

The United States of America }
District of Nebraska }

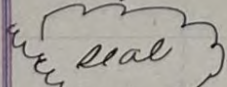
The President of the United States,
to George Crook, a Brigadier General
of the Army of the United States,
Commanding the Department of the
Platte. Greeting:

We command you that you have the
bodies of Ma-chu-nah-yha (Standing Bear)
Ta-zha-but (Buffalo Chip) Shan-gu-e-
hu-zhe (Yellow horse) Wu-don-ah-gaz
(Cries for War) Wa-the-ha-cuh-she (Long
Runner) Wan-chi-dun (Crazy Bear)
Me-tha-zhin-ga (Little Duck) La-the-
ga-da (Buffalo Track) Ka-wig-u-sha
(Turtle Grease) Min-u-chuck (Walk in
the mud) Ta-do-mun-e (Walk in the mud)
Me-gah-sin-de (Coons Tail) E-tun-kah
(Big Mouth) Wah-thi-ga (Swift) Ta-
wan-oo (Buffalo bow) Wa-shud-da-de
(Feather Crazy) Ze-moo-a (Walking Yellow)
Co-moo-ah (Good Provision) Susette Primo,
Laura Primo, Ta-nigh-ing-ah (Little Buffalo
Woman) Shi-ah-du-wah (Midst of the Eagles)
Me-he-da-wah (Midst of the Sun) Ta-zin-zi
(Yellow spotted Buffalo) Wo-yhaizhe
(Grown hair) and Wa-gang-wah. by
you imprisoned and detained as it is
said, together with the time and
cause of such imprisonment and

such detention, before Elmer S. Dundy,
 District Judge of the United States
 for the District of Nebraska, ^{at Lincoln Neb.} within
 ten days after the service hereof, to
 do and receive what shall then and
 there be considered concerning the
 said Ma-chu-nah zha (Standing Bear)
 Ta-zha-but (Buffalo Chip) Shan-gu-
 e-he-zhe- (Yellow Horse) Me-don-ah-gaz
 (Cries for War) Wa-the-ha-cub-shu (Long
 Runner) Wan-chu-dum (Crazy Bear) Me-
 tha-zhun-ga (Little Duck) Ta-he-ga-
 da (Buffalo Track) Ka-nig-i-sho (Turtle
 Grease) Min-i-chuck (Walk in the mud)
 Ja-do-mon-e (Walk in the Wind) Me-gah-
 in-de (Coons Tail) E-tun-kah (Big Mouth)
 Nah-thi-ga (Swift) Ja-nah-oo (Buffalo
 Cow) Ma-shud-da-de (Feather Crazy) Le-mun-a-
 (Walking Yellow) Co-moo-ah (Good Provision)
 Susette Pimo. Laura Pimo. Ja-nigh-ingah-
 (Little Buffalo Woman) Kre-ah-du-nah
 (Midst of the Eagles) Me-he-da-nah (Midst
 of the Sun) Ja-zigi (Yellow Spotted Buf-
 falo) No-zha-zhe (Grown Hair) and
 Nah-gang-nah, and have you then and
 there this writ.

Witness my hand as Judge of the said Court and the
 seal of said Court by me hereunto attached this 8th

day of April 1879.



attested, Watem B. Smith
 Clerk, Dist. Court U.S.
 Dist of Nebraska.

Elmer S. Dundy.

U.S. District Judge, District
 of Nebraska.

No. 38. F.

District Court U.S.
District of Nebraska.

The United States, ex rel

~~Ma~~
Ma. chu. nah. zah ^{et al}

vs -

George Crook
a Brigadier General
U.S.A.

Copy of Writ of
Habeas Corpus

Filed April 18. 1879.

