The Sioux Land Commission of 1889:
Prelude to Wounded Knee

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On 29 December 1890 over 150 Sioux Indian men, women, and children died in conflict with United States soldiers at Wounded Knee Creek, South Dakota. The engagement, cited as the last major Indian fight in the United States, climaxed twenty years of resistance by the Sioux to the Anglo-American drive for possession of their land. Cessions wrested from tribesmen in 1868 and 1876 partially accomplished that end. Relinquishment of over 9 million more acres in 1889 nearly completed it. This loss stirred the Sioux into unprecedented desperation. Two decades of Indian resentment, aggravated by the manipulations of the 1889 Land Commission, erupted at Wounded Knee.

The incentive for trouble dated from 1868. On demands for protection by Nebraska homesteaders and Montana miners, Government officials met representatives of the Teton (Western) Sioux at Fort Laramie, Wyoming Territory.1 There the Indians accepted a reservation which embraced present-day western South Dakota. Most Sioux acquiesced to the Fort Laramie Treaty, which could be changed only by approval of 3/4 of all adult male Indians residing on the reserve.2 In 1874, however, gold discoveries in the Black Hills prompted Government authorities to seek a cession of the western part of the land. These efforts failed: the Indians simply refused to sell.

Negotiations, nevertheless, incited certain non-treaty Sioux and instigated an Indian war in 1876. Military intimidation,

1. The Teton Sioux comprised bands of Hunkpapa, Oglala, Brule, Minneconjou, Two Kettle, Blackfeet Sioux, and Sans Arc Indians.

threatened ration cuts, and an alarmed public, following the Little Big Horn disaster, drove reservation Sioux to reconsider Government demands. In September 1876 they ceded the entire western 1/3 of the land assured them in 1868, without the required 3/4 approval.

The Sioux resigned themselves to the sedentary existence prescribed under the reservation system. An ever-present fear of military reprisal weakened their resistance, as did the rapid extermination of the buffalo; government beef issues replaced the staple of earlier days. Federal Indian policy encouraged rapid assimilation of tribesmen into the dominant white mainstream. Consequently, customary tribal organization weakened as officials sought to destroy allegiance to Sioux leaders among the rank and file.³

Growing polarity between the progressive Sioux—those who readily acceded to Government policy—and the traditionalist—those who constantly opposed it—coincided with renewed public clamor in the 1880s for further reduction of the Great Sioux Reservation. Black Hills mining communities required access to marketing outlets east of the Missouri River. The Sioux reservation, located in between, blocked progress. Railroad profiteers, cattlemen, freighters, and farmers petitioned for the cession of more Sioux land.⁴

A Commission for this purpose approached tribesmen in 1882 and 1883 with instructions to offer 26,000 cattle for 9 million acres of land. The Commissioners not only violated the 3/4 proviso but employed lies and threats as well. In March 1883, the United States Senate rejected the agreement because of the questionable proceedings and ordered another attempt to secure the land. But the Commissioners persisted in their dubious techniques and, after investigation, the Senate again withheld consent.⁵

Unsavory transactions thus stalled efforts to dispossess the Sioux. Although railroad promoters and other interests con-

⁴. Ibid., p. 317.
⁵. Ibid., pp. 317-18.
continued pressure for right-of-way across the reservation, statehood schemes diverted much attention from the matter until late in the decade. In the interim, Congress passed the Dawes Severalty Act (1887), providing for individual allotments of land to Indians on reservations, but with title to the land to be held in trust for twenty-five years. The Act conformed to the existing policy of breaking down communal organization among the Indians.

Armed with this new measure, Federal authorities reopened the Sioux land question. In the spring of 1888, Congress drafted a bill which contemplated division of the Great Sioux Reservation into six separate units. It required the Indians to surrender approximately 9 million acres, which the Government would sell to homesteaders at fifty cents per acre. Besides guaranteeing livestock, wagons, and farming implements to the Tetons, the Sioux Bill allowed them to take lands in severalty on each of the new reservations. Secretary of the Interior William F. Vilas appointed a Commission, headed by Captain Richard H. Pratt of the Carlisle Indian School in Pennsylvania, to present the measure to tribesmen.

The Pratt Commission met with little success. Pratt engendered resentment among the Sioux, for he served as a bitter reminder to parents long separated from their children. Furthermore, the Commission unwisely chose to begin its work at Standing Rock Agency. The Indians there, composed largely of irreconcilables under Sitting Bull, opposed any kind of land cession. At Standing Rock the Commission won twenty-two signatures from more than 1,000 eligible voters. Indians at Crow Creek and Lower Brule Agencies offered only a few more votes. Most progressive tribesmen, those who would sell,


believed fifty cents an acre was too little payment for their land. Moreover, many objected that the Bill gave no compensation beyond that promised under the 1868 Treaty and the 1876 Agreement. The Commissioners conceded defeat without even visiting Rosebud, Pine Ridge, and Cheyenne River Agencies. They arranged, however, for progressive Sioux leaders to meet in Washington, D.C., and voice their objections to responsible authorities.

In October 1888 a delegation of sixty-seven chiefs, representing the six Teton agencies, arrived in the capital. They refused Vilas’s offer to pay one dollar an acre for land homesteaded within two years, with lesser amounts for that taken thereafter. The chiefs wanted $1.25 per acre and the proceeds placed in a fund drawing interest at five percent per year. They rejected offers of cattle and equipment as already guaranteed by previous agreements. They also demanded a ten-year extension of the 1868 clause promising educational benefits for twenty years, a pledge which the Government had only begun to fulfill in the 1870s.

The Secretary agreed to submit certain of these suggestions to Congress but refused the request for $1.25 an acre, terming it “nearly as much money as was paid to France for the entire territory of Louisiana...” The discouraged delegation returned home with nothing but promised recommendations.

