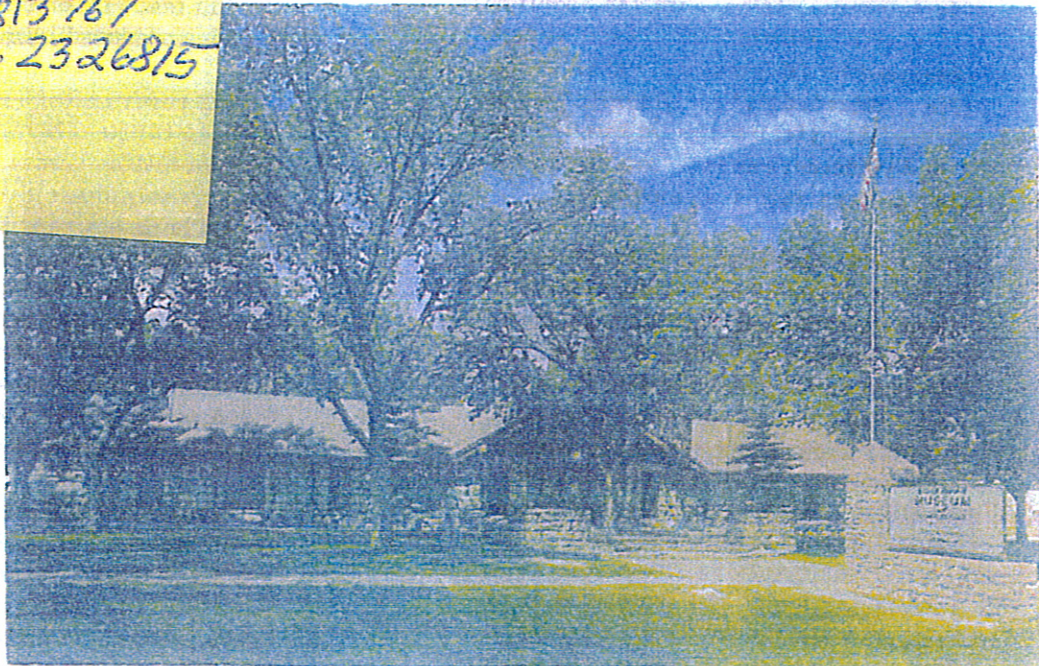


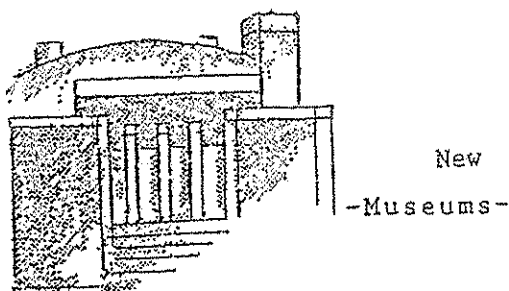
Halley Park, SD

Degrees Minutes Seconds;
Latitude: 44-04'53"N
Longitude: 103-13'58"W

Decimal Degrees;
Latitude: 44-0813767
Longitude: -103.2326815



C-1



By TAYLOR JACKSON

Our civilization is expressing its appreciation for the past by the maintenance of museums; and in response to this idea more and larger museums are being established in which to keep the "fingerprints of time." In South Dakota one finds that many museums originated in the mind of some individual who made a life-long hobby of his collection. It may have been books, pictures, articles of invention, or something else that led us as a nation to see our future through a different window or travel over a different route. At any rate the individual started something that later was appreciated by the community which, in due time, acknowledged his foresight and accepted his gift, recognized by this time as a "priceless museum," and forthwith levied taxes for its maintenance.

In other instances a historical society or college took the initiative and began the collection of certain items of deep interest; and today the public refers to the "wonderful museum" in its city. Then, too, there are many people who have accumulated, sometimes almost unconsciously, valuable historical or geological collections which will later find a place in larger centers.

A realization of the increasing interest of tourists and local citizens alike in collections of native materials, coupled with available financial assistance from the Federal Government, have prompted the opening of new museums in the State. Due to space limitations, only those recently established in the West-river section can be mentioned.

The "Gateway to the Black Hills," seeing an opportunity to preserve the colorful history of the region, enlisted

the cooperation of the WPA to build, as a civic enterprise, one of the largest edifices for this purpose in the State. The massive, native-stone Rapid City Historical Museum will be opened in October 1937.

The building is 134 by 41 feet, with walls 11 feet 2 inches to the eaves and built of native Minnelusa limestone. The edifice required 1,278 tons of rock, 2,000 bags of cement, 6,714 pounds of steel, 225 yards of sand, 2 carloads of Douglas Fir and 65,000 pine shakes, at a cost of \$30,000, two-thirds of which was furnished from the funds of the WPA.

The roof is bridged and trussed with huge timbers and with such ingenuity as to need no support except the walls. To the truss work in this roof is credited the largest floor space without ceiling support in the State. The walls are 18 inches thick and massively constructed, having the mortar thickly laid on which gives it a rough rustic appearance, that is in great contrast to the smoother styles so commonly employed.

The north end of the museum will be devoted to the John A. Anderson collection of Indian curios, the south part will house pioneer relics and also furnish living quarters for the curator. Mr. Anderson is to be the first custodian by virtue of his collection. He was a pioneer Government-licensed Indian trader, who lived on the Rosebud Reservation forty-two years, where he had an exceptional opportunity for collecting Indian antiques.

Among the collection are 65 pipes, both peace and ceremonial, smoked by leading Sioux; beaded wearing apparel consisting of aprons, dresses, riding chaps, vests, moccasins, belts, saddle blankets, papoose carriers and a masonic 32nd degree apron that required one and one-half years to make (many of these designs are woven together with porcupine quills); ceremonial and war drums; spoons made from buffalo and sheep horns that were shaped into utensils while heated; ash bows that have killed buffaloes, and war clubs that have killed both Indians and white men, buckskin shirts, one of which carries 50 scalps; buckskin

dresses, some of them weighing as much as 22 pounds; stone bowls and pestles with which the Indians prepared their food from corn, cherries, jerked meat, and the like; courting flutes, and the eagle-feather war bonnet of Chief Yellow Horn Bear, who wore it last at the inauguration of Pres. Theodore Roosevelt. Most valuable of all is a calf hide, 3X5 feet, containing an Indian calendar, for upon it is recorded the history of the tribe for 200 years back. This history is kept by recording the most important event affecting their tribe during each winter.

The approach from both east and west is over a large terrace of flagstones, flanked on either side by lawns and shrubbery as arranged by landscape artists to harmonize with the surroundings.

Three artistically designed fireplaces to be equipped with natural gas, will add beauty to the interior. The indirect lighting system will be used to give more pleasing effects.

The allegorical animal "The Wolf of Depression" has been prepared for this particular museum by the noted taxidermist "Time". He will live ineradicably in the memory of the present generation and history will forever record how the WPA chased, fought and pleaded for years to end the ravages of this beast; and this museum in Rapid City, completed in 1937, is one of the many useful structures dedicated to that wonderful cause.

Closely associated with the city museum, high on the north end of Skyline Drive, is located the five-acre dinosaur museum overlooking Rapid City. In it are built five giant replicas of the once monstrous animals that roamed in this area while the uplift of the Hills was forcing the recession of the ancient sea. Fossils of these creatures are in the American Museum of Natural History in New York City, and these replicas, of steel and cement, are built exactly to the measurements of those fossils.

The five represented here are the Brontosaurus (thunder lizard), Triceratops (three horn), Tyrannosaurus (tyrant lizard), Trachodon (rough tooth) and the Stegosaurus (roofed lizard). These

were egg-laying reptiles living on small fish and vegetation, and they protected themselves from the more fierce land animals by wading into deep water. The fossil head of the Triceratops, found in the Badlands, has been on display for years in the State School of Mines Museum, and its replica is exact in size and shape. Footprints of the Tyrannosaurus were found two miles north of the museum on the same range of hills and will be moved to the museum, placed closely by the replica of its species, its life and period of habitation.

This museum, like the Skyline Drive, is to be completed under the supervision of the WPA and will be the outstanding museum of its kind in the Nation.

4. HALLEY PARK, W. Blvd. at Main and St. Joe Sts., consists of a triangle of about three acres. American elm trees surround the entire park, with spruce forming the background of a rose arbor. There is also a series of rose beds arranged in formal designs, each containing 35 different varieties. Several varieties of unusual trees are scattered about the park. A central lily pond with numerous varieties of water plants is surrounded by the perennial garden with its 25 different types of long-lived plants.

At the extreme W. end is the OLDEST CABIN built in Rapid City, a squat, cozy-looking structure, built in 1876 near its present site. Beside the door is a stone with the inscription:

I was built in the olden, golden days,
When this was an unknown land;
My timbers were hewn by a pioneer,
With his rifle near at hand.
I stand as a relic of "Seventy-Six,"
Our nation's centennial year
That all may see as they enter the Hills,
The home of a pioneer.

II. History of the Trust Land Grants

The end of the American Revolutionary War opened the floodgates on a vast and virtually inexorable stream of settlement across the Appalachian Mountains and into the American West. Over the next 140 years, the European, Asian, and African settlers of the American continent witnessed the transformation of the lands that they had claimed from a vast, alien world of aboriginal civilizations and uncharted wilderness into a settled and conquered frontier of newly-organized states and rapidly-growing cities, towns, and settlements, each neatly divided into townships, sections, and quarter-sections by federal survey crews.

At one time or another, the federal government held title to more than 80 percent of the land in the United States. Today less than 30 percent of the land in the United States still remains in federal ownership, with the vast remainder of this land transferred to private entities and state institutions as a part of the settlement of the American frontier.¹ Among the millions of acres that passed out of federal ownership during this period were more than eighty million acres of "state trust lands" – lands that were granted to the newly-organized states in support of public education.² These land grants to the new states – and the purposes that inspired them – were intimately tied to the early history of the relentless westward expansion that became the American era of "Manifest Destiny."³

A. Education, Cession, and Expansion

Beyond managing and financing the Revolutionary War effort, one of the first tasks facing the new American Continental Congress after issuing the Declaration of Independence was to begin to cope with rampant land speculation in the western territories and the westward expansion of white settlements.⁴ Without a system in place for regularizing the process of land claims and organizing territorial governments, each new settlement increased the possibility that some or all of the relocating populations would eventually break off to form independent states outside the control of the Union. While rapid expansion into the West was viewed as essential to secure the new nation's claims to its Western frontier, Congress was growing increasingly concerned with how to police the growing settled territories, how to finance the governments that would inevitably be necessary in the territories, and – most importantly – how to ensure that the new territories would hold to the democratic values for which the Revolutionary War was being waged.⁵ These concerns had become acute by the time the Revolutionary War drew to a close in September of 1783, as the Continental Congress faced a massive war debt that significantly limited the new nation's financial means.⁶

There was a strong sentiment among America's revolutionary leadership that providing for public education in the territories would be an essential element to ensure a democratic future for the

¹ Jay O'Laughlin, *Idaho's Endowment Lands: A Matter of Sacred Trust*, UNIVERSITY OF IDAHO (1990).

² JON A. SOUDER & SALLY K. FAIRFAX, *STATE TRUST LANDS: HISTORY, MANAGEMENT AND SUSTAINABLE USE*, 20-21 (1996). These figures exclude lands in Alaska and Hawaii, which were admitted to the Union in the mid-twentieth century.

³ Sean O'Day, *School Trust Lands: The Land Manager's Dilemma Between Educational Funding and Environmental Conservation, A Hobson's Choice?* 8 NYU ENVTL. L. J. 176, 174 (1999). See generally Eric T. Freyfogle, *The Owning and Taking of Sensitive Lands*, 43 UCLA L. Rev. 77, 95-97 (1995).

⁴ In exchange for military support during the French and Indian War, the British crown signed a series of agreements with powerful tribal land empires in which the British agreed to contain white settlements from spreading west of the Appalachian mountains; this containment policy, formalized in the Proclamation of 1763, was financed with the passage of the Stamp Act, which imposed a direct tax on the colonies to pay for the troops and forts necessary to secure the western frontier. The passage of the Stamp Act met with furious colonial opposition and rioting, and threatened the ruin of many powerful families who were heavily invested in land speculation activities in the western lands. The subsequent repeal of the Stamp Act by the British Parliament in 1766 triggered an uncontrolled land rush in which colonial land speculators rushed to survey and purchase huge tracts of land from tribal governments in the Indian-controlled western lands, with hopes of vesting rights that the crown would later be persuaded (or forced) to ratify. See ROBERT WILLIAMS, *THE AMERICAN INDIAN IN WESTERN LEGAL THOUGHT: THE DISCOURSES OF CONQUEST* 225, 227-286 (1990). This situation only worsened after the dawn of the American Revolution due to uncertainty regarding the status of the vast land claims held by the original thirteen colonies, many of whom had claims that extended as far west as the Pacific Ocean. With the British authority gone and no single body having clear authority over these areas, land speculators thrived in a legal gray area. *Id.* at 292-305.

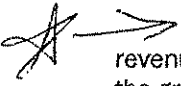
⁵ See PETER S. ONUF, *STATEHOOD AND UNION: A HISTORY OF THE NORTHWEST ORDINANCE*, xix, 2, 4 (1987) (noting that Congress saw future sales of western lands as an "amazing resource" for paying off the nation's Revolutionary War debts).

⁶ O'Day, *supra* note 5, at 173-174. See also SWIFT, *HISTORY OF PUBLIC PERMANENT COMMON SCHOOL FUNDS IN THE UNITED STATES*, 1795-1905, 124 (1911).

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expanding nation. At the time of the Revolution, educational opportunities were still largely restricted to the wealthy;⁷ however, the concept of public education had been a theme in the settlement of the American colonies from the beginning. More than a few of the colonies had passed laws requiring the education of all children in a government-run public education system as early as the 1600's, and some of the first state constitutions had provisions that required the public education of all citizens.⁸ This theme was adopted with great fervor by the American revolutionaries, who believed that a well-educated citizenry would be essential to protect liberty and ensure that the citizens of the Republic would be prepared to exercise the basic freedoms of religion, press, assembly, due process of law, and trial by jury.

The early federal programs that would eventually lead to the creation of state trust lands essentially descended from the tension generated by the belief in the need for (or at least the inevitability of) Westward expansion, and the belief that a free people would by necessity have to be an "educated people."⁹ Thomas Jefferson, as one of the period's leading political and popular figures, was a strong proponent of this belief; indeed, his frequently-cited concept of "agrarian democracy" was one of a society that would draw its strength from well-educated farmers, whose commitment to the land would provide the foundation for both equality and freedom.¹⁰ Many revolutionaries – Jefferson among them – believed it equally essential that this educational system be operated by the government to control sectarian influence. However, they saw a limited role for the new federal government, in that they clearly believed that education was best placed under local – not national – control.¹¹

 While the Eastern states had an established land and property base that could provide the tax revenues necessary to fund public education, the territorial areas simply lacked these resources. For the growing communities in the territories, it was up to the new state governments or the new federal government to subsidize basic public services until a sufficiently large population and economic base was established. Moreover, until lands were settled or otherwise passed out of the federal public domain, they would be exempt from taxation by the new states.¹² This highlighted another central concern of the post-revolutionary era – the principle that new states should be joined to the Union on an "equal footing" with those that had come before them. Without some assurance of an appropriate degree of equality and independence, early leaders felt that there would be a risk of internal rebellions or changes in allegiance within the territorial settlements that would fragment the nation.¹³

A solution to the problems of debt, speculation, expansion, education, and equal footing finally appeared when the Continental Congress negotiated the cession of the colonies' western land claims to the federal government. In 1784, Congress brokered a compromise under which Virginia ceded its massive land claims (the largest claims of any of the original colonies) to the federal government.¹⁴ With the cession of the western lands, Congress not only put an end to the chaotic land speculation in the West, but also guaranteed that despite the wars, recessions, and other burdens on public finances that would arise over the next century, the federal government would always have one resource in abundance – land. The administration of this land would provide the solution to the organization of settlement and the formation of new states, the provision of public education and other essential services for their citizens, and the repayment of the burgeoning national debt. Over the next three years, Congress proceeded to adopt the General Land Ordinance of 1785 and the Northwest Ordinance of 1787, which established the policies that would govern the disposal of the public domain and the creation of new states. These laws also initiated the system of granting lands for the support of public education and other essential public institutions to the new states.

⁷ See Alan V. Hager, *State School Lands: Does the Federal Trust Mandate Prevent Preservation?* 12 NAT. RESOURCES & ENV'T 39, 40 (1997); See also ROBERT M. HEALEY, *JEFFERSON ON RELIGION IN PUBLIC EDUCATION, 178-179* (1970).

⁸ Hager, *supra* note 9, at 40.

⁹ HEALEY, *supra* note 9, at 178-79.

¹⁰ *Id.*

¹¹ *Id.*

¹² *Andrus v. Utah*, 446 U.S. 500, 522 (1979) (Justice Powell, dissenting).

¹³ O'Day, *supra* note 5, at 174-175.

¹⁴ SOUDER & FAIRFAX, *supra* note 4, at 18, 303 n. 3. See also ROY M. ROBBINS, *OUR LANDED HERITAGE: THE PUBLIC DOMAIN 1776-1936* (1942).

The practice of granting land to support public education was not a new concept; in fact, this practice was already well established in the colonies by 1785. Land grants to educational institutions were a practice inherited from Europe, traceable as far back as the Roman Empire, ancient Greece, and even the kingdoms of Egypt.¹⁵ Scholars have traced land grants for the purposes of supporting public education to at least the reign of King Henry V in England,¹⁶ and during the 1600's and 1700's, the American colonies had established land endowments for a variety of institutions, ranging from colleges to elementary schools.¹⁷ Many of these states also used the sale or lease of public lands as a funding source for public education. Although there were no federal land grants for public education in the original thirteen colonies, the colonial governments, and later the early state governments of Connecticut, Massachusetts, New York, New Hampshire, New Jersey, Pennsylvania, North Carolina, and Georgia all made substantial land grants in support of public education. These early land grants established a variety of permanent school funds that were financed from the sale or lease of public lands, reserved state lands in each township to support schools, or granted land to support specific educational institutions.¹⁸ Given this history, the innovation of the General Land Ordinance and Northwest Ordinance was not the concept of supporting public education with land grants, but rather the systematization of this practice on a massive scale.

