

## 8. Following orders: Deliberate Defeat at the Little Bighorn

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**ABSTRACT:** The battle of Little Bighorn in 1876 marked the beginning of the end of conflict between the U.S. and its military against the various Native American tribes west of the Mississippi River. Historians have given us various ideas of why Lieutenant Colonel Custer met with defeat. But none have noted, in connection with the November 3rd “secret meeting” between Grant and his generals, a movement of troops away from the Black Hills even before decisions were supposedly made to no longer keep miners out of that sacred land. When we study attitude and orders in conjunction with what we know about these events, the idea emerges that the government knew that they couldn’t get the Indians to break the Fort Laramie Treaty unless they were attacked. Here, then, is a presentation of the possibility of deliberate defeat by the U.S. government and its military in order to take the Black Hills.

**Keywords:** The battle of Little Bighorn, conflict between the U.S. the Plains Indians

## FULL TEXT

Historians have studied the reasons for George Custer's military defeat at the Little Bighorn to the point where they don't think they'll find further answers to the questions that remain. Robert Utley wrote, "Seldom does the historian encounter a past event for which so many participants have left detailed accounts, and it is one of the ironies of history that, with such a mountain of evidence, the Battle of the Little Bighorn remains cloaked in mystery." Stewart Russell in "Villainous Heroes" noted that revisionism has turned Custer into something of a scapegoat of the Little Bighorn and he wondered where the reassessments are of other characters in this period, such as Sheridan, Grant and Sherman. Jack Pennington made the case for Custer as a competent officer and laid the blame on his death on the lack of support from his other officers, Reno and Benteen. Joseph M. Marshall III noted that their victory was due to the leadership and mysticism of Crazy Horse, but also thought Custer's defeat provided the opportunity to win public support for the war against native American Indians, and that their victory did not bring about their downfall, which was already inevitable. All of these historians share an attitude that demonstrates that study of the idea of deliberate defeat on the part of the government in collusion with the army is long overdue.<sup>i</sup>

Custer supposedly knew he'd be facing "a large force of Indians—but could he have known how large? Fairfax Downey noted that "neither Washington nor headquarters realized what might happen if the Indians massed against a single, unsupported column."<sup>ii</sup> If the U.S. government and its military did not stop to think about tactical repercussions, or they knew but went ahead, anyway, this makes the end result of the Little Big Horn was exactly as anticipated—although not, perhaps, the extent of the defeat. In consideration either of stupidity or deliberate defeat, the main concern with this article is over goading the Indians to war and suffering defeat so that the Black Hills could be taken.

### ***Grant's Secret Council with War Staff***

Most sources mention President U.S. Grant's secret council with several generals held on November 3<sup>rd</sup>. No records were kept of what was said there. In attendance with Grant were Secretary of War William Belknap, Secretary of the Interior Zachariah Chandler and Generals Sheridan and Crook. The meeting could be said to bring Chandler up to speed because he'd only had the job a few weeks, but that does not explain the lack of written information about what they discussed.

The meeting was said to have resulted in the decision to stop army efforts to expel miners from the Black Hills. On November 7<sup>th</sup>, when the generals headed back to the West,

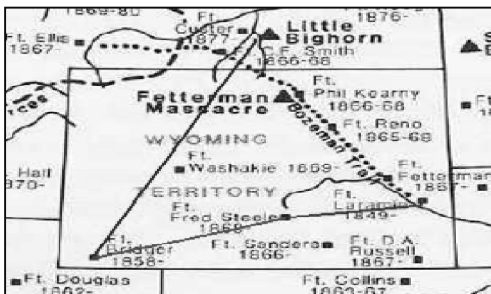
the *Inter-Ocean*, Washington correspondent reported only that they planned to establish a military post in the Black Hills to keep miners out.

Historians agree that two new policies emerged after that meeting. One was to continue to forbid miners from using the Black Hills but make no effort to eject them. The other was to compel the non-agency peoples in some fashion to settle at the agencies. Another source indicated that they decided at this secret meeting that there would be no more negotiation with any tribe. Whatever the decision, information about what they talked about was known only by the changes in policy afterward.

What no other historian has noted is that, on the same day as the secret meeting, the Fourth Infantry companies D & E left Fort Laramie to follow orders to new posts at forts Fred Steele and Bridger. Henry Bertrand, subject of a dedicated Civil and Indian wars book, was one of them. They were not replaced, leaving Fort Laramie undermanned. They were moved away from the heart of activity, from any possible chance of offering protection to miners, settlers or Indians, to other locations in southern and western Wyoming. Their orders were issued before the meeting was held and before the bridge they were working on across the Platte River. Undermining a primary fort location to the Black Hills could have only one repercussion—potential for more Indian attacks against miners.