Thus, the first attempt to apply the Dawes Act to the Sioux failed. The problem centered around officials who viewed reservation land only in terms of prospective white settlement. Efforts to disengage the Sioux displayed little concern for the Indians’ requests for compensation. The Pratt Commission expressed as its chief regret the disappointment that its defeat caused Dakotans and citizens throughout the nation.


Yet, the Pratt Commission and the ensuing Washington conference gave an inkling of Sioux demands. Republican presidential victory in November 1888 sparked hopes for renegotiation of the issue, and statehood preparations in predominantly Republican Dakota continued with fervor. The following February, an Omnibus Bill passed Congress providing for the admission of North and South Dakota nine months later. Rapid disintegration of the Sioux Reservation now appeared a necessity, and Congress responded with more liberal measures to achieve that end.

Under the Indian Appropriation Act of 2 March 1889, Congress authorized the President to appoint a commission to deal with the Sioux “for a full and complete cession and relinquishment to the United States of a portion of their reservation...” Congress drafted, on the same date, a new Sioux Bill which contained more generous concessions than that of 1888. The Sioux won $1.25 per acre, but only for all land homesteaded in the first three years following ratification. For the next two years they would receive seventy-five cents an acre, and fifty cents an acre, thereafter. In addition, the Bill proposed dividing the reservation into six smaller ones, provided allotment privileges to individual Indians, with surplus land going to homesteaders, and extended educational benefits under the 1868 Treaty by twenty years. The Secretary of the Interior would appropriate $3 million from the Treasury as a permanent fund for the Sioux, with the yearly interest set at five percent. Proceeds from Indian land sold to homesteaders would reimburse the Government for the fund. Moreover, the Government promised to assume all expenses connected with surveying and opening the ceded property, something it had refused to do in 1888 when it decreed that such costs should be deducted from Sioux proceeds. Finally, Congress allocated $28,000 to repay Chief Red Cloud’s Oglalas for ponies confiscated by the Army in 1876. All parts of the 1868 Treaty, except those in conflict with the new Bill, remained in effect. The Indians must ratify the proposal by the approval of 3/4 of all adult males.15


The President’s Commission would present the measure to the Sioux. Only if the tribesmen rejected it would the Commissioners try for a modified settlement. Undoubtedly aware of the Indians’ acquired interest in money, Congress clothed the Commission with financial enticement. That body earmarked $25,000 “for procuring the assent of the Sioux” to the Bill.

Monetary rewards for inducing the Indians’ consent gave Interior Department officials small comfort. They feared that the Sioux might yet hold out for a better price despite reports from Dakota indicating a willingness among tribesmen to sign. Even the conservative Red Cloud reportedly supported the Bill. But officials remained apprehensive that a diplomatic setback might provoke invasion onto Sioux land by settlers who awaited word of success along the Missouri River.

The fear proved justified. Already many boomers perched on the eastern fringe of the reservation, their roughboard claim shanties dotting the treeless prairie. The towns of Pierre and Chamberlain reported large rushes of settlers early in May, and further word came that boomers had preempted land on a small strip of the reservation south of Rosebud and Pine Ridge. The incursions, which threatened to emulate those occurring in Oklahoma, evoked stern warning from the territorial press. A Yankton newspaper admonished would-be adventurers that they faced “a tribe of vigorous, well-fed, stouthearted barbar-

ians, armed to the teeth, superbly mounted and with their native love for atrocities hardly subdued.” Secretary of the Interior John W. Noble deplored premature entrance and suspended survey operations for fear of alarming the Sioux. On 14 May orders reached the Sioux agents to investigate the disturbances. Further encroachment could embarrass the Land Commission and prevent its success.

In the meantime, Dakota territorial statesmen urged the speedy selection of the Commissioners. At length, on 19 April President Benjamin Harrison announced three appointees. He chose former Ohio Governor Charles Foster for chairman. Foster was a political crony soon destined to serve Harrison as Secretary of the Treasury. His qualifications for this position were scant. Foster’s response to his appointment summed up his attitude towards Indians and offered interesting insight into what seemed a prevalent view at the time: “The Indian is a queer character and pretty soon he will become extinct, so that if a man wants the experience of serving on an Indian Commission he has no time to lose.” One Dakota editor, incensed at the choice of one so inept, suggested that Foster resign from the Commission but go along as “super cargo and bottle washer” until the novelty wore off.

The President’s second selection proved as fatuous as the first. William Warner, onetime Kansas City mayor, late Republican Representative from Missouri, and newly elected Commander of the Grand Army of the Republic, possessed few nonpolitical credentials for the position. The Cherokees had

28. Ibid.
once opposed Warner’s appointment to a commission negotiating for their lands. But he represented Western interests on the Commission and was “not likely to be hampered in his dealing with the Sioux by any overstrained sentimentalism.”

The third choice served to offset the inexperience apparent in the others and augmented the Commission’s chances for success with the Sioux. Major General George Crook, commander of the Military Division of the Missouri, was familiar to the Tetons. His dogged campaigning in 1876 contributed to ending widespread hostilities on the Northern Plains. Whether the presence of the “Gray Fox,” as the Sioux called Crook, reflected official hopes to convey a military threat to the Indians, or whether his appointment rested on his humanitarian philosophy towards them, remained unknown. Subsequent events tended to substantiate the former view. Although many Sioux expressed utmost trust in the General, his presence provoked bitter memories among others. In any event, Crook appeared to be the ideal man to persuade the Indians to accept.

Though pleased with Crook’s appointment, Dakotans regretted the failure to select representatives that were more responsive to local interests. “It cannot be written,” declared the Yankton Daily Press and Dakotaian, “that any one of the three is the right man in the right place.” Even so, attention to the Commission’s progress rivaled the press coverage accorded to the statehood movement.

