

L E T T E R

FROM

THE SECRETARY OF THE INTERIOR,

IN RESPONSE TO

*Senate resolution of the 12th of March last calling for information concerning the alleged killing by soldiers, in the office of the agent of the Poncas, in the Indian Territory, of Big Snake, a chief man of the Poncas, and what action, if any, in reference to the matter, the department had taken, &c.*

JANUARY 5, 1881.—Ordered to lie on the table and be printed.

DEPARTMENT OF THE INTERIOR,  
*Washington, January 5, 1881.*

SIR: On the 12th of March last, Senate resolution calling for "all the information in the department concerning the alleged killing by soldiers, in the office of the agent of the Poncas, in the Indian Territory, of Big Snake, a chief man of the Poncas, and what has been the action of the department, if any, in reference to the matter," passed on the preceding day, was received by this department, and on the same day (12th) it was referred to the Commissioner of Indian Affairs with special directions for report.

A reference to the inclosed letter from the Indian Office, dated the 23d ultimo, will show that the report requested was made by that office in due time, but failed to reach this department. This is explained by Mr. Brooks, late chief clerk of the Indian Office, who says that either he or Commissioner Trowbridge delivered the report in person to the Senate "Committee for the investigation of the condition, &c., of the Poncas."

*Recently my attention was drawn to the circumstance that the report had not reached me, and I at once directed that a copy of the same be made, which I beg leave herewith to present, together with the above explanation of the accidental delay, which I very much regret.*

I am, sir, very respectfully,

C. SCHURZ,  
*Secretary.*

The PRESIDENT OF THE SENATE.

DEPARTMENT OF THE INTERIOR,  
OFFICE OF INDIAN AFFAIRS,  
*Washington, December 23, 1880.*

SIR: In reply to your recent verbal inquiry in regard to the action taken by this office upon the resolution of the Senate of the 11th of

March last calling for "all the information in the department concerning the alleged killing by soldiers, in the office of the agent of the Poncas, in the Indian Territory, of Big Snake, a chief man of the Poncas, and what has been the action of the department, if any, in respect to the matter," I have the honor to state that by reference to the records of this office it appears that copies of all the papers referred to were made and furnished on the 18th of March last; and as Mr. Brooks, who was then chief clerk of the office, was frequently called as a witness before the committee of the Senate charged with investigating the affairs of the Poncas during that month, it is supposed that he informally took the papers to the committee room pending the investigation. As they cannot be found, I herewith transmit duplicate copies of the same, numbered from 1 to 16, inclusive, and in reply to the inquiry made in said resolution relative to the action taken by the department respecting the killing of this chief, have respectfully to state that as his death was caused by an officer connected with the War Department, after the case had passed from the control of this department, and as by special military order (No. 151), that department had directed an investigation to be made, it was not deemed advisable or proper for this office to interfere in the matter. A copy of the report of the officer who made the investigation is herewith inclosed, dated November 10, 1879.

Very respectfully, your obedient servant,

E. M. MARBLE,  
*Acting Commissioner.*

The Hon. SECRETARY OF THE INTERIOR.

No. 1.

UNITED STATES INDIAN SERVICE,  
*Ponca Agency, Ind. Ter., via Arkansas City, Kans., May 13, 1879.*

SIR: I have the honor to state that a large number of the Indians left the agency to-day to go on a visit to the Cheyenne Agency. The Indians have been importuning me for some time for permission to go on this visit. I have refused them, and have read to them my instructions as contained in office letter dated March 26, 1879.

I have told them that they could not go now; that we had a great deal of work on hand; that their houses had to be completed before July 1, and that their crops, except small patches of garden, were not planted. I have talked to them kindly but firmly, and fully set the consequences of their conduct before them, and, until to-day, believed I had induced them to abandon their visit; but this morning I learned that a number had gone, and more were going. Some of the Indian employes and at least three policemen have gone, although informed before going that they would lose their positions by so doing.

Big Snake, a brother of Standing Bear, and The Chief have been very active in urging the tribe to thus defy authority. I think but for their influence they would have given it up.

I desire especially to commend the conduct of White Eagle; he is acting the man in every respect. He came to me this morning and said that he wanted to go very much; that it hurt him to see the others going and he remain behind; that there was a number of Indians in his neighborhood who did not know whether to go or not; that they would do as he did, and wanted me to tell him what to do; the tribe, his kindred, and his inclinations said he must go on the visit, but he would do as I advised; of course I told him to stay, and assured him his conduct in the matter should be rewarded.

I find the Indian police force in an important matter of this kind of very little account; they cannot be relied upon to enforce authority in a matter when the chiefs and headmen are implicated.

These Indians made no complaint at all; three weeks ago they were working hard, were interested in their work, and seemed to have given up all thought of going away; but since they have been informed, through Northern emissaries, that the government would not or could not enforce the regulations of the department restricting them to their reservations, they have entirely changed. I think the attempted invasion of the

whites, too, has had considerable to do in making them restless; also, it is rumored that there is to be a general revolt of the Pawnee Indians in a few days, which in my opinion has its influence upon the Poncas.

I am of the opinion that if Standing Bear is not brought back, and that very soon, the presence of a company of cavalry will be absolutely necessary to enforce obedience.

I respectfully inclose herewith copies of letters dispatched by special messenger to the commandant of the United States troops at Fort Reno, and to Agent Miles, at the Cheyenne Agency.

The following are the names of those who went off on the visit, viz: The Chief, Standing Buffalo, Little Picker, Big Snake, Cheyenne Wife and child, No Heart, Packs the Horse, Little Shooter, Buffalo Head, Yellow Bird, Sick Bull, Little Water, Little Soldier, Harry King, Child Chief, Foretop, Shines White, Spirit, Bear's Ear, Blue Back Not Afraid, No Ear, Pretty Hawk, Louis Primeaux, Stands Black, Little Walker, Prison Hunter, Walking Sky, Little Voice, Antoine Roy, McDonald, White Buffalo Bull, Pawnee Chief, Make Noise, and probably a few others, whose names I have not been able to obtain.

Very respectfully, your obedient servant,

WM. H. WHITEMAN,  
*United States Indian Agent.*

Hon. E. A. HAYT,  
*Commissioner of Indian Affairs, Washington, D. C.*

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No. 2.

