

Chief Standing Bear: From Tears to Triumph

Ella Sater

Junior Division

Exhibit

Student Composed Words on

Exhibit- 494

Student Composed Words on

Process Paper- 498

This year I was excited but anxious for History Day and the theme, "Breaking Barriers in History". When we began speaking about it in class, there were some obvious, physical barriers I could have done, I knew I wanted to complete the project on an unfamiliar subject. So, I mentioned this to my parents, and we came up with the idea of doing my exhibit on "The Trial of Standing Bear". I originally, before having any knowledge of the trial, liked this idea because the case took place in my hometown, Omaha, Nebraska. But after my father told me more about the topic, I knew this was what I wanted to explore. What my History Day project would be.

As I briefly mentioned earlier, I recognized I wanted to complete an exhibit early on. Last year, I had also done an exhibit board. When I got the judges' paper handed back to me, I had one comment that mentioned how I had a very good presentation style and how I had expressed my topic very well. This helped influence my decision to do an exhibit board again this year. Also, I enjoy creating and decorating the exhibitions themselves.

Once I knew what type of presentation I preferred and what the topic would be, it was time to begin my research. I began researching by looking at the Gale Middle School website. This would be a good place to start because their website includes primary sources, articles, images, and more. After looking at Gale, I ventured out to find more secondary sources, primary sources and books. To find these, I used resources like *The Washington Post* and the *University of Nebraska-Lincoln* websites. When I located about 17 sources on websites, testimonies, and books, I continued to search for pictures of each main character of the trial. I also personally visited General George Crook's house that is located at Fort Omaha, or what is now known as part of the Metro Community College Campus.

I am very glad I did my History Day project on The Trial of Standing Bear. In my viewpoint, it fits the theme very well. The barriers that are involved in my project are obstacles that are ideas or opinions, things that aren't physical. First, when the Ponca Tribe was pushed to live in the Oklahoma Territory, family came before everything else. Chief Standing Bear and a group of 30 other Native Americans weren't afraid to leave the settlement, if it meant his son's bones could be buried back with his ancestors. Even if there was a good chance they would be arrested for leaving.

Second, Standing Bear, with the help of others, was able to change the mind of the Judge at his trial. The ruling meant that Indians were considered people for the first time. It might not have taken full affect immediately, but the invisible, racial barriers were broken. Because of these outcomes, I believe my topic fits the theme, "Breaking Barriers", perfectly.

Works Cited

Primary Sources

- Bear, Standing. "The Account of Standing Bear." *Gale in Context: Middle School*, Gale, 1 Jan. 1999, go.gale.com/ps/retrieve.do?tabID=T005&resultListType=RESULT_LIST&searchResultsType=SingleTab&searchType=BasicSearchForm¤tPosition=1&docId=GALE%7CEJ2156000051&docType=Nonfiction+work%2C+Excerpt&sort=Relevance&contentSegment=ZMID-MOD1&prodId=MSIC&contentSet=GALE%7CEJ2156000051&searchId=R2&userGroupName=omah93080&inPS=true. Accessed 14 Jan. 2020. I chose this source because it was the account of Standing Bear when he was alive, in his own words. It gave good information and specifics on the events that led to and followed the trial. I also know it is a reliable source because I had found the excerpt in the Gale Database.
- Chief Standing Bear*. *Chief Standing Bear; The Trail Ahead*, chiefstandingbear.org. Accessed 14 Jan. 2020. To have Chief Standing Bear the main leader that broke the barrier in history, I think it would be smart to have this picture of him on my board. I chose this picture because it shows what Standing Bear looked like, his environment, and what was his common outfit as chief. In the image, an axe is also included, giving the audience an idea of what kind of weapons the Poncas used in 1877 and how they were built.
- Chief Standing Bear Trail*. *Omaha World-Herald*, <http://www.omaha.com>. Accessed 16 Jan. 2020. This image from the Omaha World Herald showed the path that the 600 Poncas were forced down to get to the Indian Territory. They started near Niobrara River then travelled through the cities of Columbus, Beatrice, Manhattan, Emporia, Parsons, Ponca City. This was known as the Ponca Trail of Tears.
- Dundy, Elmer. "Standing Bear v. Crook." *Gale in Context: Middle School*, Gale, 1 Jan. 1999, go.gale.com/ps/retrieve.do?tabID=T005&resultListType=RESULT_LIST&searchResultsType=SingleTab&searchType=BasicSearchForm¤tPosition=1&docId=GALE%7CEJ2156000313&docType=Court+testimony&sort=Relevance&contentSegment=ZMID-MOD1&prodId=MSIC&contentSet=GALE%7CEJ2156000313&searchId=R3&userGroupName=omah93080&inPS=true. Accessed 14 Jan. 2020. This one of my better sources because it is from the actual judge, Judge Elmer Dundy. This is a court testimony, telling me the 5 decisions the judge had made at the end of the trial. These included 1. An Indian is a "person" and has all the rights and freedom from U.S. Government; 2. Crook cannot arrest anymore of the Indians unless they have broken the law; 3. No persons of power can forcefully remove the

Poncas from the Indian Territory; 4. The Indians have the right to "life, liberty, and the pursuit of happiness" (as long as they don't break the law); 5. Crook has to release the group Standing Bear took with him from jail.

