

# D A C O T A H



A History of the  
FLANDREAU  
Santee  
Sioux

HISTORY OF THE FLANDREAU SANTEE SIOUX TRIBE

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## TABLE OF CONTENTS

	Page
To The Reader	I
Acknowledgments	II
Introduction	III
Chapter I	
THE SANTEE SIOUX BEFORE 1851	13
Chapter II	
THE MINNESOTA RESERVATION AND THE UPRISING OF 1862	24
Chapter III	
AFTERMATH OF THE UPRISING	33
Chapter IV	
CROW CREEK AND DAVENPORT, 1863-1866	38
Chapter V	
THE NIOBRARA RESERVATION 1866-69	50
Chapter VI	
THE ESTABLISHMENT OF THE FLANDREAU COLONY 1869-72	61
Chapter VII	
THE FLANDREAU SPECIAL AGENCY, 1873-1879	71

Table of Contents (cont.)	
Chapter VIII	
THE FLANDREAU COLONY IN THE 1880'S and 1890'S	80
Chapter IX	
THE EARLY 20 <sup>TH</sup> CENTURY	87
Chapter X	
THE INDIAN REORGANIZATION ACT	92
Chapter XI	
THE TERMINATION PERIOD	103
Chapter XII	
THE SIXTIES AND EARLY SEVENTIES	108
Appendix I	
Sociological Study of the Flandreau Indians (1902)	114
Appendix II	
Flandreau Indian Community Survey (1970)	122
Appendix III	
Constitution and Bylaws, Flandreau Santee Sioux Tribe (1936)	126
Appendix IV	
Corporate Charter, Flandreau Santee Sioux Tribe (1936)	129

Appendix V

Revised Constitution and Bylaws, Flandreau Santee Sioux Tribe (1967)	132
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Appendix VI

H.R. 6067 (92 <sup>nd</sup> Congress, 1 <sup>st</sup> Session), March 15, 1971	152
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## TO THE READER

This history of the Flandreau Santee Sioux Tribe has been prepared for the Johnson-O'Malley program, United Sioux Tribes of South Dakota Development Corporation. Ultimately, it will be integrated with similar tribal histories from the other South Dakota Indian reservations to provide a history of the Sioux in South Dakota. At the same time, we hope that this tribal history can be improved. Inevitably, in the course of attempting to write the history of the Flandreau Santee Sioux Tribe in a short period of time, many errors of commission and omission have been made. Some sources were not used at all, while others were insufficiently utilized. A particular problem has been trying to write the history from an Indian point of view, since most published materials available represent only the point of view of white observers, or the Indian point of view as filtered through non-Indian eyes. This history should be considered a draft; we hope to revise it during the next year. We hope that anyone noting errors or having suggestions regarding sources will get in touch with us at the following addresses:

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This history is the product of the labors of all of the members of the tribal history program; however, the final draft was written by Paul Stuart, and he bears sole responsibility for errors.

Tribal History Program

Flandreau Santee Sioux Tribe

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Our primary debt is owed to the Flandreau Santee Sioux Tribe, its President , Gordon Jones, its Council, and its members, whose history this is. Without their cooperation and approval, this history could not have been written.

## INTRODUCTION

In February of 1874, William Hobart Hare, Episcopal Bishop of Dakota Territory, set off from Yankton, the territorial capitol, for Flandreau, where "some Santee Indians...had given up all their tribal privileges...and entered claims and formed a community as ordinary citizens of the United States. " During the journey, Bishop Hare was caught in a snow storm, as can happen on the Dakota prairies in winter, and soon found his way almost impassable. "No one knows the oppressive sense of helplessness that comes over a traveler on these vast plains when he finds his horse's strength giving out and the natural warmth of his body departing and remembers that timber and therefore fuel there is none within 10 or 20 miles, " wrote the Bishop. Fortunately, toward nightfall he saw a house in the distance, where he spent the night. "To my dismay I found that a donation party had assembled during the day at the house where I was to find entertainment, which was that of a Baptist minister. The building was literally jammed. They were the best natured people in the world, but Oh, how I longed for rest and quiet! The party was kept up til about half-past-ten when the company began to disperse. " The next morning, Bishop Hare determined that "it would be foolhardy to attempt to push on further" and returned to Yankton that day.<sup>1</sup>

The reader who attempts to learn something about the history of the Flandreau Santee Sioux often finds himself in a predicament similar to that of Bishop Hare. Little has been written about the group who colonized Flandreau,<sup>2</sup> and when one begins to try to investigate the history of the colony he often finds himself getting into seemingly unrelated areas, including, if not Baptist donation parties, political conditions in Dakota territory, the ideology of the early missions to the Indians, the history of other tribes, and the lives of notable non-Indian historical figures, including such disparate types as Jesse James, Senator Richard F. Pettigrew, and John P. Williamson, the Presbyterian missionary. Hopefully, this history of the Flandreau Santee Sioux Tribe will make it easier for others to investigate the history of the Flandreau people. Possibly its greatest usefulness will be in serving, not as a definitive history of the tribe, which it is not, but as a guide to the uncharted and often confusing materials which bear on the history of the tribe.

The Flandreau Santee Sioux Tribe has always been accorded either more attention than it deserved or less attention than it deserved. During the 1870's, the tribe, which was made up of members of the Mdewakanton and Wahpekute bands of the Sioux Tribe who left the Santee Reservation in Nebraska to homestead on the Big Sioux River, was regarded as the model for the future development of all the Sioux and, perhaps more so than in any other group of Indians, was used as the justification for the peace policy of President Grant, and the allotment policy which followed with the passage of the Dawes Act by Congress in 1887.<sup>3</sup> During the twentieth century, the Flandreau Santee Sioux have been relatively ignored. In August 1971, for example, the Program Director of a Sioux Falls radio station wrote that "we are not in close proximity to any (Indian) reservation, "<sup>4</sup> apparently forgetting the Flandreau Indian Reservation forty miles to the north. This neglect has been unfortunate, since the Flandreau Sioux are in many ways a unique group whose special history is of interest because of the differences between it and some of the other South Dakota reservations.

Before the establishment of Flandreau Indian School in 1892, government assistance and services to the Flandreau group were handled by Office of Indian Affairs agents on a part-time basis. John P. Williamson, a Presbyterian missionary, was special agent for the Flandreau Sioux from 1873 to 1878. Following 1879, the Santee agent visited Flandreau occasionally and provided assistance as he felt necessary. In 1901, responsibility for tribal affairs became a part time function of the superintendent of the Flandreau Indian School, even though then, as now, his primary responsibility has been to the school. In 1971, the tribe was offered a fulltime Bureau official whose responsibility would be to work with the tribe, and this offer was, significantly, rejected. Thus the Flandreau Sioux have received over the years less attention from the official Bureau structure than other groups, and today they seem to the casual observer, at any rate, to be relatively more independent of the Bureau than some other tribal groups.

A "Sociological Study of the Flandreau Indians" completed by the Bureau of Indian Affairs in 1902 found that "the Flandreau Indians are morally and religiously in advance of the average whites, but educationally they are not doing quite as well as the average whites and that they are much behind them in thrift and industry. "<sup>5</sup> While the study suffers from the ethnocentric attitudes which characterize the early twentieth century, it provides a valuable source of information on the Flandreau Sioux, and

describes a group of people who appear to be highly acculturated and living very much like the non-Indians who had settled around them. A study completed by the Bureau of Indian Affairs in June, 1970, revealed that the Flandreau Indian Community had smaller average household size than most Indian communities (4.2 persons), a much higher per capita income (\$2,070 per year) and higher levels of educational attainment and employment. While these figures include Indians who are not members of the Flandreau Santee Sioux Tribe (primarily employees of the Flandreau Indian School), per capita income for the Flandreau Santee Sioux alone was \$1885 per year, a smaller figure, but still well in excess of that found on most reservations in South Dakota.<sup>6</sup>

The Flandreau Sioux, who in 1869 had abandoned tribal relations and tribal religion were, as of 1971, deeply involved in asserting their Indian culture and identity. The Flandreau pow-wow, held in July, was a well-attended and colorful celebration, and the Tribe is an active member of the United Sioux Tribes of South Dakota. This history will attempt, in Chapters I-V, to trace the developments in the history of the Santee Sioux which led up to the establishment of the Flandreau Colony, and, in Chapters V-XII, to trace the history of the colony over the last century.

## Footnotes to Introduction

1. William H. Hare to Mary H. Hare, February 22, 1874, quoted in M.A. DeWolfe Howe, The Life and Labors of Bishop Hare: Apostle to the Sioux (New York: Sturgis and Walton Co., 1911), pp. 76-77.
2. The major exception is Roy W. Meyer, History of the Santee Sioux: United States Indian Policy on Trial (Lincoln: University of Nebraska Press, 1967), on which this history draws heavily.
3. Pierce Beaver, Church, State, and the American Indians (St. Louis: Concordia Publishing House, 1966), pp. 194-195.
4. The University of South Dakota Bulletin, Institute of Indian Studies, August, 1971.
5. "Sociological Study of the Flandreau Indians, " December 10, 1902, typescript in possession of Bureau of Indian Affairs, Flandreau, South Dakota. See Appendix I.
6. Average household income for Indians in Flandreau was \$8,210; for Tribal members, \$7,790. Bureau of Indian Affairs, Aberdeen Area Office, "Flandreau Indian Community Survey, " June, 1970. See Appendix II. Mean family incomes on other South Dakota reservations in 1969 ranged from a low of \$1,732 at Crow Creek and Lower Brule Reservations to a high of \$2,572 at Rosebud. For the State of South Dakota as a whole, mean family income was \$8,470 in 1967. Calvin A. Kent and Jerry W. Johnson, Indian Poverty in South Dakota, (Vermillion: Business Research Bureau, University of South Dakota, 1969), p. 30.

## CHAPTER 1

### THE SANTEE SIOUX BEFORE 1851

There are four major divisions of the Sioux Nation, which have been in existence since at least the seventeenth century. The westernmost tribes of the Sioux are known as the Teton Sioux, or Lakota, and divided into seven bands: The Oglala, the Brule, the Minniconju, the Sans Arc, the Blackfoot, the Two Kettles, and the Hunkpapa. These bands were the last to be contacted by the whites, who were pushing westward from the Atlantic seaboard, and were the last to be subdued and placed on reservations. Their culture was a plains Indian culture, based on the buffalo and the horse, and not unlike that of the Arapahoes and Northern Cheyennes, with whom they were often allied. The Yankton and Yanktonai Sioux were more centrally located, occupying the land between what now is Minnesota and the Missouri River at the time of their first contact with the whites. The easternmost tribes are collectively known as the Santee Sioux, or Dakotas, and were divided into four bands or sub-tribes, the Sisseton and Wahpeton Sioux, whose descendants now live on the Lake Traverse Indian Reservation in Northeastern South Dakota, and on the Devil's Lake Reservation in Eastern North Dakota, and the Mdewakanton and Wahpekute Sioux, whose descendants now live on the Santee Indian reservation on the Missouri River in Northeastern Nebraska. The Sioux colonies in Minnesota and at Flandreau, South Dakota, are composed of Santees from all four bands, although the Flandreau Sioux are composed primarily of descendants of Mdewakantons and Wahpekutes. The Santee Sioux, whose name comes from the Dakota word, Isanyati, from Mde Isanti, their name for Mille Lacs, the traditional Santee home<sup>1</sup>, were living in what is now southern Minnesota when contacted by the early American explorers in the first part of the nineteenth century.<sup>2</sup>

The earliest history of the Sioux is a matter for speculation. Some authorities place the Sioux originally along the eastern seaboard, in what is now North Carolina. According to Schell, the people speaking languages of the Siouan linguistic stock, lived in the Ohio River Valley. Forced out by the Iroquois, they split into smaller branches, with the branch which was to become the Sioux or Dakota drifting west.<sup>3</sup> By the seventeenth century, when the first contacts with French explorers occurred, they were established around Mille Lacs Lake, north of what is now Minneapolis, where they had been for a long time.<sup>4</sup> They were semi-agricultural, and carried on a traditional woodland economy—hunting deer and other timber game, fishing, gathering wild rice and raising corn, and using canoes. Only a very

few families had horses.<sup>5</sup> Their traditional enemies were the Chippewas; indeed the word "Sioux" is a French derivation of a Chippewa word meaning "enemy" or "snake."<sup>6</sup>

In 1656, the Dakotas were living near Mille Lacs, in five villages numbering about 5,000 people.<sup>7</sup> It is possible that the Tetons and Yanktons had at this point already begun migrating west, although Hennepin found them above the Falls of St. Anthony on the Mississippi River in 1680. In 1701, they were at Lake Traverse.<sup>8</sup> The Yankton and Yantonai left Mille Lacs at about this time. In the Battle of Kathio, which is supposed to have occurred about 1750, the Santee were defeated by the Chippewa; the Mdewakanton band settled at the Falls of St. Anthony in 1760.<sup>9</sup> The departure of the various bands of the Sioux from the Mille Lacs area began a transition from a woodlands culture to a culture on the fringes of the Great Plains. The horse was used increasingly and the use of the tepee became more widespread as the Santee bands became migratory. The Wahpekutes became almost entirely nomadic, with no permanent villages. The Mdewakantons maintained a village life, but for much of the year, they too were nomadic hunters, getting food from fishing, hunting, and gathering, and remaining in their villages only during part of the spring and summer when planting and harvesting corn crops. All bands of the Santee Sioux were involved in trapping and selling fur, at first to French and English traders, and later in the 1700's to traders from the United States, the new nation to the east which was to claim trading rights with the Santee.

During the eighteenth century, the Teton, Yankton, Yanktonai, and Santee Sioux gathered in the Spring at Armadale Grove on the James River, near the present town of Redfield, South Dakota, for a great trading fair, involving as many as a thousand to twelve hundred lodges. The fair served as a link in the fur trade, and also maintained good relationships among the now far-flung bands of the Sioux Tribe.<sup>10</sup>

By 1800, after a hundred and fifty years of sporadic contact with Europeans, the material culture of the Santee Sioux had been substantially altered. They were now using steel weapons and tools, brass and metal cookware, European cloth and blankets. While their religious and social organization was largely unchanged at this time. They had begun a stage of transition into a new culture with their expulsion from their traditional homeland around Mille Lacs.

It was in 1805 that official relationships between the Sioux Nations and the United States Government began with a treaty negotiated by Lt. Zebulon Pike of the United States Army. Actually, of the seven "chiefs" (apparently all Mdewakantons) who were present at the negotiations, only two, Little Crow and Way Ago Enagee, signed the treaty.<sup>11</sup> The United States was in competition with Great Britain for trade in the Northwest. The title of the United States to the area was unclear and each country hoped to secure the area for itself. The 1805 treaty provided a grant of 100,000 acres from the Sioux Nation to the United States Government for a military post at the Falls of St. Anthony. The signers of the treaty were given about \$200 worth of presents and some liquor on the spot. Later the Senate authorized a payment of \$2,000 to the Sioux.<sup>12</sup>

Pike returned in 1806 again to attempt to secure the allegiance of the Sioux to the United States Government. However, when the War of 1812 broke out, the Sioux rallied to the British side, primarily through the influence of a British trader, Robert Dickson, who was appointed British agent and superintendent for the Indians west of the Mississippi River in 1812. All of the eastern bands of the Sioux fought on the British side in the war, with the Mdewakantons being most extensively involved.<sup>13</sup> When the war ended in 1815, with the United States in control of the Santee homeland, the Santees felt betrayed by the British. At a council with the British at the end of the war, Little Crow, the signer of the 1805 Treaty, is supposed to have said to his former allies:

**"After we have fought for you, endured many hardships, lost some of our people, and awakened the vengeance of our powerful neighbors, you make a peace for yourselves, and leave us to obtain such terms as we can. You no longer need our services, and offer us these goods as a compensation for having deserted us. But no, We will not take them, we hold them and yourselves in equal contempt."**

"Granny Weston," a very old Santee woman who died in Flandreau around the turn of the century, is supposed to have had a medal of George III, given to a relative by the British in recognition of services during the War of 1812.<sup>15</sup>

After the war, in July of 1815, the great council of Portage des Sioux was held between the Sioux and the United States. Four identical "peace and friendship" treaties were signed with the Teton Sioux, the Sioux of the Lakes (Mdewakantons), the Sioux of the St. Peter's River (Wahpetons) and the Yankton Sioux. Nearly a year later, on July 1, 1816, a similar treaty was signed with the Sioux of the Leaf, the

Sioux of the Broad Leaf, and the Sioux who Shoot in the Pine Tops (probably Wahhpekutes). The treaties pledged perpetual peace and friendship between the tribes and the United States, forgave acts of hostility occurring in the past, and provided that the tribes recognized no sovereign other than the United States. "From this date on," writes Robinson, "the Sioux have never failed to recognize the sovereignty of the Great Father in Washington." The treaties assured that the Northwest would be American in more than name only.<sup>16</sup>

In 1819, the fort provided for in the 1805 Treaty was established on the Mississippi at the mouth of the Minnesota River. This was Fort Snelling, which was later to be the site of a prison camp for the Sioux after the Minnesota Uprising. In 1820, the first Indian agent to the Sioux made his headquarters at Fort Snelling. He was Major Lawrence Taliaferro, who remained as agent for nearly 20 years, until 1839. This period was marked by an increasing influx of whites into the territory of the Santees.

As can be imagined, the early 1800's were a time of continuing changes in the material culture of the Santees and of great uncertainty and insecurity for them. By 1820, they had lost their traditional homeland around Mille Lacs, changed many aspects of their material culture, signed a treaty of peace and friendship with the United States, received an Indian agent, and seen the building of Fort Snelling. At the same time, there was increasing warfare between the Sioux and neighboring tribes to the south, north, and east, with the Chippewa, the Sac and Fox, the Menominie and the Winnebago. In 1825, the United States attempted to negotiate a treaty of peace between the warring tribes in the northwest. William Clark, who had participated in the Lewis and Clark expedition 22 years earlier, and Lewis Cass were the United States Commissioners. A treaty was completed on August 19, 1825 at Prairie du Chien which provided for peace between the tribes and for boundaries between the Sioux and their enemies. Despite the treaty, warfare continued and in 1830, another conference was held and another treaty was negotiated. Under this treaty, both the Sioux and Sac and Fox ceded a 20-mile strip of land along their boundary to the United States. In consideration of the cession, the United States was to pay annuities for 10 years, provide tools, and provide funds for educational purposes. The preamble to the treaty is significant as it states that hunting must ultimately fail and that the Indians will eventually have to turn to agriculture for their support.<sup>17</sup> In 1832, in a treaty with the Winnebago Tribe, the United States ceded to the Winnebagoes, the land which had been ceded to the government by the Sioux and Sac and Fox.<sup>18</sup> The Sioux protested this cession to the Winnebagoes, as it had been their understanding that the land

ceded by them was to be neutral ground. Little Crow, who had been at the Great Council of Portage des Sioux and had signed the Treaties of 1825 and 1830, was particularly outspoken in his opposition.<sup>19</sup> In 1836 and 1837, a series of treaties were concluded between the various bands of the Sioux and the United States, providing for the extension of the state of Missouri west to the Missouri River and ratification of the land cession in the 1830 Treaty.<sup>20</sup> In 1837, a group of Santee chiefs were taken to Washington to impress them with the might of the United States; a treaty was signed, in which the Sioux ceded to the United States all land east of the Mississippi River and all islands in the river. In exchange, the United States was to invest \$300,000 at 5% annual interest, with the interest to be paid to the Sioux forever, pay \$90,000 towards the Indians' debts, provide twenty-year annuities of \$8,250 for medicines, agricultural implements, and stock, \$10,000 for cattle, tools, etc., \$5,500 for provisions, and give the signers of the treaty \$6,000 in goods upon their arrival in St. Louis.<sup>21</sup> The treaty of 1837 provided for the first serious attempt of the government to help the Indians to become farmers. Game was becoming scarce, and it was hoped that establishing the Indians as farmers west of the Mississippi would permanently solve the "Indian problem. " However, the government was not prompt in sending annuities, and did not provide the assistance which was needed for the Indians to become farmers. Major Taliaferro used missionaries as agricultural instructors, and in 1839, discouraged with his failure to get Washington to be prompt in sending annuities and with increasing intertribal warfare, he resigned.<sup>22</sup>

In 1830, the first concerted attempt to convert the Santee Sioux to Christianity was made. There had been some isolated contacts with Roman Catholic priests previously, but no sustained contact occurred until the arrival at Fort Snelling of two volunteer missionaries to the Sioux, Gideon H. Pond and Samuel W. Pond in 1833. Both Taliaferro, the Indian agent and his successor, Amos Bruce, used the Ponds to help in instructing the Santee in farming. The Pond brothers set up a mission at Lake Calhoun and were followed a year later by Thomas S. Williamson and Alexander Huggins who had been sent out by the American Board of Commissioners for Foreign Missions (ABCFM), which was the missionary organ of the Congregationalists and New School Presbyterians. Williamson, a physician from Ripley, Ohio, had been invited to come to Minnesota by Joseph Renville, "a French half-breed trader, who had learned something of Christianity from a French Bible that had fallen into his hands."<sup>23</sup> Renville's trading post was located at Lac Qui Parle, two hundred miles west of Fort Snelling. Steven Riggs, another missionary of the ABCFM, came to Lac Qui Parle and joined Williamson there in September of 1837.<sup>24</sup>

These two families, the Riggs and the Williamson, were to remain involved with the Sioux in mission work well into the 1900's. According to Meyer, none of the early missionary attempts accomplished much towards Christianizing the Indians before the reservation period of the 50's and there was really not a great deal of progress until after the morale-shattering defeat in the Uprising of 1863. The primary activity of the missionaries was putting the Dakota language into writing and publishing books in Dakota. Eventually this enabled them to translate portions of the Bible and soon they were able to teach the Indians to read and write in their own language. In 1852, Steven Riggs edited, and the Smithsonian Institution published a "Grammar and Dictionary of the Dakota Language", which fixed the written form of the language.<sup>25</sup> While Barton, Thomas Williamson's granddaughter, is less negative about the effects of the missionaries prior to the uprising, her book is filled with accounts of having to change the location of the mission from time to time because of harassment by Santees. In 1846 for example, Thomas Williamson had to move from Lac Qui Parle. He was invited by Little Crow, whose father had condemned the British in 1815, and who was later a leader of the Minnesota Uprising, to come to Kaposia, Little Crow's village, closer to Fort Snelling. Perhaps the ineffectiveness of missionary activity, particularly as compared with the large numbers of conversions made following the Minnesota Uprising, attests to a general stability in the social fabric of Santee society during the first half of the nineteenth century. Despite the disruptions of the period, the leadership of individuals like Little Crow and Wabasha was not disturbed and the social organization of Santee life does not appear to have been radically changed. However, times of great change were coming; they began with the Treaty of 1851, which was in many ways a major disaster for the Santee Sioux.

In 1849, there were limited numbers of whites in Minnesota. They were located in the villages of St. Paul, Stillwater and St. Anthony, at Fort Snelling and Fort Gains, at Mendota and on the St. Croix River.<sup>26</sup> Wisconsin had become a state in 1848, leaving these areas of white settlement without law. Later in 1848, there was agitation in Stillwater for the organization of a Minnesota Territory, and in 1849, the bill authorizing the territory of Minnesota passed Congress.<sup>27</sup> The territory extended from the Wisconsin border west into what is now North and South Dakota as far as the Missouri and White Earth Rivers. At this time, the only part of the state which was open to white settlement was the land east of the Mississippi River ceded by the Sioux in 1837. From the arrival of Alexander Ramsey, the first Territorial Governor, in 1849, there was tremendous pressure from white Minnesotans to acquire the lands west of the Mississippi held by the Santee Sioux.<sup>28</sup> Ramsey, in his first message to the territorial

legislature, urged that body to memorialize Congress to provide for a treaty of cession with the Sioux<sup>29</sup> In June of 1849, the Commissioner of Indian Affairs, Orlando Brown, recommended to Thomas Ewing, Secretary of the Interior, the negotiation of a treaty of cession with the Sioux, "in order to make room for the immigrants now going in large numbers to the new territory of Minnesota. "<sup>30</sup> The Secretary approved the recommendation and in the summer of 1851, United States Commissioners met with bands of reluctant Santees at Traverse des Sioux and at Mendota to induce them to sign a treaty ceding all of Minnesota to the United States. Understandably, there was no great enthusiasm on the part of the Indians to cede the land west of the Mississippi to the whites. Folwell recounts that many devices were used to induce the Indians to sign the treaty, including the use of alcohol and threats and other means of persuasion. Finally, chiefs of all four Santee bands signed. Two identical treaties were negotiated; the first at Traverse des Sioux on July 23, 1851, with the less sophisticated Sisseton and Wahpeton bands and the second at Mendota on August 5, 1851, with the Mdewakanton and Wahpeute bands. The treaties provided that the Sioux would cede all claims to lands in Minnesota Territory and the State of Iowa, as far west as the Big Sioux River, to the United States, and that a reservation would be provided for them, extending for ten miles on either side of the Minnesota River from Big Stone Lake downstream to the mouth of the Little Rock River. In addition, the United States was to provide the sum of \$1,665,000 for the Sissetons and Wahpetons and \$1,410,000 for the Mdewakantons and Wahpekutes, to be held in trust by the United States for fifty years, with 5% interest going to the Indians annually. The annuities from the 1837 Treaties were to be paid in cash. Article III of the Treaties, providing for the Minnesota River Reservation, was struck out by the Senate, and the President was directed to locate the Sioux of Minnesota in a suitable reservation outside of the Territory of Minnesota, or to "vary the agreement. " In addition, the Senate authorized payment to the Indians of 10¢ per acre for the lands described in Article III of the Treaties. (They had received about 6¢ an acre for the lands given up under Article I of the Treaties, consisting of the Southern half of the present state of Minnesota.)<sup>31</sup> Despite the Senate's action, the Santees were allowed to occupy the Minnesota River Reservation, probably because no alternative location for them was readily at hand. When the four bands moved up to the new reservation, the Sissetons and Wahpetons moved farther up the river than the Mdewakantons and Wahpekutes and two agencies were established: Upper Agency, near the present town of Granite Falls, for the Sissetons and Wahpetons, and Lower Agency, near the present town of Morton, for the Mdewakantons and Wahpekutes. For the first time in their history, the Santee Sioux were to experience

reservation life, as a result of the 1851 Treaties. John P. Williamson's daughter and biographer, Winifred Barton, wrote of the Treaties:

**Uncle Sam needed more land for his rapidly increasing family, and by the terms of this treaty, the Santee Sioux gave up all the woods and streams and fertile valleys of eastern Minnesota and Iowa, their deer parks and the graves of their ancestors, in exchange for a narrow reservation in the less attractive western part of Minnesota, in exchange for promised annuities from the government...the Indians did not want to go to the reservation...but they had begun to feel the touch of the iron hand.<sup>32</sup>**

Three years later, on July 31, 1854, Congress passed an act which authorized the President "to confirm to the Sioux of Minnesota forever the reserve on the Minnesota River now occupied by the, upon such conditions as he may deem just."<sup>33</sup> This confirmation by the President was never formally made. In 1858, another pair of treaties were negotiated at Washington, one with the Mdewakanton and Wahpekute bands and another with the Sisseton and Wahpeton bands. The treaties were practically identical and provided that the land described in Article III of the 1851 treaty lying south or southwest of the Minnesota River would be allotted in severalty to members of the bands, with 80 acres provided to each adult or head of a family. The remainder of the land south and southwest of the river was to be held in common by the bands. Article II provided that the Senate would determine title to the north shore of the Minnesota River and sell it or pay the Indians for it. (The Indians were finally paid 30¢ an acre for the land north of the Minnesota River.)<sup>34</sup> Article IV provided that the lands retained on the south bank of the River were to be deemed a reservation under the laws of the United States. Article V provided that the United States may establish forts, schools, agencies, etc., with compensation to any individual thereby harmed. In the treaty with the Sisseton and Wahpeton bands, there was an article providing that Indians could sever their tribal connections if they wished and become citizens, but this provision was absent from the Mdewakanton and Wahpekute treaty.<sup>35</sup> Textor indicates that the reasons for the 1858 treaties, were that more land was needed for white settlers, specifically, the north bank of the Minnesota River, and that the treaties would provide a way of helping the Indians agriculturally through the allotment of land in severalty.<sup>36</sup> However, while the former objectives<sup>36</sup> were met; the latter were not.

