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Article Summary: General Sheridan hoped to end hostilities in the northern campaigns by forcing the Sioux to turn in their mounts. The pony campaign was punitive, at least in part; record-keeping was slipshod; compensation was limited and long delayed.

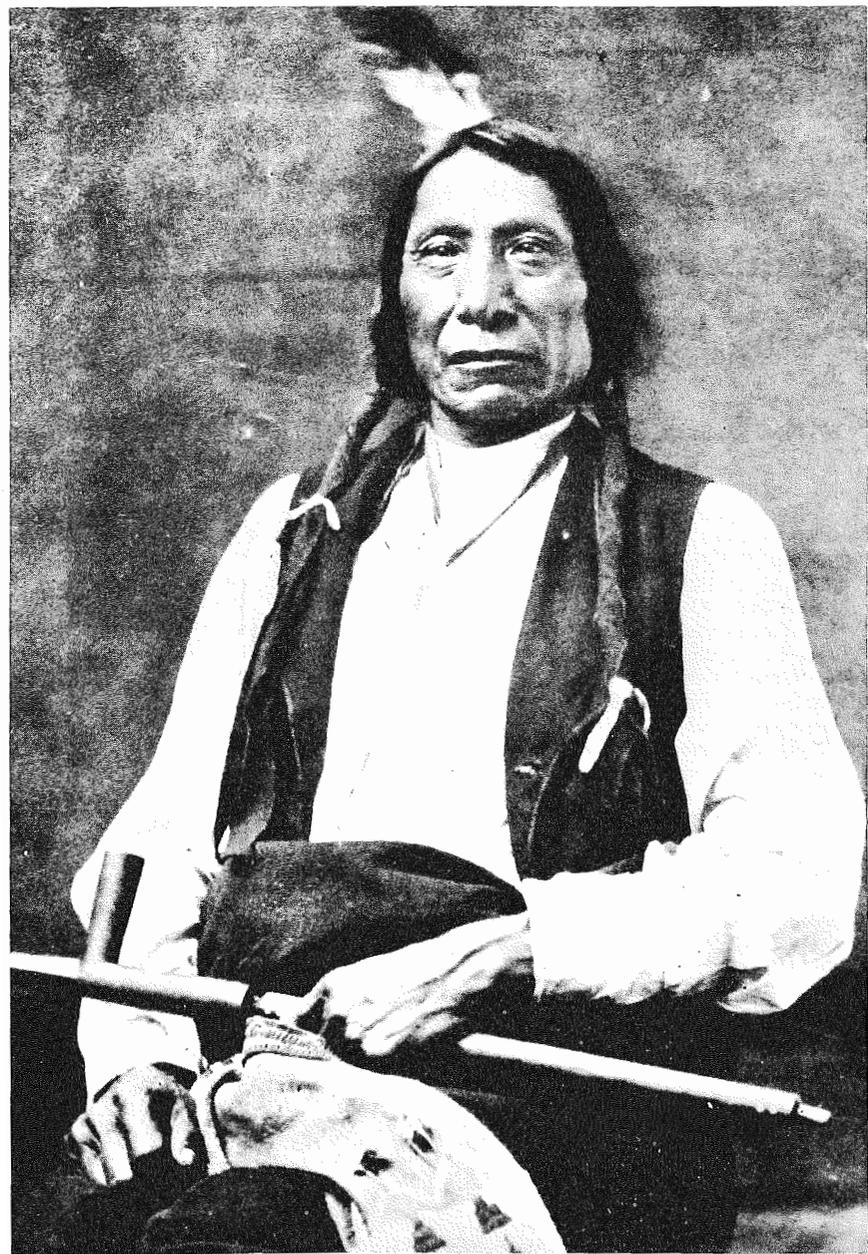
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Photographs / Images: Chief Red Cloud of the Oglala Sioux, General Philip H Sheridan, General George Crook, sketch of the Red Cloud Agency by JE Foster



Chief Red Cloud of the Oglala Sioux

GENERAL PHILIP SHERIDAN'S LEGACY: THE SIOUX PONY CAMPAIGN OF 1876

By Richmond L. Clow

The aftermath of George A. Custer's encounter with Sioux at the Little Big Horn in June, 1876, forced General Philip H. Sheridan, commander of the Military Division of the Missouri, to move against the Sioux. Sheridan, determined to control the land west of the Black Hills as well as the troubled Sioux agencies,¹ described the Army's role in the forthcoming offensive: "Our duty will be to occupy the game country and make it dangerous and when they are obliged from constant harassing and hunger to come in and surrender we can then dismount, disarm and punish them at the Agencies as was done with the Southern Indians in the last campaign."² During the Red River War of 1874-1875, the Army dismounted Cheyenne, Comanche, and some Kiowa at Forts Reno and Sill, Indian Territory.³ By following this precedent and applying it to the northern campaigns, Sheridan believed hostilities would cease by the spring of 1877 if the Sioux were forced to surrender their arms and ponies.⁴