Watson B. Smith
by E. D. Frank, ^{clerk}
Deputy.

stock and are pursuing the habits of a



The United States of America }
District of Nebraska } 55

The President of the United States, to
George Crook, a Brigadier General of the
Army of the United States, Commanding the
Department of the Platte, Greeting:

We command you that you have the
bodies of Ma-chu-nah-zha (Standing Bear),
La-zha-but (Buffalo Chip), Shan-qu-e-le-zhe
(Yellow Horse), Ma-dou-ah-gaz (Birds-for-war),
Ma-the-la-cuh-she (Long Runner), Ma-chu-
dun (Crazy Bear), Ma-tha-gniu-ga (Little Duck),
La-the-ga-da (Buffalo Track), Ka-wig-i-sha
(Little Grease), Min-i-chuck (Walk-in-the-mud),
La-do-mon-e (Walk in the wind), Me-gah-sin-de
(Leopards Tail), E-tun-Kah (Big Mouth), Wah-thi-
ga (Swift), La-man-oo (Buffalo Cow), Ma-shud-
da-de (Feather Crazy), Le-mou-a (Walking Yel-
low), Co-moo-ah (Good Provision), Susette Pimo,
Laura Pimo, La-migh-ing-ah (Little Buffalo Woman),
Ma-ah-du-nah (Midst of the Eagles), Ma-he-da-nah
(Midst of the sun), La-yi-yi (Yellow Spotted Buffalo),
No-zha-zhe (Green Hair), and Ma-gang-nah,
by you imprisoned and detained as it is
said, together with the time and cause of
such imprisonment and such detention, be-
fore Elmer S. Dundy, District Judge of the
United States for the District of Nebraska,
at Lincoln Nebraska, within ten days
after the service hereof, to do and receive
what shall then and there be considered
concerning the said Ma-chu-nah-zha (Standing

Bear), La-zha-lut (Buffalo Chip), Shaw-gu-
e-hi-zur (Yellow Horn), Mu-dou-ah-gaz (Grass-
gor-war), Wa-thu-lu-cuh-she (Long Runner),
Wau-chu-dum (Crazy Bear), Mr-tha-yhiu-ga
(Little Duck), La-thu-ga-da (Buffalo Track), Ka-
wig-i-sha (Turtle Grease), Min-i-chuck (Walk
in the mud), La-do-mon-e (Walk in the mud),
Mr-gah-siu-de (Corns Tail), E-tuu-kah (Big Mouth),
Wah-thi-ga (Swift), La-wah-oo (Buffalo Cow),
Ma-shud-da-de (Feather Crazy), Ze-mou-a
(Walking Yellow), Co-moo-ah (Good Provision),
Susette Prince, Laura Prince, La-migh-ing-ah
(Little Buffalo Woman), We-ah-du-wah (Midst
of the Eagles), Mr-hi-da-wah (Midst of the sun),
La-yi-yi (Yellow Spotted Buffalo), Wo-zha-zhe
(Brown Hair), and Wah-gang-wah, and
have you then and there this writ.

Witness my hand as Judge of the
said Court and the seal of said Court
by me hereto attached this 8th day of April,
1879

Oliver S. Denney,
U. S. District Judge,
District of Nebraska.

Nataniel L. Smith
Clerk Dist. Court U. S.
Dist. of Nebraska

L.R.B.P. 309- Vol. 2- J.A.O. v. 8
1342, N.P. 1879

April 8, 1879.

Nundy, Elmer S.

U.S. District Judge,
Dist. of Neb.

To Gen. Crook, a Brig. Gen. of the Army of the U.S.,
Commanding the Dist. of the Platte.

Summons directing that he
within named persons brought
before him at Lincoln, Nebraska,
within ten (10) days after the
service hereof, &c.

(2 Encls)

1st Endorsement

Headqrs Dep't of the Platte
Assoc'd Adj't Gen'l Office
Fort Omaha Neb. Apr 10. 79

Respectfully referred to
the Judge Advocate of
the Department; for
remark, and necessary
action.

By command of
Brig Gen'l Crook
R. W. W. W.
Asst. Adj't General.

No. 38. F.

2nd Endorsement.

Headquarters Dep't of the Platte,
Judge Advocate's Office
Fort Omaha, Neb., April 11, 1879

In compliance with the
direction of the foregoing End-
orsement and the instruction
of the General Commanding
- Return is made to enclosed
with as appears herewith.

