organized hierarchy of trade, or merely an itinerant band of profiteers dealing in horses and guns? Notably, many have assumed such traders to have been Comancheros plying their trade without license or position under federal oversight - whose primary clientele were, indeed, the Comanche. As well, there are those who have questioned whether the traders, if but a lawless, itinerant band of profiteers, may, in fact, have killed Mr. Smith themselves for his horse and guns and, subsequently, simply lay the charge at the feet of the Comanche as the perpetrators of the dastardly feat at such time as necessity dictated - that being, perchance, when the gun and pistols of Mr. Smith were observed by Austin Smith to be in the possession of the Spanish traders in Santa Fe.

11 - *Did the Comanche Indians kill Jedediah Smith?*

The question regarding the identity of the nefarious butchers of Jedediah Smith typically meets with resistance should any but the Comanche be suggested. Nevertheless, the identity of the killers likely will ever remain unsubstantiated. Granted,

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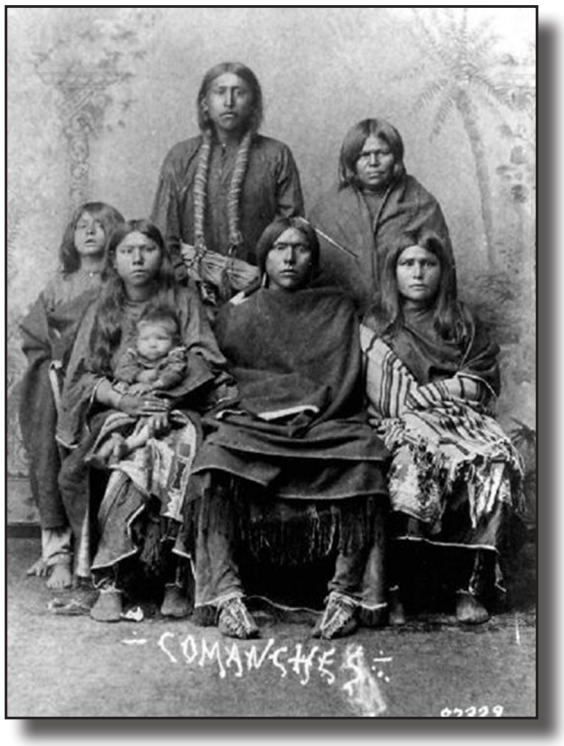
the limits of Comancheria certainly did include that portion of the country wherein Mr. Smith ventured southward and ultimately disappeared, but multiple tribal entities were known to have not only ventured therein, but seasonally occupied the region during horse raids and bison hunts - and, as well, during the intermittent episodes of suzerainty-shifting amongst the tribes. John Dougherty, Indian agent for the Tribes of the Upper Missouri River, for one, had vehemently declared on 6 November 1828, a date prior to the death date of Mr. Smith:

> I send you this by express to put you on your guard against the Grand Pawnee & Pawnee Loups, who have not less than fifteen hundred warriors at this this [sic] very moment, and according with their own declarations for the express purpose of waging war with the Americans. Their attention will be particularly directed to the Santa fe road, but should they fail there to satisfy their rapacity they will no doubt extend their bloody excursion to the frontiers between this and Red River.... My advice to you is, be on the watch, or you may lose your horses and perhaps your scalp....[44]



Subsequent to the death date of Mr. Smith, on 15 August 1834, in response to William Clark's instruction to address "certain numerous rumours of hostile movements by the Pawnees," John Dougherty sought to redress his earlier comments concerning the Pawnee disposition for warfare, an egregious outbreak of smallpox having since decimated tribal numbers. Mr. Dougherty wrote, as follows, in an attempt to turn the critical gaze of Clark elsewhere:

> You are aware I presume that ninety nine out of a hundred of the whites who travel in the Indian country towards Santa Fee & Arkansas [River] when ill treated by Indians on the road charge everything to the Pawnees. This is owing to the fact that the Pawnees committed the first robberies on the Santa Fee traders, and these traders are generally unacquainted with the various and mischievous tribes who roam over the country between our western borders and Santa Fee, therefore their inability to distinguish one tribe from another.[45]

Of particular import to this discussion and well complementing the comments made by John Dougherty, the following remarks by Harrison Clifford Dale are deemed appropriate:

> [Jedediah] Smith also contributed to the map accompanying Reverend Samuel Parker's Journal of an exploring tour beyond the Rocky mountains (Ithaca, 1838). The southern portion of the map, perhaps below the forty-fifth parallel, is the work of Smith. Its accuracy is striking....[46]

A second map published by Dale in his work, is entitled: Map Showing Locations of the Indian Tribes, by Albert Gallatin, 1836. Dale noted in his remarks accompanying the portrayal of this map: "Both Ashley and Smith contributed to this map." But a cursory viewing of the lower right corner of this map, whereon is shown the region to the south of the Arkansas River, north of the Cimarron, and eastward of the mountains, reveals the identification of the tribe inhabiting that region, ostensibly identified by Mr. Smith, to be "Panis" - not Comanche.[47]

Needless to say, as herein represented, neither Jedediah Smith nor William Sublette had any experience on the Santa Fe road and, it may be suggested, neither had any prior experience with the Comanche Indians and likely could not but assume recognition of Comanche accoutrements, should such warriors be encountered on their way to Santa Fe.

Additionally, in the attempt to counter the seeming inability of many historians to acknowledge the folly inherent in the ages-old death tale of Jedediah Smith, referencing particularly the cowardly Comanche Indians, an interview with Mr. Carney Saupitty, Jr., Cultural Specialist representing the Comanche National Museum and Cultural Center in Lawton, Oklahoma was conducted by the author on 9 October 2015, an entertaining and informative discussion, to be sure.[48] It should be noted that Mr. Saupitty was not well versed regarding the esteemed exploits of the man, Jedediah Smith. When questioned, nevertheless, regarding the Austin Smith story that a Comanche head chief and fifteen to twenty warriors not only had killed his brother, Jedediah Smith, a man in dire need of water, but could not muster the courage to directly confront Mr. Smith in that killing - waiting until his back was turned prior to commencing the attack - Mr. Saupitty exclaimed: "Why would we have done

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that? He would have been too pitiful to kill!" Mr. Saupitty noted, in seeming explanation thereof, that "We were Lords of the Plains! The Comanche would not even attack the Kiowa before they had horses - even when they crowded onto our land! They were too pitiful! They had nothing but dogs! What did this man have that we wanted?" As to the tale referencing an alleged head chief consenting to, if not encouraging the cowardly deed, Mr. Saupitty further remarked that such an act, the killing of one thirsty man astride a thirsty horse, could not possibly have garnered such a chief any honor upon his return to the people, noted by Mr. Saupitty as likely to have been the Yaparuka Comanche. Mr. Saupitty was adamant that a head chief could not have been present in this scenario and that such an act by Comanche men likely did not take place at all! When asked concerning the notorious killing of the head chief by Mr. Smith prior to his being killed by the warriors, Mr. Saupitty chuckled and asked: "Could the story have been told otherwise? Not likely, if he was the hero, right?"