George Crook. *Legends of America*, <http://www.legendsofamerica.com>. Accessed 14 Jan. 2020.

This photo was helpful because it shows how General George Crook looked and acted like. He is sitting in a very serious and demanding position while wearing his army outfit. He also has a fancy, unique beard which was common with high ranking officials during that time period.

The Indian Journal. "Standing Bear's Speech." *The Indian Journal*,

library.timelesstruths.org/texts/Stories_Worth_Rereading/Standing_Bears_Speech/.

Accessed 1 Jan. 2020. For this source, I found Standing Bear's entire speech from the trial. Thomas Tibbles recorded and described everything that was happening as well as writing down Standing Bear's Speech. After Standing Bear finished his compelling story, it was so motivating Judge Elmer Dundy began to cry. A few days later, the judge declared Indians as "people".

Rinehart, F. A. *Ponca Village*. 1898. *Omaha Public Library*,

<http://www.omaha.lib.ne.us/transmiss/research/cleanhtml/tmi00504.html>. Accessed 11

Feb. 2020. I thought it would be important to include a picture of the Poncas' homes on my board. So, this picture shows a "Ponca Village". The Indians would live in earth lodges and tipis, which in this picture, it shows the latter.

Standing Bear, Luther. *My People, the Sioux*. Lincoln, U of Nebraska P, 1975. From this book I learned that Luther Standing Bear, George Standing Bear's son, wrote this story to let the public get a better understanding of the Indians. Americans had tried to write about the Indians that were being moved into Indian Territories but what they wrote was "not accurate and reliable". I learned how Luther Standing Bear was trying to help future reads understand the Indians were not in the wrong during this situation.

Starita, Joe. "The Case of Standing Bear: Establishing Personhood under the Law." *University of Nebraska - Lincoln*, edited by University of Nebraska - Lincoln, 2009,

digitalcommons.unl.edu/cgi/viewcontent.cgi?article=1289&context=ajacourtreview.

Accessed 11 Feb. 2020. I used this website mainly for the 5 decisions Judge Elmer Dundy made. Overall, the stated that an Indian is a person, they can't be arrested anymore

unless they have broken the law, and that George Crook has to release the group of 30 immediately. I thought it would be important to include the after effects of the trial in this way.

Unknown. *Thomas Tibbles*. *Journal Star*, journalstar.com/news/local/jim-mckee-tibbles-usually-lost-in-shadow-of-his-wife/article-7dc6b371-7460-500c-a601-d437981e4f64.html.

Accessed 11 Feb. 2020. This photo is of Thomas Tibbles. He was an Omaha Herald writer before George Crook hired him to help Chief Standing Bear and the Poncas. To help, he spread word by making speeches about the tragedy the tribe faces.

Unknown. *Susette La Flesche*. *National Women's Hall of Fame*,

<http://www.womenofthehall.org/inductee/susette-la-flesche/>. Accessed 11 Feb. 2020.

Susette La Flesche was Standing Bear's interpreter. Standing Bear could only speak his native language, so she came to the meetings, speeches, and his trial with him. Even in Standing Bear's famous ending speech, Susette La Flesche translated.

Secondary Sources

Architect Of The Capital. "Standing Bear Statue in U.S. Capital for Nebraska." *Architect of the Capital*, <http://www.aoc.gov/art/national-statuary-hall-collection/standing-bear>. Accessed 14 Jan. 2020. The Chief Standing Bear statue is a creation located in the U.S. Capitol, created by the artist Benjamin Victor. It was presented in 2019, replacing the William Jennings Brown statue. The amazing thing Victor added were little symbols to the bronze masterpiece. These include the following: An eagle feather representing him as a warrior; His serious gaze which means he is passionate; The bear claw necklace which means he has the healing power of a bear; From the ending of his speech, where he stated his blood was the same color as the judge's, his right arm is held out; Two Indian Peace Medals around his neck; He has a diplomatic gift, used I. trade, in his left hand, called a Tomahawk. This is also where I found the picture of the statue.

