Chapter 3

Euro-Americans Come To Stay; Indians Dispossessed

1875-1880s

Introduction
Prospector Felix Michaud Arrives in the Black Hills
Birth of Custer and Other Mining Camps
Negotiating a New Treaty with the Sioux
Gold Rush Bust
Social & Cultural Landscape of Custer City & County
Geographic Patterns of Early Mining Settlements
Roads into the Black Hills

Introduction

The federal government's decision to no longer bar the entry of Euro-Americans into the Black Hills, along with the creation of two mining districts and the army's small Camp Harney (at present-day Custer), suggested the beginning of the permanent presence of Euro-Americans. These were clear signals that newcomers intended not just to visit the Black Hills but to stay. Felix Michaud was among the hundreds of prospectors who arrived in the southern Black Hills and eventually settled and made it their home.

Within little more than two years after the Gordon party first arrived in the Hills, the popular public pressure on Congress to disregard the 1851 and 1868 treaties with the Sioux, remove the Black Hills from the Great Sioux Reservation, and lawfully permit Euro-American entry resulted in the permanent removal of the Sioux from the Black Hills in 1877. Between 1870 and 1780, the stampede of prospectors and miners caused a great surge in population in southwestern Dakota Territory, from 10,000 to 81,781.[1]

The physical manifestations of mining and military culture on the landscape also suggested a transition in Euro-Americans' perception of the Black Hills. The region began to be viewed not as a forbidden place but as one where construction, settlement, and making money were permitted and possible. The arrival of miners was quickly followed by businesses catering to the miners' needs. Loggers came to supply timber for mines and houses; retailers came to supply bread and sides of beef; freighters came to haul the timber, bread, and beef; and farmers came to grow the beans and cattle.

The early arrival of gold-seekers and settlers encouraged the formation of stage companies and brought about new and improved roads and eventually railroads to and through the Black Hills. In the twenty-five-year period after the rumors of gold had sparked a rush to the Black Hills, Euro-American settlers transformed the landscape leaving an indelible cultural imprint far different than that of the Native Americans who had previously occupied the region.

[1] D. Jerome Tweton, "Dakota Territory," *The New Encyclopedia of the American West*, edited by Howard R. Lamar (New Haven: Yale University Press, 1998), 282.

Prospector Felix Michaud Arrives in the Black Hills

Felix Michaud was among the thousands drawn to the Black Hills for its purported mineral wealth, most notably gold. In the early summer of 1875, only one year after Custer declared that abundant gold existed in the Black Hills and six months after the initial arrival of the Gordon prospecting party on French Creek in December 1874, more than one thousand gold-seekers left Cheyenne for Fort Laramie, on wagons, on horseback, or on foot. The traffic didn't diminish as the traveling season wore on. In June, groups of from five to twenty headed north out of Cheyenne each day. Many other miners elected to travel to French Creek from Spotted Tail (in southwestern Dakota Territory) or Red Cloud (in northern Nebraska) Indian agencies, south of the Black Hills.[2] Felix Michaud was only one of hundreds who left Fort Laramie bound for the Black Hills after restrictions on Euro-American entry to Indian treaty lands had been abandoned in mid-1875.

Born around 1836, Felix Michaud was one of four Michaud brothers, all of who left the town of Isle Verte, on the south shore of the St. Lawrence River in Quebec Province, Canada, at a young age. Like many emigrants, Felix may have stopped to work and earn money in different locations as he moved west up the St. Lawrence River and through the Great Lakes region at the Canadian-U.S. border. Felix Michaud married Margaret Jane Blundell in Wisconsin in 1864. The new couple moved west to the Colorado Rockies, where gold had been discovered near Pikes Peak five years earlier. The Michauds lived for a short time in Brighton, north of the bustling mining supply town of Denver. Here, their first child, Eduard Felix (more commonly spelled "Edward" in English), was born in 1864.[3] By this time, the gold rush to the Pikes Peak mining district had ended. With his wife and child, Felix and three of his brothers settled in a French-Canadian community in the Cache la Poudre River Valley, in the vicinity of present-day Fort Collins, Colorado.[4]

Felix and Margaret Jane Michaud made their home in this French settlement for most of the next ten years. Four more children were born to

---

[2] Agnes Wright Spring, *The Cheyenne and Black Hills Stage and Express Routes* (Glendale, CA: Arthur H. Clark Co., 1949), 65.

[3] Edward Felix Michaud (microfilm # B13135/GSU # 1952635, "Vital Events," British Columbia Archives web page; "Former Custer County Resident Passes Away," *Custer Weekly Chronicle*, July 12, 1928.

[4] Nettie Michaud, e-mail communication with Gail Evans-Hatch, April 9, 2004; Jesse Sundstrom," Jewel Cave/The Michaud Family," chronology, February 2004, corrected September 2004, to Gail Evans-Hatch and Michael Evans-Hatch, February and September 2004.

them during that time: Annie Laurie, in 1866; James Alfred, in 1870 (or 1871); Francis (known as "Frank") Wesley, on July 13, 1871[5]; and Albert (known as "Bert"), in 1875.[6]

Felix Michaud's wife died at the time of Albert's birth. Undoubtedly devastated by the death of his wife, overwhelmed by the daunting task of raising five young children alone, and probably struggling to survive the economic depression of the mid-1870s, Felix Michaud, then in his late thirties, left his children with family and friends in Colorado and traveled northeast in search of a more lucrative income. In the summer of 1875, he headed north to Fort Laramie, Wyoming Territory, where he joined a company of thirty-four other gold-seekers bound for the Black Hills. The group included old miners from California and Colorado, buffalo hunters, a Spaniard from Mexico City, and others. Although diverse in background, the group shared the common desire to strike it rich in the newly publicized gold diggings along French Creek in the southern Black Hills.[7] Michaud may have speculated he could make enough money from prospecting to provide for his family in Fort Collins.

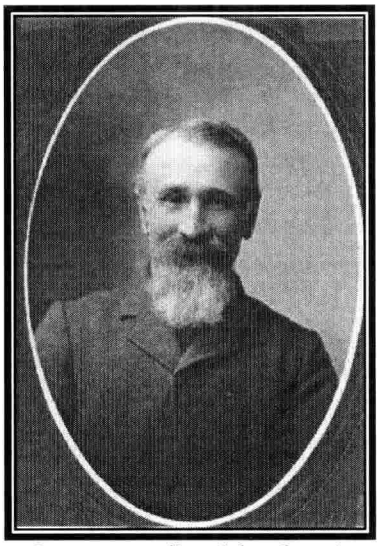

Figure 3-1. Felix Michaud, native of Quebec Province, Canada, arrived in the southern Black Hills in the mid-1870s, along with the first Euro-American gold miners. For thirty years, he mined, ranched, and engaged in at least one business in the Custer area. Courtesy of Mrs. Ira Michaud, Billings, Montana.

Not long after leaving Fort Laramie, Felix Michaud assumed a leadership position in the wagon company. According to the descendent of a wagon company member, "a French-Canadian, an old plainsman named [Felix] Michaud, who talked plain English, was chosen captain" just as the wagon company approached Indian treaty lands north of the North Platte River. Over the next few

[5] One source, the 1905 South Dakota census, noted that Frank Michaud was born in Denver, Colorado. South Dakota Census, South Dakota State Archives, Pierre, South Dakota.

[6] Frank Michaud obituary, *Custer Weekly* Chronicle, March 12, 1927; Nettie Michaud, e-mail communication with Gail Evans-Hatch, April 9, 2004.

[7] Monica Michaud Weldon, e-mail communication to Gail Evans-Hatch and others, July 26, 2004; "In the Sioux Country in '75," *Old West*, Summer 1967, 83; Michauds, Rileys 'Come Home' for Family Reunion," *Custer County Chronicle*, September

days, Michaud led the wagon company members safely across Indian treaty lands to Camp Custer on French Creek. Less than two weeks later, Michaud and the other French Creek miners were rounded up by a detachment of Colonel Frederick W. Benteen's 7th Cavalry[8] and escorted out of Indian treaty lands across the Missouri River.[9] Many eager gold-seekers slipped quietly back over the border onto Black Hills Indian treaty lands. Felix Michaud, it has been written, did likewise. "He led his party back to the Hills before winter set in; this time they were able to stay."[10]

Felix Michaud remained in the southern Black Hills for the next thirty years. Although he undoubtedly made trips out of the area, especially during the early period of gold-rush fever before 1880, he eventually established substantial roots in the southern Black Hills and pursued diverse activities. The 1880 census for the Dakota Territory listed Felix Michaud, age forty-four and single (on June 17), working as a "livery keeper" in Custer City.[11] As a speculator of presumably moderate means, he filed a number of mining claims. In May 1881, for example, he and E. H. Flynn each purchased one-half interest in both the "North Pole No. 1" and "North Pole No. 2" lodes (about nine miles west of Custer on the "Jenney Stockade cutoff") from J. C. Henault and Fred Russell for $1000.[12] Five years later, in 1886, Felix Michaud purchased one-fourth interest in the "Edith Lode" and one-sixth interest in the "Clarence Lode" (about seven miles west of Custer) from Peter Gagnon for $100.[13] Felix Michaud may have acquired a partial interest in other mines as well.

---

[8] Veteran of the North in the Civil War as lieutenant of the 10th Missouri Calvary and, briefly, as colonel of an African American regiment, Benteen served in all of the 7th Calvary's Indian campaigns until 1882. He was a senior captain of the 7th regiment at the Battle of Little Bighorn. His decisive actions are generally credited with having saved the regiment from even greater disaster at the Little Bighorn.

[9] "In the Sioux Country in '75," *Old West*, Summer 1967, 85.