H. B. P. W. W.
Judge Advocate, U.S.A.

Filed April 18, 1879
Watson B. Smith,
Clerk
by E. D. Frank,
Deputy.

In the District Court of the United
States. For the District of Nebraska.

The United States, ex rel.
Ma-chu-nah-gah (Standing Bear).

vs.

George Crook, a Brigadier General
of the Army of the United States,
and Commander of the Depart-
ment of the Platte.

In the Matter of the application of
Ma-chu-nah-gah (Standing Bear), et al.
for a writ of Habeas Corpus.

To the Honorable Elmer S. Dundy,

Judge of the District Court of the
United States for the District of Nebraska:

The Petition of Ma-chu-nah-gah
(Standing Bear), Ta-gah-but (Buffalo Chip),
Shau-gu-e-hi-ghe (Yellow Horse), Nu-dou-
ah-gah (Bird-for-war), Wa-the-ha-cuk-she
(Long Runner), Wan-chu-dun (Crazy Bear),
Mi-the-gu-i-ga (Little Duck), Ta-the-ga-da
(Buffalo Track), Ka-wig-i-sha (Turtle Grass),
Min-i-chuck (Walk-in-the-mud), Ta-do-mou-e
(Walk-in-the-mud), Me-gah-sin-de (Comisaid).

2

E-tum-Kah (Big Mouth), Trah-thi-ga (Swift), La-tran-oo (Buffalo Cow), Ma-shud-da-de (Feather Crazy), Ze-mou-a (Walking Yellow), Co-moo-ah (Good Provision), Sweetie Primo, Laura Primo, La-nigh-ing-a (Little Buffalo Woman), Kre-ah-du-nah (Midst-of-the-Eagles), Mr-hr-da-nah (Midst-of-the-Sun), Za-gi-gi (Yellow-Spotted Buffalo), Mo-zha-zhe (Grown Hair), and Tra-gang-nah, who respectfully show unto your Honor that they each and all of them are prisoners unlawfully imprisoned, detained, confined, and in custody, and are restrained of their liberty under and by color of the alleged authority of the United States by George Crook, a Brigadier General of the Army of the United States and commanding the Department of the Platte, and are so imprisoned, detained, confined, and in custody and restrained of their liberty by said George Crook at Fort Omaha on a Military Reservation under the sole and exclusive jurisdiction of the United States and located within the territory of the District of Nebraska. That said imprisonment, detention,

confinement and restraint by said George Crook as aforesaid, are so done by him under and by virtue of some order or direction of the United States or some department thereof, and which order or direction is not more particularly known to these complainants, whereby they are unable to more particularly set the same forth. Save that these complainants are informed and believe that said order or direction is to the effect that these complainants be taken as such prisoners to the "Indian Territory".

These complainants further represent that they are Indians, and of the nationality of the Ponca Tribe of Indians, but that for a considerable time before, and at the time of their arrest and imprisonment as is herein more fully set forth, they were separated from the Ponca Tribe of Indians, and had been and were separated from their tribal relations to said Ponca Tribe of Indians, and that so many of said Ponca Tribe of Indians as maintain their tribal

4
relations are located in the "Indian Territory."

That your complainants, at the time of their arrest and imprisonment, were lawfully and peaceably residing on the Quasha Reservation, a tract of land set apart by the United States to the Quasha Tribe of Indians, and within the territory of the District of Nebraska, and were so residing there by the consent of said Quasha Tribe of Indians and on lands set apart to your complainants by said Quasha Tribe of Indians.

That your complainants have made great advancements in civilization, and at the time of the arrest and imprisonment of your complainants, some of them were actually engaged in agriculture, and others were making preparations for immediate agricultural labors, and were supporting themselves by their own labor. And no one of these complainants was receiving or asking support of the Government of the United States.

8 1
That your complainants were not violating, and are not guilty of violating any violation of any law of the United States, civil or military, or of any treaty of the United States, for which said arrest and imprisonment were made.

That while your complainants were so peaceably and lawfully residing on said Quaha Reservation, as aforesaid, they were each and all unlawfully imprisoned, detained, confined, and restrained of their liberty by said George Crook as such Brigadier General commanding the Department of the Platte, and as such prisoners were transported from their said residence at the Quaha Reservation to Fort Quaha, where they are now still unlawfully imprisoned, detained, confined, and restrained of their liberty by said George Crook as aforesaid.

