

Killers of the Flower Moon



The Osage Murders and
the Birth of the FBI

David Grann

Bestselling author of **The Lost City of Z**

ALSO BY DAVID GRANN

The Lost City of Z:
A Tale of Deadly Obsession in the Amazon

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Tales of Murder, Madness, and Obsession



Credit 1



KILLERS
of the
FLOWER MOON



THE OSAGE MURDERS
AND THE
BIRTH OF THE FBI

DAVID GRANN



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For my mom and dad



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CHRONICLE ONE

THE MARKED WOMAN



There had been no evil to mar that propitious night, because she had listened; there had been no voice of evil; no screech owl had quaveringly disturbed the stillness. She knew this because she had listened all night.

—John Joseph Mathews, *Sundown*

1 THE VANISHING

In April, millions of tiny flowers spread over the blackjack hills and vast prairies in the Osage territory of Oklahoma. There are Johnny-jump-ups and spring beauties and little bluets. The Osage writer John Joseph Mathews observed that the galaxy of petals makes it look as if the “gods had left confetti.” In May, when coyotes howl beneath an unnervingly large moon, taller plants, such as spiderworts and black-eyed Susans, begin to creep over the tinier blooms, stealing their light and water. The necks of the smaller flowers break and their petals flutter away, and before long they are buried underground. This is why the Osage Indians refer to May as the time of the flower-killing moon.

On May 24, 1921, Mollie Burkhart, a resident of the Osage settlement town of Gray Horse, Oklahoma, began to fear that something had happened to one of her three sisters, Anna Brown. Thirty-four, and less than a year older than Mollie, Anna had disappeared three days earlier. She had often gone on “sprees,” as her family disparagingly called them: dancing and drinking with friends until dawn. But this time one night had passed, and then another, and Anna had not shown up on Mollie’s front stoop as she usually did, with her long black hair slightly frayed and her dark eyes shining like glass. When Anna came inside, she liked to slip off her shoes, and Mollie missed the comforting sound of her moving, unhurried, through the house. Instead, there was a silence as still as the plains.

Mollie had already lost her sister Minnie nearly three years earlier. Her death had come with shocking speed, and though doctors had attributed it to a “peculiar wasting illness,” Mollie harbored doubts:

Minnie had been only twenty-seven and had always been in perfect health.

Like their parents, Mollie and her sisters had their names inscribed on the Osage Roll, which meant that they were among the registered members of the tribe. It also meant that they possessed a fortune. In the early 1870s, the Osage had been driven from their lands in Kansas onto a rocky, presumably worthless reservation in northeastern Oklahoma, only to discover, decades later, that this land was sitting above some of the largest oil deposits in the United States. To obtain that oil, prospectors had to pay the Osage for leases and royalties. In the early twentieth century, each person on the tribal roll began receiving a quarterly check. The amount was initially for only a few dollars, but over time, as more oil was tapped, the dividends grew into the hundreds, then the thousands. And virtually every year the payments increased, like the prairie creeks that joined to form the wide, muddy Cimarron, until the tribe members had collectively accumulated millions and millions of dollars. (In 1923 alone, the tribe took in more than \$30 million, the equivalent today of more than \$400 million.) The Osage were considered the wealthiest people per capita in the world. “Lo and behold!” the New York weekly *Outlook* exclaimed. “The Indian, instead of starving to death...enjoys a steady income that turns bankers green with envy.”

The public had become transfixed by the tribe’s prosperity, which belied the images of American Indians that could be traced back to the brutal first contact with whites—the original sin from which the country was born. Reporters tantalized their readers with stories about the “plutocratic Osage” and the “red millionaires,” with their brick-and-terra-cotta mansions and chandeliers, with their diamond rings and fur coats and chauffeured cars. One writer marveled at Osage girls who attended the best boarding schools and wore sumptuous French clothing, as if “une très jolie demoiselle of the Paris boulevards had inadvertently strayed into this little reservation town.”

At the same time, reporters seized upon any signs of the traditional Osage way of life, which seemed to stir in the public’s mind visions of

“wild” Indians. One article noted a “circle of expensive automobiles surrounding an open campfire, where the bronzed and brightly blanketed owners are cooking meat in the primitive style.” Another documented a party of Osage arriving at a ceremony for their dances in a private airplane—a scene that “outrivals the ability of the fictionist to portray.” Summing up the public’s attitude toward the Osage, the *Washington Star* said, “That lament, ‘Lo the poor Indian,’ might appropriately be revised to, ‘Ho, the rich redskin.’ ”

Gray Horse was one of the reservation’s older settlements. These outposts—including Fairfax, a larger, neighboring town of nearly fifteen hundred people, and Pawhuska, the Osage capital, with a population of more than six thousand—seemed like fevered visions. The streets clamored with cowboys, fortune seekers, bootleggers, soothsayers, medicine men, outlaws, U.S. marshals, New York financiers, and oil magnates. Automobiles sped along paved horse trails, the smell of fuel overwhelming the scent of the prairies. Juries of crows peered down from telephone wires. There were restaurants, advertised as cafés, and opera houses and polo grounds.

Although Mollie didn’t spend as lavishly as some of her neighbors did, she had built a beautiful, rambling wooden house in Gray Horse near her family’s old lodge of lashed poles, woven mats, and bark. She owned several cars and had a staff of servants—the Indians’ pot-lickers, as many settlers derided these migrant workers. The servants were often black or Mexican, and in the early 1920s a visitor to the reservation expressed contempt at the sight of “even whites” performing “all the menial tasks about the house to which no Osage will stoop.”

Mollie was one of the last people to see Anna before she vanished. That day, May 21, Mollie had risen close to dawn, a habit ingrained from when her father used to pray every morning to the sun. She was accustomed to the chorus of meadowlarks and sandpipers and prairie chickens, now overlaid with the *pock-pocking* of drills pounding the earth. Unlike many of her friends, who shunned Osage

clothing, Mollie wrapped an Indian blanket around her shoulders. She also didn't style her hair in a flapper bob, but instead let her long, black hair flow over her back, revealing her striking face, with its high cheekbones and big brown eyes.

Her husband, Ernest Burkhart, rose with her. A twenty-eight-year-old white man, he had the stock handsomeness of an extra in a Western picture show: short brown hair, slate-blue eyes, square chin. Only his nose disturbed the portrait; it looked as if it had taken a barroom punch or two. Growing up in Texas, the son of a poor cotton farmer, he'd been enchanted by tales of the Osage Hills—that vestige of the American frontier where cowboys and Indians were said to still roam. In 1912, at nineteen, he'd packed a bag, like Huck Finn lighting out for the Territory, and gone to live with his uncle, a domineering cattleman named William K. Hale, in Fairfax. "He was not the kind of a man to ask you to do something—he told you," Ernest once said of Hale, who became his surrogate father. Though Ernest mostly ran errands for Hale, he sometimes worked as a livery driver, which is how he met Mollie, chauffeuring her around town.