Troops rarely moved the day they received orders; for instance, this same company received orders on March 7, 1871 to move to Kentucky for Reconstruction duty. Those orders were issued on March 4<sup>th</sup> and they were not relieved at that fort in Wyoming until March 20<sup>th</sup>. This means that the secret meeting was Grant's way of giving new orders to his military, who already knew something was up because these orders were issued before the meeting. The meeting was to discuss responses to Indian attacks as a result of their policy, and not to set the policy at all, which had already been set. Bertrand's orders proved that.<sup>iii</sup>

There is no reason to doubt that the secret meeting and these particular troop movements were related, especially since the movements were to forts far from the scene and not having any difficulties in those areas.



Orders of the 4<sup>th</sup> Infantry from Fort Laramie to forts Bridger and Steele and the distance from there to the Powder River area of the Little Big Horn battle. Black Hills area is near the triangle in upper right.  
(Map Source: Prucha, Great Father, Vol. 1, 547)

A month previous to these orders, starting October 4, 1875, Company E of the Fourth Infantry under Lt. O'Brien took charge of a working party to build the bridge ordered to be placed over the Platte River. A bill to Congress to build this bridge had been introduced back in February 1874 with recommendation to Secretary of War William W. Belknap to support it; this bridge would enable troops to control the Sioux north of the river and facilitate movement of troops should hostilities ever break out. After a controversial bidding process, the first of the fabricated bridge was shipped by rail to Cheyenne in early February 1875.<sup>iv</sup>

The military supplied labor because of difficulties in finding free hands—many were panning for gold in the Dakotas. The bridge opened December 8<sup>th</sup>, and settlers began to use it to cross into the Black Hills from the railroad—and yet Fort Laramie remained undermanned.<sup>v</sup>

The Sioux were forced to accept this bridge-building, even if they recognized the coming trespass. Between 1870 and 1876 there were few reported attacks from tribes, so President Grant had a hard time finding reasons to war with them. In 1870 there were ninety-four recorded fights, with the number dropping by 1875 to thirty-one, the majority of these in Texas. The number of battles with the Indians never rose again above fifty-seven, which was recorded in 1880, mostly with Apaches in New Mexico. Indian Commissioner E.P. Smith believed that, in consideration of the encroachment of whites to their land, they showed great restraint.<sup>vi</sup>

Fort Laramie was a key location to protect settlers around the Black Hills and eject miners from the area. In December 1875, Laramie had just five companies of the Ninth Infantry and two of the Second Cavalry and stayed that way until the following June 1876 when two new infantry companies landed there.

A lot of Easterners were critical of Grant's handling of Indian agents and annuities and of the illegal trespass in the gold expeditions between 1873-1875. Grant knew Easterners would also oppose any plan to force Indians to break the treaty, so the meeting had to be kept secret.<sup>vii</sup>

The Indians knew what the Treaty of Fort Laramie said, that if they did not keep the peace, they would lose the Black Hills. This treaty was executed between various tribes from 1867 and 1868, but soldiers at the time believed the treaty meant nothing—it was just a stalling tactic. But the Indians took the treaty at its word, so between November 3<sup>rd</sup> and the issuance of the famous ultimatum on December 6<sup>th</sup>, the Sioux and others did not entrap themselves by attacking miners. But they knew they were guaranteed freedom to hunt in

the Black Hills and Powder River area. The ultimatum, however, gave the military the reason to attack and push the so-called hostiles to reservations where they never agreed to go in the first place.

A recent National Parks' magazine article claimed that the Indians had been attacking settlers, giving the army reason for the attack at the Little Bighorn. It's part of the mythology of that event, and one that needs to be rectified. Grant's secret meeting likely encouraged agreement to allow Indians to attack miners and settlers and give the army an excuse for war. But the Indians never cooperated by giving them reason for war, until the Little Bighorn.<sup>viii</sup>

Why did Custer die? Along with deliberate defeat, the government and the military had to conceal the numbers of Indians that were against selling the Black Hills.

### ***Recognition of Indian Numbers***

Most sources used demonstrated high numbers against selling or giving up the Black Hills. One would be hard pressed to figure out how the U.S. Army and the government could not have realized how many Indians they would be facing in the field, ready to protect their territory, villages and what little buffalo they had left to hunt. One event that has been under-studied, however, is the Allison Commission of September 1875 that failed to purchase the Black Hills previous to the November 3<sup>rd</sup> secret meeting.

There were earlier indications. Of Custer's expedition, an editor in the *Rocky Mountain Weekly News* reported in the July 15, 1874 edition these 1,000 soldiers were lucky they weren't slaughtered, because "Red Cloud, Oglala chief, and Spotted Tail, Brule chief, had 10,000 fighting men and just about as many women ready to fight." These two were the reservation chiefs. Sitting Bull, Crazy Horse and other non-agency Indians never signed the treaty and could not be expected to abide by its agreements. Red Cloud and Spotted Brule knew, every bit as much as Sitting Bull and Crazy Horse, that the Black Hills of South Dakota had been given to them by Fort Laramie Treaty as long as the rivers shall flow.