Before commencing a dismounting offensive against the agency Sioux who professed friendship and loyalty, the Indian Bureau had to consent and relinquish control of the troubled Sioux agencies. On July 22, 1876, the secretary of interior transferred control of the various agencies within the theater of war from civilian to military control. That action gave Sheridan the potential to begin military operations.⁵ He believed that an opportunity to dismount the Sioux should not be overlooked, for

if it were, the Army would have to fight not only the hostiles, but the entire Sioux nation in the spring.⁶

Sheridan, directing the initial preparations, ordered Lieutenant Colonel Robert Williams of the Department of the Platte to place an officer in charge at both the Red Cloud and Spotted Tail Agencies of northwestern Nebraska. The officers selected were to relieve the civilian agents and attempt to discreetly disarm or dismount Indians where possible.⁷ Sheridan knew that Fort Robinson, adjacent to the Red Cloud Agency, needed additional military reinforcements to enact such orders. Sheridan directed Colonel Ranald Mackenzie and several units from the 4th Cavalry left field operations against hostile Sioux and went to Fort Robinson in August, 1876, to aid garrison troops in any pony offensive.⁸

In addition to Mackenzie's force, Sheridan ordered four units of the 4th Artillery Battalion from San Francisco to Fort Robinson.⁹ In August Companies D and G of the 14th Infantry, from Fort Cameron, Utah Territory, and the newly organized 1st and 2nd Battalions of Cavalry, composed of troops formerly stationed at either Fort Dodge or Cimarron River, Kansas, were assigned to Fort Robinson. In all, there was an aggregate command of 982 men at the Red Cloud Agency standing ready to dismount the Sioux.¹⁰

As preparations unfolded at the Red Cloud Agency, Sheridan also laid plans to dismount warriors at the Standing Rock and Cheyenne River Agencies on the upper Missouri River. Civilian authorities at both agencies were not relieved of their duties, but on July 26, 1876, they received orders to cooperate with military personnel in an effort to prevent agency Sioux from joining the hostile bands; more important, civilians were asked to back the Army's attempt to force Indians to surrender ponies.¹¹ At Cheyenne River, Indian Agent H. W. Bingham believed that disaster would result should the Army actually follow the instructions of July 26, and attempt to seize any Indian mount.¹² Aware of tensions at Cheyenne River and Standing Rock, Sheridan requested that the 11th Infantry Regiment from Texas be sent to either northern agency in an attempt to strengthen the Army's position.¹³

In compliance the Army ordered several companies of the 11th Infantry, the 14th Infantry, and part of the 20th Infantry to Standing Rock in August, 1876.¹⁴ During September three

additional companies of the 11th Infantry increased the agency garrison to nine companies totaling 458 men.¹⁵ At Cheyenne River three companies of the 11th Infantry reached the agency in August and four additional units from the 11th Infantry arrived in September. The entire command of nine infantry companies totaled 426 men.¹⁶ As Sheridan increased the strength at the two northern Sioux agencies, Indians became increasingly hostile and forced Sheridan to order the 7th Cavalry from the field to provide the posts at Cheyenne River and Standing Rock with additional military support.¹⁷

As troops reinforced the three garrisons, Sheridan prepared to dispose of the Sioux ponies before the campaign began. He asked General William T. Sherman to support his actions and obtain from the secretary of war permission to sell the animals on the open market. Proceeds would purchase cattle for the Sioux. To Sheridan the pony seizure was not an attempt to civilize the Sioux; its only objective was to deny mobility to the Indian.¹⁸ In the Department of the Dakota, Quartermaster General George Ruggles, controlled the pony sales. Returns from all auctions in his department were sent to Ruggles' office at St. Paul, Minnesota.¹⁹

With the pony sales planned, needed military reinforcements at the three Sioux agencies, and a large number of troops pulled from the field awaiting orders to march, Sheridan was ready to act. Confidence and patience guided Sheridan; now he awaited the coming of winter and for the Sioux Commission of 1876 to affix signatures on the agreement with the various agency Sioux.