B. The General Land Ordinance and Northwest Ordinance

The General Land Ordinance of 1785¹⁹ established the rectangular survey system. This system was the foundation for the process of the survey and sale of land by the federal government; the Ordinance also established a process for recording land patents and the related records necessary to establish a chain of title for public domain lands. The Ordinance additionally provided for the first reservations of lands for new states, providing that section sixteen in every township (one square mile of land, adjoining the center of each thirty-six-square mile township) would be reserved "for the maintenance of public schools within the said township."²⁰

The rectangular survey system, combined with the reservation of a centrally-located section for the support of schools, was a concept that was strongly informed by the governance systems of the original colonies and the revolutionary sentiments related to public education, enlightenment-era rationalism, and the concept of agrarian democracy. This system of organizing land and education envisioned the township as the most basic unit of government, with populations oriented around small, agrarian communities that would provide for the democratic education of their citizens, with these communities rationally distributed across the countryside under the logical, mathematical system of rectangular survey. In the words of the United States Supreme Court, by reserving a centrally-located section within each township, Congress could

consecrate the same central section of every township of every State which might be added to the federal system, to the promotion 'of good government and the happiness of mankind,' by the spread of 'religion, morality, and knowledge,' and thus, by a uniformity of local association, to plant in the heart of every community the same sentiments of grateful reverence for the wisdom, forecast, and magnanimous statesmanship of those who framed the institutions for these new States, before the constitution for the old had yet been modeled.²¹

¹⁵ Fairfax, Souder, and Goldenman, *The School Trust Lands: A Fresh Look At Conventional Wisdom*, 22 ENVTL. L. 797, 803 (1992).

¹⁶ See O'Day, *supra* note 5, at 172.

¹⁷ Fairfax, et al., *supra* note 17, at 803.

¹⁸ SOUDER & FAIRFAX, *supra* note 4, at 20-21.

¹⁹ The General Land Ordinance of 1785, 1 Laws of the United States 565 (1815).

²⁰ *Id.*

²¹ Cooper v. Roberts, 59 U.S. 173, 178 (1855).

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The Northwest Ordinance,²² passed two years later, created a system of territorial governments and a process for transitioning territories into new states.²³ The Northwest Ordinance also carried through on the vision of cheap land, state equality, and public education that were considered critical to the success of the western settlements;²⁴ Article III of the Northwest Ordinance announced that "Religion, Morality, and Knowledge being necessary to good government and the happiness of mankind, Schools and the means of education shall forever be encouraged," and Article V provided that Congress should admit every new state on an "equal footing" with the existing states.²⁵

Under the terms of the Ordinance, after the survey and settlement of new regions, these regions would be organized by an act of Congress into U.S. Territories, with a territorial government that was appointed by the President. Once the population of a territory reached five thousand adult males, the territory could elect a legislature and send a non-voting delegate to Congress, and once the population reached sixty thousand, the territory could petition Congress for admission to the Union. If the petition was granted, Congress would then pass an enabling act authorizing a constitutional convention in the new state, with the constitution subject to a popular referendum in the territory. If successful, the constitution would be sent to Congress for ratification, and the state would be admitted.²⁶ At the time of admission, the state would also receive land grants giving title to its reserved school lands, as well as additional land grants to support other public institutions.

C. Emergence of the School Land Grants

The state admission process established in the Northwest Ordinance was never strictly followed by Congress. This was particularly true in the years leading up to and continuing through the Civil War, when the admission of new states was a process that was politically charged with conflicts over slavery and the desire of both North and South to maintain an approximately equal balance between free and slave states.²⁷ Prior to 1803, sixteen states had entered the union, including the thirteen original colonies, as well as three other states – Vermont, Tennessee, and Kentucky – that were carved out of the colonies' land cessions through varying mechanisms.²⁸ Because there were no "public domain" lands in these states, none of them received federal land grants (although they later received land grants to support colleges under the Morrill Acts).²⁹

A
1803 — Ohio (1803) was the first "public domain" state admitted to the Union, and the first state to receive a land grant in support of schools (the section sixteen reservation provided by the General Land Ordinance).³⁰ After Ohio, virtually every state admitted to the Union received substantial grants of reserved lands at admission. There were only three exceptions: the State of Maine, which was created out of lands ceded by Massachusetts as a part of the Missouri Compromise of 1820 (which traded Maine's admission as a free state in exchange for Missouri's admission as a slave state); the State of Texas, which was annexed as an existing sovereign government in 1848 after its successful war for independence with Mexico (and therefore had its own sovereign state lands);³¹ and West Virginia, which was carved out of the existing State of Virginia and admitted as a free state in the midst of the Civil War.

²² Northwest Ordinance, 1 Stat. 51 (1787).

²³ The Northwest Ordinance also prohibited the introduction of slavery into the Northwest land areas, bounded by the Ohio and Mississippi Rivers. See also Fairfax et al, *supra* note 17, at 806.

²⁴ See HAROLD M. HYMAN, AMERICAN SINGULARITY: THE 1787 NORTHWEST ORDINANCE, THE 1862 HOMESTEAD AND MORRILL ACTS, AND THE 1944 GI BILL 19-25 (1986).

²⁵ See Northwest Ordinance, *supra* note 24.

²⁶ SOUDER & FAIRFAX, *supra* note 4, at 25.

²⁷ See generally PETER S. ONUF, STATEHOOD AND UNION: A HISTORY OF THE NORTHWEST ORDINANCE (1987).

²⁸ Hager, *supra* note 9, at 39.

²⁹ Morrill Act of 1862, 7 U.S.C. §303; Morrill Act of 1890, 7 U.S.C. §322 et. seq. The Morrill Act of 1862 granted the states who had remained loyal to the Union during the Civil War 30,000 acres of land for each member of their Congressional delegation, to fund the establishment of colleges for engineering, agriculture, and military science. The Morrill Act of 1890 later provided the same grants to the sixteen southern states who had been denied lands under the 1862 grant.

³⁰ SOUDER & FAIRFAX, *supra* note 4, at 27-29.

³¹ However, it should be noted that Texas also reserved Section sixteen lands when it was an independent Republic. Mineral royalties (often derived from these original reservations) have provided the vast majority of the permanent fund held by the State of Texas. See generally THOMAS LLOYD MILLER, THE PUBLIC LANDS OF TEXAS, 1519 - 1970 (1972).

1. Consolidation of State Authority Over School Grants

While Congress maintained consistent support for the practice of granting lands to states, the doctrines under which this occurred evolved significantly over time. For example, although we now refer to the lands that were granted to the states as "state trust lands," under the original concept of the General Land Ordinance and Northwest Ordinance, the section sixteen lands in each township would be reserved to maintain the schools in that township, consistent with the Jeffersonian model of agrarian communities administering locally-controlled schools.³² This concept was rejected by Congress during the admission of Ohio (Congress vested control of Ohio's grant lands in the Ohio state legislature).³³ However, in the years that followed, Congress returned to its original idea, reserving lands to support schools in that township.

As the accession process continued, the impracticability of this concept – driven in large part by the limitations of the rectangular survey system itself – became increasingly manifest. Although the rectangular system had mathematical appeal for purposes of surveys and administering the chain of title, population centers in the western lands tended to develop around natural, economic, and military features – rivers and waterways, arable lands, mountain passages, roads, trails, railways, army and cavalry forts, and friendly native governments – without regard for the artificial township boundaries. As such, there were not always local governments associated with each township to manage the grant lands, and when these governments did exist, they frequently lacked the resources to administer the granted lands.³⁴

Moreover, while some of the granted lands could be leased for farming or other valuable uses, many of the lands were not located in proximity to existing population centers. As a result, most of these lands could not provide meaningful support for schools in a given township, and in some cases, the lands were simply granted to teachers in lieu of a salary until sufficient tax revenues could be gathered to pay them.³⁵ In response, Congress gradually shifted away from township-centered land administration, by first granting lands to benefit schools in the township and to be managed by the county governments,³⁶ and later by centralizing management of the lands in the state government, and reserving the benefits of the lands to the corresponding townships.³⁷ Finally, in the Michigan grant in 1836, Congress simply granted the lands "to the State for the use of schools."³⁸ By the middle of the nineteenth century, Congress had abandoned the township reservation concept altogether and, like its grant to the State of Michigan, simply granted the lands to the state, to be administered by the state for the support of schools statewide.³⁹

2. Expanding Trust Grants

1858
1910
The size of the trust grants also increased significantly over time. From 1803 to 1858, Congress admitted fourteen states to the Union, each of which received the regular section sixteen reservation.⁴⁰ However, beginning with the admission of California in 1850 and the admission of Oregon in 1859, Congress began to grant two sections out of each township to the states (sections sixteen and thirty-six).⁴¹ With the admission of Utah, Congress once again increased the grant allocation, this time to four sections (two, sixteen, thirty-two, and thirty-six). Congress continued this policy with the admission of Arizona and New Mexico in 1910, granting both states four sections of land.⁴² Table II-1 shows the chronology, character, and relative sizes of the trust grants.

³² See HOWARD CROMWELL TAYLOR, *THE EDUCATIONAL SIGNIFICANCE OF THE EARLY FEDERAL LAND ORDINANCES*, 25-29 (1922).

³³ Fairfax et al., *supra* note 17, at 817.

³⁴ See TAYLOR, *supra* note 34, at 85.

³⁵ *Id.*

³⁶ SOUDER & FAIRFAX, *supra* note 4, at 30.

³⁷ *Id.*

³⁸ See *Papasan v. Allain*, 478 U.S. 265, 270 (1986).

³⁹ *Id.* See also Fairfax, et al., *supra* note 17, at 817-818.

⁴⁰ SOUDER & FAIRFAX, *supra* note 4, at 20-21.

⁴¹ *Id.*

⁴² *Id.*

THE 100th Meridian Where The Great Plains Begin

The 100th Meridian corresponds with the boundary between well-watered prairies and the east and the more arid plains landscapes to the west, as the famous explorer John Wesley Powell first noted in the 19th century.

The 100th Meridian.

A sign near Blunt, SD tells you you've reached the 100th Meridian. This line of longitude runs north & south through Campbell, Walworth, Potter, Sully, Hughes, Stanley, Lyman, and Tripp counties. It's 100 degrees of longitude west of Greenwich, England.

The reasoning behind the increasingly large grants of land appears to have been a practical one. With the early state admissions – primarily in the American Midwest and the South – states primarily utilized their grant lands by selling or leasing these lands for agriculture.⁴³ However, as state admissions proceeded west of the 100th Meridian, the character of the granted lands changed significantly – moving from the flat, rich farmlands that predominated in the East to the steeper, arid lands of the West. As such, the majority of these lands had little value for agriculture, and the organized ranching, mineral, and timber industries that would eventually be able to utilize at least some portion of these lands had not yet come into flower. It was therefore recognized that the states west of the 100th Meridian would require a larger quantity of land in order to produce the necessary revenues to support schools and other public institutions.⁴⁴ An estimate by the first Washington Land Commissioner, for example, estimated that the average value of a section of trust land was around \$800; assuming the land could be sold, the investment income from the proceeds of the sale would produce only about \$48 per year, or about one month's salary for an average teacher.⁴⁵

The original reservation grants for common schools were also accompanied by increasingly generous "block" grants for the support of other public institutions. For example, the 1841 Preemption Act granted five hundred thousand acres of land to every public land state for a variety of public purposes;⁴⁶ later, the Agricultural College Act of 1862 granted lands to all of the states that were not in active rebellion against the Union to endow agricultural and mechanical colleges (when the war ended, this grant was extended to the southern states as well).⁴⁷ Other grant programs transferred lands to states to finance internal improvements, such as railroads.⁴⁸

These grants grew larger and larger over time. By the time New Mexico and Arizona were admitted in 1910, they received enormous grants on top of their four reserved sections for a laundry list of public purposes: 200,000 acres for university purposes; 100,000 acres for public buildings; 100,000 acres for insane asylums; 100,000 acres for schools and asylums for the deaf, dumb, and blind; 50,000 acres for disabled miners' hospitals; 200,000 acres for normal schools; 100,000 acres for penitentiaries and reform institutions; 150,000 acres for agricultural and mechanical colleges; 150,000 acres for schools of mines; 100,000 acres for military institutes; and one million acres for the payment of county bonds (with any remainder going to the benefit of the common schools).⁴⁹ Many states received other land grants in advance of their statehood to support the functions of territorial governments. Congress also made a number of grants to states post-statehood such as the Morrill Act grants for colleges, which were applied not just to the new western states, but also the existing eastern states.⁵⁰

Beyond these additional grants, Congress also took up the practice of allowing states to select *in lieu* lands from elsewhere in the public domain when their reserved lands in a given township were already occupied by private homesteaders, railroad grantees, or various federal reservations. These *in lieu* selections initially excluded federally reserved lands. For example, the 1889 "Omnibus" Enabling Act for North Dakota, South Dakota, Montana, and Washington and the 1896 Utah Enabling Act did not provide for *in lieu* selections to offset the federal land reservations. For states that were admitted in the later history of the accession process, this policy cost the states a significant amount of acreage due to previous federal commitments of millions of acres

⁴³ O'Day, *supra* note 5, at 173-174.

⁴⁴ See Hager, *supra* note 9, at 40.

⁴⁵ See generally THOMAS BIBB, HISTORY OF EARLY COMMON SCHOOL EDUCATION IN WASHINGTON (1929).

⁴⁶ Preemption Act of 1841, ch. 16, 5 Stat. 455.

⁴⁷ Agricultural College Act of 1862, ch. 130, 12 Stat. 503.

⁴⁸ Fairfax et al., *supra* note 17, at 815.

⁴⁹ New Mexico-Arizona Enabling Act, 36 Stat. 572 (1910).

⁵⁰ C.f. PAUL W. GATES, THE WISCONSIN PINE LANDS OF CORNELL UNIVERSITY: A STUDY IN LAND POLICY AND ABSENTEE OWNERSHIP (1943). For a discussion of the Morrill Acts, see note 31, *supra*.

to Indian reservations, military reservations, and other federal uses. However, by the end of the grant process, Congress provided for *in lieu* selections even where lands were reserved for federal purposes. Oklahoma received *in lieu* selections for lands previously reserved for the state's numerous Indian reservations, and both Arizona and New Mexico received *in lieu* selections for all federal lands within the states.⁵²

At least initially, these *in lieu* selections were not always the panacea that the states had hoped for. In Washington, for example, territorial officials had apparently anticipated being able to generate large amounts of sales revenue by participating in the frenzied land speculation that dominated the early history of the state.⁵³ However, their hopes were somewhat dimmed by the fact that the state selections occurred last.

Mill companies, land speculators, prospectors, settlers, and the Northern Pacific Railroad had already done their best to lock up the most valuable acreage. In locating an exact route from the Columbia to Puget Sound, [Northern Pacific Railroad] engineers tried to lay track through the most heavily timbered areas, so that valuable timberland would be included in the land grant. Out of all the individuals and companies claiming land, the state institutions picked last. Even other public entities stood closer to the head of the line.⁵⁴

As a result, much of the *in lieu* land that Washington acquired was too far from navigable water or railroad to be feasible for logging or farming in the short term, and the granted lands thus provided very little money for the educational and institutional needs of the state in the early years of the grant. The state quickly sold off most of its marketable land, essentially grinding state land sales to a halt within a few years of statehood and leaving only leasing and timber sales on the accessible portions of the trust property as the major revenue generating activities for Washington's state trust lands.⁵⁵

For the states that continue to hold their trust lands in the present day, these less-than-optimal *in lieu* selections have paid significant dividends, because they allowed the states to acquire large, contiguous parcels of lands instead of the scattered one, two, or four sections per township that the states received where *in lieu* selection opportunities were limited. Additionally, these present day lands are generally no longer as remote or inaccessible as they once were. In Arizona, for example, the state was left with enormous *in lieu* selections due to the predominance of federal land holdings and existing railroad grants in the state. Although these selections were not always as well positioned as the lands they were supposed to replace, the selection process allowed the state to acquire enormous blocks of lands throughout the state that have been far more practical to manage over the long term than scattered tracts. As the state has grown, these once remote lands have become an invaluable resource. The Arizona State Land Department now controls more than 30 percent of the available urban development land in Maricopa County – the fastest growing area of the state – and holds much of it in large, contiguous blocks that are ideal for master-planned community developments as well as urban open space. One off-the-cuff estimate indicates that a single twenty thousand acre tract in north Phoenix may be worth as much as \$40 billion in lease and sale revenues to the trust over the next one hundred years.⁵⁶

Congress' increasingly expansionist approach to state land grants culminated with the grant of the mineral rights in the previously granted lands. Congress specifically exempted mineral lands from the grant process in 1889 with the Omnibus Enabling Act providing for *in lieu* selections to

⁵² Congress was not consistent in applying this policy retroactively, however. For example, the State of Mississippi lost significant quantities of its section sixteen lands in the northern third of the state due to the creation of the Chickasaw Indian Reservation; even when the federal government later revoked the status of this area as a reservation, the state was not compensated for the section sixteen lands in this area.

⁵³ Daniel Chasan, *A Trust for All the People: Rethinking the Management of Washington's State Forests*, 24 SEATTLE UNIVERSITY L. R. 1 (2000).

⁵⁴ *Id.* at 5.

⁵⁵ *Id.* at 6.

⁵⁶ Personal Communication with Ron Ruiska, Asset Management Division Director, Arizona State Land Department 9/22/2004.

replace these lands.⁵⁷ A later U.S. Supreme Court decision, interpreting the Utah Enabling Act, determined that Congress had reserved mineral rights in all state land grants;⁵⁸ however, the Jones Act of 1927 reversed the Supreme Court decision, and granted states the mineral rights in all granted lands.⁵⁹

3. Changing Rules for the Administration and Disposition of Trust Lands

The rules and restrictions applicable to the grants of trust lands also changed significantly over time. In the initial grants of lands to states, Congress had presumed that school lands would be leased to generate revenues rather than being sold.⁶⁰ However, the experience of the early states with leasing proved to be a failure. In 1827, Ohio requested authority to sell its granted lands; Congress subsequently passed legislation retroactively granting this authority to all states, and included sale authority in all new grants.⁶¹ Following this initial foray into restricting the management of trust lands, Congress' subsequent land grants contained little or no guidance, leaving it to the states to decide how best to manage their lands.⁶²

As one commentator has noted,⁶³ Indiana serves as an excellent example of many of the early trust grants. Indiana's Enabling Act, passed in 1816, contains only one provision related to school trust lands:

That the section numbered sixteen, in every township, and when such section has been sold, granted, or disposed of, other lands equivalent thereto, and most contiguous to the same, shall be granted to the inhabitants of such township for the use of schools.⁶⁴

Noticeably absent from this provision are any requirements regarding the sale or disposal of the lands, fiduciary obligations, or other principles commonly associated with state trust lands; although Section six of Indiana's Enabling Act makes a series of additional grants for the support of other public institutions, these grants were similarly unrestricted.⁶⁵ Most early trust grants closely mirror this provision.⁶⁶

The majority of early states rushed to sell their granted lands in the frenzy of frontier land disposals to support the early school systems.⁶⁷ As a result, "much of the land and its potential benefit were lost due to incompetence, indirection, and corruption,"⁶⁸ providing few lasting benefits for schools.⁶⁹ Regardless, by the 1830's, states were becoming increasingly concerned with the sustainability of this approach to the management of their trust lands.

⁵⁷ Omnibus Enabling Act, 25 Stat. 676, § 19 (1889).

⁵⁸ *United States v. Sweet*, 245 U.S. 563, 572-74 (1918).

⁵⁹ Jones Act of 1927, ch. 57, 44 Stat. 1026.