Some were willing to sell, however, believing the government would get it anyway. In late May 1875 a delegation of Indians, including Red Cloud, went to Washington in a vain

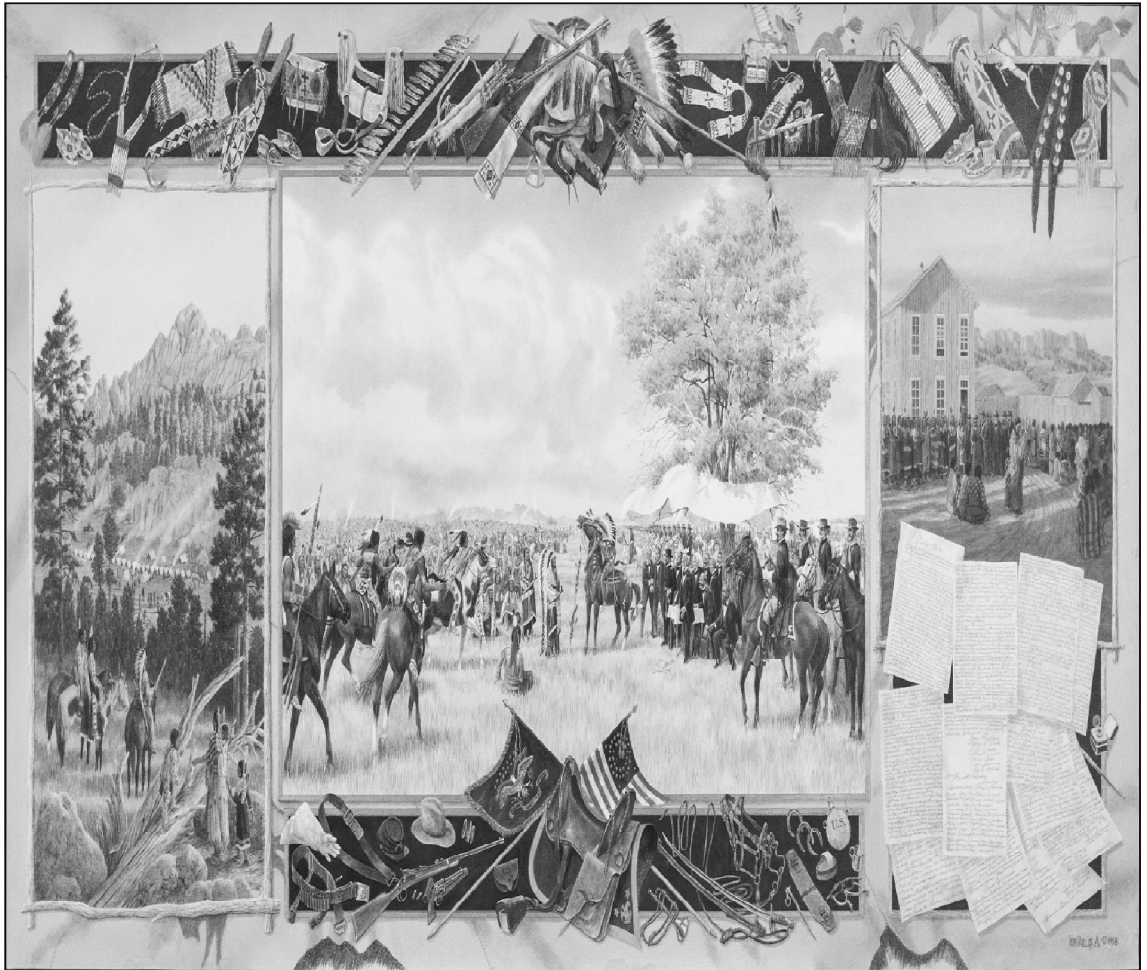
effort to come to some agreements on their land being trespassed by miners. From the *Omaha Weekly Herald*: "While the Indians decline to say positively that they are willing to give up the country lying between the Two Cheyenne rivers, they are exceedingly anxious to do so ... The Indians feel that the Government is willing to buy the country, and it is better to sell it for a consideration than to lose it and get nothing."<sup>ix</sup> This exaggeration made it sound like they were all willing, when that was hardly the case, as the Allison Commission meeting later demonstrated.

In Washington Red Cloud learned that the government had yet to determine what to offer for the Black Hills. Because the Walter Jenney Black Hills Expedition of 1875, sent to determine the value of the Hills, was delayed, this Washington meeting was not about the Black Hills. Professor Jenney finally returned from expedition that summer with his report, where he noted claims of gold were exaggerated. He confirmed instead the statements of travelers and explorers that showed arable land and thousands of miles of timber and grazing.<sup>x</sup>

The Allison Commission responded to that report. That September Senator William B. Allison of Iowa headed the expedition into the field; included were Brigadier General Alfred H. Terry (under whose command Custer marched to the Little Bighorn), Rev. S.D. Hinman, a Santee Sioux agent and missionary, G.P. Beauvais, a Sioux trader from St. Louis, W.H. Ashly, Nebraska and several inexperienced Easterners. The commission sought to bring as many Indians to the council as possible, expecting as many as 15,000.