Ernest had a tendency to drink moonshine and play Indian stud poker with men of ill repute, but beneath his roughness there seemed to be a tenderness and a trace of insecurity, and Mollie fell in love with him. Born a speaker of Osage, Mollie had learned some English in school; nevertheless, Ernest studied her native language until he could talk with her in it. She suffered from diabetes, and he cared for her when her joints ached and her stomach burned with hunger. After he heard that another man had affections for her, he muttered that he couldn't live without her.



~~~ **Mollie Burkhart** Credit 2



~~~~ ***Ernest Burkhart*** Credit 3

It wasn't easy for them to marry. Ernest's roughneck friends ridiculed him for being a "squaw man." And though Mollie's three sisters had wed white men, she felt a responsibility to have an arranged Osage marriage, the way her parents had. Still, Mollie, whose family practiced a mixture of Osage and Catholic beliefs, couldn't understand why God would let her find love, only to then take it away from her. So, in 1917, she and Ernest exchanged rings, vowing to love each other till eternity.

By 1921, they had a daughter, Elizabeth, who was two years old, and a son, James, who was eight months old and nicknamed Cowboy. Mollie also tended to her aging mother, Lizzie, who had moved in to the house after Mollie's father passed away. Because of Mollie's diabetes, Lizzie once feared that she would die young, and beseeched her other children to take care of her. In truth, Mollie was the one who looked after all of them.

May 21 was supposed to be a delightful day for Mollie. She liked to entertain guests and was hosting a small luncheon. After getting dressed, she fed the children. Cowboy often had terrible earaches, and she'd blow in his ears until he stopped crying. Mollie kept her home in meticulous order, and she issued instructions to her servants as the house stirred, everyone bustling about—except Lizzie, who'd fallen ill and stayed in bed. Mollie asked Ernest to ring Anna and see if she'd come over to help tend to Lizzie for a change. Anna, as the oldest child in the family, held a special status in their mother's eyes, and even though Mollie took care of Lizzie, Anna, in spite of her tempestuousness, was the one her mother spoiled.

When Ernest told Anna that her mama needed her, she promised to take a taxi straight there, and she arrived shortly afterward, dressed in bright red shoes, a skirt, and a matching Indian blanket; in her hand was an alligator purse. Before entering, she'd hastily combed her windblown hair and powdered her face. Mollie noticed, however, that her gait was unsteady, her words slurred. Anna was drunk.



---- ***Mollie (right) with her sisters Anna (center) and Minnie*** Credit 4

Mollie couldn't hide her displeasure. Some of the guests had already arrived. Among them were two of Ernest's brothers, Bryan and Horace Burkhart, who, lured by black gold, had moved to Osage County, often assisting Hale on his ranch. One of Ernest's aunts, who spewed racist notions about Indians, was also visiting, and the last thing Mollie needed was for Anna to stir up the old goat.

Anna slipped off her shoes and began to make a scene. She took a flask from her bag and opened it, releasing the pungent smell of bootleg whiskey. Insisting that she needed to drain the flask before the authorities caught her—it was a year into nationwide Prohibition—she offered the guests a swig of what she called the best white mule.

Mollie knew that Anna had been very troubled of late. She'd recently divorced her husband, a settler named Oda Brown, who owned a livery business. Since then, she'd spent more and more time in the reservation's tumultuous boomtowns, which had sprung up to

house and entertain oil workers—towns like Whizbang, where, it was said, people whizzed all day and banged all night. “All the forces of dissipation and evil are here found,” a U.S. government official reported. “Gambling, drinking, adultery, lying, thieving, murdering.” Anna had become entranced by the places at the dark ends of the streets: the establishments that seemed proper on the exterior but contained hidden rooms filled with glittering bottles of moonshine. One of Anna’s servants later told the authorities that Anna was someone who drank a lot of whiskey and had “very loose morals with white men.”

At Mollie’s house, Anna began to flirt with Ernest’s younger brother, Bryan, whom she’d sometimes dated. He was more brooding than Ernest and had inscrutable yellow-flecked eyes and thinning hair that he wore slicked back. A lawman who knew him described him as a little roustabout. When Bryan asked one of the servants at the luncheon if she’d go to a dance with him that night, Anna said that if he fooled around with another woman, she’d kill him.

Meanwhile, Ernest’s aunt was muttering, loud enough for all to hear, about how mortified she was that her nephew had married a redskin. It was easy for Mollie to subtly strike back because one of the servants attending to the aunt was white—a blunt reminder of the town’s social order.

Anna continued raising Cain. She fought with the guests, fought with her mother, fought with Mollie. “She was drinking and quarreling,” a servant later told authorities. “I couldn’t understand her language, but they were quarreling.” The servant added, “They had an awful time with Anna, and I was afraid.”

That evening, Mollie planned to look after her mother, while Ernest took the guests into Fairfax, five miles to the northwest, to meet Hale and see *Bringing Up Father*, a touring musical about a poor Irish immigrant who wins a million-dollar sweepstakes and struggles to assimilate into high society. Bryan, who’d put on a cowboy hat, his catlike eyes peering out from under the brim, offered to drop Anna off at her house.

Before they left, Mollie washed Anna's clothes, gave her some food to eat, and made sure that she'd sobered up enough that Mollie could glimpse her sister as her usual self, bright and charming. They lingered together, sharing a moment of calm and reconciliation. Then Anna said good-bye, a gold filling flashing through her smile.

With each passing night, Mollie grew more anxious. Bryan insisted that he'd taken Anna straight home and dropped her off before heading to the show. After the third night, Mollie, in her quiet but forceful way, pressed everyone into action. She dispatched Ernest to check on Anna's house. Ernest jiggled the knob to her front door—it was locked. From the window, the rooms inside appeared dark and deserted.

Ernest stood there alone in the heat. A few days earlier, a cool rain shower had dusted the earth, but afterward the sun's rays beat down mercilessly through the blackjack trees. This time of year, heat blurred the prairies and made the tall grass creak underfoot. In the distance, through the shimmering light, one could see the skeletal frames of derricks.

Anna's head servant, who lived next door, came out, and Ernest asked her, "Do you know where Anna is?"

Before the shower, the servant said, she'd stopped by Anna's house to close any open windows. "I thought the rain would blow in," she explained. But the door was locked, and there was no sign of Anna. She was gone.

News of her absence coursed through the boomtowns, traveling from porch to porch, from store to store. Fueling the unease were reports that another Osage, Charles Whitehorn, had vanished a week before Anna had. Genial and witty, the thirty-year-old Whitehorn was married to a woman who was part white, part Cheyenne. A local newspaper noted that he was "popular among both the whites and the members of his own tribe." On May 14, he'd left his home, in the

southwestern part of the reservation, for Pawhuska. He never returned.

Still, there was reason for Mollie not to panic. It was conceivable that Anna had slipped out after Bryan had dropped her off and headed to Oklahoma City or across the border to incandescent Kansas City. Perhaps she was dancing in one of those jazz clubs she liked to visit, oblivious of the chaos she'd left trailing in her wake. And even if Anna had run into trouble, she knew how to protect herself: she often carried a small pistol in her alligator purse. She'll be back home soon, Ernest reassured Mollie.