[10] "Michauds, Rileys 'Come Home' for Family Reunion," *Custer County Chronicle*, September 8, 2004.

[11] "Schedule 1: Inhabitants of Custer City," Territory of Dakota (Washington, DC: Bureau of Census, June 16, 1880). Viewed on microfilm at the National Archives and Records Administration, Washington, DC.

[12] J. C. Henault and Fred Russell, to E. H. Flynn and F. Michaud, May 31, 1881, Mining Deed Record, Vol. 2, p. 325, Custer County Courthouse.

[13] Peter Gagnon to F. Michaud, January 4, 1886, Mining Deed Record, Vol. 2, p. 126, Custer County Courthouse.

Birth of Custer and Other Mining Camps

In early July 1875, miners laid out a plan for what became the Black Hills' pioneer Euro-American community of social, commercial, and cultural interaction and exchange, just thirteen miles east of Jewel Cave. Thomas Harper platted the townsite, named "Stonewall" after Confederate Army Civil War hero Stonewall Jackson, in a geometrical grid-pattern of right-angle streets and rectangular blocks with 50' x 100' lots. The main thoroughfare, Crook Street, was 200 feet wide to permit a large team with wagons to turn around in the business district. In August, the town was renamed "Custer City" after Lieutenant Colonel George Custer, who explored and found gold in the Black Hills in the summer of 1874 (and was later killed on the Little Bighorn River in June 1876). The town of Custer City grew rapidly after expelled miners, like Felix Michaud, and new arrivals were allowed to return and stay in the fall of 1875.[14]

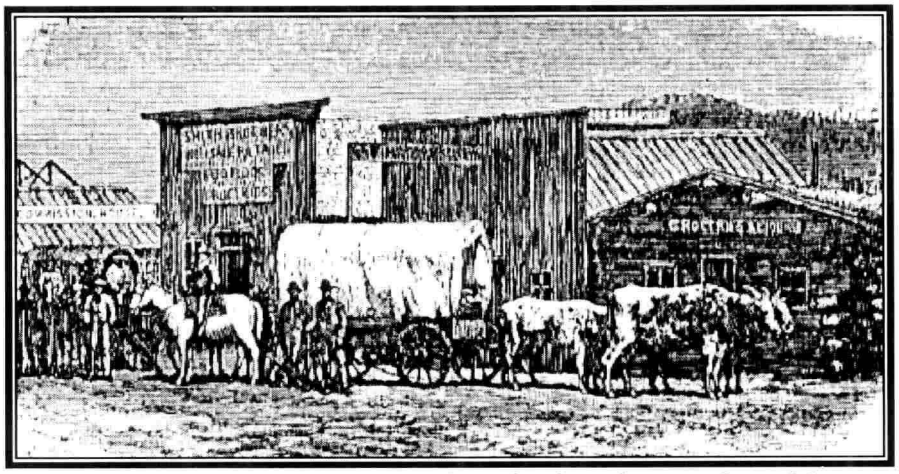

Figure 3-2. An etching of Custer City not long after the rush to French Creek for gold in 1875. From Cleophas O'Harra, *O'Harra's Handbook of the Black Hills* (1913).

By January 1876, about 1,000 people lived in Custer City; the physical emergence of this bustling camp town was well underway. In February, the first hotel, a general store, and several other shops opened for business. A sawmill was built to provide boards for the construction of buildings and mining sluices. Two lawyers and a private postmaster opened their doors later in the spring. By March 1, 1876, Custer City consisted of an estimated 400 buildings lining and extending out from the main

[14] Parker, *Gold in the Black* Hills, 72-74; Sundstrom and Sundstrom, "Exploration and Settlement," 4a-8; Palais, "Survey of Early Black Hills History," 91-92.

commercial street. Between 6,000 and 10,000 people reportedly resided in and around Custer City, but this is most likely an exaggeration.[15] Residents set up a provisional government consisting of elected officials—a mayor, justice of the peace, and marshal, and later a city clerk, attorney, treasurer, assessor, surveyor, and, more.[16]

Early Black Hills arrival George V. Ayres penned his impressions of Custer City in his diary on March 25, 1876:

> At that time, Custer City was made up of a conglomerate mass of people. . . . There were but few houses completed, but many under construction. The people were camped all around, up and down French creek, in wagons, tents, and temporary brush houses or wickiups. The principal business houses were saloons, gambling houses and dance halls, two or three so-called stores with small stocks of general merchandise and little provisions.[17]

Custer City, the first Black Hills town, seemed destined to become a major metropolis. But like so many other mining towns in the West with booming beginnings, the town's growth experienced an early bust. In February, reports of promising prospects in gulches along Spring Creek in the central Black Hills instigated the hurried establishment of a mining camp at what became Hill City (early on known as "Hilyo"), twelve miles north of Custer City. A conglomeration of tents and rude log cabins soon covered the townsite and blanketed the landscape here and at Sheridan, a few miles down Spring Creek. Gold discovered on Rapid Creek, north of Hill City, also drew people away from Custer City. Additionally, several towns sprang up in 1875 along Battle Creek in the eastern Black Hills. In May 1876, the reports of rich deposits of gold discovered the previous summer in the northern Black Hills reached the southern mining camps and created a thundering stampede of roughly 20,000 gold-seekers to Deadwood Gulch and gulches radiating from it, where a string of bustling mining camps sprang up along the narrow valley (below the junction of

[15] Palais, "Survey of Early Black Hills History," 91.

[16] Palais, "Survey of Early Black Hills History," 91-92; Parker, *Gold in the Black Hills*, 72-76; Sundstrom and Sundstrom, "Exploration and Settlement," 4a-8; Herbert S. Schell, *History of South Dakota* (Lincoln: University of Nebraska Press, 1968), 132, 140.

[17] Quoted in Schell, *History of South Dakota*, 140, and based on the diary of George V. Ayres, in Agnes Wright Spring's *The Cheyenne and Black Hills Stage and Express Routes* (Glendale, CA: Arthur H. Clark Co., 1949), 363.

Deadwood and Whitewood creeks). Prospectors organized several mining districts there and soon claimed every foot of that gulch within an approximate ten-mile radius of the booming camp of Deadwood.[18]

The eagerness and urgency of prospectors rushing to the northern Black Hills in early 1876 was captured in a brief news article that appeared in the February 8, 1876, *Bismarck Tribune*:

> Forty-seven teams, loaded with provisions and passengers, left with the steam sawmill outfit for the Black Hills yesterday and today. Thirty more will leave Wednesday with freight and passengers, among which are several families. . . . Several teams arrived last evening from Standing Rock, and from up the river, to join the party. At least seventy-five teams and 150 persons will leave during the week.[19]

The rush to the northern Hills depopulated Custer City and left embryonic mining camp at later-day Hill City almost totally deserted. The population of Custer City continued to decline in the summer of 1876. Increasing Indian troubles, the expense of hydraulic equipment required to work the French Creek placers, and the lure of reportedly richer gold strikes elsewhere compelled the remaining Custer residents to sell their supplies. As winter approached in late 1876, Custer's population grew slightly to about sixty families. Mining development in Custer grew in 1877, when the Black Hills' population reached its peak and when the federal government opened the Black Hills Indian treaty lands to legal entry and settlement.

Negotiating a New Treaty with the Sioux

President Grant was well aware of the flood of United States citizens trespassing in the Black Hills. He fully appreciated the feelings of dissatisfaction their arrival engendered within the Sioux community. Between 1875 and early 1877, the U.S. government formulated a way to take possession of the Black Hills in a way that had a long-lasting impact on the Sioux and their relationship to the Black Hills.

---

[18] Parker, *Gold in the Black Hills*, 75-86; Schell, *History of South Dakota*, 140-41, Sundstrom and Sundstrom, "Exploration and Settlement," 4a-9; Palais, "Survey of Early Black Hills History," 92.

[19] February 8, 1876, *Bismarck Tribune*, quoted in George W. Kingsbury, *History of Dakota Territory. South Dakota: Its History and Its People, Vols. 1-5*, edited by George Martin (Chicago: S. J. Clarke Publishing Company, 1915).

In May 1875, they invited a Sioux delegation to Washington, D.C. to discuss the future of the Black Hills. During an address to a congressional delegation, President Grant reported that the increasing pressure being exerted on the federal government by private citizens attempting to prospect and mine the Black Hills was reaching a point where the government could no longer keep Euro-Americans out of the Hills. The president also advised them, that in view of this growing, perhaps unstoppable pressure, the best position for the Sioux would be to lease or sell the Black Hills:

> By the treaty of 1868, clothing was granted for thirty years, and provisions for only five years. The food and provisions, therefore, which has been given for the last two years have been a gratuity on the part of Congress. These may be taken at any time without any violation of the treaty.
>
> This year we have had great trouble in keeping white people from going to the Black Hills in search of gold, but we have so far prevented them from going. Every year this same difficulty will be encountered until the right of white people to go to that country is granted by the Indians, and may in the end lead to hostilities between the white people and the Indians without any special fault on either side. If such trouble should occur and become general, it would necessarily lead to withholding, for the time being at least, the supplies which the Government has been sending.[20]

Soon, President Grant directed the Commissioner of Indian Affairs Edward P. Smith to appoint a commission to initiate negotiations for the acquisition of the Black Hills. Smith appointed W. B. Allison chairman of the commission. The federal representatives offered to either lease the Hills for $400,000 per year, or purchase fee simple for $6 million, payable in fifteen installments. Negotiators representing the Sioux demanded $70 million. During the many days of negotiations, large groups of Sioux voiced passionate opposition against conveying any interest in the Black Hills, and promised violent resistance to any Euro-American occupancy of the Black Hills. These sentiments appeared to be most widely shared by

[20] Kingsbury, *History of Dakota Territory*, 895-96.