The Commission of 1876 wanted the agency Sioux to cede the Black Hills of South Dakota. On September 7, 1876, the commission met with Sioux from the Red Cloud and Spotted Tail Agencies at Chadron Creek in northwestern Nebraska. By September 20 these bands relinquished their land title to the United States, and the commissioners traveled north to Standing Rock and Cheyenne River. At the latter agency Indians told the commissioners there were rumors that soldiers were prepared to seize Sioux ponies. The commission assured the Sioux that their property would be protected and that no seizures would occur.²⁰

After the Commission of 1876 left Dakota Territory, having gained ownership of the Black Hills, the Army began operations against the Sioux ponies, disregarding the commission's agreement that "each individual shall be protected in his rights

of property, person, and life.”²¹ Sheridan, in October, 1876, ordered General Alfred Terry, commander of the Department of the Dakotas, to dismount and disarm Sioux at Standing Rock and Cheyenne River. Terry prepared and reorganized 1,200 men, many of them veterans of the Sioux expedition of the past summer, for the dismounting offensive.²² Before leaving his headquarters at Fort Abraham Lincoln, Dakota Territory, and moving south to the Sioux agencies, General Terry divided his command, which included the remaining units of the 7th Cavalry. Colonel Samuel Sturgis commanded one segment: eight companies of the 7th Cavalry, detachments of the 17th and 20th Infantries, and twenty-eight Indian scouts. On October 17, 1876, Sturgis crossed to the east bank of the Missouri River and made camp opposite Fort Abraham Lincoln. He left the encampment on October 20, and followed the Missouri south toward Standing Rock. Major Marcus Reno, commanding the remaining troops of the divided force, left Fort Lincoln on October 20 but followed the west bank of the Missouri from Fort Lincoln to Standing Rock.²³

Terry’s movements, directed against the northern Sioux, were relayed to Sheridan, who forwarded the information to General George Crook, commander of the Department of the Platte. In a telegram marked “confidential” Sheridan, informing Crook of Terry’s action, said, “I expect him to make a clean job of the arms, ponies and ammunition.”²⁴ Sheridan’s faith in Terry forced Crook to achieve equal success in his dismounting offensive at the Red Cloud Agency.

Through a prior arrangement with Sheridan, Crook’s command of 2,000 men, many of them veterans of the Big Horn Expedition, left Fort Laramie for the Red Cloud Agency to dismount Sioux warriors. Crook arrived October 22 and surrounded the Red Cloud and Red Leaf bands on Chadron Creek some distance from the agency. On October 23 with the aid of Colonel Ranald Mackenzie, Crook dismounted the two bands without firing a shot but did destroy several of their three hundred lodges. Red Cloud, the famous Oglala leader, suffered the personal loss of four lodges, one light wagon, and all his ponies. At the day’s end the soldiers gathered 705 horses; and the Indians, now afoot, walked to the agency.²⁵ There was a note of optimism in Crook’s first dispatch to Sheridan: “I feel that this is the first gleam of daylight we have had in this business.”²⁶



General Philip H. Sheridan



General George Crook

The result pleased Sheridan, who ordered Crook to continue dismounting and disarming Sioux at the Red Cloud Agency. If Spotted Tail, the Brule leader, resisted, he also was to be dismounted, but fortunately it was not then necessary.²⁷ Crook's first message also reached Sherman, who praised Crook and expressed a hope that Terry would be equally successful.²⁸

Instead of following Sheridan's orders, Crook ended his dismounting operation at the Red Cloud Agency, believing that no further seizures were needed. Crook pleaded in his report to Sheridan that the Indians had seen, "our friendship and the friendship of the Great Father."²⁹ Sheridan, unimpressed with Crook's humanitarian overtones, remarked in anger that Crook's "neglect to disarm and dismount other bands at the Agency is disapproved, and all the theories in this report seem to be given as a plea for not having performed what he promised and what was expected of him."³⁰ Sheridan hoped that Terry's offensive would bring greater rewards.

