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Article Summary: The decision in May 1879 in the case known as "*Standing Bear vs. Crook*," signaled a change in the treatment of the Indian by the white man. On its surface, this decision reflected the fulfillment of a popular belief that General Crook and the Army in the West was brutal and uncaring toward the Indians. However, the old stereotype is not true. For the first time, the right of the Interior Department to do whatever it would do with the Indians had been challenged, and the challenge was successful. General George Crook was instrumental in this outcome.

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"A BETTER WAY":
GENERAL GEORGE CROOK AND
THE PONCA INDIANS

By JAMES T. KING

Early in May, 1879, Judge Elmer S. Dundy, United States District Judge for Nebraska, handed down a decision which was hailed at the time—albeit somewhat optimistically—as a revolution in the treatment of the Indian by the white man. The case was popularly known as "Standing Bear vs. Crook," and involved General George Crook, commander of the military Department of the Platte at Omaha, and Standing Bear, a ranking chief of the Ponca tribe. Dundy's decision stated that Crook had illegally arrested and confined Standing Bear and a small group of Ponca Indians, and that the General was therefore ordered by the court to release the Indians from custody.¹

On the face of it, the affair seems to coincide quite well with popular notions about the role of the Army in the West. According to the theme hallowed by generations of writers of novels, movie scenarios and television plots, "Standing Bear vs. Crook" should have been simply another example of the Army's brutal and relentless attempts to exterminate the Indian. If the scenario writer were to continue the story, Crook and his blue-coated henchmen would presumably slink back to their fort to plot the next assault on the Indians. Even reputable historians help to perpetuate the hoary legends. One, for example, has recently

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written of "frontier army commanders like Generals Crook and Custer [who] had frankly followed a 'surrender-or-be-slaughtered' policy."²

In fact, however, the old stereotype simply is not true. The regular Army officer in the West often found himself sympathizing with the Indian rather than with the government, and there were few officers indeed who could support a "surrender-or-be-slaughtered" policy as a key to peace in the West. Although the occasions on which a soldier might be able to translate his sympathies into action were rare, when such occasions did arise, the results could be startling. "Standing Bear vs. Crook" is a case in point. George Crook was one officer who was both able and willing to take advantage of such a situation, and the results in this instance had both immediate and long range significance. Far from playing the "heavy" in this drama, General Crook not only sympathized with Standing Bear, but evidently was instrumental in arranging the case against himself. Furthermore, once the trial was over, Crook gave active and continuing support to civilian efforts to rectify the injustices suffered by the Ponca.

At the time of the Ponca dispute, George Crook was already one of the best-known soldiers of his day. His acquaintance with the frontier had begun almost immediately upon his graduation from West Point in 1852, when he joined his regiment in California. There he participated in most of the Pacific Coast Indian wars of the 1850's. Upon leaving the frontier for service in the Civil War, he carried with him the conviction, born of his experiences, that the Indian was more often sinned against than sinning.³ He rose to the rank of major general in the volunteers during the Civil War, and in 1866 he re-entered the regular Army as a lieutenant colonel of infantry with a brevet commission of major general. His service on the frontier resumed at once, and he was sent first to the Pacific northwest to engage in campaigns in Idaho, Oregon, and California. Then, in 1871, he was given command of the Department of Arizona, where he earned a brigadier

general's star by putting down the Apache uprising with an effective combination of firmness and justice. By the time of his appointment in 1875 to command the Department of the Platte, the General had already become fond of asserting—and with some justification—that he had “had as much experience in the management of Indian affairs as any man in the country,” and his official reports had already become his forum for urging a humane and enlightened Federal Indian policy.⁴

Previous to his coming to Omaha, Crook's ideas on Indian policy were restricted almost entirely to his official reports. As late as 1871 he had written to his close friend Rutherford B. Hayes that—although he had “expressed myself officially to the War Department” in opposition to aspects of government policy—he felt it would be an “impropriety” for him to take a public stand.⁵ After having taken command of the Department of the Platte, Crook evidently came to the conclusion that his official reports were doing little good. In 1878 he spoke out openly against injustices which had driven the Bannock and Shoshone to rebellion. Early in 1879, after the affair at Fort Robinson which claimed the lives of a number of Cheyenne, Crook publicly took the side of the Indians against the government.⁶ In his earlier years of service, Crook had had little to do with civilian reformers who wished to “uplift” and civilize the Indians, and he tended to regard them all as meddling, impractical visionaries.⁷ Yet in 1879 there developed a situation which not only would bring Crook again openly into conflict with government policies, but also would bring him into alliance with the very group of reformers whom he had so long mistrusted.