In any event, the death of Jedediah Smith occurred just one year subsequent to adoption of the Indian Removal Act of 1830, passed amidst the fervent rise of rhetoric deploring the evil presence of indigenous savages within the nation's borders. As noted by Washington Irving a decade earlier, in the year 1820: "In discussing the savage character, writers have been too prone to indulge in vulgar prejudice and passionate exaggeration...."[49] Indeed, perhaps the Austin Smith tale of 24 September 1831, referencing the cowardly Comanche killers, could not have been told otherwise.

There are yet many questions, in addition to those addressed above, regarding the peculiar circumstances of Jedediah Smith's death that likely will never be answered. Such questions include:

1 - *Why did not Jedediah Smith simply stay in company with the Spanish traders when approaching the Cimarron - rather than venture forth alone to meet the Comanche?*

2 - *Why did no one, not even Austin Smith, the brother of Jedediah Smith, go in search of Mr. Smith when he failed to return after a reasonable passage of time - particularly if the caravan was yet incapable of robust per-day mileage? Indeed, the caravan would not reach Santa Fe for another 38 days, arriving on 4 July 1831, following the disappearance of Mr. Smith, as represented, on 27 May 1831.*

3 - *How and why was it determined that Jedediah Smith perished on 27 May 1831? Date of departure from the caravan? Date provided by Spanish traders? Again, the distance to the Cimarron, at the time of Mr. Smith's departure, likely entailed a trek in excess of a day's length.*

4 - *Why did Austin Smith and William Sublette wait until 24 September 1831 to report the death of Jedediah Smith - having arrived in Santa Fe on 4 July 1831? Certainly, they were informed of the tragic event prior to their departure from Santa Fe. Was no one to be found to carry such news to the United States prior to 24 September 1831? Perhaps the death of Jedediah Smith was considered no more noteworthy than that of Mr. Minter, "a very estimable young man" and clerk of Sublette and Jackson, who was killed on the Pawnee Fork?*[50]

In any event, as to the killing of Jedediah Smith, the truth is not packaged well in the testimony rendered by the Spanish traders, or Comancheros, if you will. That being said, it appears neither Austin Smith nor William Sublette ever doubted the veracity of the tale, as told. That Mr. Smith was killed, rather than having met with an unfortunate accident, appears to be factual - he never returned to his party and his guns were purchased of the Spanish traders. That he was killed on the Cimarron River by Comanche Indians, however, likely can never be substantiated. Certainly, the circumstances of his death, as reported, appear to rise but little above blatant fabrication and racist malevolence, earlier suggested to be a pervasive sentiment of that era by Washington Irving. Nevertheless, the tale persists, resisting, thus far, all attempts to dismantle the veracity of its intrinsic circumstances. So be it.

END NOTES

1. Letter, Austin Smith to Jedediah Smith, Sr., 24 September 1831, Jedediah Strong Smith Collection, Kansas State Historical Society, Topeka (transcription by Mark W. Kelly).
2. Dale L. Morgan, *Jedediah Smith and the Opening of the West* (Lincoln: University of Nebraska Press, 1964), 363-64.
3. Barton H. Barbour, *Jedediah Smith No Ordinary Mountain Man* (Norman: University of Oklahoma Press, 2009), 267.
4. Morgan, *Jedediah Smith and the Opening of the West*, 364-65.
5. Aull Family Business Records, 1830-1862, 1, Journal "E," 1830-1831, State Historical Society of Missouri, Columbia. The ledger entry for 29 April 1831 provides: "for fit pr. Globe 8225 @ 1¼ 102.81." Mr. Clay Landry, a banking professional and fur trade historian from Whitehall, Montana, transcribed the entry reproduced above. Perhaps it should be noted that $8,225.00 dollars in 1831 equates to the amount of $228,472.22 in 2015, a heavy debt, to be sure.
6. Morgan, *Jedediah Smith and the Opening of the West*, 325. Per Morgan, the passport is No. 2269, housed in the National Archives, State Department, Passport Letters vol. 12, Oct. 7, 1829-April 23, 1831.
7. Ibid., 325-26. There are those historians who have speculated Jedediah Smith may have intended to visit Mexico City.
8. Ibid., 359.
9. Ibid., 326-27, 359-60.