UNITED STATES INDIAN SERVICE,  
*Ponca Agency, Ind. Ter., May 13, 1879.*

SIR: I have the honor to inform you that a number of Ponca Indians under the lead of The Chief, a chief of this tribe, and Big Snake, a sub-chief, have left the reservation without permission for the purpose of visiting the Indians of the Cheyenne Agency. These Indians are knowingly and willfully violating the orders of the Hon. Commissioner of Indian Affairs, and the laws of the United States regulating Indian affairs. They made request for permission to make this visit, which was refused them, but they have gone in defiance of authority and well knowing the consequence of their disobedience.

I have therefore the honor to request that immediately upon their arrival at the Cheyenne Agency they be arrested, and that The Chief and Big Snake be imprisoned until I can communicate with the Hon. Commissioner of Indian Affairs concerning them, and receive further instructions, and that the other Indians accompanying them, whose names I herewith inclose, be arrested and returned to this agency.

Very respectfully, your obedient servant,

WM. H. WHITEMAN,  
*United States Indian Agent.*

COMMANDANT UNITED STATES FORCES,  
*Fort Reno, Ind. Ter.*

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No. 3.

UNITED STATES INDIAN SERVICE,  
*Ponca Agency, Ind. Ter., May 13, 1879.*

SIR: A number of Ponca Indians have started to make a visit to the Indians of your agency; they have gone without permission, the same having been refused them, under instructions from the honorable Commissioner of Indian Affairs; they are knowingly and willfully violating the orders of the department, and I have the honor to request that no aid or comfort be given, and that the Indians of your agency be forbidden to make them any presents of any description. They have gone with the expectation of reaping a rich harvest in the way of presents, and should they be disappointed I think it would prove a salutary lesson to them.

I have written the officer commanding United States troops at Fort Reno, requesting him to arrest them immediately upon their arrival and return them to this agency; and for fear my letter should not reach him, you will greatly oblige me if you will make this request for me in person. I will inclose the names of the offending Indians as far as I am able to obtain them.

Very respectfully, your obedient servant,

WM. H. WHITEMAN,  
*United States Indian Agent.*

Col. J. D. MILES,  
*United States Indian Agent, Cheyenne Agency, Ind. Ter.*

## KILLING OF A PONCA CHIEF BY SOLDIERS.

No. 4.

HEADQUARTERS, FORT RENO, IND. TER.,  
May 13, 1879.

SIR: I have the honor to acknowledge the receipt of your communication of the 13th instant, delivered to me by Mr. McGinn, in regard to certain of the Ponca Indians who had left your agency without permission, and who, you state, are absent from and off their reservation without authority, and in violation of express orders.

Upon the receipt of your request to secure the arrest of these Indians I sent out a force of cavalry to intercept the Poncas, and have to inform you that the entire party, numbering sixty-one men and five women, are now held under guard at Fort Reno, subject to the orders of the department commander. These Indians will be returned to your agency as soon as an escort can be furnished, but at present I am unable to spare any details from the garrison of this post.

If you need military assistance to enable you to keep these Indians on their reservation I would recommend that you make application to the general commanding Department Missouri, reporting fully the circumstances which makes the use of troops necessary.

Very respectfully, your obedient servant,

J. K. MIZNER,  
Major, Fourth Cavalry, Commanding Post.

WILLIAM H. WHITEMAN, Esq.,  
United States Indian Agent, Ponca Agency, Ind. Ter.

No. 5.

HEADQUARTERS, FORT RENO, IND. TER.,  
May 18, 1879.

SIR: Upon reflection, I think it well to retain The Chief, Big Snake, and Antoine in confinement at this post, and to send all the other Poncas, now held as prisoners at this post, to be delivered to you at your agency by a suitable escort, starting them from here about the 20th instant.

I have to request that you will inform me what final disposition you will make of the prisoners retained by me, and if you wish them to be held in confinement for any specified time, or until further orders, that you will so state to me in writing.

Very respectfully, your obedient servant,

J. T. MIZNER,  
Major, Fourth Cavalry, Commanding Post.

W. H. WHITEMAN, Esq.,  
United States Indian Agent, Ponca Agency.

No. 6.

UNITED STATES INDIAN SERVICE,  
Ponca Agency, Ind. Ter., May 21, 1879.

SIR: I have the honor to call attention to my letter of the 13th instant and accompanying papers relative to the Ponca Indians who left the agency, without leave, to visit the Cheyenne Agency.

I respectfully forward herewith copies of letters received this date from the commandant of United States forces at Fort Reno, with the request that he be directed to detain Big Snake, The Chief, and Antoine Roy as prisoners until it is determined what disposition shall be made of them.

The two first named are the most unruly members of the tribe, and being recognized as chiefs, have an evil influence over many members of the tribe, and are the two who I would expect to make the first break for Dakota.

Antoine Roy is a half-breed, speaking English, and has been very active in persuading the Indians to disobey orders and go on this trip. I believe his confinement for a short time would have a good influence on the tribe.

I would respectfully recommend that they be detained as prisoners at Fort Reno until the tribe has recovered from the demoralizing effects of the decision recently made by the United States district court in Nebraska, in the case of Standing Bear.

Very respectfully, your obedient servant,

WM. H. WHITEMAN,  
United States Indian Agent.

Hon. E. A. HAYT,  
Commissioner of Indian Affairs, Washington, D. C.

I concur in above recommendation.

JOHN MCNEIL, Inspector.

No. 7.

WAR DEPARTMENT,  
Washington City, May 23, 1879.

SIR: I have the honor to transmit herewith, for your information, copy of instructions telegraphed yesterday to General Sheridan, to send to their agency the Ponca Indians arrested and held at Fort Reno, in accordance with your request of the 21st instant.

Very respectfully, your obedient servant,

G. W. MCCRARY,  
Secretary of War.

The Hon. SECRETARY OF THE INTERIOR.

[Telegram.]

HEADQUARTERS ARMY OF THE UNITED STATES,  
Washington, D. C., May 22, 1879.To General P. H. SHERIDAN,  
Commanding Division, Chicago, Ill.