The matter at issue was the plight of the Ponca tribe. Two years previously the government had moved the quiet, friendly Ponca tribe from their Niobrara River reservation on the Nebraska-Dakota border to a new reservation in the Indian Territory (present Oklahoma). The action was necessary, Secretary of the Interior Carl Schurz later explained, because the Ponca reservation had been given over

to their ancient enemies, the Sioux, and the former residents had to be moved for their own protection—this despite the facts that the Ponca owned their land in fee simple, that the Sioux did not want the reservation, and that the two tribes had recently exchanged pledges of friendship.⁸ The following year was one of unrelieved misery for the Ponca tribe. The combination of the hard overland journey, the sudden change of climate, a lack of shelter and inadequate food took a heavy toll of human life; of the original 700 Ponca Indians who had started from Nebraska, 158 were dead within twelve months of their departure. The tribesmen had been forced to leave their homes, their farms, and their agricultural implements behind, and—as Judge Dundy later put it—found themselves suddenly in a “country in which they can see little but new made graves opening for their reception.”⁹

At last, early in 1879, Standing Bear and about thirty of his people left the new reservation and made their way back to Decatur, Nebraska. There they were welcomed by their old neighbors, the Omaha, and given shelter and provisions. As soon as the arrival of Standing Bear's party was confirmed, Secretary Schurz notified the War Department that the Ponca had left Indian Territory “without permission,” and requested that “the nearest military commander be instructed to detail a sufficient guard to return these Poncas to the Agency where they belong.”¹⁰

“The nearest military commander” was General George Crook. The General sent a detachment of troops to arrest the Ponca, and the Indians were placed in detainment at Fort Omaha on March 27. The post commander, Colonel John H. King, reported that serious illness among the Ponca and the weakness of their horses would make it impossible for the Indians to return to Indian Territory at once.¹¹ It is barely possible that the delay may have been more Crook's idea than King's. Whatever the case, that delay provided time for several important developments.

The first development was the establishment of contact between Crook and the assistant editor of the Omaha

General George Crook.



Herald, Thomas H. Tibbles. Crook had been acquainted with Tibbles for at least a year, or perhaps longer. It was the *Herald*, in fact, which had provided the place for Crook's early ventures into public pronouncements on federal Indian policy, and it was Tibbles who rendered the General's ideas into the form of a personal interview.¹² Now, in a way which still is not entirely clear, Crook again entered into an alliance with Tibbles.

The two men were a study in contrasts. Crook was dour and withdrawn, reticent to the point of severity. Tibbles was effusive, bombastic, and loquacious. Crook had spent his entire adult life in one profession, the military. Tibbles, by his own testimony, had "a strange history." He described himself as a man who "had been born on the frontier, never had had any raising, and did not pretend to be civilized." He was a thorough newspaper man, and had held positions as an editorial writer on several leading papers. He had the medical, legal, theological, turf, stage, and musical terms at his "tongue's end." He had "commenced life," he related, "by enlisting in Jim Lane's company in Kansas in 1856," and—often in company with John Brown—had participated in "every prominent fight" in the Kansas civil war. He had been a preacher,

a Pullman-car conductor, and had lived with the Indians as a member of the Soldier Lodge. Now, after years of wandering, he had arrived at Omaha as editorial writer for the *Herald*.¹³

There is some question about the way in which Tibbles was told of the Ponca difficulties. In an account written in 1880, Tibbles speaks rather vaguely about an unidentified city editor who came into the *Herald* office late one evening to report Crook's arrest of the Ponca.¹⁴ Many years later, however, after Crook's death, Tibbles was much more specific. It was not a newspaperman at all, he asserted in 1905, but Crook himself who had borne the story of the Ponca troubles. Moreover, Tibbles related, Crook had appealed to him for help, and the newspaperman now presented their conversation in detail.