On October 22 Terry's two units commanded by Reno and Sturgis, marching on their respective sides of the Missouri River, arrived at Standing Rock. Because grass was scarce near the agency and because a Mrs. Galpin had warned of the pending seizure of ponies, the Indians removed their animals to distant pastures. Terry, angered, met with the chiefs and threatened to cut rations. His warning succeeded, and the Standing Rock Sioux submitted. Reno, accompanied by Lieutenant Colonel William Carlin, commander of the military garrison at Standing

Rock, dismounted the Sioux on the west bank of the Missouri River. The Army seized horses at the Blackfeet and Hunkpapa camps, as well as Upper Yanktonai ponies from Wolf Necklace's camp. Working simultaneously on the east side of the river, Sturgis dismounted Sioux at Two Bear's camp. On October 23 without hostile action, Terry took possession of 1,222 ponies at Standing River.³¹

In accordance with Sheridan's order, Reno and Carlin remained at Standing Rock and continued to dismount Sioux, but Sturgis advanced south along the Missouri to continue pony seizures at Cheyenne River Agency, where there was no longer an element of surprise.³² Terry arrived at the agency on October 27, 1876, several days ahead of Sturgis who advanced south from Standing Rock with three additional infantry units from Fort Sully, Dakota Territory. Garrison Commander Lieutenant Colonel George Buell at the Cheyenne River Agency met resistance, but the Sioux, denied supplies, surrendered their ponies. Terry's promise of compensation for the seizure of nearly one thousand horses may have eased tensions.³³

Ponies seized at Cheyenne River, Standing Rock, and Red Cloud Agencies were quickly disposed of, usually by auction. Horses captured from the Red Cloud and Red Leaf bands were sold within the Department of the Platte: 404 at Fort Laramie; 136 at Sidney, Nebraska; and 141 at the Cheyenne Depot, Wyoming Territory. Adding to the humiliation of the Sioux, Crook gave his Pawnee scouts the remaining ponies. From the sales the Army received \$4,169.84, or an average of nearly \$6 per pony.³⁴ Receipts from these sales were never used to purchase cattle for the Red Cloud Agency, nor were funds accounted for.³⁵

Horses confiscated at the Standing Rock and Cheyenne River Agencies were driven to distant locations to prevent their recapture by the Sioux. St. Paul, Minnesota, was selected as the site for the sale of the herds, and General Ruggles already had orders to conduct public auctions. The Standing Rock ponies were driven to Fort Abraham Lincoln, then to St. Paul. Horses from Cheyenne River moved to Fort Abercrombie, Dakota Territory, located near the Minnesota border, and joined the Standing Rock herd on the trail. Over two thousand horses left the two northern Sioux agencies, but only 429 reached St. Paul. Distemper destroyed many animals, numerous mares and their foals died from exposure, and other ponies drowned swimming

the Missouri River. Frequently, soldiers on herd duty became intoxicated and allowed stock to wander and become lost in inaccessible areas. Civilian drovers permitted thieves to steal horses, and one herder was convicted of aiding horse rustlers. In addition, faithful Ree scouts gained ownership of some Sioux ponies.³⁶ The *St. Paul Pioneer Press* reported that some animals "had been disposed of along the route by the herders in exchange for all sorts of favors, including a ten dollar bill, a quart of whiskey, rental on a livery team, and 18 tons of hay; one friendly herder had even donated one to a school teacher at Melrose, Minnesota, with the assurance that she would find him handy in traveling to and from school."³⁷ Lieutenant Eugene Gibbs, 6th Infantry, had directed the auctions of the ponies at St. Paul.³⁸

Pony seizures and sales continued after Crook and Terry were reassigned. Whenever the roving Sioux bands returned to the agencies, their ponies were confiscated. In December, 1876, Major John Mason, commander at Fort Robinson, Nebraska, sent 290 horses surrendered at the Red Cloud Agency to Cheyenne Depot, Wyoming Territory, for sale.³⁹ Additional Cheyenne River animals went to Yankton for sale, and mounts captured at Standing Rock were either sold at the agency or herded to Bismarck, Dakota Territory, for auction.⁴⁰ When pony seizures at Standing Rock ended in May, 1877, this means of reducing the Sioux's resistance capabilities was completed.⁴¹ Nearly seven months after the campaign had begun, General Terry reported to the War Department that the Army had captured 4,277 horses in the Department of the Dakota.⁴² Most likely, this number represented only a small percentage of ponies which the Sioux owned.

Lieutenant Gibbs received \$27,686.51 from the pony auctions, an average of about \$5.00. From this amount, the Army purchased 650 cows and 9 bulls for the Cheyenne River Agency and 315 cows and 8 bulls for the Standing Rock Sioux, as the government prepared to "solve" the Indian problem by forcing the Indian to grow his own food. The average price per cow ranged from \$16 to \$21, and each bull cost \$75, but only \$19,775.00 of the total amount received was spent on cattle for both northern agencies. The balance paid expenses incurred in transferring and selling the Sioux horses. Nearly \$8,000 was spent on such items as rope, newspaper advertisements, ferriage costs, and removal of dead Sioux ponies.⁴³ When James W.