A week after Anna disappeared, an oil worker was on a hill a mile north of downtown Pawhuska when he noticed something poking out of the brush near the base of a derrick. The worker came closer. It was a rotting corpse; between the eyes were two bullet holes. The victim had been shot, execution-style.

It was hot and wet and loud on the hillside. Drills shook the earth as they bore through the limestone sediment; derricks swung their large clawing arms back and forth. Other people gathered around the body, which was so badly decomposed that it was impossible to identify. One of the pockets held a letter. Someone pulled it out, straightening the paper, and read it. The letter was addressed to Charles Whitehorn, and that's how they first knew it was him.

Around the same time, a man was squirrel hunting by Three Mile Creek, near Fairfax, with his teenage son and a friend. While the two men were getting a drink of water from a creek, the boy spotted a squirrel and pulled the trigger. There was a burst of heat and light, and the boy watched as the squirrel was hit and began to tumble lifelessly over the edge of a ravine. He chased after it, making his way down a steep wooded slope and into a gulch where the air was thicker and where he could hear the murmuring of the creek. He found the squirrel and picked it up. Then he screamed, "Oh Papa!" By the time his father reached him, the boy had crawled onto a rock.

He gestured toward the mossy edge of the creek and said, “A dead person.”

There was the bloated and decomposing body of what appeared to be an American Indian woman: she was on her back, with her hair twisted in the mud and her vacant eyes facing the sky. Worms were eating at the corpse.

The men and the boy hurried out of the ravine and raced on their horse-drawn wagon through the prairie, dust swirling around them. When they reached Fairfax’s main street, they couldn’t find any lawmen, so they stopped at the Big Hill Trading Company, a large general store that had an undertaking business as well. They told the proprietor, Scott Mathis, what had happened, and he alerted his undertaker, who went with several men to the creek. There they rolled the body onto a wagon seat and, with a rope, dragged it to the top of the ravine, then laid it inside a wooden box, in the shade of a blackjack tree. When the undertaker covered the bloated corpse with salt and ice, it began to shrink as if the last bit of life were leaking out. The undertaker tried to determine if the woman was Anna Brown, whom he’d known. “The body was decomposed and swollen almost to the point of bursting and very malodorous,” he later recalled, adding, “It was as black as a nigger.”

He and the other men couldn’t make an identification. But Mathis, who managed Anna’s financial affairs, contacted Mollie, and she led a grim procession toward the creek that included Ernest, Bryan, Mollie’s sister Rita, and Rita’s husband, Bill Smith. Many who knew Anna followed them, along with the morbidly curious. Kelsie Morrison, one of the county’s most notorious bootleggers and dope peddlers, came with his Osage wife.

Mollie and Rita arrived and stepped close to the body. The stench was overwhelming. Vultures circled obscenely in the sky. It was hard for Mollie and Rita to discern if the face was Anna’s—there was virtually nothing left of it—but they recognized her Indian blanket and the clothes that Mollie had washed for her. Then Rita’s husband, Bill, took a stick and pried open her mouth, and they could see Anna’s gold fillings. “That is sure enough Anna,” Bill said.

Rita began to weep, and her husband led her away. Eventually, Mollie mouthed the word “yes”—it was Anna. Mollie was the one in the family who always maintained her composure, and she now retreated from the creek with Ernest, leaving behind the first hint of the darkness that threatened to destroy not only her family but her tribe.

2 ~~~ AN ACT OF GOD OR MAN?

A coroner's inquest, composed of jurors and led by a justice of the peace, was hastily convened at the ravine. Inquests were a remnant of a time when ordinary citizens largely assumed the burden of investigating crimes and maintaining order. For years after the American Revolution, the public opposed the creation of police departments, fearing that they would become forces of repression. Instead, citizens responded to a hue and cry by chasing after suspects. Benjamin N. Cardozo, the future Supreme Court justice, once noted that these pursuits were made "not faintly and with lagging steps, but honestly and bravely and with whatever implements and facilities are convenient and at hand."

Only in the mid-nineteenth century, after the growth of industrial cities and a rash of urban riots—after dread of the so-called dangerous classes surpassed dread of the state—did police departments emerge in the United States. By the time of Anna's death, the informal system of citizen policing had been displaced, but vestiges of it remained, especially in places that still seemed to exist on the periphery of geography and history.

The justice of the peace selected the jurors from among the white men at the ravine, including Mathis. They were charged with determining whether Anna had died by an act of God or man, and if it had been a felony, then they were tasked with trying to identify the principals and the accessories to the crime. Two doctors, the brothers James and David Shoun, who cared for Mollie's family, had been summoned to perform an autopsy. Leaning over the body, with members of the inquest huddled around them, they began to diagnose the dead.

Each corpse tells its own story. A fractured hyoid—a bone in the neck that supports the tongue—can indicate that a person has been strangled. Marks on the neck can further reveal whether the killer used his bare hands or a cord. Even a victim's torn fingernail can speak of a fateful struggle. An influential nineteenth-century manual on medical jurisprudence cited the saying “A medical man, when he sees a dead body, should notice everything.”

The Shoun brothers set up a plank as a makeshift table. From a medical bag, they removed a few primitive instruments, including a saw. The heat slithered into the shade. Flies swarmed. The doctors examined the clothes Anna wore—her bloomers, her skirt—searching for unusual tears or stains. Finding nothing, they tried to determine the time of death. This is more difficult than generally presumed, particularly after a person has been dead for several days. In the nineteenth century, scientists believed that they had solved the riddle by studying the phases a body passes through after death: the stiffening of the limbs (*rigor mortis*), the corpse's changing temperature (*algor mortis*), and the discoloring of the skin from stagnant blood (*livor mortis*). But pathologists soon realized that too many variables—from the humidity in the air to the type of clothing on the corpse—affect the rate of decomposition to allow a precise calculation. Still, a rough estimate of the time of death can be made, and the Shouns determined that Anna had been deceased between five and seven days.



.... *The ravine where Anna Brown's body was found* Credit 5

The doctors shifted Anna's head slightly in the wooden box. Part of her scalp slipped off, revealing a perfectly round hole in the back of her skull. "She's been shot!" one of the Shouns exclaimed.

There was a stirring among the men. Looking closer, they saw that the hole's circumference was barely that of a pencil. Mathis thought that a .32-caliber bullet had caused the wound. As the men traced the path of the bullet—it had entered just below the crown, on a downward trajectory—there was no longer any doubt: Anna's death had been cold-blooded murder.

Lawmen were then still largely amateurs. They rarely attended training academies or steeped themselves in the emerging scientific methods of detection, such as the analysis of fingerprints and blood patterns. Frontier lawmen, in particular, were primarily gunfighters and trackers; they were expected to deter crimes and to apprehend a

known gunman alive if possible, dead if necessary. “An officer was then literally the law and nothing but his judgment and his trigger finger stood between him and extermination,” the *Tulsa Daily World* said in 1928, after the death of a veteran lawman who’d worked in the Osage territory. “It was often a case of a lone man against a pack of cunning devils.” Because these enforcers received pitiful salaries and were prized for being quick draws, it’s not surprising that the boundary between good lawmen and bad lawmen was porous. The leader of the Dalton Gang, an infamous nineteenth-century band of outlaws, once served as the main lawman on the Osage reservation.