"During twenty-five or thirty years that I've been on the plains in the government service," Crook is supposed to have said, "I've been forced many times by orders from Washington to do most inhuman things in dealing with the Indians, but now I'm ordered to do a more cruel thing than ever before." Tibbles quotes the General as stating that "I would resign my commission," if that would keep the order from being carried out, but that he knew it would not. He would appeal to Washington, except that Washington "always orders the very opposite of what I recommend." Therefore, he had come to see whether Tibbles, as an editor of "a great daily newspaper," would take up the matter.¹⁵

Tibbles would appear to have no reason to fabricate this story, and although the words may be Tibbles', the sentiments are certainly characteristic of Crook. If the sense of the story is accurate, as it very possibly is, the two men confirmed their alliance after hours of discussion in the editorial offices of the *Herald*. No doubt taking some dramatic license to give the conversation its proper Victorian heroics, Tibbles has himself say that, once in the fight, "I should never give up till I won or died."

Crook is made to reply, just as heroically, "If we can do something for which good men can remember us when we're gone, that's the best legacy we can leave. I promise you that if you'll take up this work, I'll stand by you." Whoever the participants and whatever the nature of the conversation that night, Tibbles did take up the cause, and Crook staunchly stood by him. A quarter of a century later, Tibbles could write that "at long last the outcome of General Crook's appeal to me was that our government reversed its hundred-year-old policy towards a whole race of people."¹⁶

The next day, March 31, 1879, brought a second important development in the Ponca situation. General Crook, accompanied by his staff and several other officers, formally interviewed Standing Bear and several of his tribesmen. The only civilian white man present was "Mr. Tibbles of the 'Omaha Herald.'" Although the other Ponca Indians wore ordinary white men's clothing, Standing Bear had arrayed himself for the occasion in the full dress of a Ponca chieftain. Captain John G. Bourke, the General's aide-de-camp, was impressed by "this noble looking Indian, tall and commanding in presence, dignified in manner and very elegantly dressed."¹⁷

Invited by the General to speak, Standing Bear recounted the unhappy story of the Ponca's enforced removal. His speech was almost a model of Indian eloquence. They had built their farms on the Niobrara, the chief said, and had hoped to adopt the white man's ways. But, Standing Bear related, "then some power took hold of me, as by the arm, and made me stand up and told us to go south. They took us to a very bad place." He told of the illness which had ravaged the tribe like "some unseen force" which "came down upon us and crushed us to the earth." The chief then made a moving appeal to all who were present. "My brothers," he said, "it seems to me as if I stood in front of a great prairie fire. I would take up my babies and run to save their lives; or as if I stood on the bank of an overflowing river, and I would take my people and



Thomas Henry Tibbles.

move to higher ground. Oh! my brothers, the Almighty looks down on me, and knows what I am, and hears my words. May the Almighty send a good spirit to brood over you, my brothers, to move you to help me.”¹⁸

Standing Bear's oratory had its desired effect; the audience was deeply moved. Crook remarked quietly that "I have heard all this story before. It is just as they represent it. It has long since all been reported to Washington." But the General took the only position he officially could. He had a direct order and he would have to obey it: "It is," he said, "a very disagreeable duty." He assured the Indians, however, that they could stay a few more days until they were better able to travel. Captain Bourke was as unhappy as the General, but his reactions were less restrained. This affair, he wrote in his diary, was an example of "the cruel and senseless way in which [the] Government of the United States deals with the Indian tribes who confide in its justice or trust themselves to its mercy," and he observed bitterly that "our Government's good intentions are always in the inverse ratio of its power [over the Indians], as we become stronger we become more and more indifferent to our obligations."¹⁹

