



The Editor's Table

(Article begins on page 2 below.)

This article is copyrighted by History Nebraska (formerly the Nebraska State Historical Society).
You may download it for your personal use.

For permission to re-use materials, or for photo ordering information, see:

<https://history.nebraska.gov/publications/re-use-nshs-materials>

Learn more about *Nebraska History* (and search articles) here:

<https://history.nebraska.gov/publications/nebraska-history-magazine>

History Nebraska members receive four issues of *Nebraska History* annually:

<https://history.nebraska.gov/get-involved/membership>

Full Citation: Addison E Sheldon, "The Editor's Table," *Nebraska History* 23 (1942): 138-147

Article Contents: "Frank Phillips: Nebraska Native Son"

 " 'Ponca Publicity' "

 "Chapters in Nebraska History"

 "Legislative Bills 147 and 425"

 "Catching Up with the Calendar"

 "Henry Rohwer is Gone"

The Editor's Table

Frank Phillips: Nebraska Native Son

Frank Phillips of Bartlesville, Oklahoma, is just one more example of a Nebraska-born man who has gone to the top. Frank was born at Greeley, Nebraska, November 28, 1873, the son of Lewis F. and Lucinda J. Phillips. When the great migration of grasshoppers descended upon Greeley County and the entire west in 1874-1877 Frank's father moved back to Iowa, where the son was educated in the country schools. He moved to Bartlesville in 1903 and soon became a leader in the petroleum business.

The Phillips Petroleum Company is one of the great organizations distributing its products far and wide. Its chairman, Frank Phillips, was appointed by Secretary Harold L. Ickes as chairman also of General District Committee No. 2 for the petroleum industry. In that capacity he has borne tremendous responsibilities, meeting them with a truly native courage and strategy.

In the scientific field Mr. Phillips' interests are many and varied. He has given much study to the history, archeology and anthropology of the West, and has created a great museum at his home near Bartlesville. He has an active interest also in the work of the Nebraska State Historical Society and in his relation to the State as a Native Son.

This address of Mr. Phillips' at the annual meeting of the Nebraska State Historical Society in 1941 is a notable addition to the story of Nebraska and Plains history, somewhat revised and supplemented by extracts from his annual report published March 15, 1943. It constitutes a landmark in the story of petroleum and its influence upon the world.

"Ponca Publicity"

The story of the Ponca Indian tribe will always be one of the most dramatic and tragic stories of the American frontier period. The leading article in the *Mississippi Valley Historical Review* for March, 1943, is a discussion of that section of the total Ponca Indian history which describes the removal of the Ponca from their home at the junction of the Niobrara and Missouri rivers in Nebraska to the Indian Territory—hot, malarial, stony and treeless. The author of this article, Mr. Stanley Clark,* has shown extraordinary industry in finding and quoting from the documents found in the National Archives Building at Washington and in many other places. There are a few obvious errors in his twenty-page story. One that is highly obvious is the repeated use of "G. M. Lamberton" instead of the correct name, G. M. Lambertson. Mr. Lambertson, who was U. S. District Attorney for Nebraska in this period, was a man of great ability and startling physical appearance. He was a giant with a head of extraordinary size and a great shelf of a forehead which projected over his eyes like an awning over the front of a dry goods store. No one who once saw Genio M. Lambertson could ever forget him, and his name should be correctly spelled.

After commending the fine research of Mr. Clark, as this writer is bound to do, there remain other criticisms upon his article. One of the most needful of these is his disposition to belittle the leading characters in this great frontier drama which is forever associated with Nebraska history. The story of the translation of the Ponca Tribe from its Nebraska home to the Indian Territory; the return of its chiefs in mid-winter to Nebraska; the subsequent return of Chief Standing Bear and his party to Nebraska; their arrest by the U. S. Military; their trial before Judge Dundy of the U. S. District Court at Omaha; the notable trial of the case with two great lawyers, John L. Webster and Andrew Poppleton, volunteering in their defense; the final settlement of the remnant of the Standing Bear party on the Niobrara River where they now number about two hundred people—all this makes an epic of

* Mr. Clark is now an employee of the U. S. Department of Labor at the Regional Office in Dallas, Texas.

extraordinary and permanent public interest. This interest cannot be clouded by slighting references to the leading characters involved in the story. So, while the author has rendered an important service in assembling his bibliography, footnotes and quotations, he has wholly missed the essential dignity and historical magnitude of the subject.