When they arrived at a meeting place on September 20 between the Red Cloud and Spotted Tail agencies along Chadron Creek, they were astonished to see more than 20,000 of the various tribes, said Captain Anson Mills, who commanded the Cavalry. They represented over 45,000, and most knew the most important clause in the Fort Laramie treaty—the Black Hills country was theirs.<sup>xi</sup>





**Paha Sapa Wakan (The Sacred Black Hills) \*\***

**The Allison Commission depiction**

**The gathering of Indians and Commissioners with emphasis on the  
riders coming up from the lower left of the section.  
Advancement of hostile Indians to stop the council.**

**\*\* Paha Sapa Wakan (The Sacred Black Hills) ca. 1988, watercolor Tom  
Phillips (1927-2005) Chickasaw Nation Image courtesy of the Akta Lakota  
Museum & Cultural Center, St. Joseph's Indian School, Chamberlain, SD USA**

The commissioners first sought to rent the hills—pay a certain amount per year just to mine the gold and then give the hills back. The Indians found that idea ludicrous. One demanded \$70,000,000 and an additional amount for what had already been taken out. Some were willing to settle for \$20,000,000, while others could not imagine putting a price on the Black Hills at all. The commissioners offered \$6,000,000 payable in fifteen installments for outright purchase, or \$400,000 per year for mineral rights.<sup>xii</sup>

“The Indians were given to understand,” reported Captain Mills, “that the whites must have the land, so that they became alarmed, and most of them threatened war.”

A group of about 200 led by Little Big Man, one of Crazy Horse’s shirt-wearers, put on a great display of hostility for the commissioners, to the point where the commissioners felt their lives were in danger. This sudden appearance of these non-agency men on September 23<sup>rd</sup> was meant to intimidate the commissioners. The non-agency Indians were unwilling to let the Black Hills go at any price.<sup>xiii</sup>

But all of them knew Article 12 of the Fort Laramie treaty said 3/4ths of adult males must sign to make an amendment valid. They did not care that the government never intended to take the treaty seriously. They took it very seriously. And the variety of responses to the Hills’ worth and this display of hostility indicated to the commissioners that they were not going to get these signatures.<sup>xiv</sup>

Red Cloud said, “I know well and declare plainly that God placed those hills there for my wealth. You are going to take them away and make me poor. Therefore do I ask so much for them.”<sup>xv</sup>

Even after all these numbers and threats of violence, even after witnessing this council first hand, General Alfred Terry, along with other military and government leaders, believed General Phil Sheridan, Department of the Missouri, who said they’d never hold together as a fighting force. Sheridan predicted they would only have about 500 Indians to fight in the field. Terry was Custer’s commander during the Little Bighorn campaign.

The government and military believed Sheridan, and planned an uncoordinated force against the Indians that ended in Custer’s death and that of a lot of his men. If they wanted to get the Indians to break treaty, they had to encourage this small group of hostiles to attack.<sup>xvi</sup>

But the hostiles never signed the treaty, so there was nothing for them to break.

Not long after these failed commissions to purchase the Black Hills, orders were issued to move the two companies of the 4th U.S. Infantry away from Fort Laramie, the Secretary of the Interior was replaced, and the secret meeting was held.



Until just days before his life ended, Lt. George Custer believed he faced only a couple hundred, maybe a thousand, warriors, and would not bring the Gatling guns. Had he known 2,000 or as many as 5,000 would be out there, his strategy might have been different. But he believed Sheridan, and E.C. Watkins, a U.S. Indian Inspector, who noted in his November 9<sup>th</sup> report that the Sioux would be lucky if they could find 300 warriors.<sup>xvii</sup>

Had those three columns ordered to Powder River Territory to corral the Indians in June of 1876 been better coordinated, they might have been able to win this campaign. Yet the only real victories they'd had against Indians since the Civil War were in attacking villages using an element of surprise. Large army movements removed the element of surprise and the Indians proved that they were always able to move away from them with great stealth through the landscape.<sup>xviii</sup>

Obviously, then, the objective was not to corral such a large number of Indians who wouldn't sell the Black Hills, but to threaten them just enough to attack at least one portion of these three columns of blundering army.

### ***The Ultimatum's Irony***

On December 6<sup>th</sup> the Indian Commissioner, E.P. Smith, issued the famous ultimatum that "Indians must come in to their various agencies by January 31, 1876 or be subject to military action." In issuing this statement the government acknowledged that agency Indians were potentially causing trouble, because they could not force non-agency Indians anywhere.

