

**ADDRESS OF
JUDGE CHARLES C. HAMILTON
BEFORE THE
ACADEMY OF SCIENCE AND LETTERS
OF
SIOUX CITY, IOWA
NOVEMBER 27, 1928**

The following Address was donated to the Department of History and Archives by Lila Hamilton Finne, of Torrance, California, Judge Charles Hamilton's granddaughter. Mrs. Finne was also kind enough to send additional background material and photographs to be included in the article.

The supplementary biographical information on Judge Hamilton was researched and written by Mrs. Finne and serves as an excellent introduction to the Address. Please note that Judge Hamilton dedicated his speech to Jack Cornell Hamilton, his grandson and Mrs. Finne's brother.

A Partial Biography of Charles Clarence Hamilton

Charles Clarence Hamilton was born at Macon, Missouri on January 12, 1861. His parents were Amelia Nancy Carlin, a native of Pennsylvania, and James H. Hamilton, a Kentuckian.

During the Civil War, the family was sympathetic to the north. They were forced to leave Missouri after their home and outbuildings were burned and they then located in Nebraska for a few years, living in Omaha for a time. The family then moved to Sioux City, Iowa in October, 1868, arriving on the third regularly scheduled passenger train.

In 1877, Charles accompanied his father on a trip to the Black Hills. James Hamilton was a photographer, and joined the gold seekers to take pictures of the adventure. In August of that year, Charles lost his left arm while herding cattle near Morningside, a suburb of Sioux City. He was riding a pony and was holding the reins in one hand and a shotgun in the other. The gun caught in the stirrup of his saddle, and he fell from the pony, thus discharging the gun. A year after



Courtesy of Mrs. Lila Finne

Judge Charles C. Hamilton

the accident, he and two other youths made a trip by pony to Texas to drive back a herd of horses. Their route took them through the territory that is now the State of Oklahoma.

Charles Hamilton attended the University of Iowa and graduated from the Law School in 1883. He practiced law for only a short time, however, for in October, 1883 he was appointed to the position of court reporter by Judge Zever. He held this position for 37 years. On August 3, 1920, upon the resignation of Judge J. W. Anderson from the bench, Charles was appointed by Governor W. L. Harding to fill this vacancy. He served as Judge of the Fourth Judicial District, which is comprised of Woodbury and Monona Counties, until his death on September 17, 1931.

Despite his physical handicap, Charles Hamilton trained himself in taking shorthand notes and operating a typewriter with one hand. He devised a knee shift lever which he attached to the carriage of his typewriter. He and another court reporter, W. E. Cody, took the first typewriting machines into Lyon, Osceola, Sioux, and O'Brien Counties on a demonstration tour.

Judge Hamilton was also an avid sportsman. Twice he won the tri-state trap shooting championship which was held in Sioux City. He held the championship of the Sioux Gun Club and in 1917 won a three day golf tournament in Omaha in which he and three other one-armed golfers (W. B. Cheek, A. W. Scribner, and G. W. Shield) participated.

Sioux City, Iowa Nov. 27, 1928

To Jack Cornell Hamilton

from

Chas. C. Hamilton

Mr. Chairman, Ladies and Gentlemen:

I have been asked to narrate to you some of my experiences on a trip to the Black Hills in the Spring of 1877. That is a long time ago, and conditions have changed very materially in a great many respects since then. Before narrating my experiences on this trip, I would like to talk to you briefly as to the conditions existing in Sioux City and the unsettled country lying in the great Northwest. Sioux City, at that

time, had a population of 5,000 or 6,000 people. My home was at 1013 Pierce Street, and for several years our home was the last house on Pierce Street. The man with whom I went to the Black Hills was Dr. W. O. Davis, and he resided on a 120 acre farm directly east of Morningside College. Mr. E. C. Peters occupied a farm home where Morningside College now stands. Mr. W. H. Wright had a farm home two blocks east of the intersection of Morningside Avenue and the Lakeport Road. These three residences were the only ones in what is now known as Morningside, a suburb with about 15,000 inhabitants. The unsettled country to the northwest of Sioux City, from Bismarck, North Dakota, to Yankton, South Dakota, on the west side of the River, was an Indian Reservation. The country to the west of Yankton, except immediately adjacent to the Missouri River, was all Indian Reservation, as far south as the Union Pacific Railway, and as far west as Cheyenne, in Wyoming. There were no habitations of white men in this territory except at the Forts and Agencies established by the Government. The territory now occupied by the Black Hills, and the territory for several hundred miles surrounding the Black Hills, was all on the Indian Reservations, and no white man was permitted to enter this territory without permission of the Federal Government.

To Sioux City belongs the honor and enterprise of fitting out the first civil expedition to the Black Hills. Twenty-six men of Sioux City banded themselves together, fitted out a train and started to the Black Hills on October 6th, 1874. The party was known as the Collins & Russell Expedition. John H. Charles of Sioux City was foremost in fitting out the expedition, and gave liberally to sustain and carry out the project. This expedition crossed the Missouri River at Sioux City, and proceeded west to the Niobrara River; they followed the Niobrara River to the west until they struck the trail of General Custer; thence following along this trail until they came to a point about 35 miles south of where Deadwood is now located, or to a point where the city of Custer now stands. There they built a stockade about 80 feet square with walls 13 feet high, all made of pine logs. Instead of the stockade they erected six log cabins, and port holes were provided

every six feet through the walls. This precaution was taken so that they might protect themselves against a possible attack by the Indians, on whose Reservation the expedition was then planted. In going to the Black Hills at that time, the members of this expedition had violated the Federal Laws, as the Government had no treaty with the Indians in respect to the occupation of that country, and on April 8th, 1875, the members of this expedition were all taken prisoners by the Federal cavalry and taken to Fort Laramie. They were afterwards released and sent back to Sioux City.