In late May, the members met in Chicago, Illinois, for preliminary consultation. The number of Sioux males above eighteen years of age totaled 5,678. The Commissioners needed


31. Possibly the Indians themselves influenced Crook’s selection. The commandant at Fort Robinson, Nebraska, reported a demonstration by hundreds of Sioux in Crook’s favor. Colonel Edward Hatch to Assistant Adjutant General, Omaha, 4 March 1889, Record Group 48, Letters Received, Adjutant General’s Office, National Archives and Record Service. Cited in James C. Olson, Red Cloud and the Sioux Problem (Lincoln: University of Nebraska Press, 1965), p. 313.


33. 28 May 1889, p. 4, col. 2.

34. Yankton Press, 26 April 1889, p. 4, col. 2.
4,259 affirmative votes in order to comply with the 1868 provision for Indian ratification. They agreed to begin work at Rosebud, largest of the Sioux agencies, in order to eliminate jealousy that might arise among tribesmen should they select a smaller station. Furthermore, because the Pratt Commission had given up before reaching Rosebud, those Indians might be less entrenched against the measure. Nor was the Pratt Commission’s experience at Standing Rock forgotten; that fiasco influenced Foster, Warner, and Crook to work Rosebud first. Their deliberations completed, the Commissioners and clerical assistants departed on a westbound train on 29 May 1889.

The party arrived at Rosebud two days later. Prospects for success quickly dissipated, for Agent L. F. Spencer had failed to assemble his charges. Several days elapsed as scattered bands of Brule, Minneconjou, and Two Kettle Sioux slowly congregated at Agency Headquarters. To instill a receptive mood among tribesmen, the Commissioners staged lavish feasts and even permitted dancing, which had been forbidden since 1883. The tribe reciprocated by adopting Chairman Foster, dubbing him “Young Man Proud of His Tail.”

Beyond such ceremonies no genuine amity existed among the Rosebud Sioux. Nearly all stood united against the proposed land cession. On 3 June they gathered to hear Foster introduce the measure through interpreters, then adjourned to consider it in council. The next day, Warner explained the allotment system, the educational benefits, and

36. Ibid., p. 16.
38. Yankton Press, 1 June 1889, p. 4, col. 2.
the $3 million interest-bearing fund. The Sioux stalled for
time.\textsuperscript{42} Their aversion typified fears shared by Indians through-
out the Great Sioux Reservation. First, tribesmen dreaded the
unknown; they saw no reason to sacrifice their present status
for one they could not comprehend. Second, many believed the
Government’s allotment system was an effort to force indi-
vidual imprisonment on fenced property.\textsuperscript{43} Third, the legal
terminology of the Sioux Bill baffled the Indians and further
inclined them against it. Finally, the traditionalist chiefs
suspected, and rightly so, that approval by the Sioux meant
greater tribal disintegration, with their own subsequent loss of
power among the people.\textsuperscript{44}

The Rosebud Sioux particularly resented the Government’s
dereliction regarding the 1868 agreement. When they charged
default of the educational clause, the Commissioners explained
that teachers refused reservation employment because of the
Indians’ hostility during the 1870s. Under the new Bill, they
said, equitable payment awaited the Sioux.\textsuperscript{45} Tribesmen
objected also to the inclusion in the proposal of those Eastern
Sioux who settled on the small Nebraska tract. The Commiss-
ioners, however, firmly defended the rights of those Indians
under earlier agreements.\textsuperscript{46}

Certain mixed bloods understood and favored the measure,
but opposition emanated from the more populous full bloods,
who could not shake suspicions of deceit.\textsuperscript{47} As time passed, the
schism between progressive and traditionalist Sioux deepened.
Even those Indians who liked the Bill were reluctant to sign for
fear of reprisal by their tribesmen.\textsuperscript{48}

\textsuperscript{42} Sen. Doc. No. 51, p. 45.


\textsuperscript{44} Schmitt, General George Crook, p. 286.

\textsuperscript{45} Charles E. DeLand, “The Sioux Wars,” South Dakota Historical Collections,

\textsuperscript{46} Sen. Doc. No. 51, p. 18.

\textsuperscript{47} George E. Hyde, A Sioux Chronicle (Norman: University of Oklahoma Press,
1956), p. 211.

\textsuperscript{48} Standing Bear, My People, p. 212; Schmitt, General George Crook, p. 285.
The impatient Commissioners decided on bold tactics to break the impasse. General Crook worked behind the scenes on individual Indians. He talked, persuaded, and intimidated. Doubtless, all three members utilized the expense fund to full advantage.  

At length the full bloods began to waver. The old Brule Swift Bear, a progressive, led the way after Crook promised that in no way would the land agreement affect the quantity of Government rations to the Sioux. On 7 June the Commission reconvened with the Indians. Crook berated the holdouts: "This indolent life . . . has made squaws of you, and if you don't work and help yourselves you will get such a bad record that the Government will have to send out dolls and rattles to amuse you." The tide turned after Standing Bear spoke for the Bill, and Crook ordered the signing to begin. Mixed bloods and Brules rushed forward amid general excitement, but Brule malcontents, led by Hollow Horn Bear and High Hawk, shouted the full bloods away from the table, and they filed out of the council. Meantime, about three hundred mixed bloods and progressive Brules approved the Bill. The next few days drew even better response, for the full bloods now feared exclusion from all the benefits. When the Commissioners left for Pine Ridge on 13 June, success at Rosebud was almost complete. Of 1,476 adult males, 1,455 had signed.