Brockell, Gillian. "The Civil Rights Leader 'almost Nobody Know About' Gets a Statue in the U.S. Capitol." *The Washinton Post*, 20 Sept. 2019. *The Washington Post*, <http://www.washingtonpost.com/history/2019/09/20/civil-rights-leader-almost-nobody-knows-about-gets-statue-us-capitol/>. Accessed 6 Jan. 2020. I learned the most about the actual trial from this source. When Crook told the media about the Poncas, two lawyers

wanted this debate to go to trial. The judge agreed and ordered the prisoners to be released. During the second day of the trial, Chief Standing Bear was deemed the first Native American to be called to testify, after which, Judge Elmer Dundy agreed with Standing Bear's testimony. But, even after the trial, the judge continued to make rude remarks about the Indians saying they were "weak, insignificant, unlettered, and generally despised race".

"Chief Standing Bear." *National Park Service*, 11 Apr. 2019,

<http://www.nps.gov/mnrr/learn/historyculture/standingbear.htm>. Accessed 18 Dec. 2019.

This source informed me about the time period when his son died. His son was 16 years old when he died in December 1878. Standing Bear left for Omaha in January 1879. He carried the bones and remains of his son along the Niobrara River. He did this because his son was worried that if he wasn't buried with his ancestors, in the afterlife he would be alone. Saying the Omaha tribe was their relatives, they met up with them when they got to Omaha. There, they were arrested for not being in the Indian Reservation.

"Chief Standing Bear and the Ponca: A Complicated History." *Rose Theater*,

<http://www.rosetheater.org/2019/01/25/chief-standing-bear-the-ponca-a-complicated-history/>. Accessed 16 Jan. 2020. Table. This source was a timeline I had found of the Rose Theater website. It is a timeline that begins in year 1804 and ending in 1990. (This was all information about Ponca history and Chief Standing Bear.) It was very helpful, giving me specific dates and time frames of events during these decades.

Dando-Collins, Stephen. *Standing Bear Is a Person: The True Story of a Native American's*

Quest for Justice. Cambridge, Da Capo Press, 2004. The Ponca tribe was originally formed and stationed in northeastern Nebraska. When more people were populating the United States, including Nebraska, the Americans forced the Indians out of their homes. They were forced to Oklahoma, where they lived until the court case. No one had heard of the Ponca tribe before the court case, but during it, they were famous.

DISCovering Authors. "Overview of Luther Standing Bear." *Gale in Context: Middle School*, Gale, 1 Jan. 2003,

go.gale.com/ps/retrieve.do?tabID=T001&resultListType=RESULT_LIST&searchResultsType=MultiTab&searchType=BasicSearchForm¤tPosition=1&docId=GALE%7CEJ2101201044&docType=Critical+essay&sort=Relevance&contentSegment=ZMID-MOD1&prodId=MSIC&contentSet=GALE%7CEJ2101201044&searchId=R1&userGroupName=omah93080&inPS=true.

Accessed 14 Jan. 2020. This wasn't my most helpful source, but it is only because it is all about Chief Standing Bear's son, Luther Standing Bear. Luther Standing Bear wasn't really apart of the trial and my project. It does help that it had information about Chief Standing Bear's family, though.

Douglas County Historical Society. "General Crook House Museum." 26 Jan. 2020. I chose to go the General Crook House because it had so much information on General Crook. This is really important because most of the information I had previously collected was on Chief Standing Bear. I wanted to have as much knowledge on the two main characters of the Trial as I could, and this house gave me that. I was able to better understand the type of person George Crook was before, during, and after the court trial.

The Durham Museum. "Standing Bear." 2019. Manuscript. From this source, I learned more about the actual trial than the Ponca tribe. In 1879, Judge Elmer Dundy passed the law saying Indians were people, after arguing over the topic for two days and one night. Standing Bear began spreading the good news, saying they didn't have to stay in the reservation, and took along Thomas Tibbles and Susette "Bright Eyes" LaFlesche as interpreter. After, Standing Bear gave lawyer A.J. Poppleton an Indian headress to thank him for his work on helping Standing Bear during the Standing Bear v.s. Crook Trial. Congress finally made a law saying all American Indians in the U.S. were citizens in the year 1924. This was 45 years after the Standing Bear trial.