## Footnotes to Chapter I

1. Edward A. Milligan, Known Migrations of Historic Indian Tribes (Bottineau, N.D., 1969).
2. Meyer, History of the Santee Sioux, p. vii
3. Herbert S. Schell, History of South Dakota, (Lincoln: University of Nebraska Press, 1968) pp. 18-19.
4. Milligan, Known Migrations of Historic Indian Tribes.
5. Meyer, History of the Santee Sioux, pp. 6-7.
6. Meyer, History of the Santee Sioux, p. 5.
7. Doane Robinson, History of the Dakota or Sioux Indians, (Minneapolis: Ross and Haines, 1956), p. 31.
8. Milligan, Known Migrations of Historic Indian Tribes.
9. Meyer, History of the Santee Sioux, p. 114;  
Robinson, History of the Dakota or Sioux Indians, p. 23.
10. Schell, History of South Dakota, pp. 21-22.
11. Meyer, History of the Santee Sioux, pp. 25-26.
12. Meyer, History of the Santee Sioux, p.25;  
Robinson, History of the Dakota or Sioux Indians, p 77;  
Charles J. Kappler, Comp., Indian Affairs: Laws and Treaties, vol. II (Washington: Government Printing Office, 1903) p. 793.
13. Robinson, History of the Dakota or Sioux Indians, p. 86.
14. Meyer, History of the Santee Sioux, p. 30.
15. Bureau of the Census, Indians Taxed and Not Taxed (Washington: Government Printing Office, 1896).

Footnotes (cont.)

16. Kappler, Indian Affairs: Laws and Treaties, vol II, pp. 80, 81, 89-90; Robinson, History of the Dakota or Sioux Indians, pp. 95-96; Lucy E. Textor, Official Relations between the Sioux and the United States Government (Palo Alto: Stanford University, 1896), p. 63
17. Kappler, Indian Affairs: Laws and Treaties, vol II, pp. 218-221.
18. Ibid., p. 251.
19. Textor, Official Relations between the Sioux and the United States Government, p. 65.
20. Kappler, Indian Affairs: Laws and Treaties, vol II, pp. 347, 355-6. 357.
21. Kappler, Indian Affairs: Laws and Treaties, vol. II, p. 366;  
Robinson, History of the Dakota or Sioux Indians, p. 152;;  
Textor, Official Relations between the Sioux and the United States Government, pp. 67-68.
22. Meyer, History of the Santee Sioux, p. 61.
23. Winifred W. Barton, John P. Williamson: A Brother to the Sioux (New York: Fleming H. Revell Company, 1919), pp. 11-12.
24. Ibid., p. 246.
25. Meyer, History of the Santee Sioux, p. 53.
26. William W. Folwell, A History of Minnesota (St. Paul: Minnesota Historical Society, 1921), vol. I, pp 229-230.
27. Ibid., p. 246.
28. Ibid., p. 266.
29. Ibid., p. 271.
30. Ibid.,
31. Kappler, Indian Affairs: Laws and Treaties, vol II , p. 438-440;  
Robinson, History of the Dakota or Sioux Indians, pp. 213-215.

Footnotes (cont)

32. Barton, John P. Williamson: A Brother to the Sioux, p. 30.
33. Textor, Official Relations between the Sioux and the United States Government, p. 75.
34. Ibid., p. 79.
35. Kappler, Indian Affairs: Laws and Treaties, vol. II, pp. 590-594.
36. Textor, Official Relations between the Sioux and the United States Government, p. 79.

## CHAPTER II

### THE MINNESOTA RESERVATION AND THE UPRISING OF 1862

The establishment of the Minnesota Reservation for the Santees by the Treaties of 1851 was regarded by the missionaries as an opportunity to further their work with the Indians; primarily, to convert them to Christianity, and secondarily, to help them create an agricultural economy similar to that of the white settlers who had been pouring into Minnesota Territory since 1848. Indeed, mission activities increased during this period and the successes of the missionaries were impressive as compared with the experience before 1851. By November of 1853, all of the Mdewakantons and Wahpekutes (except for 60 members of Wabasha's band) had been brought to the reservation. Most only stayed to receive their annuities, however, and then returned to their own hunting grounds to hunt and avoid starvation. For the Indians, reservation life was not happy. Having begun the transition to a semi-nomadic hunting economy after their displacement from the Mille Lacs area about a hundred years earlier, they found that the hunting areas which they had used prior to 1851 were now filling up with white settlers, and game was becoming scarcer. At the same time, the hoe culture practiced by the Santees was, without the hunt, inadequate for raising the amount of food necessary for survival. Most of the attempts to introduce agriculture to the Santees were actually attempts to replace the hoe with the plow. In this situation, the Indians were dependent upon the annuities promised in the Treaties of 1851. Throughout the period of the Minnesota reservation, there were difficulties with delivery of annuities, which were paid in money and in goods. However these difficulties became more serious in the early 1860's as the primary attention of the United States was directed toward winning the Civil War.

A group of Wahpekutes, which had become the most migratory or nomadic of the four bands, was essentially outside of the treaty relationships during this period. The leader of a group of Wahpekutes during the 1840's had been Wamdesapa. He had not signed the Treaty of 1837 and did not feel bound to abide by it. By the 1850's, the leader of this band was Inkpaduta, who, like Wamdesapa, was not involved in the Santee Treaties with the United

States. In the early spring of 1857, Inkpaduta led an attack on the white settlers of Spirit Lake, Iowa, the reasons for which are unclear. Additional attacks on white settlements in southern Minnesota were made during the spring and early summer, and Little Crow (Taoyateduta), son of the chief who had signed the Treaties of 1805, 1825, and 1830, and himself reluctant signer of the Treaty of 1851 at Mendota, agreed to lead an expedition of Mdewakantons against Inkpaduta after being threatened with the loss of annuities by the Santee agent, Charles E. Flandrau. Three of Inkpaduta's warriors were killed and another mortally wounded, after which the Mdewakantons returned to Lower Agency and Inkpaduta hid in the valley of the Big Sioux River. No other reprisals against Inkpaduta were attempted, despite attempts to persuade the Indians to mount another expedition. As a result of the attacks, white hostility toward the Sioux and pressure to remove all the Sioux from Minnesota increased. The next year, in 1858, Little Crow and a delegation of other Santee chiefs were brought to Washington, where they signed the Treaty of 1858, losing the North bank of the Minnesota River. For the Indians, according to Thomas S. Williamson, the missionary at Little Crow's village since 1846, the government's failure to capture and punish Inkpaduta was a "fundamental cause" of the Sioux Uprising of 1862.<sup>1</sup>

The agent for the Santees on the new Minnesota reservation until 1856 was Robert G. Murphy. He was replaced by Flandrau, a former Indian trader and lawyer who figured importantly in the subsequent history of Minnesota and who was associated with the Dakota Land Company in the 1850's. It was Charles E. Flandrau for whom the town of Flandreau was named; he had been associated with an abortive attempt to begin a settlement there in the late 1850's. Flandrau served as agent for thirteen months until he was appointed to the Minnesota Supreme Court. He was replaced by Joseph Renshaw Brown who had also been a trader with the Sioux. During this period, according to Meyer, there began an era of "real progress toward the realization of the civilization clauses in 1851 treaties. More acreage was brought under cultivation, schools were opened, and several buildings were erected."<sup>2</sup>

One of the more significant developments during this period was the Hazelwood Republic, which was begun by Steven R. Riggs, the American Board of Commissioners for Foreign Missions missionary, in 1856. Riggs had been at Lac Qui Parle at the time of the 1851 Treaties, but in 1854, his mission was burned and he moved to Hazelwood in that year, which was two miles from Yellow Medicine, the site of the Lower Sioux agency, where Thomas S. Williamson had established his mission when Little Crow's band moved there from Kapozha. Riggs had the idea of collecting all of the civilized Indians at Yellow Medicine agency. All Christian men who joined the station "were to adopt civilized habits of dress, and to build houses for themselves, and to cultivate fields."<sup>3</sup> On July 29, 1856, the Hazelwood Republic was formed. The constitution was signed by 17 men, 8 of whom were "half breeds". It provided that members of the republic professed faith in one God as opposed to the "many gods" which the indigenous Dakota religion was understood by the missionaries to worship; the members professed a desire for education; they wished to conform to the habits of white; they adjured the Dakota way of life; and they pledged to obey the laws and to ask the agent to recognize them as a separate band. The constitution provided for the election of a president, the first elected president being Paul Mazakutemane. With \$200 from the ABCFM and \$500 of their own money, the Indians built a church and a boarding school, which could accommodate twenty scholars and was filled to capacity. This was the first experiment with boarding schools for the Sioux and was, if the accounts of Riggs and the other missionaries are to be believed, a great success, although its usefulness was limited due to lack of funds.<sup>4</sup> The idea for the Hazelwood Republic came from the voluntary civil governments formed among the Cherokees and Choctaws and was regarded by the missionaries as the best way to prepare the participants for eventual citizenship and integration into the American Society.<sup>5</sup> One of the problems of early missionary work was that if an Indian began to abandon the Indian culture and take on white ways, he became a victim of harassment and opposition from the more traditional Indians in his band. Thus it was felt that establishing a separate band at Hazelwood would make it possible for the acculturation of Indians to be expedited. Even with this attempt to establish a separate colony, opposition from the "blanket" (traditional) Indians created difficulties for the republic and, in 1860, the Hazelwood Republic of farmers was

abandoned. The members of the republic were to exert a moderating influence during the Uprising, and were responsible for saving the lives of many whites.<sup>6</sup>

In 1860, with the victory of the Republican Party, President Abraham Lincoln appointed party stalwarts to government positions, including positions in the Indian service. Thomas J. Galbraith, a man with no previous experience with Indians, became Sioux Agent. He was ill-prepared for his duties, and Little Crow laid most of the blame for the Uprising on him.<sup>7</sup> The annuities, never adequate for the needs of the Santee Sioux, were issued late in 1861 since the attention of the nation was directed toward the Civil War. Galbraith must have been a man who took a literal view of administrative regulations, to say the least. There were rumors in 1862, as the customary time for annuity payments approached, that the money and goods would not be paid. The goods and provisions arrived on time, but not the money, which was not to arrive until after the beginning of hostilities. Galbraith refused to release the provisions until the money arrived. On August 4, violence broke out at Upper Agency when the Indians decided to go after the provisions stored in the warehouse. After six days, they were granted their annuity goods and provisions and sent home until the money annuities arrived. Little Crow was at Upper Agency at this time and asked Galbraith to distribute annuities at Lower Agency also. Galbraith agreed to do so, but later refused, on the advice of Andrew J. Myrick, a trader, who said, "So far as I am concerned, if they are hungry, let them eat grass or their own dung."<sup>8</sup> When Myrick's words were translated by John P. Williamson, son of Thomas Williamson and boyhood friend of Little Crow, "there was a moment of silence, followed by savage whoops and wild gestures, with which the Indians disappeared."<sup>9</sup> The traders wanted the issued of provisions held up until the money arrived so that they could continue to trade with the Sioux at the Lower Agency. Before Myrick's comment, Little Crow had warned:

**We have waited a long time The money is ours, but we cannot get it. We have no food, but there are these stores, filled with food. We ask that you, the agent, make some arrangement by which we can get food from the stores, or else we may take our own way to keep ourselves from starving. When men are hungry, they help themselves.<sup>10</sup>**

Two days later, on August 17, 1862, four young Mdewakanton men were returning from a hunting expedition to the forests north of the Minnesota River reservation. They passed a farmer's house near Acton and found some hen eggs along a fence and this led to an argument as to whether any of them were brave enough to kill a white man. A dare was made and taken, and they went to the home of the settler, Robinson Jones, and killed him, his wife, an adopted daughter and two other white men.<sup>11</sup> Upon their return to Lower Agency the Uprising broke out. Little Crow at first attempted to prevent the Uprising, but, faced with the inevitable, agreed to lead it. Myrick was the first to be killed; he was found with his mouth stuffed with grass. For a short period of one week the Indians were on the offensive, but were stopped at Fort Ridgely and New Ulm, where Flandrau organized a group of volunteers. The momentum of the Sioux was halted and the whites gained time to gather their forces. While raids by small groups of Indians against white settlers continued for many months, by the end of September the Uprising was over for all practical purposes.<sup>12</sup>

At a council of the Santee Sioux, in mid-September, Paul Mazakutemane, the first president of the Hazelwood Republic, charged the Lower Agency Sioux (Mdewakantons and Wahpekutes) with starting the war without consulting the Upper Agency bands (Sissetions and Wahpetons). However, at no time were even the Mdewakantons and Wahpekutes united in support of the Uprising. Many of the leaders, particularly those who had been involved in the Hazelwood Republic, opposed it, and there are many accounts of individual Santees saving the lives of white friends, even while fighting other whites. After the Battle of Wood Lake on September 23, in which sixteen Indians were killed, many of the Indians, most of whom had opposed Little Crow in the council and had not participated in the battle, came to Camp Release near the Upper Agency on September 26, and surrendered, releasing their white captive, numbering two hundred and sixty-nine men, women, and children.<sup>13</sup> The next day, twelve hundred Sioux were taken into custody.<sup>14</sup> Many of the leaders of the Uprising, including Little Crow, fled to the Dakota prairies. An undetermined number joined the Tetons. Others eventually made their way into Canada where some of their descendants still remain.

The Minnesota Uprising has been described in detail elsewhere, and need not detain us. The reasons for the Uprising are of interest, however. In part, the bad judgment of the new Republican administration was to blame. The Indians had been promised a special annuity payment in the Fall of 1861; therefore, they did not go on a fall hunt or gather crops. When the payment arrived, it amounted to only \$2.50 per person, resulting in a very difficult winter.<sup>15</sup> Less immediate reasons for the Uprising included bitterness over the Treaties of 1851 and 1858 and the tardiness of the issue of annuities promised under the treaties the high-handed manner in which the authorities attempted to punish all of the Santee for the depredations of Inkpaduta, and the increasing pressure of white settlement near and even on the reservation. Thirty years after the Uprising, Big Eagle gave as reasons for the Uprising the sharp practices of the traders, the abuse of Indian women by white men, and the agent's efforts to get the Indians to farm like white men. He said, " Many of the whites always seemed to say by their manner when they saw an Indian, 'I am much better than you,' and the Indians did not like this. " Further, " The whites were always trying to make the Indians give up their life and live like white men – go to farming, work hard and do as they did – and the Indians did not know how to do that-did not want to anyway. It seemed too sudden to make such a change. If the Indians had tried to make the whites live like them, the whites would have resisted, and it was the same way with many Indians. " <sup>16</sup>

The Minnesota Uprising was a spontaneous revolt against the frustrations of reservation life and the failure of the United States to abide by its treaty obligations. Its immediate result was the expulsion of the Sioux from Minnesota. It could be argued, however, that sooner or later, the Sioux would have been driven from Minnesota with or without an Uprising. Certainly, the record of the treatment of the Indians by the United States in the nineteenth century is not a pleasant one. The words of the Ogala Chief Red Cloud, as reported by Charles Eastman, the son of one of the participants in the Uprising, provide a fitting conclusion to this chapter:

It was Red Cloud who asked the historic question, at a great council held in the Black Hills region with a Government Commission, and after good Bishop Whipple had finished the invocation, " Which God is our brother praying to now? Is it the same God whom they have twice deceived, when they made treaties with us which they afterward broke? "<sup>17</sup>

## Footnotes to Chapter II

1. William W. Folwell, A History of Minnesota, Vol. II (St. Paul: Minnesota Historical Society, 1924), pp. 400-415; Roy W. Meyer, History of the Santee Sioux (Lincoln: University of Nebraska Press, 1966), pp. 100-102; Lucy E. Textor, Official Relations Between the United States and the Sioux Indians (Palo Alto: Stanford University, 1896), pp. 76-77.
2. Kenneth Carley, The Sioux Uprising of 1862 (St. Paul: Minnesota Historical Society, 1962), p. 39; Meyer, History of the Santee Sioux, p. 102.
3. Thomas Lawrence Riggs, "The Hazelwood Republic, " Ms. in Riggs Family Papers, Minnesota Historical Society.
4. Doane Robinson, A History of the Dakota or Sioux Indians (Minneapolis: Ross and Haines, 1956), p. 232.
5. R. Pierce Beaver, Church, State, and the American Indian (St. Louis: Concordia Publishing House, 1966), p. 196.
6. Meyer, History of the Santee Sioux, p. 107; Riggs, "The Hazelwood Republic",
7. Folwell, A History of Minnesota, Vol. II, p. 172.
8. Folwell, A History of Minnesota, Vol. II, p. 233; Meyer, History of the Santee Sioux, p. 114  
both quoted in Dee Brown, Bury My Heart at Wounded Knee: An Indian History of the American West (New York: Holt, Rinehart, and Winston, 1970), p. 40.
9. Folwell, A History of Minnesota, Vol. II, p. 233; quoted in Mayer, History of the Santee Sioux, p. 114.
10. Folwell, A History of Minnesota, Vol. II, p. 232; quoted in Brown, Bury My Heart at Wounded Knee: An Indian History of the American West, p. 40.

Footnotes (cont.)

11. Meyer, History of the Santee Sioux, p. 116.
12. For details of the Minnesota Uprising see:  
Carley, The Sioux Uprising of 1862;  
Brown, Bury My Heart at Wounded Knee: An Indian History of the American West,  
Chapter 3;  
Ralph K. Andrist, The Long Death: The Last Days of the Plains Indians (New York:  
Collier Books, 1964), Chapter II;  
Meyer, History of the Santee Sioux, Chapter 6.
13. Folwell, A History of Minnesota, Vol II, p. 393. According to Carley, the battle actually  
took place at Battle Lake, or Lone Tree Lake, (which had since dried up.  
Carley, The Sioux Uprising of 1862, p. 57.
14. Meyer, History of the Santee Sioux, p. 123.
15. Robinson, A History of the Dakota or Sioux Indians, p. 262.
16. Meyer, History of the Santee Sioux, p. 116.
17. Charles A. Eastman, From the Deep Woods to Civilization (Boston: Little, Brown, and  
Company, 1916), p. 100.

### CHAPTER III

#### AFTERMATH OF THE UPRISING

The story of the Flandreau Sioux begins with the experiences of the Santee after their defeat in the Sioux Uprising of 1862. The defeat was a clear demonstration that armed resistance to the white man was futile; it was followed by an interest in the white man's religion and way of life which was astonishing, even to the missionaries. While a slim majority of the Mdewakantons and Wahpekutes, at most, participated in the Uprising, retribution was general, following the principle that all members of a Tribe should be held responsible for the actions of a few. Many of the Santee who had been most involved in the Uprising fled west into Dakota Territory and joined their Yankton, Yanktonai, and Teton cousins, or fled into Canada, where small colonies of Santee Sioux were established and still exist today. Some of those who fled and merged with the western divisions of the Sioux had the opportunity to attempt to expel the white invaders a second time; Charles Eastman writes that two of his uncles participated in the Battle of the Little Big Horn against General Custer in 1876.<sup>1</sup>

The twelve hundred Indians who surrendered at Camp Release in September, 1862, included men, women, and children. In general, this group had remained loyal to the United States throughout the Uprising. However, there was a great cry for vengeance from white Minnesotans, and all grown Santee men who could be found were tried for murder at Camp Release. To obtain conviction, it was necessary only to place an individual at a battle, not to prove that he had killed anyone. Three hundred and three prisoners were found guilty of murder and sentenced to be hung; twenty-six were found guilty of lesser charges.<sup>2</sup> All of the prisoners were taken to a prison which had been hastily erected west of Mankato. Those who were not tried or who were found innocent were sent, along with the women and children to a dismal encampment at Fort Snelling, where they remained for six months.

The sentences were protested by a number of the missionaries who had been working with the Indians, in particular Henry B. Whipple, the Episcopal Bishop of Minnesota, as well as by Riggs and Williamson. President Lincoln ordered a review of the trial records and ultimately reduced the number of those sentence to death from three hundred and three to forty, which was very displeasing to the Minnesotans who proceeded to attempt to lynch the prisoners. Whipple and Riggs were severely attacked for their roles in attempting to gain amnesty for the prisoners. Ultimately, thirty eight of the prisoners were hung at Mankato on December 26, 1862.

The Sioux who had fled to the west were not forgotten by the angry white settlers of Minnesota. In 1863 a campaign against the Santee drove the main body of them west of the Missouri River. This was led by General Henry S. Sibley, a Minnesota politician who had led the troops relieving Fort Ridgely in the Uprising. Raids on Minnesota settlements continued in 1863 and some whites were killed. On July 4, 1863, \$25 bounty on Sioux scalps was declared. By September of that year the reward had increased to \$200 per scalp.<sup>3</sup> On February 16, 1863, Congress passed an act abrogating and annulling all treaties made with the Sisseton, Wahpeton, Mdewakanton, and Wahpekute bands of the Sioux and depriving them of all lands and rights of occupation in Minnesota.<sup>4</sup> Congress, in removing the Santee Sioux from Minnesota, asked the President to assign them a tract of land outside of any state and large enough for every tribal member to have eighty acres of good agricultural land. This act provided the basis for the establishment of the Crow Creek Reservation in 1863.

Gideon Pond, American Board missionary who had come to Minnesota in the 1830's, wrote in 1862 regarding the captives at Fort Snelling, "The number who sympathize with them is very small...I want to see the poor captives but it is not probable that I could do them any good."<sup>5</sup> John P. Williamson, Thomas Williamson's son, spent the winter of 1862-63 working with the Indians at Fort Snelling. In November, he wrote to his father that they were reasonably well fed, but had a hard winter in store with "much uncertainty and temptation."<sup>6</sup> However, by early January, he was writing: "It is not starving to death here yet, but it is

starvation all the time, according to the definition Ahinyankewin made to me the other day. She said wicaakiran was when they hadn't enough to eat, but akirantapi she supposed was when they hadn't anything to eat. "7 One hundred and thirty of the Indians at Fort Snelling died that winter.<sup>8</sup> Williamson's mission to the Indians was surprisingly successful. During the winter, one hundred and thirty seven Santees were received by profession into the Presbyterian Church, many more than had been received in all the years of the ABCFM mission before 1862.<sup>9</sup> The Episcopal Church also was active at Fort Snelling that winter. Samuel D. Hinman, the Episcopal missionary, baptized one hundred and forty four Indians, including all of the Mdewakanton chiefs.<sup>10</sup>

At the same time, Thomas S. Williamson and Steven R. Riggs were working with the men who had been condemned to execution and were in the prison at Mankato. All of the prisoners in Mankato were ultimately converted to Christianity. Williamson had retired to St. Peter, Minnesota, near Mankato, and was coming down to the prison regularly to preach and carry letters out so that the prisoners could remain in communication with their families at Fort Snelling. There was some suspicion that the prisoners were converting in order to escape execution. Selah B. Treat, the Secretary of the American Board of Commissioners for Foreign Missions, wrote to Steven R. Riggs in 1863:

**I don't suppose that all who rd (sic) baptism, are true converts; but that so many, with such antecedents, should be willing to make a public profession of their faith in Christ, is a strange thing. Can there be any sinister design in all this? Do some hope, in this way, to escape hanging?<sup>12</sup>**

After the executions at Mankato on December 26, the question arose of where the remainder of the prisoners should be held. It was determined that they should be removed to a prison camp at Davenport, Iowa, primarily, apparently, to get them out of Minnesota. When they were removed from the prison at Mankato to be transported to Davenport, they were followed to the boat by citizens of the area, who spat on them and threatened to lynch them. At about the same time, it was determined that the prisoners at Fort Snelling would be removed to a

new location outside of Minnesota, on the Missouri River in Dakota Territory, which would serve as a permanent reservation for the Santee.

The winter of 1862-63, resulted in a division of the Santee Sioux from which they were never to recover. The prisoners at Mankato and the women and children at Fort Snelling were primarily Mdewakantons and Wahpekutes, although they included a few Sissetons and Wahpetons; most of the Sissetons and Wahpetons, however, who were considered to be more friendly, were gathering around Lake Traverse, north of Big Stone Lake, at the headwaters of the Minnesota River. Here they remained and were soon to request special reservation status on the basis of their friendliness to the whites during the Minnesota Uprising. Many of the members of the Hazelwood Republic who had helped the whites during the Uprising also went to this area. Some of the Mdewakanton Sioux who had served as scouts with General Sibley were also permitted to go to Lake Traverse rather than going to the new reservation for the Mdewakantons and Wahpekutes on the Missouri River.

The Santees who were to go to Davenport and to the Missouri River Reservation were beginning six years of uncertainty, marked, at first, by extreme uncertainty and fear, and later, by an increasing ability to avoid the control of their Government agents. Two major changes seem to have occurred as a result of the first winter following the Uprising: the Santee accepted the white man's religion wholeheartedly, and they were eager to try farming when given the chance. Those who did not flee after the Uprising included those who were relatively more loyal to the United States during the Uprising; they paid the penalty, and accepted their captor's way of life to an extent which was startling to the missionaries, army officers, and agents who were responsible for them.

### Footnotes to Chapter III

1. Charles A. Eastman, From the Deep Woods to Civilization (Boston: Little, Brown, and Company, 1916), p. 53.
2. "Names of Condemned Priisoners - Outbreak of 1862", Ms. in Riggs Family Papers, Minnesota Historical Society.
3. Roy W. Meyer, History of the Santee Sioux (Lincoln: University of Nebraska Pres, 1967), p. 135.
4. Charles J. Kappler, comp. Indian Affairs, Laws and Treaties, Vol. I (Washington: Government Printing Office, 1903), p. 94.
5. Gideon H. Pond to Thomas S. Williamson, December 9, 1862, Williamson Family Papers, Minnesota Historical Society.
6. John P. Williamson to Thomas S. Williamson, November 17, 1862, Williamson Family Papers, Minnesota Historical Society.
7. John P. Williamson to Thomas S. Williamson, January 6, 1863, Williamson Family Papers, Minnesota Historical Society.
8. Meyer, History of the Santee Sioux, p. 136.
9. John P. Williamson to Thomas S. Williamson, August 23, 1876, Williamson Family Papers, Minnesota Historical Society.
10. Meyer, History of the Santee Sioux, p. 137.
11. Thomas S. Williamson to Stephen R. Riggs, March 6, 1863, Riggs Family Papers, Minnesota Historical Society.
12. Selah B. Treat to Stephen R. Riggs, March 12, 1863, Riggs Family Papers, Minnesota Historical Society.

## CHAPTER IV

### CROW CREEK AND DAVENPORT, 1863-1866

In May of 1863, under the authority of the act of February 16, 1863, and a later act of March 3, 1863, providing for the removal of the Santee from Minnesota, it was decided to move the Indians at Fort Snelling to a reservation on the Missouri River in Dakota Territory. Special Agent Benjamin W. Thompson, brother of the Northern Superintendent, Clark Thompson, went ahead to find a suitable location for a reservation near Fort Randall. The Steamship Hamilton left Fort Snelling on May 4, 1863 with seven hundred seventy one prisoners aboard. The next day, the Northerner left with five hundred forty seven Indians aboard. An additional two hundred Indians who were at Fort Snelling were allowed to go overland with scouts to the new location.<sup>1</sup> John P. Williamson, the missionary at Fort Snelling, was able to accompany the Northerner on its trip from Fort Snelling to the new reservation. His letters provide a valuable account of the voyage and of the years at Crow Creek following the establishment of the reservation there. Nearly all of the Sioux who were removed to Crow Creek were women and children, with only about one hundred able-bodied men involved; most of the husbands of the remaining were in prison at Davenport or had fled.<sup>2</sup> Four days after the Northerner's departure from Fort Snelling, on May 9, 1863, Williamson wrote to his father that he had visited the Indians at Davenport but that the Indians on board the ship had been forbidden to do so. He said they reported being well-treated, but seemed depressed.<sup>3</sup> They were "chained two and two." "The Indians (on the Northerner) felt very badly at not getting to see their friends at Davenport about a mile from the landing but it was not allowed," he wrote.<sup>4</sup> Some days later, the party landed at Hannibal, Missouri, and boarded a train for the trip across Missouri to St. Joseph. The Indians had been put in freight cars for the trip, sixty to a car. Williamson had been worried that the Indians would suffocate or be overcome by the heat, but fortunately it rained and cooled off and so the Indians finished the trip "in good spirits."<sup>5</sup> The other ship, the Hannibal, had continued down the Mississippi River to St. Louis and then would join the Indians at St. Joseph after having come up the Missouri River. When

the Hannibal arrived, a newspaper reported that the cargo included "700 Indians." From Fort Snelling down to Hannibal the Northerner had towed nine barges permitting the Indians adequate living space; but the plan was for all Indians to crowd together on one boat, the Florence, to make the trip up the Missouri, which Williamson said would be every bit as bad as the middle passage for the slaves. A large number of the Indians were sick by this time.<sup>6</sup> On May 20<sup>th</sup>, Williamson wrote from the Florence a few days out of St. Joseph. It was extremely crowded, and there had been thirteen deaths since leaving St. Joseph. Primarily, these had been from infections and from gastric diseases. There was plenty of salt port and bread to eat, but these were the worst possible foods as they made the people thirsty, and then they drank river water which was muddy and disease ridden.<sup>7</sup> In early June, Williamson wrote to his father from the new reservation which had been selected by Agent Thompson at the mouth of Crow Creek on the Missouri. His first impressions of the site turned out to be very accurate:" I am settled in the conviction that the Indians can never remain here without great expense to the government." He pointed to the lack of rain, the lack of timber, the dryness of the creeks, the isolation, and the unproductiveness of the prairie. In a letter to his father, he stated that it was impossible to farm in Dakota Territory above the Vermillion River; he said that "all men in Dakota were office seekers and that the government was the only source of income. The Indians seemed dismayed but were afraid to complain. The site was about one hundred miles north of Fort Randall and eighty miles south of Fort Pierre, with no neighbors closer. The Indians are fed flour and pork and a little corn. I suppose that will have to be it for a long time. The agent is not here and there is no one who understands managing the Indians," he wrote.<sup>8</sup> Sickness and death continued through the summer, primarily from bowel diseases. The incidence of diarrhea was declining as the Indians became accustomed to the water, which apparently was alkaline, but the deaths continued. In September of 1863, Williamson wrote to Mrs. Riggs, "The Indians are still dying off very fast. There are hardly any babies and small children left. Today there were three grown women buried. I think there have been one hundred fifty that died since we left Fort Snelling. "<sup>9</sup> By December of 1863, after six months of semi-starvation on the Missouri River, many of the Sioux, particularly the Sissetons and Wahpetons, were ready to leave Crow Creek. There was a great deal of

conflict with the Winnebago Indians, who had been removed from Minnesota to Crow Creek at about the same time as the Sioux, although they had taken no part in the Uprising, and there was unhappiness with the character of the land and the meager provision of annuities.