During the latter part of 1875, or the early part of 1876, a treaty was entered into between the Federal Government and the Indian Tribes interested in the Black Hills and surrounding territory. Settlers were permitted to enter the Black Hills during the latter part of 1875 or the early part of 1876. The original treaty with the Indians provided for two means of entrance or exit to the Black Hills—one from Bismarck, North Dakota, and the other from Cheyenne, Wyoming. Even though it was a violation of the treaty with the Indians, a number of people, in the year 1876, went to the Black Hills from what is now Pierre, South Dakota. There were no railroads in the State of South Dakota in the year 1876, but in the spring of 1877, a line of railroads was built from Yankton to Sioux City, which was called the Yankton and Dakota Southern. This road was not opened for the transaction of business until the latter part of April or the first of May, 1877. On the 8th of April, 1877, the Government issued a proclamation permitting emigrants to travel from Pierre to the Black Hills. This was not long after the famous Custer Massacre, which occurred in 1874, and the Indians were still gloating over their success in handling the Custer Expedition. The Indians were imbued with the further feeling that their best hunting grounds were being invaded by the white people, and with a spirit of resentment, they were in a mood to take whatever measures were necessary to prevent what they considered an invasion of their rights; they were willing to fight for this wonderful hunting ground of theirs if it became necessary. And they did fight, as was afterwards shown by the events which took place in the Black Hills during the year 1877.

So, the pioneer settlers in the Black Hills had not only to stand the usual hardships of an expedition of that kind, but were always mindful of the possibility of Indian attack. During the early part of the year 1876, wonderful reports of the discovery of gold in abundance in nearly all parts of the Black Hills had reached Sioux City, and in fact, all parts of the United States. Naturally, everybody was excited over these reports and a great number of citizens of Sioux City started to make plans to go to the Hills the next season.

I had a boyhood friend named Finn Davis whose father was Dr. W. O. Davis. The doctor had concluded to go to the Hills and had promised his son, Finn, that he could go with him. My father was a photographer and, in a way, was a pioneer in this country. He conceived the idea that it would be a good business venture to go out into this new country and secure photographs of frontier life in the Black Hills, and that at some time, these photographs would become valuable. After I found out that Dr. Davis was permitting Finn to go with him, I finally secured the consent of my parents to go with Dr. Davis also. Dr. Davis was troubled with dyspepsia and he thought a trip to the Hills might benefit him; he could also pursue the practice of his profession there.

The ice moved out in the Missouri River during the latter part of March of that year, and along the early days of April, we were loaded and waiting for the boat to arrive. We had reserved transportation from Kansas City some time before this, and it was fortunate that we did, as there were a great many people wanting to go who could not secure transportation. We had a good team of horses, a new covered wagon and a good set of harness. Our load consisted of 2,000 pounds of flour and 1,000 pounds of bacon. And I want to say right here that we had something else, something that caused me more trouble than anything else we had during the entire trip. As I said before, Dr. Davis was a dyspeptic and he conceived the idea that it would be a good thing if he had fresh milk to use every day. So, he bought a fine Durham cow to take with us. This was a fine cow and gave plenty of fine milk, but when we got to Pierre and started on our trip across the Plains, it became my duty to lead this cow every other day during the entire trip. I would lead it one day and Finn

would lead it the next day. We were to go from Sioux City to Pierre by boat. Finally, the boat arrived several days late, but we were there waiting and anxious to start. The boyhood friends of Finn and myself were all there to wish us a pleasant and safe trip.

The boat upon which we took passage was about 150 to 175 feet long, about 40 or 50 foot beam and drew about $2\frac{1}{2}$ or 3 feet of water. There was a hold the entire length of the boat, with the exception of the portion occupied by the engine room. In all of the boats plying the Missouri River to the north, the hold was usually filled with barrels of whiskey, as this was one of the main parts of the cargo. The principal cargo on these boats going north was: whiskey, flour, tobacco, salt and sugar, and some salt meats, while the cargo on the boats returning from the north was principally composed of different kinds of hides and furs.

At last we were started and the trip from Sioux City to Pierre was really uneventful as we passed through a country with practically no habitation. The people who lived along the Missouri River had small patches of garden truck, small patches of corn, and some of them had a few cattle. After we passed Yankton, most of the people gained a livelihood by hunting or trapping, or by running wood yards to supply the steam boats with wood. In many places they would cut cottonwood logs and raft them to Sioux City, where they were made into lumber by the mills of Sanborn and Follett.

It took us about five days to reach Yankton. We had about 150 passengers on the boat, and about a dozen teams and wagons. The trip from Yankton to Pierre was about the same as from Sioux City to Yankton. The boat snorted and chugged along at a slow pace, and at numerous times it was stuck on sand bars. At the end of about sixteen days we reached what is now the city of Pierre, making twenty-one days from Sioux City to Pierre.

When we arrived at Pierre, there were no houses of any kind on the east side of the River, where the city of Pierre now stands, and only three or four small log cabins on the west side of the River, which had been occupied by Indians but which were then abandoned. On the west side of the River were numerous tents. Fred Evans of Sioux City had

a large tent which he was using as an outfitting store. Tents were also used as eating places, others as saloons, and still others as gambling houses. History shows that the saloon and gambling house is always present in one of these pioneer expeditions. On account of the ugly feeling of the Indians, and the rumors of different tribes being on the war-path, it was deemed by everyone to be dangerous to attempt to make a start unless the expedition was large enough to repel any attack, if one should be made. Consequently, we remained in Pierre a number of days awaiting new arrivals. The time came when we had about one hundred wagons, and more than six hundred men, and we concluded to make a start.

