

ONE HUNDRED SEVENTH LEGISLATURE

FIRST SESSION

LEGISLATIVE RESOLUTION 128

Introduced by Brewer, 43; Aguilar, 35; Albrecht, 17; Arch, 14; Brandt, 32; Briese, 41; Clements, 2; DeBoer, 10; Dorn, 30; Geist, 25; Gragert, 40; Hilkemann, 4; Hunt, 8; Kolterman, 24; Lathrop, 12; McCollister, 20; Pansing Brooks, 28; Walz, 15; Wayne, 13; Wishart, 27; Hansen, M., 26; Pahls, 31; Sanders, 45; Blood, 3.

WHEREAS, Chief Standing Bear of the Ponca Tribe is a significant historical and civil rights figure from Nebraska's Niobrara River Valley region; and

WHEREAS, the United States federal government removed the Ponca Tribe to Indian Territory in 1877; and

WHEREAS, Chief Standing Bear's epic return to his Nebraska homeland to bury his son culminated in the historic court case, United States ex rel. Standing Bear v. Crook, which took place in Omaha, Nebraska, in May 1879; and

WHEREAS, the court case set the historic precedent that Chief Standing Bear, as a Native American individual, was found to be a person under the law; and

WHEREAS, nearly all photographic and other representations of Chief Standing Bear portray him with his inherited ceremonial tomahawk; and

WHEREAS, Chief Standing Bear's financial indigency should have resulted in court-appointed counsel, but instead led him to offer compensation to his attorney John L. Webster in the form of his tomahawk; and

WHEREAS, the tomahawk was later given to the Peabody Museum of Archaeology and Ethnology at Harvard University, despite the fact that this institution did not have a relationship with either Chief Standing Bear or with the events that transpired in his life; and

WHEREAS, this tomahawk is an item of patrimony and is a prominent and recognizable cultural artifact of great significance to the Ponca and to Native Americans; and

WHEREAS, the Peabody Museum has recently apologized for its historic

practices of collecting and maintaining possession of Native American cultural objects and has declared its new commitment to changing these practices in the future.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED SEVENTH LEGISLATURE OF NEBRASKA, FIRST SESSION:

1. That the Legislature encourages the Peabody Museum of Archaeology and Ethnology at Harvard University to fulfill its commitment to repatriation of Native American objects.

2. That the Legislature encourages the Peabody Museum of Archaeology and Ethnology at Harvard University to respect the wishes of and requests from the Ponca Tribe of Nebraska and descendants of Chief Standing Bear for repatriation of Chief Standing Bear's tomahawk to the Ponca Tribe of Nebraska.

3. That copies of this resolution be sent to the Ponca Tribe of Nebraska, the Peabody Museum of Archaeology and Ethnology at Harvard University, and the Commission on Indian Affairs.