

1811 Washington St.,
Commerce, Texas
March 28, 1931

Capt. R. B. Carter
Army and Navy Club
Washington, D. C.

My dear Capt. Carter,

I received your very prompt and highly appreciated letter of January 26, on the old Jacksboes foot and Indian trial. I was only restrained from writing my thanks by a desire not to pepper you with letters.

But now I have another quite humble supplication. In attempting to write some original history of that part of the country I find you are one of the most interesting characters ever connected with it. Would it be possible for me to get a photograph of you? I feel this would add a great deal to my story, but I shall not be in the least offended if you do not see fit to send one. It is people who are most interested in this material are ever to get it it must be new.

Do you know if a map has ever been

made of the route taken in the pursuit
and return of Santanta, Santank and Big
Tree?

I hope to go back to Jacksboro in the
summer and do the old fort.

I appreciate more than I can tell
you all the aid you have given me.
The greatest admiration and best wishes
from,

Your sincere friend
Maude Grace Swell

26 January, 1931.

Miss Maude G. Sowell,
1811 Washington Street,
Commerce, Texas.

Dear Miss Sowell:

Your letter of the 18th instant received.

I served as an officer of the Fourth U. S. Cavalry in Texas from 1870 to 1876, my first station being Fort Concho (San Angelo) then a small settlement. There were no railroads running to San Antonio, San Angelo, or Jacksboro. I marched pretty nearly all over the state, from Fort Duncan (Eagle Pass) to the Panhandle and across the Staked Plains to Forts Sumner and Bascom, N. M., and east through Dallas and Fort Worth to Marshall and then on to Shreveport, La.; also to the north Fork Red River; either in the saddle or afoot. I moved to Fort Richardson in April 1871 and remained there two years, two of my daughters being born there. Jacksboro was then a wild and woolly cow town with little or no law or order. Fort Richardson was built in 1866-7 and abandoned in 1879. We relieved the Sixth Cavalry which marched overland north to Kansas.

On May 17, 1871, I was selected to meet and escort General Sherman on the old Fort Belknap-Fort Griffin road. He was on a tour of inspection with General Marcy and other officers. I met him at Rock station about 16 miles from Jacksboro. That same night a wounded man hobbled into the post and reported the massacre of seven teamsters of Henry Warren's corn train which was en route to Fort Griffin 80 miles distant. General Sherman heard his story. As Post Adjutant I conducted General Sherman's correspondence for the assembling of our command in pursuit of this raiding band. We found the bodies about 22 miles from Jacksboro on Salt Creek prairie. They were stripped, scalped, horribly mutilated, and filled full of arrows; one man had been burned alive. All the mules (41) had been taken by the Indians and the ground was strewn with corn, harness, and debris of the fight.

In a drenching storm we struck the trail. It led in a northwest direction to the Indian Territory (now Oklahoma) but was so washed out that we soon lost it. It rained almost every day for 16 days and we had to swim most of the streams except Red River with our horses. The trail led into the Fort Sill

Indian reservation, where we arrived about June 6. General Sherman had been in ahead of us and gone, but Satanta had boasted openly that he was in command of the 150 Ki-o-was who committed the massacre. So General Sherman, after a pow-wow in which he barely escaped being killed, three Indians -- Satanta, Setank, and Big Tree -- were arrested, double ironed and placed under guard, with a note from General Sherman that when we arrived all were to be conveyed back to Jacksboro and there turned over to the civil authorities for indictment and trial in the civil courts.

Lone Wolf, Kicking Bird, Eagle Heart, and other chiefs, escaped and the entire tribe left the reservation, not returning until we drove them back in the following September from their village near where Fort Elliott was later located and the town of Mobeetie -- long since abandoned.