### **Here's how a government website talked about the Ultimatum:**

Hundreds of prospectors flooded into the Black Hills looking for gold while the Army did little to stop them. After a controversial meeting between President Ulysses S. Grant, the Secretary of War, Secretary of the Interior, Commissioner of Indian Affairs and Generals Sheridan and Crook in November of 1875, the Army withdrew from the Black Hills, effectively opening the land for miners. The Sioux's ownership of the Black Hills from the Treaty of 1868 was not enforced.

On December 6, 1875, the U.S. Bureau of Indian Affairs sent out an ultimatum to the non-reservation Sioux to return to their reservations before January 31, 1876 or else be forced there by military action. It is likely that this ultimatum was a ploy to lure non-reservation Sioux into war so that they would be forced to formally cede the Black Hills to the U.S. Government once defeated on the battlefield. Although many Sioux stayed at their respective agencies, others ignored the ultimatum, setting the stage for hostilities.<sup>xix</sup>

We can see the fallacy of the ultimatum being issued at non-agency Indians in the second paragraph. You cannot demand that “non-reservation” Indians should return to their “reservations.” But this site acknowledges the controversy at the same time; here admitted is the likelihood that the Indians were deliberately forced to war. So the ultimatum’s purpose was to warn both treaty and non-treaty Indians to leave hunting grounds during the winter when they needed the food or be considered “hostile.” This is clear indication that the government and the military knew the numbers would be higher than Sheridan’s official statement.<sup>xx</sup>

We can understand the problem clearly if we apply the knowledge that the treaty was not taken seriously by the soldiers. All this adds up to the probability that the government and the military planned, as far back as 1868, that the treaty was just a temporary peace-seeking measure.

So the ultimatum was specifically targeted at agency Indians, the same Indians Sheridan did not include in the count as ready to war against the government to protect the Black Hills. The ultimatum in effect created hostiles out of agency Indians. General George Crook noted that agency Indians tended to join the non-agency tribal members in the field whenever they felt like it. But the only Indians they could issue this ultimatum at were the agency Indians; in effect, the ultimatum said that if any Indian stayed out hunting and away from the reservation after this time they too would be considered hostile, and would be shot at as hostiles.<sup>xxi</sup>

So the ultimatum was that detailed plan for war, an attempt to push Indians who had the right to hunt back to the agencies. Still, the Indians did not attack; and indeed, as will be shown in the study of the battle at the Rosebud, only acted in complete defense of their land and their buffalo given them by that treaty. Their attacks were only defensive, even in the death of Custer and his men. Even the “hostile” Lakota Sioux under Sitting Bull carefully avoided giving the government any reason for war.

So the ultimatum puzzled the agency Indians, and their response to the demand to return was that “they were hunting and could not conveniently accept the invitation.”<sup>xxii</sup>

About the ultimatum, a New York Times editor noted: “The Indian question has been our nation's shame and in their weakness men cry for extermination. We cannot call this policy war but extermination.”<sup>xxiii</sup> Reverend Henry Whipple said, after calling Custer’s attack on Washita a massacre: “I have never known an instance where the Indian was first to violate plighted faith.” A former scout of Indian Agent Edward Wynkoop told Wynkoop that more women and children were killed at Washita than warriors. Captain Frederick Benteen (criticized for not going to Custer’s aid at Little Bighorn) wrote a criticism of the

Washita affair in 1868, including Custer's abandonment of Major Elliot. All of these voices indicated disapproval of Indian policy, and this disapproval meant that the Indians could not simply be attacked; they had to be goaded into attacking.

This demand to get them on the reservations by that deadline encouraged more Sioux, Cheyenne, Arapaho and others to leave the agencies and join the hostiles rather than surrender guns and ponies. By the end of 1875, too, the Indian Bureau agents reported serious shortages in annuities to the reservations, which only encouraged more Indians to hunt with Sitting Bull.

Only five days after the ultimatum, Indian Commissioner E.P. Smith was out and J.Q. Smith was appointed; an odd time to resign as commissioner, after assuring the military that the agency Indians would stay out of the fight. But he was faced with charges of corruption regarding Indian funds, so he resigned.<sup>xxiv</sup> Grant's tenure as president is known for corruption, but perhaps some corruption was part of a convenient charge to remove people when having someone new in office suited coming events.

Finally, a look at one of the three badly coordinated columns to the Little Bighorn will demonstrate why this campaign was doomed to failure. Here we'll find a formerly unnoted reason why General George Crook received criticism as part of the excuse for the campaign's failure and Custer's death.