The news from Rosebud caused rejoicing throughout Dakota. Chairman Foster credited the victory to Crook and the territorial press echoed the praise: "General Crook stands solid with the scalp lifters of the Sioux domain." But no member of the Commission stood "solid" with the tribesmen. The success at Rosebud meant only the further deterioration of Sioux unity; the factional cleavage that met Foster, Warner, and

49. Schmitt, General George Crook, p. 286; Hyde, Sioux Chronicle, pp. 208, 211.
Crook at Rosebud rapidly deepened into open rupture when they departed. Most Dakotans, nevertheless, interpreted the result as a portent of triumph at all the agencies. 54

The Commission’s visit at Pine Ridge abruptly shattered optimistic illusions. Unlike the tribal sprinkling evident at Rosebud, Pine Ridge comprised the Oglala band of Tetons, mostly followers of the aging, unreconstructed Red Cloud. The Indians displayed hostility to the Sioux Bill from the outset and greeted the Commissioners armed and decked out in war regalia. They dispersed only after Crook rebuked their performance. 55

Yet opposition remained, due mainly to private machinations which loomed large against the Bill. The ultraconservative Indian Defense Association (I.D.A.), headed by Dr. Theodore A. Bland, consolidated Red Cloud’s disdain for cession. 54


ferent from most Indian reform groups of the period, the I.D.A. argued against rapid change for the tribesmen and mustered all its resources towards prohibiting such Government policy. Its members believed that the Indians themselves should petition the Government for desired benefits. Even before the Commission reached Pine Ridge, the organization distributed, among certain Oglalas, flyers printed in Sioux that urged total resistance to cession. Dr. Bland personally wrote Red Cloud advising against discussing the matter with the Commission. Most other chiefs, including Little Wound, Young Man Afraid of His Horses, and Big Road, aligned with Red Cloud, although the more progressive American Horse and No Flesh remained totally uncommitted.58

Near total disapproval appeared during the first meeting, held on 15 June. After Foster read the Bill and Warner explained its provisions, a large group of mounted Oglalas rushed the council and scattered the assembled tribesmen, forestalling any favorable response by progressives. So determined were the Sioux against any discussion that they threatened to dismantle their agency lodges and return to their homes. “Red Cloud’s influence,” observed the New York Times, “for the time seems to prevail with apparent unanimity.” On 17 June the council reconvened. Indian spokesmen denounced the Bill and again charged the unfulfillment of pledges made in 1868. Red Cloud addressed the Commissioners: “You want to buy more land, and I looked around to see if I could see any boxes of money that you brought here to buy more land, and I could not see any, and now I think this is the

56. Loring Benson Priest, Uncle Sam’s Stepchildren: The Reformation of United States Indian Policy, 1865-1887 (New Brunswick, New Jersey: Rutgers University Press, 1942), p. 86.


60. Yankton Press, 17 June 1889, p. 1, col. 3.

talk of sugar again..." But the Commission won a small victory. At the end of the meeting a number of Northern Cheyennes, sustained by the Oglalas since their flight from the Indian Territory in 1878, marked the signature rolls. Crook had secretly promised to protect them from the Sioux and to inform the President of their wishes for removal to Montana.

The accession of Northern Cheyennes, who had no right to sign the Sioux measure, failed to inspire the Oglalas. Though several mixed bloods attached their names, the others refused. American Horse, a superb orator and, according to Crook, "a better speaker than any of us," questioned the legality of the Nebraska borderline, which violated the reservation boundary stipulated in 1868. He further demanded that the Commissioners stake out plots of 80, 160, and 320 acres to give the Sioux an idea of how much land they would actually receive by allotment. The Commissioners obliged. They also assured the Sioux that neither the money appropriated to compensate the loss of Red Cloud's ponies nor the Commission's working expenses would be deducted from Indian land sales proceeds.

American Horse filibustered the sessions several days. This worried the Commissioners, for their audience diminished considerably. Again Crook talked to individuals and small groups, hoping to prevent the total collapse of the negotiations. Red Cloud reacted angrily, doubtless fearing his people's susceptibility. On 20 June he ordered the Commission off the reservation and paraded past its members with 400 protesting Oglalas.

Next day, American Horse and other progressives, privately coached by Crook, came out for the Bill. The General made them see the truth—that they would never receive a better offer;

63. Ibid., pp. 86-87; Hyde, Sioux Chronicle, p. 214.
64. Sen. Doc. No. 51, pp. 87-93.
65. Ibid., p. 97.
66. Ibid., p. 17.
67. Schmitt, General George Crook, p. 286; Olson, Red Cloud, p. 317.
Congress would take the land with or without Sioux permission. One week later, at the final conference, American Horse and his band signed the measure in full view of the dissenters who, as Foster declared, would rather "slap the Great Father in the face..." By no means all progressives signed, and those who did formed a minority. The Commission won less than fifty percent support at Pine Ridge. Of over 1,500 eligible voters, including Oglalas traveling with Buffalo Bill in Europe, only 684 gave consent, and they were largely made up of mixed bloods and Cheyennes. Red Cloud’s will clearly prevailed at Pine Ridge.

Red Cloud's uncompromising attitude irked Indian Bureau officials even more after the Commission's departure. The veteran Oglala, along with Little Wound and Young Man Afraid, spurned bribes of $200 each to sign the Bill. To Agent Hugh D. Gallagher his presence represented "the least promising element among the Indians of this agency." Two days after the Commission left, Secretary Noble directed that Red Cloud be stripped of all authority and labeled an "obstructionist" with the Sioux people. He further directed that American Horse be identified "as the Chief of the Sioux, or the one favored by the Government among them."