**None of the Upper Sioux (Sissetons and Wahpetons) would stay here, (wrote John P. Williamson on December 26<sup>th</sup>). They are the most of them hoping to go up to the scouts (the camp at Lake Traverse) next spring, but if they can't go then - the government can't keep them here always. As long as they keep their men in jail, they will have a hold on them but after they are out it will be different. The Mdewakantowan will stay here longer, because they have fewer relations elsewhere and are more afraid of the prairies - and they will mix more with the Winnebagoes.<sup>10</sup>**

There was some talk about removing the Indians from Crown Creek to the Yankton Agency which had been established in 1858 at Fort Randall. The Yankton, cousins of the Santee, were in communication with them encouraged by the Yankton Agent, Major Burleigh, a member of the "Yankton ring," which controlled politics in Dakota Territory during the 1860's and '70's. Williamson was correct in stating that the primary business of Dakota Territory was politics, and contracts for provision of goods to Indians was a major source of funds. Territorial politicians in general fought attempts to remove Indians from the area as it was believed that the presence of large numbers of Indians was necessary in order to provide an economic basis for the territory. In a letter dated January 16, 1863, but almost certainly written in 1864, Williamson wrote:

**The Commissioner (of Indian Affairs) seems to hesitate very much about going to any expense here (Crow Creek) and would not sanction the buildings or outfits...the (Peace) Commissioners stand ready to use their influence for a removal whenever it seems advisable. Politicians may bring it about very shortly and from this place it looks somewhat probable now. Major Burleigh, the Yankton agent, is working' to get the Sioux on to his reserve...Thompson (the Crow Creek agent) and Burleigh are set enemies. While Thompson was here, Burleigh sent his pet chief up here on a secret mission to Wabashaw to tell him that he would starve to death here before spring - to come down to his place and he would feed him. Wabashaw started down there last Monday. Probably 300 followed him.<sup>12</sup>**

At Crow Creek, according to Williamson, rations were given on Saturday, eaten up by Sunday and the Indians starved for the rest of the week. For twelve hundred Sioux at Crow Creek, rations were ten pounds of flour and four thousand pounds of beef weighing in heads, feet, etc., per week. During the winter of 1863-64, Agent Thompson began the practice of making "cottonwood soup", mixing all of the weekly issue of rations in large barrels made of cottonwood, putting them in the river to keep cool, and issuing the rations from the barrels. This produced a particularly distasteful mess which Williamson ate and to which he attributed much of the disease which occurred that winter. The traditional social fabric of the Santees was breaking down; inevitably, soldiers at the nearby forts began to take Indian women as mistresses, in exchange for blankets and food. "It is a great temptation", wrote Williamson, "for a shivering woman to marry a hotanke (soldier) and get a new suit of clothes,"<sup>13</sup>

In the early spring of 1864, a group of men were given permission to go on a buffalo hunt by the agent. Williamson accompanied them and they went up to the head of the Coteau and James Rivers. Williamson later said that this trip had done more than any other experience he had to help him to understand the Indians, and commented upon his return that he had been able to show the Indians, that "they can travel over large prairies in the winter and rest on the Sabbath - that they can kill buffalo without making wakan (magic) - that they can hunt and worship God too."<sup>14</sup> Apparently the Crow Creek Reservation held little more charm for the government employees than it did for the Indians who were placed on it. Upon his return from the buffalo hunt Williamson noted, "I never saw an agency with so few men in it. " Everyone was gone except for the superintendent of the mill, a Winnebago teacher, and the blacksmith who couldn't read."<sup>15</sup>

Despite the buffalo hunt, the Santees at Crow Creek faced another summer of starvation in 1864. Like the summer of 1863, the summer of 1864, was dry and no crops were raised. "They are selling their clothes, dishes and everything they can sell just to get a mouthful of something to eat, " John P. Williamson wrote to Steven Riggs in July. All of the berries in the area had been eaten by grasshoppers and the agent was "borrowing" six sacks of flour a week

and killing two oxen to feed the Indians. The appropriations for feeding the Indians at Crow Creek were inadequate, particularly given the high cost of transporting food from Minnesota across the prairie to the Missouri River. Much of the food which was transported had been condemned and was rotten. A soldier who accompanied the first relief expedition to Crow Creek reported that the Indians were picking hal-digested kernels of corn out of the horse manure and boiling them up for soup.<sup>16</sup>

As early as the first summer of 1863, Williamson was asking others to look for better reservation sites for the Santee Sioux.<sup>17</sup> By the following September, with many Indians leaving the reservation at Crow Creek, the discussions regarding permanent home for the Santee began to take on more significance. As has been noted, Major Burleigh at the Yankton agency was eager to add the Santees to that agency. Williamson was against this plan because he believed that the Yanktons would be a corrupting influence on the more acculturated Santees. At Yankton, he said, the Santees "don't dare to say much but no to all that is said to them. " There had been some discussion of moving the Santees to Devils Lake, where an agency for some Upper Sioux (Sissetons) and (Wahpeton) and a few other bands had been established, but Williamson was against this site as well, because, like Crow Creek, it was in "the great American desert, which ages will prove is not altogether a hoax. " He preferred an area near where the Sissetons and Wahpetons had established themselves on the Lake Traverse Reservation.<sup>18</sup> Indeed, some of the Crow Creek Indians were already moving into that area. In October of 1864, Williamson visited Fort Wadsworth, which had been set up to protect the Indians gathering at the Lake Traverse Reservation. He found Gabriel Renville, the son of the man who had invited Thomas Williamson to come to Lac Qui Parle almost 30 years earlier, with thirty lodges on the James River, 50 miles west of Fort Wadsworth. There were twenty lodges at Fort Wadsworth, with Indians from Crow Creek at both locations. The agent at Fort Wadsworth, Major Joseph Brown, was very much against Mdewakantons coming to the Fort Wadsworth area, probably because of the feeling that the Mdewakontons had been primarily responsible for the Sioux Uprising. While the Indians who had moved to the Lake Traverse area would not be sent back, more had been forbidden to come, and the Army had

been given orders to shoot every Indian found on the east side of the James River, no matter where he was from.<sup>19</sup> Despite the order, by December there were many fewer Indians at Crow Creek. Most of the Yellow Medicine, or Upper Agency, Indians had moved near the Minnesota border to the headwaters of the Coteau or Little Sioux River.<sup>20</sup>

With the removal of the Sisseton and Wahpeton bands to the Lake Traverse area, the Crow Creek Reservation was composed primarily of Mdewakantons. Early in 1865, the Winnebagoes left Crow Creek for the Omaha reservation on the Missouri River, where they remain to this day. However, removal of the Santee still seemed remote, although departures of small groups of Indians seems to have continued. With the removal of the Winnebagoes, the Santees at Crown Creek got a new agent who came from Yankton and was thought by Williamson to be a member of the Yankton ring. Williamson felt the agent would be fair, "but that the funds will be managed by the Governor (then, Newton Edmonds) and other men not here."<sup>21</sup>

In the summer, there was another buffalo hunt, with the Indians hunting between the James and Big Sioux Rivers. Sickness continued at the agency; in July, Williamson wrote that the primary diseases were scurvy and inflammatory rheumatism.<sup>22</sup> For the first summer, there were good rains. Unfortunately, a promising crop was destroyed by grasshoppers. In addition, Williamson felt that the soil was too poor to provide much opportunity for agriculture. The Indians at the Agency were earning money by chopping wood for the steamboats.<sup>23</sup>

Some of the prisoners at Davenport were released during the winter of 1865-66 and joined their families at Crow Creek. While some of them became lay preachers, others were a disappointment to Williamson. "Those already returned here (from Davenport)," wrote Williamson in January, 1866, "have not all turned out well - though our best men here are most of them from among those. The old men will sigh for old idolatries. One man met with the conjurers, another had taken both his old wives, while a third thought he was 'too old to

come to meeting much more.' Big Eagle, later one of the founders of the Flandreau colony, says he is not indebted to God for his release and so we need not expect his assistance. "<sup>24</sup> Thomas Williamson, who was in Davenport ministering to the prisoners wrote that he was against sending prisoners from Davenport to Fort Thompson as they would be compelled to become "hunters and savages. " He preferred sending the prisoners to Fort Ambercrombe or Fort Wadsworth both in the Lake Traverse area, compelling them to farm.<sup>25</sup>

Two years after their removal from Crow Creek in 1866, a group of Indians returned to Minnesota and contacted Colonel Sam McPhail who had fought against them in the Uprising. They wished to settle in Southwestern Minnesota at a place called Hole in the Mountain, and their comments regarding Crow Creek, as reported by McPhail, are revealing. They gave as their reason for wishing to settle in Minnesota, "The land beyond the Missouri (Crow Creek) is hungry, when we plant, the ground eats up our seed corn, and gives nothing in return. "<sup>26</sup> The leader of the group appears to have been named Towakporta. The memory of Crow Creek was a long and bitter one which the Santees were not soon to forget.

Early in 1866, with more and more Indians leaving the reservation, the agitation of Riggs and the agent to have the Santees moved to a more suitable location began to bear fruit.<sup>27</sup> A Peace Commission had visited the Santee at Crow Creek in 1865. "Impressed by the suffering and hopelessness of the Indians there, they reported 'in the strongest possible terms' on the 'state of semi-starvation for two years' and recommended that the Santees be removed. "<sup>28</sup> Edward B. Taylor of Omaha, Northern Superintendent of Indian Affairs, and Elvin Saunders, Governor of Nebraska, were commissioned by President Johnson to negotiate with the Oto and Missouri Indians for the purchase of a part of their reservation on the Nebraska-Kansas border. Failing in this, they were to try to make a similar treaty with the Omahas. Taylor had served on the Peace Commission and recommended that, instead of these sites, and at the mouth of the Niobrara River, south of Fort Randall be chosen for the new reservation. This was strongly opposed by Dakota Territory politicians, particularly New Edmonds, the Territorial Governor, on the basis that Taylor was recommending the Niobrara River site in

order to get the patronage that an Indian agency afforded for Nebraska.<sup>29</sup> Despite Edmonds' protest, Taylor prevailed, and four townships in what is now Knox County, Nebraska, were withdrawn from sale by executive order. At the same time, plans were moving forward for the release of the prisoners in Davenport, who were to be located on the new reservation with their families from Crow Creek. The arrival of several hundred starving Lower Yanktonai and Teton Sioux at the Crow Creek Agency, which was now called Fort Thompson, in early 1866, hastened the removal of the Santees to a new reservation. These western cousins of the Santee had signed the Treaty of 1865 at Fort Sully and now claimed for themselves a share of the already inadequate rations. The removal of the Santees made it possible for the Fort Thompson Agency to serve as the agency for these western Sioux, who remain there to this day.<sup>30</sup>

In the spring of 1863, the prisoners in the Mankato stockade were moved to Camp McClellan at Davenport where they were held by the army until their release in 1866. Thomas Williamson followed them from Davenport to continue his mission and found them depressed and not evidencing "too much interest in religion or education as they did last winter."<sup>31</sup> There was a good deal of sickness in the summer of 1863, and again in the spring of 1864 when a smallpox epidemic struck the camp.<sup>32</sup> Williamson and Henry I. Whipple, the Episcopal Bishop of Minnesota, were in Washington in 1864 trying to obtain pardons for the Davenport prisoners. This was difficult at best, although President Lincoln reportedly was ready to order some pardons if the Minnesota delegation in Congress would agree. Without the consent of the delegation, however, Lincoln apparently was not prepared to do anything. By May, Williamson had succeeded in obtaining pardons for only twenty five of the prisoners.<sup>34</sup> When these prisoners arrived at Crow Creek the following July, they "commenced exhorting their friends very earnestly on the subject of religion" although several of them had been sick since they arrived there.<sup>35</sup> Indeed, at Davenport, as at Mankato, a great deal of religious feeling was build and maintained among the prisoners. There were two or more religious meetings a day, and, after the first few months, the prisoners were allowed to go into town and mix freely with the white population. Some worked for wages in Davenport, while others were "boarded out"

as agricultural laborers to farmers in the area. Some women accompanied the prisoners to Davenport, and adultery seems to have been a major concern of Williamson, particularly after the prisoners heard of the prostitution at Crow Creek. The Army officers who were responsible for guarding the warriors of the Minnesota Uprising reported them to be uniformly docile and agreeable.

In January of 1865, more prisoners were removed from Davenport and brought to the reservation at Crow Creek, "chiefly women and children," George E. H. Day, the former Northern Superintendent of Indian Affairs was in Washington working to get the prisoners released. In October of 1865, he wrote to Riggs that Lincoln had been ready to order the release of the prisoners but unfortunately was assassinated two days before a meeting with Day to make final arrangements.<sup>37</sup> Day felt that all of the prisoners would be pardoned and one hung. Early in 1866 the efforts to release the Davenport prisoners began to bear fruit, and they were turned over to the Commissioner of Indian Affairs on April 1, 1866. They were to be sent up the Missouri to the best place that could be found for them, Crow Creek having been determined to be unsuitable.<sup>38</sup> According to Meyer, the decision to locate the Santee Sioux at the mouth of the Niobrara River, a location fairly remote from other Indian groups, may have been a factor in hastening the release of the prisoners.<sup>39</sup> The prisoners left Davenport on April 10, 1865, arriving at the Niobrara River around the middle of May, after an uneventful trip. The Santees at Crow Creek left there in ox carts on May 28 and arrived at the mouth of the Niobrara on June 11, 1865.<sup>40</sup>

## Footnotes to Chapter IV

1. John P. Williamson to Mrs. Thomas S. Williamson, May 13, 1863, Williamson Family Papers, Minnesota Historical Society; Roy W. Meyer, History of the Santee Sioux (Lincoln: University of Nebraska Press, 1967), p. 145
2. Lucy E. Textor, Official Relations Between the United States and the Sioux Indians (Palo Alto: Stanford University, 1896) p. 83.
3. John P. Williamson to Thomas S. Williamson, May 9, 1863. Williamson Family Papers. Minnesota Historical Society.
4. John P. Williamson to Mr. and Mrs. S.R. Riggs, May 14, 1888. Riggs Family Papers, Minnesota Historical Society.
5. John P. Williamson to Mrs. Thomas S. Williamson, May 13, 1863, Williamson Family Papers.
6. Ibid.
7. John P. Williamson to Mr. and Mrs. S.R. Riggs, May 20, 1863. Riggs Family Papers, Minnesota Historical Society.
8. John P. Williamson to Thomas S. Williamson, June 3, 1863. Williamson Family Papers, Minnesota Historical Society; John P. Williamson to Stephen R. Riggs, June 9, 1863. Riggs Family Papers, Minnesota Historical Society.
9. John P. Williamson to Mrs. Stephen R. Riggs. September 26, 1863. Riggs Family Papers, Minnesota Historical Society.
10. John P. Williamson to Stephen R. Riggs, December 26, 1863. Riggs Family Papers, Minnesota Historical Society.
11. See Howard Roberts Lamar, Dakota Territory, 1861-1889: A Study of Frontier Politics (New Haven: Yale University Press, 1966), especially pp. 105-108.
12. John P. Williamson to Stephen R. Riggs, January 16, 1864, Riggs Family Papers, Minnesota Historical Society.

Footnotes (cont)

13. Ibid.
14. John P. Williamson to Stephen R. Riggs, March 12, 1864. Riggs Family  
Papers, Minnesota Historical Society;
15. Ibid.
16. John P Williamson to Stephen R. Riggs, July 26, 1864. Riggs Family  
Papers, Minnesota Historical Society; Meyer, History of the Santee  
Sioux, pp. 147-148.
17. John P. Williamson to Stephen R. Riggs, June 9, 1863. Riggs Family  
Papers, Minnesota Historical Society.
18. John P. Williamson to Stephen R. Riggs, September 10, 1864. Riggs Family  
Papers, Minnesota Historical Society.
19. John P. Williamson to Stephen R. Riggs, October 3, 1864. Riggs Family  
Papers, Minnesota Historical Society.
20. John P. Williamson to Stephen R. Riggs, December 7, 1864. Riggs Family  
Papers, Minnesota Historical Society.
21. John P. Williamson to Stephen R. Riggs, June 21, 1865. Riggs Family  
Papers, Minnesota Historical Society.
22. John P. Williamson to Thomas S. Williamson, July 8, 1865. Williamson Family  
Papers, Minnesota Historical Society.
23. John P. Williamson to Thomas S Williamson, August 8, 1865, Williamson Family  
Papers, Minnesota Historical Society.
24. John P. Williamson to Stephen R. Riggs, January 15, 1866, Riggs Family  
Papers, Minnesota Historical Society.
25. Thomas S. Williamson to Stephen R. Riggs, January 12, 1865, Riggs Family  
Papers, Minnesota Historical Society.
26. Sam McPhail to W.R. Marshall, May 9, 1868. RG 75, National Archives.
27. Roy W. Meyer, "The Establishment of the Santee Reservation, 1866-69, " Nebraska  
History, vol. XLV (March, 1964), pp. 59-97.

Footnotes (cont)

28. Ibid.
29. Ibid.
30. Herbert S. Schell, History of South Dakota (Lincoln: University of Nebraska Press, 1968), pp. 90-91.
31. Thomas S. Williamson to Mr and Mrs S.R. Riggs, June 16, 1863. Riggs Family Papers, Minnesota Historical Society.
32. Thomas S. Williamson to Stephen R. Riggs, March 12, 1864. Riggs Family Papers, Minnesota Historical Society.
33. Thomas S. Williamson to Stephen R. Riggs, April 7, 1864. Riggs Family Papers, Minnesota Historical Society.
34. Thomas S. Williamson to Stephen R. Riggs, May 4, 1864. Riggs Family Papers, Minnesota Historical Society.
35. John P. Williamson to Stephen R. Riggs, July 5, 1864. Riggs Family Papers, Minnesota Historical Society.
36. Thomas S. Williamson to Stephen R. Riggs, January 31, 1865. Riggs Family Papers, Minnesota Historical Society.
37. George E. H. Day to Stephen R. Riggs, October 27, 1865, Riggs Family Papers, Minnesota Historical Society.
38. James Harlan, Secretary of the Interior, to Stephen R. Riggs, February 13, 1866. Riggs Family Papers, Minnesota Historical Society; George E. H. Day to Stephen R. Riggs, March 3, 1866, Riggs Family Papers, Minnesota Historical Society.
39. Meyer, "The Establishment of the Santee Reservation."
40. Ibid.

CHAPTER V  
THE NIOBRARA RESERVATION 1866-69

The one hundred seventy seven prisoners from Davenport, who landed with seventy women and children, at the mouth of the Niobrara River, found themselves in pleasant, hilly country, with an adequate water supply. There were a few white settlers, who had already taken homesteads, and a small village, but the area was relatively deserted. Although the Niobrara River site has been called a "land of milk and honey" as compared to Crow Creek,<sup>1</sup> probably the greatest attraction of the site was that it permitted the reuniting of families separated since the Uprising. The isolated location of the reservation had a great deal to do with the decision to release the prisoners from Davenport, as indicated in the last chapter. Henry H. Sibley, the commander of the Minnesota volunteers during the Uprising, and an old Indian trader, was uncertain about the wisdom of releasing all of the Davenport prisoners. In March 1866, he wrote:

**I worked hard for the Crow Creek miserables while in Washington...and I have addressed the Commissioner of Indian Affairs on their behalf since I returned here (St. Paul). The plan is to remove (them) to the mouth of the Niobrara (or Sweet Water or Running Water), where the bottom land is comparatively good, and where the Indians might be more out of the way of other Indians, as well as of the whites.<sup>2</sup>**

Sibley was opposed to the removal of all of the prisoners from Davenport, but indicated that this would probably be the decision, as indeed it was. The location of the reservation was not isolated enough for Dakota Territorial politicians, however, who had wanted to place the Indians on land just north of the Yankton Reservation and to consolidate the two groups. Objections poured into Washington from settlers in Dakota territory, who, in addition to their frustration at losing the patronage which had been provided by the Santee Agency, may have feared the presence of the Indians just across the Missouri from white settlements at Yankton and Bon Homme

The new location was far from ideal. John Williamson, who accompanied the Indians to Niobrara wrote, that there was little wood (this had been one of the major objections to Crow Creek) and what wood there was had to be hauled up the steep hills from the Missouri River.<sup>3</sup> The Indians remained near the Village of Niobrara townsite until about October 1, when they were moved to winter quarters at Bazile Creek, a few miles down the Missouri. The agent planned to move them again in the spring to a new location.<sup>4</sup> During the winter of 1866-67, there was a great deal of sickness, but little medical attention was available. A physician in Yankton, in Dakota Territory, across the Missouri, had been contracted by the government to provide medical attention; he visited the new reservation several times but no appropriation had been made for the purchase of medicines and so little medical attention was given.<sup>5</sup>

By early in 1867, the idea of moving the Santees up the Missouri to the Yankton Reservation seems to have been dropped by the Dakota politicians; in January of that year, Andrew J. Faulk, Major Burleigh's father-in-law and the new Territorial Governor, recommended to the President that the Santees be located in southeastern Dakota Territory.<sup>6</sup> In March, Commissioner of Indian Affairs, Lewis V. Bogy, recommended to the Secretary of the Interior that a reservation for the Santee Sioux be established between the Big Sioux and James Rivers and between the 44<sup>th</sup> and 45<sup>th</sup> parallels of latitude. He said that this location had been agreed upon by Governor Faulk, by Major Burleigh, now the Territorial Delegate in Congress, and by the Indians. He recommended withdrawing this land from sale, which was done.<sup>7</sup> The land withdrawn from sale includes the location selected by the founders of the Flandreau colony in 1869; in fact, it includes nearly all of the area bounded by the present towns of Redfield, Watertown, Flandreau, and Huron, South Dakota. The land was withdrawn from sale, but the Indians were never moved to it. Eventually, in 1869, the order withdrawing this land from the market was rescinded, and the land was surveyed and opened to homesteading.

Opposition to the proposed removal of the Santees to Dakota territory came from the Episcopal missionary to the Santee, Samuel D. Hinman, and from the Mdewakanton chiefs,

particularly Wabasha, who addressed a petition to the Secretary of the Interior in 1866 asking that the Niobrara Reservation be enlarged and that the Indians be given some assurance it would remain theirs.<sup>8</sup> Another source of opposition came from the new Commissioner of Indian Affairs, Nathaniel G. Taylor, who took office in March of 1867 and was advised by Hampton B. Denman, the Northern Superintendent, that the proposed Dakota Reservation was a plot by Vurleigh and Faulk to gain control of the trade and patronage generated by an Indian reservation.

According to Williamson, however, the Santees, with the exception of the chiefs, were very much in favor of the location in Dakota Territory,<sup>9</sup> which was close to the old reservation in Minnesota and geographically more similar to it than the Niobrara River site. A Peace Commission had told the Indians in 1866 that they would not be allowed to remain at the Niobrara River beyond the summer of 1867 unless they abandoned their tribal relations, including all rights to government assistance, and became citizens. In February of 1867, a delegation of Santee chiefs, including Wabasha, visited Washington in order to secure the Niobrara reservation for the Santees. They obtained the promise that a Peace Commission would visit them and negotiate with them for a permanent reservation during the summer. No decision was given, however, regarding where that permanent home would be.<sup>10</sup>

Whatever the true feelings of the mass of the Santees regarding the reservation in Dakota territory, the uncertain future of the Santee reservation in Nebraska caused problems for the Santee Agent J. M. Stone, in his attempts to encourage permanent improvements and agriculture on the reservation. In March of 1867, he wrote:

**I am daily reminded by them that they were told by the Peace Commission they must leave here next summer, that none would be allowed to remain unless they abandoned their tribal relations and relied upon their own exertions for support, but few of them are prepared to do this. Consequently, a large majority of the tribe feel that they are unsettled and that it would be a great waste of labor to build houses or to improve land here unless the government assures them by treaty that this is to be their permanent home.**

In May, Agent Stone informed the Indians that they would remain at their present location and should begin planting. Hinman told Williamson that the Dakota politicians had lost their influence and the Minnesota, Iowa, and Nebraska delegations had aligned themselves against any removal of the Santees to Dakota Territory. Removal to Indian Territory (the present state of Oklahoma) was the only alternative to the present location. According to Williamson, Wabasha was very unpopular among the Santee for his activities in support of the Nebraska location. There was a great deal of sentiment for a reservation on the Big Sioux River, called Titankahi by the Indians, and some of the young men were going to spy it out and compare it with the Nebraska site<sup>11</sup> That fall, the Peace Commission, which had been promised Wabasha, led by General William T. Sherman, stopped at Niobrara and took some of the Santee chiefs up the Missouri River to look at a site west of the river near Fort Randall at the mouth of the Whetstone River, north of the present town of Bonesteel, South Dakota. The commissioners again told the chiefs that if they stayed at Niobrara "they will have to throw up tribal relations and become citizens."<sup>12</sup> However, the chiefs didn't like the location, which was similar to Crow Creek, and the Indians were allowed to remain where they were. Williamson was very much in favor of a move to the Big Sioux River, and the decision to remain through the winter at the Niobrara was a disappointment to him.