While Crook watched over the Ponca at Fort Omaha, Tibbles was working feverishly. He telegraphed the story of the interview to eastern newspapers and wrote a heated editorial for the *Herald*.²⁰ He quickly enlisted the support of the ministers of leading churches in Omaha, and they in turn sent a telegram to Secretary Schurz imploring that the removal order be reversed. Tibbles then roughed out a court case based in the Fourteenth Amendment and took it to his friend John L. Webster, a young lawyer, and to A. J. Poppleton, the chief attorney of the Union Pacific Railroad, both of whom agreed to handle the case without a fee. The three of them then drew up a writ of *habeas corpus*. Judge Dundy was contacted and he agreed to hear the case at Lincoln. According to Tibbles, Crook was well aware of all this activity and was "the most anxious person I ever saw to have a writ served on him." On April 8 the writ was served and, for the time being, the Ponca were safe. They could stay at Fort Omaha until the disposition of their case.²¹

On April 30, 1879, Judge Dundy's gavel signalled the opening of the case of the *United States ex rel. Standing Bear vs. Crook*. The trial lasted two days, and since it had attracted national attention, Tibbles was careful to contribute his share in making all the details available to the American public. Crook, who habitually wore civilian clothing, made one of his rare appearances in the dress uniform of a brigadier general, and he headed an equally glittering military delegation. Chief Standing Bear appeared once again in his tribal regalia. The government's case was simply that an Indian was neither a person nor a citizen within the meaning of the law, and therefore could bring no suit of any kind against the government.²²

The case for the Ponca stated that, first, in time of peace there is no existing authority for transporting Indians from one place to another without their consent, nor is there authority to arrest or confine Indians for the purpose of moving them; and, second, that the Indian is indeed a person within the meaning of the *habeas corpus* act, and

when it can be shown that he is deprived of a liberty, which is "a natural, inherent and inalienable right," then he is entitled to sue out a writ of *habeas corpus* in the federal courts.

The trial hit a slight snag when Crook found that the government had inserted over his signature a statement to the effect that the Ponca had not been leading a civilized life, that they had violated the law by going to the Omaha reservation, and that they were not being restrained illegally. Crook protested formally through the Judge Advocate of the Department of the Platte, Major Horace B. Burnham, that the government's case did not require that he sign a statement which he believed to be untrue. Dundy tried to explain that as commanding general Crook was signing it, not personally, but as a government official. Despite the General's continued protest, the court placed the offending paragraph in the body of the return, and the trial proceeded.²³

Whatever the merits of the case presented by Poppleton and Webster, it is likely that Standing Bear himself had considerable influence on the outcome of the trial. After both cases had been presented, Judge Dundy permitted the chief to address the court in his own behalf. If anything, Standing Bear was more eloquent than he had been at Fort Omaha. The chief rose slowly, extended his hand and, after several long moments, looked up at Judge Dundy. "That hand is not the color of yours," he said, "but if I pierce it, I shall feel pain. If you pierce your hand, you also feel pain. The blood that will flow from mine will be of the same colour as yours. I am a man. The same God made us both." Then, in a narrative heavily laden with allegory, he described himself as facing a rushing, rising river, with apparently impassable, perpendicular cliffs behind him. Then he finds a path to safety. "But," Standing Bear concluded, "a man bars the passage. . . . If he says that I cannot pass, I cannot. The long struggle would have been in vain. My wife and child and I must return and sink beneath the flood. We are weak and faint



Standing Bear.

and sick. I cannot fight." The chief's head was bowed. Then he looked up at Judge Dundy. "You are that man."²⁴

According to Tibbles, "there was silence in the court as the chief sat down. Tears ran down the judge's face. General Crook leaned forward and covered his face with his hands. Some of the ladies sobbed." Suddenly the silence was broken by cheers and the crowd rushed forward. Crook was the first to grasp Standing Bear's hand. Tibbles was the second.²⁵

Several days later, Dundy rendered his decision. "I have never been called upon," the judge stated in his preliminary remarks, "to hear or decide a case that appealed so strongly to my sympathy as the one now under consideration." It was to General Crook's everlasting credit, Dundy believed, that "he has no sort of sympathy in the

business in which he is forced by his position to bear a part so conspicuous." In his decision Dundy maintained that if the Indian must obey the laws of the land, then he must also be afforded the protection which those laws provide; that the term "person" in legal terms was meant to exclude no one, whether citizen or foreigner, Indian or Caucasian; and that the *habeas corpus* suit was valid, the Ponca were being illegally detained, and they must be freed.²⁶

For the first time the right of the Interior Department to do whatever it would do with the person of an Indian had been challenged, and the challenge had been successful. However pleased the Ponca may have been to know that they were now "persons" in the eyes of the law, they were still left without their homes in the north. The next step, therefore, was to restore to them their ancestral lands on the Niobrara.