Sioux residing in the Powder River area. Negotiations ended without the parties reaching agreement.[21]

The flow of Euro-Americans into the Black Hills was not diminished by the government's failure to obtain a legal right to the land. In a story that appeared in the February 8, 1876, issue of *Bismarck Tribune*, it was clear that the Black Hills was no longer off limits for Euro-Americans.

> Forty-seven teams, loaded with provisions and passengers, left with the steam sawmill outfit for the Black Hills yesterday and today. Thirty more will leave Wednesday with freight and passengers, among which are several families. . . . Several teams arrived last evening from Standing Rock, and from up the river, to join the party. At least seventy-five teams and 150 persons will leave during the week.[22]

The government continued to pursue the course of purchasing or leasing the Black Hills from the Sioux. Indian Affairs Commissioner Smith then attempted to assess the economic value of the Black Hills and to estimate a reasonable purchase price, in its existing "unused" condition. Smith reported:

> Notwithstanding the stringent prohibitory orders by the military authorities, and in the face of the large military force which has been on duty in and around the Hills during the summer, probably not less than a thousand miners, with the number rapidly increasing, have made their way into the Sioux country. A mining association has been organized, laws and regulations have been adopted for mutual protection, and individual claims staked out, in the right to which they expect hereafter either to be protected by the Government or to protect themselves.
>
> The occupation and possession of the Black Hills by white men seems now inevitable, but no reason exists for making this inevitability an

[21] "Allison Commission Negotiations," *Annual Report, Commissioner of Indian Affairs, 1875.*

[22] *Bismarck Tribune*, February 8, 1876, as quoted in Kingsbury, *History of Dakota Territory*, 923.

occasion of wrong or lasting injury of the Sioux. If an Indian can be possessed of rights of country, either natural or acquired, this country belongs for occupation to the Sioux; and if they were an independent, self-supporting people, able to claim that hereafter the United States Government should leave them entirely alone, in yearly annuities only as the treaty of 1868 guarantees, they would be in a position to demand to be left in undisturbed possession of their country, and the moral sense of mankind would sustain the demand; but unfortunately the facts are otherwise. They are not now capable of self-support; they are absolute pensioners of the Government in the sum of a million and a quarter of dollars annually above all amounts specified in treaty-stipulations. A failure to receive Government rations for a single season would reduce them to starvation. They cannot, therefore, demand to be left alone, and the Government, granting the large help which the Sioux are obliged to ask, is entitled to ask something of them in return. On this basis of mutual benefit the purchase of the Black Hills should proceed. . . .

The fact that these Indians are making but little if any use of the Black Hills has no bearing upon the question of what is a fair equivalent for the surrender of these rare facilities for farming and grazing. . . . Their ignorance of themselves and of true values makes the stronger appeal to our sense of what is right and fair.

The true equivalent to be offered the Sioux, as helpless wards of the Government, for the Black Hills, will be found by estimating what eight hundred square miles of gold fields are worth to us, and what three thousand square miles of timber, agricultural, and grazing lands are worth to them.[23]

[23] *Annual Report of the Commissioner of Indian Affairs to the Secretary of the Interior for the Year 1875* (Washington, DC: Government Printing Office, 1875), 7-9.

Secretary of the Interior Zachariah Chandler concurred with Smith's assessment and his conclusions. However, his suggested solution was limited to the acquisition of mining rights only rather than seeking ownership of the land itself:

> For two years the Government has been appropriating about one million two hundred and sixty thousand dollars for the subsistence of the Sioux of various tribes, which amount is a gratuity that the Government is under no obligations to give them, and for which it receives no compensating advantage. The amount thus appropriated is 5 percent per annum or $25,000,000, which the Government is giving without an equivalent. This amount must be given them for some years to come, or they will starve. It is submitted, therefore, under these circumstances, for the consideration of Congress, whether it would not be justifiable and proper to make future appropriations for supplies to this people, contingent on the relinquishment of the gold fields in the Black Hills and the right of way thereto.[24]

Around this time, hundreds of Sioux who had been living near the agencies along the Missouri River began moving west to join Sitting Bull and others who were vocal in their determination to stop Euro-American encroachments and to keep the Black Hills for the exclusive use of the Sioux. Many Sioux were convinced that the United States government intended to simply steal the Black Hills, since its attempt to acquire them by purchase or lease had failed.[25]

As if to confirm the Sioux's suspicions, on February 1, 1876, the army declared that any Sioux not living on or near one of the agencies along the Missouri River would be considered a "hostile" and would be subject to military "discipline." This directive included Sioux found in the Black Hills. All jurisdiction over Native Americans in the Powder River, Black Hills, and Yellowstone River areas was transferred from the Department of the Interior to the War Department. As the number of Sioux moving west from the Missouri River into the Powder River area to join the resistance grew exponentially, army patrols followed them to try to relocate them to

[24] Kingsbury, *History of Dakota Territory*, 921-922.
[25] *Annual Report of the Commissioner of Indian Affairs to the Secretary of the Interior for the Year 1876.*

agency facilities. The encounter significantly escalated the existing Sioux-Euro-American violence. The bloodshed would last for two more years, resulting in the deaths of women, children, and other noncombatants, as well as the famous defeat of Custer at the Little Big Horn.

On May 29, 1876, General George Crook from Fort Fetterman, General John Gibbon from Fort Ellis, and Brigadier Alfred Howe Terry from Fort Lincoln were directed to surround the "hostiles." General Terry ordered Lieutenant Colonel Custer to take 850 men and look for the Sioux. General Custer found them on June 22. In fact, he found Oglala, Brule, Teton, Uncpapa, Sioux, Cheyenne, Arapaho, and Gros Ventre. He attacked them on June 25; he died the same day.[26]

Efforts to acquire the Black Hills continued in Washington, D.C. A rider was added to the Indian Appropriation Act of 1876 empowering the president to appoint a commission to negotiate with the Sioux in order to acquire the Black Hills. President Grant's appointees were: George W. Manypenny of Columbus, Ohio, formerly Commissioner of Indian Affairs; Reverent Henry B. Whipple, Episcopal Bishop of Minnesota; Henry C. Bullic of Decorah, Iowa; Dr. Jared W. Daniels of St Peter, Minnesota; Augustine S. Gaylord, assistant U.S. attorney general of Washington, D.C.; Albert G. Boone of Denver, Colorado; retired U.S. Army General H. H. Sibley, of St. Paul, Minnesota (who became ill and was unable to travel to the negotiations); and former Dakota Territory Governor Newton Edmunds of Yankton.[27]

The negotiators were given the following instructions:

> It will be seen from the above that Congress has expressed its determination to appropriate nothing further for the subsistence of the Sioux Indians represented directly or indirectly by the treaty of 1868, unless they shall agree—
>
> 1st. To relinquish all right and claim to any country outside the boundaries of the permanent reservation established by the treaty of 1868.
>
> 2nd. To relinquish all right and claim to so much of their said permanent reservation as lies west of the one hundred and third meridian of longitude. (This includes the Black Hills.)
>
> 3rd. To grant right of way over the permanent reservation to that part thereof which lies west of the one hundred and third meridian

[26] Edward Lazarus, *Black Hills/ White Justice: The Sioux Nation Versus the United States, 1775 to the Present* (New York: Harper Collins, 1991), 87-90.

[27] Senate Executive Document 9, 44th Congress, 2nd Session (1876), 3.

> of longitude for wagon and other roads from convenient and accessible points on the Missouri River, not exceeding three in number.
>
> 4th. To receive all such supplies as are provided for by said act and by said treaty of 1868, at such points and places on their reservation, and in the vicinity of the Missouri River, as the President may designate.
>
> 5th. To enter into such agreement or arrangement with the President of the United States as shall be calculated and designed to enable said Indians to become self-supporting.
>
> The subjects of negotiation, with the exception of the last, are so clearly defined by the act as to render further elaboration upon my part unnecessary.[28]

Although there was a great deal of opposition to both the proposed terms as well as the thinly veiled threats throughout the Sioux nation, the government negotiators obtained the signatures of approximately ten percent of the Sioux adult male population. They apparently didn't attempt to obtain agreement of the seventy-five percent as required by the 1868 treaty. The president sent the "agreement"[29] to Congress in late December 1876, and Congress passed it into law on February 28, 1877.[30]

In summary, the legislation (see Appendix II):

1. Removed the Black Hills from the Sioux Reservation (Article 1);
2. Granted easements to the federal government to construct three roads ("wagon and other roads") from points along the

[28] *Ibid*, 4. Also, for an excellent overview of the federal policy regarding the Sioux and the taking of the Black Hills, see a 1923 collection of the testimony of persons who had been directly involved found in the Ralph Case Papers housed at the Washington, D.C. National Archives facilities (RG 75). Relevant contemporaneous maps are housed at the National Archives facilities in Maryland.

[29] Congress, apparently concluding that it was more expedient to deal with the Sioux as wards rather than a sovereign government, enacted legislation in 1871 forbidding the federal government from entering into any future treaties with First Nations. Congress declared, "no Indian nation or tribe shall be acknowledged or recognized as an independent nation, tribe, or power with whom the United States may contract by treaty." Instead, Congress declared that the federal government was to enter into "agreements" with the Native Americans.

[30] 19 Stat. 254.

Missouri River through the remaining Sioux Reservation (Article 2);
3. Required the Sioux to pick up all subsistence and supplies only from points within the reservation that were near the Missouri River (Article 3);
4. Required the Sioux Nation to appoint five "chiefs" who would travel to Oklahoma to investigate the land. If, with the guidance and concurrence of representatives from the Commissioner of Indian Affairs, they concluded that they would prefer to live there, the entire Nation would relocate to Oklahoma, and each member of the Nation would be required to select an allotment of land and learn to farm (Articles 3 and 6); and
5. Required the Sioux to permit an annual census of all Indians who were parties to the Manypenny agreement (Article 10).