⁶⁰ Fairfax et al., *supra* note 17, at 820.

⁶¹ O'Day, *supra* note 5, at 181.

⁶² *Id.* at 181-182.

⁶³ Fairfax et al., *supra* note 17, at 809.

⁶⁴ Indiana Enabling Act § 6, 3 Stat. 290 (1816).

⁶⁵ *Id.*

⁶⁶ Fairfax et al., *supra* note 17, at 809-810.

⁶⁷ O'Day, *supra* note 5, at 182.

⁶⁸ Fairfax et al., *supra* note 17, at 807.

⁶⁹ Many abuses involved fraudulent deals executed under the auspices of territorial or state officials; for example, in the Territory of Washington, lands that had been set aside for the establishment of a territorial university were sold to timber companies in a series of land deals that allowed purchasers to cherry-pick lands from government holdings for a fixed price of \$1.50 an acre. The overly friendly relationships between the public officials involved in the sales and the timber and mill companies indicated to most observers that the arrangement was essentially a conspiracy to defraud the territorial government. However, the political influence of the timber operators was great enough to avoid a federal investigation and any invalidation of the transactions. Other abuses were simply related to the inability of early land managers to police their own lands; for example, shortly after Washington was granted admission to the Union, the new Washington Land Commissioner observed that railroad lines were frequently being sited over state lands without obtaining the rights to do so, that valuable timber was being destroyed or removed without permission, and that appraisals of state lands, which had been delegated to county commissioners, were regularly made too low for the benefit of special interests. Chasan, *supra* note 55, at 30-31.

One of the early innovations to address this problem appeared with the admission of Michigan to the Union in 1837. Although previous land grants indicated that these lands were for the support of public education, Michigan's Constitution adopted specific restrictions on the use of revenues from these lands, requiring the state to place proceeds from the sale of trust lands into a permanent fund.⁷⁰ The accrued sale proceeds in the fund would then be invested; the interest from these investments, combined with rental revenues from trust lands, would then be used to fund school activities.⁷¹ This served both to discourage fire sales of trust lands to achieve short term benefits – since only the interest from these sales, and not the proceeds would be immediately available – and to ensure that when lands were sold, the state would continue to benefit from the investment of those proceeds in perpetuity. After Michigan, nearly all subsequent states adopted constitutional language that mirrored Michigan's permanent fund concept; Louisiana, which was admitted twenty-five years earlier, amended its Constitution to create a permanent fund.⁷² As noted below, Congress eventually followed suit, incorporating the requirement for a permanent fund into the Enabling Act for the State of Colorado and all subsequent grants.⁷³

This innovation was soon complemented with increasingly complex restrictions on the sale and lease of trust lands in state constitutions that developed out of experience with questionable land transactions and the efforts of a growing public school lobby that sought to protect the trust grants.⁷⁴ Many states began to impose provisions requiring minimum land sale prices, fair market value for all sales, and that all dispositions occur at public auctions. However, as some observers have noted, the states' increasingly conservative approach to the management of trust lands also mirrored a larger shift in the nation's attitude towards the public domain.⁷⁵ As the nineteenth century progressed, Congressional policy towards the public domain began to transform from a policy of rapid disposal to encourage and underwrite "manifest destiny," towards a policy of retention and long-term management of the public domain for multiple uses, public benefits, and federal purposes. With this transformation, Congress took steps towards the closure of the frontier by reserving vast tracts of public lands for forests, parks, and other public uses. The restrictions on trust management in state constitutions and statutes took on a similar character, with restrictions to limit or even prohibit the sale of state lands, and an emphasis on leases and licenses for timber, grazing, agriculture, and similar "sustainable" uses.⁷⁶

Regardless, it is important to note that the evolution of these restrictions was largely driven by the states themselves. As one commentator notes, "[a] bouncing ball pattern is apparent in the evolution of sales restrictions provisions: a state adopts a restriction in its constitution; variations show up in subsequent state constitutions and occasionally in enabling acts; a subsequent state adopts variations on those conditions with further elaborations."⁷⁷ After the mid-nineteenth century, state constitutional restrictions on trust lands were typically far more restrictive than the requirements imposed by Congress in state enabling acts.⁷⁸ A common misperception is that Congress developed these restrictions to protect its trust grants from misuse by untrustworthy states; in fact, these restrictions first originated within the states to ensure that they received the full benefits from their land grants – even as Congress generously increased the size and scope of land grants over time.⁷⁹ Indeed, even the concept that the granted lands were to be held in "trust" was originally developed by states. For example, although the Omnibus Enabling Act contained no language with regard to the granted lands being held in trust, Montana, Idaho, South Dakota, and Washington each adopted constitutional language to that effect.⁸⁰

⁷⁰ MICH. CONST. Art. X § 2 (1835).

⁷¹ SOUDER & FAIRFAX, *supra* note 2, at 31-32.

⁷² *Id.* at 32.

⁷³ See *Branson School District RE-82 v. Romer*, 161 F.3d 619 (10th Cir. 1998).

⁷⁴ Sally K. Fairfax & Andrea Issod, *Trust Principles as a Tool for Grazing Reform: Learning from Four State Cases*, 33 ENVTL. LAW 341, 348 (2003).

⁷⁵ O'Day, *supra* note 5, at 181.

⁷⁶ *Id.*

⁷⁷ Fairfax et al., *supra* note 17, at 821-822.

⁷⁸ *Id.*

⁷⁹ O'Day, *supra* note 5, at 178-179.

⁸⁰ IDAHO CONST., Art. IX, § 8; MONT. CONST., Art. X § 11; S.D. CONST., Art. VIII § 7; WASH. CONST., Art. XVI § 1.

As a result, the first significant restrictions in state enabling acts did not begin to appear until the passage of the Colorado Enabling Act in 1875, which contained provisions requiring the establishment of a state permanent fund, the sale of trust lands at public auction, and a minimum price for all land sales.⁸¹ Virtually all of the states that entered the Union after Colorado were subject to similar requirements.

However, even these restrictions did not prevent many Western states from continuing with rapid land disposal schemes. In Oregon, for example, the state disposed of the vast majority of its trust grant under a liquidation policy based on the theory that once this property was in private hands, the lands would generate more revenue for the state in property taxes than it would in public ownership. This policy was discontinued after the discovery of widespread corruption and fraud in a series of investigations from 1872 to 1913, which ultimately led to the conviction of twenty-one high level state and federal officials.⁸² As one commentator notes, however, the extent of the early mismanagement of trust lands can sometimes be overplayed:

Viewed from the perspective of the current value of the land and resources, it is reasonable to think that it would have been preferable to rent a given section rather than to give it in salary to the school teacher. Nonetheless, many of the policies that might have been more beneficial to current students would have probably deprived the earliest generations of school children of much of the benefit of the grants.⁸³

The development of the land grant process culminated in the grants contained in the New Mexico-Arizona Enabling Act,⁸⁴ admitting the last two states in the continental U.S. to the Union. Unlike the enabling acts that came before it, the New Mexico-Arizona Enabling Act provided detailed provisions for the management and disposition of trust lands and the management of the revenues derived from them; New Mexico's Enabling Act is so detailed that the state found it unnecessary to supplement its provisions with its own constitutional restrictions.⁸⁵ The Enabling Act included provisions requiring that lands be sold or leased at public auction, a series of enumerated auction exceptions for short-term leasing and mineral leasing, requirements for the establishment of a permanent fund, and a number of other limitations derived from previous state constitutions.⁸⁶ Most significantly, the Act provided that the granted lands were to be held

in trust, to be disposed of in whole or in part only in manner as herein provided and for the several objects specified in the respective granting and confirmatory provisions, and that the natural products and money proceeds of any of said lands shall be subject to the same trusts as the lands producing the same.⁸⁷

The Act also provided that any disposition of the lands that violated these requirements would be void, with the terms of the grant enforceable by the U.S. Attorney General.⁸⁸

The admission of Arizona and New Mexico as the forty seventh and forty eighth states in 1910 essentially drew the era of state trust lands to a close. The "state-making" process then went on hiatus until the admission of Hawaii and Alaska in the 1950's. Hawaii, as a previously independent sovereign, had no "public domain" from which the federal government could reserve lands. Instead, Hawaii's statehood act ratified an existing trust established on royal lands to support schools (based on the Great Mahale of 1848). The federal government also returned all of the lands held by the U.S. to Hawaii at the time of statehood.⁸⁹ Alaska, by contrast, was given the largest land grants of any state

⁸¹ 161 F.3d at 633-34.

⁸² *Administrative Overview*, Oregon Department of State Lands, available at: <http://www.oregonstatelands.us/adminoverview.htm>. See also STEPHEN A. DOUGLAS PUTER, *LOOTERS OF THE PUBLIC DOMAIN* (1908).

⁸³ Fairfax et al., *supra* note 17, at 807.

⁸⁴ New Mexico-Arizona Enabling Act, 36 Stat. 557 (1910).

⁸⁵ SOUDER & FAIRFAX, *supra* note 4, at 26.

⁸⁶ New Mexico-Arizona Enabling Act, 36 Stat. 557, § 10 (1910).

⁸⁷ *Id.* at §§ 10, 28.

⁸⁸ Fairfax et al., *supra* note 17, at 829.

⁸⁹ SOUDER & FAIRFAX, *supra* note 4, at 23-24.

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– over 110 million acres. However, unlike previous land grants, the vast majority of Alaska's massive land grants were given to the state without any special restrictions on the revenue uses. As a result, of the 110 million acres granted to the state, only 1.2 million acres were specifically dedicated for school purposes, with an additional one million acres dedicated to support mental health services in the state.⁹⁰

4. Lessons from the History of State Land Grants

Due to the accumulative process that characterized the development of the federal program of granting lands to the states, there are substantial differences among the states with regard to the requirements and approaches to trust management. These differences range from requirements as to whether lands must be sold or leased at public auction to more subtle variations in language, the implications of which may not yet have been tested in the courts. For example, there are many variations in the descriptions that were used to identify the purpose of state land grants that may have subtle implications for how trust lands should be managed or who should benefit from them. Ohio's Enabling Act granted state lands "for the use of schools."⁹¹ By contrast, Oklahoma's Enabling Act indicates that lands are for "the use and benefit of common schools,"⁹² while Colorado's Enabling Act indicates that the grant is for "the support of common schools,"⁹³ a phrase also shared by the Montana, Washington, North Dakota, and South Dakota grants.⁹⁴

These differences frequently relate more to what Congress did not specify than to what it did, as the lack of guidance provided by the majority of state enabling acts left states free to improvise in developing trust asset management approaches. For example, no state enabling act ever specified a method by which trust lands should be administered, although many states adopted a pattern (first developed in Oregon) in which lands were administered by a "land commission" or similar body composed of high-level state officials; Colorado, South Dakota, Montana, Idaho, Wyoming, and Oklahoma all followed in this vein.⁹⁵ Other states utilized commissions composed of appointed officials (Utah), executive agencies headed by an elected official (New Mexico), or an unelected appointee (Arizona).⁹⁶ These differences developed despite the fact that a number of these states – including Arizona and New Mexico, and South Dakota, North Dakota, Montana, and Washington – entered the Union under the same enabling acts.⁹⁷

These differences in state enabling acts and state constitutions have translated into a remarkable diversity in trust land management programs that makes it difficult, and perhaps irresponsible, to generalize about the management of state trust lands in the West. Nevertheless, as the history of these land grants demonstrates, trust lands share a common origin and thus share many common themes. Perhaps the most important of these common themes is the concept of the trust responsibility itself.

⁹⁰ Alaska Mental Health Enabling Act of 1956, § 101 et seq., 70 Stat. 709. For discussion of federally granted lands in Alaska, see *State of Alaska v. University of Alaska*, 624 P.2d 807 (Alaska 1981).

⁹¹ Ohio Enabling Act, 2 Stat. 173, § 7 (1802).

⁹² Oklahoma Enabling Act, 34 Stat. 267, § 7 (1906).

⁹³ Colorado Enabling Act, 18 Stat. 474, § 7 (1875).

⁹⁴ Omnibus Enabling Act, 25 Stat. 557, § 10 (1889).

⁹⁵ Fairfax et al., *supra* note 17, at 826.

⁹⁶ See UTAH CODE ANN. § 53C-1-201; N.M. STAT. ANN. § 19-1-5; ARIZ. REV. STAT. § 37-131(B).

⁹⁷ New Mexico-Arizona Enabling Act, 36 Stat. 557 (1910), Omnibus Enabling Act, 25 Stat. 676 (1889).

South Dakota
Statehood

Nov. 2, 1889
39 th or 40 th

Was part of Dakota Territory before statehood. Admitted on same day
as North Dakota

Table II(C): History of State Land Grants in the United States

Year of Statehood	State	Sections Granted	Common Schools (acres)*	All Public Institutions (acres)**	All Land Grants (acres)***
1803	Ohio	16	724,266	1,447,602	2,758,862
1812	Louisiana	16	807,271	1,063,351	11,441,032
1816	Indiana	16	668,578	1,127,698	4,040,518
1817	Mississippi	16	824,213	1,104,586	6,097,064
1818	Illinois	16	996,320	1,645,989	6,234,655
1819	Alabama	16	911,627	1,318,628	5,007,088
1821	Missouri	16	1,221,813	1,646,533	7,417,022
1836	Arkansas	16	933,778	1,186,538	11,936,834
1837	Michigan	16	1,021,867	1,357,227	12,143,846
1845	Florida	16	975,307	1,162,587	24,208,000
1846	Iowa	16	1,000,679	1,336,039	8,061,262
1848	Wisconsin	16	982,329	1,320,889	10,179,804
1850	California	16	5,534,293	5,736,773	8,852,140
1858	Minnesota	16	2,874,951	3,167,983	16,422,051
1859	Oregon	16, 36	3,399,360	3,715,244	7,032,847
1861	Kansas	16, 36	2,907,520	3,106,783	7,794,669
1864	Nevada	16, 36	2,061,967	2,223,647	2,725,666
1867	Nebraska	16, 36	2,730,951	2,958,711	3,458,711
1876	Colorado	16, 36	3,685,618	3,933,378	4,471,604
1889	N. Dakota	16, 36	2,495,396	3,163,476	3,163,552
SD 1889	S. Dakota	16, 36	2,733,084	3,432,604	3,435,373
1889	Montana	16, 36	5,198,258	6,029,458	6,029,458 ⁵¹
1889	Washington	16, 36	2,376,391	3,044,471	3,044,471
1890	Idaho	16, 36	2,963,698	3,663,965	4,254,448
1890	Wyoming	16, 36	3,472,872	4,248,432	4,345,383
1896	Utah	2, 16, 32, 36	5,844,196	7,414,276	7,507,729
1907	Oklahoma	16, 36	2,044,000	3,095,760	3,095,760
1912	New Mexico	2, 16, 32, 36	8,711,324	12,446,026	12,794,718
1912	Arizona	2, 16, 32, 36	8,093,156	10,489,156	10,543,931

* Figures include acreage derived from the reservation of sections in each township for common schools.

** Figures include all grants of lands for schools, universities, penitentiaries, schools for the deaf and blind, public buildings, repayment of county bonds, and similar public institutions and purposes. (Hereafter referred to as "state trust lands" in this report.)

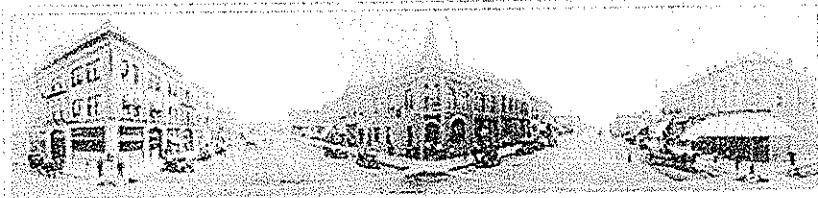
*** Figures include all lands granted to states, including grants for re-granting to railroads, lands for roads, wagon trails, canal and river improvements, and swamplands grants.

Source: Paul W. Gates *History of Public Land Law Development*, Appendix C (1968).

⁵¹ There is a discrepancy in the source between the total land grants to the states and the total of the figures provided in the table for each of the individual grants. The total of the figures provided for the individual grants was used.

History

The public discovery of gold in 1874 by the Custer Expedition brought a mass influx of settlers into the Black Hills region of South Dakota. Rapid City was founded (and originally known as "Hay Camp") in 1876 by a group of disappointed miners, who promoted their new city as the "Gateway to the Black Hills." John Brennan and Samuel Scott, with a small group of men, laid out the site of the present Rapid City in February 1876, which was named for the spring-fed Rapid



Panoramic view of Sixth and Main Streets in Rapid City, ca. 1912

Creek that flows through it. A square mile was measured off and the six blocks in the center were designated as a business section. Committees were appointed to bring in prospective merchants and their families to locate in the new settlement. The city soon began

selling supplies to miners and pioneers. Its location on the edge of the Plains and Hills and its large river valley made it the natural hub of railroads arriving in the late 1880s from both the south and east. By 1900, Rapid City had survived a boom and bust and was establishing itself as an important regional trade center for the upper midwest.

Sioux San:

Educational and Health Effects on Natives in Rapid City

By Shelley Branch

Historic buildings hold the stories of all who have been a part of their past. One such building has played an important role in the history and lives of Native Americans in Rapid City. Now known as Sioux San, it had its beginnings as the Rapid City Indian School.

The Rapid City Indian School was one way Native Americans lives were changed with the signing of the 1868 Ft. Laramie Treaty. Boarding Schools were the government's answer to insure the civilization of Native Americans.¹ As part of the 1868 Treaty, Indian nations gave up millions of acres of land in exchange for the right to an education and adequate health care.² Has Sioux San fulfilled that treaty obligation or does it stand as an icon above its rock fascia wall as a reminder of mistreatment of Native Americans?

Openings its doors in 1898 the school was one of 28 off-reservation boarding schools built and operated by the Bureau of Indian Affairs. Walking the 42-acre campus one can still see evidence of its history. Some of the buildings used for staff housing, as well as farm buildings and an old fire station still remain. Nineteen of the properties are eligible for registration as National Historic Places.³

By the time the school opened it had become increasingly difficult for Native Americans to avoid white school. Choices became complex for a people not

¹ Treaty of Fort Laramie [1868],
http://www.milestonedocuments.com/document_detail.php?id=117&more+fulltext.

² Giago, Tim, "Indian Health Care a National Tragedy," april21,2008,<http://64.38.12.138/News/2008/008277.asp>.