If any of you have seen the moving picture, "The Covered Wagon," you will have some idea of the way our train appeared, with the exception that we did not have the women with us as they did: there was but one woman in our train. We had the old high prairie schooners with a trailer, to which were hitched eight yoke of oxen or mules or bulls; then came the wagons, to which were hitched two teams of mules, horses or oxen; and then the lighter wagons with only one team. On account of the large cactus beds that were encountered, it was necessary to shoe the oxen for the purpose of protecting their feet from cactus thorns.

Our first day's drive netted us about four miles. It had been raining and the ground was muddy. We were compelled to pull from the bottom land to get our train up on the plateau, a distance of about four miles. On this first day, it was necessary to double up in a great many instances. That is, to use sixteen yoke of oxen or mules to pull a wagon up onto the plateau, and then to double back to bring up another wagon. In a great many instances, where a wagon would get stuck, it became necessary to call upon man power to assist. One of the freighting outfits had a rope about a hundred feet long and about an inch in diameter. If a wagon became stuck in the mud, the rope was attached to the wagon, and thirty to fifty men would take hold of the rope, and something had to come.

It must be borne in mind that the bull-whackers and mule-skinners, as they were called, were men of experience in fron-

tier life, and they managed everything in regard to the movement of the train and the conduct of the people. When we reached a place where they concluded they wanted to stop for the night, the wagons were drawn up in a circle, with the tongue of one wagon run between the back wheels of another wagon. When the circle had been completed, a wagon was drawn across the opening, thus making a perfect corral. The stock was kept within this enclosure at night so that in the event of an attack by the Indians, the stock could not be stampeded. Many of the men took the precaution to chain their horses or mules to the wheels of the wagons. The train always stopped at an early hour in the afternoon to give an opportunity for the stock to graze before they were put into the corral.

On the second morning, we got up early and the stock was taken outside of the enclosure and permitted to graze for an hour or so before we started upon this day's drive. There were thirty or forty men in the train who were equipped with saddle horses. They started out first, and preceded the train at a distance of from half a mile to a mile. Back of them came the men on foot. Every man in the train was equipped with a rifle and most of them had revolvers also. Next came the lighter wagons, those drawn by one team of horses or mules, followed by wagons drawn by two teams of horses, and the last of the train being composed of the prairie schooners and trailers.

I have driven from Sioux City to the Black Hills in recent years, and I cannot realize that it is the same country that we passed through in going out there. Nearly every fine piece of land that we passed through was occupied by a prairie dog town. At other places there were immense beds of cactus. There was little or no timber. The fuel that we used was known to western pioneers as "buffalo chips." The prairie was literally covered with them, showing that large herds of buffalo had inhabited this country only a short time before. There was never a time during the day when it was light enough to see, but what you could see droves of deer and antelope in nearly every direction. Prairie chickens, grouse, sage hens, ducks, and curlew were in abundance all the way across, and the whole train was liberally supplied with game during the entire journey. There was no water fit to drink at any place across this

prairie. It was all alkali, and had to be boiled before you could use it. The people in the train were divided into messes of about twelve each. This was done for the purpose of saving fuel in cooking the meals, and also in preparing the water so that it might be made fit to drink.

There was a saying among men of experience in frontier life, "That wherever you find a prairie dog town, you will find the prairie dogs, rattlesnakes and owls occupying the same holes." Whether true or not, I do not know, but we found many rattlesnakes all the way across, and saw numerous owls at the prairie dog towns.

Each party in the train had to take a turn at night herding, or night watching, outside of the corrall. As soon as it was dark, about twenty or thirty men would be sent out about a hundred yards from the corrall where they would be on watch for a couple of hours, and then be relieved by others.

Day after day we wended our way across this country, and finally came to the crossing of the Cheyenne River, which had to be forded. The hills leading to the river were steep, and most of the wagons had no brakes, so the long rope was again called into play to assist in holding the wagons back as they descended the hills. There was a stockade at the ford at the Cheyenne River, and was the only habitation we had seen since we left the Missouri River. After crossing the Cheyenne, everybody became more alert as it was reported to us that *Lame Deer*, with about six hundred warriors, had left the Agency and might be met between there and the Hills. As a matter of fact, we crossed his trail about twenty miles east of Rapid City, but he had gone through some time before we reached there.

We finally reached Rapid City, the only place where we had seen a human being, outside of the men in the stockade at the Cheyenne River. It had taken us forty six days to reach Rapid City from Sioux City. I cannot help but look back and see the wonderful improvements which have been made in the way of transportation since then. Now, a person can make an early start in Sioux City, travel all the way to Rapid City upon paved or graveled roads, and reach there the same day. But even that method of traveling is slow. Last summer the Standard Oil airplane, "*Stanolind*," left Rapid City at six

o'clock in the morning and arrived at the Flying Field in Sioux at ten minutes of ten, having occupied three hours and fifty minutes in making the trip.

Rapid City, at that time, was a village of about 150 people. In the center of the town they had what was called, "The Block House," which would accommodate all of the inhabitants of the town. This house was two stories high, built of pine logs, and had provisions placed therein which would supply the inhabitants of the town for several days. It had a good well in the center of the house. This house was built so that in case the Indians should set fire to it from the outside, water could be poured from the inside of the building to any point on the outside of the building so it would be impossible to burn it.

To the west of the town of Rapid City, and on the top of the highest hill, is a large pine tree which was called the "Hangman's Tree." Three stage robbers had been apprehended near Rapid City, and the Vigilance Committee had hung all three of them to one of the limbs of this tree. I was in Crook City at the time this happened, and, with several others, I drove to Rapid City to see these men. One of them was a boy about nineteen years old and from the description given me, I thought I knew him, but did not. In the early days in the Black Hills it was considered a greater crime to rob a stage coach or steal a horse than it was to kill a human being.