Meanwhile, Commissioners Warner and Crook proceeded to Lower Brule Agency, located on the west bank of the Missouri River. Chairman Foster visited the Santee tract in Nebraska and won nearly unanimous approval for the Bill. The Eastern Sioux already held lands in severalty and showed marked progress over the Tetons. Foster rejoined the others at Lower Brule, where


73. Quoted in Olson, Red Cloud, p. 318.

opposition centered around old Chief Iron Nation, who had prevented many of his tribesmen from signing the 1888 measure. On 3 July Foster called on the Indians to sign and "commence our Fourth of July here this afternoon." But it took a feast, a baseball game, and a written promise from Crook to resettle the Indians at Rosebud in the event that homesteaders should overrun their reservation, to effect the bargain. With success assured at Lower Brule, the Commissioners ferried across the Missouri to the Crow Creek Agency.

There they encountered resistance. The Crow Creek Indians were composed of a conglomerate of various Sioux bands, including Brules and Santees. The largest group comprised Lower Yanktonnais, who appeared evenly divided on the Bill. Two chiefs, White Ghost and Drifting Goose, led the opposition. They objected mainly to the Government's negligence in removing whites already settled on their land. In 1885, President Chester A. Arthur had restored Crow Creek to the public domain. Although Grover Cleveland soon revoked the order, certain whites who occupied the region refused to leave. The Government only issued warnings to these intruders. Foster recognized the complaint and declared the settlers' actions illegal, but for the moment he could offer no solution. The Yanktonnais also desired equitable land proportions under allotment to those assigned other agencies in the Bill, or just compensation. General Crook, regarded by White Ghost as "the Great Father's big whip," promised to recommend Congressional action on the matter. To facilitate approval, the Commissioners agreed to let the chiefs sign in Washington in return for the immediate signatures of their men. The council


76. Ibid., p. 135; Schmitt, General George Crook, p. 287; Hyde, Sioux Chronicle, p. 219.


79. Schmitt, General George Crook, p. 287.
adjourned on 9 July with less than half the total 305 possible yes votes. With only two agencies remaining, both reportedly hostile to the measure, hopes of victory dimmed. At Crow Creek, wrote Crook, “Foster got his fill of negotiations with the Indians.”

The Cheyenne River Agency proved even more troublesome. By estimation, the Commission needed about 1,500 more signatures for the 3/4 majority necessary for Sioux ratification. Many of the 749 Minneconjou, Sans Arc, Two Kettle, and Blackfeet Sioux men at Cheyenne River seemed irrevocably committed to defeating the Bill. Many tribesmen were holdouts who in the 1870s had fled with Sitting Bull to Canada, rather than face reservation confinement. “These Indians,” reported the Commissioners, “were practically as little civilized as when they first surrendered, and [were] opposed unalterably to progress of any kind.”

Leading the hostile element was Hump, a Minneconjou traditionalist who posed a constant menace to Agent Charles E. McChesney. McChesney hoped to present at least an appearance of control over his charges and for that reason appointed Hump as chief of the agency police. The defiant old warrior now held sway over all Indians at Cheyenne River. Crook knew this and, as a safeguard against trouble, ordered Major George M. Randall from nearby Fort Bennett to join the Commission. If kind words failed to induce signers, psychological intimidation might succeed.

The Indians, including most mixed bloods, remained adamant. Many thought the Government would simply hold the land five years and then dispose of it at fifty cents per acre, rather than pay the price stipulated in the Bill. The Sioux


83. Ibid., p. 20.


Sitting Bull, as photographed by D. F. Barry in 1885.
also disliked the clause defining limits for their proposed reservation. It placed the southern boundary along the Cheyenne River and prevented the Indians from using the fertile bottomlands along the south bank for farming. In addition, all agency buildings stood south of the river.\textsuperscript{86}

Despite all explanations, the Sioux still showed an unwillingness to sign, and the Commissioners suspected that outside forces complicated their efforts. “At this agency,” they reported, “the source of the adverse influence was found to be money...”\textsuperscript{87} The Commissioners discovered neither the amount distributed nor its purveyors, though the I. D. A. must have entered their minds.

Crook once more undertook his individual methods for gaining Sioux assent. Soon the mixed bloods showed interest. Many of them lived near Bad River, south and away from Hump’s troublesome followers. Should the Bill win approval, the Bad River mixed bloods hoped that settlers might homestead between their land and the turbulent element at Cheyenne River.\textsuperscript{88} Almost inevitably, as the councils proceeded, factional bickering erupted among the Indians.\textsuperscript{89}

On 18 July tempers flared when the Commissioners called for signatures. Two of Hump’s warriors leaped into the council room brandishing clubs to prevent tribesmen from marking the rolls. But loyal Sioux policemen hustled them away amid much commotion. A short time later, further disturbance broke out among the full bloods. Crook quelled the disruption by threatening to bring troops from Fort Bennett.\textsuperscript{90} Many Indians then came forward and signed.

Not enough signed, however, General Crook, clearly in charge at Cheyenne River, sought to expedite matters with more promises. He promised the Indians’ reimbursement for

\begin{itemize}
  \item \textsuperscript{86} Ibid., p. 20.
  \item \textsuperscript{87} Ibid., pp. 20-21.
  \item \textsuperscript{88} Hyde, \textit{Sioux Chronicle}, p. 222.
  \item \textsuperscript{89} \textit{New York Times}, 20 July 1889, p. 4, col. 2.
\end{itemize}
ponies taken from them in 1876, the same promise given the Pine Ridge Sioux. Later, he promised to recommend higher salaries for tribal judges on the Course of Indian Offenses, permitted dancing, and distributed free beeves for feasting. Hump and his followers still refused to sign and tried to prevent others from doing so. On 22 July his armed warriors again broke up the council. Angered by this "impolite old reprobate," Crook and the others decided to leave the task of collecting more votes to McChesney and Major Randall. The Commissioners moved on to Standing Rock Agency.