In exchange, the United States promised to:
1. Comply with the requirements of the 1868 Laramie Treaty that dealt with providing farming and mechanical arts instruction (Article 5) [Note: since this was a pre-existing legal duty of the federal government, this article provided no new value, and was therefore an invalid consideration. Agreeing to comply with the law is the duty of all, including the federal government, therefore, making a promise provided nothing that wasn't already there.];
2. Supply subsistence rations to each individual except to: (1) children between six and fourteen who do not attend school regularly, or to (2) adults occupying lands that can be farmed and they don't farm it (also Article 5);
3. Where a member of the Sioux Nation has selected a land allotment and has become engaged in farming, the United States would help them build a house (" . . . the Government shall, with [the member's] aid, erect a comfortable house on such allotment.")(Article 6);
4. To "improve the morals and industrious habits of said Indians" by ensuring that all non-Indians employed by and living on the reservation are lawfully married and residing with their families, and be removed from the reservation if the Commissioner of Indian Affairs believes the person's moral fitness " . . . is not conducive to the said Indians." (Article 7);

Shortly after the Sioux reluctantly signed the proposed agreement, in 1877, the army took from the Sioux all of their firearms and approximately 4,000 horses, just weeks after the federal government agreed

to protect Sioux property rights.[31] This was particularly devastating to the Sioux since most relied on their horses to travel to the hunting fields. The army relocated all members of the Sioux Nation it could find to reservations east of the Black Hills.

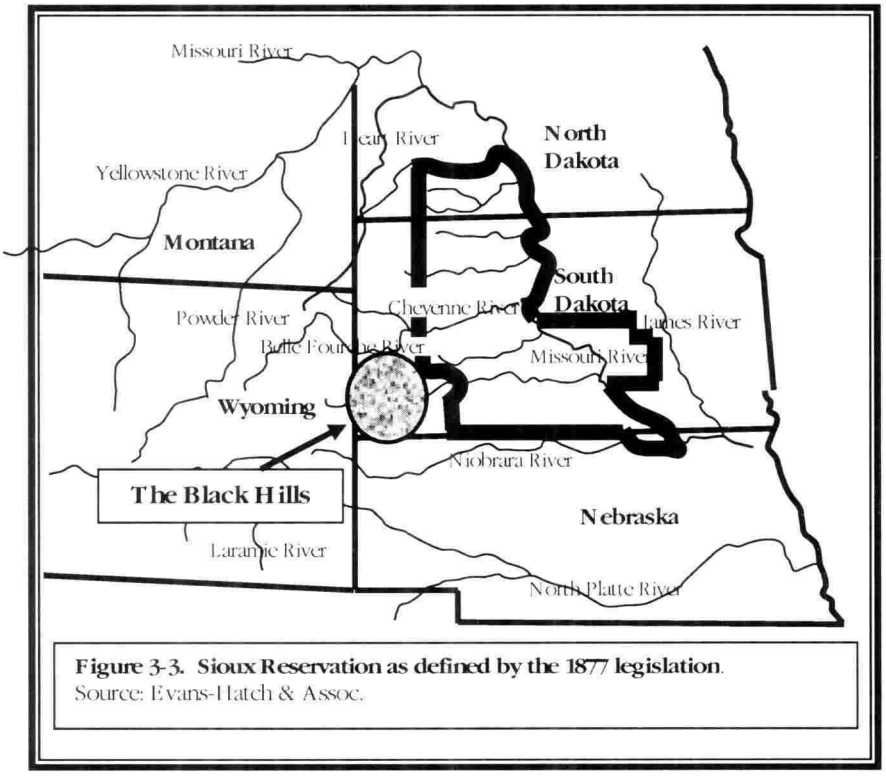

Figure 3-3. Sioux Reservation as defined by the 1877 legislation.
Source: Evans-Hatch & Assoc.

Resistance continued, but in May 1877, Crazy Horse, the last Sioux leader to surrender other than Sitting Bull, turned himself in at Fort Robinson, Nebraska, where he was later bayoneted to death by a tribal police while being restrained during an "arrest." By that fall, the Sioux were being marched east toward the Indian agencies along the Missouri River. The final relocation of the Sioux occurred a year later (1878) when President Rutherford B. Hayes agreed to let the Sioux move back west to their old reservations immediately east of (but still outside) the Black Hills. These reservations were soon renamed. The Red Cloud Reservation was renamed Pine Ridge, and Spotted Tail became Rosebud Reservation. By this time the gold miners had become firmly entrenched in the Black Hills.

(Decades later, a Court of Claims judge, after reviewing this history, concluded that: "a more ripe and rank case of dishonorable dealings will

[31] Lazarus, *Black Hills/ White Justice.*

never, in all probability, be found in our history."[32] During the next three decades, more and more of the Great Sioux Reservation encompassing the Black Hills would be taken for Euro-American settlement, shrinking the Great Reservation into a much smaller Indian land base. In a 1980 decision, the United States Supreme Court concluded that this 1876-77 legislation was a "taking" without adequate compensation. In that decision, the Supreme Court awarded $17.1 million to the Sioux as principal, plus interest on that principal measured from 1877, as compensation for the unlawful taking.[33])

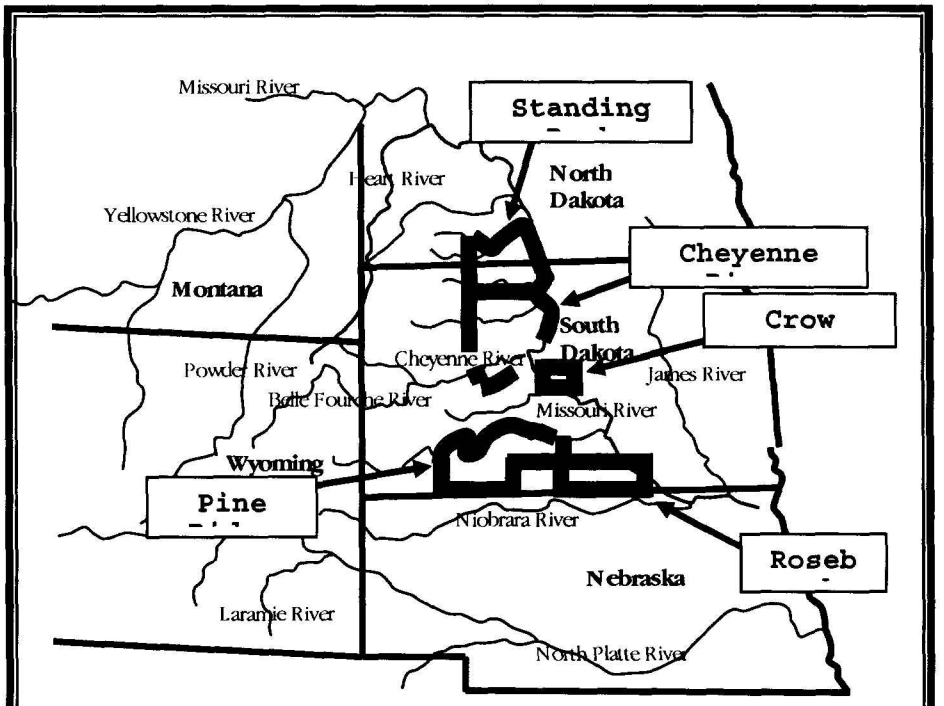

Figure 3-4. Sioux reservations as of 2005. Source: Evans-Hatch & Assoc.

[32] *Sioux v. United States*, 207 Ct. Cl., at 241, 518 F.2d, at 1302.
[33] *Sioux v. United States*, 448 U.S. 371.

Gold Rush Bust

The year 1877 marked not only the dispossession of the Sioux, but also a significant shift in the mining history of the Black Hills. Following a great influx of prospectors in 1877, the Black Hills gold rush reached a peak. Nearly all of the easily accessible placer claims had been taken along the creeks and up the sides of gulches. Prospector Leander Richardson, a young reporter who had been retained by the small Massachusetts *Springfield Republican* newspaper, sent negative reports back to the small Massachusetts town. After arriving in Custer in July 1876, and reported that most of the town's existing cabins had been abandoned by their occupants, who had headed to supposedly richer gold fields in the northern Hills. "Not more than $20 per day has ever been taken out on French Creek, along the banks on which lies this town," Richardson reported.[34] Richardson's general assessment of the Black Hills was dismal.

> Farming [in the Black Hills] is out of the question. Snowstorms did not cease last spring until the eleventh day of June, and heavy frosts begin in September. The Black Hills will eventually prove a failure. The trip there would be a severe trial for most men, even if the danger of being murdered were removed. At present, the journey is exceedingly dangerous, and if by good fortune the gold hunter succeeds in surviving its hardships and getting through alive, his chances of success are few and his expenses will be large.[35]

Most of the gold in the Black Hills was confined within companion rock, often quartz, and was yet to be liberated. Consequently, individual miners who had been sloshing about in streambeds were soon replaced by heavily capitalized corporations using complex and expensive machines and processes that resulted in environmental degradation. The Black Hills gold was buried in the bowels of the earth, requiring that deep shafts be dug several hundred, even thousands of feet deep.[36] Prospectors' gold pans

---

[34] Leander P. Richardson, "A Trip to the Black Hills," *Scribner's Monthly*, April 1877.
[35] As quoted by James D. McLaird, editor, "I Know . . . Because I Was There: Leander Richardson Reports the Black Hills Gold Rush," *South Dakota History* 31 (Fall/Winter) 2001.
[36] The Homestake Mine at Lead, South Dakota, for example, which opened in the northern Back Hills in 1877 and reportedly became the largest gold mine on earth, has at least one shaft that descends more than 8,000 feet into the ground.

were quickly replaced by amalgamating pans where mercury was used to attract gold particles much like a magnet attracts iron pieces. The gold would later be "retorted" (removed from the mercury). Sluice boxes were replaced by sodium or potassium cyanide leach fields, which precipitated liquefied gold to be captured by activated carbon.[37]

Even so, the influx of miners and merchants to the Black Hills continued in the 1870s. There are several explanations for the continued rush to the Black Hills after the placer deposits were depleted. Many early prospectors wrote of their gold-mining success. Miners' letters filled with glowing reports were often published in newspapers, thus fanning the flames of an already inflated optimism back home.