The honorable Secretary of the Interior requests that the Poncas arrested and held at Fort Reno, in the Indian Territory, as reported in your dispatch of May 18, be sent to the agency of the Poncas. You may order this to be done. The release under writ of *habeas corpus* of the Poncas in Nebraska does not apply to any other than that specific case.

W. T. SHERMAN,  
General

No. 8.

WASHINGTON, D. C., June 5, 1879.

SIR: I have the honor to transmit herewith copy of communication dated 21st ultimo, from United States Agent Wm. H. Whiteman, of the Ponca Agency, inclosing letters from Major Mizner, of the Fourth Cavalry, U. S. A., commanding Fort Reno, Indian Territory (copies herewith), relative to the Ponca Indians who left their reservation without leave to visit the Indians at the Cheyenne Agency, and who were intercepted by the military, at the request of the agent, and are now held under guard at Fort Reno, subject to the orders of the War Department. It appears that "Big Snake" and "The Chief," two of the arrested Poncas, are the most unruly members of the tribe, and are the ones, the agent expects, who would make the first break for Dakota, and that "Antoine Roy," also one of the prisoners, is a half-breed who has been active in persuading the Indians to disobey orders and go on this trip. For these reasons, and in compliance with Agent Whiteman's recommendation, I have the honor to suggest that the inclosed copies be forwarded to the War Department, with the request that the commanding officer at Fort Reno be directed to retain "Big Snake," "The Chief," and Antoine Roy until it shall be determined what disposition shall be made of them.

Very respectfully, your obedient servant,

E. J. BROOKS,  
Acting Commissioner.

The Hon. SECRETARY OF THE INTERIOR.

No. 9.

UNITED STATES INDIAN SERVICE,  
Ponca Agency, October 20, 1879.

SIR: I have the honor to state that since the return of Big Snake from confinement at Fort Reno about the 4th day of August, 1879, he has conducted himself in an extremely sullen and morose manner, and plainly shows that the confinement did him no good, and that he is harboring a grudge against me, which I have no doubt he will endeavor to satisfy whenever he can get a good opportunity. He has never spoken to me since his return; he very rarely comes about the agency when I am at home,

but in my absence frequently comes to the agency and in a very offensive manner orders the employés to go and do work for him, or orders them to do their work in a different manner from the one I have instructed them in. He has several times sent very insulting messages to me, at one time ordering me to put up a large frame-house for him right away, and at another time sent a message ordering me to put up hay for him over by his house; he has repeatedly said that he intended to kill me, and has gone so far as to set the time within which he would kill me. Since his return from Fort Reno, where he was arrested and confined for inciting the Indians to run away from the agency for the purpose of visiting other tribes, he has upon two occasions left the agency without permission and made visits to the Pawnee Indians, at each time bringing back a considerable number of ponies with him, which were given to him by the Pawnees. The liberty which Big Snake takes in spite of all I can do to restrain him has a very demoralizing effect upon the other Indians; they see him go off and return with ponies and they are immediately fired with a desire to do likewise. At this time a number of Indians, and among them several employés, are absent without my permission upon a visit to the Pawnee Indians, and may go further. "Big Snake" is the most brutal Indian in appearance and manners I have ever seen; the Indians are all afraid of him, and he is a terror to the employés.

I am informed by Mr. Chapman, who obtained his information from Yellow Bull and Henses Kutte, that Big Snake has been talking and concerting with the most dangerous elements, among the Nez Percés, inciting them to rebel against the authority of the government and make their way north; they say that Big Snake told some of the Nez Percé young men that he intended to kill me, and these young men are looking to him to lead them in an outbreak. It is my own opinion that Big Snake is preparing to make a break as soon as he receives his annuity and goods; whether he will attempt to carry out his threat of killing me, I am not prepared to say, but I do not think he should be given the opportunity; it is very disagreeable for me to be always on my guard against him; I am not of a disposition to be influenced by morbid fears of danger which does not exist. I believe that Big Snake has it in him to carry out his threats. I am constantly on my guard against his violence, and should kill him at the first demonstration he makes; but this is an alternative which I very much dread, and one which I should not be left to take.

I therefore most respectfully and earnestly request that the commanding officer of United States troops at Fort Reno or Arkansas City be directed to send a detail of soldiers to this agency to arrest Big Snake and convey him to Fort Reno and there confine him for the remainder of his natural life.

Very respectfully, your obedient servant,

WM. H. WHITEMAN,  
*United States Indian Agent.*

Hon. E. A. HAYT,  
*Commissioner of Indian Affairs, Washington, D. C.*

No. 10.

WASHINGTON, D. C., October 25, 1879.

SIR: I have the honor to inclose herewith copies of two communications, one dated the 18th instant, from United States Agent J. L. Mahan, of the La Pointe Agency, relative to information communicated to him respecting a contemplated raid upon the frontier settlements on or near the line of the Northern Pacific Railroad, by roving Indians in Wisconsin and Minnesota, who are, as it is alleged, being incited to the work by "secret rumors passing from one agency to another and from reservation to reservation." I respectfully recommend that the letter be referred to the War Department for its information.

The other communication is from United States Agent Whiteman, of the Ponca Agency, dated 20th instant, relative to the conduct of the chief Big Snake since he was released from his confinement at Fort Reno. The agent states that his confinement has done him no good; that he is morose; seldom visits the agency; conducts himself in a very offensive manner, and has threatened his life, and that his influence has a very demoralizing effect upon the other Indians, and he earnestly requests that he be arrested by the troops. I therefore respectfully recommend that the honorable Secretary of War be requested to cause the necessary orders to be issued to the commandant at Fort Reno to rearrest him and confine him at that fort until some other disposition can be made of him.

Very respectfully, your obedient servant,

E. A. HAYT,  
*Commissioner.*

The Hon. SECRETARY OF THE INTERIOR.

KILLING OF A PONCA CHIEF BY SOLDIERS.

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No. 11.

WAR DEPARTMENT,  
Washington City, October 27, 1879.

SIR: Referring to your request of the 25th ultimo for the arrest and confinement in the guard-house at Fort Reno of a Ponca chief named Big Snake, I have the honor to inclose herewith copy of telegram of same date to General Sheridan, communicating instructions in accordance with your wishes.