Although Williamson's letters give one the impression that the Indians were dissatisfied with the Niobrara River site, the correspondence between Agent Stone and Superintendent Denman gives the impression that the primary problem involved the lack of a secure title to the land at Santee and the continued threats of another removal coming from peace commissioners and others. It is probable that each feeling encouraged the other; that feelings of dissatisfaction with the Santee Reservation at Niobrara were enhanced by the continuous pressure on the Indians to remove into the hated country west of the Missouri River and the suggestions that, otherwise, they would have to give up their tribal relations, an uncertain step at best. "No one can comprehend their anxiety on this subject without witnessing it," wrote Agent Stone to Superintendent Denman in January of 1868, referring to the insecure situation

of the Santees.<sup>14</sup> Denman urged Commissioner of Indian Affairs Taylor to arrange for the Niobrara Reservation to be guaranteed by treaty, saying that this was the only way in which the uncertainty and discouragement of the Indians could be remedied.<sup>15</sup>

**You will instruct Agent Stone to assure the Indians in question that their present reservation having been withdrawn from sale by order of the President, it would be perfectly safe for them to plant and cultivate their lands, resting assured that they will be permitted to harvest their crops in peace, and that they will not be removed from their present location against their own consent.**<sup>16</sup>

Although Denman had indicated to Taylor that the Indians preferred to remain at the Niobrara River Location, "and would be well satisfied if allowed to do so, " increased numbers of Santees were seen in the Big Sioux River Valley in the spring of 1868. The residents of Union County, in the extreme southeastern corner of Dakota Territory, petitioned Governor Falk in May for relief from "thieving, murdering bands of savages, " who had been a burden to the settlers for the past five years and increasingly so for the past two months. The petition asked the governor to take measures to keep the Indians on the reservation or at least north of Sioux Falls.<sup>17</sup>

In 1868, the main pressure for permitting the Santees to remain in Nebraska came from the Episcopal Church and from those members of the congressional delegations who were still opposed to the reservation in Dakota Territory. Robert H. Clarkson, Episcopal Bishop of Nebraska and Dakota, wrote to Denman in July of 1868, urging that the Santees be allowed to stay on their Nebraska reservation. Clarkson said that they wanted to stay and mentioned the beautiful buildings erected by the Episcopal Church mission at Santee.<sup>18</sup> In September, 1868, the friendly Sioux of Minnesota, who had been permitted to remain there after the Uprising because of services provided to white, were removed to the Niobrara Reservation site. Hinman was engaged to conduct them to Nebraska.<sup>19</sup>

Another Peace Commission came up the Missouri in June of 1868, again headed by General Sherman. They took some Santee chiefs up the Missouri to show them land near Fort Rice, in what is now North Dakota. Agent Stone told Williamson that the commissioners were determined that the Santee could not stay in Nebraska. Williamson predicted that, before going up the Missouri to a location similar to Crow Creek, the Indians would become citizens, although most were afraid to and didn't know what it would mean.<sup>20</sup> When the chiefs returned in July, however, they had signed the Fort Laramie Treaty of 1868 for the Santees. The Fort Laramie Treaty, signed by Red Cloud of the Oglala Sioux in November, guaranteed the lands west of the Missouri River, including the Black Hills and the Powder River Valley in what is now Wyoming and Montana, to the Teton Sioux. For the Santees, however, the provisions of the Treaty were not as clear-cut. The Niobrara Reservation was not mentioned, nor was the proposed reservation between the Big Sioux and James Rivers in Dakota Territory. Article IV of the Treaty provided that heads of families could select allotments of three hundred and twenty acres on the reservation created by the Treaty; other adults could select allotments of eighty acres. According to Agent Stone, the peace commissioners assured the Santees that if they would accept allotment and begin farming, they would be permitted to remain at their present location. Article VI provided that any of the Indians covered by the Treaty could take homesteads and become citizens of the United States and at the same time retain all benefits provided by the Treaty.<sup>21</sup> The assurances of the peace commissioners provided a rather insecure basis for the future of the Niobrara Reservation; in addition, the Senate raised objections to some of the provisions of the Treaty and delayed ratification. In March of 1869 Denman ordered a delegation of Indians to go to Washington to try to hasten ratification of the Treaty, or in the case that the Treaty was not ratified, to arrange for other terms for the Santees. However, the Treaty was ratified before the delegation accompanied by Hinman and Williamson, arrived. "Still it was found not very satisfactory for the Santees...it was thought best for them to come under it - hoping for a liberal construction, " wrote Williamson. Congressional displeasure with the Treaty was so intense that the House refused to pass the Indians Appropriations Bill, letting it go over into the next session.<sup>22</sup> The Treaty

had been concluded on April 29, 1868, although Red Cloud did not sign until November, and was ratified ten months later on February 16, 1869.<sup>23</sup>

After the Santee delegation left for Washington in February, a number of other Indians were leaving the agency to go trapping in the Big Sioux Valley. During the delegation's absence, more Indians left Santee, prompting Williamson to write, upon his return, "I have never been here when there were so few Indians on the agency. " He continued, "They receive no issue but a little beef – the flour having given out – and so everyone has gone off to earn a living except less than a dozen men who are working for the agency breaking up the bean fields....probably one-third of our members are over at the Big Sioux. They are determined to try the experiment of taking homesteads there. "<sup>24</sup> Thus, a group of Santee Sioux were establishing a colony in the region of the proposed Santee Reservation in Dakota Territory at about the same time the idea of the reservation was finally abandoned. The proposed reservation was opened to homesteading in the summer of 1869.<sup>25</sup>

The Santee in 1869, even after the Fort Laramie Treaty, still did not have a secure home.<sup>26</sup> Later in the year, with the beginning of President Grant's administration, the "Peace Policy" which involved filling Indian Service jobs with the nominees of religious bodies, was inaugurated. Agent Stone was replaced by Asa M. Janney, a Quaker, who felt that the Santees now moving in to the Big Sioux Valley were ill-prepared to succeed at homesteading. He urged swift action to allot the Niobrara Reservation so that the fears of the Indians regarding their future there would be allayed. He predicted that if this were not done more would leave the reservation and go to Dakota Territory to homestead. He felt that the Indians could get all the privileges of whites and benefits from the government besides.<sup>27</sup> Janney sent along a petition from the chiefs and head man of the Santee Sioux, signed by Wabasha (spelled "Wapaxa" on the petition) and other, which said in part "If the survey of (our) lands is long delayed (our) people will become dissatisfied and wander back to their haunts in Minnesota and Dakota Territory and seek a home among the white settlements, already some have gone, believing that the government does not intend to give them a permanent home. " The petition

requested allotment of the reservation and severalty and appears to be Janney's handwriting.<sup>28</sup> In October, Major W. W. Burleigh, the Dakota politician and former Yankton Agent and Teritorial Delegate, was awarded the contract to supply the Santee agency with beef and flour.<sup>29</sup> Later that month, Janney received instructions from Commissioner of Indian Affairs Parker, to carry out the allotment of the reservation. "I think the Prudential Commissioner may think that settles the matter of the Indians remaining here, " commented Gideon Pond at the time.<sup>30</sup>

In 1871, Congress formally ended the practice of making treaties with Indian tribes, thus ending the possibility of a treaty establishing the Santee Reservation. In 1876, Wabaska dies, and in 1878 an elective system for governing the tribe was adopted.<sup>31</sup> During the 1880's and 1890's, there was a great deal of migration between Santee and the colonies at Flandreau and in Minnesota. Meyer observes that the greatest gains in population at Santee occurred when land was being allotted there, or when cash payments were being made, while the greatest losses in population occurred when benefits were being distributed to the Sioux in Minnesota.<sup>33</sup>

In 1869, John P. Williamson left Santee to begin a new mission to the Yankton Sioux at Greenwood, South Dakota. Stephen Riggs recommended to the American Board of Commissioners for Foreign Missions that they establish a boarding school at Santee with his son, Alfred L. Riggs, in charge. The school was established and became the Santee Normal Training School , which was a major center for the education of the Santee until the 1830's.<sup>34</sup>

## Footnotes to Chapter V

1. Richard L. Guenther, "The Santee Normal Training School," Nebraska History, vol. 51 (Fall, 1970), pp. 359-378.
2. Henry H. Sibley to Stephen R Riggs, March 14, 1866. Riggs Family Papers, Minnesota Historical Society.
3. John P. Williamson to Stephen R. Riggs, November 13, 1866. Riggs Family Papers, Minnesota Historical Society.
4. John P. Williamson to Stephen R. Riggs, March 1, 1867. Riggs Family Papers, Minnesota Historical Society.
5. John P. Williamson to Stephen R. Riggs, March 1, 1867. Riggs Family Papers, Minnesota Historical Society.
6. Roy W. Meyer, "The Establishment of the Santee Reservation, 1866-1869, " Nebraska History, vol. XLV (March, 1964) pp. 59-97.
7. Lewis V. Bogy to the Secretary of the Interior, March 19, 1867, RG 75, National Archives.
8. Meyer, "The Establishment of the Santee Reservation, " pp. 77-78.
9. John P. Williamson to Stephen R. Riggs April 5, 1867. Riggs Family Papers, Minnesota Historical Society.
10. J. M. Stone to H. B. Denman, January 31, 1868, RG 75, National Archives.
11. J. M. Stone to H. B. Denman, March 30, 1867. RG 75, National Archives.
12. John P. Williamson to Thomas S. Williamson, October 19, 1867, Williamson Family Papers, Minnesota Historical Society.
13. John P. Williamson to Thomas S. Williamson, October 19, 1867, Williamson Family Papers, Minnesota Historical Society.
14. J. M. Stone to H. B. Denman, January 31, 1868, RG 75, National Archives.

Footnotes (cont)

15. H. B. Denman to Nathaniel G. Taylor, February 3, 1868, RG 75, National Archives.
16. Nathaniel G. Taylor to H. B. Denman, March 3, 1868, RG 75, National Archives.
17. Petition to Governor A. H. Faulk from Residents of Union County, Dakota Territory, May 16, 1868, RG 75, National Archives.
18. Rober. H. Clarkson to H. B. Denman, July 2, 1868, RG 75, National Archives.
19. H. B. Denman to Charles E. Mix, September 14, 1868, RG 75, National Archives.
20. John P. Williamson to Thomas S. Williamson, July 19, 1868. Williamson Family Papers, Minnesota Historical Society.
21. Charles J. Kappler, Indian Affairs, Laws and Treaties, vol. II (Washington: Government Printing Office, 1903), pp. 770-775.
22. John P. Williamson to Stephen R. Riggs, March 20, 1869. Riggs Family Papers, Minnesota Historical Society.
23. Kappler, Indian Affairs, Laws and Treaties, vol. II p. 770.
24. John P. Williamson to Stephen R. Riggs, April 26, 1869. Riggs Family Papers, Minnesota Historical Society.
25. Commissioner, General Land Office, to E. S. Parker, Commissioner of Indian Affairs, June 2, 1869, RG 75, National Archives.
26. J. M. Stone to H. B. Denman, April 30, 1869. RG 75, National Archives.
27. Asa M. Janney to Samuel M. Janney, July 19, 1869, RG 75, National Archives.
28. Petition from the Chiefs and Headmen of the Tribe of Santee Sioux, July 19, 1869, RG 75, National Archives.

Footnotes (cont)

29. Samuel M. Janney to E. S. Parker, October 4, 1869, RG 75, National Archives.
30. Gideon H. Pond to Stephen R. Riggs, October 26, 1869, Riggs Family Papers, Minnesota Historical Society.
31. Meyer, History of the Santee Sioux, pp. 168-174.
32. Ibid., p. 180.
33. Ibid., p. 193.
34. Guenther, "The Santee Normal Training School"

## CHAPTER VI

### THE ESTABLISHMENT OF THE FLANDREAU COLONY 1869-72

According to tradition, in the spring of 1869, twenty-five families who had left the Santee Reservation without authorization established the Flandreau colony on the banks of the Big Sioux River near a townsite where Charles Flandrau had made an abortive attempt to establish a settlement before the Sioux Uprising.<sup>1</sup> However, as we have seen, in the spring of 1869, there was a general movement of Santees into the Big Sioux Valley and even into Minnesota, which had been going on for at least a year. After Sam McPhail had called Governor Marshall's attention to the two lodges of Santee in Minnesota, who wished to begin farming near Hole in the Mountain, seventy miles from Redwood Falls,<sup>2</sup> Marshall wrote that there were Santee all along the Dakota-Minnesota line, presumably emigrants from the Niobrara Reservation.<sup>3</sup> It had been seven years since the Minnesota Uprising, and Marshall had no special objection to the Indians remaining in Minnesota. The colonization of the Big Sioux Valley by the Indians occurred against a backdrop of general movement of Indians into the area and into the traditional homeland in Minnesota to the east. This movement was to continue and intensify during the later decades of the nineteenth century. Varying reasons are given for the migrations during the late 1860's and 70's. Certainly, migration was occasioned in part because of the Santee's disillusionment with Crow Creek and in part because of the insecurity of their tenure on the Niobrara River Reservation. In addition, beginning with the scattering of the Santees after the Minnesota Uprising, there seems to have been a general movement of the Sioux over the Dakota plains throughout the 1860's. In some cases, the Santees joined with their western cousins, the Teton Sioux, and entered into the Plains Indian culture which still had a decade or two to survive before it was totally subordinated to the White-American culture. In other cases, the Santee, generally those who were more acculturated, began to establish settlements of homesteaders as at Flandreau and in Minnesota and adopted a way of life not unlike that of the white homesteaders who were filling up the prairies. Some of the Santees went into Canada and established themselves there. Both the most acculturated and the least acculturated of the Santees were involved in these migrations

which were not sanctioned by the Office of Indian Affairs. Article VI of the Fort Laramie Treaty, which provided that Indians could take homesteads and become citizens and still retain the benefits provided to them by the Treaty, was of great importance to the Indians who chose to homestead. This article was probably written into the Treaty for the Santee Sioux on the Niobrara Reservation; it provides a compromise between the position of the Peace Commissioners that no Indians could remain on the Niobrara River unless they abandoned their tribal relations and became United States citizens and the Indians' determination to secure a permanent home for themselves without abandoning their traditional relationship with the Federal Government. This clause was never applied to the Santee who remained on the Niobrara Reservation without taking homesteads, but was used by the Flandreau colony as the basis for their claim for assistance from the government during the difficult years of the 1870's. This was probably an unintended application of Article VI, but was quite consistent with the letter and intent of the article, as was pointed out by the Indians themselves and by John B. Williamson, who became their champion. Dakota politicians may have encouraged the Indians to move to Flandreau, as was suspected by Asa Janney, the Santee agent. Certainly Dakota politicians, in particular John A. Burbank, who succeeded Faulk as Governor in April, 1869, did assist the Indians in securing title to their homesteads. In later years, state and territorial politicians, in particular Richard F. Pettigrew, who had relatives at Flandreau, provided assistance to the struggling colony. Another motive of the Indians who settled Flandreau, may have been to practice the Christian religion without interference from those Santees who had resisted the missionaries.

The colonists were fortunate that the year 1869 brought General Ulysses S. Grant to the White House. Grant, who shared the disdain of the military for the often corrupt and inefficient Indian Service, instituted the "Peace Policy," proclaimed as a major reformation of United States Indian policy. The essential elements of the policy included the containment of Indians on reservations, the promotion of education and agriculture, and the appointment of Indian Agents from nominations submitted by church mission groups. In the early years of the Grant Administration, church groups found themselves wielding unaccustomed political

power and influence in Indian Affairs. John P. Williamson, the American Board missionary, despite early misgivings about the probable success of the Flandreau experiment, became a supporter of the colonists in their efforts to gain support from the government to carry on with their plan for their own development, which coincided to a remarkable degree with the stated objective of the Peace Policy. Williamson served as Special Agent to the Flandreau Sioux from 1873 to 1878. Eventually, in part because of his ability to present the case of the colonists effectively and in part because of the tremendous interest which was generated by the Flandreau experiment, Williamson was able to get almost anything he wanted for the Flandreau colony. The Flandreau colony itself validated in many ways the assumptions of the Peace Policy: they were Christian Indians, owning land as individuals, which they farmed in much the same way as their white neighbors did. It was expected that they would soon become indistinguishable from their white neighbors, and no longer need help from the government. Throughout the 1870's, and indeed into the 80's and 90's, the reports of Williamson and his successors contained glowing predictions that within a few years there would be no need for further government assistance to the colony. That things did not work out in that way attests to the tremendous power of ideas to blind individuals to realities; by 1900, the land base of the colony was gone, and in 1971, a distinct group of Indians survives at Flandreau. Tribal land, while assigned to individuals, is owned in common by Tribal members, and the tribe is moving to make use of government assistance programs in many spheres. The descendents of the colonists still identify themselves as Santee Sioux, and there has been something of a revival of interest in Indian culture. While this is not at all the result which was envisioned by Williamson and others in the 1870's, or indeed, probably, by the colonists themselves, the Flandreau people do retain certain distinctive characteristics which may be an inheritance from their own history. Tribal affairs are almost exclusively the concern of the tribe and it's business council; no government official is concerned with the activities of the Flandreau tribe on a full-time basis. The churches, particularly the First Presbyterian Church, which was founded in 1869 and is one of the oldest churches in South Dakota, still flourish, although some say that interest in religion on the part of the young has waned. While agriculture is no longer the major economic activity of tribal members, there is, perhaps to a

greater extent than on other South Dakota reservations, an integration of tribal members into the economy of the region.

"The Indians here are all excited and have all manner of rumor afloat - Indian style," wrote Julia LaFramboise, a teacher in John B. Williamson's school on the Santee Reservation, in March 1869. She wrote that very soon after Agent Stone and his delegation of Santee chiefs left for Washington, Santees began going down the Missouri River looking for employment. "I suppose that a good many more than half of the Indians are gone. Many of them say they want to go to the Big Sioux so as to pick out a good piece of land." Some, reportedly, had frozen to death.<sup>4</sup> On his return to Santee Agency from Washington in April, John P. Williamson wrote that fully a third of the members of the Presbyterian Church at the reservation had gone over to the Big Sioux to take homesteads. "I am afraid (they will) only have a hard time and then have all their claims taken away from them," he wrote. "The men who have gone there are our best men...It casts a gloom over our Church here."<sup>5</sup> Among those who had left were four of the chiefs who had signed the Fort Laramie Treaty for the Santee Sioux, including Old Flute, All Over Red, Iron Dog, and Big Eagle. The twenty-five original families were joined by thirty-five additional families within the year. Among the other early settlers were Jacob Eastman (Many Lightnings), the father of John and Charles Eastman, who had been imprisoned at Davenport, Thomas Wakeman (Wowinapa), the son of Little Crow, who had been captured when his father was shot by whites in 1863 and had also been imprisoned at Davenport, and David Weston, an Episcopalian catechist.<sup>6</sup>

Soon after his return from Washington with the Santee delegation, Agent Stone was replaced by Asa M. Janney, who had been nominated for the position by the Society of Friends. Janney's attitude toward the settlement at Flandreau was expressed in a letter to E. S. Parker, the Seneca Indian who was Grant's first Commissioner of Indian Affairs, written in August of 1869, the letter mirrors some of the misgivings expressed by Williamson. "The Indians who have left this reservation" wrote Janney, "are not capable of competing with white men in the accumulation of property. They have a very desirable location, so much so that

white men will desire to have it and will buy out many of them at low rates. <sup>7</sup> The Government was officially opposed to the experiment, and Parker insisted that the Indians renounce their tribal relations before being allowed to file claims on their homesteads.

The Indians planted a crop, and were joined throughout the summer by others who were leaving the Santee Reservation and traveling north through the Big Sioux Valley. Their homesteads extended along the Big Sioux River for about forty miles, from the present town of Egan almost to where Brookings is today. The colony was called River Bend, after a horseshoe-shaped bend in the Big Sioux near the Flandreau townsite. In October, Williamson visited them and reported that he passed several parties going up to the Big Sioux colony on his way there. During his visit, he organized a church at the colony, which was called Wakkpaihaaksan, River Bend Church, and had forty four members. This was to become the First Presbyterian Church of Flandreau. The first elders of the church, former elders of the Pilgrim Church at the Santee Reservation, were Owancamaza (W. O. Rogers), Marpiwicasta, Wichaincaruaza (possibly Old Flute or Zach Flute, whose Indian name is given as Wicahince in another document).<sup>8</sup> Williamson was concerned about the lack of food and wrote to Governor Burbank, asking him to lend the colony a helping hand. Williamson indicated that about fifty Indian men had come to the Big Sioux, the majority of them being members of Williamson's mission church. He indicated that the reason for their leaving the Agency I Nebraska was not anger with the agent or the chiefs (indeed some chiefs had resigned to go with them) but the wish to become "white men, " which was impossible on the Reservation. The Big Sioux was the best land they knew of available to them and this is why it had been selected, Williamson said. They wanted to homestead and supplement their income with trapping; about one acre of corn had been raised and some of the Indians were living in log cabins, some in tepees. There were three or four whites in the neighborhood who were "kindly disposed" to the settlers.<sup>9</sup> Burbank sent Williamson's letter on to Commissioner Parker with a recommendation for government assistance to encourage the Indians on the Big Sioux, but not to support them totally.<sup>10</sup> Parker, convinced by Janney of the dubious future of the colony, insisted that the Indians forgo their tribal relations in order to homestead, and, in 1870,

Burbank had them come down to Yankton and formally renounce their rights to assistance from the government. Then he helped them to secure title to their homesteads. "

The settlers at Flandreau quickly gained favorable reputation among their white neighbors. In 1870, C. K. Howard, a Sioux Falls merchant, said their settlement gave more indication of civilization and industry and "a show of living like white people than the same number of Norwegian families located a few miles below. "<sup>12</sup> Between 1869 and 1872, the population of Flandreau doubled,<sup>13</sup> and by 1871, an Episcopal congregation had been organized among the colonists, although it apparently did not become active until later in the decade.<sup>14</sup> The Annual Report of the Commissioner of Indian Affairs for 1871 contains requests for government aid to the Santee Indians at "Flanders" from Hinman and Williamson.<sup>15</sup> Williamson urged assistance to the Flandreau colony under the 1868 Treaty for three reasons. First, assistance was due to these Indians by virtue of the Treaty; second, this was the first group of Indians to attempt to live like whites; and, third, there was a significant need for assistance on the part of the Indians. Williamson suggested five thousand dollars initial appropriation to be placed under the control of the American Board of Commissioners for Foreign Missions, since there was no Agent for the Flandreau group. He specifically asked for agricultural implements for each family, including a yoke of oxen, a wagon and log chain, a plow, a cow, a scythe, a fork and a hoe.<sup>16</sup> When the Sisseton Agent, Moses N. Adams, visited Flandreau in 1872 to look into the needs of the Indians there, he found two hundred and twenty seven people living in fifty-one-log houses, with only one plow for the colony. Williamson met Adams at Flandreau and later wrote to his sister Nannie,

**Mr. Adams met me at Flandreau to talk with the Indians and report to the Commissioner of Indian Affairs with the view to their being supplied with tools, etc. Also about a school. He is going to recommend that the government employ a teacher there, also that they be supplied with some cattle and farming utensils. He thought they had better not ask for very much the first time, and if they got it ask more the next time. So he did not want them to ask for more than ten or twelve yoke of oxen (for sixty families). The Indians said the President might give them what he pleased, but they would not ask for any oxen unless they furnished enough for**

**every family(;) that the Great Father was able to give them all they needed at once, and it would be much better for them, because then there would be no jealousy.**

Adams was opposed to the teaching of the Dakota language in the day school which was to be established in Flandreau. "I had not idea he was such an old fogy, " wrote Williamson.<sup>17</sup> Adams' suggestion that the colonists begin with a small request and build up to a larger one when the precedent for the assistance has been set is a familiar one. The rejection of that suggestion by the Flandreau colonists may be attributed to naivete or to wisdom; certainly, the characteristically less-than-adequate appropriations for Indian Affairs in the last century, and the consequent failure to meet pressing needs, has often resulted in the jealousy predicted by them. Adams does not seem to have taken the warning of the Indians to heart, although he probably did what he could for them; in his annual report for 1873, he reports delivering clothing in February and in June delivering oxen and wagons, plows, hoes and scythes to about half of the families who had settled in the region. He recommends more aid for the remaining Indians and notes that the colonists "through faith, have escaped the pollutions and thralldom of tribal and annuity arrangements and are struggling against poverty and want. "<sup>18</sup>

By late 1873, the population of Indians at Flandreau had increased to two hundred and fifty people, by Williamson's estimate. Of these, one hundred and thirty were members of the Presbyterian Church, which had just built a meeting house, twenty-four by fifty feet. Williamson's exertions on behalf of the Flandreau Indians were recognized by his appointment, late in 1873, as Special Agent for the Flandreau Sioux, "with a (special) salary of \$480 a year, " as he wrote. "I was surprised at receiving (the Appointment) at this time, and do not know who suggested it. "<sup>19</sup>

Although difficult times were ahead, the colony was to achieve some stability of population during the decade of the 1870's, which would be maintained for nearly a hundred years. There were serious agricultural problems during this period, particularly with grasshopper infestations which spoiled many of the crops, but the river itself made it possible

for the colony to maintain itself, much as the rivers and lakes of Minnesota had maintained their Mdewakanton and Wahpekute ancestors before the coming of the whites.

**The Big Sioux River played a vital part in the lives of the early Indian homesteaders. In the river, they found fish, to the shores came antelope, deer, sometimes an elk. Also found at the river were rabbits, prairie chickens, ducks, geese, and various kinds of berries. Wood for fuel and the ever-important water were there. Otter, beaver, muskrats, and mink could be trapped and the skins traded at the trading post. When the Indians first came they lived in cloth teepees and dugouts as they didn't have any tools to build anything else.<sup>20</sup>**

Thus, the colony provided an opportunity for a group of Santee Sioux, for the first time since 1851, to live without the constant supervision of government Agents, in a manner of which combined farming in the manner of the white settlers with, of necessity, living off the land in the manner of their ancestors.

## Footnotes to Chapter VI

1. Roy W. Meyer, History of the Santee Sioux (Lincoln: University of Nebraska Press, 1967), p. 242.
2. Sam McPhail to W. R. Marshall, May 9, 1868, RG 75, National Archives.
3. W. R. Marshall to Major General A. H. Terry, May 5, 1868, RG 75, National Archives.
4. Julia LaFramboise to Stephen R. Riggs, March 11, 1869, Riggs Family Papers, Minnesota Historical Society.
5. John P. Williamson to Stephen R. Riggs, April 26, 1869. Riggs Family Papers, Minnesota Historical Society.
6. Meyer, History of the Santee Sioux, p. 135; Moody County Enterprise, June 18, 1969.
7. Asa M. Janney to E. S. Parker, August 6, 1869, RG 75, National Archives.
8. John P. Williamson to Stephen R. Riggs, October 16, 1869, Riggs Family Papers, Minnesota Historical Society; John P. Williamson to Thomas S. Williamson, Oct. 26, 1869, Williamson Family Family Papers, Minnesota Historical Society.
9. John P. Williamson to John A. Burbank, October 22, 1869. RG 75, National Archives.
10. John A. Burbank to E. S. Parker, November 20, 1869. RG 75, National Archives.
11. Mayer, History of the Santee Sioux, p. 245.
12. Ibid., p. 246.
13. Ibid., p. 247.
14. Commissioner of Indian Affairs, Annual Report, 1871, p. 269.
15. Ibid., pp. 269-270.
16. Ibid., p. 270.

Footnotes (cont)

17. John P. Williamson to Nannie Williamson, October 30, 1872. Williamson Family Papers, Minnesota Historical Society.
18. Commissioner of Indian Affairs, Annual Report, 1872, p. 227.
19. John P. Williamson to Thomas S. Williamson, November 25, 1873. Williamson Family Papers, Minnesota Historical Society.
20. Moody County Enterprise, June 18, 1969.

CHAPTER VII  
THE FLANDREAU SPECIAL AGENCY, 1873-1879

The land chosen by the Santee homesteaders who established the Flandreau colony on the Big Sioux River was "a fertile country, but subject to drought and grasshoppers and scantily wooded."<sup>1</sup> The Indians who settled at the bend in the Big Sioux River were inexperienced farmers and during the first few years used the hoe and the spade rather than the plow. John P. Williamson commented in 1871, "It must be many years before they can attain to a comfortable competency with their limited means and inexperienced hands."<sup>2</sup> However, "They endured great hardships and some of their best men perished in snow storms but they persevered and were joined by others, " who also took homesteads.<sup>3</sup> The uncertain crops were supplemented by fishing, hunting, and trapping, by making artifacts for sale from the pipestone quarries fifteen miles to the east, and as game became scarce due to an influx of white settlers, by freighting, wood cutting, and mail carrying. These non-agricultural activities left the Indians somewhat better off than their white neighbors during the early years of the colony.