We proceeded from Rapid City to Crook City, which was then considered the gate-way to the Black Hills as it was situated at the edge of the hills where the Whitewood Creek flowed out on the bottom lands. Crook City was the first permanent stopping place of Dr. Davis, Finn, myself, and the cow. And by the way, the cow was a real asset. She gave about twenty quarts of milk a day. Dr. Davis sold every quart that he did not want to use for 50¢, and the people came to our cabin to get it.

Crook City had a population of 1,000 to 1,100 people and was one of the best cities in the Black Hills. Whitewood Creek came down from Deadwood, about ten miles distant, and flowed out into the prairie country east of Crook City. All of the land along this creek between Deadwood and Crook City

was given over to placer mining. Some of you may not know what placer mining is. Placer mines are located in beds of gravel adjacent to the creeks. These pockets of gravel are usually small, and it usually takes but a short time to work them out. The placer mines around Crook City were worked out in a few years, and the town was finally abandoned. When I was there a few years ago, I tried to locate Crook City, but it had absolutely gone out of existence.

As soon as we arrived in Crook City, we proceeded to dispose of our cargo. We sold the flour at 75¢ a pound, and the bacon at 85¢ a pound. While we were selling our bacon at 85¢ a pound, we could buy deer, antelope, bear, moose and elk meat at 25¢ per pound. And speaking of 25¢, there was only one place in the Black Hills at that time where you could find any money of a denomination of less than 25¢, and that was at the Post Office.

After disposing of our cargo, my first business venture was the renting of my horse for saddle purposes. I became acquainted with the liveryman in Crook City. I owned one of the horses of our team and it was a good saddle horse. The liveryman made me a proposition that he would furnish feed, take care of the horse, and pay me \$7.50 per day for the use of the horse. I accepted his proposition, and the horse was in use practically every day I was in the Black Hills. This liveryman's name was Dan McLaren and we became warm friends. Dan was afterwards killed by the Indians, and I will tell you about this later.

My next business venture was in the placer mining business. I became acquainted with a man by the name of Frank Leslie. He had a placer mine about a quarter of a mile above Crook City. He was a drinking man, and had been on a protracted spree in Deadwood. When he returned he found that someone had stolen all of his mining paraphernalia. He had spent all of his money and was without tools or material to go to work. His small mine had been about one-half worked out. He made a proposition to me that if I would buy the sluice boxes, the picks and shovels and quick-silver, he would give me half interest in his mine. I accepted his proposition and started immediately to work with wonderful visions of great prosperity.

It might interest some of you to know how a placer mine is operated. It is simply a bed or pit of gravel, lying adjacent to a stream. In the first place, the stream must be dammed so that the water can be forced through ditches into the sluice boxes. The sluice boxes are made of pine lumber, a bottom board and two side boards about 12 or 14 inches wide. Into this box is inserted what is known as a false bottom. This is made by using a board that will fit inside of the false bottom, and by boring as many holes as possible into this false bottom board before inserting it into the bottom of the sluice box. A row of sluice boxes will be approximately fifty feet long. Water is turned in from the dam, and passes through the sluice boxes. Gravel is shoveled into the boxes. The water is swift enough to cause the gravel to pass through all of the sluice boxes and out into a dump. The gold, being heavier than the gravel, will naturally settle into the holes in the false bottom.

The miner shovels gravel all day, and he works hard because he knows the more gravel he puts through the sluice boxes, the more gold he will have at the end of the day. When the day's work is done, he shuts off the water, cleans the gravel off the top of the false bottom, and removes the false bottom from the box. He places all of the gravel left in the sluice box into a receptacle.

You have all heard of panning gold. The miners use a pan about 16 inches in diameter and about four inches deep with flaring sides. This pan is filled about one-third full of gravel taken from the sluice box. He fills the pan with water, and by shifting and sifting the pan, gradually works out the lighter sand, the gold always going to the bottom. Finally, all of the sand is worked out and the gold remains in the bottom. Some of the gold is so fine that it cannot be picked out with the hands. So the miner pours a quantity of quick silver into the pan. It immediately envelops the gold and forms a ball. This ball is placed in a chamois skin, and the quick silver is squeezed through the chamois, leaving the gold inside but coated with quick silver. This is placed in a pan, heat is administered to the bottom of the pan, and the quick silver is immediately evaporated; the gold comes out bright and clean.

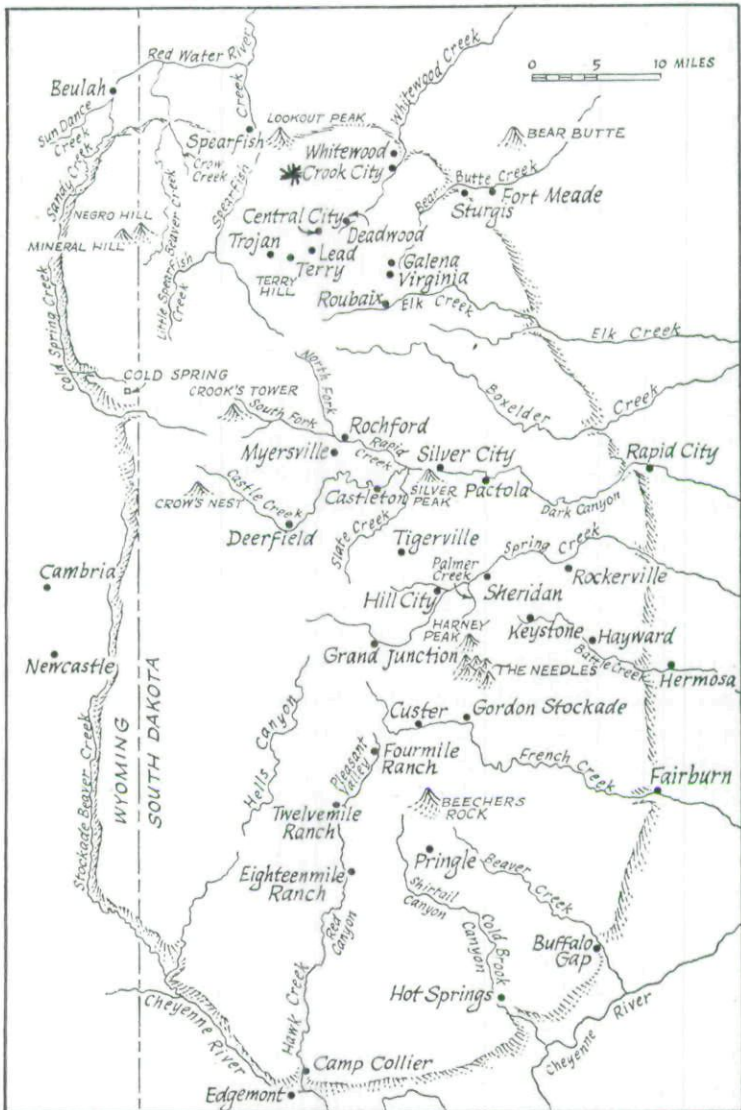
In about a month we had worked out our mine, and it had yielded us about \$15.00 each per day during the time we were working at it.