Very respectfully, your obedient servant,

H. T. CRCŠBY,

Chief Clerk for the Secretary of War, in his absence.

The Hon. SECRETARY OF THE INTERIOR.

[Indorsement.]

DEPARTMENT OF THE INTERIOR,  
October 29, 1879.

Respectfully referred to the Commissioner of Indian Affairs.

GEO. M. LOCKWOOD,  
Chief Clerk.

[Telegram.]

HEADQUARTERS ARMY OF THE UNITED STATES,  
Washington, D. C., October 25, 1879.

To General SHERIDAN,  
Commanding Division, Chicago, Ill. :

The Secretary of the Interior requests the arrest and confinement to the guard-house at Fort Reno of a Ponca chief named Big Snake. You will please order it to be done, and have him held in custody till released by superior authority.

W. T. SHERMAN,  
General.

No. 12.

DEPARTMENT OF THE INTERIOR,  
OFFICE OF INDIAN AFFAIRS,  
Washington, October 31, 1879.

SIR: Referring to your letter dated 28th instant, relative to the bad conduct of the Ponca chief Big Snake, you are informed that the General of the Army, on the recommendation of this office, issued the necessary orders on the 25th instant for his arrest and confinement at Fort Reno.

Very respectfully,

E. A. HAYT,  
Commissioner.

W. H. WHITEMAN,  
United States Indian Agent, Ponca Agency, Indian Territory.

No. 13.

UNITED STATES INDIAN SERVICE,  
Ponca Agency, October 31, 1879.

SIR: I have the honor to state that Lieutenant Mason, of the Fourth United States Cavalry, arrived here last night in command of thirteen men for the purpose of arresting Big Snake and conveying him to Fort Reno, Ind. Ter.

I had an interview with Lieutenant Mason immediately after his arrival, and advised him to postpone making the arrest until to-day, as I had sent out word to all the Indians who have freighted supplies for the agency that I would pay them off to-day, and I believed that the notice sent out would bring Big Snake to the office, at which time I thought he could be arrested without difficulty or causing much commotion among the Indians. Big Snake came to the office to-day between 1 and 2

o'clock p. m., as I expected. Lieutenant Mason went into the office with two or three of his men, and, through the interpreter, informed Big Snake that he was ordered by the big chief to arrest him and take him to the commanding officer at Fort Reno. At first Big Snake took the matter very quietly; he wanted to know what he had done that he was arrested. The lieutenant informed him that the officer at Fort Reno would inform him of that when he got down there. Big Snake professed so much ignorance on this subject that I undertook to inform him, but was continually interrupted by him, and I finally ceased to talk to him. Big Snake then demanded that an interpreter be sent with him. I replied that he was then in custody of the soldiers, and that I had no further control over him. He then demanded of the officer that he take with him an interpreter for his benefit, and also one of his wives. Lieutenant Mason then told him that he had no orders to take any one but himself, and that he must come along without further parleying. Big Snake refused to go.

The officer, in my opinion, acted very considerately. I had told him several times that I desired the arrest to be made without harming Big Snake, if it was possible to do so; and upon Big Snake's refusal to go, the officer talked to him and reasoned with him for some time, advising him to go along quietly, and not to put him to the necessity of using violence or putting irons upon him. Two chiefs who were present also talked with him and advised him to go along quietly. Big Snake replied to them that he would rather die than go with the soldiers. I said to Big Snake that he had not very often taken my advice, but that he had sometimes refused to take advice from me, and, by so doing, had got himself into trouble; that he would do well to take my advice now; that the soldiers had orders to take him, and they would be sure to do it, even if it should be necessary to hurt him in doing it. The officer then, seeing that Big Snake did not intend to go along, save he was forced to do so, ordered the corporal (Dobbins) to bring in six men to assist him; they took hold of Big Snake and told him to go with them; he hung back and would not stir. The officer then ordered his men to handcuff him. At this time Big Snake began to make use of all the wonderful strength with which he was possessed. He threw the soldiers from him like chaff. A soldier struck him over the head with the butt of his gun a blow that would have brought an ox to the ground, but still Big Snake kept his feet and would not be taken. The soldiers say that at this time Big Snake drew a knife, and the corporal, seeing the knife and believing that he would kill the lieutenant, who was struggling with him, shot him dead. I did not see Big Snake have any weapon, but as several of the soldiers were between him and myself, he may have had it and I not see it. Mr. Frisbie, the agency carpenter, says he noticed Big Snake reaching into his blanket or shirt as if searching for something, but did not see him draw any weapon.

The Indians, after the killing of Big Snake, became very much excited. They are now, this the morning of the 1st of November, more quiet, and holding a council among themselves over the matter. I do not think any trouble will grow out of it. I have requested Lieutenant Mason to remain here with his men for the present, which he has agreed to do. Big Snake was a very bad, insolent, and dangerous Indian. I regret that he should be killed in this manner, but am of the opinion that the tribe will be more tractable, now that he is dead.

Very respectfully, your obedient servant,

WM. H. WHITEMAN,  
*United States Indian Agent.*

Hon. E. A. HAYT,  
*Commissioner of Indian Affairs, Washington, D. C.*

No. 14.

[Telegram.]

FORT LEAVENWORTH, KANS.,  
November 1, 1879.

To ASSISTANT ADJUTANT GENERAL,  
*Headquarters Military Division of the Missouri, Chicago:*

The following report of the result of the attempt to arrest the Ponca chief Big Snake, made at the request of the Secretary of the Interior, is repeated for the information of the Lieutenant-General.

JOHN POPE,  
*Brevet Major-General, Commanding.*



"FORT RENO, *November 1, 1879.*

'ASSISTANT ADJUTANT-GENERAL, DEPARTMENT OF MISSOURI,  
"Fort Leavenworth, *Kans :*

"The following just received from Lieutenant Mason, Fourth Cavalry:

"'PONCA AGENCY, *31st, via Winfield, Kans.*

"'TO COMMANDING OFFICER, *Reno :*

"'Attempted to take Big Snake. He resisted and was killed. Indians very wild about, and don't know but may have trouble. Agent wishes me here for some time. Need forage and rations, and will likely need more men.