At the time of Anna’s murder, the Osage County sheriff, who carried the bulk of responsibility for maintaining law and order in the area, was a fifty-eight-year-old, three-hundred-pound frontiersman named Harve M. Freas. A 1916 book about the history of Oklahoma described Freas as a “terror to evil doers.” But there were also murmurings that he was cozy with criminal elements—that he gave free rein to gamblers and to bootleggers like Kelsie Morrison and Henry Grammer, a rodeo champion who had once served time for murder and who controlled the local distribution of moonshine. One of Grammer’s workers later admitted to authorities, “I had the assurance that if I was ever arrested...I would be turned out in five minutes.” A group of citizens from Osage County had previously issued a resolution—on behalf of “religion, law enforcement, home decency and morality”—stating, “That the people who believe a sworn officer of the Law should enforce the Law are hereby urged to see or write Sheriff Freas, at once, and urge upon him to do his sworn duty.”

When Sheriff Freas was informed about Anna’s murder, he was already preoccupied with Whitehorn’s slaying, and he initially sent one of his deputies to collect evidence. Fairfax had a town marshal, the equivalent of a police chief, who joined the deputy at the ravine while the Shoun brothers were still conducting the autopsy. To identify the murder weapon, the lawmen needed to extract the bullet that was apparently lodged in Anna’s skull. Using their saw, the Shouns cut through her cranium, then carefully lifted her brain and

placed it on the plank. “The brains were in such a bad shape,” David Shoun recalled. “You couldn’t trace the bullet at all.” He picked up a stick and probed the brain. The bullet, he announced, was nowhere to be found.

The lawmen went down to the creek, scouring the murder scene. By a rock on the bank were smears of blood, marking where Anna’s body had lain. There was no sign of the bullet, but one of the lawmen noticed a bottle on the ground, which was partially filled with a clear liquid. It smelled like moonshine. The lawmen surmised that Anna had been sitting on the rock, drinking, when someone came up behind her and shot her at close range, causing her to topple over.

The marshal spotted two distinct sets of car tracks running between the road and the gulch. He called out, and the deputy sheriff and the inquest members rushed over. It looked as though both cars had come into the gulch from the southeast, then circled back.

No other evidence was collected. The lawmen were untrained in forensic methods and didn’t make a cast impression of the tire marks, or dust the bottle for fingerprints, or check Anna’s body for gunpowder residue. They didn’t even photograph the crime scene, which, in any case, had already been contaminated by the many observers.

Someone, though, retrieved one of Anna’s earrings from her body and brought it to Mollie’s mother, who was too ill to venture to the creek. Lizzie instantly recognized it. *Anna was dead.* As with all Osage, the birth of her children had been the greatest blessing of Wah’Kon-Tah, the mysterious life force that pervades the sun and the moon and the earth and the stars; the force around which the Osage had structured their lives for centuries, hoping to bring some order out of the chaos and confusion on earth; the force that was there but not there—invisible, remote, giving, awesome, unanswering. Many Osage had given up their traditional beliefs, but Lizzie had held on to them. (A U.S. government official had once complained that women like Lizzie “keep up the old superstitions and laugh down modern ideas and customs.”) Now someone, *something*, had taken Lizzie’s oldest and most favored daughter

before her allotted time—a sign, perhaps, that Wah’Kon-Tah had withdrawn his blessings and that the world was slipping into even greater chaos. Lizzie’s health grew even worse, as if grief were its own disease.



.... **Mollie (right) with her sister Anna and their mother, Lizzie** Credit 6

Mollie relied on Ernest for support. A lawyer who knew them both noted that his “devotion to his Indian wife and his children is unusual...and striking.” He comforted Mollie as she threw herself into organizing Anna’s funeral. There were flowers to be purchased, along with a white metal coffin and a marble tombstone. Undertakers charged the Osage exorbitant rates for a funeral, trying to gouge them, and this was no exception. The undertaker demanded \$1,450 for the casket, \$100 for preparing and embalming the body, and \$25 for the rental of a hearse. By the time he was done tallying

the accessories, including gloves for the grave digger, the total cost was astronomical. As a lawyer in town said, “It was getting so that you could not bury an Osage Indian at a cost of under \$6,000”—a sum that, adjusted for inflation, is the equivalent of nearly \$80,000 today.

The funeral was arranged to reflect the family’s Osage and Catholic traditions. Mollie, who had gone to a missionary school in Pawhuska, regularly attended Mass. She liked to sit in the pews as the Sunday morning light came through the windows and listen to the sermon of the priest. She also liked to socialize among friends, and there was plenty of that on Sundays.

The funeral service for Anna began at the church. William Hale, Ernest’s uncle, was very close to Anna and Mollie’s family, and he served as one of the pallbearers. The priest chanted the rhythmic thirteenth-century hymn “Dies Irae,” which culminates with a supplication:

SWEET JESUS LORD MOST BLEST,
GRANT THE DEAD ETERNAL REST.

After the priest sprinkled holy water over Anna’s casket, Mollie guided her family and the other mourners to a cemetery in Gray Horse, a quiet, isolated spot overlooking the endless prairie. Mollie’s father and her sister Minnie were buried there in adjoining plots, and beside them was a freshly dug pit, damp and dark, awaiting Anna’s casket, which had been transported to the edge of the grave site. Her tombstone bore the inscription “Meet Me in Heaven.” Ordinarily at the cemetery the lid of a coffin was lifted a final time before interment, allowing loved ones to say good-bye, but the condition of Anna’s body made that impossible. More troubling, her face couldn’t be painted to signal her tribe and clan—a tradition at Osage funerals. If this ritual of ornamentation didn’t occur, Mollie feared Anna’s spirit might be lost. Still, Mollie and her family placed enough food in the casket for Anna’s three-day journey to what the Osage refer to as the Happy Hunting Ground.

The older mourners, like Mollie's mother, began to recite Osage prayer-songs, hoping that Wah'Kon-Tah would hear them. The great historian and writer John Joseph Mathews (1894–1979), who was part Osage, documented many of the tribe's traditions. Describing a typical prayer, he wrote, "It filled my little boy's soul with fear and bittersweetness, and exotic yearning, and when it had ended and I lay there in my exultant fear-trance, I hoped fervently that there would be more of it, and yet I was afraid that there might be. It seemed to me later, after I had begun to reason, that this prayer-song, this chant, this soul-stirring petition, always ended before it was finished, in a sob of frustration."

At the grave site, standing with Ernest, Mollie could hear the old people's song of death, their chants interspersed with weeping. Oda Brown, Anna's ex-husband, was so distraught that he stepped away. Precisely at noon—as the sun, the greatest manifestation of the Great Mystery, reached its zenith—men took hold of the casket and began to lower it into the hole. Mollie watched the glistening white coffin sink into the ground until the long, haunting wails were replaced by the sound of earth clapping against the lid.