Recent memoirs of gold strikes elsewhere in the West encouraged local newspapers in communities around the Black Hills to publish any available good news and even embellish it for the benefit of local merchants, mining outfitters, and other business people and speculators. A column of news, entitled "Black Hills Items," which reported the arrival and departure of Black Hills miners, became a regular feature of the *Cheyenne Daily Leader* and other regional newspapers. The April 17 and April 30, 1875 issues of the *Daily Leader* were published to promote reports of gold discoveries in the Black Hills to a wide audience. Other regional newspapers, such as the *Deadwood Black Hills Pioneer* and the *Rapid City Black Hills Journal*, shipped many issues that presented gold-mining news to Chicago and other cities for distribution. Additionally, news stories emanating from towns around the Black Hills waxed eloquent with glowing gold stories. Newspapers published in Bismarck and Yankton, Dakota Territory; Sioux City, Iowa; Sidney, Nebraska; and Cheyenne, Wyoming—they all contributed to the excitement of great expectations. Businesses in each of these towns fully appreciated the profits that would be realized by any town used as a jump-off point by people headed for the Black Hills. Businesses in these communities competed vigorously for attention and money of those lured to the Hills by stories of gold riches. Publications of even wider distribution with stories about Black Hills gold also contributed to the rush there. By 1879 no fewer than twenty books and pamphlets

[37] Gold-bearing rock is removed from the earth and crushed using large, steam-engine-powered mechanical hammers called stamps. The crushed rock is then either treated with mercury, which binds with gold, imparting an even greater density to the mercury-gold mixture, or treated with a cyanide salt, such as potassium cyanide or sodium cyanide, which dissolves the gold and then precipitates out of the rock pile. The words amalgamation and retort are often used in the explanation of these processes. (Amalgamation means nothing more than combining something with mercury; retort is a process whereby heat is added to a substance, usually in an environment of reduced air pressure, essentially separating a mixture into its constituent parts through distillation.)

advertised and promoted the Black Hills and the businesses that could serve and benefit from Black Hills miners.[38]

The Black Hills gold rush, similar to many mineral stampedes in the West, had more to do with perception than reality. The economic climate and the promotional efforts of towns, companies, and individuals eager to benefit in some way from reported Black Hills gold all combined to stimulate the rush for imagined riches. Hopes for some form of economic redemption or deliverance from a troubled national economy overshadowed reasonable assessments of reality. The common perception was that even if the claims of largesse were greatly exaggerated, the mere rumors of a gold discovery in the Black Hills would benefit everyone, especially speculators who flooded to the region.

There was, without a doubt, a significant amount of money to be made in the Black Hills. Some large corporations, such as the Homestead Mining Company in the northern Hills, which remained in business for one hundred years, did make money from mining, although individual miners often failed to profit from their small investment in limited operations. Enterprising businesspeople that provided the miners with goods and services often accumulated more wealth than the miners themselves. Dry goods merchants, hotel and saloon proprietors, and those in the building trades and transportation businesses all stood to benefit from the mining boom.

Social and Cultural Landscape of Custer County

Early on, Custer City, as it was first called, began to emerge as the center of services and supplies for the southern Black Hills miners. Custer City's tempestuous growth mirrored some larger patterns in western gold-mining history as well as some conditions unique to the Black Hills. Typical of most western mining and Black Hills towns, Custer City's early history was marked by a boisterous early beginning, followed by periodic depressions that punctuated the boom periods when miners returned to open new prospects, and merchants and others came to serve the miners' needs.[39] In 1877, Custer City experienced just such a slump in growth and development. One contemporary account wrote of the "log huts and houses, finished or unfinished," along with "some larger and more

[38] Parker, *Gold in the Black Hills*, 38-42; John Leonard Jennewein, *Black Hills Booktrails* (Mitchell, SD: Dakota Territory Centennial Commission, 1962), 46-54. Also see "Dakota Territory," in *The New Encyclopedia of the American West*, edited by Howard Lamar (New Haven, CT: Yale University Press, 1998), 282.
[39] Parker, *Gold in the Black Hills*, 76-78; Palais, "Survey of Early Black Hills Mining," 65.

pretentious buildings of newly-sawn boards." Amid the nearly 600 buildings, however, inhabitants were few, "for the owners of huts and houses had vanished. What remained was a camp of traders without customers."[40]

Despite its small population, between 100 and 200, and unstable economy, the infant 1877 mining community and its setting were portrayed in romantic prose in Edwin A. Curley's *Guide to the Black Hills.*

> Custer is very prettily situated in the valley of French Creek, with islands of pine-covered rocks springing from the grassy meadow all round it, and beyond these islands on the left, in the direction of Harney, mountains of considerable altitude. The crooked creek lay hidden in the very bottom of its bed sleeping so lazily that it could scarcely glisten in the sunlight.[41]

The April issue of *Scribner's Monthly* also painted a romantic picture of this pioneer mining town. "Custer lies in an open park hemmed in on all sides by gradually rising hills, rock-ribbed and crested with towering pines. The streets are regularly laid out, and the buildings are made of logs or rough boards taken from the hill-side forests."[42] Although the author insisted that mining in Custer City was a delusion, he prophesied that this town would become a leading post for supplies, like Denver became for the Colorado mines, if the mineral excitement in the Black Hills continued.[43] Felix Michaud may have been among those miners who, in the late 1870s, moved from one promising Black Hills prospect to the next, but probably kept returning to Custer for supplies and even for its aesthetically pleasant natural setting.

In 1878, when the first-located placers in the Deadwood area were worked out, Custer City did indeed experience a spurt in growth. Once again, in the summer of 1879, a new rush to the central Hills camps brought additional prosperity to Custer City as a supply town. In 1880, the federal census reported that there were 16,486 people living in the Black Hills, over 10,463 of them inside the twenty-one communities then existing in the Hills, including Custer City.[44] The 1880 federal census listed more than 268

---

[40] Edwin A. Curley, *Edwin A. Curley's Guide to the Black Hills*, originally published in 1877, facsimile (Mitchell, SD: Dakota Wesleyan University Press, 1973), 48.
[41] Curley, *Curley's Guide to the Black Hills*, 48
[42] "A Trip to the Black Hills," *Scribner's Monthly* April 1877, 754.
[43] *Ibid*, 754.
[44] *Census of the Population of the United States, 1880*, Wash, DC: US Bureau of Census

Custer City residents. Felix Michaud, working as a "livery keeper," was among them.[45]

The social-cultural makeup of Custer City in 1880 resembled that of other early mining towns in the West in some respects. For instance, many inhabitants were foreign-born, a pattern which also existed in the Dakota Territory as a whole. The1880 census reported that 38 percent of Dakota Territory's, 98,000 residents (living mostly in agricultural areas east of the Missouri River) was foreign-born. This immigrant population was predominantly German, Scandinavian, Dutch, English, Welsh, and Irish. In mining communities, including those in the Black Hills, particularly Deadwood, Chinese immigrants arrived in sizable numbers until Congress passed the restrictive Chinese Exclusion Act in 1882.[46]

In 1880, twenty-four percent of Custer City's 265 residents were born outside the United States, including Felix Michaud. Around twenty of the foreign-born hailed from Canada and the then separate political entities of Nova Scotia and New Brunswick. Another twenty residents identified Germany (including Prussia, Baden, Hanover, and other provinces that later became part of Germany) as their birthplace. The United Kingdom (Ireland, Wales, and England) was represented by about fifteen Custer City residents. Only three or less of the city's foreign-born were natives of France, Norway, Holland, Belgium, Chili, and Peru.[47] In contrast to other regions of Dakota Territory, particularly the eastern Missouri River Valley area, Custer City had a great paucity of immigrants from Russia, Sweden, and Denmark. In 1880, Custer City also had a smaller foreign-born population than the foreign-born population living in Dakota Territory as a whole.[48]

---

[45] "Schedule 1: Inhabitants of Custer City," Territory of Dakota (Washington, DC: Bureau of Census, June 16, 1880). Viewed on microfilm at the National Archives and Records Administration, Washington, DC.

[46] Rex C. Myers, "An Immigrant Heritage: South Dakota's Foreign-Born in an Era of Assimilation," *South Dakota History* 19: 2 (Summer 1989): 134-55. Also see John P. Johansen, *Immigrants and Their Children in South Dakota*, South Dakota Agricultural Experiment Station, Bulletin No. 302 (Brookings: South Dakota State College, 1936) and John P. Johansen, *Immigrant Settlement and Social Organization*, South Dakota Agricultural Experiment Station, Bulletin No. 313 (Brookings: South Dakota State College, 1937).

[47] "Schedule 1: Inhabitants of Custer City," Territory of Dakota (Washington, DC: Bureau of Census, June 16, 1880), microfilm at the National Archives and Records Administration, Washington, DC.