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10. Ibid., 138.
11. Louise Barry, *The Beginning of the West Annals of the Kansas Gateway to the American West 1540-1854* (Topeka: Kansas State Historical Society, 1972), 201-02.
12. Morgan, *Jedediah Smith and the Opening of the West*, 326-27.
13. Ledger entries, 23 April 1831 through 29 April 1831, Aull Family Business Records, 1830-1862, 1, Journal "E;" See also Virginia Lee Fisher, "Jedediah Smith's Last Journey," Wagon Tracks Santa Fe Trail Assoc. Newsletter 4, 2 (February 1990), 12-14. Ms. Fisher, perhaps was the first to transcribe that portion of the Aull brothers' ledger referencing Jedediah Smith. Ms. Fisher, however, appears to have not distinguished between the purchases of Mr. Smith and those of Sublette and Jackson, thereby rendering a confused accounting. Ms. Fisher does credit Muriel Cleverdon as the owner of the ledger books at that time (1990). One cannot but wonder what goods may have been stored by Mr. Smith with the Aull brothers and, as well, what ultimately may have happened to those goods.
14. Ibid.
15. Ibid.
16. Personal communication, Doran Degenstein to Mark W. Kelly (3 February 2016). Mr. Degenstein is a past director of the historic site, Fort Whoop Up, in Lethbridge, Alberta.
17. Morgan, *Jedediah Smith and the Opening of the West*, 326-28.
18. Ibid., 329. The "water scrape" area of today possesses no resemblance to the region in Mr. Smith's day; the innumerable cultivated tracts fueled by center-pivot irrigation systems have rendered the area a veritable bread basket.
19. Morgan, *Jedediah Smith and the Opening of the West*, 325.
20. See http://www.kancoll.org/books/sftrail/sfmain.html (accessed January 2016). The referenced document is entitled "Report of Committee Appointed to Prepare a Correct Map of the Old Santa Fe Trail Across the State of Kansas." Attached thereto are the "Field Notes by Joseph C. Brown United States Surveying Expedition 1825-1827," which notes include the locations and respective characteristics of four distinct Arkansas River crossings facilitating access to the Cimarron River, information no doubt possessed by Jedediah Smith in 1831. Five maps only are reported to have survived. Further, it is well known that many, many crossings were utilized in that era of trade with Santa Fe, as may be substantiated per review of Gregory M. Franzwa, *Maps of the Santa Fe Trail* (St. Louis: Patrice Press, 1989). That Smith was privy to more than four crossings, as provided in Brown's 1825-27 survey notes, cannot now be substantiated.
21. See http://www.kancoll.org/books/sftrail/sfmain.html,16. See also Map No. 41 in Franzwa, *Maps of the Santa Fe Trail* (St. Louis: Patrice Press, 1989). Archaeological investigation of the Wagon Bed Spring in Grant County, Kansas, designated as site 14GT101, has produced bountiful artifacts of the trail era, including a clay pipe, mule shoe, shoe nails, knives, nails, padlock, keys, chain lock, carriage bolt, wagon hub, bridle chains, harness buckles and rings, lead bullets, a large rowel spur, buttons, arrowheads (iron and chert), and a pocket compass. See Christine Whitacre and Steven L. De Vore, "Cultural Resource Inivestigations at the Lower Cimarron (Wagon Bed) Spring Camp Site (14GT101), Grant County, Kansas," *The Kansas Anthropologist* 19 (1998), 7-35.
22. See http://www.kancoll.org/books/sftrail/sfmain.html, 16. See also Map No. 42 in Franzwa, *Maps of the Santa Fe Trail*.
23. See http://www.kancoll.org/books/sftrail/sfmain.html, 16-17. Curiously, this particular ford described by Joseph C. Brown as the "upper route," is not recognized or portrayed by Franzwa in his *Maps of the Santa Fe Trail*. See Map Nos. 50-51.
24. Ibid.
25. See http://www.kancoll.org/books/sftrail/sfmain.html,17-18. See also Map No. 51 in *Franzwa, Maps of the Santa Fe Trail*.
26. Morgan, *Jedediah Smith and the Opening of the West*, 329.
27. Stephen G. Hyslop, *Bound for Santa Fe The Road to New Mexico and the American Conquest, 1806-1848* (Norman: University of Oklahoma Press, 2002), 182.
28. Personal communication, Doran Degenstein to Mark W. Kelly (3 February 2016).
29. Ibid.
30. Ibid.
31. Ibid.
32. Morgan, *Jedediah Smith and the Opening of the West*, 329.
33. Josiah Gregg, *Commerce of the Prairies 1* (New York, J.&H.G. Langley, 1845), 236.
34. Connie A. Woodhouse, Jeffrey J. Lukas, and Peter M. Brown, "Drought in the Western Great Plains, 1845-56, Impacts and Implications," *American Meteorological Society* (October 2002), 1485-1493; and Kevin Gallo and Eric Wood, "Historical Drought Events of the Great Plains Recorded by Native Americans," *Great Plains Research* (Fall 2015), 151-58.
35. Hyslop, *Bound for Santa Fe*, 188.
36. Gregg, *Commerce of the Prairies 1*, 236.
38. Gregg, *Commerce of the Prairies 1*, 236.
39. It should be noted that the KHRI interactive mapping tool (accessed via http://khri.kansasgis.org/) also portrays the alignment of the Santa Fe road on the "water scrape," which does not, in every instance, coincide with the alignment as drawn by Gregory M. Franzwa. The author determined the alignment, as depicted by Franzwa on his maps, should be accorded greater reliability, if only because of his considerable study of the Santa Fe road.
40. See Map No. 54 in Franzwa, *Maps of the Santa Fe Trail*.
41. See Map No. 57 in Franzwa, *Maps of the Santa Fe Trail*.
42. See Map No. 55 in Franzwa, *Maps of the Santa Fe Trail*.
43. See Map No. 56 in Franzwa, *Maps of the Santa Fe Trail*.
44. Letter No. 74, John Dougherty to George H. Kennerly, 6 November 1828, "John Dougherty Letterbook," State Historical Society of Missouri, Columbia.
45. Letter, John Dougherty to William Clark, 15 August 1834, Letters Received - Office of Indian Affairs, 234-883.
46. Harrison Clifford Dale, *The Explorations of William H. Ashley and Jedediah Smith, 1822-1829* (Lincoln: University of Nebraska Press, 1991), 314-17.
47. Ibid.
48. The comments provided were not recorded by the author, but taken from hand-written notes derived from the interview. Mr. Saupitty, Jr. was afforded an opportunity to review the content of this article and did not desire changes be made to the comments attributed to him, as recorded herein.
49. Washington Irving, "Traits of Indian Character," *The Sketch Book of Geoffrey Crayon* (New York: C. Van Winkle, 1820).
50. Morgan, *Jedediah Smith and the Opening of the West*, 329.

President/Editor's Comments - Kevin Kucera

Kevin Kucera
President/Editor

Friday, 27 May 1831, Cimarron River, Mexico Territory. On this Friday Jedediah Smith was killed, and, on this Friday Thomas Fitzpatrick abducted an Arapaho Indian boy who he named Friday. In an anonymous Jedediah Smith Eulogy, Illinois Magazine, June, 1832, it states: "Smith, with Mr. Fitzpatrick went forward in a south direction, the same the party were then traveling. …Smith left Fitzpatrick to wait till the party should come up, with directions to dig for water, while he would push on a few miles further south, to some broken ground, visible in that direction. He was last seen, by a spy glass about three miles from Fitzpatrick." While Friday the Arapaho was away from his people he was educated in St. Louis at the directive of Robert Campbell. And within ten years Friday was returned to his Arapaho Tribe at their demand. On that busy Friday one can only wonder if Fitzpatrick took the time to look for the missing Smith and/or Friday's parents. On several levels that would have been the right thing to do whether they were dead or alive. It is worth noting this caravan was the only Santa Fe caravan to have to have men die on the trail in 1831.