By 1874, John P. Williamson's first year as Special Agent, the colony had a population of three hundred and twelve; there were one hundred members of the First Presbyterian Church, which was by this time partially self-supporting. There were three hundred and seventy acres under cultivation. Although four-fifths of the crop was devastated by grasshoppers, the Indians managed to harvest one hundred and seventy two bushels of wheat, four hundred and forty bushels of corn and nine hundred bushels of potatoes, turnips and beans. During the spring, Williamson brought two hundred sacks of flour, four thousand pounds of bacon, three hundred pounds of coffee and one thousand pounds of sugar to Flandreau to carry the people through the planting. They owned seventy horses and ninety head of cattle. The colony experienced a very high mortality rate during 1874; thirty three people, over ten per cent of the population, died. The principal cause was Whooping cough. A school had been started by

Adams the year before and, while it enrolled forty pupils, the average daily attendance was only twelve, chiefly because of the great distance of most of the homesteads from the school.<sup>4</sup>

In 1875, the number of acres under cultivation increased to five hundred and sixty four, and, while grasshoppers took half the crop, there was a much larger harvest, consisting of three thousand four hundred and eighty five bushels of corn, three thousand four hundred and seventy bushels of potatoes, one thousand six hundred and five bushels of wheat, five hundred bushels of turnips, and forty one bushels of beans.<sup>5</sup> Williamson issued rations during the spring as he had the year before. In 1876, there was again a problem of grasshopper infestation, and the harvest was smaller for wheat and corn, one thousand one hundred bushels and one thousand seven hundred and sixty bushels respectively, but much larger for potatoes and other vegetables (three thousand nine hundred and seventy bushels).<sup>6</sup> In 1877, the Dakota Indian churches gave special prayers to stop the plague of grasshoppers; the results were a bountiful harvest: four thousand bushels of wheat (over twenty bushels per acre), three thousand bushels of potatoes, two thousand bushels of corn and smaller vegetables.<sup>7</sup>

The population had increased by 1878 to three hundred and sixty five persons. Grasshoppers and hot weather cut down on the harvest, but the wheat crop was the best ever with six thousand seven hundred and sixty seven bushels. There were two thousand one hundred and eighty bushels of corn, three thousand seven hundred and eighty of potatoes and smaller amounts of other vegetables.<sup>8</sup> There were now twice as many whites as Indians in the Flandreau area. "White people are flocking in here so fast they seem like they would swallow up the Indians, " wrote John Williamson to his brother Andrew in May. The day school had been ineffective because of the distances between homesteads and also partially because of the personality of the teacher, Philander A. Vannice. Williamson was hoping to have a boarding school built for the Indians in the fall.<sup>9</sup> By this time, Williamson was receiving a great deal of attention from the Office of Indian Affairs. "The Indian Department is beginning to take considerable interest in the Indians here and in this plan of civilization. They have of late granted every cent I have asked for and sent it on promptly, and without any consultation

with me notified me that my salary is raised to \$1,000 after the first of July, " he wrote in June. However, the mission work at Yankton Agency, was taking more and more of his time, and he wanted to resign but was uncertain who would replace him. He suggested to Andrew that he consider serving as Special Agent. His great fear was that he would be replaced by a full-time Agent who would introduce habits of dependency to the Indians.<sup>10</sup> Williamson did resign, and in August of 1878, turned the Agency over to his successor, William H. Wasson. Wasson was dismayed at the lack of facilities at Flandreau and submitted estimates of \$3,575 for an agency building and other improvement. Most of his request were denied by the Office of Indian Affairs, and early in 1879, Wasson was removed and the Flandreau Special Agency consolidated with the Santee Agency. This was exactly as Williamson wished; he wrote:

**Flandreau Agency is abolished without the trouble of fighting it. The Santee Agent is instructed to take charge of those Indians also – this is just as I wished. As to the Santee Agent (Isian) Lightner he is a plain man with common sense. But that is not so much to the point as not to have any agent at Flandreau.** <sup>12</sup>

Wasson remained at Flandreau for a short time as overseer and teacher, but later in 1879, Lightner asked the Indians who they would like to have a teacher, and they selected John Eastman, who had been elected Pastor of the Presbyterian Church three years before.<sup>13</sup>

There had been no lack of candidates for the position of pastor among the strongly Christian Indians of Flandreau, and the election appears to have excited considerable interest for two years prior to 1876. W. O. Rogers had been serving the church as Acting Pastor, but in 1874, Williamson predicted that, if the Flandreau people selected a young man as Pastor, they would select John Eastman, then a student at Santee Normal Training School, whose connections to Flandreau were very strong, his father having been one of the founders of the colony.<sup>14</sup> However, Eastman was only twenty-five at the time and there was considerable feeling on the part of the Indians that an older man should be selected. "Those with whom I talked said –white men may be able to listen to a young man but a young man can't stand before this people. " wrote Williamson to his father in May of 1875.<sup>15</sup> Of the other candidates, the most prominent were W. O. Rogers, Albert Frazier, and Solomon Flute. Rogers had, on

several occasions, complained that he was inadequately compensated for his services, alienating some members of the congregation.<sup>16</sup> He had, however, a large following. Williamson visited Flandreau in June of 1876 and found that the church had tried to have an election three weeks before, which had resulted in deadlock between Rogers, Eastman, and Flute with a scattering of votes to other candidates. Williamson then "preached on the qualifications of a pastor and the spirit that should actuate them in making the choice. " The first ballot resulted in another deadlock but, on the second ballot, Eastman defeated Rogers narrowly and Williamson declared him elected. "I told them that he could not be their pastor until he was approved and installed by Presbytery and further that as he was not ordained, he could not administer the ordinances until the Presbytery ordained him, but that he could supply the pulpit with preaching if they arranged it with him until the meeting of the Presbytery. They said they did wish it so arranged. " The congregation decided to pay Eastman twelve dollars a month, and Eastman agreed to preach until the Presbytery met. "John Eastman seems to have acted discretely and kept out of the cliques, " wrote Williamson. "I am afraid he will always be in hot water financially, and I do not feel the confidence or his piety that I do in Hopkins or Titus or Blacksmith but he has the power to do more than any of them if the Lord will lead him. "<sup>17</sup> Eastman was to continue as Pastor of the Flandreau Presbyterian Church until 1907, when he moved to the Goodwill Church in Sisseton, South Dakota. He later became a general missionary, serving in North and South Dakota, Montana, and Minnesota. He died on October 5, 1921, and was buried at Flandreau in the cemetery of the First Presbyterian Church.<sup>18</sup> His son-in-law, the Reverend Harry Jones, was later Pastor of the church.

There was a great deal of anxiety on Williamson's part about the Episcopal Church at Flandreau. Although David Weston had apparently organized a small Episcopal congregation there as early as 1871, the Episcopal Church was providing no missionary in the early years of the decade. During the years at Crow Creek and at the Niobrara Reservation, Williamson had engaged in fierce competition with Samuel D. Hinman, the Episcopal missionary to the Sioux; he referred to the Indians converted by Hinman as "Hinmanites". The American Board

missionaries regarded the Episcopalians late comers to the Sioux Mission field; Bishop Whipple began his mission to the Sioux as late as 1850, sixteen years after the American Board missions had been established by Riggs and Williamson. In 1874, Thomas Williamson wrote to his son, "If Bishop Hare is going to build a church (at Flandreau), then no doubt the money will be allowed, but the Indians may suffer first and the Episcopalians will get the honor of obtaining it which I do not think is fair."<sup>19</sup> David Weston was leading a movement to have his choice (the Episcopal church) replace that assigned to the area.<sup>20</sup> However, early in 1865, John Williamson wrote elatedly to his father: "The Bishop Hare has just written me that he has relinquished the idea of working (at Flandreau) since finding out the government had put those Indians in charge of another denomination, viz myself."<sup>21</sup> The Bishop's reticence reflects the interpretation of the "Peace Policy" which prevailed in the 1870's: since the agents were nominated by religious denominations, all mission work at each agency would be carried on by the denomination which had nominated the agent, thus making for smooth working relations between church and state. This policy, which never worked well in practice, amounted to a denial of freedom of worship to the Indians. It was abandoned in 1880, as a result of the outcry after Daniel Renville, a Sisseton Sioux and a Presbyterian missionary, was dismissed from the Devil's Lake Agency on orders from the Commissioner of Indian Affairs.<sup>22</sup> Despite Bishop Hare's assurances to Williamson, in 1876, he directed that a church be organized at Flandreau under the direction of Rev. H. St. George Young, for both Indian and white Episcopalians. The Bishop himself visited Flandreau in June and July of 1878 and conducted Sunday services through an interpreter who accompanied him. "The house was full and a credit to the natives. Be it said that we never witnessed a more devout and orderly congregation composed of any people," wrote the reporter of the Moody County Enterprise, the new newspaper in Flandreau. "A young Dakota displayed considerable musical skill at the organ."<sup>23</sup>

At the conclusion of Williamson's ten years as Special Agent to the Sioux, the Moody County Enterprise wrote:

"We are thoroughly persuaded that no native community in the country has during the past decade recorded a more marked departure from savagery and a more visible and practical advancement towards civilization and enlightenment than the branch of Santee Sioux attached to the Flandreau Agency. If our general government desires to make appropriations to the natives where substantial results may be confidently expected, a promising field is found at Flandreau Agency. "<sup>24</sup>

Williamson ran the Flandreau Special Agency in accordance with the philosophy which characterized mission work under the Peace Policy. This philosophy is well-expressed in a statement of the Dakota Mission, which was adopted by the American Board of Commissioners for Foreign Missions in 1877. The statement affirmed that Indians are men with the same wants and impulses as others; it demanded civil law, compulsory education in books, agriculture, and mechanic arts so that "no more Indians be raised"; it accepted the reservation system as a temporary expedient, to be abandoned before interfering with the attainment of citizenship; it demanded the right to land titles and the establishment of a "true Indian civil service;" and it affirmed the teaching of Christianity as indispensable to civilization, enlightenment, and education.<sup>25</sup> Christianity, education and agricultural progress were seen as interconnected and of equal importance. In particular, the missionaries were opposed to the annuity system which, they felt, pauperized the Indian and robbed him of the incentive to become self-sufficient. In 1874, Williamson wrote that he would probably have to issue rations at planting time, but that he would rather invest the money in cattle and agricultural implements.<sup>26</sup> By the end of the 1870's, the Flandreau Sioux, more than any other group of Indians, appeared to be proving the validity of the assumptions underlying the peace policy. While the Indians had experienced many hard times, they were in many respects indistinguishable from their white neighbors and seemed to be well on the road to self-sufficiency. Williamson confidently expected that it would be possible for the government to terminate all services to the Indians in the near future. Indeed to protect the Indians from the evils of the ration system he found himself frequently opposing their requests for assistance from the government.<sup>27</sup>

Toward the end of the decade the problems of the Indians involved the mis-use of whiskey, indebtedness, and an inability to pay taxes.<sup>28</sup> These problems were not particularly different from those of the early homesteaders in Moody County and other areas of Dakota Territory. There were some special problems with taxes and assessment and Williamson made several trips to Flandreau, late in his term as Special Agent to try to resolve these problems.

## Footnotes to Chapter VII

1. Commissioner of Indian Affairs, Annual Report, 1874, pp. 41-42.
2. Ibid., 1871, p. 270.
3. Ibid., 1874, pp. 41-42.
4. Ibid., 1874, pp. 41-42, p. 241.
5. Ibid., 1875, pp. 240-241.
6. Ibid., 1876, pp. 27-28.
7. Ibid., 1877, pp. 58-59; John P. Williamson to Thomas S. Williamson, August 28, 1877, Williamson Family Papers, Minnesota Historical Society.
8. Commissioner of Indian Affairs, Annual Report, 1878, pp. 30-32.
9. John P. Williamson to Andrew Williamson, May 29, 1878, Williamson Family Papers, Minnesota Historical Society; John P. Williamson to Thomas S. Williamson, June 15, 1878, Williamson Family Papers, Minnesota Historical Society.
10. John P. Williamson to Andrew Williamson, June 20, 1878, Williamson Family Papers, Minnesota Historical Society.
11. Roy W. Meyer, History of the Santee Sioux, p. 253.
12. John P. Williamson to Thomas S. Williamson, April 9, 1879, Williamson Family Papers, Minnesota Historical Society.
13. Meyer, History of the Santee Sioux, p. 253.
14. John P. Williamson to Thomas S. Williamson, November 20, 1874, Williamson Family Papers, Minnesota Historical Society.
15. John P. Williamson to Thomas S. Williamson, May 27, 1875. Williamson Family Papers, Minnesota Historical Society.
16. Ibid.
17. John P. Williamson to Thomas S. Williamson, June 28, 1876. Williamson Family Papers, Minnesota Historical Society.
18. The Flandreau Herald, April 15, 1931.

Footnotes (cont)

19. Thomas S. Williamson to John P. Williamson, October 5, 1874. Williamson Family Papers, Minnesota Historical Society.
20. Moody County Enterprise, June 18, 1969.
21. John P. Williamson to Thomas S. Williamson, January 29, 1875. Williamson Family Papers, Minnesota Historical Society.
22. R. Pierce Beaver, Church, State, and the American Indian, p. 160.
23. Moody County Enterprise, June 27, 1878, and July 11, 1878.
24. Moody County Enterprise, August 28, 1878.
25. Beaver, Church State, and the American Indian, p. 200-201.
26. John P. Williamson to Thomas S. Williamson, November 20, 1874. Williamson Family Papers, Minnesota Historical Society.
27. Meyer, History of the Santee Sioux, p. 253.
28. Commissioner of Indian Affairs, Annual Report, 1878, p. 31.

## CHAPTER VIII

### THE FLANDREAU COLONY IN THE 1880'S AND 1890'S

In 1878, the population of the Flandreau Colony was three hundred and sixty four. John P. Williamson turned over the Flandreau Special Agency to his successor, William H. Wasson, who was to serve for only a few months. The Flandreau Sioux were then turned over to the Santee agent, Isaiah Lightner, who asked them to nominate a government teacher. They chose John Eastman, as we have seen. The government was now deeply involved in providing assistance to the Flandreau Colony through the provision of educational services, housing, and agricultural assistance. The Moody County Enterprise noted approvingly that most of the Flandreau Indians voted the straight Republican ticket, that two-thirds of them were Presbyterians and the remainder Episcopalians, and that during the first nine years of the colony's existence no criminal charges were made against them.<sup>1</sup> However, they were paying over \$800 a year in taxes and were beginning to get into economic difficulty.<sup>2</sup> By 1879, the population had decreased somewhat, to three hundred twenty one and it continued to decrease during the next few years. The first Indian YMCA was organized in Flandreau on April 27, 1879, by Thomas Wakeman, the son of Little Crow, who had been captured when Little Crow was killed and had been converted to Christianity at Davenport.<sup>3</sup>

The population decreased during the 1880's, as economic problems at Flandreau became more serious and as some of the Flandreau Sioux left to claim land when the Santee Reservation was allotted in 1885. Others migrated to Minnesota in 1884, when appropriating funds for the support of the small groups of the Sioux who had returned there. The population fell as low as 234 in 1886.<sup>4</sup>

In 1880, the Episcopal Church, which had been located in a log building, was moved to a new frame structure which had just been built,<sup>5</sup> and the original Presbyterian Church building was being used as the government school house.<sup>6</sup> In 1882, the Flandreau Indians shared in the funds which were made available to the Santee Sioux from the sale of the Minnesota

Reservation which had been taken away from them after the Minnesota Uprising. The money was expended in "aids to their civilization" and as a result they received payment in the form of cows, oxen, and agricultural implements.<sup>7</sup>

The day school continued through the 1880's, with periodic pressure for a boarding school being exerted by Eastman, Williamson, and others. In 1885, Agent Lightner wrote in his annual report that he had been asked to advocate the erection of a boarding school, but that he didn't think that it was necessary.<sup>8</sup> However, interest in a boarding school continued, and after the admission of the state of South Dakota to the United States, Richard F. Pettigrew, a candidate for Senator, promised Flandreau that he would help the town to get a government boarding school for Indians if the town supported his candidacy. He said that an Indian School at Flandreau would be of more advantage to the town than a state capitol in the area (which may have reflected Pettigrew's disappointment that his home town of Sioux Falls, forty miles to the south, had recently been passed over in favor of Pierre in the contest for the site of the state capitol). He was elected, with the help of both Indian and white votes from Flandreau, and in 1890, his first year in the Senate, entered a bill for the establishment of an Indian boarding school at Flandreau. The bill passed both Houses of Congress August 13, 1890. The one hundred and sixty acres upon which the school was built was sold by Senator Pettigrew to the United States on March 30, 1891, for \$2,000, as authorized by the Indian Appropriations Act of August 19, 1890.<sup>9</sup> He had obtained a patent for this land on September 13, 1890, only a month after the Indian school bill was passed. Earlier, John Flute one of the original homesteaders had filed a homestead claim on the same tract of land, but was refused a patent, after fulfilling all the requirements of the homestead law, because of a clerk's error in describing his claim.<sup>10</sup> The location of the Indian school in Flandreau, while perhaps not as much of a benefit to the community as a state capitol would have been, was of vital importance in the future development of the Flandreau Santee Sioux community.

John Eastman went to Washington to lobby for the school in 1890, representing the interest of the Flandreau Indians. George A. Pettigrew, a cousin of the Senator and a resident of

Flandreau, wrote to him on March 24, 1890, that Pipestone, Minnesota, was working hard to get a school and that this would ruin Flandreau. Eastman was urged not to let that happen. Petitions in favor of the school were circulated at Flandreau and on Sioux reservations in the eastern part of South Dakota. Finally, on March 7, 1893, the school which was named Riggs Institute in honor of Stephen R. Riggs, opened with ninety eight pupils and twelve staff members, many of whom were Flandreau Sioux.<sup>11</sup>

Although the establishment of the boarding school meant a large increase in the number of government employees at Flandreau, responsibility for the Indians there continued to rest with the Santee Agent until early in the 20<sup>th</sup> Century. Finally, in September 1901, because of a decline in the school attendance of Flandreau Indian children, the Santee Agency was divided and the Flandreau Indians were placed under the charge of the Superintendent of the boarding school.<sup>12</sup>

The establishment of the off-reservation boarding school at Flandreau was not the only issue in which the Flandreau Indians were concerned. During the 1880's, increasingly large amounts of land owned by Indians were lost for nonpayment of taxes or through indebtedness. In 1884, for example, eighteen Flandreau Indians lost all or part of their original homesteads in a delinquent tax sale. Again in 1886 another twenty nine Indians lost all or part of their homesteads in another tax sale.<sup>13</sup> In his annual report for 1886, Charles Hill, the Santee agent noted that the population had decreased to two hundred and thirty four, and he attributed this to the Indians selling their lands and going to other agencies and to Minnesota. He said that mortgaging was being used by unscrupulous white to get Indian lands. The idea of getting money for lands while keeping possession of them was an intriguing one to the Indians, but the high interest rates charged made it difficult for them to get out from under the mortgages.<sup>14</sup>

The Dawes Act was passed in 1887 and provided for the allotment of Indian lands in severalty. It became the official policy of the federal government until the coming of the New

Deal in the 1930's. The Dawes Act was prompted by frustration with the failure of the "Peace Policy" of the Grant administration to effect fundamental improvements in the condition of the Indians. Indeed, most contemporary observers of the "Peace Policy" agreed that it did not by itself constitute a "policy" but rather a continuation of the Indian Intercourse Acts of 1834; its major provisions were cooperation with the churches and just and fair dealing with the Indians, hardly sufficient in themselves to constitute a comprehensive policy.<sup>15</sup>

The allotment act provided for distribution of reservation lands to family heads and single adults, with the land to be held in trust for twenty five years for the Indians by the federal government. While this act did not directly affect the Flandreau colony, it provided the basis for the Sioux Agreement of 1889 under which the Flandreau Sioux were to receive benefits. John Eastman and his brother Charles Eastman, a physician and write, were responsible for getting the Flandreau Sioux included in the Agreement. Article XVII of the agreement provides that the Flandreau Sioux shall be considered as members of the Great Sioux Nation and shall be eligible to receive allotments on any of the Sioux reservations which make up the Great Sioux Nation - including the Pine Ridge, Rosebud, Lower Brule, Cheyenne River, and Standing Rock Reservations. If the individual did not wish to take an allotment he was eligible for a payment of \$1.00 per acre in place of the allotment to which he was entitled. Some took allotments on the reservations, but most took the money and invested it locally in land. Others were apparently able to convert their homesteads into allotments, with full trust status, at Flandreau.<sup>16</sup>

Under the Great Sioux Agreement of 1889, the Flandreau Sioux also became eligible for annuity and ration payments, partly through the influence of the Eastmans and Senator Pettigrew. The Moody County Enterprise of January 9, 1890, reported that the Indians received their first issue of flour and beef, and that hereafter their nations would be distributed on a weekly basis.<sup>17</sup> In the 1890's, as a consequence of this new recognition and the growth of the boarding school, the Indian population at Flandreau began to grow again. In 1893, the population was three hundred and ten.<sup>18</sup>

Reports of the agents regarding Flandreau showed less optimism than had been the case during the 1870's; in 1888 Agent Hill wrote that, on balance, the Flandreau settlement should be considered "more a success than a failure. " Problems with mortgaging and with loss of land through sheriff sales continued and resulted in some emergency distribution of funds to try to keep the Indians solvent. The increased amount of government activity with the Indians seems to have led to some confusion locally; in 1896, the Moody County Enterprise noted that \$40,000 had arrived in Sioux City for distribution to the Indians living in Moody County, but there is no statement regarding the reason for the distribution.<sup>20</sup>

By 1900, the land base had been considerably eroded. In 1902, there were only three farms of 160 acres or more being farmed by Flandreau Indians. Another 160 acre farm was rented to a white man for one-third of the crop. Four farms of between forty and eighty acres were owned by Indians, of which two were rented to whites for one-third of the crop and two were worked by the owners, and there were thirty pieces of land of less than forty acres, generally five or ten acres, which were worked by the owners. Nearly all of the men under thirty had no land and worked as day laborers or farm hands. There were a few Flandreau Sioux in business and the professions, and the making of pipes and ornaments from Pipestone was still quite an industry.<sup>21</sup>

In 1902, the superintendent of the Indian school, Charles F. Pierce, proposed dividing tribal funds on a per capita basis between all of those Flandreau Indians capable of self-support and the termination of all their relationships with the government. According to the Moody County Enterprise, many of the Flandreau Sioux were "in favor of the move and doubtless would the scheme be approved by Congress, many of them will be cut off from the rolls and given freedom from government supervision. " In the opinion of the editor, however, "Should a wholesale change be made, it might result in a bill of expense (for the local taxpayers) in caring for old and destitute Indians after they had been cast adrift by the government. " Apparently, however, nothing came of this proposal.

## Footnotes to Chapter VIII

1. Moody County Enterprise, August 22, 1878, September 12, 1878, October 19, 1878, and August 14, 1879.
2. Roy W. Meyer, History of the Santee Sioux, p. 254.
3. Moody County Enterprise, June 18, 1969.
4. Meyer, History of the Santee Sioux, pp. 254-256.
5. Moody County Enterprise, March 27, 1947.
6. Moody County Enterprise, June 18, 1969.
7. Moody County Enterprise, April 27, 1882.
8. Commissioner of Indian Affairs, Annual Report, 1885, p. 139.
9. Ibid., 1891, p. 72.
10. Moody County Enterprise, October 18, 1934.
11. Moody County Enterprise, June 18, 1969.
12. "Sociological Study of the Flandreau Indians, " December 10, 1902, Ms. in possession of Bureau of Indian Affairs, Flandreau, S. Dak.
13. Moody County Enterprise, vol. 7, no 11. (1884), and vol. 9, no 13 (1886).
14. Commissioner of Indian Affairs, Annual Report, 1886, p. 193.
15. R. Pierce Beaver, Church, State and the American Indian, pp. 151-152, p 178.
16. "Sociological Study of the Flandreau Indians", December 10, 1902;  
Moody County Enterprise, February 21, 1889, March 7, 1889, and February 20, 1890;  
Great Sioux Agreement (25 Stat. 888), in Vine Deloris, Jr, ed., Of Utmost Good Faith  
(San Francisco: Straight Arrow Books, 1971), pp. 52-63.
17. Moody County Enterprise, January 9, 1890.
18. Commissioner of Indian Affairs, Annual Report, 1893, p. 202.
19. Ibid., 1888, p. 173.

Footnotes (cont)

20. Moody County Enterprise, November 5, 1896.
21. Commissioner of Indian Affairs, Annual Report, 1888, p. 173; "Sociological Study of the Flandreau Indians, " December 10, 1902.
22. Moody County Enterprise, January 16, 1902.

## CHAPTER IX

### THE EARLY 20<sup>TH</sup> CENTURY

The Depletion of the Indian land base at Flandreau, began in the 19<sup>th</sup> Century, continued during the first third of the 20<sup>th</sup> Century until, by 1933, only two of the original homesteads remained intact.<sup>1</sup> The Indians worked as farm laborers into the 1920's and then, when the agricultural depression of the 1920's made farm work scarce, went into the trades, particularly carpentry, masonry and auto mechanics.<sup>2</sup> During these thirty years, the population remained fairly stable, fluctuating between two hundred and seventy five, which was the population in 1906, 1907, and 1910, and three hundred and thirty four, which the population in 1933. The population was to increase after the tribe's adoption of the Indian Reorganization Act in 1936, and decrease again after the beginning of World War II.<sup>3</sup> The proportion of the population speaking English increased rapidly; of the two hundred and eighty three people on the 1902 census, two hundred and sixty spoke English well, according to Superintendent Pierce.<sup>4</sup> At first, the children were educated in Flandreau Indian School, but by 1931, the federal government was paying tuition for twenty five Indian high school students and thirty grade school students attending the Flandreau Public Schools. There had been some attempt to have the students enroll in the public schools without payment of tuition but the community had resisted this as too great a tax burden.<sup>5</sup>

In 1917, Congress restored to the Mdewakanton and Wahpekute Sioux the annuities under the Treaties of 1837 and 1851 which had been terminated by the Act of 1864, following the Sioux Uprising. These were distributed in a per capita payment to all of the Santees in 1923, following the establishment of an Annuity Roll by James McLaughlin, who had been agent at Devil's Lake and later at Standing Rock. Each tribal member received slightly more than one hundred and twenty nine dollars.<sup>6</sup> This followed several decades of work by John Charles Eastman and was to be the final compensation of the Santee for the loss of their lands in Minnesota and to the east. (A final settlement for the loss of this land, in the amount of

\$12,250,000, was approved by the Indian Claims Commission in 1968 and a bill was entered in Congress in 1971 to provide for payment of the settlement.)

Some of the Indians had been able to convert their homesteads into allotments at Flandreau. In 1902 Superintendent Pierce reported twenty five tribal members having tracts of land over forty acres; eleven of these were allotments, and four of them were twenty five year homesteads held in trust.<sup>7</sup>

There was considerable migration between Flandreau, Santee, Sisseton, and the Minnesota colonies of the Sioux; in 1908, between fifty and sixty Flandreau Indians were included in the enrollment of the Sisseton Tribe for distribution of some claims of money which was coming to them.<sup>8</sup> Also, young men began increasingly to leave the reservation for employment, particularly as the attractiveness of agricultural labor declined during World War I and the 1920's.

During the early 20<sup>th</sup> Century, the First Presbyterian Church in Flandreau supplied the mission field with eight ministers and eleven missionaries, including John Eastman, Joseph Rogers, John Flute, Samuel Rouillard, Samuel K. Weston, Peter Thompson, William Flute, Edward Weston, Joseph Day, Samuel Hopkins, Robert Hopkins, George Hillers, Ellen Lovejoy, Steven Moreau, Harry Jones, and John Wakeman, who organized the YMCA in Flandreau in 1909, and later, throughout South Dakota.<sup>9</sup> These missionaries served Sioux congregations at Pine Ridge, Sisseton, South Dakota; Granite Falls, Minnesota; Fort Peck, Montana, and elsewhere. Missionaries from Flandreau played a vital part in extending the work of the Presbyterian missions among the Sioux during the early 20<sup>th</sup> Century.

Government services to the Flandreau Indians were minimal during this period. Rations were issued to the old and weak and education was provided but little else appears to have been done. There was some confusion regarding what the responsibility of the government was. In 1910, Charles Dickson, the Superintendent of the Indian school, apparently in

response to an inquiry from the central office, indicated that there was no need for a home for indigent elderly Indians in Flandreau. He suggested that those Indians not capable of caring for themselves be placed at the Moody County Poor Farm where they would be cared for "in consideration of a nominal remuneration. " He indicated his belief that there was no cause for suffering among the Indians at Flandreau.<sup>10</sup> In 1919, five hundred dollars was spent by the Superintendent of the Indian School for the repair of Indian homes. After this, the superintendent felt the Indians should be "turned loose" as soon as possible, but that the Indians should not be eligible for medical care and asked Dr. Rider to return that portion of the contract amount which had been paid to him for the care of the Flandreau Indians.<sup>11</sup>

There does not seem to have been any concentrated effort on the part of the Flandreau Indians to obtain improved government services until mid-1929. The depression hit the Flandreau Sioux very hard, as it did most of rural South Dakota. In June of 1929, the Indians met and formed a Tribal Council and asked to be recognized by the federal government as a reservation. The first President was Owen Lovejoy, the Vice President, Philip Robinson, and the Secretary, Amos Weston. Other members of the Council were Sam Allen, Zenas Graham and John Lovejoy. James McGregor, Superintendent of the Indian school wrote to the Commissioner of Indian Affairs, recommending recognition for the Flandreau Sioux.<sup>12</sup> In 1931, there were some attempts to gain additional benefits under the old treaties with the Minnesota Sioux. A conference was held with an official of the Office of Indian Affairs in Flandreau, and the government advanced five hundred dollars to be expended for food for the Flandreau Indians.<sup>13</sup> In 1932, the case of the Flandreau Sioux was consolidated with the claims of the Sioux nation against the United States.<sup>14</sup> The Indian school also became more concerned with the educational needs of adult Indians. In 1932, the school began a program of adult education for the Flandreau Indians, consisting of courses in cooking, home management, woodworking, and auto mechanics. This seems to have been under the impetus of Byron Brophy, who became superintendent in 1931 and continued in that position through the depression.<sup>15</sup> None of these programs appears to have made a significant dent in the

suffering of the Indians during the early depression. More substantial relief did not come until after the passage of the Indian Reorganization Act in 1934.

## Footnotes to Chapter IX

1. Roy W. Meyer, History of the Santee Sioux, p. 341.
2. Ibid., p. 339.
3. Tribal Census, Flandreau Santee Sioux, 1901-1943, Tribal Matters File, Bureau of Indian Affairs, Flandreau, South Dakota.
4. Commissioner of Indian Affairs, Annual Report, 1902, p. 266.
5. Commissioner of Indian Affairs to G. E. Peters, Superintendent of Flandreau Indian School, January 21, 1931; Byron Brophy, Superintendent of Flandreau Indian School, to Commissioner of Indian Affairs, January 14, 1932; Brophy to Commissioner of Indian Affairs, May 24, 1932; all in Tribal Matters File, Bureau of Indian Affairs, Flandreau, South Dakota.
6. Santee Sioux Roll, Act of March 4, 1917, and Court of Claims Judgment. Prepared by Turin B. Boone and Irene W. Basford, Field Investigation, James McLaughlin. ([Washington: Office of Indian Affairs,] 1923).
7. Commissioner of Indian Affairs, Annual Report, 1902, p. 266.
8. Moody County Enterprise, July 23, 1908.
9. Moody County Enterprise, April 27, 1916.
10. Charles Dickson to Commissioner of Indian Affairs, April 8, 1910, RG 75, National Archives.
11. Flandreau Health Administrative Report, 1919, RG 75, National Archives; E. B. Meritt, Assistance Commissioner of Indian Affairs, to Charles Pierce, October 21, 1918, RG 75, National Archives.
12. James H. McGregor to Commissioner of Indian Affairs, June 26, 1929, quoted in the Flandreau Herald, October 29, 1929.
13. Moody County Enterprise, March 19, 1931.
14. Ralph Hoyt Case to Byron J. Brophy, February 13, 1932, Tribal Matters File, Bureau of Indian Affairs, Flandreau, South Dakota.
15. The Flandreau Herald, January 27, 1932.