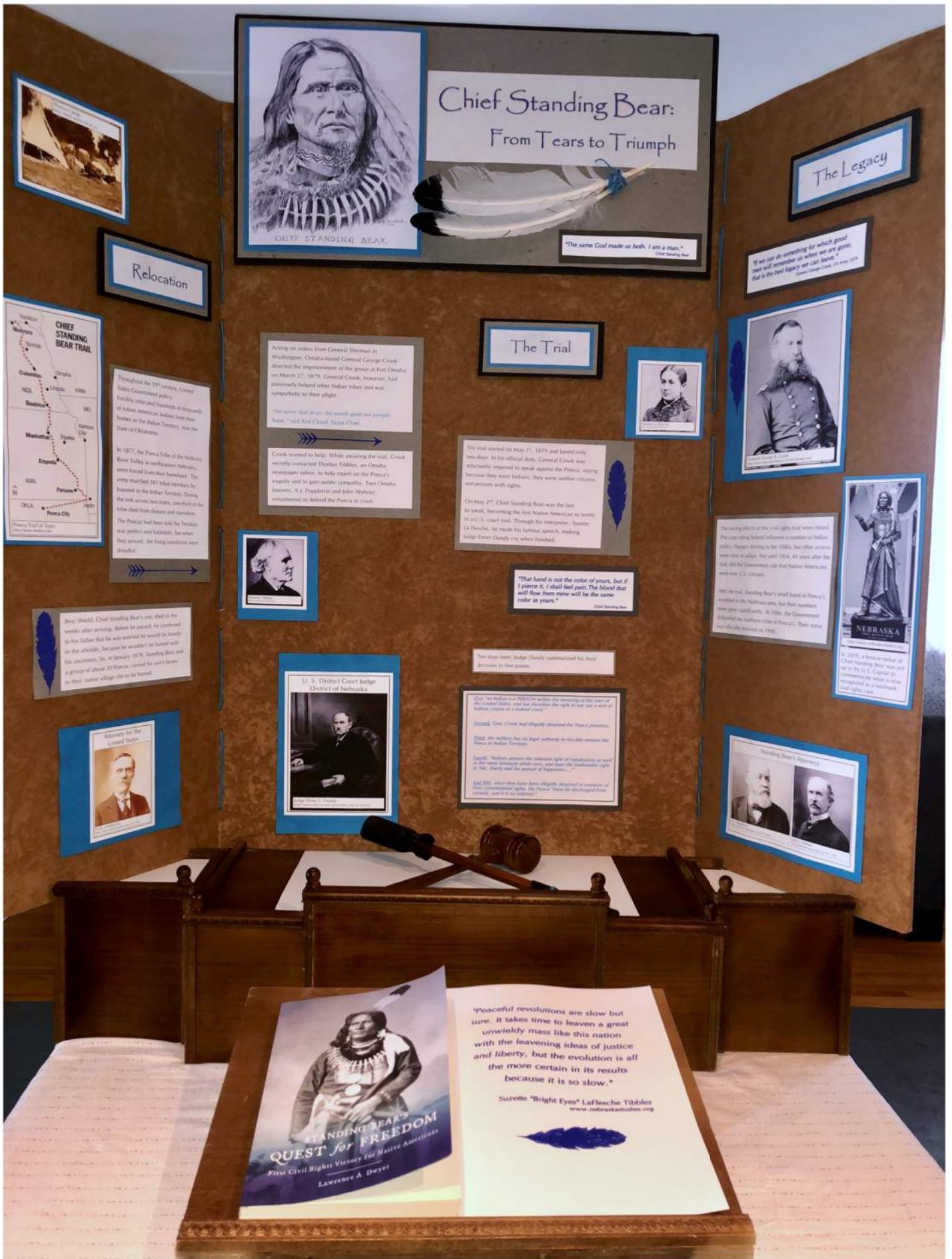
Katz, Brigit. "Chief Standing Bear, Who Fought for Native American Freedoms, Is Honored with a Staute in the Capital." *Smithsonian Magazine*, 25 Sept. 2019, <http://www.smithsonianmag.com/smart-news/chief-standing-bear-who-fought-native-american-freedoms-honored-statue-capitol-180973208/>. Accessed 1 Jan. 2020. This source helped me learn mostly about why the Ponca tribe was forced to move out of their native land. The U.S. Government had made a mistake; they added the Ponca territory to an agreement they had with Sioux. They then told the native tribe they needed to leave to a new Indian Territory because they needed the area for incoming Americans. When the Ponca chiefs refused, the Army resorted to force. Because of this, 600 Ponca Indians were escorted out of Nebraska in the year 1877.