In the book, On the Ethnography and Philology of the Indian Tribes of the Missouri Valley, Dr. Ferdinand V. Hayden, 1862, there is a description of the Arapaho Indians in Chapter IX. During the winter of 1859/1860 at Deer Creek, Wyoming Territory, Dr. Hayden and General William F. Raynolds, had the opportunity to meet and interact with Friday on a regular basis. Friday gave them an account of his early history as follows:

Friday, Arapaho Indian

"He says at the time of the separation of the Atsinas (Gros Ventre) and Arapahos, they were all encamped together on the Cimarron. The Mexicans usually came up from the south to trade with them. At this time thirty Mexicans came, and the chief of the Atsina wished them all to remain at his camp. The chief of the Arapahoe band said, "Let half of the traders go to one camp and the half to the other." A contest of words grew out of this, and finally the Atsina chief stabbed the Arapaho chief, and killed him. The brothers and sons of the murdered man immediately killed the first chief, and a battle commenced, but the difficulty was settled before a great number were slain. The two bands then agreed to separate, one portion ranging along the South Platte and Arkansas Rivers, the other passed through North Park to Bridger's Pass, thence along the mountains to the Three Tetons."

Hayden and Raynolds continue with more on Friday as follows:

"It was at the time of the separation of the two tribes or bands, that Friday, with several lads, became separated from their people and lost their way. They had been wandering for about three days, when a Mr. Fitzpatrick, an old mountaineer, and for some years a United States Agent for the Arapahos, as he was taking a train of wagons across the country, saw Friday, and thinking him to be an enemy, raised his gun to shoot him. The boy at once rose up, and Mr. Fitzpatrick saw that he was but a child, and took him to his own house. He gave him the name Friday because he found him on that day of the week."

This amazing story was given to us by: a US General; a famous cartographer/surveyor and Physician; and a western educated and intelligent Arapaho Chief telling his own story as a mature adult. This credible account also puts the infighting Arapaho and Atsina, and thirty Mexican traders on the Cimarron River within a few days of the fateful Smith Caravan. And this Friday autobiography gives us new information on why he was returned to his Arapahoe people within a decade after his taking by Thomas Fitzpatrick.

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President/Editor's Comments *(Continued)*

Gros Ventre Indians

In our comprehensive and fascinating feature article, Mark Kelly shares great new information for our members on Jedediah Smith's last trip out west including his well-documented visit and business in Lexington before they hit the Santa Fe Trail. Mark is an esteemed attorney, author, artist and early Missouri River fur trade expert. His excellent discovery work conveyed in our feature article shows us there is not enough evidence to charge the Comanche under the rule of law with the murder of the great explorer Jedediah Smith. If the Comanche did kill him for maybe trespassing and/or sport reasons, the verbal history of killing a great white man would have most likely been passed down through the respective Comanche clan's verbal history of record.

In our wonderful reprint article from our friends at the Museum of the Fur Trade Quarterly, the author, Professor Robert Munkres, captures in detail Thomas Fitzpatrick's abhorrent feelings about the American Indian. In his own words Fitzpatrick shares: "I believe that moreover that all the aid from the wealthiest governments… could not save or redeem those people (Indians) in as much as I consider them a doomed race, and must fulfill their destiny."

Also in this telling article it states; "… on June 24, 1848, Fitzpatrick observed that he had "seen and known, many robberies and depradations on the white by the Indians of that country; but they have principally (been) committed on single men, straglers, trappers and traders many of whom deserved their fate." This Fitzpatrick statement lacks of optimism and fraternal loyalty for a legendary Mountain Man, Trapper, and Indian Agent who helped orchestrate the Laramie Treaty of 1851. Was Fitzpatrick making this irrational comment to somehow justify the murder of Smith?

In the Campbell House Collection archives there is a January 31, 1843, letter from Hugh Campbell to Robert Campbell that describes Thomas Fitzpatrick while in Philadelphia on a Indian Agent job interview trip as follows: "- for I never saw a more retiring, or less egotistical person." Hugh also states that Fitzpatrick was "…not much accustomed to 'paddle his own canoe' in the scheming political world." Fitzpatrick was both meek and bold, and he intentionally never paddled his own canoe with any statement as the last man to see Jedediah Smith alive.

Based on Smith's previously received passport for the Santa Fe trip, the Mexican Authorities knew well in advance that he would be on the Santa Fe Trail entering Mexico at the Arkansas River. Was Smith, the crowned American explorer of California, such a threat to the sovereignty of Mexico that he would be assassinated to push back American Manifest Destiny? If the Mexicans did kill Smith, then they obviously did not do it to steal his valuable weapons or other personal property because those items were conveniently returned to Austin Smith, maybe as evidence that Jedediah was dead. Answers to this reaching theory may lie in the Smith files in the Mexican Archives. Oddly the Austin Smith letter to Ira Smith is located in these foreign archives. The only other people in the area on record were the Atsina and Arapahoe and they had no apparent issue with Smith, but maybe he somehow got in the middle of their internal conflict on the Cimarron and met his demise.

This famous Santa Fe Trail caravan had no trail log on record including any notation regarding the events of Friday, May 27, 1831. It may be reasonable to assume that caravan of approximately eighty five men had a code of silence regarding the death of Jedediah Smith – because only the greenhorn JJ Warner in his *Reminiscences of Early California from 1831 to 1846*, gave a corroborating statement that is similar to that of Austin, yet very different. Warner much later in life said:

"In the morning of the second day after leaving the Arkansas river, Mr. Smith rode on in advance of the party in search of water. He did not return. Soon after the arrival of the party in Santa Fe, July 4th, 1831, some New Mexican Indian traders who had been out near the Cimarron River trading with the Arapahos came into Santa Fe bringing the rifle and holster pistols of Mr. Smith, which they said they had purchased from the Indians who stated they had killed the owner of the arms on the Cimarron River."

Interestingly he may be inferring the Arapaho killed Smith, and it is also interesting he does not mention the Comanche in his account. Only Sublette partially validated the story given by Austin Smith, who unfortunately died in 1833. Not one other man in the caravan made a statement about the loss of Smith on that Friday, and their silence is still deafening today. The money trail may help us better understand Fitzpatrick because he was a debtor to Smith, Jackson, and Sublette based on the previous sale of their fur trade business to Fitzpatrick and partners. Fitzpatrick is also on record for wanting to divert the caravan's cargo to the Rendezvous, whereas the primary owner of the cargo, Jedediah Smith, intended to take it to Santa Fe. Once in Santa Fe, Fitzpatrick ultimately did take possession of part of the caravan's cargo creating a new debt of approximately $2,800 due to the Jedediah Smith estate.