## CHAPTER X

### THE INDIAN REORGANIZATION ACT

The New Deal, instituted by Franklin Roosevelt after his election to the Presidency in 1932, brought sweeping changes in American Indian Affairs as in most other areas of public social policy. The Flandreau Sioux in 1933 had, as we have seen, an inadequate land base and were suffering from economic deprivation as a result of the Great Depression. The situation at Flandreau was not atypical of conditions found on other Indian Reservations in South Dakota and throughout the nation, although the problem of landlessness was much more pronounced at Flandreau than elsewhere. In the State of South Dakota, the acreage of land held in trust for Indians declined from 8,992,000 acres in 1900 to 5,865,000 acres in 1940, despite a government land purchase program under the Indian reorganization Act during the 1930's. Nationally, the acreage of trust land was 78,372,000 acres in 1900 and 55,406,000 in 1940.<sup>1</sup> As we have seen, at Flandreau, Indian land holdings were already inadequate by 1900, principally because of mortgaging and delinquent tax sales. Nationally, the principal reason for the attrition in Indian lands during the first three decades of the 20<sup>th</sup> Century was the way in which the provisions of the Dawes Severalty Act, passed in February, 1887, were carried out. The Dawes Act was official government policy until the passage of the Indian Reorganization Act in 1934. It provided for allotment of Indian Reservations to Indian people, with title to the allotments to be held in trust for the allottee by the Federal Government for twenty five years, following which the Indian could acquire full title to his allotment, and federal supervision and services would be terminated. At many reservations, the Indian owners sold the land when it became possible to do so, resulting in a diminution in the acreage owned by Indians. The attitude of the government officials at the various reservations was often a crucial variable in determining how much land passed out of Indian ownership in this way. Another provision of the Dawes Act provided that the reservation land left over after allotment to tribal members had been completed, would be open to homesteading by whites; in this way also, land passed out of Indian ownership.

The Dawes Act did not affect the Flandreau Sioux directly because none of the lands owned by the Indians in 1887 were in trust status. Ironically, the Act was based in part upon the apparent success of the Flandreau Colony in the 1870's and '80's, which conformed closely to the predominant white assumptions of the period regarding Indian Affairs. The experience of the Flandreau Sioux between 1880 and 1900, when the bulk of the land held by the Indians was acquired by whites, was to be repeated at many other locations during the early twentieth century.

In 1934, Congress passed the Indian Reorganization Act, known as the Wheeler-Howard Act, which had been designed by John Collier, Roosevelt's Commissioner of Indian Affairs, as a means of correcting the problems caused by the Dawes Act. The Act ended all allotment of Indian lands and extended the trust status of lands "until otherwise directed by Congress." It provided for the acquisition of additional lands for Indian Reservations, for the proclamation of new Indian Reservations, for economic development of Indian Reservations, and for Tribal self-government. Tribes could elect not to be affected by the provisions of the Act by majority vote in a secret election.<sup>2</sup>

The Indian Reorganization Act was, in several ways, a change in national Indian policy. In the first place, it was the first time since the Congress had ended the practice of making treaties with the Indians in 1871, that official action had been taken to strengthen tribes; previously the emphasis had been on weakening the tribes through emphasis on the individual Indian as land owner. It had been an axiom of the early missionaries and other reformers associated with the Peace Policy and the movement for more fundamental reform of Indian Affairs in the 1880's that the only hope for the Indian lay in breaking off his tribal relations, in becoming a citizen without ties to tribal groups. Indeed it was this aspect of the Flandreau experiment which led to the national interest in the Flandreau Sioux during the 1870's and '80's. Associated with the breaking of tribal ties, it was assumed that the Indians would give up their aboriginal religion and convert to Christianity, as the Flandreau Sioux had done. Tribalism

was seen by the missionaries as one of the chief barriers to conversion of the Indians. During the Dawes Act period, the exercise of the aboriginal religion was forbidden on many reservations; most notable was the prohibition of the Sun Dance, considered to be savage and barbaric, on the Teton Sioux reservations in western South Dakota. The Collier administration removed the restrictions on the exercise of native religions, and the 1930's saw something of a revival of interest in the old ceremonies. The Sun Dance was revived at Pine Ridge and at some of the other western South Dakota Reservations during this period.

For these reasons, the Indian Reorganization Act was extremely controversial, particularly with those who had been associated with the mission efforts on Indian reservations in the past. Elaine Goodale Eastman, Dr. Charles Eastman's wife, wrote in 1935:

**Let us turn the search light of this man's (General Richard Henry Pratt, Superintendent of Carlisle Indian School) uncompromising logic upon present day Indian policies. We find that the policies of the father of Indian education, as indicated by his own words, stand in dramatic opposition to the program announced by Commissioner of Indian Affairs, John Collier. In historical perspective, this program appears not only to reject most of the conclusions reached by Generals Pratt and Armstrong, Bishops Whipple and Hare, Senator Dawes and Commissioner Morgan, but to run counter to the government's main line of policy, which was endorsed by the Montok Conference of Indian Workers, by the mission boards of various denominations, and by every president of the United States from Grant to Hoover inclusive.<sup>3</sup>**

The Indian Reorganization Act was seen by these critics as an affirmation that the Indians were not capable of making decisions for themselves and a return to paganism and communal living. The result which was predicted was increased dependency and government paternalism.

Although the act was seen by its detractors as encouraging tribalism and traditionalism, Grinnell has shown that, on the Pine Ridge Reservation, at any rate, the tribal government organized under the Indian Reorganization Act was not traditionally Indian in the sense that it did not conform to the traditional kinship patterns or the traditional idea of leadership.

Rather, at Pine Ridge, and presumably at the other reservations organizing Tribal Governments under the Indian Reorganization Act, the Governments were distinctively European American in their political philosophy and in the assumptions underlying the organization of political institutions.<sup>4</sup> Bureau of Indian Affairs officials of this period often referred to their role as "educating for democracy," reflecting the strong orientation towards the dominant culture implicit in the Wheeler-Howard Act. Among the Santee, it is a curious fact that this supposedly regressive act was accepted by the "progressive" Indians at Flandreau and by descendants of those who had colonized small areas in Minnesota, but not by the Sioux at the Santee reservation or by those at Sisseton, supposedly more "tribal" and "traditional." The Yankton Sioux also rejected the Indian Reorganization Act. While it may seem curious that the descendants of people who had seemingly so firmly rejected tribalism in 1869 should embrace it, less than seventy years later, the Act may be interpreted as, not a return to tribalism, but a very progressive measure involving the promotion of self-determination and the generation of distinctively "white" patterns of political participation, particularly the institution of legislative bodies, or Tribal Councils. If the Indian Reorganization Act is understood in this sense, its acceptance by the Flandreau Sioux is completely consistent with their earlier history.<sup>5</sup>

The Tribal Council, which was formed in 1929, was still functioning in 1934, with one additional member, George Lovejoy. According to Byron Brophy, the Council had difficulty in determining its function, probably partly because of its lack of any power. The Council in 1934 was involved primarily in general discussions of pending and past Indian legislation, school affairs, and local welfare measures.<sup>6</sup> On August 8, a tribal meeting was held and new officers elected: George Eastman, Sr., was elected President, John Allen, Vice President, George Eastman, Jr., Secretary, Taylor Weston, Treasurer. It is unclear whether these officers, none of whom were on the 1929 Council were to replace the original Council or whether this was a different organization. In October of 1934, a number of Flandreau Indians approached the Superintendent concerning their opposition to the Wheeler-Howard Act. Brophy indicated that there was considerable doubt and confusion among the Indians of Flandreau regarding

what their position on the Act should be.<sup>8</sup> However, on April 1, 1935, the Flandreau Indians accepted the Act by a vote of seventy nine to five and, on September 10, 1935, the Tribal Council officially notified the Commissioner of Indian Affairs of the acceptance of the Indian Reorganization act.<sup>9</sup> Various dates are given by different sources for the acceptance of the act; the Moody County Enterprise indicates that the Indians voted to accept the act on October 27, 1934; Bureau of Indian Affairs files at Flandreau indicate the date variously as January, 1935 and April 1, 1935. On June 17, 1935, the Indians celebrated the first anniversary of the enactment of the Wheeler-Howard Act, which had passed Congress on June 16, 1934. The August 8, 1934 officers were elected by the Flandreau Santee Indians to a "Wheeler-Howard Committee".<sup>10</sup>

With the acceptance of the Wheeler-Howard Act, the Wheeler-Howard Committee drafted a Constitution, with the assistance of Brophy and Ben Reifel, later to be Aberdeen Area Director for the Bureau of Indian Affairs and Representative from South Dakota, which was accepted by the tribe, by a vote of eighty three to 6, on April 4, 1936, and approved by the Secretary of the Interior twenty days later.<sup>11</sup> A Charter for the new Flandreau Santee Sioux Tribe was issued on October 29, 1936,<sup>12</sup> and was ratified by a vote of the Tribe two days later. In 1936, the members of the Wheeler-Howard Committee were elected as the first Tribal Council under the Constitution. The Council's first action was to request an increase of \$35,000 in the funds set aside for the purchase of tribal land. (In 1935, \$25,000 had been set aside for this purpose.)<sup>13</sup>

The land which was acquired under the Indian Reorganization Act was broken at first into forty acre tracts and assigned to Tribal members on a lifetime basis. Assignments were not inheritable and could be revoked by the Tribe. Later, the assignments were increased to eighty acres each. By 1937, 3,138 acres had been purchased by the Federal government for the use of the tribe. Much of the land was purchased from life insurance companies, which had probably acquired the land as a result of bankruptcies earlier in the Great Depression.<sup>14</sup>

By 1939, problems of red tape and government inefficiency began to attract the attention of the Council. In September, the Council met with Ben Reifel and Joe Jennings of the Office of Indian Affairs. There were complaints about the delay of the Washington office in answering official correspondence and about the difficulty of obtaining tribal loans from the revolving credit fund which had been established by the Wheeler-Howard Act. The Flandreau clients receiving loans first had to mortgage all of their property and crops, and needed permission from the district agent to sell crops or livestock. The Council proposed that it be given more authority as the Flandreau Indian community was small and the Council could take over these functions effectively. Another complaint concerned the refusal of the Washington office to permit Flandreau Indians to be treated at the Flandreau Indian School Hospital; services were available only at the hospital at the Pipestone Indian School, fifteen miles to the east.<sup>15</sup>

The original land assignments of forty acres went to thirteen Indian families who began farming with no equipment and, in most cases, no buildings. The Farm Security Administration furnished operating capital for the first year. The Tribal Council concluded after the first year's experience that it was impossible to make a living on forty acres. This was part of the reason for the additional land purchases in 1936 and 1937, which made it possible to increase the assignments to eighty acres each. By 1942, twenty three families had established farms on the eighty acre assignments. The revolving credit fund of the Office of Indian Affairs was not furnishing operating capital for the farmers. Rehabilitation funds were used to construct farm houses and buildings, to build fences, and to dig wells. Civilian Conservation Corps funds and manpower were used for the construction of border fences, tree planting and improvement of irrigation ditches, landscaping, soil conservation, grasshopper control and other projects. The Indians were exceptionally reliable in repayment of loans, with only one farmer in 1942 asking for an extension of his loan.<sup>16</sup>

The adult education classes, begun in 1932, were continued through the decade. In addition to the home economics and vocational courses, an Indian leaders class was organized in 1934 to study the Wheeler-Howard Act, and may have had an influence on the Tribe's

acceptance of that act.<sup>17</sup> A nursery school, funded by the Emergency Relief Administration, was opened at the Indian School in 1934 for thirty children, white or Indian, between the ages of three and five, whose parents were on the relief rolls. The children were provided "supervision in play and sleep, " two meals a day and medical examinations.<sup>18</sup>

At the same time that the agricultural picture was improving for the Flandreau Sioux, more opportunities for non-agricultural employment became available. In 1933, when improvements were made at the Indian School, preference in employment was given to local Flandreau Sioux. About fifty Flandreau Indians were employed through the winter and spring of 1933-34 on rebuilding the streets and roads of the Indian School grounds and improving the heating plant. No student labor was used since a prime objective of the improvements was to provide employment to a large number of local Indians.<sup>19</sup>

In February of 1934, a garment factory was begun with Civil Works Administration funds, supplemented by regular Office of Indian Affairs funds. The factory made pajamas, nightgowns, hospital jackets, bathrobes, and housecoats, for sale to Indian schools and hospitals. The original work force was nine Indian women and a foreman, Maurice Schwab, a non-Indian: the factory was in operation from eight to ten months per year. The original employees had all previously been involved in the adult education Home Economics classes at the Indian School. Mrs. Inga Tufts, the home economics teacher, inspected the completed garments.<sup>20</sup>

A subsistence homestead project was organized by Brophy prior to the purchase of land under the Indian Reorganization Act. Using two hundred and forty acres of Indian School land, homesteads of ten acres each were provided for the families of the women working at the garment factory. The plan was to find jobs for the men in the Indian school. The men were employed in making furniture and pipestone artifacts, and were also given the opportunity to do maintenance work. A garden plot was provided for each participating family.<sup>21</sup>

By 1940, the garment factory was employing twenty five Indian women and a number of students on a part-time basis. The payroll exceed \$12,000 per month. The factory produced 60,000 completed garments annually in 1940.<sup>22</sup> A factory building, financed by factory profits, was constructed on the campus of the Flandreau Indian School in that year. Karl Mundt, then a Representative from South Dakota, was involved in the negotiations to get the building built.<sup>23</sup>

A Flandreau Santee Sioux Community Building was dedicated on May 9, 1939. Built with National Youth Administration Funds, the structure was located a few miles north of the city of Flandreau on the Indian School grounds. The building was forty six by sixty four feet in size and was built by trade students of the Indian School. The building now stands north of the pow-wow grounds on the Big Sioux River off Highway 13 north of Flandreau.<sup>24</sup>

In 1939, a Flandreau Sioux Garden Club was incorporated. Operating as a corporation, the Garden Club (with officer, Harry Jones, Chairman, Howard Aunge, Vice Chairman, and Frances Wakeman, Secretary) operated a garden and hired a caretaker for three months. Wages and seed were advanced by the Indian school, with reimbursement paid to the Indian school at harvest time with the commodities grown.<sup>25</sup> Later, during World War II, Victory Gardens were very popular at Flandreau, with school employees and local Indian families working together. The Community Building served as kind of a center for the efforts, with classes in food drying methods by older Indians and a community steam pressure cooker available there.<sup>26</sup>

World War II brought many changes to the Flandreau Sioux; the war effort created new job opportunities away from the reservation and many of the young men joined the armed services. Adult education classes continued during World War II and began to emphasize skills needed in the war effort. A seven-week welding course was open to women.<sup>27</sup> In 1944, forty two Flandreau Sioux were in the armed forces, including three women. This was judged to be "a creditable number" by the Moody County Enterprise.<sup>28</sup> The tribal census for 1944

showed one hundred and thirteen enrolled local member on the Flandreau Reservation; two hundred and forty were enrolled but resident elsewhere.<sup>29</sup> Many tribal members had left during the later years of the Depression and during the War to find employment in larger urban areas. In 1946, after the war, the Gordon Weston Post of the Veterans of Foreign Wars was organized by fifteen Flandreau Santee Sioux veterans. The Post was named after Gordon Stanley Weston, a tribal member who was killed in an army camp in Texas in 1944. The Post was formally organized in March 1946. Alexander Wakeman, a World War I veteran, was the first commander. A ladies auxiliary was formed I 1948. The post was active through the 1940's and in the early '50's, but was disbanded sometime in 1953.<sup>30</sup>

## Footnotes to Chapter X

1. Henry W. Hough, *Development of Indian Resources* (Denver: Indian Community Action Program, 1967), p. 9.
2. The Indian Reorganization Act, 48 Stat. 984 (1934), in Vine Deloria, Jr., ed. *Of Utmost Good Faith* (San Francisco: Straight Arrow Books, 1971), pp. 64-69
3. Elaine Goodale Eastman, *Pratt: The Redman's Moses* (Norman: University of Oklahoma Press, 1931), pp. 8-9.
4. Ira H. Grinnell, *The Tribal Government of the Oglala Sioux of Pine Ridge, South Dakota* (Vermillion: Institute for Governmental Studies, University of South Dakota, 1967).
5. See Appendix III for the 1936 Constitution and By laws for the Flandreau Santee Sioux Tribe.
6. Byron Brophy to Commissioner of Indian Affairs, June 16, 1934, RG. 75, National Archives.
7. Tribal Matters File, Bureau of Indian Affairs, Flandreau, South Dakota
8. Ibid.
9. Moody County Enterprise, June 20, 1935.
10. Ibid.
11. See Appendix III.
12. See Appendix IV.
13. Tribal Matters File, Bureau of Indian Affairs, Flandreau, South Dakota.
14. Moody County Enterprise, November 18, 1937.
15. Tribal Council Minutes, September 22, 1939, Tribal Matters File, Bureau of Indian Affairs, Flandreau, South Dakota.
16. Indian Families Meet Payments, Factory File, Bureau of Indian Affairs, Flandreau, South Dakota.
17. Moody County Enterprise, October 4, 1934.
18. Moody County Enterprise, November 29, 1934.

Footnotes (cont)

19. Moody County Enterprise, September 7, 1933.
20. Moody County Enterprise, March 8, 1934, and April 30, 1942.
21. Moody County Enterprise, November 22, 1934 and August 20, 1936.
22. Moody County Enterprise, March 7, 1940.
23. Moody County Enterprise, July 25, 1940.
24. Moody County Enterprise, December 8, 1938, and May 11, 1939.
25. Tribal Council Minutes, 1939, Tribal Matters File, Bureau of Indian Affairs, Flandreau, South Dakota.
26. Moody County Enterprise, May 7, 1942.
27. Moody County Enterprise, May 14, 1942, and October 29, 1942.
28. Moody County Enterprise, July 20, 1944.
29. Reservation Program Plan, 1944, Extension Land Rehabilitation File, Bureau of Indian Affairs, Flandreau, South Dakota.
30. Moody County Enterprise, December 27, 1945, February 14, 1946, March 28, 1946, March 18, 1948, and September 16, 1954.

## CHAPTER XI

### THE TERMINATION PERIOD

The 1950's was a decade of uncertainty for American Indians because of the policy that the Federal government should terminate its responsibility for provision of services to the various Indian tribes as soon as possible. After World War II, there was a mood of retrenchment in the country, and Congress began to attempt to reduce expenditures in the Bureau of Indian Affairs and to abolish the Bureau altogether. In 1953, Congress passed House Concurrent Resolution 108, which called on the government to get out of the Indian business. "The bywords of the 1950's," writes Meyer, "came to be 'termination' and 'relocation' -the unilateral severance of Bureau services to individual tribes and the Bureau-sponsored movement of Indians from reservations to cities where more jobs were available. "<sup>1</sup>

The Flandreau Sioux seem to have responded to the movement for termination initially with efforts to prepare themselves for what was expected to be an inevitable outcome. A bill to guarantee government loans to Indian farmers, initiated by the Flandreau Sioux, was introduced in the Senate by South Dakota Karl Mundt on April 27, 1950. The bill, in the words of the Moody County Enterprise, would "for the first time (bring) loaning facilities of the government into operation on behalf of the Indians. " The purpose of the bill was "to permit Indians to own land in excess of federal allotments so they may become financially independent. " The provisions of the bill would apply equally to all Indians in the United States, based on "ability and experience of the individual, the nature of farming operations, and the reasonable likelihood of success of that operation. "<sup>2</sup>

In a related development, many tribes began during the 1950's to actively organize their claims against the government. On April 13, 1950, there was a Governor's Conference at Pierre, South Dakota, on the establishment of an Interstate Council of Indian Affairs. Jess Wakeman, Tribal Council President, Steve Robinson, and Leonard Allen, all of Flandreau, were elected to attend the conference. Steve Robinson prepared a statement for the conference in which he expressed the idea that the older Indians had been made dependent by the

government's attitude toward them, and that the only way to provide for them now was to place them on land and meet all their needs. However, he said that the younger generation of Indians, who had been trained to the white man's ways, "are competent to take care of themselves, so the government should pay off their claims and give them full rights of citizenship. " He cited the claim of the Minnesota Sioux against the government, for lands taken by the Treaties of 1830 and 1852, and the Black Hills claim of the Teton Sioux as resources of the Sioux.<sup>3</sup> Three months after this first conference, another was held at Pine Ridge. It was proposed that one of the most important projects would be to reestablish the Indian law to a degree that they would not be forced into accepting state jurisdiction, considered to be tantamount to termination. The conference also proposed the establishment of a police force that would have equal authority on trust and non-trust and, and they expressed a desire for a rehabilitation program that would provide the Indians adequate amounts of money and time, without the loss of any treaty rights.<sup>4</sup> Throughout the 50's, the Flandreau Santee Sioux Tribe continued its efforts toward organization for claims against the government based on the Treaties of 1830 and 1851.

In 1951 and 1952, the First Presbyterian Church began preparation for the day that the Flandreau Indians would be terminated from the Federal government. The church began an extensive building project, in anticipation of no longer having the Bureau-supported Community Building available for social and large church meetings after termination of government responsibility. George Eastman, who was also prominent in the Tribal Council, was the director of the work on the new church additions. A basement social and Sunday School room with an adjoining kitchen and a room above this were built by volunteers during the winter season. To further the program of expansion and improvement, a "Lord's Acre" project was undertaken in the spring, to earn more money:

**Eighty acres was rented from the Tribal Council, and during the last half of May was planted in corn. Seven men and four tractors all working together managed to plow and drag the field in two days, while three men with one tractor and planter seeded the field in corn in two and a**

**half days. Members of the church contributed use of their machinery. Women of the church made food available.<sup>6</sup>**

In the late 1940's and early '50's, there was increased interest on the part of the federal government in placement of Indian students in their local public schools rather than in Bureau boarding schools. In May, 1947, the Flandreau newspaper recorded that a congressional committee had recommended elimination of such schools as the Flandreau Indian School. Because of this, there was uncertainty about the future of all boarding schools and the Bureau of Indian Affairs was taking steps to eliminate personnel and close the business affairs of the schools affected.<sup>7</sup> Throughout the summer it was uncertain whether or not the Flandreau Indian School would reopen; however, by August 14, 1947, the Superintendent of the Boarding school had been given assurances that funds would be available for operation of the school.<sup>8</sup>

During this period of increased effort on the part of the Federal government to relinquish their responsibilities to the Indian, the Flandreau Sioux experienced an economic setback which undoubtedly created a great deal of tension and frustration. In June of 1955, the government-operated garment factory, still managed by Maurice Schwab and employing twenty women, was scheduled to close "in line with the government policy to withdraw from competitive business in order to promote private enterprise."<sup>9</sup> The closing of the factory was postponed for a year so that arrangements could be made to find a businessman willing to take over the factory as a private enterprise. The Tribal Council was particularly involved in attempts to find a businessman who would take over the operation of the factory; in 1956, Keith Wakeman and George Allen, representing the Tribe, met with Commissioner of Indian Affairs, Glen Emmons. Emmons promised the Bureau's assistance in finding someone to run the factory.<sup>10</sup> In April, 1956, E. E. Ellis, a Sioux City textile manufacturer, told a group of Flandreau citizens that he would establish another garment factory in Flandreau if a building could be made available to him. He wanted to start operation with the building at the Indian School, but he realized that he would need a larger building because he wanted to employ up to sixty women. In any case, the building in which the factory was housed was slated for

school use in September.<sup>11</sup> Two weeks later, on May 1, 1956, the Flandreau Indians School Garment Factory was officially closed.<sup>12</sup> During the next year, attempts were made to get pledges to erect a factory building, but, by June, 1957, the amount of money which could be raised was \$20,000 short of the \$52,000 needed for completion of the project. Because the prospective factory operator had set a deadline of July 5, and because other towns in the area were also bidding for the factory, the effort to resurrect the garment factory failed. With the closing of the garment factory, a major source of cash income for over twenty years was no longer available.<sup>13</sup>

At about the same time that the garment factory closed, the large farming enterprise of the Flandreau Indian school was discontinued, and the local Indians were deprived of the services of the agriculture teachers, who had functioned as extension agents. However, other jobs were opened up in the school because of an increased enrollment, and most of the garment factory workers were able to find employment there.<sup>14</sup>

The Flandreau Reservation appears to have been too small and out of the way to have been seriously considered for termination during the 1950's. However, the Termination Period affected the Flandreau Sioux significantly, with the closing of the Garment Factory and the uncertainty regarding the future of the Indian school. The number of Flandreau Santee Sioux residents in Moody County did not return to pre-war levels following the end of World War II, in part because of the lack of economic opportunity there; in 1956, Robert Burnette, then Chairman of the Rosebud Sioux Tribe, citing a study by the University of South Dakota, wrote that the economy of the Flandreau Sioux had reached "an all-time low."<sup>15</sup>

## Footnotes to Chapter XI

1. Roy W. Meyer, History of the Santee Sioux, p. 296.
2. Moody County Enterprise, April 27, 1950. Emphasis added.
3. Moody County Enterprise, April 13, 1950.
4. Moody County Enterprise, July 13, 1950.
5. Moody County Enterprise, November 29, 1951.
6. Moody County Enterprise, June 5, 1952.
7. Moody County Enterprise, May 15, 1947.
8. Moody County Enterprise, August 14, 1947.
9. Moody County Enterprise, June 2, 1955.
10. Factory File, Bureau of Indian Affairs, Flandreau, South Dakota.
11. Moody County Enterprise, April 12, 1956.
12. Factory File, Bureau of Indian Affairs, Flandreau, South Dakota.
13. Moody County Enterprise, June 27, 1957.
14. Meyer, History of the Santee Sioux, p. 341.
15. Robert Burnette to Roger Ernst, Assistant Secretary of the Interior. June 17, 1956, in Factory File, Bureau of Indian Affairs, Flandreau, South Dakota. Burnette was attempting to generate financial support for continuation of the Garment Factory at Flandreau.

## CHAPTER XII

### THE SIXTIES AND EARLY SEVENTIES

Termination had become a dead issue in the later 1950's after repeated attacks by responsible critics. After the election of John F. Kennedy in 1960, emphasis was once again placed on helping the reservation Indian to make a living where he was and on continuing Bureau services until a tribe felt itself ready to dispense with them. The Indian was to play the major role in policy decisions on individual reservations.<sup>1</sup> However, by 1966, with heavier United States involvement in Vietnam and the resultant domestic cutbacks, the call for termination was heard again. When Robert Bennett was appointed Commissioner of Indian Affairs in 1966, the Senate Committee recommending his appointment reportedly "demanded, " as a price for confirming his nomination, that he promise to speed up the withdrawal of the federal government from Indian Affairs. The New York Times of April 10, 1966, reported that the Senate Interior Committee complained that there had been virtually no legislation in recent years to terminate federal supervision of Indian tribes.<sup>2</sup> Thus, once again, termination was a line issue.

In response to these increasingly frequent reversals of policy, the Flandreau Santee Sioux continued to actively attempt to get their claims money. On June 7, 1967, seventy Flandreau Sioux met and voted 56 to 1 for the proposed \$12,250,000 final settlement for the Minnesota lands taken from the Santee by the Treaties of 1830 and 1851, which had been proposed to the Indian Claims Commission.<sup>3</sup> The appropriation of the claims money was sponsored by Senator Karl Mundt (R.-S. D.) and Senator Nels Young (R.-N. D.); the \$12,250,000 would settle the claims of the Sisseton, Wahpeton, Mdewakanton, and the Wahpekute Sioux against the United States.<sup>4</sup>

**The cases involve about thirty million acres of land located in Minnesota, northern Iowa, western Wisconsin and eastern South Dakota. Ceded by the tribe to the United States in 1830 and 1851, the Indian Claims Commission has held that the tribes were the owners of the land at the times of the cession and entitled to recover the difference between the values as of the**

**date of the cession, and the amount paid to the United States less offset. Indian attorneys told Mundt about eight or ten thousand would share in the award.<sup>5</sup>**

On June 30, 1967, Reuben Robertson and Keith Wakeman returned to Flandreau after spending several days in Washington, where they testified before the United States Claims Commission concerning the proposed land settlement. At that point, settlement appeared likely to Wakeman; he said that if the commission failed to approve the settlement, the case would probably go to the United States Court of Claims.<sup>6</sup>

This case did go to the United States Court of Claims, where the award was made, and the funds were appropriated by the Act of June 19, 1968 (82 Stat. 239), "to pay compromise judgments to the Mdewakanton and Wahpakoota Tribe of Sioux Indians in the Indian Claims Commission dockets numbered 359, 360, 361, 362, and 363..." Identical bills, H.R. 5699 and H.R. 6067, were drafted to provide for the disposition of the funds appropriated; they have been introduced in the House of Representatives, and the Flandreau Tribe has been advised a similar bill will be introduced in the Senate.<sup>7</sup> The settlement amounts to about fifty five cents per acre for the land in question.