Craven replaced Henry W. Bingham as civilian Indian agent at Cheyenne River, Craven suggested that military expenses were excessive.⁴⁴

Craven, in addition to criticizing expenses of the pony operation, let it be known that he believed Sheridan's decision to dismount the Sioux, especially at Cheyenne River, was a retaliatory act, not a military necessity. He wrote, "In as much as Genl. Terry and his command failed last year to chastise or conquer the bad Indians, they felt chagrined and came to this agency to conquer and retaliate on the Indians who did not participate in the war."⁴⁵ Crook defended the action, contending that the Army seized Red Cloud and Red Leaf ponies to prevent Indians from waging war, and that troops dismounted the Standing Rock and Cheyenne River Sioux to prevent hostiles from using agency horses. Later, Crook admitted some Sioux at the northern agencies were loyal but had not been excluded from the roundup.⁴⁶ Crook defended Sheridan's action; as for Sheridan, he called the disarming and dismounting offensive "a policy that had been resolved upon as offering unquestionably a final settlement of all further difficulties with the Sioux."⁴⁷

Most officers defended not only Sheridan's motive, but also the salutary results of the pony offensive. Lieutenant Colonel William Carlin, post commander at the Standing Rock, stated the loss of ponies had been the first step of any consequence toward civilizing the Sioux.⁴⁸ Captain William Wood, an officer at Cheyenne River, reported the Sioux at that agency became peaceful after Terry's dismounting offensive. "A Sioux without his horse is, comparatively, a very harmless being."⁴⁹

Despite some praise, the Army received sharp criticism. Indian Agent William Vandever called the seizures of Red Cloud and Red Leaf ponies unnecessary, since those bands were not at war but were camped peacefully on Chadron Creek holding council with Brules from the Spotted Tail Agency.⁵⁰ The Sioux Commission of 1876, labeling the action unjust and cruel, pointed out that no inventory of confiscated Sioux property was kept.⁵¹ George Manypenny, former commissioner of Indian affairs and a member of the Sioux Commission of 1876, said the entire military action against peaceful agency Sioux had been kept from the commission.⁵² The agent at Cheyenne River, James W. Craven believed the seizures a violation of Article 8 of the Sioux Agreement of 1877, which bound the government to

protect the Indians "in their rights of property, person and life." He charged that "the officers of the government seized nine-tenths of the property of the Indians before the ink was dry on that treaty."⁵³ Craven unsuccessfully appealed to the commissioner of Indian affairs for funds to compensate the friendly Sioux at Cheyenne River who were deprived of their property.⁵⁴

In reality, the Army's seizure of Sioux ponies was a short-term success despite its grand design. In the offensive Sheridan assembled nearly 5,000 troops, who either were directly involved in the seizures or stood ready at the various agencies—approximately one-fifth of the total military force of the United States. It appeared that "for the first time, all the agencies ceased to be points of supply and re-enforcement for the hostile Indians; and henceforth the troops will have only to contend with the Indians hereditarily and persistently hostile,"⁵⁵ but the pony seizures actually benefited neither side. Fighting did not end in the spring as Sheridan predicted, and it would be another five years before Sitting Bull and his followers surrendered. Nor did cattle purchased for the northern Sioux provide adequate compensation for Sioux deprived of their ponies.

Necessity was the rationale for the seizures, but punishment appears to have been an element; little concern was shown for Indian property. Irregularities found in administration of the pony offensive forced the Bureau of Indian Affairs to investigate military actions. Before the inquiry began, the mood of the nation shifted. Indian reform movements reached their zenith in the 1880's. It was a decade when philanthropists called for repentance of sins committed against the Indian. Guided by conscience, reform leaders influenced the Bureau of Indian Affairs in its decision to compensate Sioux Indians for their lost ponies. First concern was for Red Cloud and his people.

In January of 1883, Red Cloud visited the Indian Bureau in Washington and told Commissioner of Indian Affairs Hiram Price of his lost property.⁵⁶ Statements received from Valentine McGillicuddy, agent at Pine Ridge, and James Wright, agent at Rosebud, revealed that no cattle had ever reached either agency after Crook sold the ponies.⁵⁷ In searching its records the War Department could not account for over \$4,000 received from the

sale of the Red Cloud and Red Leaf horses. It corroborated Red Cloud's statement that he never received compensation, and Commissioner Price recommended to Congress that the Sioux chief and others receive \$20 per head for the 705 horses Crook confiscated in 1876.⁵⁸ Resentment grew after Price made his decision. George Manypenny, stating that \$20 per head was insufficient, informed the commissioner that many of the animals were excellent mounts and that the minimum should be \$40 per pony.⁵⁹ Manypenny's statements influenced Price in changing his decision, for in 1884 the commissioner asked Congress to compensate the Red Cloud and Red Leaf bands at \$40 per pony, though no law was enacted.⁶⁰ Price persisted in lobbying for the bill in both the 49th and 50th Congresses without success.⁶¹