The blood runs cold for the men who know what happened to Smith on the Cimarron in May of 1831 – Smith fell on that great Kansas water scrape and he will never be forgotten regardless of his inauspicious passing. Jedediah Smith's historical record and legendary greatness casts a grey shadow on the other caravan principals who carried on to Santa Fe and did not take significant action by mounting an appropriate search for their brother, friend, partner and leader. Four months later in an Arkansas River campground on their way back to St. Louis, William Sublette and Austin Smith concurrently did take action regarding the death of Jedediah. In writing separately, both men declared with little or no sensory detail, that Jedediah Smith was dead in absentia.

The truth they hold is in the hot wind from the west, and it chills the spine knowing Jedediah Smith is still out there fallen and alone on the unforgiving water scrape. Improbable yet possible is the future surfacing of a document that tells a different story on the demise of Jedediah Smith from a member of that discombobulated Santa Fe Trail caravan. The story of Jedediah Smith would subsequently change like that of Friday - being that we now have surfaced Friday's different autobiographical story on his so called "rescue" as a small boy by Thomas Fitzpatrick.

In closing, it is worth noting for our members that there are thousands of letters on file from the 1830's at the Missouri Historical Society's Mercantile Bank that may hold new stories of westward expansion, and that is truly an exciting prospect.

Castor Canadensis Newsletter Guidelines

The editor welcomes articles for publication. Please review the following guidelines:

1. Prospective authors should send their articles or questions to Kevin Kucera at kckucera@msn.com
2. Submit in MS Word.
3. End notes should be numbered consecutively.
4. Photographs, maps or illustrations should be sent as an attachment and not embedded into the article. They should also be numbered i.e. Fig 1. A separate list with Fig. No. should be attached with a short title of the photograph etc.
5. After receipt the article will be reviewed by a technical editor. Once this is completed the author will be notified and an approximate date for publication will be provided.
6. Please note the *Castor Canadensis* is not responsible for either the research or the opinions of the writer.

Past President's Report: Annual Meeting Recap

President's Report by Past President Jim Smith.

Society President, Jim Smith presiding during the Annual Meeting

The Jedediah Smith Society held its 2019 Annual Meeting on Saturday, March 30 on the grounds of the San Joaquin County Historical Society in Lodi, CA. President Jim Smith warmly welcomed everyone. The 20 people in attendance introduced themselves and explained their interest in Jedediah and the Society. A good delegation from the University of the Pacific was on hand, including past Society president Robert Dash. Also, professor Bill Swagerty from the UOP History Department and two of his outstanding students were able to attend the meeting.

According to Jim, the meeting could also have been called the 63rd Rendezvous of the Jedediah Smith Society. The title reflects the Board's interest in attending to some organizational business at this event: approval of amendments to the bylaws, election of officers and directors, and other matters. Jim promised to work thru the business agenda in a timely fashion and reserve as much time as possible for the presentation by the featured speaker, Dr. Stephen Dow Beckham, Professor Emeritus, Lewis and Clark College, Portland, Oregon. Dr. Beckham has authored many works, and he currently serves on the Theodore Roosevelt Presidential Library Board of Directors.

New Board members Luke Kucera and Sheri Wysong at the Annual Meeting.

Group photo standing by the Jedediah Smith monument in Micke Grove Park, on the grounds of the San Joaquin County Historical Society where the Annual Meeting was held.

Business was taken care of in a timely fashion. The group had a good discussion of the proposed amendments to the bylaws, particularly with regard to the stated purpose of the organization. Some of the dynamic tension that has always been part and parcel of the Society's purpose and mission was reexamined: Is the Society's purpose limited to Jedediah Smith in particular, or is it more expansive, including the fur trade era generally? After discussion the proposed amendments were approved with the exception of Article II, Purpose.

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Past President's Report: Annual Meeting Recap *(Continued)*

Jim Smith and Luke Kucera, one of our newest Board members, at the Annual Meeting

NOTE: My suggestion to the Board following the meeting was to use the statement of purpose found in the Articles of Incorporation:

ARTICLE II: PURPOSE. The purpose of the Society shall be that set forth in the Articles of Incorporation:

"The specific purpose for which this Corporation is organized as follows: To foster, through public meetings, publications, or other events or activities, appropriate and effective educational programs to promote public awareness and understanding of the career and accomplishments of Jedediah S. Smith and other early fur traders and explorers."

Sheri Wysong

New Officers and Directors were elected. Kevin Kucera took over as president, and Jim Smith stayed on as vice president. Milton von Damm continues to serve as the Secretary-Treasurer of the Society. Two new members joined the Board of Directors: Sheri Wysong from Delta, Utah and Luke Kucera from Austin, Texas. Also, longtime Society member, Rich Cimino was re-elected to the Board of Directors. The members of the Board are listed in this issue of *Castor* on page 23.

Dr. Stephen Dow Beckham discussing Jedediah's 1828 Map of the American West.

Following an excellent luncheon in the Garden, prepared and served by Pete's Outdoor Catering, the meeting resumed with Dr. Beckham's presentation: **"Jedediah Smith's Map of the American West, 1828."** According to Dr. Beckham, Jedediah drew a map of his travels while at Fort Vancouver during the winter of 1828-29. When ownership of Fort Vancouver was ceded to the United States, Jedediah's map was among the items transferred. Dr. Beckham was able to offer some important clues regarding the location of Jed's 1828 map. This map may yet be located. And our very own sleuths from the Society are preparing to follow up on Dr.Beckham's leads in the year ahead.

Please remember to go to our website: www.JedediahSmithSociety.org to check out the interactive maps that have been created by our map team. They're unbelievable!

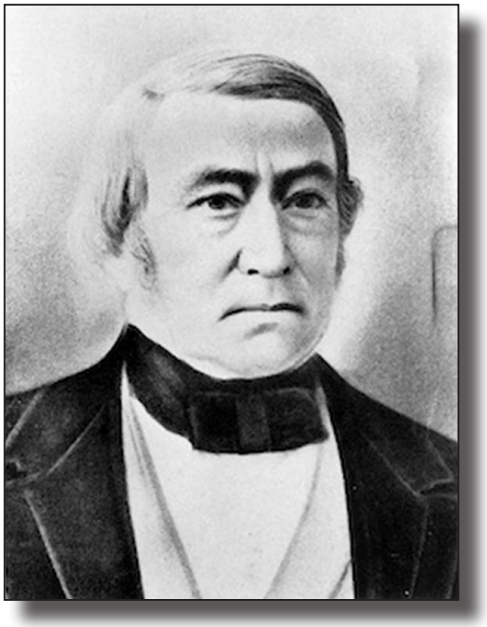
Also please consider purchasing a map for your wall.
They come in 2 sizes: 24" x 36" and 16" x 20". You may order the historic style or one with modern highways added. You will find the order sheet on-line with instructions.