3 **KING OF THE OSAGE HILLS**

The killings of Anna Brown and Charles Whitehorn caused a sensation. A banner headline in the *Pawhuska Daily Capital* read, TWO SEPARATE MURDER CASES ARE UNEARTHED ALMOST AT SAME TIME. Theories proliferated about who might be responsible. Two bullets were retrieved from Whitehorn's skull, and they appeared to have come from a .32-caliber pistol—the same kind of weapon that had been suspected in Anna's murder. Was it just a coincidence that both victims had been wealthy Osage Indians, in their thirties? Or was this, perhaps, the work of a repeat killer—someone like Dr. H. H. Holmes, who had murdered at least twenty-seven people, many of them during the 1893 World's Fair, in Chicago?

Lizzie relied on Mollie to deal with the authorities. During Lizzie's lifetime, the Osage had become dramatically unmoored from their traditions. Louis F. Burns, an Osage historian, wrote that after oil was discovered, the tribe had been "set adrift in a strange world," adding, "There was nothing familiar to clutch and stay afloat in the world of white man's wealth." In the old days, an Osage clan, which included a group known as the Travelers in the Mist, would take the lead whenever the tribe was undergoing sudden changes or venturing into unfamiliar realms. Mollie, though she often felt bewildered by the upheaval around her, took the lead for her family—a modern traveler in the mist. She spoke English and was married to a white man, and she had not succumbed to the temptations that had hurt many young members of the tribe, including Anna. To some Osage, especially elders like Lizzie, oil was a cursed blessing. "Some day this oil will go and there will be no more fat checks every few months from the Great White Father," a chief of the Osage said in

1928. “There’ll be no fine motorcars and new clothes. Then I know my people will be happier.”

Mollie pressed the authorities to investigate Anna’s murder, but most officials seemed to have little concern for what they deemed a “dead Injun.” So Mollie turned to Ernest’s uncle, William Hale. His business interests now dominated the county, and he had become a powerful local advocate for law and order—for the protection of what he called “God-fearing souls.”

Hale, who had an owlish face, stiff black hair, and small, alert eyes set in shaded hollows, had settled on the reservation nearly two decades earlier. Like a real-life version of Faulkner’s Thomas Sutpen, he seemed to have come out of nowhere—a man with no known past. Arriving in the territory with little more than the clothes on his back and a worn Old Testament, he embarked on what a person who knew him well called a “fight for life and fortune” in a “raw state of civilization.”

Hale found work as a cowboy on a ranch. Before trains crisscrossed the West, cowboys drove cattle from Texas to Osage territory, where the herds grazed on the lush bluestem grass, and then on to Kansas, for shipment to slaughterhouses in Chicago and other cities. These drives fueled the American fascination with cowboys, but the work was hardly romantic. Hale toiled day and night for a pittance; he rode through storms—hail, lightning, sand—and survived stampedes, guiding the cattle into smaller and smaller circles before they could trample him. His clothes carried the stench of sweat and manure, and his bones were frequently battered, if not broken. Eventually, he hoarded and borrowed enough money to buy his own herd in Osage territory. “He is the most energetic man I ever knew,” a man who invested in his business recalled. “Even when he crossed the street he walked as if he were going after something big.”

Hale soon went bankrupt—an embittering failure that only stoked the furnace of his ambition. After he started over in the cattle business again, he often slept in a tent on the cold windy plains, alone in his fury. Years later, a reporter described how he’d still pace before a fire “like a leashed animal. He nervously rubbed his hands

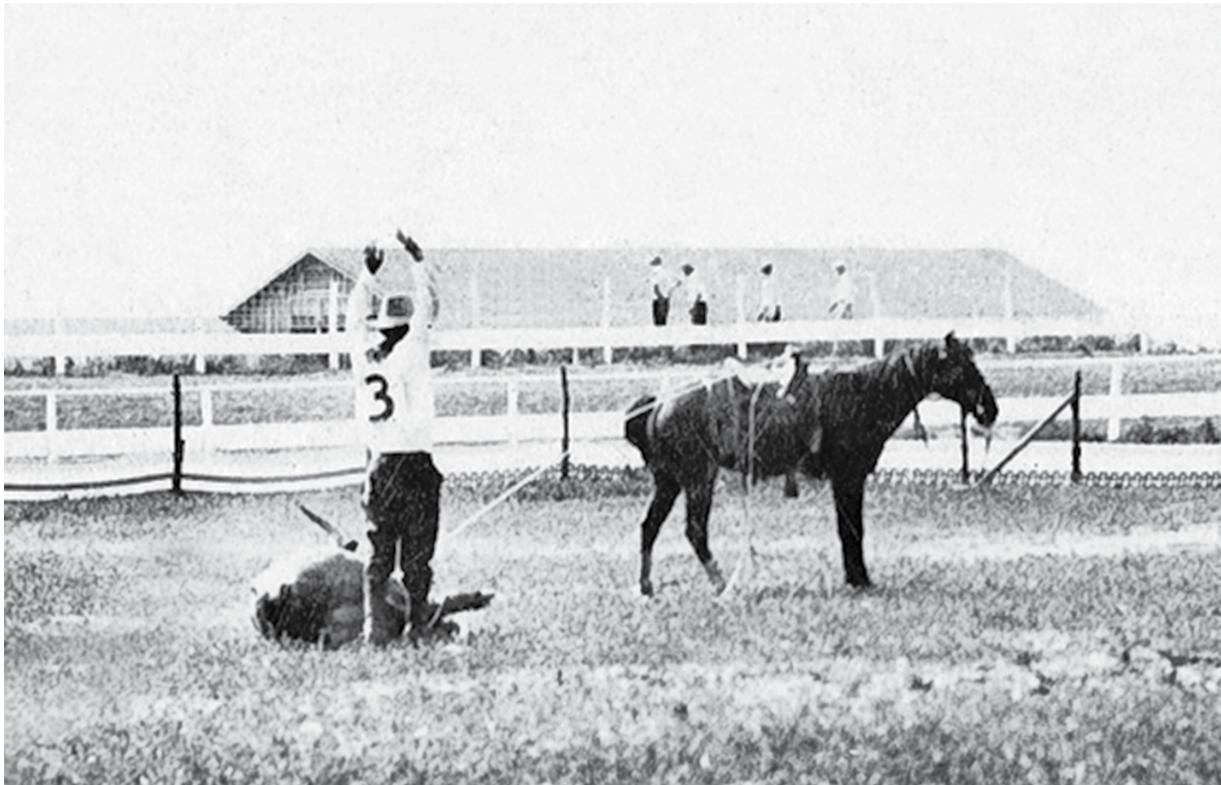
into the flames. His rather ruddy face was aglow with cold and excitement.” He worked with the fever of someone who feared not only hunger but an Old Testament God who, at any moment, might punish him like Job.