Crook City, as I said before, was the gate-way to the Black Hills. A town in the Black Hills at that time was known by the number of saloons, dance halls and gambling houses they could support. Crook City was certainly contending for first honors in this line. It had one of the largest, if not the largest, saloon, gambling house and dance hall in the Black Hills. This place was operated by a man called "Pony" Moore. It is stated that he derived this name on account of the many successful trips he had made to the Indian Agencies in stealing ponies. The front part of "Pony" Moore's place was a saloon. It would accommodate possibly 50 or 75 people. Beer was 25¢ a glass. The glasses were exceedingly small, and he certainly knew how to produce foam. Whiskey was 50¢ a drink. In the gambling house all kinds of games were played, from poker to roulette, and three card monte. In the dance halls you would find women who were dressed in buck-skin clothes, and when they went on the street, all wore cowboy hats. At some later date my father took a flashlight picture of this place while it was in full operation one Saturday night.

In most of the business transactions in Crook City, gold dust was the medium of payment. I knew "Pony" Moore well. He was a fine looking man, about 50 years of age, with long black hair, and reminded me very much of Buffalo Bill as I saw him in later years. I was a boy fifteen years old and "Pony" Moore hadn't seen a boy for a number of years. My father was not in the Black Hills at that time, and Dr. Davis felt that I should not go around the saloons or have anything to do with "Pony" Moore. However, "Pony" assured him that nothing would happen that anyone could take the least objection to. He used to take me into the saloon to watch what was going on. When a man would buy a drink or buy a stack of chips, with which to play cards, he would usually take out his buckskin wallet and pour some gold dust into a little pan. They used the finest kind of scales in weighing the gold, and it would register down to the 25¢ limit. But, between the scale and the pan that held the gold dust, there was always a small piece of Brussels carpet. The bartender would take up some

of the gold between his finger and thumb and carry it from the pan to the scales. Invariably some of this gold would drop from between his finger and thumb and fall onto this piece of carpet. At the end of the day the wash-up of the carpet would net quite a sum.

Now, I wish to talk to you a little while about our real Indian troubles in the Hills during July and August of that year (1877). Lying east of Crook City about 15 miles was what was known as Bear Butte. It was a round mountain which rose out of a beautiful prairie and I should imagine that it was 2,500 or 3,000 feet high. The sides of the mountain were covered with brush and small trees, and the prairie surrounding it for miles was covered with buffalo and other fine grasses. The country adjacent to this Bear Butte had countless herds of antelope and deer, and the stream abounded with mountain trout; it was really an ideal hunting ground for the Indians, I have, in my mind's eye, tried to picture a more beautiful or desirable place for hunting or camping than this Bear Butte, but I cannot do so. In the latter part of April, or the first of May, Lame Deer and about 500 of his warriors, with their families, had pitched camp at Bear Butte. They were fairly peaceable and quiet during the first month or two they were there. But in July they commenced to commit depredations. The first killing which came to my attention was that of three Government engineers who were surveying in the Belle Fourche Valley. Their bodies were brought to Crook City. They had been scalped and badly mutilated. In order to refresh my memory on these matters, I have read copies of the *Sioux City Journal* for the months of July and August, 1877, wherein they recount a number of outrages. The next one was on the 16th of July. The Indians attacked three ranches, and ran off about a hundred head of cattle and horses. Their next outrage was on July 18th, and well do I remember it. On that day two Norwegian men and a woman left Crook City to go to Bismarck. I saw them when they left. Their route took them about five miles west of Bear Butte. About three o'clock in the afternoon the stage coach brought in word that the Indians had killed all three of them and had taken their team and wagon. An old frontiersman named "Grasshopper" Jim and another man took a hay rack and went



The Black Hills of South Dakota

From: *Gold In The Black Hills*, by Watson Parker (Norman: University of Oklahoma Press, 1966). MAP DRAWN BY RODNEY REED.

to the place where these people were and brought them in. "Grasshopper" Jim was an old Indian fighter and always rode a white horse. When the Indians saw him coming to get these bodies they did not molest him. He brought the bodies into Crook City and placed them in a small log cabin. This was just after dark. I went in to see them. The room was lighted with a candle. These people at one time had light colored hair, but the Indians had scalped and mutilated them, and had taken off every hair there was on the heads of each of them.

Two days after that, the Indians attacked a stage coach coming from Bismarck. There was a running fight. The driver of the coach was shot through the body and arm, but his assistant managed to drive the team until they were out of danger.