"'MASON,  
"Lieutenant, *Fourth Cavalry.'*

"I send Lieutenant McDonald with twenty-five men to report to Lieutenant Mason, at Ponca Agency, at once. Lieutenant McFarland with infantry detachment goes as escort to forage and rations.

"I have ordered Lieutenant Mason to remain at Ponca Agency until further orders, and send him twenty day's rations. Lieutenant Mason is instructed to exercise great discretion to avoid increased excitement among the Indians, and to report if he needs further assistance.

"MIZNER,  
"Major."

Official.

WM. D. WHIPPLE,  
*Assistant Adjutant-General.*

[First indorsement.]

HEADQUARTERS MILITARY DIVISION OF MISSOURI,  
*Chicago, November 4, 1879.*

Respectfully forwarded to the Adjutant-General of the Army.

P. H. SHERIDAN,  
*Lieutenant-General, Commanding.*

WAR DEPARTMENT,  
*Washington, D. C., November 8, 1879.*

Respectfully transmitted to the honorable Secretary of the Interior for his information.

G. W. MCCRARY,  
*Secretary of War.*

DEPARTMENT OF THE INTERIOR,  
*November 12, 1875.*

Respectfully referred to the Commissioner of Indian Affairs.

R. JOSEPH,  
*Acting Chief Clerk.*

No. 15.

FORT RENO, IND. TER., *November 10, 1879.*

SIR: I have the honor to report that in obedience to special orders No. 151, from post headquarters, dated November 3, 1879, I left the post at 10 o'clock a. m., of the same day and proceeded to Ponca Agency, for the purpose of investigating the killing of Big Snake, Ponca chief.

Arriving at the agency at noon on the 6th instant, I obtained a copy of Agent Whiteman's report to the Hon. Commissioner of Indian Affairs; a statement from Lieutenant Mason, Fourth Cavalry, who was charged with making the arrest of Big Snake; a statement also in writing, made by J. S. Sherburne, Indian trader, at the agency, and verbal statements from Mr. A. R. Satterthwaite, agent's clerk, and Private James Casey, company H, Fourth Cavalry, all of whom were present at the occurrence. Wishing that the immediate friends of Big Snake should be heard from, I caused Big Bull, a subchief and Hairy Bear, a chief of the Ponca tribe, to be sent for, and they came to the agency on the morning of the 7th and stated their version of the occurrences. These various statements, both written and verbal, are appended hereto, in the order in which I have referred to them. As they embrace the views of all parties, and are in all essential respects in accordance, I did not deem further testimony necessary.

Big Snake was killed during the afternoon of October 31, by a gunshot wound in the head, inflicted by Corporal William Dobbin, Company H, Fourth Cavalry, while resisting arrest. From the evidence, the conduct of Lieutenant Mason, commanding detail, appears to have been considerate and judicious. He had but thirteen men with whom to arrest a chief among his own people, and who was well known as a turbulent, dangerous Indian, possessed of extraordinary personal strength.

At the request of the agent the attempt was delayed until Big Snake should come to the agency office. This is a small room, not more than twelve feet square. Beside the agent, his clerk, and one other citizen, there were present quite a number of Indians, while a still larger number were outside the building and close at hand. Under these circumstances Lieutenant Mason could not with safety have had any number of his men sufficient to have overpowered the Indian, by their strength, lay aside their guns during the struggle. The soldiers were therefore at a disadvantage when attempting to overpower Big Snake. Having Indians in their rear and immediately about them, and remembering the well-known desperate character of Big Snake, as well as the repeated cases of violence and treachery of Indians generally, the situation seemed to be that the Indian should be killed, as was done, or great danger be incurred that one or more of the detail be cut or otherwise injured by Big Snake or his personal friends should the excitement continue to rise, owing to a longer protracted struggle with him. It is possible that the Indian could have been taken alive by Lieutenant Mason's detail, notwithstanding his avowed determination to die first, but when his character and the circumstances of the case are considered, it is extremely doubtful. His death will, I think, be a source of relief to the agent and in a certain sense to the tribe. There will no complications or trouble of any kind result from it, I am confident. This impression results from what was said in an informal council held at the office after Hairy Bear had given his statement, at which the chief, while expressing regret at the death of his friend, appeared to accept such explanations and assurances as I felt authorized to give him, and promised to use his influence to promote the future good conduct of his people.

I remain, very respectfully, your obedient servant,

W. H. CLAPP,  
*Captain, Sixteenth Infantry.*

POST ADJUTANT.

#### REPORT OF AGENT.

UNITED STATES INDIAN SERVICE,  
*Ponca Agency, October 31, 1879.*

SIR: I have the honor to state that Lieutenant Mason, Fourth Cavalry, arrived here last night in command of thirteen men for the purpose of arresting Big Snake, and conveying him to Fort Reno, Ind. T. I had an interview with Lieutenant Mason immediately after his arrival, and advised him to postpone making the arrest until to-day, as I had sent out word to all the Indians who had freighted supplies for the agency that I would pay them off to-day, and I believed that the notice sent out would bring Big Snake to the office, at which time I thought he could be arrested without difficulty, or causing much commotion among the Indians. Big Snake came to the office to-day between one and two o'clock, as I expected. Lieutenant Mason went to the office with two or three of his men and through the interpreter informed Big Snake that he was ordered by the Big Chief to arrest him and take him to the commanding officer at Fort Reno. At first Big Snake took the matter very quietly. He wanted to know what he had done that he was arrested. The lieutenant informed him that the officer at Fort Reno would inform him of that when he got down there. Big Snake professed so much ignorance on the subject that I undertook to inform him but was continually interrupted by him. Big Snake then demanded that an interpreter be sent with him. I replied that he was in the custody of the soldiers and that I had no further control of him. He then demanded of the officer that he take with him an interpreter for his benefit, and also one of his wives. Lieutenant Mason then told him that he had no orders to take any one but himself, and that he must come along without more parleying. Big Snake refused to go. The officer, in my opinion, acted very considerately. I had told him several times that I desired the arrest to be made without harming Big Snake if it was possible to do so, and upon Big Snake's refusal, the officer talked to him and reasoned with him for some time, advising him to go along quietly, and not to put him to the necessity of using violence or putting irons upon him. Two chiefs who were present also talked with him, and advised him to go along quietly. Big Snake replied to them that he would rather die than go with the soldiers. I said to Big Snake that he had not very often taken my advice, but that he had sometimes refused to take advice from me and by so doing had got into trouble; that he would do well to take my advice now, that the soldiers had or-

ders to take him and that they would be sure to do it even should it be necessary to hurt him in doing it.