Archives Corner

Thomas Fitzpatrick & Federal Indian Policy

by Robert L. Munkres, Professor Emeritus
Muskingum College, New Concord, Ohio.

Credit: ***Museum of the Fur Trade Quarterly*** **Vol. 43 #3/4, 2007**



Thomas Fitzpatrick

In 1846, Thomas Fitzpatrick, already renowned as one of the most prominent of the Mountain Men, was appointed as the first Agent for the newly established Upper Platte and Arkansas Agency, an appointment strongly endorsed by, among others, Senator Thomas Hart Benton of Missouri, one of the most powerful members of the Upper House. Fitzpatrick, who had been associated directly or indirectly with the Indians of the region as a trader, trapper and guide for more than twenty years, was arguably the most knowledgeable agent ever to serve in that capacity; in addition, during his relatively short tenure (1846-1854) his record of honesty set him apart from his successors, particularly in the minds and memories of the Indians of the Agency.

The purpose of this paper is to place Fitzpatrick in perspective in terms of Federal Indian Policy at roughly the mid-point of the 19th century. Based upon the letters/reports which he wrote during his tenure, this paper will briefly detail Fitzpatrick's views in regard to the five specific topic areas to which he devoted the most attention. The topic areas are: (1) Indian claims to the land; (2) the social, moral and cultural characteristics of Indians; (3) the role of missionaries as a civilizing influence; (3) the use of treaties as instruments of Indian policy; (4) the use of force as an instrument of policy and as a civilizing influence.

INDIAN CLAIMS TO THE LAND

On this point, Fitzpatrick was completely in accord with dominant opinion held by policy makers. Writing at Bents Fort on the Arkansas River on December 18, 1847, he expressed the following opinion to Thomas Harvey, the Superintendent of Indian Affair.

> I have never been fully convinced of the propriety or good policy of the United States Government admitting and acknowledging, the right of the Indian tribes, to the soil in almost an unlimited extent and not only to the soil but to every animal, vegetable, etc. on that soil. However such is the case and on it we may speak and act.

Recognizing that the government which employed him did, in fact, extend partial recognition to Indian claims to the land, Fitzpatrick was one of the relatively few on the frontier to draw a logical inference from that fact. Writing to the Superintendent of Indian Affairs, D.D. Mitchell, from St. Louis on May 22, 1849, Fitzpatrick noted that the government's "granting Indians the right of soil as well as everything on its surface" required that same government to acknowledge "that they (Indians) have just ground for their complaints—which are as follows. The destruction and dispersion of game. The cutting down and destroying wood. And other minor cases hardly worthy of notice." He had expressed the same opinion more than a year earlier to Lt. Colonel William Gilpin in a letter written on February 10, 1848 at Bents Fort: ". . .in accordance with strict justice we owe them (Indians) much, being instrumental in (almost) the entire view of their country so far as their immediate mode of subsistence are exhausted."

Continued on page 19

Thomas Fitzpatrick & Federal Indian Policy *(Continued)*

Of course, the reality of the situation was that Indian claims to the land would be decided less by courts of law than by the burgeoning pressure of the white population which increasingly laid claim to the same land. Fitzpatrick clearly recognized the potential productivity of the land encompassed by his agency. In a letter to Thomas H. Harvey, Superintendent of Indian Affairs, dated October 19, 1847, he not only described the territory as "perhaps the best grazing country in the world as stock of every description will keep in fine order the year round without other food than what they find for themselves in the hills and plains," he further noted that "Beside the advantage of grazing there will be found in the span above mentioned (which is about eight hundred miles from North to South) many beautiful, at intervals of space, agricultural districts the only drawback on which is that, irrigation will have to be resorted to, in order to make sure of a crop, but that can be easily dam from the many little riverlets flowing from the mountains, and so situated as to be without much labour turned in any direction, timber for any useful purposes is also scarce in the plains, but the Mountains contains a great variety of the best pine timber which could be easily floated down into the plains in the spring, when the waters are high. Bitumunaous Coal can be had in many districts of this country and in great abundance near the south fork of the Platte as well as above Fort Laramie on the North Fork, and indeed throughout the whose of this country symptoms of stone coal are to befound, in great abundance." Given Fitzpatrick's emphasis on the possibilities of animal grazing on the northern and southern plains, it is worth remembering that, for the rest of the century, government policy was largely directed towards enticing/forcing Indians to become farmers on 160 acres of land, not ranchers whose land requirements would be far more substantial. Fitzpatrick in general agreed with that government policy in spite of his own earlier descriptions of the uses to which the land could be put.

SOCIAL, MORAL AND CULTURAL CHARACTERISTICS OF INDIANS

In dealing with the Indians of the Upper Platte and Arkansas between 1846, when he was appointed agent, and 1854 when he died, Thomas Fitzpatrick established a record of honesty and integrity that was not matched by any of his successors. Even so, his expressed opinions of his "wards" clearly reflected the dominant, and negative, white views of his time.

"Warlike" was only one of the characteristics which Fitzpatrick believed dominated Indian character. He further held to the notion that they were wicked, depraved and destined to disappear. A paragraph from a letter to Thomas H. Harvey, Superintendent of Indian Affairs, eloquently expresses these attitudes. Written at Bent's Fort on October 19, 1847, they summarize Fitzpatrick's expressed opinion of Indians.

> . . .I fear the real character of the Indian can never be ascertained, because it is altogether unnatural for a christian man, to comprehend, how so much ddesarity (sic.) wickedness and folly, could possibly belong to human beings, apparently endowed with a reasonable share of understanding. Let the christian man, if possible divest himself of all partiality and prejudice and view the Indian impartially just as he find him, without attempting to cast imputations or anything but the right cause which is their own innate provence . . . and it will be found that that very innate principal of wickedness and depravity is the great cause of hastening them off to distruction. I believe moreover that all the aid from the wealthiest governments of Europe united with that of the United States could not redeem or save those people in as much as I consider them a doomed race, and must fulfill their destiny. Yet it is a generous, and praisworthy exertion in the Government to do all it can for them.