NET, editor. "Standing Bear Arrested." *nebraskastudies.org*, <http://www.nebraskastudies.org/1875-1899/the-trial-of-standing-bear/standing-bear-arres>

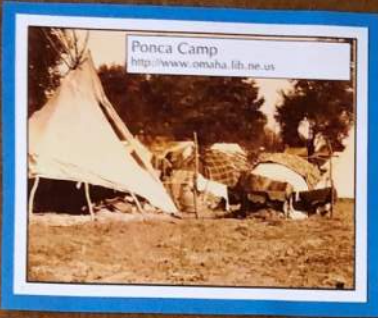
[ted/](#). Accessed 20 Dec. 2019. When Chief Standing Bear's son died, he decided he should carry his bones all the way back to their former reservation to bury him where the tribe originated, so he went back and took some followers with him. During the trek, the group was arrested for being outside of their reservation. The arrest order went from General Sherman in Washington, to General Sheridan in Chicago, then finally to General Crook in Omaha. Crook ordered Lieutenant Carpenter and 4 of his men to arrest Standing Bear's group and put them in Fort Omaha. To not make themselves look like the bad guys in the situation, Colonel John H. King said the group had all caught a serious disease, and they couldn't return to the reservation. In this source, I also found pictures of AJ Poppleton and John L. Webster, the attorneys for Standing Bear's Trial, and G. M. Lambertson, the attorney for the United States.

Smith, Dennis J. "Trial of Standing Bear." Edited by David J. Wishart. *University of Nebraska Lincoln*, plainshumanities.unl.edu/encyclopedia/doc/egp.pd.053. Accessed 18 Dec. 2019. From this source I learned that, on May 12th, 1879, Judge Elmer Dundy passed the law saying Indian are in fact people. They would be protected by the government from then on. This was a huge help towards the Ponca-federal relations (which lasted 4 years). It also influenced Indian policy changes during the 1880s. After the trial, the Ponca tribe decided to live in northeastern Nebraska, on a small reservation.

Starita, Joe. *I Am a Man: Chief Standing Bear's Journey for Justice*. Book Club edition. ed., New York, St. Martin's Press, 2008. This source taught me about the lives the Ponca Indians lived before moving to Oklahoma. They lived in earth lodges and buffalo-hide teepees. Also, the French were getting married into the Indian Tribes. This was all because, during the 1860s to the 1900s, France, England, and Spain were all trying toget involved in the fur trade located in Western U.S.



Chief Standing Bear: From Tears to Triumph
 Ella Sater, Junior Division, Individual Exhibit




Relocation

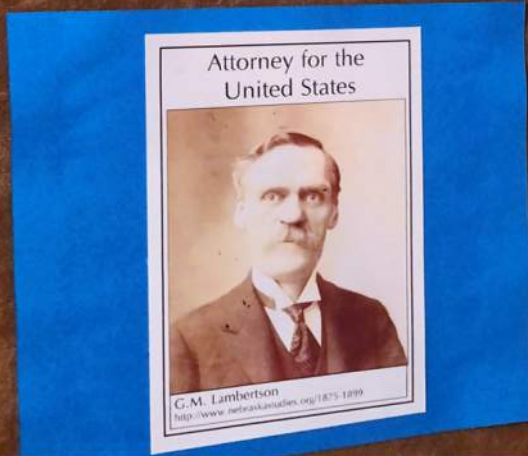


Throughout the 19th century, United States Government policy forcibly relocated hundreds of thousands of native American Indians from their homes to the Indian Territory, now the State of Oklahoma.

In 1877, the Ponca Tribe of the Niobrara River Valley in northeastern Nebraska, were forced from their homeland. The army marched 581 tribal members by bayonet to the Indian Territory. During the trek across two states, one-third of the tribe died from disease and starvation. The Poncas had been told the Territory was perfect and habitable, but when they arrived, the living conditions were dreadful.



Bear Shield, Chief Standing Bear's son, died in the weeks after arriving. Before he passed, he confessed to his father that he was worried he would be lonely in the afterlife, because he wouldn't be buried with his ancestors. So, in January 1878, Standing Bear and a group of about 30 Poncas carried his son's bones to their native village site to be buried.



Chief Standing Bear: From Tears to Triumph
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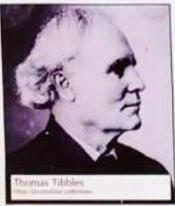
The Trial

Acting on orders from General Sherman in Washington, Omaha-based General George Crook directed the imprisonment of the group at Fort Omaha on March 27, 1879. General Crook, however, had previously helped other Indian tribes and was sympathetic to their plight.

"He never lied to us; his words gave our people hope," said Red Cloud, Sioux Chief.



Crook wanted to help. While awaiting the trial, Crook secretly contacted Thomas Tibbles, an Omaha newspaper editor, to help report on the Ponca's tragedy and to gain public sympathy. Two Omaha lawyers, A.J. Poppleton and John Webster, volunteered to defend the Ponca in court.