The money appropriated by the Act of June 19, 1968, has been divided into about six million dollars for the Lower Sioux (Mdewakantons and Wahpekutes) and six million dollars for the Upper Sioux (Sissetons and Wahpetons), and each of these groups has separate bills before the House and Senate at this time to provide for the disposition of the funds. The Flandreau Santee Sioux Tribe is to share in the Lower Sioux claim; the other tribes sharing in this claim are the Santee Sioux Tribe of Nebraska, the Lower Sioux Indian Community at Morton, Minnesota, the Prairie Island Indian Community at Welch, Minnesota, and the Shakopee Mdewakanton Sioux Community of Minnesota. The six million dollars that the Lower Sioux will receive (minus lawyer and litigation fees) will be paid to enrolled tribal members "who are lineal descendents of the Mdewakanton and Wahpakoota Tribes, and who were born on or prior to

and are living on the date of this Act, using available records and rolls at the local agency and area offices. <sup>8</sup> Eighty percent of the funds on deposit to the credit of the Flandreau Santee Sioux Tribe will be paid on a per capita basis to tribal members; twenty percent will be "advanced, deposited, expended, invested, or reinvested for any purpose designated by the respective tribal governing bodies and approved by the Secretary of the Interior. <sup>9</sup> When the land settlement is finally reached, it will end over twenty years of litigation over about thirty million acres of land covering several states.

On April 30, 1964, Representative Ben Reifel introduced a bill in the House of Representatives to give the Flandreau Sioux Tribe clear title to eighty acres of land along high 13, north of Flandreau. The land had been government-owned since 1898 and had been used for the Flandreau Indian School farming operations. In 1964, the tribe plans for the land included rebuilding the community building on the property and using the land for recreational purposes and tribal meetings. Today, in 1971, the land is used yearly for an annual pow-wow, and there are plans to build rodeo grounds along with a recreation park for boating, fishing and relaxation, and to renovate the community building. Despite the determination of the Flandreau Sioux in 1869 to become like white men, there has been a revival of interest in Indian heritage expressed in Indian parades and pow-wows. In the summer of 1962, the first "Siouxennial" was held in observance of the centennial of the Minnesota Uprising of 1862. It drew an estimated crowd of nearly 6,000 persons, including such notables as Will Robinson, State Historian, United States Representative Ben Reifel, United States Senator George McGovern, and former Governor Ralph Herseth. "A large parade was held on Saturday. An Elk and Buffalo barbeque on Sunday. Indian dancing was held both days featuring over three hundred registered dancers. <sup>10</sup> It was decided that the "Siouxennial" would become an annual event; there has been an annual celebration and pow-wow every year since.

In the Spring of 1969, the Big Sioux River flooded, damaging some of the homes on the assigned tribal lands and the community building and pow-wow grounds. Twenty-six people

who had lived on the assignments were moved into the old hospital building (since torn down) on the Indian school campus. They stayed there until the flood subsided and repairs could be made to their homes. Additional renovations were completed in the summer of 1971. The Flandreau Sioux Tribe has been undergoing a great deal of change in the seventies. Before 1970, the only federal programs that the Tribe was involved in were in farming. Other government services were available only at the closest larger reservations, Sisseton to the north, Yankton to the southwest, and Winnebago to the south. However, the proliferation of federal programs to assist Indians and the government's self-determination policy in Indian affairs have resulted in increased opportunities for the Tribe to take advantage of federal programs. In the past year, the Tribe has become involved in a number of federal programs for which they receive technical assistance from the Bureau or other federal agencies, but which they manage themselves. These programs include 1) Home management, 2) Business Development, 3) OEO Mainstream - building and remodeling homes, 4) BIA road programs, 5) a land leasing program, 6) dental service program, and 7) New Careers Program. The Tribe has also received a grant to assist Tribal officials in managing Tribal affairs and has recently applied for money to get a community police officer.

In a survey of the Indian population in Moody County in July, 1971, the Indian population was two hundred and sixty seven, forty two percent of whom were Flandreau Sioux. By the mid-60's, few were actively farming, most having leased their land to white farmers and moving into town. Most of the adult members of the Tribe surveyed in 1971 were employed at the boarding school and a few had other jobs in town. Their income and educational levels were generally higher than those of Indians on other Reservations in South Dakota.

During the summer of 1971, a Tribal Enrollment Committee updated the Tribal enrollment records. As of 1970, there were one hundred and ten enrolled members of the Flandreau Santee Sioux Tribe living in Moody County; the Enrollment Committee had approved two hundred and twenty nine applicants for enrollment, an estimated eighty of whom were Moody County residents.

In the 1970 survey, the Flandreau Sioux were asked, "What would you wish to have in your community to better it? " The respondents indicated needs for better housing, medical and dental services, improved law enforcement, better roads, more employment opportunities, recreational opportunities and improvements in other areas.<sup>12</sup> These concerns will provide an agenda for the Flandreau community as it begins it's second century. The tradition of independence from government control, which began with the establishment of the colony in 1869, should be expected to continue and may prove to be the Tribe's greatest asset.

## Footnotes for Chapter XII

1. Roy W. Meyer, History of the Santee Sioux, p. 296.
2. Ibid.
3. Moody County Enterprise, June 7, 1967.
4. Moody County Enterprise, May 10, 1967, and December 20, 1967.
5. Moody County Enterprise, May 10, 1967.
6. Moody County Enterprise, July 12, 1967.
7. See Appendix VI for H.R. 6067.
8. Ibid.
9. Ibid.
10. Moody County Enterprise, July 26, 1962.
11. Meyer, History of the Santee Sioux, p. 341.
12. Aberdeen Area Office, Bureau of Indian Affairs, "Flandreau Indian Community Survey, " June, 1970.

## APPENDIX I

### SOCIOLOGICAL STUDY OF THE FLANDREAU INDIANS (1902)

(Department of the Interior, Indian School Service,  
(Flandreau, South Dakota, December 10, 1902)

This shows by a statement in regard to each person on the census roll, his condition financially, educationally and morally, most of which was collected and written out October 16<sup>th</sup> and the general conclusions and the whole report compiled and sent in on my return to Flandreau, December 10<sup>th</sup>.

The general result is that the Flandreau Indians are morally and religiously in advance of the average whites, that educationally, they are not doing quite as well as the average white, and that they are much behind them in thrift and industry.

The cause of this conditions of the Flandreau Indians seems to be this: Like all Indians, they have less enterprise, less capacity for continuous labor and less foresight than the average whites, but are more peaceable, more honest and more docile. Being docile, they follow their leaders readily, who in this case were the missionaries at first and then the native ministers. The Presbyterian church under the long pastorate of John Eastman, a full blood Sioux, brought up from a savage life and later educated by the missionaries, has had a great effect upon the moral and religious character of these Indians. Indians are quite religious in their wild state and when converted from Paganism to Christianity they are still very religious. The Flandreaus are strict in the outward observances of religion and practically all of them are communicants in one church or the other, a very large majority in the Presbyterian church. Morality has also been insisted upon by their teachers so that coarse vices have been reduced to a small amount. The greatest change is in sexual morality. The old Indian marriage by agreement lasted only during the pleasure of the parties concerned. This has passed away and in its place, civilized Christian marriage has been completely established. Cases of divorce and separation are very rare. It is not known that there is any unchastity among the young people with one another or with the whites. Drunkenness is the one real vice and even that is confined to a few young men. As is usual with Indians there is no moderation in their drinking. When they drink they drink to get drunk and their drunkenness is a matter of general notoriety so that the drunkenness of a few young men is quite conspicuous, but the great mass of these Indians are entirely sober. The old Indian habit of gambling has been entirely done

away with, though it is probable that a very few of the drinking young men are also taking up the white man's ways of gambling in the saloons. It is believed that since the establishment of this colony there has been no indictment of any Indian for any crime of violence, crime against property, or for any legal offense except drunkenness and the furnishing of liquor to others.

The education of the Flandreau Indians was at first in the Mission school at Santee. A government day school was early established at Flandreau which grew into a boarding school which is now one of the great non-reservation schools, but owing to the distance from the reservation the education of the children immediately surrounding the boarding school was neglected. For several years the children of these Indians had not been sent to this or any other school, generally speaking, but in September, 1901, the Santee Agency was divided and the Flandreau Indians were placed under the charge of the superintendent of the boarding school at that place which has resulted in the children going to school again. In education, the Flandreus for many years have been depending upon the government and have never really taken the initiative. They have done only what they were told to do. The best educated one among them never attended a government school. I refer to Dr. Charles Eastman. If education had been left to the missionaries alone, I have very little doubt but that both adults and children would have been taught to read and write and the brighter and more educated children would have gone away to the mission school at Santee and colleges further east, but about twenty years ago, the government changed this educational policy and began the establishment of government schools. The result here as well as elsewhere has been to teach the English language to all, but at the same time, to accustom them to depend upon the government to do things for them. All of the young people now speak English, but none of them seem to be ambitious to get an education.

Financially, the influence of the government has, in my judgment, been an unmixed evil. The Flandreau Indians came here as a missionary colony fully intending to live like white people. They took up homesteads under the general homestead law exactly the same as any white citizen would do and began the breaking of their land. Their settlement in a bend of the Big Sioux River was just such a place as was fitted for the transition from savage to civilized life. The river and the forests bordering it gave them water, fuel, and shelter from blizzards, and at the same time gave them food in the form of fish. The furs of the otter and the muskrat were at that time the only marketable commodity which would bring cash to pay the fees for the homesteads. This tided them over the difficulties of getting a start.

They broke up land on the prairie and began farming in a small way. The settlement was made in 1869. In 1875 the grasshoppers destroyed everything for them as they did for the white settlers, in the west generally. The Indians then began to mortgage their land to sell parcels of it, but they got through the grasshopper time better than the white settlers who depended entirely upon their wheat crops. Later some of the Indians took their homesteads over again as allotments in severalty in order to avoid paying taxes but with the further result that they could not mortgage or sell them.

In 1890, the Eastman's secured an amendment to the great Sioux Treaty of 1889 making the Flandreaus members of the great Sioux nation. They were Sioux by blood but in order to become citizens of the United States, they had given up their tribal relations. This was a fatal mistake which has destroyed their independence of character. There were immediate advantages to be gained by this step which blinded them to the remote disadvantages. Under the treaty each person could take up an allotment on any Sioux reservation or could commute this for cash at the rate of one dollar an acre. Most of them took the cash and many of them wisely invested this cash in land here. Rations were now issued to all the old and disabled people without any close scrutiny as to their disability and in cases of failure of crops they were issued to all for a year, thus pauperizing them. Further, the receipts from the sale of the old Santee reservation were given to them, as to other Santees, in the annual issue of clothing with the same pauperizing effect. The worst influence at the present time comes from the great expectations formed from the efforts of the Eastman brothers to carry through Congress a bill paying the Santees the old annuities which had been confiscated by the government as a punishment for the great outbreak in 1862 generally know as the great "Minnesota Massacre. " This amount is very large and would give every Santee who shares in it a fairly good fortune, but while waiting for this future fortune, they have been neglecting more and more the industry needed for the present.

But still it is a fact that most Indians have been less thrifty than these. Their lack of thrift consists only in idleness. They do not spend their money in drunkenness and gambling and for needless luxuries as many Indians do, but they work only part of the time and do not plan well in managing their little pieces of land, but as compared with other Indians they are more thrifty, but less so than the whites.

Dr. Charles Eastman states: "In 1873 each of the Flandreau Indians received a yoke of oxen, a wagon and a plow. They formed a plowing bee and broke up the prairie, each one having

from twenty to sixty acres under cultivation. They did most of the freighting from Elk Point to Sioux Falls carrying wheat and bringing back goods for the merchants. Later on they did all of the freighting from Sioux Falls to Sibley, Iowa. I remember going on one of these caravans in 1879. It was forty miles they had to go to get the work. They also cut timber, oak and maple, into cord wood and sold it to the farmers. After 1874, the white settlers had come in so that the game fled and trapping was not profitable. From 1870 to 1875 while the farmers were moving in several were caught in the blizzards and frozen. The Indians collected provisions and firewood for the destitute white farmers. They were good neighbors with the white farmers but the rough element in the city has harmed them. My father did much work for the white farmers. After the older men died, the children were more reckless and disposed of their property more easily. There has been a degeneracy coming from free government education and free rations. "

It should be noted that many missionaries have gone from this band to christianize the wilder Sioux further west. There are now on the rolls here seven native ministers. One is pastor at this place and the others are missionaries among other bands of Sioux. Contrast with this the other fact, that of all the Indians on the Flandreau rolls, only two are in the government employ, Dr. Charles Eastman, physician at Crow Creek and Joseph Carrow, overseer here.

The history of the Flandreau Dakotas is peculiarly interesting. In 1862, the Dakotas in Southern Minnesota became enraged at the non-fulfillment of treaty obligations. In consequence of the Civil War, Congress neglected Indian matters and did not authorize the payments provided for by the treaties. The hunting had been diminished owing to the white settlers coming in, and it was with the Indians a question of food. The eastern Dakotas had by this time been under the influence of the missionaries for some time. Riggs and Williamson had translated parts of the Bible into Dakota and had made their Dakota dictionary, and modified the Roman alphabet to suit the sounds of Dakota, and by its being phonetic and taught easily, many of the Indians learned to read in their own language. There were not many

converts, but many had been favorably impressed by the earnestness and unselfishness of the missionaries. When the war broke out, many of the Dakotas refused to join in it. Others who did take part in the attacks on the traders with which the war began at Birch Cooley, aided the missionaries there, Hinman and his associates to escape. My authority for this is Hinman's son, newteacher of the government day school at Birch Cooley. The evidence recently taken by government authority to determine which were loyal shows conclusively that only a part of the Eastern Dakotas participated in the war. Goodthunder, the leader of the friendly Indians recently died at Birch Cooley aged over ninety. But a large number did share in the war, which soon became a general massacre of the settlers along the exposed border and destruction of their houses, accompanied by rape of the women. A thrill of horror past over the west, which for a time drew the attention from the absorbing scenes of the Civil War. Soldiers were hurried to Minnesota, and the decisive battle of Birch Cooley was fought and the Indians were dispersed. About five hundred men were taken prisoners, and many more fled to Canada by way of the Red River. Many of these finally crept back to Devils Lake where they still live. Of the prisoners a military tribunal tried and found guilty of murder of defenseless persons, and of rape of thirty nine women, and sentenced them to death. They were all hung on one platform at Mankato at one time, making a terrible effective lesson which the Eastern Dakotas have never forgotten. None of them joined the western Dakotas in their long wars soon after with the Americans. Several of them enlisted as scouts in Custer's Command in the war against the Oglallas and other western Dakotas. Four hundred of the prisoners who had been in the Minnesota war were sentenced to imprisonment at hard labor in the state prison at Davenport, Iowa. Here they were visited by the missionaries and under the circumstances they were influenced in a remarkable degree. Nearly all of them were converted to the Christian faith and were baptized in prison. This was the real beginning of the work of missionaries, Presbyterian and Episcopalians, among the Dakotas, which has flourished ever since. At that time the Congregationalists were united with the Presbyterians in a missionary society called the American Board of Commissioners for Foreign Missions. The Presbyterians have since withdrawn from it, but the two allied denominations are still amicably at work among the Dakotas, the Santee Normal School conducted by a son of Riggs,

still prepares native Missionaries for both Presbyterian and Congregational missions among the Dakotas, and the little paper published at the school is the organ of both. There has been no jealousy between these and the Episcopalians. And between them the great Dakota nation has been evangelized, except the Catholic missions at Standing Rock and Devils Lake where they have the field and have also done good work. Soon after the prisoners were released, the missionary colony was started at Flandreau in 1869. A homestead was secured for each male adult under the general homestead laws. The colonists were thus wild Indians who had recently been engaged in a bloody war on the whites, but who had been converted by the joint influences of missionaries and soldiers, of American muskets and Dakota Bibles. A Presbyterian and Episcopal church were organized here, and the primitive sod was broken by blanket Indians. When the American Board met at Minneapolis in 1872 (?) there were several hundred Dakotas on the platform who had been engaged in the war against the whites less than ten years before. This was one of the most striking things ever done in missionary work. This fact gives added interests to the investigation of the present condition of the Flandreau Indians, as this will show the result of this missionary work after thirty years.

There are 262 enrolled, of whom some are living at other places. As nearly as can be ascertained, all are communicants in some church, if of sufficient age. More than half are connected with the Presbyterian church, 111 communicants, one family are Catholics, and the rest are Episcopalians. The outward observances of religion at least are carefully attended to.

Pagan marriage has gone, and all are married by Christian ceremonies. The women are chaste. Only a few of the men are drunkards, and these are all educated young men. There is none of the old forms of gambling, but there is a little gambling in saloons with drinking imitation of white men. No case has ever occurred of a crime being committed by a Flandreau Indian, except drunkenness, or furnishing liquor to others.

There are 69 having a poor education or none, all of whom are old people, one aged 103, who were beyond school age when civilization came: 42 have a fair education, meaning by

this a partial common school education: 50 have a good common school education, stopping a little short of the high school: and two have an excellent education, Dr. Eastman, who is a college graduate, and Henry St. Clair, who is an Episcopal minister, educated at Fairbault. The children of school age are all attending school, but under a mild compulsion, and there does not seem to be any ambition for a higher or a different education than the government schools provide.

Financially, one man has two farms and \$1800 in bank, one woman has a good farm worked by her son, and \$600 in cash, one man is cultivation his homestead of 160 acres as well as white farmers do, another has 160 rented to white men for one third the crop, four persons own respectively 80, 60, 50 and 40 acres, of which two farms are rented for one third the crop and two are worked by the owners, and there are also thirty pieces of land of less than 40 acres, generally five or ten acres, which are worked by the owners. There are nine men over fifty years old who have no land left from the homesteads they began with, besides, seven more living elsewhere though enrolled here, who may have land where they are living but have none here. A number of middle aged men, and nearly all under thirty have no land, but work out as laborers and farm hands. They work in the summer and fall and earn good wages, several having teams to hire as well as their own labor.

Besides the ministers, there is only professional man, Dr. Eastman one in business, a clerk in a store at another agency, and two who earn money by trades, a carpenter and a dressmaker. The great part of them live on their little patches of land in a simple way, and earn what money they need by working for white farmers, and by doing odd jobs. Quite an industry is the making of pipes and ornaments from the red pipestone at the ancient quarries 18 miles away in Minnesota.

They generally live in small frame houses of two to four rooms, with little furniture and with only fair housekeeping. To this there are a few exceptions, of better housekeeping and

more furniture. They dress like whites of the poorer class. All have horses and wagons, and all keep poultry, but not cows or pigs, which require steadier care than they like to give.

They are not spendthrifts, but are not ambitious, and have no incentive to lay up for times of disability, as they know they will be taken care of by the government. None of the young people seem to be ambitious for wealth.

APPENDIX II  
FLANDREAU INDIAN COMMUNITY SURVEY (1970)  
(BUREAU OF INDIAN AFFAIRS, ABERDEEN AREA OFFICE)  
(ABERDEEN, SOUTH DAKOTA, JUNE, 1970)

The Setting

The Flandreau Santee Sioux Tribe eventually located in Moody County, South Dakota, following the Sioux Uprising in Minnesota in 1862. This group organized under the Wheeler-Howard Act of 1934. The 2180 acres of land the Tribe owns was purchased by the Federal Government in the 1930's and is held in trust for this formerly landless group. Most of the land was assigned to 26 members in 80-acre tracts for subsistence farming. The Flandreau Boarding School occupies 176 acres of Government-owned land and is located immediately adjoining the north city limits of Flandreau, South Dakota - population 2000. Flandreau is located in southeastern South Dakota, 42 miles north of Sioux Falls, 20 miles southeast of Brookings, and 185 miles southeast of Aberdeen. It is 18 miles west of Pipestone, Minnesota, and 208 miles southwest of Minneapolis.

The Flandreau Indian School is the only remaining off-reservation boarding high school operated by the Bureau of Indian Affairs in the nine states included in the Aberdeen, Billings, and Minneapolis Areas. The authorized enrollment is 600 students. Emphasis is on prevocational and home economics training. The staff numbers 125 employees, of which 55% are persons of Indian ancestry.

The boarding students receive medical services through U.S. Public Health Service (PHS) staff located on the campus. Local Indian residents may obtain PHS medical services from facilities located on the Sisseton, Winnebago, or Yankton Reservations. Resident Indians receive services from the state and county as do other citizens (education, welfare, etc.).

Children of the boarding school staff and all other local Indian children attend the local public schools.

For a number of years a garment factory, established by the Flandreau school, provided employment for 30 to 40 individuals. This successful operation was closed in 1956 as a result of policy changes. Several families relocated to jobs elsewhere. The boarding school expanded about this time and continues to provide a major source of employment for local Indians.

### The Survey

A 100% survey was conducted in the Flandreau Indian Community during the week of June 14, 1970, to determine the economic status of all Indian people in the immediate area. The non-Indian spouses were included only in the analyses of housing and income, in order that total household size and total income could be obtained.

### Population

A total of 267 Indian people reside in the Flandreau Indian Community, of which 42% are Flandreau Santee Sioux. The average age is 17.9 years. Of the total population, 45% (119) are male and 55% (148) are female.

### Household and Dwelling Size

The average size household of 4.2 persons is smaller than in most Indian communities. This reflects the influence of single employees and the smaller families of the Indian employees at the boarding school. Analysis of dwellings was by number of rooms rather than by square footage. However, it was apparent that most houses on rural assignment were of much smaller square footage than the others and in much poorer conditions.

### Household and Individual Income

The per capita income of \$2070 is much higher than in most Indian communities. This is due to available employment at the Flandreau Indian School. The Flandreau Indian people,

through their high level of educational attainment, hold many responsible positions at the school and enjoy correspondingly higher income. Other persons work in nearby towns within commuting distances and receive fairly good wages. However, 24% of the total households still receive less than \$4000 per year. The average Flandreau Santee Sioux income is slightly less than the average total, which includes Indians of other tribes residing in the Flandreau Community.

### Education

An average of 12.2 years of education for the total non-student population is a noteworthy achievement. Only a few persons that are in the 16-19 year age group are below the 12-year level.

### Employment

Generally, the higher the educational level, the higher the employment rate. This situation exists in the Flandreau Indian Community where job opportunities are available at the school and nearby towns. Only 7 out of 152 people in the labor force are unemployed. Jobs for these few Indian people will depend on available employment in neighboring communities.

### Wishes of the Indian People

The major improvement that most Indian people desire is better homes (houses on rural Tribal assignments are old, unsanitary, and in many instances beyond repair). Secondly, they desire an out-patient clinic with dental facilities. Most people appreciated the opportunity to express their suggestions for community betterment.

One of the questions asked during the survey was: "WHAT WOULD YOU WISH TO HAVE IN YOUR COMMUNITY TO BETTER IT? " Replies, in order of preference, were as follows:

Better homes

Out-patient clinic with dental facilities

Better law enforcement

Better roads to rural land assignments

More employment opportunities - more industry

Recreation for adult and youth, including a theater and swimming pool

Summer work programs

Vocational Training School and Rehabilitation Center

Local Tribal jail

Community Hall

Increase in monthly retirement check

Non-Tribal members to attend Tribal meetings.

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Better communications between Indians and non-Indians, including

Indians on city commission

School employees to attend more public school functions.

TABLES - OMITTED

## APPENDIX III

### CONSTITUTION AND BYLAWS FOR THE FLANDREAU SANTEE SIOUX TRIBE, SOUTH DAKOTA APPROVED APRIL 24, 1936

#### PREAMBLE

We, the people of the Flandreau Santee Sioux Tribe, in order to exercise the right of local self-government, promote the general welfare, acquire and develop lands, to have the right to form business and other organizations, and to rehabilitate the local Indians and assist them to become self-supporting, do establish this constitution and bylaws.

#### ARTICLE I. - TERRITORY

The jurisdiction of the Flandreau Santee Sioux Tribe of Indians shall extend to such territory as may be now held or hereafter acquired by or for the Flandreau Santee Sioux Tribe under any law of the United States, except as otherwise provided by law.

#### ARTICLE II. - MEMBERSHIP

- Section 1. The membership of the Flandreau Santee Sioux Tribe of Indians shall consist of:
- (a) All persons of Indian blood whose names appear on the official census roll of the tribe as of April 1, 1935, provided that within 1 year from adoption and approval of this constitution and bylaws, correction may be made in the said roll by the general business council subject to approval of the Secretary of the Interior.
  - (b) All children born to any member of the Flandreau Santee Sioux Tribe who is a resident of any territory of the tribe or of Moody County in South Dakota at the time of the birth of said children.

Section 2. The general business council shall have the power to promulgate ordinances subject to review by the Secretary of the Interior covering future membership and the adoption of new members.

### ARTICLE III. – GOVERNING BODY

Section 1. The governing body of the Flandreau Santee Sioux Tribe of Indians shall be the general business council which shall be composed of all the qualified voters of the Flandreau Santee Sioux Tribe.

Section 2. All enrolled members of the Flandreau Santee Sioux Tribe who are 21 years of age or over shall be qualified voters at each election.

Section 3. The general business council shall elect from its own members by secret ballot, (a) a president, (b) a vice president, (c) a secretary, (d) a treasurer, and (e) two trustees who shall serve on the executive committee as provided in section 5 of this article.

Section 4. The general business council shall meet on the first Monday of January and July. Within 30 days after the ratification and approval of this constitution and bylaws, a general business council shall be called by the present business council for the purpose of electing the officers named herein, and it shall transact such other business as may be necessary. The officers elected at this meeting shall serve until the July meeting at which time their successors shall be chosen. Thereafter, officials shall be chosen at the July Meeting. The president or 25 percent of the qualified voters may by written notice call special meetings of the general business council.

One-third of the qualified voters of the tribe shall constitute a quorum at any special or regular meeting.

Section 5. There shall be an executive committee consisting of the president, vice president, secretary, and treasurer of the general business council, and the two trustees names in section 3 of article III, which shall perform such duties as may be authorized by that council.

Section 6. The executive committee shall appoint such other boards or officers as may be deemed necessary.

#### ARTICLE IV. - POWERS OF THE GENERAL BUSINESS COUNCIL

Section 1. Enumerated powers. - The general business council of the Flandreau Santee Sioux Tribe shall exercise the following powers, subject to any limitations imposed by the statutes or the Constitution of the United States:

- (a) To negotiate with the Federal, State, and local Government.
- (b) To employ legal counsel, the choice of counsel and fixing of fees to be subject to the approval of the Secretary of the Interior.
- (c) To veto any sale, disposition, lease, or encumbrance of tribal lands, interests in lands, or other tribal assets of the tribe.
- (d) To advise the Secretary of the Interior with regard to all appropriation estimates or Federal projects for the benefit of the Flandreau Santee Sioux Tribe prior to the submission of such estimates to the Bureau of the Budget and to Congress.
- (e) To manage all economic affairs and enterprises of the Flandreau Santee Sioux Tribe in accordance with the terms of a charter that may be issued to the tribe by the Secretary of the Interior.
- (f) To promulgate and enforce ordinances, which shall be subject to review by the Secretary of the Interior, governing the conduct of members of the Flandreau Santee Sioux Tribe on the reservation, providing for the manner of making, holding, and revoking assignments of tribal land or interests therein, providing for the levying of taxes, and the appropriation of available funds for public purposes, providing for the licensing of nonmembers coming upon the territory of the tribe for purposes of hunting, trading, or other business, and for the exclusion from the territory of the tribe of persons not so licensed, and establishing proper agencies for law enforcement among the members of the Flandreau Santee Sioux Tribe.
- (g) To charter subordinate organizations for economic purposes and to delegate to such organizations, or to any subordinate boards or officials of the tribe,

any of the foregoing powers, reserving the right to review any action taken by virtue of such delegated powers.

- (h) To adopt resolutions not inconsistent with this constitution and the attached bylaws, regulating the procedure of the council itself and of other tribal agencies, tribal officials, or tribal organizations of the Flandreau Santee Sioux Tribe.

Section 2. Future powers. - The general business council may exercise such further powers as may in the future be delegated to the council by members of the tribe or by the Secretary of the Interior or any other duly authorized official or agency of the State of Federal Government.

Section 3. Reserved powers. - Any rights and powers heretofore vested in the Flandreau Santee Sioux Tribe but not expressly referred to in this constitution shall not be abridged by this article, but may be exercised by the people of the Flandreau Santee Sioux Tribe through the adoption of appropriate bylaws and constitutional amendments.