### ***Why Crook Didn't Go to Custer's Aid***

General George Crook took command of the Department of the Platte in April 1875. Before taking command, Crook sent word to Fort Laramie to make every effort to find and remove the miners from the Hills. Miners evaded the military long before this, but by the 1875 Black Hills expedition that summer, civilian prisoners jammed the guardhouses.<sup>xxv</sup> After the secret meeting of November 3<sup>rd</sup>, which Crook attended, all efforts to eject miners halted. After the Indians failed to respond to the ultimatum, war was declared (but not sanctioned by Congress). Agency Indians had the right to hunt in the Black Hills per treaty, so while the low count of non-agency Indians may have been accurate, the government and military also knew how many agency Indians were against the Black Hills takeover.

But the government was never serious about the Treaty of Fort Laramie, and now they wanted that land.

The first attack following the ultimatum was the mis-adventure under Crook and Colonel Joseph Reynolds. They hit what they thought was Crazy Horse's village in March 1876. Their destination, Crazy Woman's Fork, had for years been a pivotal Sioux stronghold.<sup>xxvi</sup> When they spotted horse tracks Crook ordered Reynolds to follow them. The troops under Reynolds were routed by the warriors and left two dead soldiers behind.

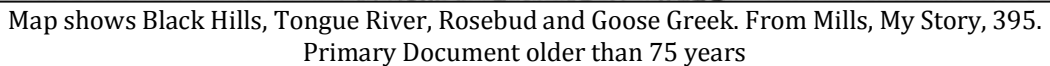
Two Moon, Northern Cheyenne leader, had been on his way back to the agency and said his camp had been surprised and the people scattered, forced to leave their ponies. The soldiers captured the ponies but that same night, while they slept with the horses to one side, the Cheyenne stole them back. Two Moon told Crazy Horse, "All right, I am ready to fight. My people have been killed, my horses stolen. I am satisfied to fight."

Agency Indians realized the "Great Father" meant war. Before this, many had been puzzled by the ultimatum and continued hunting.<sup>xxvii</sup>

Indian agents now came under fire. E.A. Howard, agent at the Spotted Tail Agency, took offense to Crook's claim that his agency Indians were involved with non-agency Indians, based on the goods found in Two Moon's village. He seemed unwilling to believe any rumors that agency Indians could be joining hostiles, and felt they had been making successful strides toward civilizing them. James Hastings, agent at the Red Cloud agency, also weighed in against what was considered the success of the Powder River Expedition, stating that he planned a count at his agency. He noted that they were unhappy over the lack of food lately.<sup>xxviii</sup>

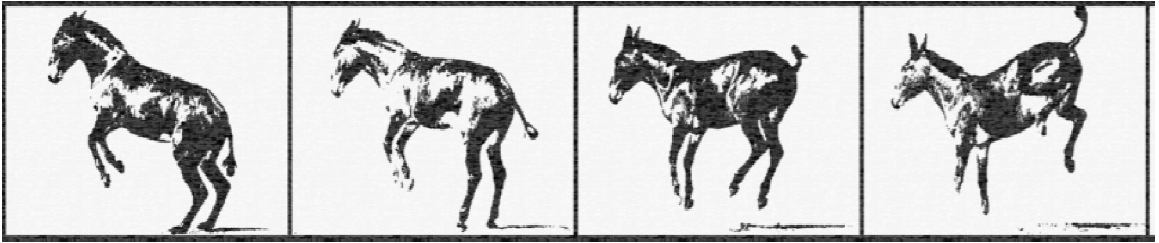
Crook's expedition that June 1876 formed the southernmost of the three columns to march to Powder River country and force them back to the reservations. Crook's column organized at Fort Fetterman with the five companies from the Fourth and Ninth Infantry under Colonel Alexander Chambers, including Henry Bertrand, and fifteen companies of cavalry.<sup>xxix</sup> Their mission was to intercept Sioux and Cheyenne north through Powder River country to Montana and force them however possible to the reservation. With a column of 959 men and thirty-three officers, supply wagons and scouts, the purpose was not to surprise but to intimidate Sioux, Cheyenne and Arapaho, who could see Crook coming for miles.

His plodding campaign with so many infantry soldiers indicates that Crook bought into Sheridan's belief that the Indians would never hold together as a fighting force; or Crook agreed that agency Indians would not put up a fight. Infantry soldiers were useless against tribal warriors on horses and generally guarded wagons, or took a line of defense on the ground against an attack.<sup>xxx</sup>



The Crow scouts, numbering 176 under Old Crow, Medicine Crow and Good Heart, arrived in Crook's camp on Goose Creek on June 14<sup>th</sup>. That same day Crook decided that his foot-tough infantry soldiers under Chambers slowed them down too much. He must have realized, with Crow scout reports and the attack on the 9<sup>th</sup>, that there were more Indians out there than he thought. Crook corralled the wagon train and ordered a company of infantry, 100 soldiers, to stay behind under Captain John Furey, chief quartermaster, and the wagons.