The trial started on May 1st, 1879 and lasted only two days. In his official duty, General Crook was reluctantly required to speak against the Ponca, saying because they were Indians, they were neither citizens nor persons with rights.

On May 2nd, Chief Standing Bear was the last to speak, becoming the first Native American to testify in a U.S. court trial. Through his interpreter, Sulette La Flesche, he made his famous speech, making Judge Elmer Dundy cry when finished.



"That hand is not the color of yours, but if I pierce it, I shall feel pain. The blood that will flow from mine will be the same color as yours."

Chief Standing Bear

Ten days later, Judge Dundy summarized his final decision in five points:

U. S. District Court Judge
District of Nebraska



Judge Elmer S. Dundy
<https://www.ned.uscourts.gov/public/judicial-archive>

First "an Indian is a PERSON within the meaning of the laws of the United States, and has therefore the right to sue out a writ of habeas corpus in a federal court."

Second, Gen. Crook had illegally detained the Ponca prisoners.

Third, the military has no legal authority to forcibly remove the Ponca to Indian Territory.

Fourth, "Indians possess the inherent right of expatriation as well as the more fortunate white race, and have the inalienable right to 'life, liberty and the pursuit of happiness....'"

And fifth, since they have been illegally detained in violation of their constitutional rights, the Ponca "must be discharged from custody, and it is so ordered."

The Legacy

"If we can do something for which good men will remember us when we are gone, that is the best legacy we can leave."

General George Crook, US Army 1879



General George R. Crook
<https://www.legendsofamerica.com/ah-georgecrook/>

The lasting effects of this civil rights trial were mixed. The case ruling helped influence a number of Indian policy changes starting in the 1880s, but other actions were slow to adapt. Not until 1924, 45 years after the trial, did the Government rule that Native Americans were now U.S. citizens.

After the trial, Standing Bear's small band of Ponca's re-settled in the Niobrara area, but their numbers never grew significantly. In 1966, the Government disbanded the northern tribe of Ponca's. Their status was officially restored in 1990.



<http://www.nebraskastudies.org>

In 2019, a bronze statue of Chief Standing Bear was put up in the U.S. Capital to commemorate what is now recognized as a landmark civil rights case.