³ Comprehensive Preservatio Plan, www.rcgov.com/planning/committeeminutes/hpc/comprehensive.pdf.

used to white education. Reservation day schools were limited to primary grades. Boarding schools meant their children would be taken away, sometimes away from their communities. This was very different and difficult for many families.⁴

The government's plan was to make Native Americans into farmers. Provisions were made in the 1868 Treaty to turn reservations into agricultural states.⁵ The curriculum at the boarding schools was intended to bring about the assimilation of Native American children. Thomas Jefferson Morgan, the Commissioner of Indian Affairs in 1889, was responsible for expanding boarding schools to off-reservation sites. He proclaimed education to be the way that Native Americans could be brought into a harmonious relationship with whites. Native American cultures were portrayed as backwards and useless.⁶

Celane Not Help Him, a Lakota elder who died in 1998 was the granddaughter of a survivor of the Little Big Horn Battle as well as the Wounded Knee Massacre of 1890. Her story in *Honor the Grandmothers* sheds light on early education prior to boarding schools. She was raised by her grandparents. Although her grandfather never attended school she considered him to be a smart man. He was very patient and didn't believe in punishing the little ones. He used stories to get his point across and to teach. She was taught to respect the elderly, her parents, and the sacred pipe. Her grandfather told her that, "We never get paid for things. We need to help each other out, cooperate, that's how things get done,

⁴ Scott Riney, *The Rapid City Indian School* (University of Oklahoma Press, 1999), 21.

⁵ Treaty of Fort Laramie (1868), http://www.milestonedocuments.com/document_detail.php?id=117&more+fulltext.

⁶ Scott Riney, *The Rapid City Indian School* (University of Oklahoma Press, 1999), 9.

makes it easier.”⁷

Her traditional upbringing was in direct conflict with the education she received at the Holy Rosary Mission which was typical of most boarding schools at the time. The staff was pretty strict. Students who misbehaved were often put to bed without supper.

That’s one thing, they’ll starve you. Just like the government said, you sign the treaty or starve. They think food could lead us around, but after awhile I got used to it.

They ran Holy Rosary like an army camp. You have to do the right thing on time and on the double. You weren’t supposed to talk Indian which is hard. I want to talk Indian sometimes.⁸

Rapid City Indian School increased its regional importance in the 1900’s, a time when South Dakota Natives were unsure about their reservations and their futures. South Dakota west of the Missouri River was undergoing changes in the early 1900’s. Land continued to be taken from the reservations to satisfy the white land hunger. From 1909-1915 tracts of land had diminished the Cheyenne River, Standing Rock, Pine Ridge, and Rosebud Reservations. These tracts of land were given to white settlers.⁹

Students enrolled in the school for many reasons. Felix Eagle Feather, a Lakota parent from Rosebud believed the school could provide a better education for his children than the reservation day school. The school recruitment catalog impressed Susie Battle. The school offered her opportunities and advantages that she would not have in Pine Ridge.

⁷Sarah Penman, *Honor the Grandmothers Dakota and Lakota Women Tell Their Stories*, Minnesota Historical Society Press, 2000, 11-46.

⁸ Scott Riney, *The Rapid City Indian School* (University of Oklahoma Press, 1999), 10.

⁹ Scott Riney, *The Rapid City Indian School* (University of Oklahoma Press, 1999), 14.

Some students enrolled because their parents or relatives had gained employment at the school. When families started to move to Rapid City they would often keep children of family and friends. The school became a child care provider as a last resort for some parents. Poor reservation health conditions often resulted in the loss of a spouse. Without adequate resources to care for their children, parents sent them to boarding schools. This ensured that their children would be fed, clothed, educated, and housed, although it meant separation.¹⁰

The Rapid City Indian School believed in the BIA policy that Native American youth could and would be prepared for assimilation through education. The school was understaffed and under-funded which hampered the education students received. Language was a major issue. Students were not allowed to speak their language, or be taught in their language. The typical day consisted of half a day traditional book learning while the other half involved manual labor. Students did the necessary labor to keep the school running. Girls were taught to sew, cook, iron, and other household tasks. Boys learned carpentry and worked on the school farm.¹¹

According to the Merriam Report the labor of children as carried on in boarding schools would constitute a violation of child labor in most states. It was common for students at the school to work up to four hours in heavy industrial work. Running away from the school seemed to be the only answer for many students. Boarding schools were places of transition from childhood to adulthood for many of these students. Taken from the culture they grew up with and forced to live the regimented life of a school run like a

¹⁰ Scott Riney, *The Rapid City Indian School* (University of Oklahoma Press, 1999), 18-43.

¹¹ Scott Riney, *The Rapid City Indian School* [University of Oklahoma Press, 1999], 89.

military academy, drove some to run. Runaways were treated as “deserters” and punished with such severity it would rival that of any old army. Seven runaways in the early 1900’s were brought back chained together. After getting their heads shaved they were forced to march back and forth across the campus a distance equal to the number of miles they had escaped, and then placed in a locked cell.¹²

Desperate to escape the treatment at the school, many students did not consider the physical danger to them when they ran away. Four boys ran for freedom in December of 1909 during a dangerous blizzard. Two of the boys made their way to Wounded Knee nine days later. They suffered from frostbite and both had their legs amputated below the knees. They eventually were sent back to the school where they finished out their terms of enrollment.¹³

Families were naturally worried about the safety of their children. They urged school officials to keep a close eye on potential runaways, but since schools were understaffed, this was quite a task. Some runaways were kept home and parents agreed to send them to a reservation day school. Staff was ill-prepared to understand why children would run away from an institution built and operated for their benefit. The school officials resorted to the only way they knew how to deal with the problem—punishment. School staff may not have been able to supervise students closely enough to prevent them from getting in trouble, but they would certainly beat those they caught in the act. The line between acceptable punishment and outright abuse was often crossed in dealing with

¹² Scott Riney, *The Rapid City Indian School* [University of Oklahoma Press, 1999], 150.

¹³ Scott Riney, *The Rapid City Indian School* [University of Oklahoma Press, 1999], 151.

discipline at the school.¹⁴

Considering all the problems and hardships of the school, was it worth attending? Eva Enos remembers it as a good school run by good people. Eva was an Arapaho student from the Wind River Reservation in Wyoming who came to Rapid City because she wanted something different from St. Michaels's Mission where she was a student. She recalls the government-issued clothing, the horrible uncomfortable shoes, and the excitement of receiving panties instead of bloomers. Eva was assigned to the cottage of one of the school nurses. She kept house and cared for the nurse's children. She enjoyed her job because it got her away from the drudgery and close supervision of the regular work details. She was also grateful it kept her from the most hazardous steam powered laundry equipment. Eva found Rapid City allowed her more freedom than her previous school. Students were allowed town days when those with money could go to town to shop. There were also dances and sports to get involved in. She liked the school despite the rigor of the daily schedule.¹⁵

Other students such as Adolph Cuny didn't have those fond memories. Adolph spent long months in the school's jail as punishment for running away. There were many reminders of suffering in the school's history. Unfortunately, many suffered the plight of the boarding school and were permanently scarred. Fortunately, the school was closed down in 1933. The school's main building burned down and was replaced with the current hospital which was built in 1939 as Sioux Sanatorium to treat Indians with tuberculosis.¹⁶

¹⁴ Scott Riney, *The Rapid City Indian School* [University of Oklahoma Press, 1999], 159.

¹⁵ Scott Riney, *The Rapid City Indian School* [University of Oklahoma Press, 1999], 137.

¹⁶ http://indiancountrynews.net/index.php?option=com_content&task=view&id=708&Itemid=

Like the school Sioux San replaced, its beginnings came as a result of the government. The BIA's program of Relocation/Employment Assistance Program enticed Native American families living on impoverished reservations to relocate to various cities across the country. The program found that 160,000 families were relocated in the 1950's and 1960's. Urban Indian community leaders began advocating at all levels for culturally appropriate health programs for Natives residing in urban settings. Through this effort Congress appropriated funds in 1966 for a pilot urban Indian clinic in Rapid City.¹⁷

Sioux San provides health care to all Native people in Rapid City. Just like the school that once occupied the building, they share uniqueness in that they were not located on a reservation. This 39 bed Indian Health Services (IHS) hospital has a staff of ten physicians who provide inpatient and outpatient adult, pediatric, and prenatal care. Major surgery and obstetrics are contracted out to Rapid City Regional Hospital. Sioux San also provides inpatient psychiatric care, psychological testing, dental and vision services, as well as drug and alcohol counseling.¹⁸

For all its services and benefits to Native Americans, is it providing adequate services to the people it serves? The personal stories of the people who have been affected by the inadequate services provide sound all too familiar. Through the years anger, frustration, and despair over substandard care have been voiced to officials of the Indian Health Service as well as to elected officials.¹⁹

Many Americans believe that the United States has the best medical care in the

¹⁷ Urban Indian Health Program History, <http://www.his.gov/NonMedicalPrograms/Urban/History.asp>.

¹⁸ PHS Indian Hospital at Rapid City-Sioux San, <http://www.ucomparehealthcare.com>.

¹⁹ Dakota-Lakota-Nakota Human rights Advocacy Coalition, http://www.dlncoalition.org/related_issues/health2002oct17.htm,

world, but is that clearly the case when it comes to the Indian Health Service? There is a common saying in Indian country, "Don't get sick after June." It is common for IHS to run out of funding for contract health services after June.²⁰

Recently appointed to head the Indian Health Service, Yvette Roubideaux is no stranger to Sioux San. She often heard relatives complain about the quality of care received from the hospital. She recalls that every time she went to the clinic she would see a different doctor. This was different than her non-Indian friends who often had the same doctor their entire childhoods. She never saw the same doctor twice and she never saw a single Native American physician which prompted her interest in the medical field.²¹

What is in store for the future of Sioux San? Some new improvements have reduced the amount of time patients had to wait to be seen. Les Wilcox and his mother have noticed the new improvements which has increased their satisfaction with Sioux San. They have been using the health care facility since the 1970's and say it is running like clockwork for the first time in their experience.²² This is just what the CEO of Sioux San likes to hear, instead of the complaints about access to care and administrative problems that have dogged Sioux San in recent years. Sioux San has experienced high turnover in its management posts in recent years, but is confident that the facility has the necessary nucleus in staff to restore itself.²³ The director, Fred Koebrick states that the Rapid City

²⁰ Janice O'Leary, "Promises to Keep," Harvard Medical Alumni Bulletin, Autumn 2004, <http://alumnibulletin.med.harvard.edu/bulletin/autumn2004/profile.php>

²¹ Janice O'Leary, "Promises to Keep," Harvard Medical Alumni Bulletin, Autumn 2004, <http://alumnibulletin.med.harvard.edu/bulletin/autumn2004/profile.php>.

²² Mary Garrigan, Rapid City Journal, March 28, 2009, <http://www.rapidcityjournal.com/articles/2009/03/29/news/local/doc>.

²³ Mary Garrigan, Rapid City Journal, March 28, 2009, <http://www.rapidcityjournal.com/articles/2009/03/29/news/local/doc>.

unit at one time had a stellar reputation for providing very high-quality health care in the Rapid City community. He also agrees that the turnover in administration has given the clinic a checkered recent past. Koebrick attributes the improvements to the newly formed Innovations in Planned Care, which was started two years ago by the I.H.S.²⁴

The Rapid City community can look forward to a new facility if they get funding from IHS Sioux San is next in line to be funded when funds become available for design and construction. A new building will not magically rid the hospital of its problems. Until something is done about funding IHS hospitals will continue to run short every year. It is something the Indian Health Service has no control over. The IHS office in Aberdeen can not transfer money mid-year even if it has the money in the budget. Only life-threatening situations such as a heart attack would be paid and not something such as a broken leg. The Association of Healthcare Organizations hopes to raise awareness in the public and in Washington about the lack of funding and the problems with contract health care.²⁵

With the appointment of Yvette Roubideaux as the new Indian Health Service director comes hope. With the ever present problem of funding perhaps Roubideaux can be the person to make Washington aware of the problems the Native Americans are facing with health care issues. It can't hurt to have someone who knows the conditions of the facilities and the lack of preventive care.

What will happen to the campus of Sioux San if a new facility is built? Historian and author, Donovin Sprague is concerned about possible grave sites on Sioux San's land.

²⁴ Mary Garrigan, Rapid City Journal, March 28, 2009,
<http://www.rapidcityjournal.com/articles/2009/03/29/news/local/doc>.

²⁵ Lynn Taylor Rick, Rapid City Journal, May 5, 2009
<http://rapidcityjournal.com/articles/2009/05/05/news/local/doc>.

Although there are no graves documented, elders and employees tell of people, possibly students of the Indian school buried on the campus. In the old days they were just buried. Remains from any graves disturbed by construction would have to be returned to descendants or tribes under terms of Native American Graves Protection and Repatriation Act.²⁶

Sioux San has been a place with a rich history concerning Natives in the Rapid City area. It is full of stories of joy and suffering. Sioux San may change, but it is important to keep alive the memories of those students who came to the school hoping for a better future. We must work together to improve the lives of Native people. The Rapid City Indian School was a place of defeat for many students. Students such as Sadie Plenty Holes who lost her fingers on one hand due to a laundry accident, as well as students who didn't make it and died because of their boarding school experience are examples of why Sioux San must be preserved.

²⁶ Sioux San Hospital to be Replaced, <http://indiancountrynews.net>.

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Works Progress Administration Projects in Rapid City, South Dakota

Surviving into the 21st Century

By Kathy Bunkowske

Interspersed among Rapid City's contemporary architectural structures lay historic remnants that take us back to a time in history when our government rallied to the plight of the unemployed and hope began to replace despair in the country. These vestiges of the Works Progress Administration, or the WPA, remain a viable part of this community, a tribute to the men and women who contributed over 131 million hours of labor to the state of South Dakota.¹

The Works Progress Administration operated between the years 1935 and 1943, employing over 8.5 million people on 1.5 million projects, making it the most comprehensive New Deal Agency.² President Franklin D. Roosevelt established the WPA by Executive Order 7034 on May 6, 1935 under the authority of the Emergency Relief Appropriation Act of 1935.³ Despite the implementation of the National Recovery Administration (NRA), the Civilian Conservation Corps (CCC), and the Civil Works Administration (CWA) two years earlier, the WPA quickly became the most recognized of the "alphabet agencies". Roosevelt dedicated more energy and money to the WPA than any of the other agencies.⁴

Providing jobs for the scores of unemployed who were able to work but simply could not find a job during the Great Depression was the purpose of the WPA. In a speech to Congress on March 21, 1933, President Roosevelt outlined three essential points for unemployment relief that included the following

statement, "this enterprise is an established part of our national policy. It will conserve our precious natural resources. It will pay dividends to the present and future generations. It will make improvements in national and state domains which have been largely forgotten in the past few years of industrial development. More important, however, than the material gains will be the moral and spiritual value of such work."⁵ The president promised relief, recovery, and reform. Roosevelt appointed Harry L. Hopkins head of the WPA and the man in charge of implementing projects initiated and sponsored by cities and counties, as well as state and federal agencies.⁶

The WPA was responsible for the execution of the work relief program as a whole in such a manner as to move from the relief rolls to work "the maximum number of persons in the shortest time possible".⁷ A person seeking employment on WPA projects applied at an approved public welfare agency, where the applicants' need and employability was certified. If employed by the WPA, laborers could work between 120 and 140 hours per month. Although standards for wages were adjusted four times during the program's existence, average payments generally remained below the private business sector's wages. This was based on Roosevelt's and Hopkins's proposal that compensation be based on a security wage, which was a lesser amount than that offered by private employers, but greater than standard relief payments. When the WPA was terminated in 1943, it had provided jobs for over 8.5 million of our nation's unemployed and indeed, the program had been the nation's largest employer during its existence.⁸

Seventy-five percent of WPA funding was spent on engineering and construction projects across the country, and provided limited opportunities for skilled laborers such as carpenters, mechanics, plumbers, painters, and bricklayers. It then followed that the unskilled workers found employment on these projects as well. The types of projects varied, ranging from construction of highways, public buildings, airports, and recreational facilities to improvement of streets, public utilities, and facilities for the conservation of natural resources.⁹ The remaining twenty-five percent of funding went to WPA Service Projects. These jobs were designed to employ technical and clerical workers, male and female, as well as unskilled and semi-skilled women workers. Service Projects included Research and Records, Public Activities, and Welfare Projects. Specific jobs were related to adult education, nursery schools, library services, and recreational activities. WPA workers employed in the museum project constructed dioramas, models, maps, and other visual aids implemented in extension work through public schools.¹⁰

Federal Project No. 1 consisted of a nation-wide WPA project that incorporated music, art, writers, and theater projects, as well as the historical records survey. Activities in the music project involved public performances in symphony orchestras, bands, operas and employed workers to maintain music libraries. Art projects included paintings, sculptures, stained glass windows, and murals that architects incorporated into many WPA buildings. Writers found work researching and writing guide books for each state in addition to school books and government pamphlets. The theater projects involved full theatrical

productions that employed a wide variety of workers, including actors, stagehands, technicians, and writers.¹¹ The lasting impact of the WPA was far-reaching and stretched across the miles to South Dakota, where visible reminders still catch one's eye in almost every community of this rural state.

South Dakota was divided into five district administrative units that were under the auspices of the State WPA Administration. These units were located in Rapid City, Pierre, Aberdeen, Watertown, and Sioux Falls. The relief program gained momentum in the state, employing 16,000 laborers, but that number rapidly increased. South Dakota's WPA employee numbers peaked during September of 1936 when WPA state employment rosters confirm nearly 50,000 men and women were working on projects across the state. South Dakota WPA workers took home over \$51 million in wages for their efforts during the eight years the program was in existence. During the fall and winter seasons, many farmers worked on various WPA projects, usually in road and bridge construction. These men would use their own teams of horses and wagons to haul gravel or move dirt on roadbeds.¹² WPA funds totaling \$61 million were expended in South Dakota, with \$20 million matched by contributing sponsors.¹³ Administrative expenses for the South Dakota WPA were held to an average of only four percent of the federal funds allocated to the state.¹⁴ Those funds built 18,780 miles of roads, 1,303 bridges, 110 schools, 373 public buildings, 5 airport landing fields, 13 airport buildings, and 61 utility plants. In addition, 199 schools and 379 public buildings were renovated; 107 parks, 89 playgrounds, and 15 swimming pools were developed, as well as hundreds of dams. The WPA

Service Projects produced 2.8 million garments and workers served 12,588,000 school lunches.¹⁵ The above figures are a composite representation of the projects completed by South Dakota WPA employees in an attempt to depict the broad spectrum of employment the agency provided for our state, and are by no means a complete listing of projects.

Did President Roosevelt's New Deal Relief Agency, the Works Progress Administration, make strides in providing South Dakota relief, recovery, and reform? Florence Kerr, the Assistant Commissioner of the WPA in South Dakota suggested this when she reported, "in this spirit of conservation of human resources, the WPA tackled the problem of unemployment and has been saving the lives, the health, the morale of millions of Americans, not only for humanitarian reasons but because it is the sensible thing to do".¹⁶ Rapid City and the WPA worked hand in hand on several projects that employed a large number of local residents. Nine of the projects still exist in the city, where WPA plaques mark their spot in history. These projects include Camp Rapid, the Carnegie Library, the Rapid City Historical Museum, South Dakota School of Mines and Technology, Skyline Drive and Dinosaur Park, Sioux Sanatorium, Canyon Lake Park, and Wilson Park.