The officer then seeing that Big Snake did not intend to go along save he was forced to do so, ordered the corporal (Dobbin) to bring in six men to arrest him. They took hold of Big Snake and told him to go with them. He hung back, and would not stir. The officer then ordered his men to handcuff him. At this Big Snake began to make from him like chaff. A soldier struck him over the head with the butt of his gun a use of all the wonderful strength of which he was possessed. He threw the soldiers blow that would have brought an ox to the ground, but still Big Snake kept his feet and would not be taken. The soldiers say that at this time Big Snake drew a knife, and the corporal, seeing the knife and believing that he would kill the lieutenant, who was struggling with him, shot him dead. I did not see Big Snake have any weapon, but, as several of the soldiers were between him and myself, he may have had it and I not see it. Mr. Frisbee, the agency carpenter, says he noticed Big Snake reaching into his blanket or shirt, as if searching for something, but did not see him draw any weapon. The Indians, after the killing of Big Snake, became very much excited. They are now, this morning of the 1st of November, more quiet, and holding a council among themselves over the matter. I do not think any trouble will grow out of it. I have requested Lieutenant Mason to remain here with his men for the present, which he has agreed to do.

Big Snake was a very bad, insolent, and dangerous Indian. I regret that he should be killed in this manner, but am of the opinion that the tribe will be more tractable now that he is dead.

Very respectfully your obedient servant,

WM. H. WHITEMAN,  
*United States Indian Agent.*

Hon. E. A. HAYT,  
*Commissioner of Indian Affairs.*

PONCA AGENCY, IND. TER., November 7, 1879.

SIR: In compliance with your verbal request for information regarding the killing of Big Snake, I have the honor to submit the following, which is in all essential respects a copy of my report to post headquarters about the killing, and which contains all the facts that are at my disposal.

In compliance with Special Order No. 146, Headquarters, Fort Reno, Ind. Ter., dated October 26, '79, I left Fort Reno and proceeded to the Ponca Agency for the purpose of arresting the Ponca Indian, Big Snake. I arrived at the agency about 9 o'clock p. m., October 30, and at once reported to the agent. After a conversation with the interpreter and several employes of the agency, the agent requested me to arrest him the next day, when he would come to the office to be paid for transportation. The agent then informed me that Big Snake was a very dangerous Indian, and that he might make trouble, but that he did not wish him hurt, unless there was a likelihood of his injuring some of my men. About 3 p. m., October 31, Big Snake was pointed out to me as he was going to the office. I at once took three men and went into the office, and told the interpreter to tell Big Snake that the Big Soldier Chief had sent me to take him to Fort Reno to see the Chief there. He at once seemed disinclined to go, and told some of the Indians there present that he would die before he would go. The agent then came into the room, and, as Big Snake wished to have a talk with the agent, I sent all of my men but one to camp, to get ready to leave.

After the agent had ceased talking to Big Snake, I told the latter to get up and go to camp with me, but he would not. I tried to get him to camp peaceably, but failing, I sent my man to camp for six more men. When they came I again told Big Snake to go peaceably and he would not be injured, and that I would treat him well. I then took hold of his arm, but he jerked away. I then told my men to take hold of him, and after he had pushed three or four men off, I got a pair of handcuffs and my men tried to put them on but failed. I then ordered a man to knock him down with the butt of his gun, and he was at once struck two very hard blows. Being near him, I seized him, as did also one of my men, but he could not be gotten to the floor. I then stepped back, intending to have him crushed to the floor by blows, when the corporal, who had stood with his rifle ready, after breaking its stock on the Indian's head, fired, killing Big Snake instantly. Several persons present say that the Indian drew something from his shirt, and tried to strike with it. After being struck he recovered at once, and started to rush forward and not until then did the corporal fire. The corporal of my detail knew this Indian well, had heard the Indian say when he was confined in the guard-house, at Fort Reno, last summer, that he, Big Snake, could take any three of the guard in his arms and throw them away dead. I used my best endeavor to effect the arrest peaceably, and had directed the corporal that not a shot should be fired, unless some of my men were in danger of being hurt,

and I believe that throughout the encounter some of my men were in great danger of being cut. After the death of Big Snake the agent requested me to remain. I then put my men into a building and prepared it for any attack.

Very respectfully, your obedient servant,

STANTON A. MASON,  
*First Lieutenant, Fourth Cavalry.*

Capt. W. H. CLAPP,  
*Sixteenth Infantry.*

PONCA AGENCY, November 7, 1879.

On Friday, October 31, 1879, about noon, I went into the office of Col. W. H. Whiteman, United States Indian agent at Ponca Agency, Ind. Ter. On entering I saw an Indian named Big Snake sitting in a chair in the room. Lieutenant Mason was standing by his side, and two soldiers in front of him. I soon discovered Big Snake had been arrested, and Lieutenant Mason was coaxing him to go with him, but Big Snake seemed to show no disposition, and was urging for permission to take along an interpreter and his wife, and finally plead ignorance as to the cause of his arrest. Upon which Colonel Whiteman (agent) said he would tell him a few of the charges against him; one of which was the threatening of said Whiteman's life. This he denied ever having done. After the officer had tried, I think fully one-half an hour, to persuade Big Snake to go with him peaceably, he told him he could not wait and bother with him any longer; that he must go, and that if he would go quietly all would be well; otherwise he would have his men come in and make him go. The officer then, as he had repeatedly done before, took hold of his arm, and Big Snake snatched loose from him. Officer Mason then stepped to the door and told one of his men to go and tell six men (I think) to come up from the camp, just back of the office. The men came immediately; all had guns. Mason then took a pair of handcuffs and undertook to put them on Big Snake's arms. He jerked away from him again. He then ordered his men to take hold of Big Snake. Some three or four men attempted to take hold of him, but were thrown away by Big Snake, and now a general row ensued. I saw one man strike him with the butt end of his gun, which seemed to have but little effect. I saw another gun raised to strike; think it hit Big Snake. Did not see it strike, but heard it distinctly. The next thing I heard was the agent saying, "Don't shoot if you can avoid it." Almost at the same instant I saw a gun discharged, and Big Snake fell. During the scuffle I stood, I think, about eight feet from Big Snake, and on the opposite side of the room, and the room being full of people, mostly Indians, my sight of the motions of both sides was cut off by the erecting of bodies in front of me. I will further say that when the soldiers came in armed Big Snake rose from his chair and threw off his blanket, and said, through the interpreter, as, of course, was all the conversation, "I am not armed," and threw up his arms, comparing himself with the soldiers who all had guns. He had no visible arms; if any, they were concealed, for I saw none.