At Standing Rock, final ratification or rejection of the Sioux Bill appeared to rest with 600 of 1,121 Hunkpapa, Yanktonnais, and Blackfeet Sioux voters. Almost all of these Indians belonged to formerly hostile bands under Sitting Bull, Gall, and other recalcitrant leaders. Authorities blamed Standing Rock tribesmen for the Pratt Commission's defeat the previous year. Guarding against repetition, Commissioner of Indian Affairs Thomas J. Morgan instructed Agent James McLaughlin specifically to devote all his energy to success this time.

Despite discouraging reports, chances for ratification looked promising. First, the Commission's visit, purposely scheduled last to insure success elsewhere, was bound to generate a fear among the Indians that they might not share in the benefits with other Teton leaders. Second, the terms of the Bill corresponded more closely with the chiefs' demands of the previous year in Washington and dispelled complaints of insufficient remuneration. Third, an apparent schism between the Hunkpapa followers of Gall and Sitting Bull promised quicker accessibility.

92. Ibid., p. 21; Schmitt, General George Crook, pp. 286-87. McChesney and Randall garnered 320 votes in addition to the 300 obtained by the Commissioners. McChesney to McLaughlin, 26 Aug. 1889, in Report of the Commissioner of Indian Affairs, 1889, p. 135. They evidently did not reveal their technique for securing Indian consent, and it was apparently not questioned at the time. But the subsequent agreement of such a dissenter as Chief Hump would seem to indicate that they employed extraordinary persuasive powers.
Sioux Land Commission

to Indian minds. At last, Agent McLaughlin, who had passively opposed former proposals, assumed a positive attitude towards the measure.96

Foster opened the council on 26 July. “My friends,” he said, “there never was a time in the history of this country when the white man felt so kindly to the Indian as now.”97 Foster and Warner flattered the Sioux for 3/4 of an hour but drew little response. A few days later, John Grass, a Blackfoot Sioux, began a dialogue in opposition, astounding the Commissioners with “monuments of logic” as he raised pertinent questions regarding the Treaty of 1868 and its relation to the present Bill.98 John Grass, observed Foster, “struck me as an intellectual giant in comparison with other Indians. . . .”99

The Commissioners remained silent while Grass and others presented their arguments. They accused the Government of bad faith, among other things. Foremost, the Standing Rock Sioux desired permission to choose their own lands for allotment. Next, they wanted guarantees of continued subsistence as specified in 1868. The Commissioners agreed to the requests but still no Indians signed. Chagrined, Crook admonished them: “In case you do not accept this bill,...Congress may open [the land] without asking your consent again.”100

With no agreement imminent, McLaughlin and the Commissioners turned their efforts to individuals less disaffected by the proposal.101 They passed over Sitting Bull’s Hunkpapas, already bolstered by Dr. Bland’s doctrinaire I.D.A.102 Moreover, Mc-


98. Ibid., 194-202; McLaughlin, My Friend, p. 281; Schmitt, General George Crook, p. 288.


101. Ibid., p. 21; McLaughlin, My Friend, p. 284.

Laughlin's attempt to prod the old medicine man into submission with liquor failed. He remained implacable. "There are things they tell us [that] sound good to hear," Sitting Bull warned his people of the Commissioners, "but when they . . . accomplish their purpose, they will go home and will not try to fulfill our agreements with them." The Commissioners instead turned to the Blackfeet. One night Agent McLaughlin met secretly with Grass and promised certain personal rewards for his support of the Bill. At length, the Blackfoot leader acquiesced, and McLaughlin prepared a statement for him to deliver at the next council. Similarly, the Agent won over Sitting Bull's arch rival, Gall, and Chiefs Mad Bear and Big Head. Meantime, Foster, Warner, and Crook made headway with Indians whose Catholic missionaries advocated ratification.

On 3 August Chairman Foster reopened the discussion. John Grass, reading McLaughlin's speech, changed his position gracefully and urged his tribesmen to do likewise if they wished to receive any benefits. Then Grass stepped forward and signed the Bill, followed by Gall and the others. As they marked the rolls, Sitting Bull and about twenty mounted Hunkpapas tried to break into the enclosure and stampede the Indians. Quick work by Yanktonais police thwarted the move. Sitting Bull "flattened out," wrote Crook, "his wind bag was punc-

103. Undated note by One Bull, Box 105, Item 41, Walter S. Campbell Papers, Western History Collection, University of Oklahoma (hereafter cited as Walter S. Campbell Papers).


105. McLaughlin, My Friend, pp. 284-85; Statement by Mary Collins, Congregational missionary to the Sioux, in Walter S. Campbell Papers, Box 113, Item 4. This statement is similar but not identical to one reproduced by Vestal (Campbell) in New Sources, p. 72. One report said that Grass discussed the land matter with lawyers in Bismarck before switching sides, New York Times, 7 Aug. 1889, p. 1, col. 7.


tured..." Signing continued until 6 August, when the Commissioners, with over 600 votes, announced their work finished. Foster cabled Secretary Noble: "We have won the fight."110

Dakotans cheered the success. Territorial papers ascribed victory at Standing Rock to "the good sense of Grass prevailing over the barbarous stupidity of Sitting Bull..."111 Enroute to Chicago, however, Foster, Warner, and Crook discovered they lacked the 3/4 majority necessary for Sioux ratification. Accordingly, they wired McLaughlin, who promptly forwarded more signatures.112 Standing Rock’s votes, numbering 803, brought the grand total to 4,463 and secured triumph. McLaughlin’s influence, the Commissioners wrote, "was invaluable."113

At Chicago, the Commissioners received Noble’s congratulations. "You have done a great work for humanity," he said, "the Indians included."114 On 12 August the members adjourned, to prepare a final report and meet on Foster’s direction.115 The Sioux Bill seemed a total success. It paved the way for the settlement of Dakota, while, at the same time, it complied with Federal policy regarding the Tetons. For, as the Secretary of the Interior observed, the resulting legislation marked "a long step toward the disintegration of their tribal life..."116

It did more. For two decades the Teton Sioux had labored under a transparent policy of deceit—a policy of endless


(in our opinion) grave error. . . , we most earnestly urge such action as will result in its speedy correction.”  