About three days after this event, my old friend, Dan McLaren, was brutally murdered and mutilated by this same band of Indians. Dan had some men cutting hay two miles north of Crook City and he intended to visit the hay makers. When he was about a mile and a half from town, while passing over a small creek, he was attacked by about a dozen Indians who had lain in ambush. They shot him from all directions. Dan was a red headed man, and the Indians scalped him and took off all of his hair as souvenirs. They also mutilated his body. The hay makers, hearing the shooting, immediately got on their horses and started for the Indians, who retreated when there was a prospect of a real fight.

The killing of Dan at the very door-step of Crook City started something. The Government, up to that time, had done absolutely nothing to protect the settlers in the Hills. "Pony" Moore, the saloon man, gathered together a band of about a dozen men and went to Red Cloud Agency,¹ and ran off and stole about a hundred Indian ponies. This also started some-

¹Red Cloud Agency was located near present-day Crawford, Nebraska. Fort Robinson, established on March 8, 1874, was built on the left bank of the White River in northwestern Nebraska at the Red Cloud Agency. Thus, the names Red Cloud Agency and Fort Robinson were often used interchangeably. Paul Frances Prucha, *Guide to the Military Posts of the United States, 1789-1895*. The State Historical Society of Wisconsin, (Milwaukee: The North American Press, 1964), p. 102.

thing. The feeling in the Hills was high, and the Government did not dare to send soldiers to try to recover the ponies that Moore had stolen. The settlers were making threats of organizing vigilantes and making an attack upon Lame Deer's outfit. The Government finally sent a large number of cavalymen, accompanied by friendly Indians, and Lame Deer was persuaded to return to the Agency, and surrender.

About this time, I received word from my father that he had arrived at Red Cloud Agency, having come from Sioux City on the Union Pacific train to Cheyenne, and from there to Red Cloud Agency by freight train. He asked me to join him there as soon as it was safe to travel. Lame Deer and his band had not yet returned to the Agency so the movement of trains was still made with the greatest precaution.

The road between the Mills and Ogallala passed through Red Cloud Agency, and this road was used by the stages carrying Government mail and passengers. On this trail there were about six stages traveling each way each day, and the outriders were increased from two to four so that there would be less likelihood of a surprise attack.

Finally, a train was organized with a sufficient number of people so that it would warrant us in making a start. Red Cloud Agency was 200 or 300 miles south of Crook City. After a trip devoid of excitement, I arrived and joined my father. This was a Government post with barracks sufficient to accommodate about 1,500 soldiers of cavalymen, and a couple of companies of artillery.

The intention of my father in going to Red Cloud Agency was to obtain photographs of the fort, the agency, the noted officers of the army, the leading scouts, and the leading chiefs of the different Indian tribes. While the Sioux tribe predominated, there were other tribes on the reservation.

My father succeeded in securing negatives of the leading Government officers, and of the leading white men Scouts, but had difficulty in securing pictures of the Indian Chiefs. The Indians had a superstition about having their pictures taken, and would not consent unless some white man was beside them and had his picture taken at the same time. But, my father very readily secured their pictures without their

knowledge or consent.

In those days photographers were making what is known as tintype pictures. In taking a tintype, four pictures are made with one exposure. When my father was ready to take a picture, he would have the Indian seated upon a bench about two or three feet from a white man, and would then make an exposure and secure the tin type pictures. This was supposed to be but one exposure, but in fact produced four tin types. It was then necessary to take another picture so that each of the persons could have one. A negative was then substituted and a new lens put in the camera. A focus was made on the Indian alone, and a good negative was thus procured. A tin type was given to the Indian and to the white man and all was lovely.

In this manner, my father secured negatives of all of the leading Indians of all of the tribes located at both Red Cloud and Spotted Tail² Agencies. The Indians we saw out there were real Indians. They were dressed as frontier Indians are supposed to be dressed. All wore beaded moccasins. The rest of their clothing was made of deer-hide or buck-skin, profusely beaded. Their head dress was made up of feathers, and all of the men wore their scalp lock neatly braided, surrounded by a ring of bright red paint.

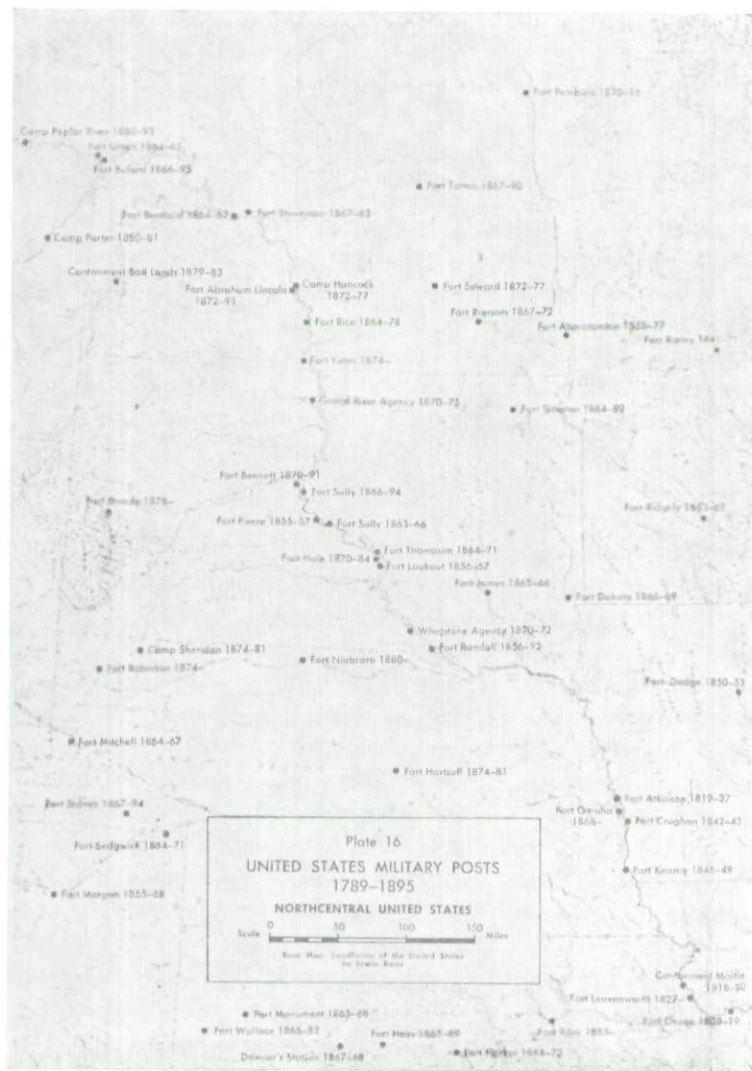
While at Red Cloud Agency, we had the privilege of witnessing and taking pictures of a Sun Dance. This was a dance and ceremony wherein the young men of the tribe were initiated into manhood and became members of the warrior body. For a number of years this dance has been prohibited by the Federal Government. In this dance, or ceremony, a pole about twenty feet high is planted on some level ground. Attached to the top of the pole are a number of ropes or deerskin thongs. The young men who are to be initiated sit around in a circle at this pole or tree. The young Indian wears nothing but a breech clout and moccasins, his body above the waist being entirely bare. When he is ready for the ceremony, he steps before one of the great chiefs. The chief, with a sharp knife, cuts two slits in his right breast and two slits in his left breast.