One of the most significant WPA projects in Rapid City was Camp Rapid. Construction of permanent buildings began on June 25, 1934 and one year later, Executive Order 7034 allowed the WPA to begin hiring men to take part in the construction of the headquarters building.¹⁷ James C. Ewing, an architect from Rapid City, designed the brick and reinforced concrete Administration Building

and Project 956 began in 1936 and was completed by the end of the year. The original building's main floor consisted of a reception area with a vault and was surrounded by four offices, one of which was the Adjutant General's headquarters. The structure had a full, unfinished basement that would not be utilized until 1947. Thirty-two years would pass before renovations were made to the Administration Building when a 42-foot by 92-foot long basement was added to the south side of the structure and set up as the Emergency Operations Center. A main floor addition was erected over the basement addition in 1989, and designed to accommodate a conference room and offices.¹⁸ Today, this WPA building stands as a sentinel of our state's defense, a towering tribute to the workers of the WPA who built it more than seventy years ago.

As the Administration Building neared completion in 1936, WPA workers began construction on several kitchen-mess halls and commenced building the first of twenty-five bathhouse-latrines on the east and west sides of the parade grounds. Some of these structures were built using logs and were designed to accommodate seventy guard members. Eighteen of the mess hall-kitchens remain in Camp Rapid today and twenty of the bathhouse-latrines still stand. A number of these structures have been converted to other uses, and all of the log buildings were replaced by brick units.¹⁹ In 1940, the Dispensary and six more kitchens were added to the guard camp under Project 4008. A WPA plaque for these units still survives in the camp along with several others that visitors discover as they wander through the mix of historic and contemporary buildings.

WPA workers replaced approximately 272 wooden tent floors with concrete floors by 1941, placing hooks into the concrete to secure the pyramidal tents.²⁰

One of the most striking WPA projects was the Officer's Mess Hall completed in 1939. Project 3720 consisted of a one-story, 36-foot by 90-foot building that incorporated native stone in the walls, entryway, and retaining walls. The workers used similar stone to construct a floor to ceiling fireplace that was located on the interior south wall. Exposed wood rafters under the gable roof were supported by large, upright logs and a kitchen and bar were located on the east side of the building. In 1953, the National Guard chose to discontinue use of the building for the Officer's Hall and it was used for a number of purposes, including the Post Exchange, Social Center, and Group Headquarters. The interior was remodeled in 1963 in an effort to create offices for the Selective Service, and unfortunately, the stone hearth was chipped out and the fireplace was covered with sheetrock. In the mid 1990's, renovation to restore the interior to its original state began and the building was completely gutted. The original wood beams and rafters were exposed and the fireplace was restored.²¹ Reformation of the edifice is now complete and visitors to Camp Rapid are able to appreciate the skilled labor that went into the rustic structure, especially since the original exterior remains the same as it was the day construction was complete in 1939.

In 1940, a one story structure was built in a central location that provided a panoramic view of the parade grounds, as well as the entire camp. Adjutant General Edward A. Beckwith moved into this house, followed by another general

in 1947, Theodore A. Arndt. These two generals were the only ones to live in the house, relegating it to visiting offices after that. The WPA built one more house on the grounds, similar to the general's house that currently houses the night security guard and his family. Other WPA projects include the prominent native stone entrance gates on the north, east, and southeast sides of the camp.²² Approximately one mile of native stone walls surrounds Camp Rapid and these walls, as well as the historic buildings that occupy the camp, remain as a tribute to Roosevelt's New Deal programs that gave the skilled and unskilled workers in South Dakota a job.

The Rapid City Carnegie Library was constructed in 1915 at what is now 700 Kansas City Street. The library became part of the WPA legacy when workers carefully constructed matching extensions on each side of the central portion. Completed in 1938, the slightly recessed additions used the same yellow limestone that constituted the original structure and two window bays were added to each side. Pilasters and columns completed the corners of the extensions and complimented the rows of small windows that were located above the bookcases on the inside walls. Vacated after the completion of a new public library in 1971, the building housed Rapid City's police force during construction of the Public Safety Building.²³ TSP Architects and Engineering currently occupy the building at the corner of Seventh and Kansas City Streets. The Carnegie Library is within one block of Rapid City's downtown main streets that showcase the presidential statues, one of which is President Franklin D. Roosevelt.

In an effort to preserve the rich history of Rapid City and the surrounding area, WPA Project 1112 began in 1937 in an effort to construct a massive, native-stone edifice to house various collections of historical artifacts. Early in 1936; several city commissioners began to meet with architect Waldo Winter to discuss the construction of a local museum. Talks came to a standstill when Winter vehemently opposed locating the museum in Halley Park, purchased by the city from several individuals in 1916 and 1917, as the intended location of a future museum. Negotiations resumed in late 1936 when George Mansfield, president of the local historical society and R. L. Bronson, secretary of the chamber of commerce, convinced the architect that the museum should be built in Halley Park. Employing local craftsmen and artisans, construction began in the fall of 1937 and was completed by early spring of 1938. Citizens of the area turned out on a Sunday afternoon for the dedication held on May 2 and to meet the first resident curator, John A. Anderson. Anderson was a pioneer Government-licensed Indian trader who had lived on the Rosebud Indian Reservation for forty-two years and it was his extensive compilation of Native American artifacts that the museum revolved its collection around.²⁴ Over 65 ceremonial and peace pipes, beaded apparel, war clubs, flutes, and a buckskin shirt adorned with 50 scalps were moved from the laundry room of the Rapid City Indian School to the new museum, as well as the eagle-feather war bonnet of Chief Yellow Horn Bear worn at the inauguration of President Theodore Roosevelt.²⁵

The Rapid City Historical Museum is an excellent example of the vernacular rustic style, influenced by the Adirondack fashion and characterized by the use of logs, indigenous stone, shingled roofs, broad overhangs, and exposed rafters.²⁶ The museum was built of native Minnelusa limestone and required 1,278 tones of rock, 2,000 bags of cement, 6,714 pounds of steel, 2 carloads of Douglas fir, and 65,000 pine shakes. The roof was bridged and trussed with massive timbers that required no support except the walls, giving the museum the distinction of having the largest floor space without ceiling support in the state of South Dakota. Relief carvings of both an Indian and a pioneer giving welcome signs were added to the front doors by the artist El Comancho, who worked with both Remington and Russell. The cost of the building came in at \$30,000, with WPA funding covering two-thirds of those expenses.²⁷ After completion, the museum was under the sponsorship of the United States Indian Arts and Crafts Board, the Department of Interior, and the city of Rapid City.²⁸ A west wing was added to the structure in 1957, constituting the only change to the original building. The museum's extensive collection of artifacts was eventually moved to the Journey Museum and the Higher Education Office currently occupies the facility at 515 West Boulevard.

It was not uncommon for WPA employees to work side by side with Civilian Conservation Corps (CCC) members on projects throughout the Black Hills and in Rapid City. Some of these projects included landscaping work that utilized native stone in rock walls and ponds throughout Canyon Lake and Wilson parks. Canyon Lake Park was developed around the 1890's by the Upper Rapid

City Company, who planted the Lombardy poplar trees that still line the roads of the park. Dr. Valentine McGillicuddy was a partner in the company that planned to develop Rapid Creek and Canyon Lake as a resort with a hotel and a railroad from the downtown area. The lake flooded out in 1907, and thirty years later the WPA rebuilt the lake and dam, adding the rock landscaping.²⁹ Working in conjunction with the WPA, enrollees at the Custer State CCC camp spent two years in a side camp located at Canyon Lake and developed a road system throughout the recreational area.³⁰ Much of Canyon Lake Park's original landscaping had to be replaced or repaired after another flood in 1972 swept through the park that today borders Jackson Boulevard.

The South Dakota School of Mines and Technology took advantage of the New Deal program when it received a \$95,000 federal grant that it combined with a \$120,000 appropriation from the 1941 South Dakota state legislature to construct the O'Harra Memorial Building. James C. Ewing, later known for his design of the concession building at Mount Rushmore, incorporated an Art Deco style into the O'Harra structure. An Egyptian Revival pavilion dominated the front of the building, constructed of native stone. The interior of the building consisted of two floors and a full basement, showcasing terrazzo floors and faux marble walls. In its statement of historical significance, the National Register of Historical Places states the building is noteworthy for "housing both the school's central administrative offices and the school museum. The building is also significant for its association with federally-sponsored New Deal WPA project."³¹ The O'Harra Building provides us with an architectural reminder of the

educational and institutional styles of the 1930's and 1940's and continues to serve as the university's administrative headquarters and museum.

R. L. Bronson, secretary of the Rapid City Chamber of Commerce, first propositioned the idea of a Dinosaur Park to federal agencies after visiting the Chicago Century of Progress Exposition and viewed a mechanically operated reproduction of a brontosaurus. The government approved the five prehistoric sculptures, Triceratops, Triconodon, Brontosaurus, Stegosaurus, and Tyrannosaurus Rex, allowing WPA Project 960 to begin excavation work in March, 1936. An engineer, H. H. Babcock, initially supervised twenty workers as they prepared an area south of Hangman's Hill for the life-size reproductions. An office building that sat on the rim of the Stratobowl during the Stratosphere flights was moved to the area for use during the construction of Dinosaur Park and the completion of Skyline Drive.³² Dr. Barnum Brown, curator of the American Museum of Natural History served as a design consultant and provided exact measurements of the dinosaurs. Emmitt A. Sullivan was appointed designer and superintendent of construction once the site was prepared, assisted by WPA engineer Walter Walking.³³

At the height of the project, twenty-five WPA workers assisted in the construction of the reptiles. Steel tubing shaped the framework of each dinosaur, covered by a heavy steel mesh that formed a foundation for the concrete. The Rapid City Journal reported that, "reincarnated in steel and concrete on ground they once trod in quest of plant food, five giants of a past age will soon look down from Hangman's Hill on some of the wonders of the present age—a ten story

building, the automobile, and the airplane.”³⁴ Projects costs topped out at \$25,000, with the Rapid City Chamber of Commerce donating \$500 worth of welding equipment for the venture on land donated by the city. The project suffered a serious setback when Sullivan resigned as project foreman and left with the teeth belonging to the Tyrannosaurs Rex. The Rapid City Chamber of Commerce hired Sullivan to complete the project and the city dedicated the park on May 22, 1936, even though work did not officially end until early 1938. Sullivan’s wife operated the concession business at Dinosaur Park until 1968, when she retired after witnessing numerous improvements to the facilities. Overlooking Rapid City, the park remains a popular tourist destination and provides the residents of the city with a visual reminder of the critical role tourism played in the development of this area.³⁵

Ground improvements by WPA workers at the Sioux Sanitarium during the 1940’s constitute the final project still existing in Rapid City. A WPA marker outside the administration building signifies the role our government played in stabilizing the hillsides with rock walls after the Rapid City Indian School closed in 1933.³⁶

The nine Rapid City New Deal projects that have survived into the 21st century, defined an era in which the United States government provided relief, recovery, and reform during the Great Depression. WPA writer, Taylor Jackson, wrote in his review of the Rapid City Historical Museum, “the allegorical animal “The Wolf of Depression” has been prepared for this particular museum by the noted taxidermist “Time”. He will live ineradicably in the memories of the present

generation and history will forever record how the WPA chased, fought, and pleaded for years to end the ravages of this beast..."³⁷ Franklin D. Roosevelt and his New Deal programs changed the lives of our citizens and South Dakota honored his presidency by choosing him as one of the four presidents on Mount Rushmore.

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Dakota War of 1862





From Wikipedia, the free encyclopedia
(Redirected from Sioux Uprising)

The **Dakota War of 1862**, also known as the **Sioux Uprising**, (and the **Dakota Uprising**, the **Sioux Outbreak of 1862**, the **Dakota Conflict**, the **U.S.–Dakota War of 1862** or **Little Crow's War**) was an armed conflict between the United States and several bands of the eastern Sioux (also known as eastern Dakota). It began on August 17, 1862, along the Minnesota River in southwest Minnesota. It ended with a mass execution of 38 Dakota men on December 26, 1862, in Mankato, Minnesota.

Throughout the late 1850s, treaty violations by the United States and late or unfair annuity payments by Indian agents caused increasing hunger and hardship among the Dakota. Traders with the Dakota previously had demanded that the government give the annuity payments directly to them (introducing the possibility of unfair dealing between the agents and the traders to the exclusion of the Dakota). In mid-1862 the Dakota demanded the annuities directly from their agent, Thomas J. Galbraith. The traders refused to provide any more supplies on credit under those conditions, and negotiations reached an impasse.^[3]

On August 17, 1862, one young Dakota with a hunting party of three others killed five settlers while on a hunting expedition. That night a council of Dakota decided to attack settlements throughout the Minnesota River valley to try to drive whites out of the area. There has never been an official report on the number of settlers killed, although figures as high as 800 have been cited.

Over the next several months, continued battles pitting the Dakota against settlers and later, the United States Army, ended with the surrender of most of the Dakota bands.^[4] By late December 1862, soldiers had taken captive more than a thousand Dakota, who were interned in jails in Minnesota. After trials and sentencing, 38 Dakota were hanged on December 26, 1862, in the largest one-day execution in American history. In April 1863, the rest of the Dakota were expelled from Minnesota to Nebraska and South Dakota. The United States Congress abolished their reservations.

Dakota War of 1862	
Part of Sioux Wars, American Civil War	
	
The Siege of New Ulm, Minnesota on August 19, 1862	
Date	1862
Location	Minnesota, Dakota Territory
Result	United States victory
Belligerents	
 United States	Sioux
Commanders and leaders	
 John Pope	Little Crow
 Henry Hastings Sibley	
Casualties and losses	
77 soldiers	150 dead, 38 executed
450–800 civilians ^[1]	^[2]

- 5.4 United Nations recommendation
- 6 Notes
- 7 References
- 8 External links

Background

The Black Hills, the United States' oldest set of mountains,^[1] is 125 miles (201 km) long and 65 miles (105 km) wide stretching across South Dakota and Wyoming.^[2] The Black Hills derived its name from the black image that is produced by the "thick forest of pine and spruce trees" that covers the hills and was given the name by the Native Americans belonging to the Lakota–Sioux tribe.^[3] Today, the Sioux have taken great strides in an ongoing conflict with the United States Federal Government to have their traditional hunting and religious lands returned.

The land of the Black Hills has a United States Federal Government presence where it is home to six national parks: Mount Rushmore National Memorial, Badlands National Park, Devils Tower National Monument, Jewel Cave National Monument, Wind Cave National Park and Minuteman Missile National Historic Site.^[4] The Blacks Hills also includes Harney Peak, the highest location in the Black Hills at 7,242 feet (2,207 m) located within the 1,247,209 acres (5,047.28 km²) of the Black Hills National Forest.^[5] Harney Peak was once a Lakota religious landmark, but now resides as a popular tourist attraction.

The only presence of Native Americans in the Black Hills is represented in the Crazy Horse Memorial, which is a carved sculpture in the mountains of the deceased Lakota leader, Crazy Horse. The sculpture is said to symbolize "the culture, tradition and living heritage of North American Indians."^[6]

Religion and the Black Hills

Today, Lakota Indians believe that the Black Hills are sacred and should be returned for that reason. Conversely, Historian David Miller in "Historian's View of S.705: The Sioux Nation Black Hills Bill" states that people who oppose the return of the Black Hills believe that, since the traditional religious ceremonies are held outside of the Black Hills, the land is not needed to perform the ceremonies.^[7]

Additionally, many believe that the Lakota want their land returned for the land's resources and minerals.^[8] Others believe that the Sioux did not willingly choose to inhabit the Black Hills but were forced on to the land by military conquest of other tribes, proving that the Black Hills were not originally inhabited by the Sioux.^[9] Nonetheless, the Lakotas, Cheyennes, Arapahos, Kiowas and Kiowa-Apaches believe the land to be sacred.^[10]

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History

First encounters

The Lakota Sioux settled in the Black Hills in the Early 1770s (taking the land by force from the Arikara Indians) and did not come across a United States governmental spokesperson until the Lewis and Clark Expedition in 1804 near the Missouri River. The two men refrained from entering the Black Hills because they lacked governmental jurisdiction and feared the deadly consequences of entering sacred land.^[10] Moreover, the Teton Sioux first embraced Lewis and Clark with gifts and food and in return, Lewis and Clark notified the Indians that the United States controlled much of the Sioux lands under the newly obtained Louisiana Territory by distributing medals to symbolize peace and American citizenship.^[11]

The Lewis and Clark expedition led to the formation of the Missouri and American fur companies in 1808.^[12] As a result, the United States regulated trade outside of the Black Hills. To maintain peace, the United States government offered the Sioux full protection from harm and of property as well as gave the Sioux permission to hand over intruders to the United States government for further punishment.^[13] The sacredness of the Black Hills kept intruders out until Jedediah Smith's expedition of 15 traders into the Black Hills in 1823.^[14]

Origin of the land claim

In 1849 the Californian Gold Rush attracted more settlers to the Black Hills.^[15] As a result, the Treaty of Fort Laramie (1851) was formed to establish land rights and maintain peace between travelling miners and the Sioux. Under this treaty, the formation of reservations began where pieces of allotted land were distributed to several tribes.^[11]

The treaty recognized the Sioux territory of the Black Hills which were located between the North Platte River and Yellowstone River and obligated the government to pay \$50,000 annually.^[11] However, a United States military war against Red Cloud proved to be a victory for the Sioux, which resulted in the Treaty of Fort Laramie (1868). This treaty ultimately protected the Black Hills from white settlement.^[11]

The treaty was violated when gold was discovered in Montana in 1874. However, the Sioux did not face intruders until Brevet Major General George Armstrong Custer and his army entered the Black Hills in 1874 and publicly announced their discovery of gold. By 1875 the announcement led to the establishment of large mining towns, such as Deadwood, Central City and Lead within the Black Hills.^[16] Accordingly, the United States unilaterally imposed the Manypenny Agreement, claimed the land, and officially removed the Black Hills by passing the Congressional Act of February 28, 1877. (19 Stat., 254)^{[16][17][18][19]}

Land rights and treaties

1851 Fort Laramie Treaty

Congress passed an appropriations bill in February 1851 to allow Commissioner of Indian Affairs Luke Lea to negotiate with the Native Americans living on the Black Hills.^[20] The Fort Laramie Treaty was developed to prevent further harm of the natural resources in the Black Hills that were damaged by miners travelling to California.^[20] The treaty also developed boundaries for the Sioux and promoted peace between white settlers and plain Indians. Consequently, the treaty favoured United States expansionism when the Sioux agreed to the development of railroads and trails within their territory.^[21]

In contrast, the treaty did prove beneficial to the Sioux nation, where the government agreed to pay the tribe \$50,000 each year for 50 years and recognized land rights of the Sioux and their right to self governance within their boundaries.^[22] However, the United States violated the treaty a year later on May 24, 1852 when the United States Senate decreased the payment of \$50,000 for fifty years to ten years.^[23]