Washington officials did nothing. As Crook feared, the Sioux reacted bitterly to the news. At Pine Ridge, Agent Gallagher reported that those Oglalas who signed the measure “were made the targets for derision by the non-signers, who called them fools and dupes . . . .” 

Turbulence grew throughout the reservation. In an attempt to allay Sioux suspicions, the Commissioners arranged for a delegation of chiefs to visit Washington in the autumn of 1889. Hopefully, officials might explain the ration cut to the Indians’ satisfaction. More important, Foster, Warner, and Crook hoped to dramatize Sioux feeling on the matter and to advance promises not specifically contained in the agreement. 

Accompanied by Sioux leaders from the Teton agencies, the Commissioners met Noble and Congressional representatives at the Department of the Interior on 18 December. The meeting produced nothing of consequence; curiosity seemingly outweighed official interest in Indian grievances. 

Next day, the Commissioners escorted the chiefs to the White House, where American Horse delivered an eloquent plea to President Harrison for restoration of Sioux rations. The president listened sympathetically but evaded the issue. Depressed and word-weary, the delegation returned to Dakota as empty-handed as when it left. 

On Christmas Eve 1889 the Commission sent Noble its report along with certain recommendations. The members urged appropriations to repay Indians other than those at Pine Ridge for Army seizure of horses in 1876, and they recommended an equitable monetary settlement with the Crow Creek Indians,


118. Ibid., p. 192. 

119. Ibid., p. 193. 

120. Crook to Foster, 27 Aug. 1889, Letterbook II, Item 14, pp. 20-22, George Crook Papers.
promises which never materialized and of strange lifeways which amounted to cultural deterioration and impoverishment. Over the years, the Sioux gradually grew accustomed to a dormant reservation existence that, if anything, guaranteed security through dependence. Convinced of the untrustworthy nature of most whites, the Sioux opposed further transactions with near unanimity until 1889. In 1889, the overriding factor was the commanding presence of General Crook, who induced the Indians to think that they had everything to gain and nothing to lose, except part of their land. In short, Crook’s persuasive techniques instilled in the Sioux something long missing: hope for the future.

The order, late in August 1889, to cut beef rations at Rosebud by two million pounds, at Pine Ridge by one million, and at Cheyenne River, Crow Creek, and Lower Brule by proportional quantities, therefore, took the Sioux by complete surprise.\footnote{117} By the Indian Appropriation Act an economy-minded Congress allocated just $900,000 for the Sioux for fiscal year 1890, $100,000 less than the two previous years and the smallest appropriation since 1877.\footnote{118} Allowing for beef shrinkage from autumn purchase to springtime distribution, Indian Commissioner Morgan figured daily beef subsistence per individual at about 1.9 pounds rather than the 3 pounds promised in 1877.\footnote{119}

The announcement stunned the Land Commissioners, who repeatedly had assured the Sioux that their accession to the Bill would not affect their rations. “It will be impossible to convince them,” Crook lamented, “that it is not one result of their signing.”\footnote{120} Together the Commissioners appealed to Noble: “If there is any way that can be devised to remedy the

122. Report of the Commissioner of Indian Affairs, 1890, p. 49.
125. Ibid., p. 232.
whose land under the Sioux Act was proportionately less than that assigned other bands. The Commissioners also advised that surveys be made on the ceded tract before opening it to homesteaders who might otherwise jeopardize peace. Finally, they asked for an immediate appropriation to raise the beef ration to its former quantity. 126 Congress delayed action.

Meantime, Dakota boomers threatened to further offend the Sioux. During the months after the Commission’s departure, many settlers congregated along the Missouri to await formal opening by the president. As a precaution against premature invasion, Noble requested that a military force be posted at various points on the river. Brigadier General Thomas H. Ruger, commanding the Department of Dakota, led troops into the region to ward off intruders. 127 On 7 February 1890 a large rush ensued at Chamberlain after rumors of the proclamation circulated. Indian police, called to assist authorities, “stood dazed and helpless” as scores of settlers raced onto Sioux land. 128 Three days later, President Harrison formally proclaimed the cession to the United States of over 9 million acres of Sioux land, to “be disposed of . . . under the provisions of the homestead law . . . .” 129 In a message to Congress on the same day, he urged consideration of promises given the Sioux by the Commissioners but declared that “the consent of the Indians to the act was not made dependent upon the adoption of any of these recommendations. . . .” 130

Harrison was wrong. Foster, Warner, and Crook would surely have failed without assuring tribesmen extra concessions. Nevertheless, Congress demurred. In April the Senate passed the

126. Ibid., pp. 25-28, 30-31.


Gall, Hunkpapa Sioux.
desired legislation, but the House rejected the most important provisions. Moreover, the House cut Sioux appropriations by $50,000 for fiscal year 1891 and delayed passage of the Indian Appropriation Act until August, too late for the Indians to receive annuities before winter.

This news emotionally devastated the Teton. Oglalas at Pine Ridge, said Agent Gallagher, believed themselves cheated all around: “There has been gradually growing among them a feeling of indifference as to the future, which I attribute to an entire loss of faith in the promises of the Government.” At Cheyenne River the Minneconjous required “constant and careful attention.” Besides the beef reduction and prospects of facing a cold winter without supplies, the Sioux resented the Federal officials’ failure to implement their obligations to make reservation surveys and provide individual allotments. Tribesmen also experienced partial crop loss in 1889 through negligence caused by “the untimely arrival of the Sioux Commission,” and in 1890 through drought. Furthermore, influenza and whooping cough had taken a heavy toll among Indians the previous winter, especially at Standing Rock. Altogether, the Sioux were a dejected lot.