²Spotted Tail Agency or Camp Sheridan. A post was located at the Spotted Tail Agency on March 12, 1874. *Ibid.*, p. 107.

Through these two cuts and underneath the skin, a piece of round hard wood is inserted, extending three or four inches on each side of the slit. This wood is then fastened to the rope leading to the top of the pole. The squaws sit around and play on the tom-toms and sing their wierd songs, and join in the singing of the songs of the Sun Dance. The young man then enters into the Indian dance and commences pulling on the rope so as to tear the piece of wood through the skin on his breast. The longer he takes in doing this, the greater courage he is supposed to have. If he gives a sudden jerk and tears it out all at one time, he is considered a coward. In the initiation we saw, there were forty or fifty young men taken into the tribe as warriors. My father had difficulty in securing the pictures of this ceremony, but the Indians finally agreed to permit the pictures to be taken if a number of soldiers would stand in back of the Indians who were seated on the ground after the ceremony. This was done and a number of fine negatives secured.

I was interested in seeing the Government issue rations to the Indians at this point. The Government provided the Indians with live beef. Because many of the Indians lived a great distance from the Agency, they would gather at the Agency on Rations Day. The steers would be driven out onto the prairie, and each band or group of Indians would receive their allotment. The Indians would then drive the steers close to their home before killing them. The Government issued to the Indians three cartridges with which to kill each beef. But, instead of using the cartridges to kill the beef, the Indians saved them for hunting and other purposes, and killed the animals with bows and arrows.

After we had finished our work at Red Cloud Agency, we went from there to Spotted Tail Agency, about forty miles east. This was a beautiful place, located on a plateau, with a beautiful little river running to the west of the barracks. There were only 400 or 500 soldiers stationed there. My father pursued the same tactics at Spotted Tail Agency as he had at Red Cloud, and secured negatives of the leading officers of the Army, and of the Indian Chiefs and leading Scouts. My father had a side line in his business. The soldiers and Indians were all anxious



*From: Guide to Military Posts of United States,
 1789-1895 by Paul Frances Prucha.*

**Map showing locations of Fort Robinson and Camp Sheridan.
 Forts are located on left hand side of map.**

to secure pictures, and he traded tin types for buffalo robes, moccasins, beaded leggings, and other wearing apparel of the Indians. When we started back to the Black Hills from Red Cloud, we had a large wagon load of furs and trinkets.

While at Spotted Tail Agency, I witnessed the surrender of Lame Deer and his band. I read the account of this surrender in the *Sioux City Journal*, in which it was said that Lame Deer surrendered all of his arms, ammunition and contraband. As a matter of fact, all that he surrendered was a few revolvers, which were broken so that they could not be used, and a few rifles, which were entirely out of commission. At the time of his surrender, he had eighty mules which he had stolen from the freighting outfit of Parrott and Hedges, all of which had upon them a very distinct brand. This brand was registered at the Agency, and Mr. Parrott was present and made a demand for the mules, which was refused. An affidavit was made by the Agent to that effect, and the Federal Government afterwards paid for these mules. I also saw one of the Indians of this tribe riding the pony of my friend Dan McLaren.

The real thrill of my experience during that year occurred at Spotted Tail Agency. We had been there a couple of weeks and were about ready to leave when we were unavoidably detained. There was an Indian Chief named Crazy Horse who lived between Red Cloud and Spotted Tail Agency. He had quite a large following of Indians and they had started north on the warpath. The cavalry from Red Cloud Agency had pursued them, and they were arrested and brought back to Red Cloud. Crazy Horse was an ugly Indian and hard to handle. After they brought him back, he conducted himself so that it was necessary to place him in the guardhouse. While there he attacked a guard with a butcher knife, and the guard, in self defense, killed him by running a bayonet through his body.³ This killing created widespread alarm, and the Govern-

³As explained in Footnote 1, Red Cloud Agency and Fort Robinson were one and the same place. Thus, according to historical sources, Crazy Horse was killed at Fort Robinson but Judge Hamilton referred to the place as Red Cloud Agency. This is not a discrepancy since the two names refer to the same place.

ment officials were exceedingly nervous with reference to what might occur.

The body of Crazy Horse was brought to Spotted Tail Agency. On the day they started over with the body, I was at the little portable photograph studio that my father had set up, and which was located along the bank of a little stream west of the barracks. Some of you knew my father. He was a large man, slow in his movements, and he seldom became excited. But on this day my father had gone to the barracks of the Agency to get the mail. I looked up and saw him coming down the hill towards the studio running as fast as he could run. When he reached me, he told me to secure the most valuable instruments, and hurry to the barracks as fast as I could as there was danger of an Indian attack.