Tibbles writes that "General Crook, Mr. Webster and I talked long and often about which move to make next." It was decided that Tibbles would resign his position at the *Herald* and lead a national campaign in behalf of the Ponca. In June, 1879, he left Omaha for the east.²⁷ He carried with him many documents—the transcript of the trial, endorsements by prominent clergymen and a letter from the Governor of Nebraska, for example—but perhaps one of the most significant was a long letter from George Crook.

The letter is important for several reasons. First of all, it provided Tibbles with some potent ammunition in his war with the Department of the Interior. Tibbles quoted portions of it in his speeches and in his book *The Ponca Chiefs*, and it was featured prominently in its entirety in the national press. The letter is also the first of what would be many similar letters to persons in the Indian Rights movement, and it both summarized his thought and experiences to that time and suggested his future course of action.²⁸

Crook's statement was clearly designed for publicity purposes. Formal in tone, it ranged widely over the entire question of United States Indian policy and its shortcomings. Like other Nineteenth Century reformers, Crook was convinced that the Indian's best hope—indeed, with the disappearance of game animals, his only hope—lay in settling down to a peaceful agricultural existence, with the expectation that he soon would be absorbed into mainstream of American life. "The leading chiefs," Crook wrote to Tibbles,

thoroughly understand the changed condition of affairs;—they see that they can no longer depend upon game for their support, and are anxious to obtain cattle, seeds and implements and to have their children educated. They see the necessity of adopting the white man's ways and of conforming to the established order of things. But, I am sorry to say, they have, to a very great degree, lost confidence in our people and their promises. Indians are very much like white men in being unable to live upon air.

Crook believed that a fundamental problem was the Indian's lack of protection either in life or property. "Keep white thieves from plundering him," Crook wrote, "let him see that *Peace* means *Progress*; that he has a market for every pound of beef, every hide and every sack of grain, and, my word for it, he will make rapid advances." Although Crook acknowledged the good work of "conscientious, able men" already being done, he believed that some kind of systematic national effort was necessary. "Between the advocates of the theory that an Indian is incapable of good," he wrote, "and the supporters of the antipodal idea that he will never do wrong, the red man is in danger of annihilation;—of starving to death in the centre of a country which is feeding the world with its exuberant harvests, or being killed for trying to defend rights which the Negro or Mongolian are allowed to enjoy."²⁹ This, then, would become the core of Crook's theory of Indian management—the protection of the Indian's human rights as he developed into an agrarian capitalist and earned his place in the American democratic system. These ideas were



*Standing Bear as
photographed in 1904.*

more closely defined and put into broad practice several years later when Crook returned to his old command in the Department of Arizona. And it was these same ideas which helped to bring him into his famous conflict with General Philip H. Sheridan, resulting in his resignation from the Department of Arizona and return to the Department of the Platte.³⁰

Upon arriving in the East in the summer of 1879, Tibbles had thrown himself eagerly into his campaign in behalf of the Ponca. He had been joined by Standing Bear and by an attractive, well-educated Indian girl, Susette La Flesche. Susette was better known by her Indian name, Bright Eyes, and soon would become Mrs. Thomas H. Tibbles. The eloquence of Standing Bear, the beauty and intelligence of Bright Eyes, and the enthusiasm of Tibbles proved to be an electric combination. The trio gained the hearty support of such humanitarians as Helen Hunt Jackson, Henry Wadsworth Longfellow, and Boston's Mayor Frederick O. Prince. Tibbles succeeded in obtaining money, sympathy and a pledge from the Department of the Interior that the Ponca were welcome to their

old reservation if they wanted it. He did not succeed, however, in his hope to have *Standing Bear vs. Crook* carried to the Supreme Court. Fearful of a ruling which might remove his control over any Indian who might leave a reservation, Schurz halted appeal proceedings, and there was no longer anything for the Supreme Court to consider.³¹