Chambers and Luhn took the remaining 200 men over to an equal number of mules—pack train animals, never before broke to saddle.<sup>xxxii</sup>



Painting by an early French artist - Charly Le Brun  
(Source: [http://uncyclopedia.wikia.com/wiki/United\\_Artists](http://uncyclopedia.wikia.com/wiki/United_Artists))

Chambers, Captain Luhn and Major Andy Burt were quite unprepared for the task of mounting 200 foot soldiers on an equal number of obstinate animals. The mules never had saddles on before and only few of these infantrymen ever sat in a saddle. These mules were taken to a flat space down by the creek, where they were forced to take regulation cavalry bridles into unwilling jaws, and clumsy McClellan saddles were placed on their backs.

The mules kicked and squealed even before the foot soldiers mounted. A cloud of mule-heels, noted newsman John Finerty, shod in iron, rose simultaneously in the air, with shrill neighs and squeals of indignation. The mules were allowed to settle down after getting the saddles and bridles on, and then Chambers ordered the infantry to mount.

As soon as the soldiers mounted some of the mules ran off, bucking fiercely, and "every minute a score of solders either stood on their heads or measured their length in the deep soft grass," said Finerty. Other mules bucked right where they stood, shooting soldiers skyward like a "rocket, and his very dull thud would soon after be heard as his body struck mother earth in his fall from among the clouds. I...saw those foot soldiers do their duty most heroically, but I am bound in truth to confess that their bearing on the morning of June 15 was anything but awe-inspiring."

The officers ordered the infantry on board again, and again, and finally, by morning's end, most of the men kept their saddle with "a doubtful degree of adhesiveness."<sup>xxxiii</sup>

What created this desperation to mount infantry soldiers? Even more, why would soldiers like Henry Bertrand, who once said, "We didn't try hard to catch the Indians; we could see they were good people," agree to the plan? Crook should have realized before leaving Fort Fetterman that this campaign was no place for foot soldiers. Something happened in the field; reality of numbers he would be facing is the only explanation.

And soldiers could also see what was ahead, and even those who saw the Indians as good people, still followed orders.<sup>xxxiv</sup>



That night the command bivouacked on three sides of a lake, leaving the fourth side for the tardiness of Chambers' weary and wary infantry riding on equally weary and wary mules. Officers walked to get a better position to observe the approaching military movements of the mule brigade that day.

Chambers was proud and ambitious to do his duty, however humiliating and disagreeable, as well as he could, so when the leading company came near the line designated, he gave the command, "Left front into line" in military style, and the first company came into line, but no sooner had the mules halted when, after their custom, they began to bray as loud as they could, making extra effort in accord with the extra effort they had made to carry their strange burden into camp.

The cavalry officers began to laugh and roar. As the other companies began to halt, Chambers lost courage and with oaths and every evidence of anger, threw his sword down on the ground and left the command to take care of itself as best it could.

While the military had their fun, the Sioux scouts noted that their country was black with soldiers. They knew why the military had come and prepared to defend their land and their hunting rights. On June 17<sup>th</sup>, when the scouts returned with their warnings that the Sioux under Crazy Horse were fast approaching, Crook rode his mule up a bluff with some infantry mule riders to make his dispositions. He positioned his infantry there and ordered Mills to mount his cavalry troops and ride out to higher ground to hold another position.

One detachment under Colonel Royall became so far separated that they could have shared in Custer's fate. Crook ordered Royall to come back in and regroup to support other efforts, but it took Royall two hours to comply because the Indians had him pressed so closely on the edge of some bluffs in a defensive position. "It was there where most of our loss occurred," said Crook. He fought to regroup his forces, while Custer sent a last minute message but couldn't.

Crook thought he could pull some of the heat off Royall by attacking the village. So Mills was ordered to proceed into the canyon to seek out their village, and he proceeded to do so, leaving the infantry on the hill to cover him. Mills estimated their numbers to be as many as 1,500. He got his cavalry behind rocks, the horses behind the bigger rocks. He felt he'd given his men a secure position, protected on the right by the jagged walls of the canyon. The mule riders mounted back up, trotted and galloped to a designated location to act as skirmishers. The Cheyenne attacked another portion of the army camp. When he heard shots Luhn went to Chambers for orders to deploy his company. Luhn left ten with

the mules and they marched out to within firing distance of the Sioux but could not get any good shots, as the Crow and Snakes (Shoshoni) were skirmishing and no one wanted to hit a scout.

When the infantry mule riders arrived on Mills' left, they took position lying on the ground. Crook called back Mills' orders to attack the village and instead told him to aid Royall's desire to withdraw his troops. When the Sioux saw Mills coming, they retreated. Luhn believed the additional infantry volley of fire into the attackers saved the day for the Royall Cavalry unit, which lost nine killed and some twenty wounded.