[48] Rex Myers, "An Immigrant Heritage," *South Dakota History* 19: 2 (Summer 1989), 134-37; Brad Noisat, "Ethnic Population," Chapter 4, *Black Hills National Forest: Cultural Resources Overview, Volume 1—Synthetic Summary*, edited by Lance Rom, et al (Custer, SD: Black Hills National Forest, 1996): 4b-1—4b-11.

The social character of Custer City mirrored and in some ways differed from the customary social pattern of other emerging western towns. Similar to most other newly settled towns in the West, the residents of Custer City had moved often before arriving in the Black Hills. (The majority of adult residents born in the United States claimed New York, Pennsylvania, Ohio, Indiana, and Illinois as their native states.) Children more than four years old of both foreign-born and U.S.-born residents had been born in various locations in the mid-western United States, particularly Missouri, Iowa, Nebraska, and Kansas. This demographic pattern clearly tells the story of the restless mobility common among those who were part of the great westward migration of humanity in the last half of the nineteenth century.[49]

Unlike some mining communities in the West, including Deadwood, that had a considerable number of Chinese re-working placer gold claims, Custer City had very few non-Caucasian residents. The 1880 U.S. census included racial categories of "white," "black," "mulatto," Chinese," and "Indian," but Custer City listed only three "Black" residents, one "Indian," and no Chinese. Custer City also differed from other mining towns in the West in that, five years after the initial arrival of miners, it had a sizeable number of families compared to young single men.[50] The 1880 census shows that of the 268 Custer City residents, nearly fifty residents (19 percent) were female. Children, age eighteen or younger, also made up a sizable segment—15 percent (or nearly forty people)—of the town's total population.[51]

The occupations of Custer City residents in 1880 shed light on the economic and social character of the town and hint at its emergence as a center of supplies and services and its decline as a mining camp. Although male quartz miners (fifty-five) far outnumbered any other single occupation, more than 10 percent of the town's inhabitants pursued a wide range of other occupations. In mid-June 1880, Custer City had, in addition to "livery keeper" Felix Michaud, a harness maker, blacksmith, shoemaker, stove maker, cabinetmaker, surveyor, telegraph operator and express agent, assayer, jeweler, hardware dealer, restaurant keeper, baker, liquor dealer, beer brewer, and hotel cook and waiter, as well as two dressmakers, two druggists, two physicians, two journalists, five lawyers, and several hotel keepers, grocers, and carpenters. The one teacher in town instructed about ten students. County government was present in the person of a county sheriff and county clerk who lived in Custer City. In mid-1880, nearly

[49] "Schedule 1: Inhabitants of Custer City," Territory of Dakota (Washington, DC: Bureau of Census, June 16, 1880). Viewed on microfilm at the National Archives and Records Administration, Washington, DC.
[50] *Ibid.*
[51] *Ibid.*

twenty "farmers," three "cattle raisers," and one "dairyman" lived in Custer City.

This contrasted sharply with Hayward City (about twelve miles north of Custer and also in Custer County), which had less than forty residents, mostly quartz miners and farmers, and appeared to have a much narrower range of service providers (bricklaying, coopering, blacksmithing, and flour milling).[52] Just five years after the founding of Custer City, it was already taking on the appearance and character of a miniature metropolis. Its role as a supply and service center for the southern Black Hills in 1880, rather than a mining town exclusively, continued for many decades.

The 1880 social and cultural landscape of rural Custer County, including the Jewel Cave area of Hell Canyon, mirrored Custer City in some ways. The foreign-born residents hailed primarily from the Western European countries of Sweden, Norway, Denmark, France, Austria, England, Ireland, and Germany. (In 1890, around 170 Custer County residents were natives of Canada, 164 of Germany, 137 of Ireland, and 133 of Scandinavia.[53]) Unlike Custer City, however, five times as many rural county residents were natives of Canada. Similar also to Custer City, females represented about 18 percent of the total county population. Male farmers were more likely than quartz miners and "laborers" (employed by farmers and miners) to be married and raising a family.[54]

Custer County's rural population differed in significant ways from that of the 268 town residents. In 1880, many of Custer County's 350 rural residents pursued hard-rock quartz mining (around 65) and farming (around 60), worked as laborers for farmers and miners (around 75), or kept house (around 35 females). The range of occupations was far narrower, representing essential services or trades for rural residents engaged in hard-rock quartz mining, farming, and building trades. Carpenters (sixteen), blacksmiths (four), engineers (three), millwrights and dry good merchants (two each), and a single flour miller, cooper, bricklayer, printer, bookmaker, shoemaker, barber, and lumber manufacturer represented the small number of rural residents pursuing trades. The census for rural Custer County also clearly reveals that even as early as 1880, rural Custer County, the locale of Jewel Cave, had as many farmers as miners.

---

[52] *Ibid.*

[53] Fred W. Whitely, *A History of Custer City, South Dakota, 1874-1900, South Dakota Historical Collection, Volume 37* (Pierre: South Dakota Historical Society, 1975), 334.

[54] "Schedule 1: Inhabitants of Custer City," Territory of Dakota (Washington, DC: Bureau of Census, June 16, 1880).

Geographic Patterns of Early Mining Settlements

The permanent settlement of Euro-Americans created a vastly different physical landscape in the Black Hills than the one that existed before their arrival. The pattern of early mining settlement in the Black Hills took a distinctive form. Typically, a collection of tents and hastily built wood structures were erected near the discovery of placer deposits along creeks. In some instances, early army camps set up at various places along the creeks of the Black Hills creeks also became the site of towns. Within weeks or months of a promising gold discovery, an enterprising mining camp resident predictably drew up a plan for a grid-pattern townsite, comprised of right-angle streets and rectangular blocks. Throughout the Black Hills, geometric townsites were located along creeks and sometimes up the sides of narrow gulches where placer gold had been first discovered. New towns sprang up wherever fresh placer gold discoveries were made.

Townsites often followed the wandering, dendritic drainage pattern that radiated outward but primarily eastward from the center of the Hills. In the mid- to late 1870s, French Creek, Battle Creek, Spring Creek, Rapid Creek, Elk Creek, Bear Butte Creek, Whitewood Creek, and Spearfish Creek—all flowing to the east or northeast from the heart of the Black Hills—became the thin tendrils of early Euro-American settlement in the Black Hills. In the northern Black Hills, in particular, a string of small mining camps and later towns formed a continuous settlement that, over time, either withered and disappeared[55] or grew into a single larger town. The Hell Canyon drainage, which extends southward, never became the site of placer gold discoveries or an early town. Custer City, thirteen miles east of upper Hell Canyon, was the closest sizable settlement to Jewel Cave in the 1870s and 1880s and the Custer County seat.

The pattern of early mining claims, camps, and settlements in the Black Hills was augmented not only by townsite roads and buildings, but also by placer and hard-rock mining tools and technology and the physical imprints they left behind. Mining claims soon covered nearly all the area in and around Custer as well as along tributaries of French Creek. Very visible signs of placer gold mining activity included: mining claim stakes; ditches and small dams for manipulating the flow of creeks; pans, sluice boxes, and

[55] Some of the early mining boom towns in the Black Hills that disappeared include: Welcome, Tinton, Maurice, Savoy, Elmore, Cheyenne Crossing, Hanna, Trojan, Englewood, Roubaix, Brownsville, Merritt, Rochford, Silver City, Johnson Corner, Hisega, Mystic, Deerfield, Rockerville, Tigerville, Moon, Oreville, Harney, Spokane, and Fourmile, as well as many others. Sundstrom and Sundstrom, "Exploration and Settlement," 4a-13.

"rockers" for segregating placer gold from surrounding gravel; and gravel heaps along streambeds. Hydraulic mining techniques, in which miners used water under pressure to dislodge and wash stream gravel, left more noticeable depressions and gravel piles along creek banks.

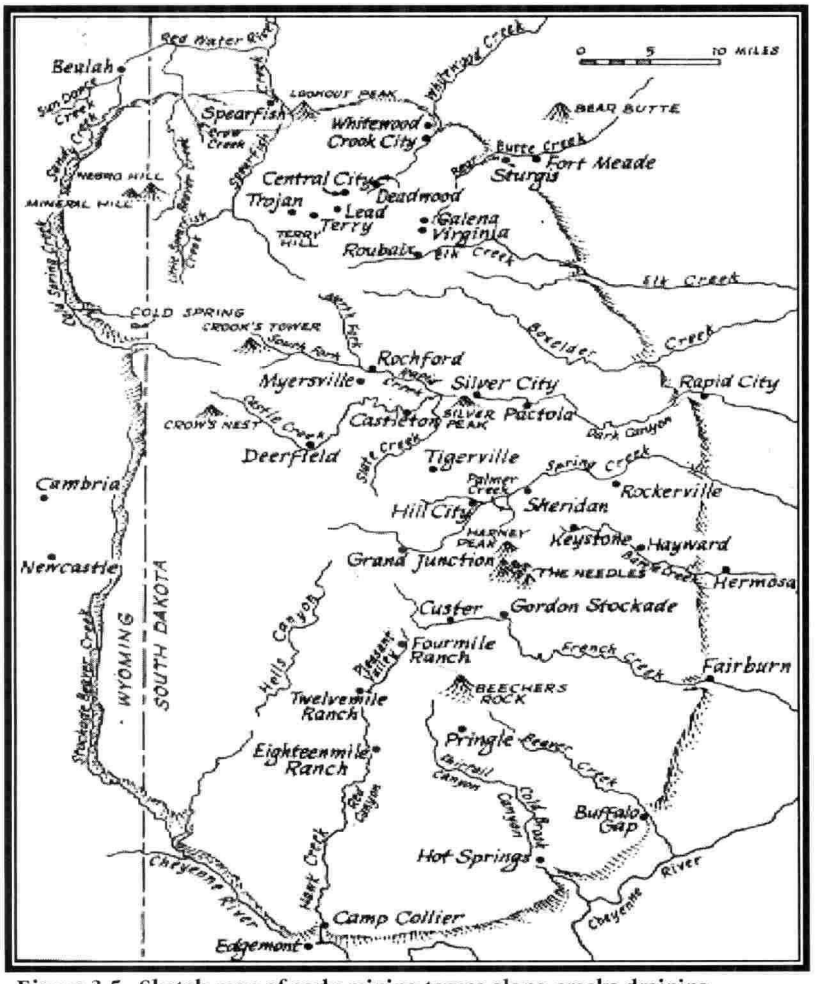

Figure 3-5. Sketch map of early mining towns along creeks draining generally to the east. From Watson Parker, *Gold in the Black Hills* (1965), p. 79.