Towards the end of 1880, the Ponca question grew more heated and less illuminating. Secretary Schurz steadfastly refused to accept responsibility for what he admitted was an unjust situation, and he attempted to shift the blame to others, who promptly shifted it back. President Hayes, convinced that "a great and grievous wrong has been done to the Poncas," decided to establish a commission which could thoroughly examine the situation. Perhaps it was simply chance that General Crook was in Washington in December, 1880, and that he had visited with his friend the President. In any event, the day after that visit Crook was appointed to the Ponca Commission. "My only wish in the affair," the President wrote, "is that the investigation may be thorough and fair, to the end that complete justice may be done to the Poncas for the wrongs they have suffered, preferring rather to go beyond than to fall behind full redress."³²

Crook was joined on the Commission by General Nelson A. Miles, by William Stickney of the Board of Indian Commissioners, and by Walter Allen of Boston. By any evaluation the investigation fulfilled the President's wish that it be "thorough and fair." The Commission began its hearings in Washington, then took testimony at the new Ponca reservation in Indian Territory, and ended its investigation by interviewing the Ponca in Nebraska. The Commissioners reported to the President their belief that the removal of the Ponca "was not only most unfortunate for the Indians, resulting in great hardships and serious loss of life and property, but was injudicious and without sufficient cause." To the Commission's surprise, however, the southern tribesmen had decided to remain in Indian

Territory. The Secretary of the Interior in recent months had sincerely been trying to make amends, and he had expedited the construction of homes and barns for the southern Ponca. The improved conditions may have contributed to the willingness of the southern Ponca to remain on the new reservation; the Commission suspected that it was due rather to their despair of ever regaining their rights in the north.

But the Ponca in Nebraska, the Commission reported, "pray that they may not again be disturbed." Therefore, both groups of Ponca should be permitted to remain where they were, a cash indemnification should be made for the hardships they had suffered, and "prompt action" should be taken to provide for schooling, agricultural implements, stock, and seed.³³ On March 3, 1881, Congress fulfilled the Commission's recommendations with an appropriation of \$165,000. The case of the Ponca was closed. Its significance, however, lay far beyond the limits of that small tribe. One historian has suggested that "as a direct outgrowth of the enthusiasm aroused" by the Ponca controversy, "the Boston philanthropists continued to work for the betterment of the Indians; the Board of Indian Commissioners received new vigor, and earnest men and women organized the Indian Rights Association."³⁴

For George Crook the Ponca affair was the first step in his growing involvement in the movement for Indian Rights. He maintained his contact with Tibbles and found new allies among Eastern humanitarians. In the next decade he would become a leader in efforts to bring education and citizenship to the Indian.

For Thomas H. Tibbles, the Ponca controversy was another chapter in a diverse career. Although he too would continue to work for Indian rights, the future also would bring him editorial positions on several newspapers, a few years of farming near Bancroft, Nebraska, a return to the *Omaha World-Herald*, and a nomination

in 1904 for the Vice-Presidency of the United States on the Populist ticket.

For the Ponca, the affair showed that justice was not impossible within the white man's law. At last, perhaps, many of Standing Bear's tribesmen could echo the words he spoke to John L. Webster just after Judge Dundy's decision. "Hitherto," Standing Bear had said, "when we have been wronged we went to war to assert our rights and avenge our wrongs." The chief stooped down and placed a tomahawk on the floor at Webster's feet, then rose and folded his arms. "I lay it down," he said; "I have no more use for it; I have found a better way."³⁵

NOTES

¹ Dundy's decision is reprinted in its entirety in "Zylyff" [T. H. Tibbles] *The Ponca Chiefs*. . . (Boston, 1880), pp. 106-127.

² See A. F. Rolle's introduction to Helen Hunt Jackson, *A Century of Dishonor* (New York, 1965), p. xv.

³ James T. King, "George Crook: Indian-Fighter and Humanitarian," *Arizona and the West*, IX, 4 (Winter, 1967), pp. 337-8; Marvin F. Schmitt, ed., *General George Crook, His Autobiography* (Norman, 1960), chapters I and II.