We hurried to the barracks, and my father and I were each issued a rifle and revolver and told to protect ourselves in case of an attack. Shortly after, an artillery wagon went to the studio and brought up such of our things as were really valuable. That night the body of Crazy Horse was brought to the ridge of hills just west of the barracks at Spotted Tail. That night Indian signal fires were burning in all directions. You could hear the chanting of the old women at the grave of Crazy Horse and hear the war chanting of other Indians at other camps.

Chief Spotted Tail was a friend of the white man, and he had enlisted under him about 250 of the young Indian men. He, at once, came to the rescue of the garrison. Just east of the barracks was a pile of wood about 4 feet high and 300 feet long. He caused this to be removed immediately and thrown into a gully, as it afforded too good a protection for Indians who might desire to attack the barracks. There was little or no sleep during the next three days, and I know one boy who wished he was home with mother, and who made a mental promise that if he ever did get home, would not go away again.

The burial of Crazy Horse took place only a short distance away from the barracks and we could witness the ceremonial from where we were in the barracks. The favorite

burying place of all plains Indians is a tree, and in this case, they had selected a tree just on the edge of the high bluff. A platform is made in the branches. The body is disposed upon it, sometimes in a sitting posture but generally lying on the back. It is dressed in such articles of civilized clothing as the deceased possessed in life, or as are bestowed by the kindness and piety of friends. His arms, blankets, cooking utensils, food, matches, etc., and whatever else may be necessary on the long journey, or to enable him to make a presentable appearance in the Happy Hunting Grounds, are placed on the platform with the body. Light branches are bent from side to side like the bows of a wagon, and the whole closely covered with rawhide.

On the afternoon of the third day, I saw a sight that gave me more real pleasure than anything I ever witnessed. On the plateau to the west of us, and coming down a long hill, we saw a line of about 1,500 cavalymen riding toward us. The telegraph wires were working, and a telegram had been sent to Ogallalla for assistance. These 1,500 men had responded. Immediately after their arrival, everything was quiet and peaceable, and in few days we returned to Red Cloud, and from there went again to Crook City.

My father established headquarters at Crook City, and immediately started to take pictures of the noted characters of the Hills, and the different points of interest. We proceeded up the Whitewood Creek from Crook City to Deadwood, taking pictures of the best and largest mines. When we arrived at Deadwood, we took pictures of the leading characters of the city, including the mayor and the town council. We also took flash-light pictures of the different saloons and gambling houses; and also a flash-light picture of the Bella Union Variety Theater, probably one of the toughest places in the world.

My father had a brother by the name of Charley Hamilton who had a placer mine between Deadwood and Gayville, and my father and I visited him. One evening after we had finished our supper and were seated outside of the cabin before a pine log fire, someone approached us from the road. This person turned out to be none other than the noted "Calamity Jane." My uncle knew her, and asked where she had been.

She told us that she had been up nursing a young man who was sick with mountain fever. This woman, when she came to us, was dressed in the garb of a soldier, with the exception that she wore a cowboy hat. Calamity Jane reminds me of the story of Dr. Jeekyll and Mr. Hyde. At times when she was frequenting the dance halls and other resorts, she was probably as low as any woman could be, as she drank, smoked, chewed tobacco and used vile language. On the other hand, she was ready at all times to go to the aid of the afflicted, and many times had nursed patients who had diphtheria or small pox when no one else would go.

It was now approaching the first days of October, and we commenced to think of home. We returned to Crook City and packed our goods preparatory to starting. There was not a feeling of danger of attack from the Indians at that time, as nearly all of the Indians had returned to the Agencies where they might be fed and cared for by the Government during the winter months.

Along about the 10th of October, we started home. There were about twelve wagons in the train, all drawn by horses. We could make better time than we did on our trip to the Hills, and we finally reached Pierre.

Every country has its drawbacks, and the Black Hills had its *graybacks*. Everybody had them, nobody was without them. We tried to get rid of them by boiling our clothes, and this remedy would work for a short while, but they would again return. When we got to Pierre, my father said to me, "Charley, we can never go home with these graybacks," and he found a way to get rid of them. We went to the store and bought a complete new outfit, consisting of underwear, stockings, clothing, shoes and even a new hat. We had these clothes tied in a bundle, and proceeded to the bank of the Missouri River. We took off our old clothes, placed them in a pile, and then took a dip in the river. When we came out we put on the new clothes, and thus were rid of the graybacks.

Our trip from Pierre to Sioux City was uneventful. We came as far as Yankton by boat, at which point my father and I left the boat. He went to Sioux City from Yankton on the railroad, and I brought home my two ponies which I had in the Hills.

Thus ended a trip which I can never forget. It was a wonderful experience for a boy of my age, and I doubt whether any other boy will have an opportunity to take a trip such as this one to the Black Hills.



Courtesy of Mrs. Lila Finne

Hamilton Family—Standing: James H. Jr.; Seated: l. to r.: James H. Sr., John Carlin, Charles Clarence, Amelia; small boy: Harry D.

THE DEATH OF CYPHERT TALLY

by

J. L. Swift

The Civil War years were a tumultuous era in our country's history, characterized by both internal and external strife. In our own State of Iowa, one dramatic incident stands out as an example of the deep conflicts in beliefs and sympathies that existed, not only between Northerners and Southerners, but between citizens of the same geographic locale. It was during this time that a known group of dissidents in the North were actively engaged in condemning the Lincoln administration's war policies. This group's ideology was known as the Copperhead Movement and its adherents were actively opposed to the suppression by force of the Southern insurrection. The Copperheads were sympathetic to the Southern cause and advocated a cessation of Northern enlistments in the Union

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