As miners quickly depleted placers and turned to hard-rocking mining, they used heavier ground-moving tools and machinery that left larger more visible imprints on the landscape. Mining shafts, stamp mills, flumes, large dynamited depressions, and conglomerations of wood-frame mining buildings became recognizable landscape features in the central and northern Black Hills as companies with sizable capital operated their deep, hard-rock mines.

Roads into the Black Hills

Settlers working in various transportation businesses and related trades—freighting and stage companies and liveries—also benefited from rumors of easy placer riches and the heavily capitalized hard-rock mining that followed. As traffic into the Black Hills increased and the logistical needs of the existing miners and eventually mining companies became more complex, entrepreneurial individuals organized transportation companies to move people and goods in and out of the Hills.

Stage lines, freight lines, and mail carrier businesses launched from the various jump-off supply towns around the Black Hills, including: Sioux City, Iowa; Sidney, Nebraska; Yankton, Bismarck, and Fort Pierre in the Dakota Territory; and Cheyenne, Wyoming. (Stage and freight trails became the earliest roads into the Black Hills.)

Early travel routes into the Black Hills developed very quickly after gold discovery and promotion. Arrangements for getting into the Black Hills were being made even before existing treaties made between Indians and the U.S. government made it legal to go into Dakota Territory. On March 8, 1875, the Spotted Tail Express and Stage Company, one of the first companies to offer transportation between Cheyenne and the Red Cloud Agency, left Cheyenne carrying three prospectors.

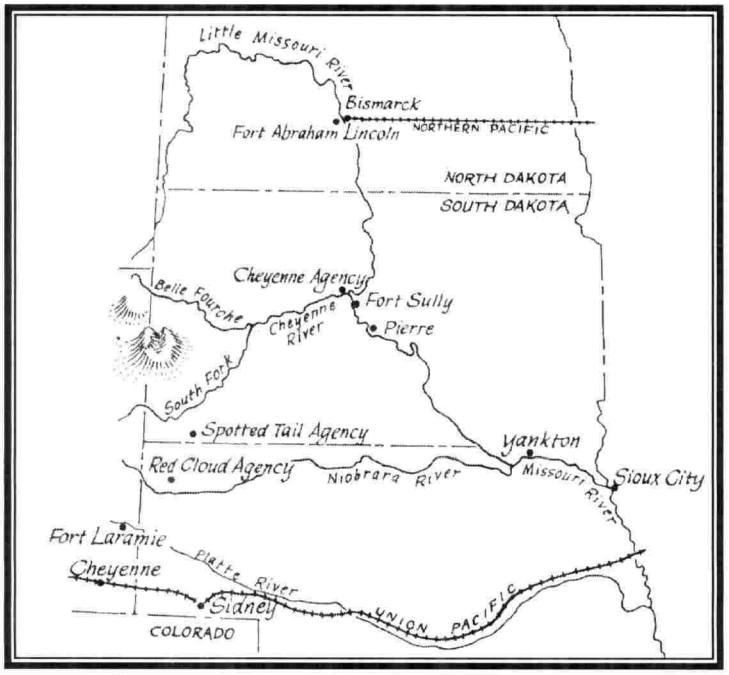

Figure 3-6. Sketch map showing the towns of Sidney, Cheyenne, and Fort Laramie that served as jump-off supply points to the Black Hills in the mid-1870s. From Watson Parker, *Gold in the Black Hills* (1965), p. 43.

When first operating, this stage company offered no transportation beyond the Spotted Tail Agency. Prospectors had to get themselves farther north to French Creek, an early site of reported gold.

In November 1875, a bill was introduced in the Wyoming territorial legislature, "to locate and establish a territorial wagon road from Cheyenne, Wyoming Territory, to the Black Hills of Dakota Territory."[56] The bill, which essentially ordained an existing wagon road between Cheyenne and Fort Laramie as a territorial road, was enacted and became "law" in December of 1875. The legislation read, in relevant part:

> The present traveled wagon road from Cheyenne, by way of Chugwater Creek and Fort Laramie, to Custer City, in the Black Hills [shall be a territorial road]. . . Upon the petition of 100 residents of Laramie County, the County Commissioners shall appoint a Road Commissioner to proceed to locate, or supervise the location of such road, over the nearest and most practical route on the west side of said Black Hills, if a good, practicable route therefore [sic] can be obtained.[57]

The legislation also appropriated $200 to pay for the expenses of a road commissioner.

Road development and the establishment of transportation companies serving the southern Black Hills were intimately intertwined in the 1870s. In 1875, George W. Homan offered to initiate stage service to the western foothills of the Black Hills if the Laramie County commissioners dedicated $5000 to constructing and maintaining a roadway north out of Fort Laramie. The commissioners agreed. The selected route was an old freight road that had just weeks earlier been used by the sixty government wagons attached to the geological expedition of Walter P. Jenney. This route left Fort Laramie and headed north, intersected Raw Hide Creek after twenty miles, and reached the crossing of the Niobrara River twenty-five miles farther north.[58]

By late May 1875, Homan had purchased ten coaches and had begun acquiring horses. Soon Homan announced that he would begin offering transportation between Cheyenne and the Black Hills the following

---

[56] As quoted in Agnes Wright Spring, *The Cheyenne and Black Hills Stage and Express Routes* (Glendale, CA: Arthur H. Clark Company, 1949), 75.
[57] As quoted in Spring, *Cheyenne and Black Hills Stage and Express Routes*, 75.
[58] Information presented in this and the next four paragraphs is detailed in Parker, *Gold in the Black Hills*, 118.

spring. Homan immediately began making arrangements for the establishment of stage stops or stations along the route from Fort Laramie to Custer City. Homan's plans called for the siting of the first station about fifteen miles north of Fort Laramie, the next approximately thirty miles north on the Niobrara River, a third on the Old Woman's Fork of the Cheyenne River, a fourth on Horse Head Creek, and the last one not far from Custer City.[59]

In late 1875, Frank Yates, a trader at the Red Cloud Agency, formed another transportation company in partnership with his father-in-law, W. H. Brown. The two men negotiated a contract with the federal government to haul mail between the two Indian agencies (Spotted Tail and Red Cloud agencies) near the border of Dakota Territory and Nebraska, and Cheyenne, following the stage route inaugurated by George Homan. The new Black Hills Stage, Mail and Express Line provided passenger and mail service between Cheyenne and Custer City, with stops at Red Cloud and Spotted Tail agencies. The first stage left Cheyenne the morning of January 3, 1876, with seven passengers bound for the Black Hills.

Within a month, the Gilmer, Salisbury and Patrick stage company from Ogden, Utah, bought the Black Hills Stage, Mail and Express Line from Yates and Brown, purchased equipment and stage-stop locations from Homan, and announced that they would not only continue the stage routes into the two Indian agencies, but in the spring, would also offer direct service between Cheyenne and Custer City. Coaches were pulled by teams of two, four, or six horses, depending upon the terrain traversed. A coachman drove the stage between forty and sixty miles before being relieved. At the end of his run, another coach replaced the coach he had driven so that the first coach could be inspected and repaired if necessary. The company dedicated some coaches to carrying blacksmiths who would repair any coaches that might break down along the stage route.

On March 10, 1876, Gilmer, Salisbury, and Patrick described their stage operation in a letter to the president of Union Pacific Railroad:

> We have now on hand and ready for service ten Concord Overland coaches. . . . In addition to this, we have arranged for wagon trains for the transportation of freight, miners' outfits, supplies, and second and third class passengers in large or small numbers. The time for second class will be four days, and for third class, six days. Eating stations between here and Fort Laramie are already established, and from the Fort to Custer City are now being built, and will

[59] Spring, *Cheyenne and Black Hills Stage and Express Routes*, 61.