⁴ See, for example, Crook to AAG, Military Division of the Missouri, HQ Dept. of the Platte, Sept. 27, 1879. National Archives and Records Service (NARS) Records Group (RG) 98; Crook to AAG, Military Division of the Pacific. HQ Dept. of Arizona, Sept. 22, 1873. NARS RG 98.

⁵ Crook to R. B. Hayes. Prescott, A. T., Oct. 14, 1871. Rutherford B. Hayes Library, Fremont, Ohio.

⁶ *Omaha Herald*, July 28, 1878; *Annual Report of the Secretary of War, 1879* (Washington, 1879), p. 77.

⁷ See, for example, Crook to R. B. Hayes. Prescott, A. T., Nov. 28, 1871. Rutherford B. Hayes Library, Fremont, Ohio.

⁸ Stanley Clark, "Ponca Publicity," *Mississippi Valley Historical Review*, XXIX, 4 (March, 1943), p. 502; Carl Schurz, "The Removal of the Poncas," *The Independent*, XXXII, 1622 (January 1, 1880), p. 1.

⁹ Tibbles, *Ponca Chiefs*, p. 119.

¹⁰ Secretary of Interior to Secretary of War, Washington, D. C., March 7, 1879. Copy in LR, Department of the Platte. NARS RG 98.

¹¹ J. H. King to AAG, Department of the Platte. HQ Ft. Omaha, March 28, 1879. LR Dept. of the Platte. NARS RG 98.

¹² See for example the *Omaha Herald*, July 23, 1878.

¹³ Tibbles, *Ponca Chiefs*, pp. 17-19.

¹⁴ *Ibid.*, p. 17.

¹⁵ T. H. Tibbles, *Buckskin and Blanket Days* (London, 1958), pp. 177-9.

¹⁶ *Ibid.*

¹⁷ J. G. Bourke, "Conference held between Brigadier General George Crook and a small band of Indians of the Ponca Tribe," Fort Omaha, March 31, 1879. Transcript inserted after diary entry for Sept. 9, 1878. Bourke Diaries, United States Military Academy Library, West Point, N. Y. Bourke also inserted Tibbles' transcript, clipped from the *Herald*, which he regarded as "more elaborate" and as "accurate" as his own.

¹⁸ *Ibid.*

¹⁹ *Ibid.*

²⁰ In the *Herald*, April 1, 1879, the story was headed "Criminal Cruelty," and—to guarantee that the reader would get the point—a subhead read "A Tale of Cruelty That was Never Surpassed."

²¹ Tibbles, *Ponca Chiefs*, pp. 29-31, 37-41; Tibbles, *Buckskin and Blanket Days*, p. 183.

²² A transcript of the trial appears in Tibbles, *Ponca Chiefs*, pp. 77-127.

²³ *Ibid.*, pp. 51-2.

²⁴ Tibbles, *Buckskin and Blanket Days*, p. 184.

²⁵ *Ibid.*, pp. 184-5; *Omaha Herald*, May 2, 1879; Tibbles, *Ponca Chiefs*, pp. 104-5.

²⁶ Tibbles, *Ponca Chiefs*, pp. 107-8, 113-5, 126-7.

²⁷ Tibbles, *Buckskin and Blanket Days*, p. 187.

²⁸ Crook to T. H. Tibbles. HQ Dept. of the Platte, Ft. Omaha, Nebr., June 19, 1879. Copy in Bourke, Diary, entry for June 20, 1879. USMA Library.

²⁹ *Ibid.*

³⁰ King, "George Crook," pp. 346-347.

³¹ Clark, "Ponca Publicity," pp. 506-509.

³² *Diary and Letters of Rutherford B. Hayes* (Columbus, Ohio, 1922-1926), III, pp. 630-631.

³³ Bourke's extensive notes on the Commission's activities are in his Diary, Dec. 16, 1880 to Jan. 26, 1881. The Commission's report is inserted under date of January 26, 1881.

³⁴ Clark, "Ponca Publicity," p. 516.

³⁵ Tibbles, *Ponca Chiefs*, p. 131.