He became an expert at branding, dehorning, castrating, and selling stock. As his profits rose, he bought up more territory from the Osage and neighboring settlers until he had amassed some forty-five thousand acres of the finest grazing land in the county, as well as a small fortune. And then, in that uncanny American way, he went to work on himself. He replaced his ragged trousers and cowboy hat with a dandified suit and a bow tie and a felt hat, his eyes peering out through distinguished round-rimmed glasses. He married a schoolteacher and had a daughter who adored him. He recited poetry. Pawnee Bill, the legendary Wild West showman and the onetime partner of Buffalo Bill, described Hale as a “high-class gentleman.”

He was named a reserve deputy sheriff in Fairfax, a position that he would continue to hold. The title was largely honorific, but it enabled him to carry a badge and to lead posses, and he sometimes kept one pistol in his side pocket and another strapped to his hip. They represented, he liked to say, his authority as an officer of the law.

As his wealth and power grew, politicians courted his support, knowing that they couldn’t win without his blessing. He outworked and outwitted his rivals, making plenty of enemies who wanted him dead. “Some did hate him,” a friend admitted. Still, Mollie Burkhart and many others considered him Osage County’s greatest benefactor. He aided the Osage before they were flush with oil money, donating to charities and schools and a hospital. Assuming the mantle of a preacher, he signed his letters “Rev. W. K. Hale.” A local doctor said, “I couldn’t begin to remember how many sick people have received medical attention at his expense, nor how many hungry mouths have tasted of his bounty.” Later, Hale wrote a letter to an assistant chief of the tribe, saying, “I never had better friends in my life than the Osages....I will always be the Osages true Friend.” In this last

remnant of the American frontier, Hale was revered as the “King of the Osage Hills.”



.... **William Hale competing in a roping contest when he was a cowboy** Credit 7



---- *A transformed Hale standing with his daughter and wife* Credit 8

Hale frequently came by Mollie's house to collect Ernest, and not long after Anna's burial Hale showed up to pay his respects to Mollie and her mother. He vowed to obtain justice for Anna.

With his supreme confidence and his mastery of that secret world of whites (he often wore a diamond-studded pin from the Masonic lodge), it didn't seem to matter that he had no formal role in the murder investigation. He had always expressed affection for Anna—"We were mighty good friends," he said—and during another visit Mollie could see him huddled with Ernest, apparently talking about hunting down whoever had murdered her sister.

Members of the coroner's inquest, along with the county prosecutor, continued investigating Anna's death, and shortly after Anna's burial Mollie went to give evidence at a hearing in Fairfax. The Department of the Interior's Office of Indian Affairs—which

oversaw government relations with tribes and was later renamed the Bureau of Indian Affairs—had a field agent assigned to the Osage territory who knew Mollie. He said that she was “willing to do everything she can in order to...bring the guilty parties to justice.” The authorities had provided a translator for Mollie, but she waved him off and spoke in succinct English, the way the nuns had taught her as a child.

Mollie described for the jurors the final time that Anna visited her house. She said that Anna had left around sundown. In a later proceeding, a government official asked her, “How did she go?”

“She goes in a car.”

“Who was with her?”

“Bryan Burkhart.”

“Did you notice which direction they went?”

“Towards Fairfax.”

“Was anyone else in the car with Bryan and Anna?”

“No, just Bryan and Anna...”

“Did you see her any more alive after that?”

Mollie stayed composed. “No,” she said.

“You saw her body after it was found?”

“Yes.”

“How long was it about after this time you saw her leave your mother’s place with Bryan Burkhart, you saw her body?”

“About five or six days.”

“Where did you see the body?”

“At the pasture...just right there.”

At the inquest, while Mollie seemed eager to answer every question, to make sure that nothing was missed, the justice of the peace and the jurors asked her barely anything. Perhaps they discounted her because of prejudice—because she was an Osage and a woman. The panel questioned with greater depth Bryan Burkhart, about whom many locals had begun to whisper; after all, he was the last person seen with Anna before she went missing.

Bryan lacked the good looks of his brother Ernest, Mollie's husband, and there was something cold about his appearance; he had uncomfortably steady eyes. Hale had once caught him stealing his cattle and, to teach his nephew a lesson, filed charges against him.

The county prosecutor asked Bryan about the day that he said he'd given Anna a ride to her house. "When you brought her back, where did you go?"

"Come to town."

"When was this?"

"About 5 or 4:30."

"You haven't seen her since then?"

"No, sir."

At one point, the county prosecutor paused and asked, "*Positive?*"

"Yes, sir."

At a later hearing, Ernest was also questioned. A law-enforcement official pressed him about his brother: "You understand he is the last person seen with this woman, Anna Brown?"

"I understand," Ernest replied, adding that Bryan told him "he left her at her house. That is his story."

"Do you believe it?"

"Yes, sir."

Bryan was detained by the authorities after the first hearing. To Mollie's distress, they even held Ernest, too, in case he was covering for his younger brother. But both men were soon turned loose. There was no evidence implicating Bryan other than the fact that he'd been with Anna before she disappeared. When Ernest was asked if he had any information as to how Anna met her death, he said no, adding, "I don't know of enemies she had or anyone that disliked her."

A prevailing theory was that her killer came from outside the reservation. Once, the tribe's enemies had battled them on the

plains; now they came in the form of train robbers and stickup men and other desperadoes. The passage of Prohibition had only compounded the territory's feeling of lawlessness by encouraging organized crime and creating, in the words of one historian, "the greatest criminal bonanza in American history." And few places in the country were as chaotic as Osage County, where the unwritten codes of the West, the traditions that bound communities, had unraveled. By one account, the amount of oil money had surpassed the total value of all the Old West gold rushes combined, and this fortune had drawn every breed of miscreant from across the country. A U.S. Justice Department official warned that there were more fugitives hiding out in the Osage Hills than "perhaps any other county in the state or any state in the Union." Among them was the hard-boiled stickup man Irvin Thompson, who was known as Blackie maybe because of his dark complexion (he was a quarter Cherokee) or maybe because of his dark heart: a lawman described him as "the meanest man I ever handled." Even more notorious was Al Spencer, the so-called Phantom Terror, who had made the transition from galloping horses to speeding getaway cars and had inherited from Jesse James the title of the region's most infamous outlaw. The *Arizona Republican* said that Spencer, with his "diseased mind and a misguided love of adventure," appealed to the "portion of the population of the country that fed on false idolatry." Members of his gang, including Dick Gregg and Frank "Jelly" Nash, were themselves ranked among the most dreaded outlaws of the day.



.... ***Lawmen seize a moonshine still in Osage County in 1923.*** Credit 9



.... ***Al Spencer Gang members jokingly hold up others in their crew.***
Credit 10

A more unnerving theory about Anna's death was that her killer was living among them in sheep's clothing. Mollie and others began to harbor suspicions about Anna's ex-husband, Oda Brown, who called himself a businessman but spent most of his time carousing. In retrospect, his distraught manner had seemed almost too theatrically intense. An investigator wrote in his notes, "This may have been real grief or...for effect." After Anna had divorced him, she had denied him any inheritance, leaving virtually all of her fortune to Lizzie. Since the burial, Brown had hired a lawyer and had tried unsuccessfully to contest the will. The investigator concluded that Brown was "absolutely no good and capable of doing almost anything for money."