It is hardly surprising that Fitzpatrick opposed the use of Indians in any role in support of the military. "No policy could be more uncertain or dangerous" he wrote on February 10, 1848 to Lt. Colonel William Gilpin, "than to employ Indians in any shape or form in this country for the purpose of attempting to tranquilise it. Their well-known faithlessness and treachery and between whom no difference exists in regard to villany ought to be forever a bar against such proceedings."

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Thomas Fitzpatrick & Federal Indian Policy *(Continued)*

It might also be noted that, on several occasions, Fitzpatrick adopted positions suggesting that Indians were not totally at fault. A number of times he called for the impartial enforcement of the law as against both Indians and whites. And on at least one occasion he suggested that some of the difficulties and dangers blamed on Indians were, in fact, very probably the result of white shortcomings. For instance, in reporting by letter to Thomas H. Harvey, Superintendent of Indian Affairs, on June 24, 1848, Fitzpatrick observed that he had "seen and known, many robberies, and depradations committed on the white by the Indians of that country; but they have principally (been) committed on single men, straglers, trappers, and traders many of whom deserved their fate."

Indian culture and white culture clearly differed in substantial ways, one result of which was a frequent assumption that a failure of Indians to behave in ways that corresponded to white values meant that Indians had no values at all! The lack of command authority and political decision-making institutional arrangements are a case in point, as is illustrated by another letter (October 19, 1847) to Mr. Harvey.

> In regard to the Indians of this agency, as well as all the roaming tribes of this vast extent of country, I can assert with a great degree of certainty, that they have no fixed laws, or anything like permanent institutions, by which to regulate their concerns, either between themselves, or other tribes, except what may be decided on, from time, to time, in their councils, and from emergencies arising out of the uncertainty of their relations with other tribes; and to this fact alone may be attributed their constant warring on each other; as the most insignificant being of any one tribe may be the cause of bringing on a war with any other tribe, which may last for years.

Fitzpatrick completely agreed with the government policy which called for an end to inter-warfare. Such a policy, of course, assumed that the tribesmen viewed warfare in the same manner as did whites—an assumption that was measurably in error. Warfare in Plains Indian society was the principal, perhaps the only, way in which a young man could earn prestige and prove his worth in the eyes of his compatriots. To eliminate such warfare, the goal of government policy, was to destroy the very notions of honor and courage as defined by the Indian social order.

MISSIONARIES AS A CIVILIZING INFLUENCE

Both decades before and long after the tenure of Thomas Fitzpatrick as Indian Agent, white society saw in the activities of missionaries the essential ingredient to "civilizing" Indians. Fitzpatrick himself had served a guide for Fathers Pierre Jean DeSmet and Nicholas Point, two Catholic priests on their way to a mission with the Flathead Indians, in 1841. Even so, he had numerous reservations about the usefulness of missionary activity on the frontier. These reservations were spelled out with varying degrees of skepticism and sarcasm in a letter to Thomas H. Harvey written at Bents Fort on October 19, 1847.

> Nothing in my opinion has been more prejudicial to the welfare and improvement of the Indians within the territory of the United States, than the great forbearance, and constant humouring of all their whims together with the erroneous opinion existing that nothing but the introduction of christianity was wanting to make them happy and prosperous. . . . although I disapprove much of the conduct of the Missionaries yet I believe that their introduction amongst those tribes at this time, would have very beneficial and satisfactory results; not at all in a religious point of view, but the improvement of their physical conditions, which together with their morals ought to be the first thing that a Missionary undertakes. But instead, the Missionary begins at the very place where he ought to give the last touch; nearly the first thing the Missionary performs is to baptise the subject, the Indians thinking the ceremony some great "Medicine" which will render him invulnerable or produce some good luck in hunting, and war than they had before come to the conclusion that the white man's "Medicine" is not so strong as his own, and therefore loses all faith in the which [sic] man's "Medicine".

Continued on page 21

Thomas Fitzpatrick & Federal Indian Policy *(Continued)*

THE USE OF TREATIES AS INSTRUMENTS OF INDIAN POLICY

The principal instrument since colonial times for the expression of Indian policy had been the use of treaties and they continued to occupy such a position until Congress, by unilateral declaration, in 1871 declared them to be no longer appropriate. Fitzpatrick himself was deeply involved in the negotiation of the Fort Laramie Treaty of 1851 as well as with agreements reached with tribes on the southern plains. Even so, he had serious reservations concerning the usefulness of treaties, reservations which he express succinctly in a report to Thomas H. Harvey on December 18, 1847. In his opinion, "There is not a single day in the whole year that I could not make a treaty with any of the Indian tribes of this country. . ." subject only to the requirement that he had to have "sufficient merchandise on hand to make presents worth the inconvenience and trouble of assempling the nation."

It is quite clear that Fitzpatrick had serious misgivings about the efficacy of treaties, mostly because of the perceived faithlessness of those with whom they were concluded. There was, however, another factor that was of some considerable importance in his view—a lack of adequate, not to mention accurate, information. "It seem to me," he wrote, "that the greatest difficulty which the government has always had to contend with, in the government and management of the Indian tribes, arises out of the false and exagerated writings and reports of every one who undertakes the subject. . ."

In addition, the lack of fluency in native languages mandated the use of interpreters, and Fitzpatrick's opinion of such practioners was decidedly negative!

> It is a remarkable fact, that the most ignorant and weakminded are those who most readily acquire a knowledge of the Indian tongue orrally. From this cause, it is a very difficult matter to arrive at anything like correctness; and to it may be attributed the many falsehoods, and exagerations put forth to the world, by travellors and others who obtained their information from men who had neither a proper knowledge of their own mother tongue, or that of the Indian and in nine cases out of ten, does not, nor cannot, comprehend what the bookmaker, or traveller wishes to arrive at, because they are subjects that never before entered his mind.

THE USE OF FORCE AS AN INSTRUMENT OF POLICY AND AS A CIVILIZING INFLUENCE.

Undergirding his opinions as expressed concerning the topics covered above was a most fundamental position to which Fitzpatrick firmly held—the presence and effective use of instruments of power was a prerequisite to the successful implementation of federal Indian policy. The key to Fitzpatrick's recommendation is, of course, his definition of how the government should "rightly set about" the implementation of the policy he supported, i.e. giving the tribes proof of the government's ability to "chastise" them. His definition had two components, the first of which he described in a letter to Lt. Colonel William Gilpin on February 10, 1848. Writing at Bent's Fort, he made two points: (1) the law must be enforced stringently as against all violators; and (2) halfway measures are worse than none at all. With regard to the first point he began by pointing out an obvious fact, "In this country we are more isolated and remote from the protective influence of the government". Because of this situation, he concluded, "therefore our policy and systems ought to be different, by letting no violation of law escape unpunished, committed either by Indian or White Man."