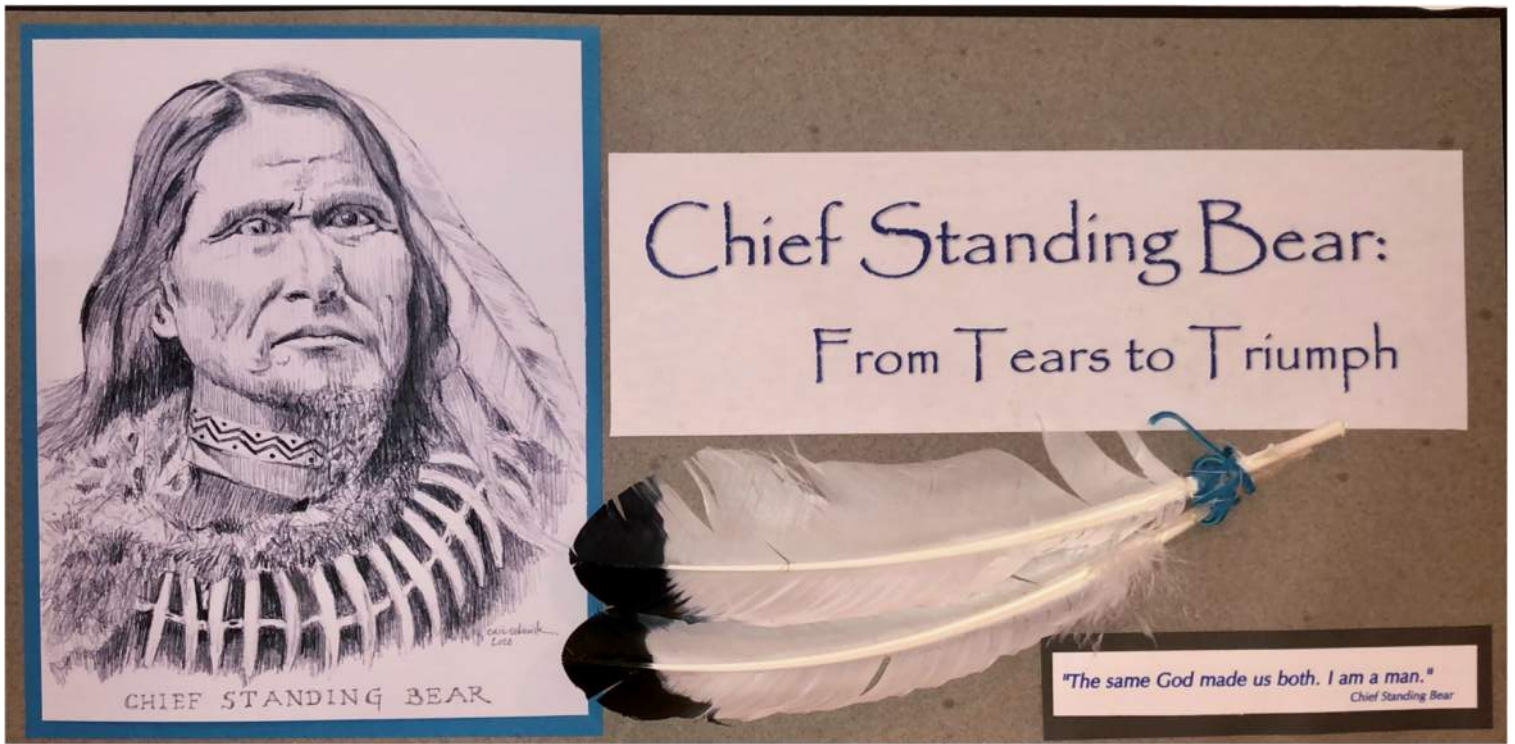
Standing Bear's Attorneys



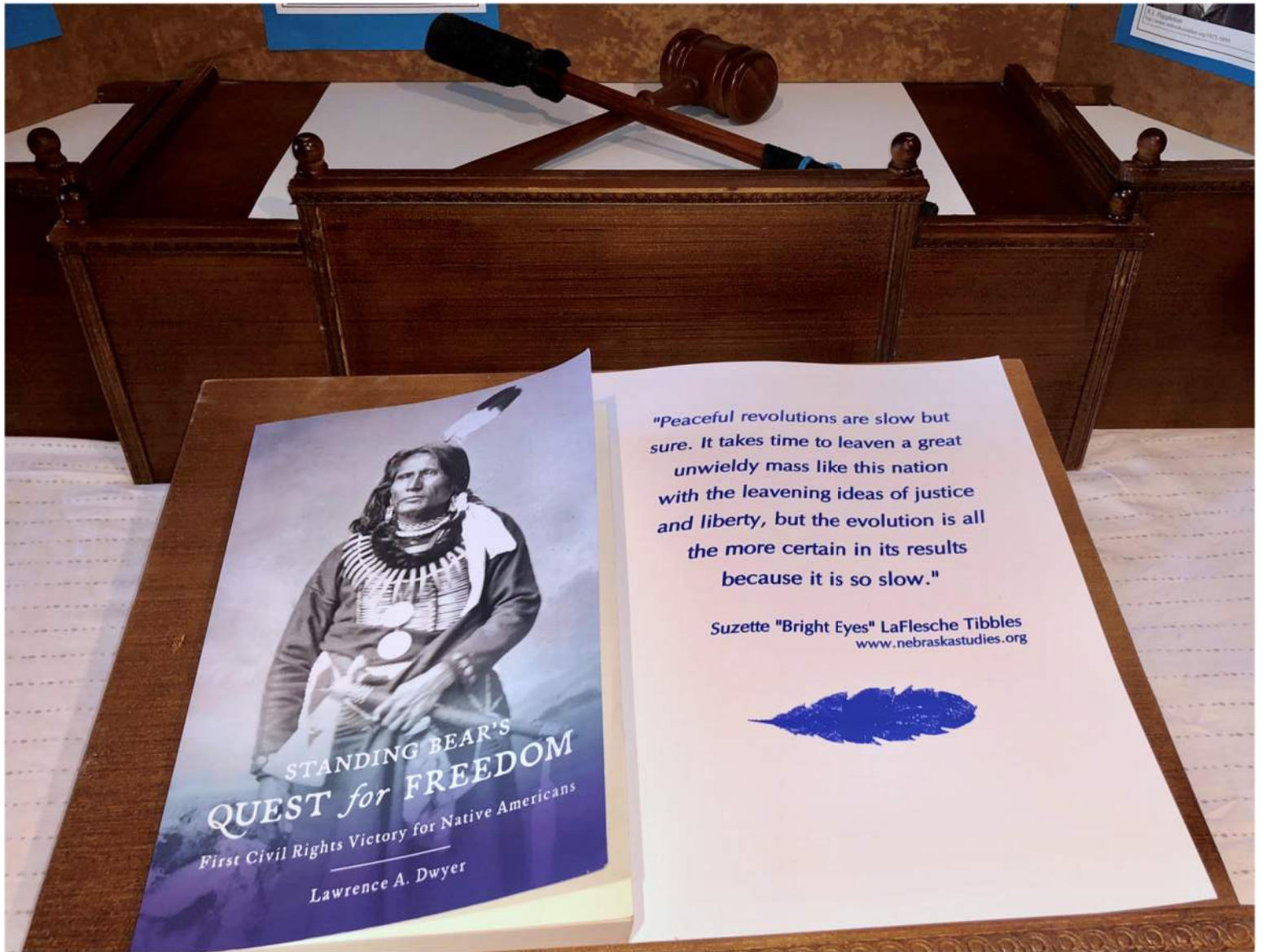
A.J. Poppleton
<http://www.nebraskastudies.org/1875-1899>