J. S. SHERBURNE,  
*Trader, Ponca Agency.*

*Statement of A. R. Satterthwaite, agent's clerk.*

I was present in the office when Big Snake was killed. I believe Lieutenant Mason coaxed Big Snake an hour or more. I thought the soldier who fired was a little hasty, but the room was full of Indians and the soldiers were perhaps afraid of personal violence. Big Snake was a desperate and dangerous character and appeared to have the strength of two ordinary men. Lieutenant Mason's personal conduct was very considerate and careful throughout. Lieutenant Mason had cautioned the men something about not shooting unless ordered. When Big Snake was killed, Lieutenant Mason said to the corporal, "My God, corporal, I did not intend for you to shoot."

*Statement of Private James Casey, Company H, Fourth Cavalry.*

Lieutenant Mason went up to the office with three men, and shortly after sent down for some more men to come up right away. I was one who went. When I got to the office the interpreter was talking to Big Snake. Lieutenant Mason was trying to get Big Snake to go along and could not get him to go, so he called for the handcuffs and Corporal Dobbin tried to put them on him. As soon as he would take hold of Big Snake the Indian would tear loose from him and push him away. Corporal Dobbin

told me to take the handcuffs and try it. I tried to put them on and could not. Big Snake commenced jerking around and shoving us all over. Some one struck him on the head with a gun. I don't know who it was, and then he done his best to get his hand down to his waist. I supposed he was trying to get a knife. I laid out all my strength to hold his hand. I heard Corporal Dobbin say "hold on" two or three times, and I saw he had his gun pointed toward him. Big Snake kept jerking toward Dobbin and he fired. There were twelve or fifteen Indians in the room and at the door.

When we went in there some of the Indians went out and commenced painting themselves with ashes. I thought Big Snake was trying all the time to get some weapon from his shirt. He was a very powerful man, and I don't think there were men enough there to handcuff him.

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*Statement of Big Bull, subchief of the Poncas.*

I was in the office getting paid and saw Big Snake in there. He was sitting by the office desk. The officer and the agent and some Indians were there. The officer told Big Snake he had come to arrest him. Big Snake said, "what for," and said he did not see anything why he should arrest him. I told Big Snake he had better go and see what he was arrested for. Big Snake said he did not want to go, and he did not have anything against anybody. I then told him again to go. The officer told him to come and that he had to arrest him. Big Snake said he did not want to go, as that he could have nothing to say when he got there. After that I went out, and when I came back the agent was standing by the door and told Big Snake he had better go, and that he would give him a blanket to sleep on. I then told Big Snake again to go, and said he had better to save trouble. Big Snake said he would not go. I then went out and heard nothing more.

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*Statement of Hairy Bear, chief of the Poncas.*

I have heard what Big Bull has said, and it is all right. I was present when the officer tried to arrest Big Snake. I stood by the door of the office, inside the door. The officer was in about the middle of the room. He told Big Snake, "I have come to arrest you." Big Snake said he did not want to go without an interpreter went; then he would go along. Big Snake said, "If the interpreter don't go, I want to take one of my wives along." The officer said he could not do that; that he came to arrest only him. The agent told Big Snake he had better go, and said he would give him a blanket to sleep on. The officer told Big Snake to come along, to get up and come. Big Snake would not get up, and told the officer he wanted him to tell him what he had done. He said he had killed no one, stolen no horses, and that he had done nothing wrong. After Big Snake said that the officer spoke to the agent, and then told Big Snake he had tried to kill two men, and had been pretty mean. Big Snake denied it. The agent then told him he had better go, and could then learn all about it down there. Big Snake said he had done nothing wrong; that he carried no knife; and threw off his blanket and turned around to show he had no weapon. The officer again told him to come along. Big Snake said he had done nothing wrong, and that he would die before he would go. I then went up to Big Snake and told him this man (the officer) was not going to arrest him for nothing, and that he had better go along, and that perhaps he would come back all right; I coaxed all I could to get him to go; told him that he had a wife and children, and to remember them and not get killed. Big Snake then got up and told me that he did not want to go, and that if they wanted to kill him they could do it, right there. Big Snake was very cool. Then the officer told him to get up, and told him that if he did not go, there might something happen. He said there is no use in talking; I came to arrest you, and want you to go. The officer went for the handcuffs, which a soldier had, and brought them in. The officer and a soldier then tried to put them on him, but Big Snake pushed them both away. Then the officer spoke to the soldiers, and four of them tried to put them on, but Big Snake pushed them all off. One soldier, who had stripes on his arms, also tried to put them on, but Big Snake pushed them all off. They tried several times, all of them, to get hold of Big Snake and hold him. Big Snake was sitting down, when six soldiers got hold of him. He raised up and threw them off. Just then one of the soldiers, who was in front of him, struck Big Snake in the face with his gun, another soldier struck him along side the head with the barrel of his gun. It knocked him back to the wall. He straightened up again. The blood was running down his face. I saw the gun pointed at him, and was scared, and did not want to see him killed. So I turned away. Then the gun was fired and Big Snake fell down dead on the floor.

[First indorsement.]

HEADQUARTERS, FORT RENO, IND. TER.,  
November 11, 1879.

Respectfully forwarded to the assistant adjutant-general, Department of the Missouri.

J. K. MIZNER,  
Major, Fourth Cavalry, Commanding Post.

[Second indorsement.]

HEADQUARTERS DEPARTMENT OF THE MISSOURI,  
Fort Leavenworth, Kans., November 17, 1879.