The second component of the policy package referred to above had to do with the quality and size of the military force needed as well as the tactics which they should employ. In a letter to Commissioner W. Medill dated August 11, 1848, Fitzpatrick recommended the establishment of military posts along both the Santa Fe and Oregon Trails "on the east side of the Rocky Mountains—one on the river Platte and the other on the Arkansas, each to constitute five hundred mounted men and a few mountain howitzers." With this size of military force available in both general locations, he then spoke to the qualifications/qualities he deemed necessary in military commanders, by declaring that "The commanders of those men and stations (with or without knowledge of military tactics)

Continued on page 22

Thomas Fitzpatrick & Federal Indian Policy *(Continued)*

should be well acquainted with the Indian country—well acquainted with Indian character, habits, customs, and above all, their mode of warfare. It is a want of this knowledge that has been the cause for the past few years of the total failure of all the expeditions against the Indians, and which failures have a great tendency to make the Indians much more hostile, bold and daring than they were before any attempts were made to chastise." "I have no hesitation," he concluded, "in stating that unless the officers are in every respect well fitted for that very peculiar service no benefit or advantage can arise out of such expeditions." A concluding point can be drawn from Fitzpatrick's letter of November 19, 1853, written about three months before his death in Washington, D.C from pneumonia; it reflects virtually all the points previously made.

> "I . . .urge upon the government the propriety either of increasing the forces at such places, or else of abolishing such posts altogether. Our relations with the wild tribes of the Prairies & Mountains resolve themselves into a simple alternative. The policy must be either an army, or an annuity. Either an inducement must be offered to them greater than the gains of plunder, or a force must be at hand able to restrain and check their depredations. Any compromise between the two systems will be only productive of mischief, and liable to all the miseries of failure. It will beget confidence without providing safety. It will neither create fear or satisfy avarice, and adding nothing to the protection of trade and emigration will add everything to the responsibilities of the Government."

What Fitzpatrick was so strongly inveighing against was the tendency of government policy to swing back and forth from one position to another, a tendency which his strongest recommendations did little to change. For the remainder of the 19th century, federal policy continued to alternate between, for example, the "Peace Policy" begun in the Grant Administration and the full-scale campaigning which marked the last half of the 1870's. It would have taken someone with far more influence than possessed by a man called "Broken Hand" to overcome this policy characteristic.

This article appeared in *Annals of Wyoming*, Spring, 1978 and a truncated version which appeared in *The Tombstone Epitaph* in January, 2001.

Members' Section

New Members

Please welcome our new members to the Society. We welcome you to our events and participation on various committees. If you'd like to write an article please see the guidelines under the editor column.

Jimmy Hinkson, Redding, CA

Duane Iles, Holton, KS

Mark Kelly, Leavenworth, KS

Luke Kucera, Austin, TX

Connor Kucera, Indianapolis, IN

Corbin Kucera, St. Louis, MO

Donor List

The Society wishes to thank the sponsors and patrons and all members for the investment in the future of our society.

Special thanks to:

- Theresa Melbar donated $1,000 to our Society to help fund a replacement of a Jedediah Smith monument near Bakersfield that was stolen. The Bakersfield Historical Society has the lead in this project.
- The James Irvine Foundation has awarded a grant of $500 to the Jedediah Smith Society to help pay for the costs associated with having Professor Stephen Beckham speak at the 2019 Annual Meeting. This grant came from the Staff Discretionary Grants Program through Adam Cimino. His father is Rich Cimino, a member of our Board.
- Jim Smith donated $150 to help pay for printing expenses associated with the Annual Meeting.
- Member Jon Warn made a general donation of $100 over and above his dues which will be used to help fund the map project.

Thank you!

Your Officers & Board Members

President

Kevin Kucera

Vice President

Jim Smith

Secretary/ Treasurer

Milton von Damm

Board of Directors

Kevin Kucera

Jim Smith

Milton von Damm

Rich Cimino

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Milton von Damm

INVITE A FRIEND TO JOIN

Jedediah Smith Society membership is open to all who wish to join in support of research, preservation and information about the 1st American arriving overland 1826 and other California pioneers of the 18th & 19th centuries.

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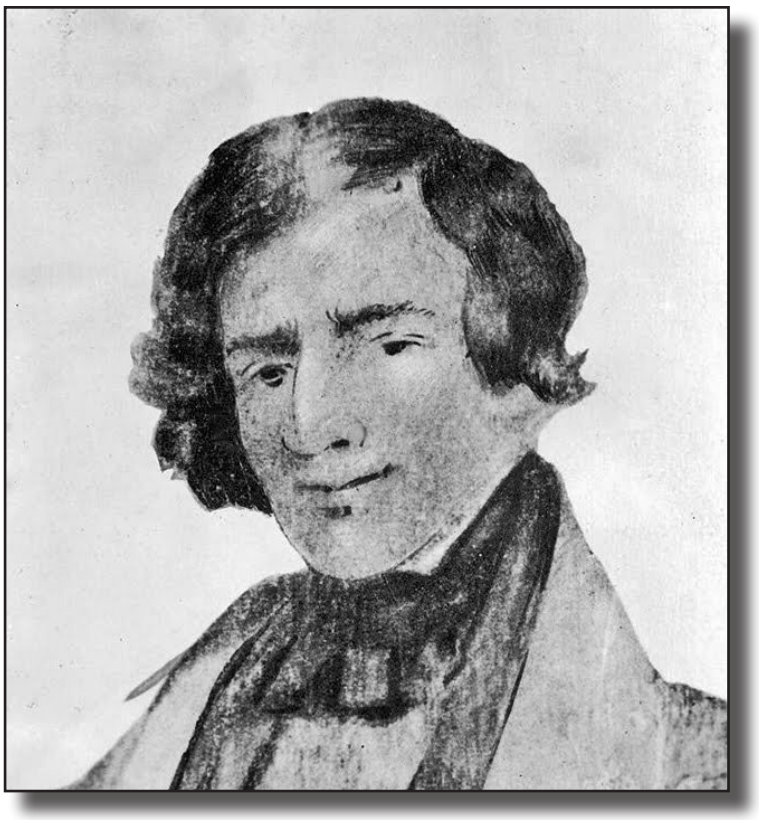

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