We left Fort Sill with the prisoners June 8. At the crossing of Cache Creek, near the old Indian Agency, Setank tried to escape. Slipping his handcuffs, while chanting his death song, with head under blanket, he drew a scalping knife from his legging, stabbed a corporal who was riding in the same wagon with him, and seizing a carbine tried to throw a load from the magazine into the chamber. A load was already there and the two cartridges jammed. Corporal John B. Charlton of Company F riding with Satanta and Big Tree in a wagon following them, shot him twice through the chest, killing him and wounding the driver of the forward team. We arrived at Fort Richardson -- 123 miles, about June 15.

The trial took place July 5, 1871, in the old Courthouse in the square. Two courthouses have been built there since. S. W. T. Lanham, the District Attorney (later Governor of Texas), was the prosecuting officer. Judge Soward was the presiding Judge, and Thomas Ball and J. A. Woolfork of Weatherford were assigned as counsel for the Indians. Willbayer, a Texas historian, states that the trial was "one of the most sensational cases ever tried in Texas" -- moreover "it was the first and only time that Indians were ever tried before a civil court in America". All others had been tried by military commissions.

One of the outstanding features of this case was the problem of safely conveying these notorious Indian chiefs to the

Courthouse from our guard house at Fort Richardson where, although they had been turned over to the civil authorities, they were still in our charge for safekeeping. The people of "Jack" had sworn that they should not go through the farce of a trial; that they would kill them before they reached the Courthouse. I was in daily conference with Mr. Lanham; he was at his wits' ends. Our guard house was in rear of and slightly west of south from the hospital, a stone building now used by Captain Dennis for his National Guard Battery as an armory, and just on the edge of the creek, with dense chaparral hiding it for ten feet on either bank; anybody emerging from it could be shot and nobody the wiser. I submitted my plan. It was to place two reliefs of the guard, about 30 men, between the Indians and the bank of Lost Creek, with its fringe of chaparral and then keep them moving to the crossing and thence to the Courthouse. To shoot at the prisoners would jeopardize our own men and as that was not their purpose, their plan to kill the Indians fell through.

Everybody attended the trial. They came ^{from} 30 and 40 miles away on horses, mules, in all sorts of wagons, carts, etc. Hundreds could not get in. The only witnesses against the Indians were General Mackenzie and Lawrie Tatum, the Indian agent at Fort Sill. Satanta, through the post interpreter at Fort Sill, Horace P. Jones, made a rambling sort of defense, promising to be a "good Indian", etc., and denied that he led his Indians in the massacre. The jury spent about five minutes in a corner of the room and brought back their verdict of guilty of murder. Each juror had his gun on his hip. They were sentenced to be hung. The judge, the Indian agent, and General Sherman united in an appeal to the Governor to commute the sentence of death to imprisonment for life. They were taken back to the guard house in the same manner as they were brought over and remained there until November, when they were taken under guard to the state prison at Huntsville. They were let out on parole twice but were caught out on raids and returned. Satanta committed suicide in 1878 by throwing himself headlong from an upper balcony to the pavement below. He is buried in the penitentiary cemetery. Big Tree was released and became a "good Indian". He died quite recently at or near Mountain View on the Fort Sill reservation.

Page #4.

My monographs setting forth my scouts and campaigns while serving in Texas were published some 12 years ago and are now out of print. I have only my personal copies and I don't know where you would be able to obtain any of them. I am in correspondence with people in Jacksboro, Breckinridge (near old Fort Griffin), Plainview, Spur, Comanche, and many other towns which have sprung up in that once desolate country inhabited only by Indians, buffalo, wolves, bears, Jackrabbits, prairie dogs, rattle snakes, etc., and for the most marvelous expansion of that country I am indeed thankful that I was an humble instrument in its development, permitting the hardy pioneer to follow in upon our trail.

Very sincerely,

R. G. Carter,
Captain, U. S. Army, retired.

P. S. The trial of these Indian chiefs is given more in detail, with Mr. Lanham's address to the jury, Satanta's appeal, etc., in a reprint from the Southwestern Historical Quarterly, January 1926, Vol. XXIX, No. 3, by C. C. Rister, published by the Texas Historical State Association, Austin, Texas.

R. G. C.