In the Sioux Bill of 1889, Congress finally provided payments for confiscations. Article 27 of the Sioux Bill granted \$28,200 to heirs or living members of both bands for ponies lost in 1876—\$40 per head for 705 horses. The act provided for a special agent to take Indian testimony and determine the payment due each Indian claimant. Pony payments were not charged against the proceeds of the sale of any ceded Sioux lands but the bill needed the approval of three-fourths of the eligible Sioux voters. Compensation for lost property was tied to Indian approval of the Sioux Bill of 1889.⁶²

After previous commissions had failed to get nearly identical legislation, the Bureau of Indian Affairs ironically selected General Crook to head the Sioux Commission of 1889. Crook and other commission members went to Pine Ridge in 1889, but could not persuade the Sioux to produce the needed three-fourths majority. After thirteen years the Red Cloud and Red Leaf bands were recompensed, though they depended on Sioux at other agencies for approval in sufficient numbers to validate the act. Because of the Pine Ridge refusal to muster a positive vote, Crook believed that Red Cloud should not be compensated for his seized ponies.⁶³

Failing at Pine Ridge, the commission traveled north to Cheyenne River and Standing Rock. At both agencies Article 27 had created ill temper as dissidents demanded that they should also receive compensation for ponies the Army seized. John Grass, the famed Sioux orator from Standing Rock, stated that Sioux at his agency had peacefully surrendered their ponies and

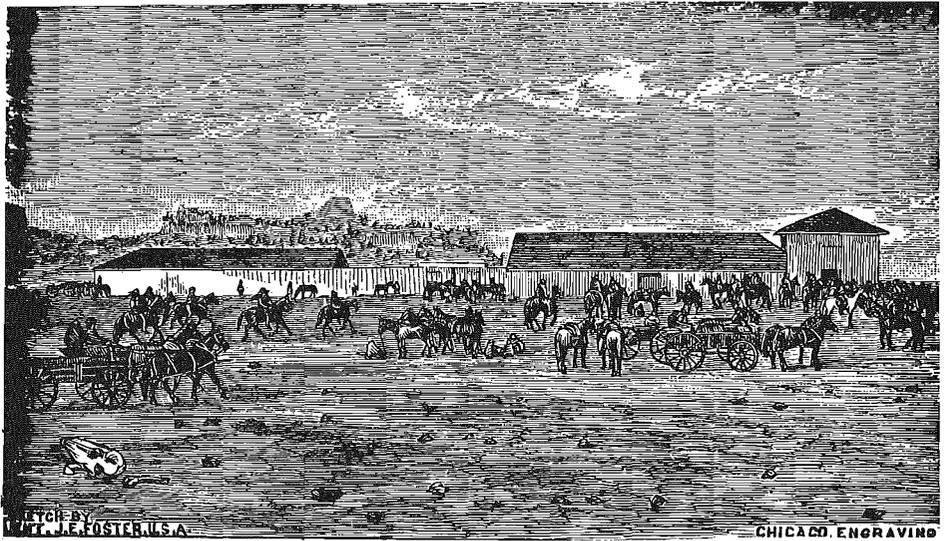
deserved some form of compensation. Crook admitted that many of the Standing Rock and Cheyenne River Sioux were friendly during the hostilities of 1876-1877 and recommended to the Bureau of Indian Affairs that the northern Sioux be included.⁶⁴

Promise of compensation produced support for the plan among the northern Sioux, who provided a firm three-fourths majority. Congress endorsed the commission's work and Special Indian Agent Elisha B. Reynolds went to South Dakota in 1890 to hear Indian testimony in an effort to settle claims.⁶⁵ Reynolds traveled first to Rosebud and later to Pine Ridge, where he listened to testimony. In the end, the Sioux claimed the government horse count was low, but Reynolds allowed for only 705 ponies at \$40 per head as specified by law. During December, 1890, the same month as the massacre at Wounded Knee, Reynolds completed his work at Pine Ridge and most claimants were paid for their losses.⁶⁶

During 1890, as Reynolds completed his task at Rosebud and Pine Ridge, anxiety and distress increased at Cheyenne River and Standing Rock with the death of Hunkpapa Medicine Man Sitting Bull. During the Messiah Craze, Big Foot and his followers bolted from Cheyenne River. Loss of ponies in 1876 apparently did not prevent Sioux mobility during later years.