1868 Fort Laramie Treaty

On December 21, 1866 a supply train, travelling on Bozeman Trail was attacked by Sioux Indians. Soldiers under the command of Lieutenant Colonel William Fetterman at Fort Philip Kearny retaliated but were all killed by a small Sioux army led by Red Cloud.^[24]

United States Congress responded on July 20, 1867 by passing a bill for an Indian peace commission.^[25] The peace expedition was led by Lieutenant General William T Sherman.^[26] While negotiating, Sioux Indian Spotted Tail, representing the Indians of Powder River stated "We object to the Powder River road. The country which we live in is cut up by white men, who drive away all the game. That is the cause of our troubles."^[27] General Sherman responded by saying that the government would not close down the trail but would compensate the Indians for any damages travellers may have caused to the land. Red Cloud hesitated to sign the treaty, but eventually agreed to the terms on November 6, 1868.^[28]

In relation to the Black Hills land claim, Article 2 established the Great Sioux Reservation and placed restrictions on hunting lands. Article 11 of the treaty states that "parties to this agreement hereby stipulate that they will relinquish all right to occupy permanently the territory outside their reservation as herein defined, but yet reserve the right to hunt on any lands north of North Platte and on the Republican Fork of the Smoky Hill River."^[29]

Shortly after the signing of the treaty, two tribes residing near Republican Fork killed several white settlers which resulted in another violation of the treaty where the United States removed Sioux land rights to the Republic Fork.^[30]

Act of 1877

The February Act of 1877 is the most controversial treaty regarding the Black Hills land claims. The treaty officially took away Sioux land, and permanently established Indian reservations. Article 1 of the act modifies the boundaries of reservations stated in the 1868 Fort Laramie Treaty, while Article 2 allows the United States government to establish roads for settlers to travel upon when crossing the territory.^[31] Also, article 7 states that only full blood Indians residing on the reservation are allowed to

the agreements and benefits from this act as well as past treaties.^[32] The controversies around this act state that the government purchased the land from the reservation but there is no valid record of this transaction.^[16]

Late 1970s and early 1980s

Background

The legal struggle for the Black Hills land claim began in the early 1920s under tribal lawyer Richard Case where he argued that the 1877 Act of February was illegal and that the United States never made a legitimate purchase of the land.^[33] Tribal Lawyers Marvin Sonosky and Arthur Lazarus took over the case in 1956 until they won in 1980.^[34]

1979

The United States Court of Claims on June 13, 1979, in a 5-2 majority, decided that the 1877 Act that seized the Black Hills from the Sioux was a violation of the Fifth Amendment.^[35]

On July 31, 1979 the Sioux were awarded \$17.5 million with 5 percent interest totaling \$105 million. However, the victory was short lived. The Indians residing in the Black Hills feared the notion that if they accept the award their land would be officially sold. This led many Sioux to believe that they would lose their land, culture and identity.^[36]

Furthermore, the two lawyers continued to work with the government to provide the tribe with just compensation for violating the 1868 Fort Laramie Treaty. In September 1979, Sonosky and Lazarus offered the tribe \$44 million as a settlement for the violation in 1868, but were met with hostility.^[37]

On October 17, 1979 Solicitor General Wade McCree of the Justice Department sent an appeal to the United States Supreme Court over the initial ruling by the Court of Claims and on November 21, 1979 the Supreme Court set a date to review the claim and on December 10, the appeal was granted.^[38]

1980

Main article: United States v. Sioux Nation of Indians

The Supreme Court case *United States v. Sioux Nation of Indians* was argued on March 24, 1980.^[39] On June 30, 1980 the United States Supreme Court ruled in an 8-1 majority to uphold the United States Court of Claims' initial ruling, awarding the Sioux nation \$106 million, which resulted in the largest sum ever given to an Indian tribe for illegally seized territory.^[39]

However, a complaint was filed to the United States District Court on July 1, 1980 by a member of the Sioux tribe asking the United States Supreme Court to prevent Arthur Lazarus from accepting any compensation that was awarded on behalf of the tribe.^[40] The tribe stated that they did not sign a legal contract with Lazarus, and that he did not represent their view.

On July 9, 1980 in a unanimous decision, the Sioux tribal council refused to accept \$106 million award to them. The tribal council argued that “the Supreme Court decision should be vacated on the grounds that the Tribe was not represented in those proceedings.”^[40]

1981

On July 18, 1981, Mario Gonzalez filed a lawsuit asking for 7,300,000 acres (30,000 km²) of the Black Hills in South Dakota and \$11 billion in damages. The claim was that \$1 billion would go to aid the poor standard of living from the seizure of the land while the other \$10 billion would be used to remove “nonrenewable resources from the Hills.”^[41]

A *New York Times* article “Around the Nation: Appeal Court Rejects Suit, By Indians Over Black Hills” on June 3, 1981 stated that a United States Federal appeals court denied the terms of the lawsuit and ruled that the Indian Claims Commission was illegitimate because its only purpose was to take the Black Hills.^[42]

On October 6, Arthur Lazarus filed for attorney fees for himself and the two other lawyers, Howard Payne and Marvin J. Sonosky, who participated in the *United States v. Sioux Nation of Indians* but were never paid. On May 21, 1981, the United States Court of Claims granted the three lawyers with 10 percent of the \$106 million awarded, which totaled \$10.6 million.^[43] However, many Sioux Indians disagreed with the awarded fees and believed that the lawyers deserved nothing because the tribes did not want money as a form of compensation.^[34]

The issue of land over money as compensation continued through 1981. In April, 40 Indians constructed a camp in Yellow Camp, located in the Black Hills to protest the United States Forest Service’s removal of all Indians living on that territory by September 8 of that year; however, they did not succeed.^[44]

1982

The appeal brought by Pine Ridge Indian Reservation, in 1981 for 7,300,000 acres (3.0×10^{10} m²) of South Dakota Black Hills land and \$11 billion was denied by the United States Supreme Court and resulted in the involvement of the United Nations who argued that this denial breached international law.^[45]

1983

After several denials of appeals brought by tribal lawyer Mario Gonzalez, the Black Hills Steering Committee was formed. The committee drafted a bill for Congress that asked for the 7,300,000 acres (30,000 km²) of the Black Hills in South Dakota. At the time, the committee’s coordinator stated that “the bill would give the Sioux all Federal land in the area, roughly two million acres.”^[46] Under the bill, the Black Hills Steering Committee promised to keep all federal employees that worked on the Black Hills.^[47]

Contemporary issues and controversies

Obama Administration

Today, the Obama Administration has talked about settling the Black Hills land claim dispute. In a press statement, President Barack Obama gave hope of government negotiations and Native American self-determination. A tribal analysis stated that President Obama "is a strong believer in tribal sovereignty. He does not believe court or the federal government should force Sioux tribes to take settlement money for the Black Hills. He believes that tribes are best suited to decide how to handle the monetary award themselves."^[48]

The Sioux are re-emerging with new faith and are ready to start working with President Barack Obama where they have publicly announced their eagerness for "government to government negotiations to explore innovative solutions to resolve the long-standing dispute over the sacred Black Hills in a fair and honourable manner."^[48]

There is no current government activity on the Black Hills. However, on November 5, 2009 President Obama stated to the Native American population that "You deserve to have a voice," and "You will not be forgotten as long as I'm in this White House."^[49] This statement occurred after President Obama's signature on a bill allowing agencies to submit paperwork in regards to methods and efforts of allowing Native American tribes to participate in and influence decisions in United States policies regarding tribal life.

Internal conflicts

On April 27, 2009, the *Native Times* article "Lawsuit Would Let Sioux Take Money for Black Hills" wrote that the Sioux still have not received the money that was awarded to them in 1980. However, today, the notion of land over money for compensation has begun to fade for some. One lawyer for 19 tribal members who reside on the reservations and have filed a suit says they want to receive money and not the land as compensation. They claim that 5,000 tribal members have signed on with the lawsuit but don't want to be named.^[50]

As a result, two problems have emerged regarding money as just compensation. First, the Sioux do not know how they want the money to be distributed. Lawyer Wanda L. Howey-Fox argues that the money should be given to each individual member of the tribe.^[50] Second, many tribal members feel as if they cannot come forward and share their view of accepting the money without being reprimanded by tribal officials as well as other Native Americans in the community. Consequently, statements by tribal members, such as Charlotte Black Elk of the Pine Ridge Reservation, state that "tribal members who agree to take the money would be giving up their identities as Indians. Anyone who wants money for the Black Hills should not live on the reservations."^[50]

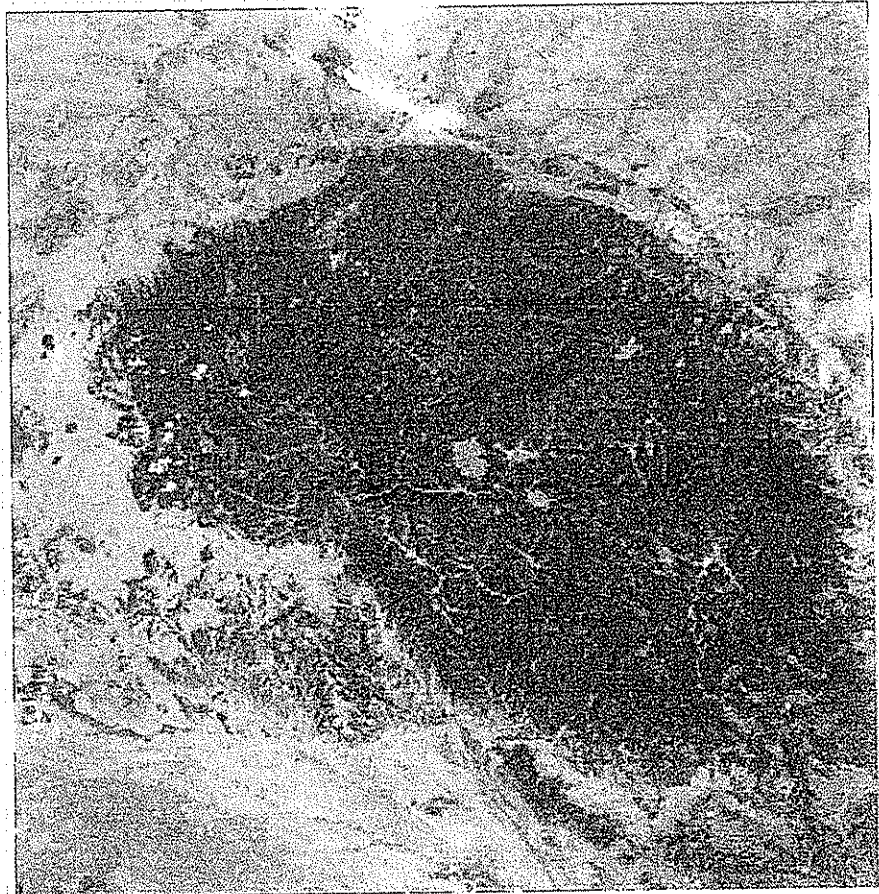
Black Hills Land Claim

From Wikipedia, the free encyclopedia

The **Black Hills Land Claim** is an ongoing land dispute between Native Americans from the Sioux nation and the United States Federal Government.

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The Black Hills, South Dakota, United States image from space.

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3/18/2013

Vine Deloria, Jr.

From Wikipedia, the free encyclopedia

Vine Victor Deloria, Jr. (March 26, 1933 – November 13, 2005) was an American Indian author, theologian, historian, and activist. He was widely known for his book *Custer Died for Your Sins: An Indian Manifesto* (1969), which helped generate national attention to Native American issues in the same year as the Alcatraz-Red Power Movement. From 1964-1967, he had served as executive director of the National Congress of American Indians, increasing tribal membership from 19 to 156. Beginning in 1977, he was a board member of the National Museum of the American Indian, which now has buildings in both New York City and Washington, DC.

Deloria began his academic career in 1970 at Western Washington State College at Bellingham, Washington. He became Professor of Political Science at the University of Arizona (1978-1990), where he established the first master's degree program in American Indian Studies in the United States. After ten years at the University of Colorado, Boulder, he returned to Arizona and taught at the School of Law.

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Vine Deloria, Jr.



Born	Vine Victor Deloria, Jr. March 26, 1933 Martin, South Dakota
Died	November 13, 2005 (aged 72) Golden, Colorado
Nationality	Standing Rock Sioux, American
	Theological work

Background and education

Deloria was the grandson of *Tipi Sapa* (Black Lodge), also known as Rev. Philip Joseph Deloria, an Episcopal priest and a leader of the Yankton band of the Dakota Nation. Vine, Jr. was born in Martin, South Dakota, near the Oglala Lakota Pine Ridge Indian Reservation. He was first educated at reservation schools.

Deloria's parents were Barbara Sloat (née Eastburn) and Vine Victor Deloria, Sr. (1901–1990). His father studied English and Christian theology and became an Episcopal archdeacon and missionary on the Standing Rock Indian Reservation,^[1] to which he transferred the family's tribal citizenship. Deloria Jr.'s aunt was the anthropologist Ella Deloria (1881–1971).^[2]

Deloria graduated from Kent School in 1951. He graduated from Iowa State University in 1958 with a degree in general science.^[3] Deloria then served in the Marines from 1954 through 1956.^[4]

Originally planning to be a minister like his father, Deloria Jr. in 1963 earned a theology degree from the Lutheran School of Theology then located in Rock Island, Illinois.^[3] In the late 1960s, he returned to graduate study and earned a law degree from the University of Colorado in 1970.

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Activism

"Mr. Deloria ... steadfastly worked to demythologize how white Americans thought of American Indians," wrote Kirk Johnson.^[3]

In 1964, Deloria was elected executive director of the National Congress of American Indians. During his three-year term, the organization went from bankruptcy to solvency, and membership went from 19 to 156 tribes.^[5] Through the years, he was involved with many Native American organizations. Beginning in 1977, he was a board member of the National Museum of the American Indian.

While teaching at Western Washington State College at Bellingham, Washington, Deloria advocated for the treaty fishing rights of local Native American tribes. He worked on the legal case that led to the historic Boldt Decision of the United States District Court for the Western District of Washington. Judge Boldt's ruling in *United States v. Washington* (1974) validated Indian fishing rights in the state as continuing past the tribes' cession of millions of acres of land to the United States in the 1850s. Thereafter Native Americans had the right to half the catch in fishing in the state.^[4]

Writing

In 1969, Deloria published his first of more than twenty books, entitled *Custer Died for Your Sins: An Indian Manifesto*. This book became one of Deloria's most famous works. In it, he addressed stereotypes of Indians and challenged white audiences to take a new look at the history of United States western expansionism.^[6] The book was released the year that students of the Alcatraz-Red Power Movement occupied Alcatraz Island to seek construction of an Indian cultural center, as well as attention in gaining justice on Indian issues. Other groups also gained momentum, with organizations such as the American Indian Movement staging events to gain media attention.

The book helped draw attention to the Native American struggle. Focused on the Native American goal of sovereignty without political and social assimilation, the book stood as a hallmark of Native American Self-Determination at the time. The American Anthropological Association sponsored a panel in response to *Custer Died for Your Sins*. The book was reissued in 2004 with a new preface by the author, noting "The Indian world has changed so substantially since the first publication of this book that some things contained in it seem new again."

Deloria wrote and edited many subsequent books and 200 articles, focusing on issues as they related to Native Americans, such as education and religion.^[4]

In 1995, Deloria argued in his book *Red Earth, White Lies* that the Bering land bridge never existed, and that the ancestors of the Native Americans had not migrated to the Americas over such a land bridge, as has been claimed by most archaeologists. Rather, he asserted that the Native Americans may have originated in the Americas, or reached them through transoceanic travel, as some of their creation stories suggested.^[7]

Deloria's position on the age of certain geological formations, the length of time Native Americans have been in the Americas, their possible coexistence with dinosaurs, etc. were influential in the development of American Indian Creationism, which generally rejects scientific explanations of origins of indigenous peoples in the Americas.^{[7][8]} Deloria has been criticized for his embrace of American Indian creationism, by such scholars as Bernard Ortiz de Montellano and H. David Brumble, who says such views are not supported by the scientific and physical evidence, and contribute to problems of pseudoscience.^[9] Deloria often cited Christian creationist authors in support of his views relating to science. He also relied on Hindu creationists, such as Michael Cremo.^[10]

Academic career

In 1970, Deloria took his first faculty position, teaching at the Western Washington University College of Ethnic Studies in Bellingham, Washington.^[4] As a visiting scholar, he taught at the Pacific School of Religion, the New School of Religion, and Colorado College.

His first tenured position was as Professor of Political Science at the University of Arizona, which he held from 1978 to 1990. While at UA, Deloria established the first Master's degree program in American Indian Studies in the US. Such recognition of American Indian culture in existing institutions was one of the goals of the Alcatraz-Red Power Movement.^[4] Numerous American Indian studies programs, museums and collections, and other institutions have been established since Deloria's first book was published.

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Deloria next taught at the University of Colorado at Boulder from 1990 to 2000.^[11] When he retired from Boulder, he taught at the University of Arizona's College of Law.^[4]

Honors and legacy

- In 1974, after the publication of *God Is Red: A Native View of Religion*, *Time Magazine* named him as one of the primary "shapers and movers" of Christian faith and theology.^[4]
- In 1996, Deloria received the Lifetime Achievement Award from the Native Writers' Circle of the Americas.^[12]
- In 1999, he received the Wordcraft Circle Writer of the Year Award in the category of prose and personal/critical essays for his work *Spirit and Reason*.
- 2002, he received the Wallace Stegner award from the Center of the American West and was honorably mentioned at the 2002 National Book Festival.^[11]
- 2003, won the 2003 American Indian Festival of Words Author Award.

Marriage and family

At his death, Deloria was survived by his wife, Barbara, their children, Philip, Daniel, and Jeanne, and seven grandchildren.^[13]

His son, Philip J. Deloria, is also a respected historian and author.^[14]

Death

After Deloria retired in May 2000, he continued to write and lecture until he died on November 13, 2005, in Golden, Colorado from an aortic aneurysm.^[3]

Creationism

Deloria has been criticized for his embrace of American Indian creationism. Deloria often cited Christian creationist authors in support of his views relating to science. Deloria also relied on Hindu creationists such as Michael Cremona.^[15]

Quotes

When asked by an anthropologist what the Indians called America before the white man came, an Indian said simply, "Ours." – Vine Deloria, Jr.^[4]

"Who will find peace with the lands? The future of humankind lies waiting for those who will come to understand their lives and take up their responsibilities to all living things. Who will listen to the trees, the animals and birds, the voices of the places of the land? As the long forgotten peoples of the respective continents rise and begin to reclaim their ancient heritage, they will discover the meaning of the lands of their ancestors. That is when the invaders of the North American continent will finally discover that for this land, God is red." –Vine Deloria, Jr.^[16]

"Before any final solution to American history can occur, a reconciliation must be effected between the spiritual owner of the land – American Indians – and the political owner of the land – American Whites. Guilt and accusations cannot continue to revolve in a vacuum without some effort at reaching a solution."^[17]–Vine Deloria, Jr.