Wherefore these complainants say that their said imprisonment and detention is wholly illegal, and they demand that a writ of Habeas Corpus be granted, directed to the

6 1
said George H. Crook a Brigadier
General of the Army of the United
States Commanding the Department
of the Platte. Commanding him to
have the bodies of Ma-chu-nah-ya
(Standing Bear). Ya-ya-lut (Buffalo
Chip). Shan-gu-e-hr-zhr (Yellow Horse).
Nu-dow-ah-gaz (Cris-for-war). Ma-the-
ha-cuh-she (Long Runner). Wan-chu-dum
(Crazy Bear). Mr-tha-zhuig-ga (Little
Duck). La-the-ga-da (Buffalo Track).
Ka-wig-i-sha (Turtle Grease). Min-i-chuck
(Walk-in-the-mud). La-do-mou-e (Walk-
in-the-wind). Me-gah-sin-de (Crows Tail).
E-tuu-Kah (Big Mouth). Wak-thi-ga
(Swift). Ja-man-oo (Buffalo Cow). Ma-shud-
da-de (Feather Crazy). Ze-mou-a (Walking
Yellow). Co-moo-ah (Good Provision). Sweet
Primo. Laura Primo. La-nigh-iig-ah
(Little Buffalo Woman). Kr-ah-du-wah
(Midst of the Eagles). Nu-hr-da-wah (Midst
of the Sun). Za-zi-zi (Yellow Spotted
Buffalo). No-pha-yhi (Groom Hair).
and Wak-gang-wah before your
Honor at a time and place therein
to be specified, to do and receive
what shall then and there be con-
sidered by your Honor concerning

them, together with the time and cause of their detention, and said writ, and that the complainants may then be restored to liberty.

Witness: J. H. Biggles
W. L. Carpenter

Ma-chu-na-gha (Standing Bear)	his	X mark
Ta-gha-but (Buffalo chip)	his	X mark
Ma-chu-dun (Crazy Bear)	his	X mark
Shun-gu-zhe-zhe (Yellow Horse)	his	X mark
Nu-dun-ah-gaz (Cries for war)	his	X mark
Wa-the-ha-cuk-she (Long runner)	his	X mark
Me-tha-zhin-ga (Little duck)	his	X mark
Ta-the-ga-da (Buffalo track)	his	X mark

United States of America
District of Nebraska
Douglas County

A. J. Poppleton Esq
Jno. L. Webster
Attys for Petitioners

Ma-chu-nah-gha (Standing Bear). Ta-gha-but (Buffalo chip). Shun-gu-zhe-zhe (Yellow Horse). Nu-dun-ah-gaz (Cries for war). Wa-the-ha-cuk-she (Long Runner). Ma-chu-dun (Crazy Bear). Me-tha-zhin-ga (Little Duck). Ta-the-ga-da (Buffalo track). Ka-wig-i-sha (Turtle Grass). Min-i-chuck (Walk in the mud). Ta-do-mou-e (Walk in the mud). Nu-gah-cin-de (Corns Tail). E-tun-ka (Big mouth). Wa-thi-ga (swift). Ta-nau-oo (Buffalo cow). Nu-shud-da-de (Feather Crazy). Zi-mou-a (Walking Yellow).

Co-moo-ah (Good Provision), Susette Pri-
mo, Laura Prius. Ta-nigh-nig-ah
(Little Buffalo Woman), Kre-ah-du-wah
(Midst of the eagles), Tche-da-wah (Midst
the sun), Za-zi-zi (Yellow spotted Buf-
falo), No-zha-zhe (Green Hair), and
Wa-gang-wah being first duly
and severally sworn according to
law say the facts stated in the
 foregoing complaint are true.