Crook stopped writing in his journal after this battle and stopped the forward campaign of his troops as well. He withdrew from active campaigning in this three-prong column march on the Little Bighorn because his men were low on bullets. He had no chance of being any kind of help without reinforcements and supplies.<sup>xxxv</sup>



At the Rosebud, 2010, Photo: Courtesy: Author

Sheridan heard of the battle and sent Crook a message: "Hit 'em again and hit 'em hard." Crook grumbled his response. "I wonder if Sheridan could surround three Sioux with one soldier."<sup>xxxvi</sup>

Crook sent for reinforcements after falling back to his wagons. After this battle the military could have withdrawn from the field with the claim that the Indians broke treaty here. There was no way of proving who fired first. The forward momentum could not be stopped so easily, however, in those days of field operations where they couldn't receive a telegraph.

Still, Crook was held responsible for Custer's death by failing to send word north to Terry and Gibbon. But Terry and Gibbon after Custer's death also did not go after the Indians.

As for staying put, what other choice did Crook have? He needed more ammunition and his supplies had been left behind. But his movements in this battle indicate both his superior knowledge of Indian warfare and his in-the-field recognition that there were more Indians to fight than he'd been led to believe. More than Custer, Crook knew how to fight Indians, which is why he survived and Custer didn't.

If the government deliberately set out to lose a portion of the battle, they did so without any idea which portion would be lost, or how badly.

Most historians agree that Custer had divided his command against a force much larger than he anticipated. Custer used this same technique at the Washita in November 1868 with success. Custer almost didn't make the Bighorn campaign; he'd earlier that year testified against Belknap for fraud, and got on President Grant's bad side by claiming his son was a drunk. Sheridan pleaded with Grant to allow Custer along, so Custer's involvement was a last-minute decision. Custer was also given two subordinate officers who hated him, and some historians see this as an attempt to make Custer the scapegoat, getting him killed in the process. Everyone knew what Custer was like in the field; he was anxious to prove himself, and even if he'd gotten word of Crook's fate, might not have been willing to turn back.<sup>xxxvii</sup>

Crook learned on July 10<sup>th</sup> of Custer's fate. He also heard that he would be reinforced and to stay put until the Fifth Cavalry arrived under General Wesley Merritt. Historians often debate his reasons to stop his campaign but as we can see, he realized he had been

misled about the number of Indians they'd be meeting in the field, and felt a sense of helplessness knowing that he had been woefully unprepared for this campaign.<sup>xxxviii</sup>

### *Summary*

Not all Easterners united with Western attitudes after Custer's death. One Easterner placed the blame for the defeat on the lack of an intelligent, moral and efficient Indian policy. "It is a permanent accusation of our humanity and ability that over the Canadian line the relations between Indians and whites are so tranquil, while on our side they are summed up in perpetual treachery, waste and war." But this Easterner was not necessarily pro-natives either. He compared treating with Indians to treating with buffalo. Public indignation over Custer's slaughter grew and even eastern groups of Indian "friends" backed plans to send them all to Indian Territory in what is now Oklahoma.<sup>xxxix</sup>

The Bismarck Tribune editor insisted that Custer's death was a "massacre" and asked the question, "Shall this be the beginning or the end?" Congress temporarily allowed for 2,500 more cavalymen. The Easterners began to harangue against Grant and his peace policy, of feeding them on one hand and fighting them on the other, while Westerners demanded extermination. Even the New York Times editor, who earlier hoped for peaceful solutions, declared that at least the government "made an attempt to deal with the Indians fairly." Easterners finally united with Westerners in calling for an end to the trouble, and no one claimed the Indians should keep the Black Hills.

One Boston editor noted, however, "What kind of a war is it, where if we kill the enemy it is death; if he kills us it is a massacre?"

With Eastern attitude changed, this became an all-out hunt, to reservation or death. And the Manypenny Commission in September brought them the new agreement, giving the U.S. the Black Hills for whatever the U.S. felt like paying with only a few signatures. That amount remains untouched today.<sup>x1</sup>

This three-prong column movement to the Powder River ending at the Little Bighorn riled the Sioux and all associated tribes, agency or non-agency, to do nothing more natural than defend their country. To the rest of the country, it appeared like an attack because of the slaughter of Custer and his men.

Custer divided his forces because everyone knew that's what he would do, if he felt confident enough in success. Crook went into the field unconcerned about a lumbering train with so many infantry. Mounting them on mules was a reaction of both desperation and ingenuity, by a man who figured things out in the reality of field conditions.

Custer's death united the country and gave him his infamy; while Crook's relative victory brought him ridicule. This defeat gave the U.S. the Black Hills, and saved them from having to admit that the treaty was really just a piece of paper, easily torn.

The Indians won, and in the victory lost it all. But since they felt they were only defending their land, their victory should have lost them nothing. Those Black Hills still belong to them—because they never broke treaty. The government today cannot admit to treating in “bad faith” with the Laramie Treaty of 1868, just to bide some time. But even though we accept the treaty as valid today, that does not change the attitude at the time; where nothing can stand in the way of progress and all was fair in this kind of war.

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**Web-links :**

1. Fort Robinson Museum  
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