On December 7, 1890, the commanding officer at Fort Yates, North Dakota, reported one cause for Indian dissatisfaction at Standing Rock was the failure of the government to appropriate money for the payment of the Indians for the ponies taken in 1876.⁶⁷ The commandant at Fort Bennett, South Dakota, also reported the Cheyenne River Sioux complained they were never recompensed for pony losses, and added that the complaint had justification.⁶⁸

Shortly after Wounded Knee, Congress passed legislation to compensate Sioux at Cheyenne River and Standing Rock for 1876 losses of horses. Payment, as before, was structured on the assessed value of \$40 per head; the legislation provided for \$200,000 which would cover claims for up to 5,000 horses. With approval of the bill, Crook's promise to the Standing Rock and Cheyenne River Sioux was honored. Special Agent Elisha Reynolds was sent among northern agency Sioux to validate pony claims.⁶⁹ Reynolds found that 4,277 horses had been reported seized by General Terry in the lists he submitted to the War Department in 1876 at the close of the pony offensive at



The Red Cloud Agency was moved from the Platte River to a site on the White River in 1873. An Army camp established nearby in 1874 became Camp (later Fort) Robinson. This sketch was drawn by Lieutenant J. E. Foster of the 3rd Cavalry.

Cheyenne River and Standing Rock.⁷⁰ Commissioner of Indian Affairs Thomas J. Morgan ordered that a thorough investigation be made into the matter.⁷¹

Armed with Morgan's instructions, Reynolds pursued his assignment with vigor, traveling to nearly all the Sioux agencies, taking testimony and filing claims for resident Indians or heirs who had moved. By August, 1891, Reynolds filed claims for 1,132 Indians who had owned a total of 7,261 horses. Reynolds reported that he was convinced of the honesty of the larger Indian claim, totalling about 3,000 more horses than Terry reported were seized.⁷² Reynolds said:

I call attention to this to show how loosely all this business was transacted by the Military and how unreliable their preterite accounting was and is, and I think no violence is done by saying that the number of ponies taken was not accounted for correctly; you will find an affidavit of three chief men of Cheyenne River Agency who state that after the ponies were taken each Indian who lost ponies was visited and asked to place in a sack a grain of corn for each pony he lost and when all had been thus called upon the grains were counted and they tallied 3,073 and that then this corn was given to the Rev. Mr. [Stephen] Riggs which was counted by him with like results and in his affidavit he affirms the same. All these facts convince me that the 4,277 reported by the Military as being the number they received from the Indians is not correct and can not be relied upon in the settlement of these claims, and to settle upon this basis is to do a great wrong to these claimants.⁷³

Despite Reynolds' faith in the legitimacy of Sioux claims, Commissioner Morgan returned the report to Reynolds in March, 1892, and ordered the agent to readjust the claims.⁷⁴ Reynolds persisted in his argument that military records were in

error and in September, 1892, the acting commissioner ordered Reynolds to settle claims of the Standing Rock and Cheyenne River Sioux at 5,000 ponies, the number Congress originally appropriated.⁷⁵ Though the government finally recognized Indian claims to 723 additional ponies over that which Terry reported taken by the Army, there remained 2,261 horses from Reynolds' report which the government did not allow. However, Indian agents at the various Sioux agencies throughout 1893 paid their wards for partial claims filed against the government as a result of Reynolds' work.⁷⁶

At Pine Ridge in 1895, a private attorney from the Washington, D.C. law firm of Anderson, Doane, and O'Neil canvassed the reservation and allowed Sioux a second opportunity to file pony claims against the government.⁷⁷ Claims numbering 696 were filed in 1895 against the United States, of which only a small number were for ponies taken by the Army during hostilities.⁷⁸ In 1906 private pony claims amounting to \$6,320 were paid to fifteen Sioux.⁷⁹

Due to difficulty in obtaining valid evidence of 30-year-old claims, the Department of Interior refused to honor any future contracts made with attorneys for prosecuting pony claims.⁸⁰ Yet, there was a provision in the 1889-1891 legislation to compensate for seized ponies; it stated that claimants accepting the offer could not file claims for additional compensation.⁸¹ Still the Sioux complained that the government treated them unjustly in handling the claims, and the clamor culminated in the passage of the Sioux Act of May 3, 1928.⁸²