Ma-cha-na-gha (Standing Bear)	his X mark
Ta-gha-but (Buffalo Chip)	his X mark
Nu-dun-ah-gag (Cries for war)	his X mark
Schu-gu-zhe-zhe (Yellow Horse)	his X mark
Ma-chu-dun (Crazy Bear)	his X mark
Me-thu-ghin-ga (Little Duck)	his X mark
Ma-the-ha-eeh-she (Long Runner)	his X mark
Ta-the-ga-da (Buffalo back)	his X mark

Subscribed in my presence
and sworn to before me this 4th day
of April A.D. 1879

Wm. H. Stull

Notary Public

Witness: J. H. Gibbs
W. L. Carpenter

8 April, 1879, writ of habeas
Corpus ordered, returnable at Lincoln
Nebraska within ten days from date
of service of writ
Elihu D. Denny
Judge

No. 38.7.

U. S. District Court
District of Nebraska

United States ex rel.
Ma-chu-nah-gha-wal.

vs

George Crockett a Brig-
adier General of the
U. S. Army Command-
ing the Department of
the Platte —

Made April 8. 1879
Wm. D. Smith
Clerk

A. J. Popplestone
Att. of Webster

The United States, & rel
Ma - Chu - Nah - zha
(Standing Bear) et al

Apr. 8

vs.
George Crook a
Brigadier General
U.S. A. Commanding
the Department of the Platte

No. 38, 7.

~~Jul 29 77~~

This day came

MA-CHU-NA-ZHA (STANDING BEAR) TA-ZHA-BUT (BUFFALO CHIP) SHAN-GU-E-HE-
ZHE (YELLOW HORSE) MU-DON-AH-GAZ (CRIES FOR WAR) WA-THE-HA-CUH-SHE (LONG
RUNNER) WAN-CHI-DUN (CRAZY BEAR) ME-THA-ZHIN-GA (LITTLE DUCK) LA-THE-GA-
DA (BUFFALO TRACK) KA-WIG-I-SHA (TURTLE GREASE) MIN-E-CHUCK (WALK IN
THE MUD) TA-DO-MUN-E (WALK IN THE WIND) ME-GAH-SIN-DE (COONS TAIL)
✓ E-TUN-KAH (BIG MOUTH) WAH-THI-GA (SWIFT) TA-WAN-OO (BUFFALO COW) MA-SHUD-
DA-DE (FEATHER CRAZY) TE-MUSE-A (WALKING YELLOW) OO-MOO-AH (GOOD PROVISION)
SUSETTE PRIMO, LAURA PRIMO, TA-WICH-ING-AH (LITTLE BUFFALO WOMAN) KRE-
AH-DU-WAH (MIDST OF THE EAGLES) ME-HE-DA-WAH (MIDST OF THE SUN) TA-ZI-ZI-
(YELLOW SPOTTED BUFFALO) WO-YHA-ZHE (GROWN HAIR) AND WA-GANG-WAH

by their Attorneys ^{Wm. H. Puffer} A. J. Puffer, Ton
and J. L. Webster, and made
Application for a writ of Habeas
Corpus, and it being made to appear
to the Court that the said petitioners

are detained without ^{any} legal
authority. It is therefore
ordered that a writ of Habeas
Corpus be allowed to issue
on behalf of the said petitioners
directed to George Crook, a
Brigadier General of the United
States, commanding the Department
of the Platte, returnable
within ten days from the
date of the service of said
writ upon him.

one common view that they have all
spoke and are pursuing the habits of a

Ponca Indians } Hearing on Writ of
vs } Habeas Corpus. Before
George Crook (Brig. Genl.) } E. S. Dundy, D. J.
April 29th 1879.

I

Petitioners are entitled to sue out the writ.

a Any person is entitled Rev. Stat. 142

b. Slaves (5 McLean 98) Chinamen (2 Otto
P 276 Chy Lung vs. Freeman)

c Minors, Married women, Idiots Lunatics

d Writ may be sued by any one on their
behalf. 1 Bouvier Inst. 91 - 1 Kent 639.

e Indians liable for prosecution for
crimes, debts. Subject to Probate Juris-
diction.

f. Relief from Military Confinement
Ex parte Milligan 4 Wal 107.