Section 4. Manner of review. - Any resolution or ordinance which by the terms of this constitution is subject to review by the Secretary of the Interior, shall be presented to the superintendent of the jurisdiction who shall, within 10 days thereafter, approve or disapprove the same.

If the superintendent shall approve any ordinance or resolution, it shall thereupon become effective, but the superintendent shall transmit a copy of the same, bearing his endorsement, to the Secretary of the Interior, who may within 90 days from the date of enactment, rescind the said ordinance or resolution for any cause, by notifying the general business council of such decision.

If the superintendent shall refuse to approve any ordinance or resolution submitted to him, within 10 days after its enactment, he shall advise the council of his reasons therefore. If these reasons appear to the council insufficient, it may, by a majority vote, refer the ordinance or resolution to the Secretary of the Interior, who may, within 90 days from the date of its enactment, approve the same in writing, whereupon the said ordinance or resolution shall be come effective.

## ARTICLE V - AMENDMENTS

This Constitution and bylaws may be amended by the majority vote of the qualified voters of the tribe at an election called for that purpose by the Secretary of the Interior, providing that at least 30 percent of those entitled to vote, shall vote in such election but no amendment shall become effective until it shall have been approved by the Secretary of the Interior.

It shall be the duty of the Secretary of the Interior to call an election on any proposed amendment upon receipt of a petition signed by one-third of the qualified voters, members of the tribe.

## BYLAWS OF THE FLANDREAU SANTEE SIOUX TRIBE OF SOUTH DAKOTA

### ARTICLE I. - DUTIES OF OFFICERS

Section 1. President. - It shall be the duty of the president to preside at all meeting of the general business council and of the executive committee, and at all tribal elections, and to sign all commissions, licenses, and permits granted by order of the executive committee and all orders drawn on the treasurer by order of the executive committee for the disbursement of money. He shall maintain peace and good order, and see that the ordinances, rules, and regulations of the tribe are faithfully executed and observed, and perform such other duties as shall be required of him from time to time by the executive committee or the general business council in carrying out the provisions of this constitution and bylaws. He shall vote only in the case of a tie.

Section 2. Vice president. - The vice president shall assist the president when called upon to do so and in the absence of the president he shall preside. When so presiding, he shall have all the rights, privileges, and duties as well as the responsibilities of the president.

Section 3. Secretary of the council. - It shall be the duty of the secretary to keep an accurate account of all the actions of the executive committee and the general business council, especially of the passing of all the bylaws, ordinances, rules, regulations, and resolutions, and also a faithful record of all the votes and actions of the members of said tribe at their regular and other council meetings, and to keep on file all papers which may be ordered by the executive committee or the general business council. The records kept by the secretary shall be evidence in all legal proceedings, and copies of all papers duly filed in his office and transcripts from his records as such secretary, duly certified by him, shall be evidence in all of the contents of the same. He shall keep a full and accurate account of all orders drawn on the treasurer in a book provided for that purpose, and shall keep a record of all accounts of the tribe with individuals, and shall keep an account with the treasurer and charge him with all moneys paid into the treasury; and all receipts of the payment of moneys or property to the treasurer shall be countersigned by the secretary. The secretary shall also act as secretary in all regular and special elections and meetings of the members of the tribe. The secretary shall also have power to administer oaths; and before he shall enter upon the duties of his office, he shall execute to the tribe a bond, in such sum as the general business council shall direct, with sureties to be approved by the council, conditioned for the faithful performance of all the duties of his office, which bond, after being so approved, shall be filed with the treasurer of the council. It shall be his duty to submit promptly to the superintendent of the jurisdiction and the Commissioner of Indian Affairs copies of all minutes of regular and special meetings of the general business council.

Section 4. Treasurer of council. - The treasurer of the council shall perform such duties and exercise such powers as may be lawfully required of him by ordinance, rules, regulations, or bylaws of the tribe. All money raised, received, recovered, and collected by means of loans, fines, forfeiture, or otherwise under this constitution and by laws or which belong to the tribe shall be paid out or drawn therefrom, except upon a printed or written order signed by the president and countersigned by the secretary, by order of the executive committee. Such order

shall specify the amount of money to be drawn, to whom payable, and its object. He shall keep a just and accurate account of all moneys and other things coming into his hands as such treasurer in a book to be provided by the executive committee for that purpose which book shall remain the property of the tribe. In this book, he shall note the time when, the person from whom, the amount of the several sums received, and the sources from which the said sums arose also the several sums paid out by him, to whom paid, and the objects for which it was so paid, which book at all reasonable hours, shall be open to the inspection of the electors of the tribe, and authorized agents of the Department of the Interior. He shall as often as the executive committee or general business council shall require, render the committee or council a minute account of his receipts and payments, and if required, exhibit his vouchers therefore and at the expiration of his term of office, he shall pay over and deliver to his successor all moneys, books, vouchers, and other property or things in his possession belonging to the tribe. Before he enters such sum as the general business council shall determine, with sureties to be approved by the council and the Commissioner of Indian Affairs, conditioned for the faithful performance of all the duties of his office, which bond, after being so approved, shall be filed with the secretary of the council.

Section 5. Trustees. - It shall be the duty of the two trustees to serve on the executive committee.

Section 6. Executive committee. - It shall be the duty of the executive committee, consisting of the president, vice president, secretary, and treasurer of the general business council and the two trustees, to act on behalf of the general business council at such times as the council is not in session and to have charge of all routine matters which shall arise during such recess, including the administration of ordinances concerning land under this constitution, and such other matters as may be delegated to it by the general business council.

It shall name the time and places of its meetings, and it shall determine the rules of its proceedings, and keep a journal thereof, which shall be open to members of the tribe at

reasonable hours, and have power to preserve order and enforce regulations for its government, as are not inconsistent with this constitution and bylaws, and shall have power to compel the attendance of its members.

The committee shall make a report at each regular and special session of the council.

Section 7. Appointive officers. - The duties of all appointive boards or officers of the tribe shall be clearly defined by resolutions of the executive committee at the time of their creation or appointment. Such boards and officers shall report, from time to time as required, to the executive committee, and their activities and decisions shall be subject to review by the general business council upon the petition of any person aggrieved.

Section 8. Oath. - Every officer elected or appointed under this constitution and bylaws before he enters upon the duties of his office, and within 10 days after his election or appointment, shall take and subscribe to an oath before some proper officer and file the same with the secretary in the following form, viz: " I \_\_\_\_\_ do solemnly swear that I will support the Constitution and the laws of the United States and the constitution and bylaws of this tribe: that I will faithfully discharge the duties of the office of \_\_\_\_\_ to the best of my ability; so help me God. "

## ARTICLE II. - RATIFICATION OF CONSTITUTION AND BYLAWS

This constitution and bylaws when adopted by a majority vote of the voters of the Flandreau Santee Sioux Tribe voting at a special election called by the Secretary of the Interior, in which at least 30 percent of those entitled to vote shall vote, shall be submitted to the Secretary of the Interior for his approval, and shall be in force from the date of such approval.



## CERTIFICATION OF ADOPTION

Pursuant to an order, approved March 13, 1936, by the Secretary of the Interior, the attached constitution and bylaws was submitted for ratification to the members of the Flandreau Santee Sioux Tribe and was on April 4, 1936, duly accepted by a vote of 82 for and 6 against, in an election in which over 30 percent of those entitled to vote cast their ballots, in accordance with section 16 of the Indian Reorganization Act of June 18, 1934 (48 Stat. 984), as amended by the act of June 15, 1935 (49 Stat. 376).

George Eastman, Sr.

Chairman of Election Board.

George Eastman, St.,

Chairman of the Tribal Council.

George Eastman, Jr.,

Secretary

Byron J. Brophy,

Superintendent.

I, Harold L. Ickes, the Secretary of the Interior of the United States of America, by virtue of the authority granted me by the act of June 18, 1934 (48 Stat. 984), as amended, do hereby approve the attached constitution and bylaws of the Flandreau Santee Sioux Tribe.

All rules and regulations heretofore promulgated by the Interior Department or by the Office of Indian Affairs, so far as they may be incompatible with any of the provisions of the said constitution and bylaws are hereby declared inapplicable of the Flandreau Santee Sioux Tribe.

All officers and employees of the Interior Department are ordered to abide by the provisions of the said constitution and bylaws.

Approval recommended April 20, 1936.

John Collier,

Commissioner of Indian Affairs.

Harold L. Ickes,

Secretary of the Interior

(SEAL)

Washington, D. C., April 24, 1936.

AMENDMENT CONSTITUTION AND BY - LAWS OF THE  
FLANDREAU SANTEE SIOUX TRIBE

AMENDMENT I. The second paragraph of Section 4 of Article III - Governing Body,  
shall be amended to read:

“One-fifth (1/5) of the qualified voters of the tribe shall constitute a quorum at any  
special of regular meeting. “

I Oscar L. Chapman, the Assistant Secretary of the Interior of the United States of America,  
by virtue of the authority granted me by the Act of June 18, 1934 (48 Stat. 984), as amended, do  
hereby approve the attached Amendment I, amending section 2 of Article III of the  
Constitution and By-Laws of the Flandreau Santee Sioux Tribe in South Dakota.

Approval recommended: January 28, 1941.

F. H. Daiker,

Assistant to the Commissioner.

Oscar L. Chapman.

Assistant Secretary,

(SEAL)

Washington, D.C. February 7, 1941.

## CERTIFICATE OF ADOPTION

Pursuant to an order, approved December 23, 1950, by the Assistant Secretary of the Interior, the attached Amendment to the Constitution and By-Laws of the Flandreau Santee Sioux Tribe was submitted for ratification to the qualified voters of the tribe and on January 6m 1941, was adopted by a vote of 96 for, and 10 against in an election in which more than 30 per cent of those entitled to vote cast their ballots in accordance with section 16 of the Indian Reorganization Act of June 18, 1934 (48 Stat. 984), as amended by the Act of June 15, 1935 (49 Stat. 378).

      Jess Wakeman,  
President, Business Council

      Felix Heminger,  
Secretary, Business Council.

Byron J. Brophy,  
Superintendent, Flandreau School.

### APPENDIX V

#### REVISED CONSTITUTION AND BYLAWS FOR THE FLANDREAU SANTEE SIOUX TRIBE OF SOUTH DAKOTA

Approved: November 15, 1967

### PREAMBLE

We, the people of the Flandreau Santee Sioux Tribe, in order to exercise the right of local self-government, promote the general welfare of the tribe and manage the lands, do hereby establish this revised constitution and bylaws.

## ARTICLE I - TERRITORY

The jurisdiction of the Flandreau Santee Sioux Tribe of Indians shall extend to such territory as may be now held or hereafter acquired by or for the Flandreau Santee Sioux Tribe under any law of the United States, except as otherwise provided by law.

## ARTICLE II - MEMBERSHIP

Section 1. Membership in the Flandreau Santee Sioux Tribe of Indians shall consist of all persons who qualify for membership in accordance with the following provisions and an enrollment ordinance to be enacted by the executive committee:

- (a) All persons of Indian blood whose names appear on the official census roll of the tribe as of June 30, 1934, and the January 1, 1935, supplement.
- (b) All children born prior to the effective date of this amendment to any members of the Flandreau Santee Sioux Tribe who was a resident of any territory of the tribe or of Moody County in South Dakota at the time of the birth of said children.
- (c) All children born to any member of the Flandreau Santee Sioux Tribe provided the child possesses one-quarter (1/4) or more degree of Flandreau Santee Sioux blood.

Section 2. The executive committee shall have the power to promulgate ordinances subject to review by the Secretary of the Interior covering future membership and the adoption of new members.

## ARTICLE III - GOVERNING BODY

Section 1. The governing body of the Flandreau Santee Sioux Tribe shall be an executive committee which shall consist of a president, a vice president, a secretary-treasurer and two trustees who shall serve two-year terms of office and until their successors are elected. A

quorum of the executive committee shall consist of three members. the president shall vote only in the case of a tie.

Section 2. All enrolled members of the Flandreau Santee Sioux Tribe twenty-one (21) years of age or over and resident in Moody County for at least ninety (90) days prior to the date of an election shall be qualified voters. Residence for the purposes of this constitution shall mean physical presence within Moody County or such territory as may be now held or hereafter acquired by the tribe provided that temporary absence for purpose of employment, Government employment or military service, illness or physical disability shall be considered as physical presence.

Section 3. The executive committee shall appoint such other boards or officers as may be deemed necessary.

#### ARTICLE IV - MEETINGS

Section 1. Meetings of the general council shall be held on the first Saturday of February and August of each year or on such other dates as may be selected by the executive committee provided that at least fifteen (15) days notice is given.

Section 2. Regular meetings of the executive committee shall be held at least once each month on dates established by the executive committee or called by the president. Such meetings shall be open to tribal members except that exclusive sessions may be held.

Section 3. Special meetings of the general council may be called by the president or upon presentation of a petition signed by at least thirty (30) percent of the qualified voters to the secretary-treasurer who shall select a meeting date and give at least fifteen (15) days notice of any special meeting. The notice shall specify the purpose, time and place of any special meeting.

Section 4. A quorum for all regular or special meetings of the general council shall consist of fifty (50) percent of the qualified voters.

#### ARTICLE V - ELECTIONS

Section 1. Officers of the executive committee shall be elected by the general council at its August meeting of each even-numbered year. The officers holding office when this constitution becomes effective shall continue in office until the next August meeting of the general council on an even-numbered year.

Section 2. Nominations of candidates for office shall be made from the floor at the August meeting of even-numbered years or by the presentation of a nominating petition from a specific office signed by at least five (5) qualified voters to the secretary-treasurer either prior to or at the election meeting. Secret ballots shall be the case on all candidates for each office in a first ballot. The two candidates receiving the highest number of secret ballot votes in the second balloting shall be elected.

Section 3. To be nominated for office, a member must be at least twenty-one (21) years of age or over, a resident of Moody County or such territory as may be now held or hereafter acquired by the tribe, not been convicted of a felony or crime involving moral turpitude and not been dishonorably discharged from the military service. The executive committee shall be the sole judge of the qualifications of its candidates for office and of officers. The executive committee may prescribe such other rules for election as may be required to assure a fair and honest election.

#### ARTICLE VI - VACANCIES AND REMOVAL FROM OFFICE

Section 1. If a member of the executive committee shall die, resign, or be absent from regularly scheduled general council or executive committee meetings for three successive meetings without reasonable justification, the executive committee shall declare the position vacant and shall immediately thereafter appoint a person qualified to hold office to serve the unexpired term.

Section 2. An elected official shall be removed from office by the executive committee upon investigation and receipt of substantive evidence of conviction of a felony, or of a crime involving moral turpitude. An elected official may also be removed from office for cause such as malfeasance in office at any regular or special meeting of the general council provided that a petition for removal setting forth the charges against the official and signed by not less than thirty (30) percent of the qualified voters shall be presented to the secretary-treasurer or the president if the affected official is the secretary-treasurer. Upon receipt of such properly executed petition, the secretary-treasurer or president as appropriate shall call and give at least fifteen (15) days notice of a meeting of the general council. The accused official shall be provided with a written specification of charges at least ten (10) days prior to the meeting. The charges and any written reply to the charges by the accused official shall be read at the meeting and a secret ballot vote taken on removal. If the vote is in favor of removal, the vacancy thereby created shall be filled by an election at such meeting by secret ballot to fill the unexpired term of office of the removed officer.

## ARTICLE VII - INITIATIVE AND REFERENDUM

Section 1. Special meetings of the general council shall be called by the secretary-treasurer upon presentation of a petition setting forth that such a meeting is being requested for the purpose of voting upon either a matter not previously considered by the executive committee or upon any matter or previous action of the executive committee. Such petitions shall explain the matter or issue to be voted upon and shall be signed by not less than thirty (30) percent of

the qualified voters. The secretary-treasurer shall call and give at least fifteen (15) days notice of such meeting specifying the purpose of the meeting in the notice.

## ARTICLE VIII - POWERS OF THE EXECUTIVE COMMITTEE

Section 1. Enumerated Powers. The executive committee of the Flandreau Santee Sioux Tribe shall exercise the following powers subject to any limitations imposed by the statutes or the Constitution of the United States:

- (a) To negotiate with the Federal, State and local government.
- (b) To employ legal counsel, the choice of counsel and fixing of fees to be subject to the approval of the Secretary of the Interior or his authorized representative.
- (c) To veto any sale, disposition, lease or encumbrance of tribal lands, interests in lands or other tribal assets of the tribe.
- (d) To advise the Secretary of the Interior with regard to all appropriation estimates of Federal projects for the benefit of the Flandreau Santee Sioux Tribe prior to the submission of such estimates to the Bureau of the Budget and to Congress.
- (e) To acquire, lease or otherwise manage all lands or other assets, either real or personal for the benefit of the tribe as authorized by law except that where such lands or assets are under the jurisdiction of the Federal Government, the approval of the Secretary of the Interior or his authorized representative shall be obtained.
- (f) To promulgate and enforce ordinances, which shall be subject to review by the Secretary of the Interior providing for the manner of making, holding, and revoking assignments of tribal land or interests therein, assessment of

members and the appropriation of available funds for public purposes, providing for the assessment of fees to nonmembers for the use of tribal lands for purposes of hunting, trading or other business and for the exclusion of such nonmembers from the lands of the tribe.

- (g) To charter subordinate organizations for economic purposes and to delegate to such organizations, or to any subordinate boards or officials of the tribe, any of the foregoing powers, reserving the right to review any action taken by virtue of such delegated powers.
- (h) To adopt resolutions consistent with this constitution and bylaws, regulating the procedure of the executive committee itself and of other tribal agencies, tribal officials or tribal organizations of the Flandreau Santee Sioux Tribe.

Section 2. Future Powers. The executive committee may exercise such further powers as may in the future be delegated to it by the general council of the tribe or by the Secretary of the Interior or any other duly authorized official or agency of the State or Federal Government.

Section 3. Reserved Powers. Any rights and powers heretofore vested in the Flandreau Santee Sioux Tribe but not expressly referred to in this constitution shall not be abridged by this article, but may be exercised by the people of the Flandreau Santee Sioux Tribe through the adoption of appropriate bylaws and constitutional amendments.

Section 4. Manner of Review. Any resolution or ordinance which by the terms of this constitution is subject to review by the Secretary of the Interior shall be presented to the Superintendent of the jurisdiction who shall, within ten (10) days following his receipt, approve or disapprove the same.

If the Superintendent shall approve any ordinance or resolution, it shall thereupon become effective, but the Superintendent shall transmit a copy of the same, bearing his endorsement,

to the Secretary of the Interior, who may, within ninety (90) days from the date of his receipt, rescind the said ordinance or resolution for any cause, by notifying the executive committee of such decision.

If the Superintendent shall refuse to approve any ordinance or resolution submitted to him, within ten (10) days after his receipt, he shall advise the executive committee of his reasons therefore. If these reasons appear to the executive committee insufficient, it may, by a majority vote, refer the ordinance or resolution to the Secretary of the Interior or his duly authorized representative, who may, within ninety (90) days of his receipt, approve the same in writing, whereupon the said ordinance or resolution shall become effective.

#### ARTICLE IX - AMENDMENTS

The constitution and bylaws may be amended by the majority vote of the enrolled members of the tribe twenty-one (21) years of age or older at an election called for that purpose by the Secretary of the Interior, provided that at least thirty (30) percent of those entitled to vote, shall vote in such election but no amendment shall become effective until it shall have been approved by the Secretary of the Interior.

It shall be the duty of the Secretary of the Interior to call an election on any proposed amendment upon receipt of a resolution of the executive committee or of a petition signed by fifty (50) percent of the qualified voters of the tribe.

# BYLAWS OF THE FLANDREAU SANTEE SIOUX TRIBE OF SOUTH DAKOTA

## ARTICLE I - DUTIES OF OFFICERS

Section 1. President. The president shall preside at all meetings of the general council and the executive committee and shall vote only in the case of a tie vote. He shall execute or certify on behalf of the tribe all leases, contracts or other documents approved by an authorized body of the tribe. He shall have general supervision of all other officers, employees or committees of the tribe and shall see that their duties are properly performed. When neither the general council nor the executive committee is in session, he shall be the official representative of the tribe.

Only in the absence of the secretary-treasurer, the president may receive, deposit or disburse monies. Where funds of the tribe are handled by the president, he shall account for all funds and provide the secretary-treasurer an accounting of such funds and any remaining balance of funds immediately upon his return. The president shall obtain a surety bond, at tribal expense, prior to the handling of any funds.

Section 2. Secretary-Treasurer. The secretary-treasurer shall keep the minutes of all meeting of the general council and the executive committee and shall certify the enactment of all resolutions and ordinances. He shall attend to the giving of all notices required by this constitution and shall receive all petitions provided for herein. Copies of all minutes, resolutions, ordinances or other enactments shall be submitted to the Commissioner of Indian Affairs through the local office of the Bureau of Indian Affairs as soon after enactment as possible. He shall establish and maintain current records of all enactments and correspondence. The publication and distribution of minutes and enactments of interest to tribal members shall be authorized within available funds.

The secretary-treasurer shall have care and custody of all valuables of the tribe. He shall carry out the financial directives of the executive committee, submit bills for debts owed the tribe, receive all local monies of the tribe and keep an accurate record of all receipts and disbursements. Funds shall be deposited in a tribal account in a local bank selected by the executive committee where depositors' accounts are insured by the Federal Deposit Insurance Corporation. All disbursements shall be made by; check pursuant to resolutions or other authority of the executive committee or the general council. He shall furnish a surety bond, at tribal expense, satisfactory to the executive committee and the Commissioner of Indian Affairs. The secretary-treasurer shall give a financial report of the tribe at all general council and executive committee meetings and all such records shall be available for inspection by the executive committee, members of the tribe or representatives of the Commissioner of Indian Affairs. Such records shall be audited no less frequently than once each year by a certified public account, financial expert or the Commissioner of Indian Affairs or his authorized representative. The secretary-treasurer may be compensated for services.

Section 4. Trustees. The trustees shall assist the executive committee in the execution of its duties and responsibilities.

Section 5. Appointive Officers. The duties of all appointive boards or officers of the tribe shall be clearly defined by resolutions of the executive committee at the time of their creation or appointment. Such boards and officers shall report from time to time as required, to the executive committee and their activities and decisions shall be subject to review by the executive committee upon the petition of any person aggrieved.

Section 6. Oath of Office. Every officer or appointed under this constitution and bylaws before he enters upon the duties of his office, and within 10 days after his election or appointment, shall take and subscript to an oath before come proper officer and file the same with the secretary-treasurer in the following form, viz: "I, \_\_\_\_\_, do solemnly

swear that I will support the Constitution and the laws of the United States and the constitution and bylaws of this tribe; that to the best of my ability; so help me God. "

## ARTICLE II - ADOPTION

This revised constitution and bylaws, when adopted by a majority vote of the voters of the Flandreau Santee Sioux Tribe voting at a special election called by the Secretary of the Interior, in which at least thirty (30) percent of those entitled to vote shall vote, shall be submitted to the Secretary of the Interior for his approval and shall be in force from the date of such approval.

## CERTIFICATE OF RESULTS OF ELECTION

Pursuant to an election authorized by the Assistant Secretary of the Interior on September 8 \_\_\_\_\_, 1966, the attached Revised Constitution and Bylaws of the Flandreau Santee Sioux Tribe was submitted to the qualified voters of the tribe and was on September 16 \_\_\_\_\_, 1967, duly adopted by a vote of 65 for, and 16 against, in an election in which at least 30 percent of the 223 members entitled to vote cast their ballots in accordance with Section 16 of the Indian Reorganization Act of June 18, 1934 (48 Stat. 984), as amended by the Act of June 15, 1935 (49 Stat. 347).

(Sgd) B. B. Warner

Chairman, Election Board

(Sgd) Richard K. Wakeman

Election Board Member

(Sgd) Reuben Robertson

Election Board Member

(Sgd) Felix Heminger  
Election Board Member

APPROVAL

I, Harry R. Anderson, Assistant, Secretary of the Interior of the United States of America, by virtue of the authority granted to me by the Act of June 18, 1934 (48 Stat. 984), as amended, do hereby approve the attached Revised Constitution and Bylaws for the Flandreau Santee Sioux Tribe of South Dakota.

Approval recommended:        Nov. 2, 1967

(Sgd) T. W. Taylor  
Acting Commissioner of Indian Affairs

SEAL

Assistant Secretary of the Interior  
(SEAL)

Washington, D. C.

Date: Nov. 15, 1967

APPENDIX VI

H. R. 6067\*

92<sup>nd</sup> CONGRESS

1<sup>st</sup> SESSION

IN THE HOUSE OF REPRESENTATIVES

March 15, 1971

Mr. Abourezk (for himself, Mr. Quie, Mr. Denholm, Mr. Fraser, Mr. Link, and Mr. Thone) introduced the following bill: which was referred to the Committee on Interior and Insular Affairs.

A BILL

To provide for the disposition of funds appropriated to pay judgment in favor of the Mississippi Sioux Indians in Indian Claims Commission dockets numbered 359, 360, 361, 362, and 363, and for other purposes.

Section 1. Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the funds appropriated by the Act of June 19, 1968 (82 Stat. 239), to pay compromise judgments to the

\*Identical to H.R. 5699, introduced March 8, 1971 by Mr, Nelsen and referred to the Committee on Interior and Insular Affairs.

Mdewakanton and Wahpakoota Tribe of Sioux Indians in Indian Claims Commission dockets numbered 359, 360, 361, 362, and 363, together with interest thereon, after payment of attorney fees and litigation expenses and the cost of carrying out the provisions of this Act, shall be distributed as provided in this act.

Sec. 2. (a) The Flandreau Santee Sioux Tribe at Flandreau, South Dakota, the Santee Sioux Tribe of the Sioux Nation of the State of Nebraska, the Lower Sioux Indian Community at Morton, Minnesota, the Prairie Island Indian Community at Welch, Minnesota, and the Shakopee Mdewakanton Sioux Community of Minnesota shall prepare rolls of their members who are lineal descendants of the Mdewakanton and Wahpakoota Tribes, and who were born on or prior to and are living on the date of this Act, using available records and rolls at the local agency and area offices. Applications for enrollment must be filed with each group named in this section and such rolls shall be subject to approval of the Secretary of the Interior. The Secretary's determination on all applications shall be final.

(b) The Secretary of the Interior shall prepare a roll of the lineal descendants of the Mdewakanton and Wahpakoota Tribe who were born on or prior to and are living on the date of this Act whose names or the names of a lineal ancestor appears on any available records and rolls acceptable to the Secretary, and who are not members of any of the organized groups listed in subsection (a). Applications for enrollment must be filed with the Area Director, Bureau of Indian Affairs, Aberdeen, South Dakota. The Secretary's determination on all applications for enrollment shall be final.

Sec. 3. No person shall be eligible to be enrolled under section 2 who is not a citizen of the United States.

Sec. 4. Any person qualifying for enrollment with more than one of the named Indian groups shall elect the group with which he shall be enrolled for the purposes of this Act.

Sec. 5. After deducting the amounts authorized in section 1 of this Act, the funds derived from the judgment awarded the Indian Claims Commission dockets numbered 360, 361, 362, 363, and one-half of the amount awarded in docket numbered 359, plus accrued interest, shall be apportioned on the basis of the rolls prepared pursuant to section 2 of this Act. An amount equivalent to the proportionate shares of those persons who are members of the Flandreau Santee Sioux Tribe the Santee Sioux Tribe of the Sioux Nation of the State of Nebraska, the Lower Sioux Indian Community, the Prairie Island Indian Community, and the Shakopee Mdewakanton Sioux Community shall be placed on deposit in the United States Treasury to the credit of the respective groups. Eighty per centum of such funds on deposit to the credit of the Flandreau Santee Sioux Tribe and the Santee Sioux Tribe of the Sioux Nation of the State of Nebraska shall be distributed per capita to such tribal members, and the remainder may be advanced, deposited, expended, invested, or reinvested for any purpose designated by the respective tribal governing bodies and approved by the Secretary of the Interior. One hundred per centum of such funds on deposit to the credit of the Lower Sioux Indian Community, the Prairie Island Indian Community, and the Shakopee Mdewakanton Sioux Community shall be distributed per capita to such tribal members: Provided, That none of the funds may be paid per capita to any person whose name does not appear on the rolls prepared pursuant to section 2 of this Act. The shares of enrollees who are not members of such groups shall be paid per capita.

Sec. 6. The sums payable to enrollees or their heirs or legatees who are less than twenty-one years of age or who are under a legal disability shall be paid in accordance with such procedures, including the establishment of trusts, as the Secretary of the Interior determines appropriate to protect the best interest of such persons after considering the recommendations of the governing bodies of the groups involved: Provided, however, That no restrictions shall

be placed upon payments to persons eighteen years of age or over who are married and are not under legal disability for any reason other than age.

Sec. 7. The funds distributed under the provisions of this Act shall not be subject to Federal or State income tax.

Sec. 8. The Secretary of the Interior is authorized to prescribe rules and regulations to carry out the provisions of this Act, including the establishment of deadlines.