> be ready to commence operations in about two weeks. . . .
>
> The running time during the spring months will be three days from Cheyenne to Custer. . . . Rates of fare will be as follows: First class, Cheyenne to Custer City, $20; second class, $15; third class, $10. (These rates apply only to through tickets.)[60]

In the summer of 1876, the Sidney & Black Hills Stage and N. L. Witcher & Sons of Sioux City joined the Black Hills Stage, Mail and Express Line in transporting people and goods into the southern Black Hills.[61]

The early trail from Cheyenne to the southern Black Hills headed north from present-day Edgemont to Red Canyon Station (Camp Collier). It then passed through the canyon to Spring-on-the-Hill, continued north to Spring-on-the-Right, and finally went north through Pleasant Valley and on to Custer. Traveling north into the southern Black Hills in the spring of 1877, a passenger reported that the road crossed Red Earth Creek many times and,

> as it was sometimes miry and sometimes steep it gave us some trouble. With this exception, . . . the road was excellent til we turned out of the canon, and ascended a long hill which tried our worn beasts severely. . . . The rest of the day's journey was up hill and down, and through what is called the Pleasant Valley, the buttes and bluffs being banded and spotted with red earth's and white porphritic limestone and sometimes with yellowish and grayish shales, which the corresponding stripes of light green and dark spots of pine.[62]

Early stages and the roads they used to the Black Hills departed from major jump-off towns served by railroads. The railroad towns closest to the Black Hills included: Sidney, Nebraska; Cheyenne, Wyoming; Sioux City, Iowa; and Bismarck and Yankton, South Dakota. Sidney, Nebraska,

---

[60] As quoted in Spring, *The Cheyenne and Black Hills Stage and Express Routes*, 93-94.
[61] *Bismarck Tribune*, February 8, 1876.
[62] Curley, *Curley's Guide to the Black Hills*, 45. Note: This route was abandoned in June 1877 when a new 266-mile-long trail leading directly to Deadwood via the Jenney Stockade was opened, bypassing Custer.[62]

and Cheyenne, Wyoming, were both served by the Union Pacific Railroad and well positioned on their lines. In the spring of 1876, the railroads were doing a booming business of transporting miners from the east.[63]

In 1877, the closer proximity, lower fares, and greater number of merchants, warehouses, and hotels made Cheyenne and Sidney the supreme "jumping-off" towns for Black Hills' travelers.[64] An 1878 Union Pacific Railway promotional booklet assured travelers that "all agree that the old established routes to the Union Pacific Railway, via Cheyenne or Sidney, offer the only direct and safe means of exit from the Black Hills. They are the only natural ones and of course the tide of travel and shipments of treasure and produce must always flow over them."[65]
Stage companies operating out of the railroad town of Cheyenne had additional advantages over other railheads—Cheyenne was only about 180 miles southwest of the Black Hills, and the army posted at Fort Laramie, not far away, provided protection from troublesome Indians on the road between Cheyenne and the Red Cloud and Spotted Tail Indian agencies.

Railroad towns in Iowa and the Dakota Territory were slower to develop as jump-off places for routes and stage lines to the southern Black Hills. Sioux City, Iowa, had developed earlier as a jump-off point for overland emigrants heading to the Far West because its upstream location on the Missouri River made accessible by riverboats. But this important river town was more than 400 miles southeast of the Black Hills. Bismarck and Yankton were served by riverboats (Yankton) and the railroad (Bismarck after 1873) coming from the east. Each of these towns, however, was 300 or more miles away from the Black Hills. In the mid-1870s, Fort Pierre, on the Missouri River, was also served by riverboats coming up the Missouri from Yankton. Although the *Big Horn* and the *Black Hills* riverboats each made weekly trips between Yankton and Fort Pierre, Fort Pierre was only about 180 miles away from the Black Hills.

Also, the fact that much of southwestern Dakota Territory was, by treaty, legally off limits to Euro-American settlement before 1877, undoubtedly discouraged the investment of private capital in costly stage company operations. The enactment of the federal statute permitting Euro-American settlement in the Black Hills in 1877 eventually prompted the Dakota territorial legislature to construct roads from Bismarck, Fort Pierre, and Yankton. Railroad access to these towns and the new territorial

---

[63] Parker, *Gold in the Black Hills*, 106-107; Bob Lee, *Gold Rush: The Black Hills Story* (Pierre: South Dakota Historical Society Press, 2001), 87-88; Curley, *Curley's Guide to the Black Hills*, 131.
[64] Curley, *Curley's Guide to the Black Hills*, 12-13.
[65] Robert E. Strahorn, *To the Rockies and Beyond, or a Summer on the Union Pacific Railway and Branches* (Omaha: Omaha Republican Print, 1878), 27.

roads from them, eventually began to shift the transportation network to the Black Hills from Cheyenne to Dakota towns, east of the Black Hills.

In 1877, the Northwestern Express, Stage and Transportation Company out of Bismarck started runs. During the boom years it carried approximately 5000 passengers a year and hauled over sixteen million pounds of freight. A transportation company owned and operated by Fred T. Evans that connected Yankton and the Black Hills, employed between 1000 and 1500 men, and owned approximately 1500 oxen, 250 mules, and 400 wagons.

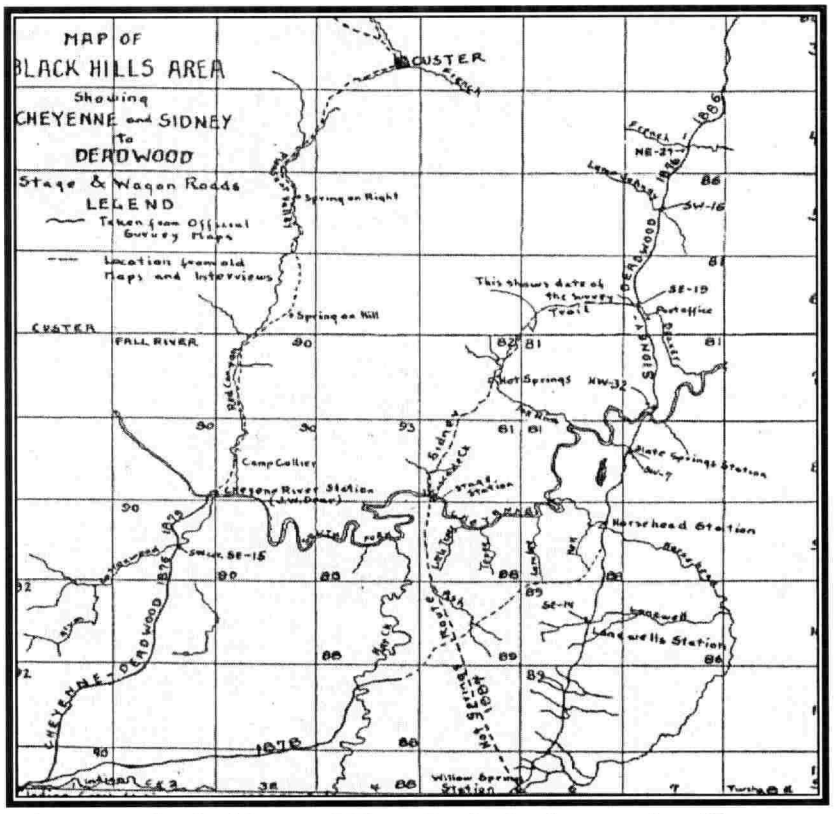

Figure 3-7. Sketch of Stage and Wagon Roads showing route from Cheyenne through the Red Canyon and Pleasant Valley, through Custer, to Deadwood, in 1876. From Hyman Palais, "South Dakota Stage and Wagon Roads," *South Dakota Historical Collection*, 25 (1950), 230.

Other businessmen joined the rush into the freighting business in or near the Black Hills. Emil Faust, H. B. Young, W. H. Cole, and L. D. Waln, all started hauling goods into the mining camps. Some freighters also hauled passengers perched atop their loads, or, at a slightly lower fee, permitted them to walk alongside the wagons. By 1878, four separate stage lines hauled passengers into the Black Hills.

In the early 1880s, Pierre emerged as the most important jump-off point for travelers destined for the Black Hills. On early November 1880, the Chicago & North Western Railroad reached Pierre, thus encouraging the relocation of freighting companies to Pierre. In 1881, the Chicago, Milwaukee and Saint Paul Railroad reached Chamberlain, making it an important jump-off point for travelers to the Black Hills. In the fall of 1881, another trail, originating downriver from Pierre at Chamberlain and promoted by local entrepreneurs, led to the rise of Rapid City in the eastern Black Hills. The trail between Chamberlain and Rapid City soon became a favored route to the Hills.[66]

The earliest stage road near Jewel Cave, running from Cheyenne to Custer, traversed country through Red Canyon and Pleasant Valley, several miles to the east of Hell Canyon. A road to Jenney's Stockade, about thirty-five miles west of Custer, was established by 1884. This route lay just south of the present boundaries of Jewel Cave National Monument. The opening of the Cambria Coal Mine in eastern Wyoming in 1887, which contributed to the founding of nearby Newcastle, Wyoming, in 1889, eventually brought about the further development of a travel route between Newcastle and Custer south of the monument's present boundary.[67]

The development of early roads into the Black Hills, largely by companies founded to transport freight, passengers, and mail contributed to the dynamic emergence of a new cultural landscape in the southern Black Hills. The roads themselves impacted the local topography by cutting into slopes and making exposed soil more vulnerable to erosion. Traffic on the roads trampled vegetation and covered it with a thick, choking veil of dust. The movement of wagons, stages, and people across the landscape also altered the patterns of wildlife. For Native Americans engaged in hunting, a shift in the movement of wildlife also contributed to their own relocation.

Over time, the roads into the Black Hills and the freight wagons and stagecoaches delivered people, cultural beliefs, institutions, and technology that had an enormous and incalculable effect on the existing landscape. Euro-American tools, materials, and ideas about property ownership, law, and government, practices of resource use had an immediate visual impact on the landscape. These new cultural patterns also

---

[66] Philip S. Hall, "The Ephemeral Chamberlain Road: A Freight Trail to the Black Hills," *South Dakota History* 26: 1 (Spring 1996), 1-23; Bob Lee, *The Black Hills After Custer* (Virginia Beach: Donning Company Publishers, 1998), 29, 53; Bob Lee, "It Started with a (Mining) Boom," in *Gold Rush: The Black Hills Story*, compiled by John D. McDermott (Pierre: South Dakota Historical Society Press, 2001), 87-88.
[67] Barbara Beving Long, "Jewel Cave National Monument, Historic Resource Study: Historic Contexts and National Register Guidelines," report prepared for the United States Department of the Interior, National Park Service, Rocky Mountain Region, 1992, 2/6.

laid the groundwork for profound long-term changes to the environment throughout the Black Hills and at Jewel Cave.