Gooley on Constitutional Limitations 345-346

2 Story on Constitution

"No human being in this Country can
exercise any kind of authority (public)
which is not conferred by law. And
under the United States, it must
be given by the express words of
a written statute. Whatever is not
so given is withheld and the exer-
cise of it is positively prohibited"

II

Petitioners should be discharged as matter of law.

1 There is nothing in the relation of the Tribe giving power to the United States to hold them

a This is true generally of Indian Tribes not in hostility but friendly Treaty Indians.

5 Pet. 1 6 Pet. 516. 11 Wallace 616.

(Status of these Indians)

b It is especially true of this particular Tribe and it is a violation of faith to attempt to hold them.

1 Either to remove them from their original reservation -

2 Or to return them to the Indian Territory.
Develop Legal^{and} Treaty situation.

Treaty of March 12. 1858 - U.S. Stat. #12 - P 997

Treaty of March 10. 1865, 14 U.S. Stat. P. 675

Sioux Treaty April 29. 1868 - 15 U.S. Stat. P 636

Treaty with Sioux in respect to removal to the Indian Territory 19 U.S. Stat P. 256.

Conca Appropriation

2 They are not charged with crime

If they were the Military Authorities
would have no jurisdiction over them.
(What military may do with them)

3 Has the Indian Department jurisdic-
tion to deprive the Indians of liberty
for any purpose? And for what purpose?

4 Can this power so far as it exists, be
exercised through the Military

5 These particular Indians have sepa-
rated themselves from their tribe ^{and}
seek to become citizens.

~~a~~ To this end they have

a Learned the Arts of Civilization sufficiently
for self support.

b They have heretofore supported themselves.

c They ask only to be allowed to do so in the
future

d (Can't make out words) is the cultivation ^{now} of a
struggle for liberty.

6 Standing in this relation they are
entitled to the protection of the Con-
stitution ^{and} the laws.

III
Humanity, Justice ^{and} Statesmanship
demand their discharge.

President's Authority in removal Rev. Statute
P 371. Sec 2114

No person allowed to make Treaty Rev. Stat.
P 372. Sec 2116.

Indians desiring to adopt habits of civilized
life, may have lands set apart. Rev. Stat.
P 372. Sec 2119.

What Military may do. Rev. Stat. P 376. Sections
2149, - 2152.

No Treaty since March 3-1871. 16-26. S. Stat.
P. 567.

No one has ever broached the doctrine that
Indians could be deprived of their title,

15
without their consent.

P. J. Reddick.
Her Petitioner.

Return.

To the,
Hon. Elmer S. Dundy
U. S. District Judge
for the District of Nebraska.

As directed by
your writ of Habeas Corpus, dated April 8, 1879,
requiring me to take and have the bodies of Ma-chu-
nah-zha (Standing Bear), Ta-zha-but (Buffalo Chip),
Shan-gu-e-he-zhe (Yellow horse), Mi-dou-ah-gaz
(Cries-for-War), Wa-the-ha-eh-she (Long Runner),
Wau-chu-dun (Crazy Bear), Me-tha-zhiw-ga (Little
Duck), Ta-the-ga-da (Buffalo Track), Ka-wig-i-sha
(Turtle Grease), Min-i-chuck (Walk in the mud),
Ta-do-mon-e (Walk in the wind), Me-gah-sin-de
(Coon's Tail), E-tun-kah (Big mouth), Nah-thi-ga
(Swift), Ta-wan-oo (Buffalo Corn), Ma-shud-da-de
(Feather Crazy), Ze-mon-a (Walking Yellow), Os-moo-ah
(Good Provision), Susette Primo, Laura Primo, Ta-nigh-
ing-ah (Little Buffalo Woman), Kre-ah-du-wah
(Midst of the Eagles), Me-he-da-wah (Midst of the sun),
Ta-zi-zi (Yellow Spotted Buffalo), No-zha-zhe (Crown
hair), and Wa-gang-wah, by me "imprisoned and
detained as it is said, together with the time and
cause of such imprisonment and such detention
within ten days after the service thereof, and to do
and receive what shall then and there be consider-

ed Concerning the said persons and to have them
and there said writ; I have the honor respectfully
to state and return in obedience to, and with the
said writ, that the bodies of the aforesaid persons
are as required produced.