The editor of this magazine had close personal contact for many years with the Indian woman Bright Eyes and with her husband Thomas H. Tibbles, Populist candidate for vice-president in 1904; with Chief Standing Bear; with White Eagle; with the attorneys in the case; with Judge Dundy, and with many members of the Ponca Tribe in Nebraska and in Oklahoma. In this brief space I cannot adequately discuss my knowledge and personal relation with all these individuals. I knew the picturesque character Thomas H. Tibbles as a fellow newspaper man for many years. He was a master in the use of the long bow in political writing and speaking. But he was a great champion of great causes which have marched from Nebraska as a center to the outer limits of this nation and beyond the seas to other continents in the past fifty years.

It is of Susette LaFlesche (Bright Eyes) that I wish to write just a few words of appreciation. She was a remarkable character in the history of the West and of the United States. She was the soul of sincerity in all her ways. She was gifted with a penetration into the acts and motives of men rarely found. She was a lover of the great literature of the world and a contributor to it. She was a fearless champion of every good cause. There will always remain with me the memory of many long summer days at her home on the Omaha Indian Reservation and the companionship of her husband and her numerous Indian friends and relatives.

The main facts of the removal of the Ponca constitute a story of surpassing human interest, and the main allegations of misuse of power and tyrannical transportation of these people from the beautiful clear flowing waters and pine-clad hills of Nebraska to Oklahoma can never be overthrown.

An outstanding point of interest wholly omitted by Mr. Clark is the discovery of petroleum upon the new Ponca Reservation in Oklahoma which made the tribe wealthy, as though some retribu-

tive justice planned to compensate them for the loss of their loved home in the land of Nebraska about which their children of today still recite the stories learned from their ancestors.

The editor adds to this hurried review two important and significant notes:

1. Judge Dundy's decision in the Standing Bear case established a new legal doctrine, namely, that the Indian, like the white man, has the right to expatriate himself from his old tribal relations and from the rules and regulations which the United States had made for the government of tribal Indians. Thereby he may claim the rights of a citizen under the Constitution.

2. *The Twenty-seventh Annual Report of the Bureau of American Ethnology* is the most valuable document on the history and sociology of Indian life in the Plains Region. It contains a monograph on "The Omaha Tribe" that was the fulfilment of a long-cherished dream of Francis La Flesche, son of Joseph La Flesche who was a principal chief of the tribe. He had the collaboration of Alice C. Fletcher, holder of a fellowship in the Peabody Museum at Harvard University, and a woman of deep sympathetic understanding of these people with whom and for whom she worked. He also had the counsel of Susette La Flesche and other members of his family. Published in 1911, a massive volume of seven hundred pages, this *Report* will forever be the greatest source of reliable information on American Indians.

Chapters in Nebraska History

Bills Pending in Nebraska Legislature

Action looking to the redemption of long deferred state pledges was taken by the introduction of Legislative Bill No. 147 by Senator Daniel Garber of Red Cloud on January 19, 1943.

The historical story of this action turns back the pages of Nebraska's early history.

School Endowment Lands

The free gift of the United States to Nebraska was 2,797,520.67 acres of land for support of common schools; 89,140.21 acres for support of an agricultural college and 45,439.93 acres for the state university. The express contract between the State of Nebraska and the United States was that none of the principal of this endowment should ever be alienated, and that only the annual income therefrom should be used to support the schools.

The next important chapter in the history of this endowment appears on page 232 of *Nebraska House Journal* (January 20, 1897). Representative Addison E. Sheldon of Dawes County offered a resolution which was the first legal step in disclosing that part of this trust had been stolen by State officers. The Sheldon resolution was adopted. It reads as follows:

Whereas, The attention of the Legislature has by the Governor been called to irregularities and violations of the law in certain State offices; and

Whereas, The State apportionment of school funds is not being promptly paid when it was reported to be on hand, thereby entailing great hardship on the public schools of Nebraska; and

Whereas, There is a widespread belief in Nebraska, founded on a partial knowledge of facts, that the State funds have been systematically placed in banks and State's warrants allowed to go to protest when such warrants should have been promptly paid:

Resolved, By the House of Representatives, the Senate concurring, that a committee of five be chosen to investigate the records and administration of the State offices. Three of said committee are to be chosen by the House and two by the Senate. Said committee shall have authority to send for persons and papers, to employ experts, and shall have access to all records and papers in any of the State offices.

Sec. 2. Said committee shall select their own time for making said investigation, and shall report their findings to the Governor.

The investigation which followed this resolution disclosed a defalcation in the State Treasury of \$553,074.61. Of this amount \$335,878.08 was school endowment funds.