Several weeks after the funeral, a man who'd been arrested in Kansas for check forgery sent a letter to Sheriff Freas claiming that he had information concerning Anna's murder. "Honorable Sir," he wrote, "I hope to be some assistance to you." He didn't divulge what he knew, however, and upon receiving the message the sheriff set out in what the press described as a "fast automobile." Hale, who had been tipped off regarding the potential breakthrough, rushed to the jail as well. Under interrogation, the forger, a fidgety twenty-eight-year-old man, claimed that Brown had paid him \$8,000 to murder Anna. He described how he'd shot her in the head, then carried her body in his arms down to the creek.

Soon after his confession, a posse of lawmen swept in and seized Brown when he was in Pawhuska on business. The *Pawhuska Daily Capital* heralded the news: ANNA BROWN SLAYER CONFESSES CRIME. It added, "Oda Brown, Husband of Woman, Also Arrested." Mollie and her family were devastated by the notion that Oda was responsible for Anna's murder, but they could take solace in the thought of his facing justice, perhaps the hangman's noose or the electric chair. But within days authorities had conceded that there was no evidence to support the forger's claims—no evidence that he had been in Osage

County at the time of the murder or that Brown had ever contacted him. The authorities had no choice but to release Brown. "There's a lot of talk," the sheriff was quoted as saying. "But you have to have proof, not talk."

Like many officials, the county prosecutor owed his election at least in part to Hale. When he first ran for office, his advisers told him that he had to get Hale's endorsement, and so he made several trips to Hale's ranch. He could never find him, and finally a cattle inspector told him, "If you want to see Bill Hale, you will have to get to his ranch early—and I mean damned early." So, at three in the morning, the attorney parked his Model T at the ranch and went to sleep in the car. Before long, he was jolted awake by a fierce-looking man pressed against his window, demanding to know why he was trespassing. It was William Hale. The attorney explained his purpose, and Hale realized that he knew the attorney's parents, who had once sheltered him during a blizzard. Hale promised to turn out the vote for him. One of the attorney's advisers remarked that Hale "would not lie to anyone, and if he said he would do something, he would do it." On Election Day, the attorney carried every single precinct in that part of the county.

Hale had remained close with the county prosecutor and conferred with him and other officials about Anna's murder. Eventually, the county prosecutor decided to look again for the bullet that had eluded investigators during Anna's autopsy. A court order was obtained to unbury Anna. Scott Mathis, the Big Hill Trading Company owner who was friends with Hale and Mollie, was asked to supervise the grim task, and he went to the cemetery with his undertaker and a grave digger. The grass on Anna's plot had barely had time to grow back. The men began to prod the unforgiving earth with their spades, then reached down and lifted up the once white casket, now dirt blackened, and forced open the lid. An awful vapor, death itself, filled the air.

The Shoun brothers, who had performed the first autopsy, appeared at the cemetery and renewed their search for the bullet. This time, the brothers put on gloves and took out a meat cleaver, cutting Anna's head into "sausage meat," as the undertaker later put it. But, once again, the brothers found nothing. The bullet appeared to have vanished.

By July 1921, the justice of the peace had closed his inquiries, stating that Anna Brown's death had come at "the hands of parties unknown"—the same finding as delivered in the Whitehorn inquest. The justice locked away in his office the little evidence that he'd gathered, in case more information emerged.

Meanwhile, Lizzie—who'd once possessed the same energy and stubborn determination as Mollie—had grown sicker. Each day, she seemed to drift further away, to become more insubstantial; it was as if she had the same peculiar wasting illness that had consumed Minnie.

Desperate for help, Mollie turned to the Osage medicine men, who chanted when the eastern sky was red like blood, and to the new breed of medicine men, the Shoun brothers, who carried their potions in black bags. Nothing seemed to work. Mollie kept vigil over her mother, one of the last tethers to the tribe's ancient way of life. Mollie could not cure her, but she could feed her, and she could brush her long, beautiful, silvery hair from her face—a face that was lined and expressive, that maintained its aura.

One day that July, less than two months after Anna's murder, Lizzie stopped breathing. Mollie couldn't revive her. Lizzie's spirit had been claimed by Jesus Christ, the Lord and Savior, and by Wah'Kon-Tah, the Great Mystery. Mollie was overwhelmed with grief. As an Osage mourning prayer went,

*Have pity on me, O Great Spirit!
You see I cry forever,
Dry my eyes and give me comfort.*

Mollie's brother-in-law, Bill Smith, was one of the first to wonder if there was something curious about Lizzie's death, coming so soon after the murders of Anna and Whitehorn. A bruising bulldog of a man, Bill had also expressed deep frustration over the authorities' investigation, and he had begun looking into the matter himself. Like Mollie, he was struck by the peculiar vagueness of Lizzie's sickness; no doctor had ever pinpointed what was causing it. Indeed, no one had uncovered any natural cause for her death. The more Bill delved, conferring with doctors and local investigators, the more he was certain that Lizzie had died of something dreadfully unnatural: she'd been poisoned. And Bill was sure that all three deaths were connected—somehow—to the Osage's subterranean reservoir of black gold.

4 ~~~ UNDERGROUND RESERVATION

The money had come suddenly, swiftly, madly. Mollie had been ten years old when the oil was first discovered, had witnessed, firsthand, the ensuing frenzy. But, as the elders in the tribe had relayed to Mollie, the tangled history of how their people had gotten hold of this oil-rich land went back to the seventeenth century, when the Osage had laid claim to much of the central part of the country—a territory that stretched from what is now Missouri and Kansas to Oklahoma, and still farther west, all the way to the Rockies.

In 1803, President Thomas Jefferson purchased, from the French, the Territory of Louisiana, which contained lands dominated by the Osage. Jefferson informed his secretary of the navy that the Osage were a great nation and that “we must stand well, because in their quarter we are miserably weak.” In 1804, a delegation of Osage chiefs met with Jefferson at the White House. He told the navy secretary that the Osage, whose warriors typically stood well over six feet tall, were the “finest men we have ever seen.”

At the meeting, Jefferson addressed the chiefs as “my children” and said, “It is so long since our forefathers came from beyond the great water, that we have lost the memory of it, and seem to have grown out of this land, as you have done....We are all now of one family.” He went on, “On your return tell your people that I take them all by the hand; that I become their father hereafter, that they shall know our nation only as friends and benefactors.”

But within four years Jefferson had compelled the Osage to relinquish their territory between the Arkansas River and the Missouri River. The Osage chief stated that his people “had no choice, they must either sign the treaty or be declared enemies of the

United States.” Over the next two decades, the Osage were forced to cede nearly a hundred million acres of their ancestral land, ultimately finding refuge in a 50-by-125-mile area in southeastern Kansas. And it was in this place where Mollie’s mother and father had come of age.