Respectfully forwarded to the assistant adjutant-general, headquarters Military Division of the Missouri, for the information of the Lieutenant-General.

JNO. POPE,  
Brevet Major-General, U. S. A., Commanding.

[Third indorsement.]

HEADQUARTERS MILITARY DIVISION OF MISSOURI,  
Chicago, November 22, 1879.

Respectfully forwarded to the Adjutant-General of the Army, in connection with previous papers forwarded on this subject.

P. H. SHERIDAN,  
Commanding.

No. 16.

HEADQUARTERS, FORT RENO, IND. TER.,  
November, 1879.

SIR: I have the honor to forward herewith, for the information of the department commander, copies of letters received by me this date from Lieut. S. A. Mason, Fourth Cavalry, at the Ponca Agency, Ind. Ter.

Very respectfully, your obedient servant,

J. K. MIZNER,  
Major, Fourth United States Cavalry, Commanding Post.

The ASSISTANT ADJUTANT-GENERAL,  
Department of the Missouri, Fort Leavenworth, Kans.

PONCA AGENCY, IND. TER., November 1, 1879.

SIR: I have the honor to report that in compliance with General Orders No. 146, Headquarters, Fort Reno, Ind. Ter., dated October 26, 1879, I left Fort Reno, Ind. Ter., and proceeded to the Ponca Agency, Ind. Ter., for the purpose of arresting the Ponca Indian, Big Snake. I arrived at the agency about 9 p. m., October 30, 1879, and at once reported to the agency. After a consultation with the interpreter and several employes at the agency, the agent there requested me to arrest Big Snake the next day when he would come to the agent's office to be paid for transportation. The agent then informed me that Big Snake was a very dangerous Indian, and that he might make trouble, but that he did not wish him hurt unless there was a likelihood of his injuring some of my men. About 3 p. m., October 31, Big Snake was pointed out to me as he was going to the agent's office. I at once took three men and went into the office and told the interpreter to tell Big Snake that the Big Soldier Chief had sent me to take him to Fort Reno to see the chief there. He at once seemed disinclined to go, and told some of the Indians present that he preferred to die than to go to Fort Reno. The agent then came into the room, and as Big Snake wished to have a talk with him, I sent all my men but one to camp to prepare to leave. After the agent had finished talking he informed me that he had nothing more to say to Big Snake. I then told the latter to get up and go to camp with me, but he would not go. Having tried to get him to go peaceably and failed, I sent my man to camp for six more men. When they came I told Big Snake to go peaceably and I would treat him well, and he would not be harmed. I then took him by the arm, but he jerked away from me; two of my men took hold of his arms, but he pushed them off. I then had a pair of handcuffs brought in and ordered a man to knock him with the butt of his gun. Two men then struck him two very hard blows, but failed to knock him down. They then tried to push him on the floor, but failed. The Indian tried to rush forward and

struck at one of my men, when the corporal, who had been standing with his rifle ready, shot the Indian through the head, killing him instantly. When my men took the Indian by the arms, in my first effort to get him from the arm, he was seen to draw something from the inside of his shirt, and after that the corporal stood ready to kill him if necessary. The corporal of my detail knew this Indian well; had heard him say when a prisoner last summer that he, Big Snake, could take any three of the guard in his arms and throw them away dead. I had directed the corporal not to have a shot fired unless some of the detail were in danger of being hurt, and knowing the character of Big Snake I have every reason to believe that some of my men would have been cut, had not the Indian been instantly killed. Immediately after Big Snake was killed, at the request of the agent I put my detachment into a building and prepared it for any attack. I have just seen the agent and he informs me that he considers my whole action as very considerate, and that he does not believe that the Indians will give me any trouble, as they have quieted down very much since Big Snake was killed.

Very respectfully, your obedient servant,

S. A. MASON,  
*First Lieutenant, Fourth Cavalry.*

The POST-ADJUTANT,  
*Fort Reno, Ind. Ter.*

A true copy.

J. C. WOODBURY,  
*Second Lieutenant, Sixteenth Infantry, Post-Adjutant.*

PONCA AGENCY, IND. TER., *November 3, 1879.*

SIR: I have the honor to report that I have been informed by the agent and interpreter that the Poncas have held their council to determine what they were to do on account of Big Snake's death. They were all of the opinion that Big Snake was a very bad Indian; that he should have gone peaceably with me; but that they did not like to have him shot down like a beef. At the same time they had neither arms, ammunition, nor men to avenge his death, if they wished. I have ascertained that this Indian had fixed a time to kill the agent, and that he was trying to get the Nez Percés to go north as soon as they had received their annuity goods. This Indian was the main disturbing element in the tribe, and I believe his death has taught them a very good lesson.

I had a conversation, yesterday, with the agent, and he asked me to remain four or five days after he had ascertained the decision of the Indian council. When he was informed that more troops were on the march here, he told me that he should request to have troops here, not that he apprehended trouble, but that their presence would deter Indians from leaving for the north after receiving their annuities.

I would respectfully request to be informed if I am to remain here such a length of time as would warrant my constructing picket-buildings for my horses and men.

Very respectfully, your obedient servant,

STANTON A. MASON,  
*First Lieutenant, Fourth Cavalry.*

The POST-ADJUTANT,  
*Fort Reno, Ind. Ter.*

A true copy.

J. C. WOODBURY,  
*Lieutenant, Sixteenth Infantry, Post-Adjutant.*

HEADQUARTERS DEPARTMENT OF THE MISSOURI,  
*Fort Leavenworth, November 11, 1879.*

Respectfully forwarded to the assistant adjutant-general, headquarters Military Division of the Missouri, for the information of the Lieutenant-General commanding.

As soon as the killing of this Indian was known here the commanding officer of Fort Reno was directed to send a discreet officer to the Ponca Agency to fully investigate and report upon all the circumstances of the killing. As soon as that report is received it will also be forwarded.

In the absence of the brevet major-general commanding.

E. R. PLATT,  
*Assistant Adjutant-General.*

HEADQUARTERS MILITARY DIVISION OF THE MISSOURI,  
*Chicago, November 17, 1879.*

Respectfully forwarded to the Adjutant-General of the Army.

P. H. SHERIDAN,  
*Lieutenant-General, Commanding.*