There followed the trial of State Treasurer J. S. Bartley for embezzlement; his sentence for twenty-one years in the state penitentiary; his subsequent pardon by Governor Savage. Suit also followed against the bondsmen of Treasurer Bartley, with complete failure to recover any of the loss.

Since these events there have been repeated attempts to secure restoration of the school endowment funds as required by the State's solemn constitutional contract. Several bills to restore the lost funds have been written by the author of the resolution of 1897 which disclosed the defalcation, and by others, but no progress was made toward a redemption of Nebraska's sacred pledge until the session of 1943 when the bill (L.B. 147) introduced by Senator Garber found a strong supporting sentiment which bids fair to carry it to enactment.

Historical Building Bill

The promise of a State Historical Building goes back to 1867 also. The founders of Lincoln set aside a whole block of land at the southwest corner of the University campus as dedicated to the perpetual ownership and use of the "State Historical and Library Association," which was organized and incorporated by them on August 26, 1867, the State Capital having been formally located and named Lincoln on July 19, 1867. It was called "Historical Block" in the early years. As a boy the writer of this article slept under a wagon upon that block while our oxen ate hay from the wagon.

The legislature in 1869 confirmed the title of the block to the Historical Association. A later legislature in 1875 passed an act to convey the block to the City of Lincoln for a market square.

On September 25, 1878, the original "State Historical Society and Library Association" was reorganized under the name "Nebraska State Historical Society." It brought suit for the restoration of Historical Block. The suit failed in District Court and was not appealed.

In 1905 Addison E. Sheldon, as a member of the Historical Society staff, investigated the record of Historical Block. He

became satisfied that the full title to the block had never been acquired by the City of Lincoln. As a result of these investigations bills were passed by the legislatures of 1907 and 1909 providing a system of corporation license fees and taxes to provide funds which might be used for a historical building. Other bills provided plans under which the State Historical Society conveyed its title in the old Historical Block to the City of Lincoln and received title to the present Historical Half-Block facing the new State Capitol.

Senator Dan Garber of Red Cloud in 1942-43 studied the situation presented by the defalcation in the State School Endowment Funds; the failure of the State to redeem its obligations to the school children by restoring the deficits in that fund. He also studied the similar situation presented by the failure of the State to complete the historical building begun in 1909.

As a result of this study Senator Garber introduced L.B. 147 to levy a one-eighth mill tax for four years, the proceeds to be used to restore the deficit in the School Endowment Funds and the balance for erection of a State Historical Building. This bill was subsequently divided into two bills, one providing for a one-tenth mill tax for the five years (1937-47) to restore the School Fund Endowment; the other (L.B. 425) providing for use of the remaining funds in erection of an Historical Building.

Legislative Bill 147

Introduced by Daniel Garber of Webster, January 19, 1943

A BILL

FOR AN ACT relating to revenue; to provide for a levy of one-tenth mill to reimburse the Permanent School Fund for all losses sustained as reported by the Auditor of Public Accounts, and any excess raised by such levy to be used to construct an historical building for the State Historical Society.

Be it Enacted by the People of the State of Nebraska:

Section 1. The State Board of Equalization shall make a levy of one-tenth of one mill for the years 1943, 1944, 1945, 1946 and 1947 upon all in Section 1 of this act which are not needed to reimburse in full the Permanent School Fund for all losses sustained therein as reported by the Auditor of Public Accounts to the Board of Educational Lands and Funds

on December 21, 1942, and reported to the Legislature by the Board of Educational Lands and Funds in the amount of \$685,566.83.

Section 2. Any moneys raised by taxation by the levy provided for in Section 1 of this act which are not needed to reimburse in full the Permanent School Fund shall be set aside by the State Treasurer in a special fund, to be used for the construction and equipment of an historical building for the Nebraska State Historical Society, when specific appropriation is made therefor by the Legislature.

Legislative Bill 425

Introduced by Daniel Garber of Webster, March 19, 1943

A BILL

FOR AN ACT relating to revenue and taxation; to provide that any excess raised by the levy provided for by Legislative Bill 147, Fifty-Sixth Session of the Nebraska Legislature, not needed to reimburse in full the Permanent School Fund, shall be used for the construction and equipment of an historical building for the Nebraska State Historical Society, when specific appropriation is made therefor by the Legislature.

Be it Enacted by the People of the State of Nebraska:

Section 1. Any moneys raised by the levy provided for in Legislative Bill 147, Fifty-Sixth Session of the Nebraska Legislature, not needed to reimburse in full the Permanent School Fund, as provided in the above mentioned act, shall be used for the construction and equipment of an historical building for the Nebraska State Historical Society, when specific appropriation is made therefor by the Legislature.