Rather than uniting in their plight, tribesmen aligned more solidly into angry factions. Although the signers of the Bill


recognized their blunder, the nonsigners, mostly traditionalists, taunted them unmercifully.\textsuperscript{138} Dissension appeared even at agency day schools where conflicts among children reflected the disaffections of their parents.\textsuperscript{139} The Sioux, physically threatened by illness and death and psychologically scarred by internal strife, faced an apparently insurmountable cultural crisis.

Then—in the midst of despair—came a glimmer of hope. In the spring of 1890, the agent at Cheyenne River reported excitement “among the Indians . . . regarding the coming of an Indian ‘Messiah’. . . .”\textsuperscript{140} For the Sioux, this Messiah promised cultural renovation and an end to white injustice. Prompt arrival of the millenium depended upon faithful performance of the Ghost Dance by discontented tribesmen. It entailed supplication to the past for redemption; it envisioned restoration of abundance and total rejection of white civilization.\textsuperscript{141}

The Ghost Dance alarmed authorities, who treated it more as a hostile conspiracy than as an attempted rejuvenation of a dilemma-ridden native society. Rumors of intended outbreak alerted agents throughout the reservations.\textsuperscript{142} At Pine Ridge, the new religion gained momentum even among progressives. According to American Horse: “The commissioners made us believe that we would get full sacks if we signed the bill, but instead of that our sacks are empty.” “We are worse off than we were before we signed . . . .”\textsuperscript{143} A like temper prevailed at other agencies.\textsuperscript{144}

\begin{itemize}
  \item 138. Burdick, \textit{Last Days of Sitting Bull}, pp. 63-64.
\end{itemize}
Prompt legislation to feed the hungry Sioux might have averted trouble. Even Major General Nelson A. Miles, who commanded the Division of the Missouri after Crook’s sudden death, urged Congressional action. The Sioux, he said, “have been compelled to live on half and two-thirds rations and [have] received nothing for the surrender of their lands. . . .” 145 Congress hesitated. Instead, army troops entered Rosebud and Pine Ridge in an attempt to overawe the Ghost Dancers. But the military threat only irritated tribesmen, who were now united in hope for messianic deliverance.146 On 15 December Indian police killed Sitting Bull. 147 Word of the deed swept the agencies and alarmed the Sioux, many of whom fled their homes to avoid trouble. Two weeks later, the army surrounded the refugees along Wounded Knee Creek on the Pine Ridge Reservation. There, on the freezing morning of 29 December 1890, soldier and Sioux tensions spontaneously exploded in the last major Indian conflict in the country.

Although direct military force constituted the immediate cause for Wounded Knee, the Sioux Land Commission and subsequent Government irresponsibility were chiefly to blame. The Commissioners bribed, cajoled, and intimidated the Indians into signing the Sioux Bill, while simultaneously intensifying a standing split between progressives and traditionalists. Too often, they threatened that Congress would take the land regardless of the Sioux’s disapproval. The Commission’s presence at a period when tribesmen normally worked their fields also proved detrimental, and crops languished. Furthermore, Foster, Warner, and Crook made promises, including one not to cut rations, without assurances of Government fulfillment. Even the Sioux Ghost Dance, coming when it did, can be partially ascribed to the Commission’s permitting tribal indulgence in the

145. Miles to Senator Henry Dawes, 19 Dec. 1890, in Report of the Secretary of War, 1891, p. 149.
146. Utley, Last Days, p. 111.
previously banned pastime of dancing, as harmless and necessary an amusement as it was.  

Worst of all, the Commission raised hopes among many Sioux for a better life. The psychological boost served only to aggravate the emotional trauma experienced when the Government slashed rations. All this, complicated by Congressional indifference to their well-being, drove the Indians into despondence. Faced by unprecedented futility, the Sioux had no recourse but to appeal to supernatural powers. But along with men, women, and children, even the Ghost Dance perished at Wounded Knee.

News of the conflict forced Congress to act. On 19 January 1891 it passed legislation embodying most of the Commission’s recommendations, including a substantial appropriation for beef. Yet the Indians did not obtain full benefits from the Sioux Act. Because of drought, settlement in South Dakota proceeded slowly; the pledged $1.25 per acre held only for three years. By 1898 homesteaders occupied less than one million acres of the relinquished land. The guaranteed $3 million permanent fund dwindled both from the collapse of the expected land boom and from the Government’s own failure to compute interest.

Nor have the Sioux yet received full compensation. In 1935, they brought suit against the Government for money due them through the educational clauses of the Treaty of 1868 and the Act of 1889. Both the Court of Claims and the Supreme Court rejected their appeal. From 1942 through 1948 the Sioux

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148. See, for example, Missionary James F. Cross to Agent J. George Wright, 27 Aug. 1890, in Report of the Commissioner of Indian Affairs, 1890, p. 64.


150. Eastman, Pratt, p. 185.


152. U.S., Court of Claims Reports, 84: 25, 41; U.S., Reports, 302: 740.
petitioned for principal and interest funds from sale of their lands; again the courts denied them, stating that the Government had already expended on the Indians more than the requested amount.\textsuperscript{153} But the legal battle continued. As late as 1969, litigation proceeded before the Indian Claims Commission seeking to rectify injustices dealt the Sioux by the Land Commission eighty years before.\textsuperscript{154}


\textsuperscript{154} Area Tribal Operations Officer Wray P. Hughes to Author, 12 Nov. 1969.
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