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See also

- List of writers from peoples indigenous to the Americas
- Native American Studies

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Categories: 1933 births | 2005 deaths | Kent School alumni | Iowa State University alumni | Native American academics | Native American activists | Native American writers | Sioux people | United States Marine Corps officers | University of Arizona faculty | University of Colorado alumni | University of Colorado faculty | Western Washington University faculty | Writers from South Dakota

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Charles Eastman

From Wikipedia, the free encyclopedia

Charles Alexander Eastman (born **Hakadah** and later named **Ohiye S'a**; February 19, 1858 – January 8, 1939) was a Native American physician, writer, national lecturer, and reformer.

Eastman was of Santee Sioux and Anglo-American ancestry. Active in politics and issues on American Indian rights, he worked to improve the lives of youths, and founded thirty-two Native American chapters of the Young Men's Christian Association (YMCA). He also helped found the Boy Scouts of America. He is considered the first Native American author to write American history from the Native point of view.

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- 5 Legacy and Honors
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Charles Eastman (Ohiyesa)



Charles Eastman

Born	February 19, 1858 Near Redwood Falls, Minnesota
Died	January 8, 1939 (aged 80) Detroit, Michigan
Education	Dartmouth College, Boston University
Spouse(s)	Elaine Goodale Eastman

Early life and education

Eastman was named *Hakadah* at his birth, meaning "pitiful last" in the Dakota. Eastman was so named because his mother died following his birth. He was the last of five children of *Wakantakawin*, a mixed-race woman also known as Mary Nancy Eastman.^[1] Eastman's father, a Santee Sioux named *Wak-anhdi Ota* (Many Lightnings), lived on a Dakota (Santee Sioux) reservation near Redwood Falls, Minnesota.

Eastman's mother was the daughter of U.S. Army officer and illustrator Seth Eastman, and *Wakháŋ Inážiŋ Wiŋ* (Stands Sacred), who married in 1830.^[1] Eastman was posted to Fort Snelling, near what is now Minneapolis, and married the fifteen-year-old daughter of Cloud Man, a Dakotah (Santee Sioux) chief. Seth Eastman was reassigned from Fort Snelling in 1832, soon after the birth of *Winona* (meaning "first-born daughter"). He declared his marriage ended when he left, as was typical of many European-American men. Winona was later called *Wakantakawin*.

In the Sioux tradition of naming to mark life passages, her last son Hakadah was later named *Ohiye S'a* (Dakota: "wins often"); he had three older brothers (John, David, and James) and an older sister Mary. During the Dakota War of 1862, Ohiye S'a was separated from his father Wak-anhdi Ota and siblings, and they were thought to have died. His maternal grandmother Stands Sacred (*Wakháŋ Inážiŋ Wiŋ*) and her family took the boy with them as they fled from the warfare into North Dakota and Manitoba, Canada.^[2]

Fifteen years later Ohiyesa was reunited with his father and oldest brother John in South Dakota. The father had converted to Christianity, after which he took the surname Eastman and called himself Jacob. John also converted and took the surname Eastman. The Eastman family established a homestead in Dakota Territory. When Ohiyesa accepted Christianity, he took the name Charles Alexander Eastman.

His father strongly supported his sons' getting an education in European-American style schools. Eastman and his older brother John attended mission and preparatory schools, and college. Eastman first attended Beloit College and Knox colleges; he graduated from Dartmouth College in 1887. He went on to medical school at Boston University, where he graduated in 1889 and became the first Native American to be certified as a European-style doctor.

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His older brother became a minister. Rev. John (*Mah̄piyawaku Kida*) Eastman was a Presbyterian missionary at the Santee Sioux settlement of Flandreau, South Dakota.

Career

Charles Eastman worked as an agency physician for the Bureau of Indian Affairs (BIA) Indian Health Service on the Pine Ridge Reservation and later at the Crow Creek Reservation, both in South Dakota. He cared for Indians after the Wounded Knee massacre. He later established a private medical practice after being forced out of his position, but was not able to make it succeed.

As they were struggling financially, his European-American wife Elaine Goodale Eastman encouraged him to write some of the stories of his childhood. At her suggestion (and with her editing help), he published the first two in 1893 and 1894 in *St. Nicholas Magazine*. It had earlier published poetry of hers.^[3] These stories were collected in his first book.

Between 1894-98, Eastman established thirty-two Indian groups of the Young Men's Christian Association (YMCA), and established leadership programs and outdoor youth camps. In 1899, he helped recruit students for the Carlisle Indian Industrial School in Pennsylvania, which had been established as the first Indian boarding school run by the federal government.

In 1902, Eastman published a memoir, *Indian Boyhood*, recounting his first fifteen years of life among the Sioux during the later years of the nineteenth century. In the following two decades, he wrote ten more books, most concerned with his Native American culture.

Ruth Ann Alexander, a scholar of his wife Elaine Goodale Eastman, noted that she worked more intensively on Eastman's stories about Indian life than she was given credit. This was a way to share his life and use her literary talents; he published nothing after they separated.^[3] Carol Lea Clark viewed their collaboration this way: "together they produced works of a public popularity that neither could produce separately."^[2]

Some of his books were translated into French, German and other European languages, and the books have enjoyed regular reprints. A selection of his writings was published recently as *The Essential Charles Eastman (Ohiyesa)* (2007).

Inspired by his writings, Ernest Thompson Seton sought Eastman's counsel in forming the Woodcraft Indians, which became a popular group for boys. The New York YMCA asked both Seton and Eastman to help them design the YMCA Indian Scouts for urban boys, using rooftop gardens and city parks for their activities. In 1910, Seton invited Eastman to work with him and Daniel Carter Beard, of the Sons of Daniel Boone, to found the Boy Scouts of America (BSA).^[4] Luther Gulick also consulted with Eastman to assist his developing the Camp Fire Girls with his wife Charlotte.

With his fame as an author and lecturer, Eastman promoted the fledgling Boy Scouts and Camp Fire Girls. He advised them on how to organize their summer camps, and directly managed one of the first Boy Scout camps along the shores of the Chesapeake Bay. His daughter, Irene, worked as a counselor at a Camp Fire Girl camp in Pittsburgh. In 1915, the Eastman family organized its own summer camp at Granite Lake, New Hampshire, where all the family worked for years.^[3] Charles served as a BSA national councilman for many years.^[4]

In 1911, Eastman was chosen to represent the American Indian at the Universal Races Congress in London.^[4] Throughout his speeches and teachings, he emphasized peace and living in harmony with nature.

He was active in national politics, particularly in matters dealing with Indian rights. He served as a lobbyist (sometimes taking on attorney-like responsibilities to plead their cases) for the Dakota between 1894 and 1897. In 1903, President Theodore Roosevelt assigned Eastman to help members of the Sioux (Dakota, Nakota, Lakota) to choose English legal names to prevent individuals and families from losing their allotted lands due to confusion over names. Eastman was one of the co-founders of the Society of the American Indian (SAI), which pushed for freedom and self-determination for the Indian. From 1923-25, Eastman served as an appointed US Indian inspector under President Calvin Coolidge.

The Coolidge administration invited Eastman to the Committee of One Hundred, a reform panel examining federal institutions and activities dealing with Indian nations. This committee recommended an in-depth investigation into reservation life (health, education, economics, justice, civil rights, etc.). It resulted in the groundbreaking Meriam Report. The findings and recommendations served as the basis of the Franklin D. Roosevelt administration's New Deal for the Indian, which included the 1934 Indian Re-Organization Act, encouraging tribes to establish self-government according to constitutional models.

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In 1925, the Bureau of Indian Affairs asked Eastman to investigate the death and burial location of Sacagawea, the young woman who guided and interpreted for the Lewis and Clark Expedition in 1805. He determined that she died of old age at the Wind River Indian Reservation in Wyoming on April 9, 1884. More recently, because of newly discovered contemporary records, historians believe that she died in 1812 as a result of an illness following childbirth, at Fort Lisa (North Dakota), in what became North Dakota.^[5]

Personal Life

In 1891, Eastman married the poet and Indian welfare activist Elaine Goodale, who was serving as Superintendent of Indian Education for the Two Dakotas. She had first taught at Hampton Institute, which then had about 100 Native American students, in addition to African Americans, and at an Indian day school in South Dakota. She supported expanding day schools on reservations for education, rather than sending Native American children away from their families to boarding schools.

The Eastmans had six children together: five daughters and a son. The marriage prospered at first, and Elaine was always interested in Indian issues. Eastman's many jobs, failure to provide financially for the family, and absences on the lecture circuit, put increasing strain on the couple.^[3] In 1903, at Elaine's request, they returned to Massachusetts, where the family was based in Amherst.^[3]

Charles was traveling extensively, and Elaine Eastman took over managing his public appearances. He lectured about twenty-five times a year across the country. These were productive years for their literary collaboration; he published eight books and she published three. She and Charles separated about 1921, following the death of their daughter Irene in 1918 from influenza during the epidemic. They never divorced or publicly acknowledged the separation.^[3]

Theodore Sargent, a recent biographer of Goodale, noted that Eastman gained acclaim for the nine books he published on Sioux life, whereas Elaine Eastman's seven books received little notice.^[6] Others have suggested their differing views on assimilation led to strain. Alexander said the catalyst was an unfounded rumor that Eastman had an affair with a counselor at their camp in 1921 and got her pregnant, after which he and Goodale separated. Although the rumor was said to have been untrue, the couple did not reconcile.^[3]

Later life

Charles Eastman built a cabin on the eastern shore of Lake Huron, where he spent his later-year summers. He wintered in Detroit with his only son Charles, Jr., also called Ohiyesa. On January 8, 1939 the senior Eastman died in Detroit of a heart attack at the age of 80.

Elaine Goodale Eastman was close to two daughters and families who lived in Massachusetts. Another lived in New Hampshire. Goodale Eastman died in 1953 and was buried in Northampton.^[3]

Legacy and Honors

- As a child, Ohiyesa had learned about herbal medicine from his grandmother. Going to medical school enabled him to draw from both sides of his heritage in becoming a doctor.
- 1933, Eastman was the first to receive the Indian Achievement Award.^[7]
- His several books document Sioux culture at the end of the nineteenth century.

Film Portrayal

In the HBO film *Bury My Heart at Wounded Knee* (2007), Eastman was portrayed by the actors Adam Beach and Chevez Ezech.

Works

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See also

- List of writers from peoples indigenous to the Americas
- Native American Studies
- I Remain Alive: the Sioux Literary Renaissance

External links

- Works by Charles Eastman (<http://www.gutenberg.org/browse/authors/e#a187>) at Project Gutenberg
- Charles Eastman (Ohiyesa): links, bibliography (<http://www.wsu.edu/~campbell/d/amlit/eastman.htm>)
- Charles Eastman Resource page (bio, photos, bibliography, slideshows, excerpts, links, etc) (<http://www.worldwisdom.com/public/authors/Charles-Eastman.aspx>)

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Categories: 1858 births | 1939 deaths | Native Americans' rights activists | Native American writers | American physicians | Sioux people | Dartmouth College alumni | People associated with the Boy Scouts of America | Scouting pioneers | American folklorists | Boston University School of Medicine alumni | Carlisle Indian Industrial School people

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Black Elk

From Wikipedia, the free encyclopedia

Heháka Sápa (Black Elk) (December 1863 – August 19, 1950)^[1] was a famous *Wičháša Wakháŋ* (Medicine Man and Holy Man) of the Oglala Lakota (Sioux). He was Heyoka and a second cousin of Crazy Horse.

Black Elk was born in December 1863 along the Little Powder River (thought to be in the present-day state of Wyoming).^[2] According to the Lakota way of measuring time, (referred to as Winter counts) Black Elk was born "the Winter When the Four Crows Were Killed on Tongue River".^{[3][4]}

When Black Elk was nine years old, he was suddenly taken ill and left prone and unresponsive for several days. During this time he had a great vision in which he was visited by the Thunder Beings (*Wakinyan*), and taken to the Grandfathers — spiritual representatives of the six sacred directions: west, east, north, south, above, and below. These "...spirits were represented as kind and loving, full of years and wisdom, like revered human grandfathers."^[5] When he was seventeen, Black Elk told a medicine man, Black Road, about the vision in detail. Black Road and the other medicine men of the village were "astonished by the greatness of the vision"^[6]

Black Elk had learned many things in his vision to help heal his people. He had come from a line long of medicine men and healers in his family; his father was a medicine man as were his paternal uncles. Late in his life as an elder, he related to John Neihardt the vision that occurred to him in which among other things he saw a great tree that symbolized the life of the earth and all people.^[7] Neihardt recorded all of it in minute detail, and consequently it is preserved in various books today.

In his vision, Black Elk is taken to the center of the earth, and to the central mountain of the world. What mythologist Joseph Campbell explained as "the *axis mundi*, the central point, the pole around which all revolves...the point where stillness and movement are together..." Black Elk was residing at the axis of the six sacred directions. Campbell viewed Black Elk's statement as key to understanding myth and symbols.^[8]

As Black Elk related:

Black Elk



Black Elk and Elk of the Oglala Lakota photographed in London, England in their grass dance regalia while touring with Buffalo Bill's Wild West Show, 1887

Born	December 1, 1863 Little Powder River, Wyoming
Died	August 19, 1950 (age 87) Pine Ridge, South Dakota
Resting place	Saint Agnes Catholic Cemetery, Manderson, South Dakota
Spouse(s)	Katie War Bonnet (1892–1903) Anna Brings White (1905–1941) Ellen (?–1950)
Children	Benjamin (?–1973) John Lucy Looks Twice (?–1978)

And while I stood there I saw more than I can tell and understood more than I saw; for I was seeing in a sacred manner the shapes of all things in the spirit, and the shape of all shapes as they must live together like one being. And I saw that the sacred hoop of my people was one of many hoops that made one circle, wide as daylight and as starlight, and in the center grew one mighty flowering tree to shelter all the children of one mother and one father. And I saw that it was holy.
[9]

Black Elk had many visions throughout his life which reinforced what he had experienced as a boy, and he worked among his people as a healer and medicine man.

Black Elk was widely praised by many European authors, including Clyde Holler who referred to Black Elk as "the greatest religious thinker yet produced by Native North America."^[10] He is credited with creating an authentic Lakota Christianity as well as revitalizing the traditional Lakota religion. Black Elk managed to identify numerous similarities between Christianity and the Lakota religion, he believed that Christianity could be embraced without needing to sacrifice the Lakota identity. One of his greatest achievements was the revival of the Sun Dance (arguably one of the most important religious ceremonies in Native religion) and reinstate it as a centerpiece of Lakota religion. Lakota traditionalists now follow his version of the dance.^[10]

Since the 1970's *Black Elk Speaks* has become one of the most commonly read texts amongst those who study American history. It is believed to have played a crucial role in the renewal of interest in Native religions, as well as contributing to the United States' efforts towards environmental issues. Black Elk worked with John Neihardt to give a first hand account of the mistreatment of Native Americans and the Lakota people by the United States government. His son Ben would translate Black Elk's stories, which were then recorded by Neihardt's daughter Emid, who would then put them in chronological order for Neihardt's use.^[10]

The American Indian Movement are thought to have been greatly influenced by Black Elk - referring to *Black Elk Speaks* as well as his nephew and student Frank Fools Crow for information on Native traditions. Most members of the AIM knew very little about past traditions - a result of many having been brought up in Urban settings. *Black Elk Speaks* became an icon for those seeking religious and spiritual inspiration, with the concept of pan-Indian spirituality growing support from young people throughout the nation.^[10]

Black Elk was involved in several battles with the U.S. cavalry. He participated, at about the age of twelve, in the Battle of Little Big Horn of 1876, known as the Battle of the Greasy Grass to the Lakota; and was injured in the Wounded Knee Massacre in 1890.

In 1887, Black Elk traveled to England with Buffalo Bill's Wild West Show,^[11] an experience he described in chapter 20 of *Black Elk Speaks*.^[12] On May 11, 1887, the troop put on a command performance for Queen Victoria, whom they called "Grandmother England." He also described being in the crowd at her Golden Jubilee.^[13] (He and Red Shirt officiated Surrounding By the Enemy's funeral in London. The interment was at Brompton Cemetery).^[citation needed]

In spring 1888, the Wild West Show set sail for the United States. Black Elk became separated somehow and the ship left without him, stranding him with three other Lakota. They subsequently joined another wild west show and he spent the next year in Germany, France, and Italy. When Buffalo Bill arrived in Paris in May 1889, Black Elk obtained a ticket to return home to Pine Ridge, arriving in autumn of 1889. During his sojourn in Europe, Black Elk was given an "abundant opportunity to study the white man's way of life," and he learned to speak rudimentary English.^[14]

J-2

For at least a decade, beginning in 1934, Black Elk returned to the work that he had done earlier in life with Buffalo Bill - organizing an Indian Show in the Black Hills. Unlike the Wild West shows which were used to glorify Indian warfare, Black Elk's show was used primarily to teach tourists about Lakota culture and traditional sacred rituals - including the Sun Dance. ^[15]

Black Elk married his first wife, Katie War Bonnet, in 1892. She became a Catholic, and all three of their children were baptized as Catholic. After her death in 1903, he became a Catholic in 1904, when he was christened with the name of Nicholas and later served as a catechist. ^{[16][17]} He continued to serve as a spiritual leader among his people, seeing no contradiction in embracing what he found valid in both his tribal traditions concerning Wakan Tanka and those of Christianity. He remarried in 1905 to Anna Brings White, a widow with two daughters. Together they had three more children and remained together until her death in 1941.

Toward the end of his life, Black Elk revealed the story of his life, and a number of sacred Sioux rituals to John Neihardt and Joseph Epes Brown for publication, and his accounts have won wide interest and acclaim. He died August 19, 1950 at the age of 87.