The new legislation authorized an investigation to permanently settle both Sioux allotment and personal property claims, but there were strict guidelines as the Interior Department made all rules and decisions. Only individual claims were filed and no Indian (or his heirs) could file if he had engaged in hostilities during the Sioux war. Unlike prior bills Congress passed, no money was appropriated, as the Department of Interior considered claims individually and approved appropriation for those it deemed just.⁸³

By 1932 many Sioux claims were heard but most were rejected. Ralph Case and other attorneys for the Sioux filed suit, objecting to what was termed "continuing injustice."⁸⁴ It was argued that Indians had received only partial payment for their ponies and valid claims were in many instances arbitrarily reduced.⁸⁵ By

1939 this action prompted Representative Francis Case of South Dakota to initiate another investigation which lasted nearly five years. On November 4, 1944, the assistant commissioner of Indian Affairs approved still further payments.⁸⁶ It is doubtful that the claims would have been resolved at this time without the intervention of Case.

The Bureau of Indian Affairs produced a report numbering 212 pages, of which nearly 100 pages pertained to Sioux pony claims. The government finally acknowledged the injustice of the 1876 seizures.⁸⁷ The evidence procured showed that dismounting continued after General Crook left the Red Cloud Agency and that friendly Sioux deserved compensation. The investigation turned up an additional 197 valid pony claims, for which the government paid \$7,880—still \$40 per head—to legal heirs of the original Red Cloud and Red Leaf owners. The same procedure was conducted at Standing Rock and Cheyenne River and the government paid an additional \$84,040 for 2,101 seized ponies. Though the Bureau of Indian Affairs believed that many ancestors of claimants were hostile and should not be compensated, the government nevertheless honored most claims. The final report stated: "The duty of the Government to make full reparation for the losses sustained by the friendly agency Indians requires that the additional number of ponies and the amounts due each of the several claimants . . . who have not been compensated in full and have not actually been identified as members of hostile bands, be allowed."⁸⁸ In 1944 the government honored the provisions of the Sioux Act of May 3, 1928, and closed the Sioux pony claims. Within a fifty-year period, the government paid over \$320,000 to the Sioux as settlement for over 8,000 pony claims which stemmed from Sheridan's offensive of 1876. The settlement, of course, only provided some temporary relief to the Sioux and did not address the long-range needs of the tribe. All the Sioux earned was a moral victory.

NOTES

1. Sheridan to Crook, August 23, 1876; NARS, RG 94, Letters Received by the Office of the Adjutant General, File 4163, Sioux War Papers, Microcopy 666, Roll 278; hereafter cited as Sioux War Papers.
2. Sheridan to Sherman, August 10, 1876, (extract); NARS, RG 393, Records of United States Army Continental Commands, 1821-1920; Military Division of the Missouri Special File of Letters Received, (Indian Pony Fund).
3. For a survey of the Red River War see Robert M. Utely, *Frontier Regulars* (New York: Macmillan, 1973), 225-239.
4. Sheridan to Sherman, July 18, 1876; NARS, RG 94, Sioux War Papers, Roll 278.
5. *Annual Report of the Secretary of War*, Government Printing Office, Washington, 1876, 35, 445.
6. Sheridan to Sherman, July 18, 1876, August 23, 1876; NARS, RG 94, Sioux War Papers, Roll 278.
7. Sheridan to Williams, July 26, 1876; NARS, RG 94, Sioux War Papers, Roll 277.
8. Sheridan to Sherman, July 25, 1876; NARS, RG 94, Sioux War Papers, Roll 277.
9. August, 1876, Monthly Post Returns for Fort Robinson, Nebraska, NARS, RG 94, Returns From United States Military Posts, 1800-1916; Microcopy 617, Roll 1028.
10. *Ibid. Annual Report of the Secretary of War*, Government Printing Office, Washington, 1876, 48-49.
11. CIA to Secretary of Interior, July 26, 1876, NARS, RG 94, Sioux War Papers, Roll 276.
12. Bingham to CIA, July 30, 1876; NARS, RG 94, Sioux War Papers, Roll 277.
13. Sheridan to Sherman, August 10, 1876; NARS, RG 94, Sioux War Papers, Roll 278.
14. August, 1876, Monthly Post Returns for Standing Rock, Dakota Territory; NARS, RG 94, Returns From United States Military Posts, 1800-1916; Microcopy 617, Roll 1476.
15. *Ibid.*, September, 1876; *Annual Report of the Secretary of War*, 1876, 44-45.
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