John L. Webster
<http://www.nebraskastudies.org/1875-1899>



Title Board
Hand drawn image by Eric Schunk, Ella's uncle



Podium with book from Omaha author and quote
Judges bench with gavel and Indian mallet

Throughout the 19th century, United States Government policy forcibly relocated hundreds of thousands of native American Indians from their homes to the Indian Territory, now the State of Oklahoma.

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Bear Shield, Chief Standing Bear's son, died in the weeks after arriving. Before he passed, he confessed to his father that he was worried he would be lonely in the afterlife, because he wouldn't be buried with his ancestors. So, in January 1878, Standing Bear and a group of about 30 Poncas carried his son's bones to their native village site to be buried.

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Ten days later, Judge Dundy summarized his final decision in five points:

The lasting effects of this civil rights trial were mixed. The case ruling helped influence a number of Indian policy changes starting in the 1880s, but other actions were slow to adapt. Not until 1924, 45 years after the trial, did the Government rule that Native Americans were now U.S. citizens.

After the trial, Standing Bear's small band of Ponca's re-settled in the Niobrara area, but their numbers never grew significantly. In 1966, the Government disbanded the northern tribe of Ponca's. Their status was officially restored in 1990.

In 2019, a bronze statue of Chief Standing Bear was put up in the U.S. Capital to commemorate what is now recognized as a landmark civil rights case.

Image Citations

Thomas Tibbles

https://journalstar.com/news/local/jim-mckee-tibbles-usually-lost-in-shadow-of-his-wife/article_7dc6b371-7460-500c-a601-d437981e4f64.html

Ponca Village

Ponca Camp" TMI number 00504 Photograph by F. A. Rinehart, 1898 © Omaha Public Library, 1998 Photograph size 8.6 inches by 6.6 inches From <http://www.omaha.lib.ne.us/transmiss/research/cleanhtml/tmi00504.html>

Susette La Flesche

<https://www.womenofthehall.org/inductee/susette-la-flesche/>

AJ Poppleton

<http://www.nebraskastudies.org/1875-1899/the-trial-of-standing-bear/the-trial/#lg=1&slide=2>

Map

https://www.omaha.com/news/state_and_regional/ponca-tribe-will-soon-own-piece-of-land-that-s/article_3135f670-041f-5695-b4d9-bea70a5a46ae.html

G.M. Lambertson

<http://www.nebraskastudies.org/1875-1899/the-trial-of-standing-bear/the-trial/#lg=1&slide=1>

John L Webster

<http://www.nebraskastudies.org/1875-1899/the-trial-of-standing-bear/the-trial/#lg=1&slide=3>

Ponca Camp" TMI number 00504 Photograph by F. A. Rinehart, 1898 © Omaha Public Library, 1998
Photograph size 8.6 inches by 6.6 inches From
<http://www.omaha.lib.ne.us/transmiss/research/cleanhtml/tmi00504.html>

The Verdict

<https://digitalcommons.unl.edu/cgi/viewcontent.cgi?article=1289&context=ajacourtreview>

The Statue

<https://www.aoc.gov/art/national-statuary-hall-collection/standing-bear>

"That hand is not the color of yours, but if I pierce it, I shall feel pain. The blood that will flow from mine will be the same color as yours."

Chief Standing Bear

"The same God made us both. I am a man."

Chief Standing Bear

"If we can do something for which good men will remember us when we are gone, that is the best legacy we can leave."

General George Crook, US Army 1879

"Peaceful revolutions are slow but sure. It takes time to leaven a great unwieldy mass like this nation with the leavening ideas of justice and liberty, but the evolution is all the more certain in its results because it is so slow."

***Suzette "Bright Eyes" LaFlesche Tibbles
www.nebraskastudies.org***