Contents

- 1 Books
- 2 See also
- 3 Notes
- 4 External links

Books

Books of Black Elk's accounts

- *Black Elk Speaks: being the life story of a holy man of the Oglala Sioux* (as told to John G. Neihardt), Bison Books, 2004 (originally published in 1932) : *Black Elk Speaks* (<http://www.firstpeople.us/articles/Black-Elk-Speaks/Black-Elk-Speaks-Index.html>)
- *The Sixth Grandfather: Black Elk's Teachings Given to John G. Neihardt*, edited by Raymond J. Demallie, University of Nebraska Press; new edition, 1985
- *The Sacred Pipe: Black Elk's Account of the Seven Rites of the Oglala Sioux* (as told to Joseph Epes Brown), MJF Books, 1997
- *Spiritual Legacy of the American Indian* (as told to Joseph Epes Brown), World Wisdom, 2007

Books about Black Elk

- *Black Elk: Holy Man of the Oglala*, by Michael F. Steltenkamp, University of Oklahoma Press; 1993. ISBN 0-8061-2541-1
- *Nicholas Black Elk: Medicine Man, Missionary, Mystic*, by Michael F. Steltenkamp, University of Oklahoma Press; 2009. ISBN 0-8061-4063-1



Black Elk, daughter Lucy Black Elk and wife Anna Brings White photographed in their home in Manderson, South Dakota, about 1910

- *The Sixth Grandfather: Black Elk's Teachings Given to John G. Neihardt*, edited by Raymond J. DeMallie; 1985
- *Black Elk and Flaming Rainbow: Personal Memories of the Lakota Holy Man*, by Hilda Neihardt, University of Nebraska Press, 2006. ISBN 0-8032-8376-8
- *Black Elk's Religion: The Sun Dance and Lakota Catholicism*, by Clyde Holler, Syracuse University Press; 1995
- *Black Elk: Colonialism and Lakota Catholicism*, by Damian Costello
- *Black Elk Reader*, edited by Clyde Holler, Syracuse University Press; 2000

See also

- Lame Deer
- Sitting Bull
- I Remain Alive: the Sioux Literary Renaissance

Notes

1. ^ Sources differ
2. ^ DeMallie, Raymond J. (1984). *The Sixth Grandfather: Black Elk's Teachings Given to John G. Neihardt*. p. 3 Introduction.
3. ^ *The Sixth Grandfather: Black Elk's Teachings Given to John G. Neihardt*, edited by Raymond J. DeMallie; 1985 page. 101
4. ^ While in his early 40s in 1904, Black Elk was christened with the first name of Nicholas after becoming Catholic. When other medicine men would speak of him, such as his nephew Fools Crow, they would refer to him both as Black Elk and Nicholas Black Elk; see example in book, *Fools Crow*, by Thomas E. Mails, p. 44.
5. ^ DeMallie, Raymond J. (1984). *The Sixth Grandfather: Black Elk's Teachings Given to John G. Neihardt*. p. Preface.
6. ^ DeMallie, Raymond J. (1984). *The Sixth Grandfather: Black Elk's Teachings Given to John G. Neihardt*. pp. 6–7 Introduction.
7. ^ Neihardt, John, ed., *Black Elk Speaks*, annotated edition, published by SUNY, 2008, p. 33.
8. ^ Campbell, Joseph (1991). *The Power of Myth (with Bill Moyers)*. Anchor Books edition (non-illustrated smaller-format edition). p. 111.
9. ^ DeMallie, Raymond J. (1984). *The Sixth Grandfather: Black Elk's Teachings Given to John G. Neihardt*. p. Introduction, 97.
10. ^ ^a ^b ^c ^d Clyde Holler (2000). *The Black Elk Reader* (http://books.google.com/books?id=h7_j70PWw04C&pg=PA39) . Syracuse University Press. p. 39. ISBN 978-0-8156-2835-4. http://books.google.com/books?id=h7_j70PWw04C&pg=PA39. Retrieved 24 February 2013.
11. ^ "Tracking the Salford Sioux" (http://www.bbc.co.uk/manchester/content/articles/2005/07/28/buffalo_bill_salford_280705_feature.shtml)
12. ^ Black Elk Speaks (<http://www.firstpeople.us/articles/Black-Elk-Speaks/Black-Elk-Speaks-Index.html>)
13. ^ "When she came to where we were, her wagon stopped and she stood up. Then all those people stood up and roared and bowed to her: *but she bowed to us.*" Neihardt, John, ed., *Black Elk Speaks*, annotated edition, published by SUNY, 2008, pp. 176-177.
14. ^ DeMallie, Raymond J. (1984). *The Sixth Grandfather: Black Elk's Teachings Given to John G. Neihardt*. p. 9 Introduction.
15. ^ John G. Neihardt (1 August 2008). *Black Elk Speaks: Being the Life Story of a Holy Man of the Oglala Sioux* (<http://books.google.com/books?id=7p9VqRLiKqC>) . SUNY Press. p. 313. ISBN 978-1-4384-2538-2. <http://books.google.com/books?id=7p9VqRLiKqC>. Retrieved 24 February 2013.
16. ^ Mails, Thomas E. (1979). *Fools Crow*. p. 44.
17. ^ DeMallie, Raymond J. (1984). *The Sixth Grandfather: Black Elk's Teachings Given to John G. Neihardt*. p. 14 Introduction.

J-4

External links

- Black Elk (<http://www.findagrave.com/cgi-bin/fg.cgi?page=gr&GRid=83920654>) at *Find a Grave*

Retrieved from "http://en.wikipedia.org/w/index.php?title=Black_Elk&oldid=544276740"

Categories: American Roman Catholics | Lakota people | People of the Great Sioux War of 1876

| Religious figures of the indigenous peoples of North America | 1863 births | 1950 deaths

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Oscar Howe

From Wikipedia, the free encyclopedia

Oscar Howe (*Mazuha Hokshina* or "Trader Boy", May 13, 1915–October 7, 1983) was an Yanktonai Dakota artist from South Dakota, who became well known for his casein and tempera paintings.^[1] He is credited with influencing contemporary Native American art, paving the way for future artists.^[2] His art style is marked by bright color, dynamic motion and pristine lines.^[3]

Contents

- 1 Early life and education
- 2 Art career
- 3 Honors
- 4 Quotes
- 5 Notes
- 6 Further reading
- 7 External links

Early life and education

Howe was born in Joe Creek, South Dakota in 1915^[1] on the Crow Creek Sioux Reservation.^[4] Descended from chiefs, he belonged to the Yanktonai band of Dakota. He attended the Pierre Indian School (a boarding school) in South Dakota in 1933.^[1] His artistic talent was recognized and he attended Dorothy Dunn's art program at the Studio of Santa Fe Indian School from 1933 to 1938.^[1] In 1940 Howe was sent by South Dakota Artists Project (a division of the Works Progress Administration) to Fort Sill Indian Art Center in Lawton, Oklahoma, to study mural painting techniques with Olle Nordmark.^[5]

After working for several years and serving in World War II, Howe went to college, where he earned his B.A. degree at Dakota Wesleyan University in 1952. Having worked as an artist for more than a decade, he also taught as Artist-in-Residence. He received his M.F.A. at the University of Oklahoma in 1954.

Howe met his future wife Heidi Hampel while serving overseas during World War II. He was discharge in 1945 and returned to the United States. After winning the Grand Purchase Prize in 1947 at the Indian Art Annual, sponsored by Philbrook Art Center, he had enough funds to send for Heidi to come to the United States and get married. In 1948 they had their one and only child, a daughter, Inge Dawn.

Art career

Howe's early paintings are similar to other work produced by the Santa Fe Indian School. Later he developed a distinctive style of his own. Howe began with traditional Sioux "straight line" painting, based on hide and later ledger paintings, "an artistic form which symbolizes truth or righteousness",^[4] and infused it with the Native American art style Tohokmu (spider web) which has resulted in his work being compared to Cubism. Through his art, he wanted to portray the contemporary realities of his tribal culture.^[4]

During the 1930s and the Great Depression, he was employed by the Works Progress Administration in South Dakota. He painted a set of murals for the municipal auditorium in Mobridge, South Dakota and a mural within the dome of the old Carnegie Library, now the Carnegie Resource Center (<http://www.mitchellcarnegie.org>), in Mitchell, South Dakota. Howe worked as an art instructor at Pierre High School in 1939.^[1] From 1948 to 1971, he designed panels for the Corn Palace in Mitchell.

Howe became Professor of Art at the University of South Dakota, in Vermillion, South Dakota in 1957. He taught there until 1983.

Survey texts and articles on Native American modern art often credit Howe with influencing the development of contemporary art in the Indian community. In 1958 he was rejected from a show of Native American art at the Philbrook Museum because his work did not meet the criteria of "traditional" Indian style. Howe wrote in protest,

"Are we to be held back forever with one phase of Indian painting that is the most common way? Are we to be herded like a bunch of sheep, with no right for individualism, dictated to as the Indian has always been, put on reservations and treated like a child and only the White Man know what is best for him... but one could easily turn to become a social protest painter. I only hope the Art World will not be one more contributor to holding us in chains."

His protest led to the acceptance of abstraction within the community.^[2]

Over his forty-year career Oscar Howe won numerous awards, including grand and first prizes.^[3] His works were displayed all over the world, including Paris, France and London, England, with over fifty solo shows.^[3]

Honors

K-1

- 1960, named Artist Laureate of South Dakota.^[1]
- 1966, awarded the Waite Phillips trophy for outstanding contributions to American Indian art from the Philbrook Art Center, Tulsa, Oklahoma.
- 1970 received the Golden Bear Award from the University of Oklahoma, Norman
- 1973 first recipient of the South Dakota Governor's Award for Creative Achievement
- 1971 appointed Lecturer to the Near East and South Asia by the United States Department of State. He presented programs during his tour in nine countries.
- Two exhibition spaces are dedicated to showing his work: the Oscar Howe Art Gallery at the Dakota Discovery Museum (<http://www.dakotadiscovery.com>) in Mitchell, and the Oscar Howe Gallery at the University of South Dakota in Vermillion, South Dakota.
- From April 17, 2007 to February 17, 2008, an exhibit of Oscar Howe's work was on display at the South Dakota Art Museum in Brookings, South Dakota. Most of these works were done in casein paint. There were also works in graphite on paper and sculpture of stone and bronze on display.
- An elementary school in Sioux Falls, South Dakota is named after him.
- A yearly lecture is held in his honor at the University of South Dakota.
- The Oscar Howe Memorial Association at the University of South Dakota is named after him and is dedicated to promoting research and educational projects in Native American art. The Oscar Howe Memorial Association also sponsors the USD Summer Art Institute, the Oscar Howe Archive Project, the Oscar Howe Memorial Lecture and the Robert Penn Northern Plains Contemporary Indian Art Collection.

Quotes

"One criterion for my painting is to present the cultural life and activities of the Sioux Indians; dances, ceremonies, legends, lore, arts . . . It is my greatest hope that my paintings may serve to bring the best thing of Indian culture into the modern way of life." – Oscar Howe^[1]

"It is my greatest hope that my paintings may serve to bring the best things of Indian culture into the modern way of life. I have been labeled wrongfully Cubist. The basic design is Tohokmu (spider web). From an all-Indian background I developed my own style." - Oscar Howe^[6]

Notes

- ↑ ^{*^*}^{*^*}^{*^*}^{*^*}^{*^*}^{*^*}^{*^*}^{*^*}^{*^*}^{*^*} Libhart, Myles and Vincent Price. *Contemporary Sioux Painting*. University States Department of the Interior, 1970:48-51.
- ↑ ^{*^*}^{*^*} White, Mark Andrew. "Oscar Howe and the Transformation of Native American Art," *American Indian Art Magazine* 23, no. 1 (Winter 1997): 36-43.
- ↑ ^{*^*}^{*^*}^{*^*} Oscar Howe Biography (<http://www.sdstate.edu/southdakotaartmuseum/explore/Collections/Howe/oscar-howe-biography.cfm>)
- ↑ ^{*^*}^{*^*}^{*^*} Giago, Tim, Executive Ed. *The American Indian and the Media*, Minneapolis: National Conference of Christians and Jews, 1991: 34
- ↑ Anthes, Bill (2006). *Native Moderns: American Indian Painting, 1940-1960*. Duke University Press. p. 157. ISBN 978-0-8223-3866-6.
- ↑ W. H. Over Museum Home Page (<http://www.whovermuseum.org/oscarhowe.html>)

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External links

- OscarHowe.org (<http://www.oscarhowe.org/>)
- Oscar Howe gallery (<http://www.usd.edu/fine-arts/university-art-galleries/oscar-howe-collection.cfm>) , University of South Dakota
- Oscar Howe Gallery (http://dakotadiscovery.com/?page_id=210) , Dakota Discovery Museum

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Categories: Artists from South Dakota | University of South Dakota faculty | Native American painters | 1915 births | 1983 deaths | Sioux people | University of Oklahoma alumni | Dakota Wesleyan University faculty

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This biography appears on pages 1643-1644 in "History of South Dakota" by Doane Robinson, Vol. II (1904)

HON. JAMES HALLEY, president of the First National Bank of Rapid City, is a native of Scotland, born January 7, 1854, at the thriving little city of Sterling, Perthshire. When he was two years old his parents brought him to the United States and located at Washington, D. C., where he grew to the age of sixteen and received his education. He learned telegraphy and then went south, where he was employed for a year at different places. He returned to Washington at the end of the year and soon afterward came west to Cheyenne, Wyoming, and there secured a position as chief operator, which he filled for three years. At the end of that time he made a trip to the Pacific coast, and on his return located at Omaha for a few months, then once more made his home at Cheyenne. In 1876, for a private company composed of Cheyenne capitalists, he opened telegraph offices along the line between Cheyenne and the Black Hills, arriving at Custer in August and Deadwood a few weeks later. He remained in the employ of the telegraph company until 1879, when he was appointed teller of the First National Bank of Deadwood. This position he resigned at the close of 1880, and then, in company with Messrs. Lake, of Deadwood, and Patterson, of Rapid City, he organized the banking house of Lake, Halley & Patterson, at Rapid City. He was prominent in the management of this institution until September 1, 1884, when it was merged into the First National Bank of Rapid City, of which he was appointed cashier. On January 13, 1898, he was chosen president of this bank, and he has held this office ever since. He is also president of a bank at Hot Springs, and one at Keystone which was formerly the Harney-Peak Bank of Hill City, when that town was on the boom. He is president of the Rapid City Electric Light Company and treasurer of the Rapid River Milling Company. However he has not devoted the whole of his time to fiscal matters. He is also deeply and intelligently interested in public affairs, and being a loyal and devoted member of the Republican party, he has on all occasions given the principles and candidates of that organization an earnest and serviceable support. He served one term in the upper house of the territorial legislature, the last one before South Dakota was admitted to the dignity of statehood. He has also been mayor of Rapid City two terms, and was a delegate to the Republican national convention at Minneapolis in 1892, and at Philadelphia in 1900. For a number of years he was a member of the state central committee of his party, and has served as chairman of its county central committee. He is also extensively interested in real estate and the stock industry, and is secretary of the Box Elder Land and Live Stock Company which owns two thousand acres of land and large numbers of stock. Of the numerous and admired fraternal orders he has joined but, one, the Knights of Pythias, being a member of Gate City Lodge, No. 8, of this order.

On September 13, 1878, at Cheyenne, Wyoming, Mr. Halley was united in marriage with Miss Lottie Smith, a daughter of S. L. Smith, of that city. Their wedding trip was made by stage from Cheyenne to Deadwood. They have nine children, Albert, Helen, James, Frances, Lottie, Sarah, Samuel

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Parks & Recreation Department embraces history in new building

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December 08, 2011 7:00 am • Emilie Rusch Journal staff

(1) Comments

The first time Jerry Cole set foot in the building at Halley Park, he fell in love.

All of the history contained in the 1936 building, from the wooden doors with carved hearts and initials to the stone floors, fireplaces and ironwork on the windows, was great, the city Parks & Recreation director thought.

"I fell in love with the building," Cole said. "It was being leased long-term to the School of Mines, and I never thought we could have a chance to get it back."

But that chance arrived in May, when the South Dakota School of Mines & Technology notified the city that the South Dakota Board of Regents no longer needed the city-owned building with its new West River Higher Education Center being built off North Elk Vale Road.

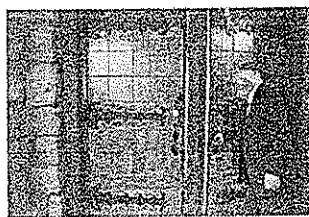
After seven years of being scattered in various places around the city, the administrative offices of the Parks & Recreation Department moved into Halley Park in early November, united in one place for the first time in the department's history.

An open house for the new offices is scheduled for today, with a ribbon cutting at 10:30 a.m. and public tours available until 4 p.m.

"We were so spread out before," Cole said. "At 1 p.m. we had a meeting and everyone was already here."

It's that efficiency that sold the chairman of the Parks & Recreation Advisory Board on the move. The board gave its endorsement in July.

"It's a great thing," Van Lindquist said. "It brings all the various departments within Parks and Rec together so they actually can be in one building and act as a staff like they should be."



Jerry Cole, the director of Parks and Recreation, shows off the wooden doors inside the Halley Park building on Monday, Dec. 5, 2011. The doors were once the back entrance to the building before it was added on to. (Ryan Soderfin/Journal staff)

(3) More Photos

If you go

Parks & Recreation Department open house

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Where: Halley Park building, 515 West Blvd.

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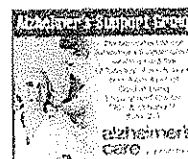
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L-2

Before, the director's office was in the Rapid City Swim Center, while the Recreation Division was at Roosevelt Ice Arena and the Parks Division all the way on Canyon Lake Drive at the parks maintenance shop.

Cole said it has been that way ever since the city created a separate Parks & Recreation Department in 2004. When he took the job as director, he didn't even have a dedicated office until the swim center opened later that year.

"We stole their offices and moved them into closets and back rooms and other places in the building," Cole said of the aquatics staff.

The new building will come with some new expenses, including the three new signs that will be considered by the Historic Sign Review Committee on Friday, but Cole said he is confident that savings will follow.

"In efficiencies between staff and what we do, there are savings that I can't say on paper, but I know they're happening," he said.

Lindquist and Cole said the move also has more sentimental value to the department, because Halley Park was actually the city's first developed park.

James Halley, an early president of First National Bank and a mayor of Rapid City, sold and donated the land to the city in 1915 when it was still west of city limits, Cole said.

At one point the park hosted an outdoor skating rink, and the Cosmopolitan Club of Rapid City established the rose gardens in 1935.

The building was constructed in 1936 by Works Progress Administration crews to be a home for the Pioneer Museum.

When the Journey Museum opened in 1997, those displays were moved into the new facility and the School of Mines opened a children's science center at the park. When that center closed, offices for the Higher Education Center moved into the building.

"It's pretty cool, all the history," Cole said.

Contact Emilie Rusch at 394-8453 or emilie.rusch@rapidcityjournal.com.

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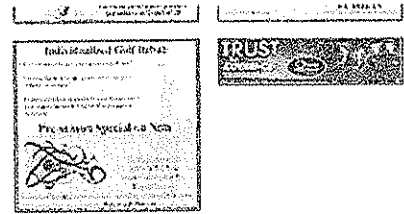
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L-4

The Rapid City Indian School, 1898-1933



1
Scott Riney

0 Reviews

University of Oklahoma Press, 1999 - Education - 278 pages

The Rapid City Indian School was one of twenty-eight off-reservation boarding schools built and operated by the Bureau of Indian Affairs to prepare American Indian children for assimilation into white society. From 1898 to 1933 the "School of the Hills" housed Northern Plains Indian children--including Sioux, Northern Cheyenne, Shoshone, Arapaho, Crow, and Flathead--from elementary through middle grades.

Scott Riney uses letters, archival materials, and oral histories to provide a candid view of daily life at the school as seen by students, parents, and school employees.

The Rapid City Indian School, 1898-1933 offers a new perspective on the complexities of American Indian interactions with a BIA boarding school. It shows how parents and students made the best of their limited educational choices--using the school to pursue their own educational goals--and how the school linked urban Indians to both the services and the controls of reservation life.

L-5