Editor's Note: The original L. B. 147 was amended before final passage by striking out the provision in Section 2 relating to the State Historical Building. This provision was then incorporated in L. B. 425, making it a complete separate act.

Final Passage: L. B. 425 April 7 by a vote of yeas 33, nays 2; not voting, 8.

Catching Up With the Calendar

Nebraska History has been from six months to a year behind the calendar in its publication. This is a grief to the editor and annoyance to its readers. The reasons for such delay have been many and sufficient: needless to count them here.

Librarians and others who have no occasion to read the magazine carefully are sometimes confused by the discrepancy between the volume-date on the cover and actual printing-date at bottom of title page. For sake of future binding, and for consistency on the shelves, it is imperative that the serial numbers and quarterly dates be consecutive, regardless of mishaps which impede the printing. A lay-out for the volume now in preparation may prove helpful:

Volume XXIII — 1942

No. 1	January-March, 1942	Printed in January, 1943.
No. 2	April-June, 1942	Printed in April, 1943.
No. 3	July-September, 1942	Printed in April, 1943.
No. 4	October-December, 1942	Planned for June printing.

In all probability the first number of Vol. 24 will be printed in time for publication with the last number of Vol. 23 and both ready for mailing about July 1, 1943. The two succeeding numbers are confidently planned for publication by September 1, 1943. This presents the following picture for the current year:

Volume XXIV — 1943

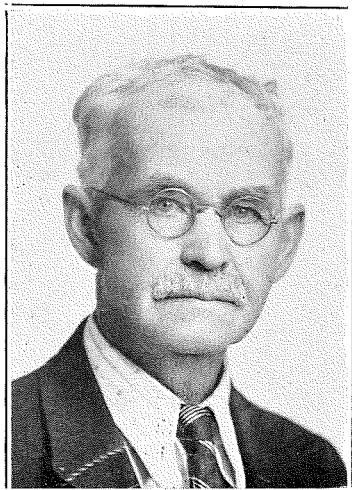
No. 1	January-March, 1943	Planned for June printing.
No. 2	April-June, 1943	Planned for September mailing.
No. 3	July-September, 1943	Planned for September mailing.
No. 4	October-December, 1943	Planned for December mailing.

Because many problems are now in process of solution, many obstacles have already been overcome, we are full of confidence that above plan can be realized. God helping us, we shall be abreast of the calendar by September next. To continue marching abreast will be of even greater satisfaction to the editor than to our long-suffering and ever-patient readers without whose forbearance we could not have carried on.

Henry Rohwer is Gone

The Historical Society of Washington County (and that of the State as well) has suffered serious loss in the death of Henry Rohwer at Fort Calhoun on February 7th (born November 19, 1856). Like W. H. Woods

of the same place he was a natural historian, taking intense interest in everything pertaining to the dramatic early days of his county and state. In addition he possessed the great gift of scientific organization of the collections, and legal organization of citizens to create a strong society for their preservation.



Thus Mr. Rohwer was the leader in establishing a splendid museum and in securing (in 1937) the building that houses the invaluable historical collections of the county and of Nebraska's first fort—Fort Atkinson—now numbering many hundreds of items. He founded the county historical society and was its president until death. In 1894-1900 he was a member of the county board,

and in 1900 was elected to the state legislature. By profession he was banker as well as farmer, and suffered the heavy losses of depression years with undaunted spirit, as did his pioneer father before him. His energy, enthusiasm, and high qualities of character have been a constant stimulus to his associates in all fields of activity and an inspiration to the State Superintendent.

A letter received just before his birthday in 1940 is characteristic. He had requested, for the Museum, a map of Fort Atkinson and Camp Missouri. The blueprint was mailed from this office, whereupon he wrote:

When I came to this country in 1868 the basements of the buildings of the old fort were still visible and some of the brick walls protruding, but when the pioneer settlers moved in they soon made use of the brick on their farmsteads.

Camp Missouri, according to the information I have obtained, was located about a mile north of the present city of Fort Calhoun. A small artificial lake named after the man who owned the land (Moors Lake) was still in evidence. It was about 100 feet across and on the east side it was 20 feet deep, sloping to the west.

The soldiers lived in blockhouses of green cottonwood logs. About three hundred of them died from scurvy and were buried on the bluff near old De Soto. Two rows of sunken graves were still clearly marked when the first settlers came in here—according to hearsay.