

verdict of acquittal, in the trial of Plenty Horses for the murder of Lieutenant Casey, rendered a verdict of guilty in this case an impossibility.

The facts in the case of the murder of Lieutenant Casey are well known, and need but slight reference here. Lieutenant Casey, one of the most promising of our young officers, and a⁴⁴ warm, true friend of the Indian, was shot and killed while making a reconnaissance of the hostile Sioux camp in the Bad Lands, by Plenty Horses a young Indian.

The murder was undoubtedly a most cowardly and treacherous act, for Plenty Horses had just had an apparently friendly talk with Lieutenant Casey when he shot his victim from behind, after the latter had turned from him and was riding back to camp. It must be said, on the other hand, that hostilities were in progress at the time; the Indians and the soldiers were in opposing camps, and the former would naturally regard an officer in the uniform of the United States Army coming within their lines, as an active enemy. The Association was appealed to by the Commanding Officer of the Eighth United States Cavalry, in whose custody Plenty Horses had been held previous to his trial by the civil courts, to provide counsel for the accused, so that whatever might be the punishment inflicted on him he might at least have a just and fair trial. Acting upon this appeal, the Association procured counsel for the defense of Plenty Horses. The trial resulted in the acquittal of the accused, based on the ruling of the Judge that the act by which Lieutenant Casey lost his life was committed during a state of war. Under these circumstances the jury had no choice but to present a verdict of not guilty. We frankly express regret that the law permitted no penalty to be inflicted upon Plenty Horses, both for his own good, and that of the community. That he deserved some punishment, while we do not believe him morally deserving of the death penalty, we have no doubt, but that he should have received just defense of being represented by counsel which the law allows to the worst criminal, and which he received through our instrumentality, this we fully believe. By such a course in the long run the ends of justice are best subserved, though the individual case leaves much to regret.