Mollie’s father, who was born around 1844, went by his Osage name, Ne-kah-e-se-y. A young Osage man then typically wore fringed buckskin leggings and moccasins and a breechcloth; a finger-woven belt held his tobacco pouch and tomahawk. His chest was often bare, and his head was shaved, except for a strip of hair that ran from the crown to his neck and that stood straight up, like the crest of a Spartan’s helmet.

Along with other warriors, Ne-kah-e-se-y defended the tribe from attacks, and before heading into battle he would have painted his face black with charcoal and prayed to Wah’Kon-Tah, confirming that it was time, as the Osage put it, “to make the enemy lie reddened on the earth.” As Ne-kah-e-se-y grew older, he became a prominent figure in the tribe. Deliberate and thoughtful, he had an ability to study each situation before choosing a course of action. Years later, when the tribe created its first court system, which adjudicated mostly minor crimes, he was elected one of the three judges.

Lizzie also grew up on the reservation in Kansas, where she helped to provide for her family, harvesting corn and hauling wood over distances. She wore moccasins, leggings, a cloth skirt, and a blanket around her shoulders, and she painted the part in the middle of her hair red to symbolize the path of the sun. An Indian Affairs agent would later describe her as “industrious” and a “person of good character.”

Twice a year, when Lizzie and Ne-kah-e-se-y were young, their families and the rest of the tribe would pack their few earthly possessions—clothing, bedding, blankets, utensils, dried meat, weapons—lash them to horses, and set out on a sacred, two-month buffalo hunt. When a scouting party spotted a herd, Ne-kah-e-se-y and the other hunters raced on their horses across the plains, the hooves pounding the earth like drums, the manes whipping the

riders' sweating, gleaming faces. A French medical student, who accompanied the tribe on a hunt in 1840, said, "The race is a merciless one....Once the bison is reached, the animal tries to escape in another direction, he doubles to deceive his enemy; then seeing himself overtaken, he becomes enraged and turns against his aggressor."

Ne-kah-e-se-y would coolly draw his bow and arrow, which the Osage considered more effective than a bullet. When a bison was fatally wounded, the medical student recalled, "the beast vomits torrents of blood and falls to its knees before sinking to the ground." After the tail was cut off—as a trophy for the conqueror—nothing was left to waste: the meat was dried, the heart smoked, the intestines made into sausages. Oils from the bison's brain were rubbed over the hide, which was then transformed into leather for robes and lodge coverings. And still there was more to reap: horns were turned into spoons, sinews into bowstrings, tallow into fuel for torches. When an Osage chief was asked why he didn't adopt the white man's ways, he replied, "I am perfectly content with my condition. The forests and rivers supply all the calls of nature in plenty."

The Osage had been assured by the U.S. government that their Kansas territory would remain their home forever, but before long they were under siege from settlers. Among them was the family of Laura Ingalls Wilder, who later wrote *Little House on the Prairie* based on her experiences. "Why don't you like Indians, Ma?" Laura asks her mother in one scene.

"I just don't like them; and don't lick your fingers, Laura."

"This is Indian country, isn't it?" Laura said. "What did we come to their country for, if you don't like them?"

One evening, Laura's father explains to her that the government will soon make the Osage move away: "That's why we're here, Laura. White people are going to settle all this country, and we get the best land because we get here first and take our pick."

Though, in the book, the Ingallses leave the reservation under threat of being removed by soldiers, many squatters began to take the land by force. In 1870, the Osage—expelled from their lodges,

their graves plundered—agreed to sell their Kansas lands to settlers for \$1.25 an acre. Nevertheless, impatient settlers massacred several of the Osage, mutilating their bodies and scalping them. An Indian Affairs agent said, “The question will suggest itself, which of these people are the savages?”

The Osage searched for a new homeland. They debated purchasing nearly 1.5 million acres from the Cherokee in what was then Indian Territory—a region south of Kansas that had become an end point on the Trail of Tears for many tribes ousted from their lands. The unoccupied area that the Osage were eyeing was bigger than Delaware, but most whites regarded the land as “broken, rocky, sterile, and utterly unfit for cultivation,” as one Indian Affairs agent put it.

Which is why Wah-Ti-An-Kah, an Osage chief, stood at a council meeting and said, “My people will be happy in this land. White man cannot put iron thing in ground here. White man will not come to this land. There are many hills here...white man does not like country where there are hills, and he will not come.” He went on, “If my people go west where land is like floor of lodge, white man will come to our lodges and say, ‘We want your land.’...Soon land will end and Osages will have no home.”

So the Osage bought the territory for seventy cents per acre and, in the early 1870s, began their exodus. “The air was filled with cries of the old people, especially the women, who lamented over the graves of their children, which they were about to leave forever,” a witness said. After completing their trek to the new reservation, members of the tribe built several camps, the most significant one being in Pawhuska, where, on a prominent hilltop, the Office of Indian Affairs erected an imposing sandstone building for its field office. Gray Horse, in the western part of the territory, consisted of little more than a cluster of newly built lodges, and it was here where Lizzie and Ne-kah-e-se-y, who married in 1874, settled.

The series of forced migrations, along with such “white man’s diseases” as smallpox, had taken a tremendous toll on the tribe. By one estimate, its population dwindled to about three thousand—a third of what it had been seventy years earlier. The Indian Affairs agent reported, “This little remnant is all that remains of a heroic race that once held undisputed ownership over all this region.”



---- *An Osage camp on the new reservation* Credit 11

Although the Osage still went on buffalo hunts, they were chasing not only food but the past. “It was like life in the old days,” a white trader who accompanied them recalled. “The old men of the band were wont to gather about the campfires in a reminiscent mood and there recount the tales of prowess on the war-path and in the chase.”

By 1877, there were virtually no more American buffalo to hunt—a development hastened by the authorities who encouraged settlers to eradicate the beasts, knowing that, in the words of an army officer, “every buffalo dead is an Indian gone.” U.S. policy toward the tribes

shifted from containment to forced assimilation, and officials increasingly tried to turn the Osage into churchgoing, English-speaking, fully clothed tillers of the soil. The government owed the tribe annuity payments for the sale of its Kansas land but refused to distribute them until able-bodied men like Ne-kah-e-se-y took up farming. And even then the government insisted on making the payments in the form of clothing and food rations. An Osage chief complained, “We are not dogs that we should be fed like dogs.”

Unaccustomed to the white man’s agricultural methods and deprived of buffalo, the Osage began to go hungry; their bones soon looked as if they might break through their skin. Many members of the tribe died. An Osage delegation, including the chief Wah-Ti-An-Kah, was urgently dispatched to Washington, D.C., to petition the commissioner of Indian Affairs to abolish the ration system. According to an account by John Joseph Mathews, members of the delegation wore their best blankets and leggings, while Wah-Ti-An-Kah wrapped himself in a red blanket so entirely that you could see little more than his eyes, dark wells that burned with an entire history.

The delegation went to the commissioner’s office and waited for him. When the commissioner arrived, he informed an interpreter, “Tell these gentlemen that I am sorry that I have another appointment at this time—I am sorry I had forgotten about it until just now.”