That the time of their detention at Fort Omaha,
Neb., is from the 27th March 1879, as appears by
the report of the Commanding Officer, at that Fort,
(and of the Special Orders therefor)
copy of which is hereto attached and made part of
this return with like effect as though fully set
forth therein; that I am the Brigadier General
U.S.A., Commanding the Military Department
of the Platte, and all officers and soldiers stationed
therein, and as such Commanding Officer, subject
to the orders of my military superiors:— That
the cause of the detention of aforesaid Indians
is the request of the Secretary of the Interior and
the orders of my Commanding Officers, General
Sherman and Lieutenant-General Sheridan, based
thereon; which orders were to me communicated
and directed by the 1st and 2nd Endorsements
on the copy of the letter of Hon. C. Schurz, Acting
of the Department of the Interior, dated March 7,
1879, and addressed to the Secretary of War, en-
closing a copy of a telegram dated March 4, 1879
addressed "to the Commissioner of Indian Affairs"
at Washington, D.C., and signed Jacob Vore, Indian
Agent, Copies of which letter and telegram, and

✓ of said endorsements, are also hereto attached -
and made part of this return; with like effect
as though fully set forth herein; whereby it appears
that the Hon. Secretary of the Interior requested the
Secretary of War "that the nearest Military Commander
(to the Omaha Indian Agency) may be instructed
to detail a sufficient guard to return these Poncas
to the Agency where they belong," wherefore the
undersigned asks to be released from said writ
and that said Indians may be returned to him
for the fulfillment of his orders concerning them.

George Crook
Brigadier-General
Commanding Department of the Platte.

State of Nebraska } ss.
County of Douglas }

Personally appeared before me, Brigadier General
George Crook, U.S. Army, who being duly sworn, ac-
cording to law, deposes and says that the statements
made in the foregoing return are true so far as they are within
his own knowledge, and as he is officially informed and
believes of such facts as are stated as based on official in-
formation.

Sworn and Subscribed this
11th day of April 1879,

before me

Wm. P. Bowen
Notary Public

George Crook
Brigadier General
U.S. Army.



No. 38. F.

United States
Ma-chu-mah-jha^{24th Feb.}
24th Feb.

02.
George Crook
a Brigadier General
U.S.A.

Return of Geo Crook
Brig. Genl. U.S.A.

Filed April 18, 1879.
Watson B. Smith,
by E. D. Frank, Clerk
Deputy

United States District Court,
District of Nebraska.

United States ex rel.
Ma-chu-nah-gha.
et al.

—vs.—

George Crook, a
Brigadier-General of
the United States Army.

Reply to Amended Return—

Now come the petitioners, Ma-chu-nah-gha, et al. and for a reply to the amended Return filed herein deny that Standing Bear is an Indian chief of the Ponca Tribe of Indians; and they deny that the other petitioners are members of the Ponca Tribe of Indians.

The petitioners deny that they still retain their tribal relations with the Ponca Tribe of Indians, and they deny that they pay allegiance to the Ponca Tribe of Indians, but aver that they have severed all their tribal relations with said Tribe. The Petitioners aver that they have adopted and are pursuing the habits of a

civilized life.

The Petitioners aver that they are illegally restrained of their liberty, and deny that they were upon the Quaha Reservation in violation of law.

The Petitioners deny that they belong to any agency or reservation in the Indian Territory, and deny that the Ponca Reservation is in the Indian Territory.

Ma-chu-nah-gha, et al.
Petitioners.

By A. J. Poppleton ^{and}
Jno. L. Webster
their Attorneys.

No. 387

U. S. District Court,
District of Nebraska.

United States ex rel.
Ma-chu-nah-ya, et al.

vs.

George Crook, a
Brigadier-General
United States Army.

Reply to
Answered Return.

Filed May 2, 1879,
Watson B. Smith,
by E. D. Frank, ^{clerk} Deputy.

A. J. Poppleton &
Wm. L. Webster
Attorneys for Petitioners.