

September 11th Aftermath Changes Traditional Sioux Movement Patterns

Daniel P. Zielske, Professor at South Central College, Adjunct-Professor at Minnesota State University—Mankato

Abstract

The Mdewakanton Dakota of Minnesota are considered the indigenous people of southern and central Minnesota. They traditionally lived in the area of what is now Wisconsin and Michigan. The flood of Europeans into the eastern lands of the United States forced them to move into Minnesota, Iowa and South Dakota territories. In 1862 they rose up against the white settlers after moneys owed to them by the United States government did not come and the Dakota were dying of starvation. The uprising came to a quick end and many of the Dakota were placed in a prison camp at Fort Snelling near St. Paul, Minnesota. The Dakota who fled the war made their way westward and north to the United States and Canadian border lands. Many still live in these lands yet today. The Dakota who were sent to the prison camp were later released and sent to Crow Creek, Nebraska. In the late 1880's some Dakota made their way back to the traditional lands of Minnesota. They were later granted reservation lands in what is now known as Upper Sioux, Lower Sioux, Mystic Lake and Prairie Island communities.

In the treaties between the United States of America, Canada, the Dakota and Lakota (Sioux) Indians of the late 1700's the U.S. Government promised the Indians free and uninterrupted passage between the lands of Canada and the United States in what is known as the Jay Treaty of 1794. This sovereign right was acknowledged and kept in good faith until the attacks on September 11, 2001. After the attacks, movement between Canada and the United States has been greatly reduced due to the Patriot Act. Native American citizens of the U.S. have not been allowed back into the country after they have left to do ceremonies in Canada. Canadian Sioux have been turned back at the U.S. border and not allowed to participate in ceremonies in the U.S. This, coupled with new wealth from casinos and the social stratification it brings, finds that there are new patterns of migration and movement emerging in the Sioux nation. Movement based upon blood-line, political activisms and past experiences.

Introduction

This paper will look at the movement and settlement patterns of the Mdewakanton Dakota focusing on the Lower Sioux, Mystic Lake and Prairie Island groups. I will first look at the larger Dakota and Lakota settlement patterns from the time of European contact until the beginnings of the 1900's. From there I will begin to look at what life was like on the reservations of the Lower Sioux, Mystic Lake and Prairie Island groups. I will look at historic events, such as both of the battles at Wounded Knee, as they help shape the thinking, religious and settlement patterns of the Dakota and Lakota over the last one-hundred and thirty years. The focus will then move to the changes in the reservation economy and infrastructure due to the legalization of gambling and how that has affected the settlement patterns of the modern Dakota. Finally, I will take a look at how the Patriot Act, enacted after the attacks on September 11, 2001, has affected the civil rights and movement patterns of shaman and American Indian Movement members.

The Mdewakanton Dakotah; Traditional Locations, Historic Locations & Related Movement Patterns.

The Dakota and Lakota are related clan groups within the Great Sioux Nation. The traditional spelling of their names includes an "h" on the end (Dakotah and Lakotah). I was taught early on that you speak Dakota if you were east of the Red River of the North (the river that is the border for Minnesota and North Dakota) and you spoke Lakota if you were west of it. Currently the Mdewakanton Dakota live on four reservations in Minnesota; Upper Sioux, Lower Sioux, Prairie Island and Shakopee (Mystic Lake). Long before the Dakota people saw any white

settlers they had been touched by them through contact with new diseases. Small pox and Rubella (German measles) were the two biggest killers of native Dakota and Lakota peoples. Early ethnographers like James Mooney estimated from their observations that about 90% of the Native American groups like the Dakota and Lakota died from these diseases before they ever saw their first white person. (Palmer 2008) As Europeans moved west and traded with the Dakota and Lakota they also brought with them alcohol, guns and other goods. Native American's had never distilled alcohol before European contact, let alone drink it. Their bodies were not accustomed to processing this new chemical, thus it had a stronger effect on them. Later, the term "drunken Indian" will haunt the Native peoples of this country for many years. In Minnesota the traditional Dakota society was fast disappearing and a new way of life was taking over. "The Yankton and the Lakota moved onto the plains to trap the beaver desired by the European traders. Meanwhile the Dakota, the middlemen, adopted the European Broadcloth as a part o their regular attire, a process that was expedited by the loss of precious game, hence hides, in their territory as they competed with white settles for food and territory." (Palmer 2008)

"The Dakota first laid eyes on whites when they met French explorers Pierre Radisson and Seur des Groseilliers in 1660. At the time, the Dakota were living in northern Wisconsin. They later moved to the Mille Lacs Lake area but were pushed south after battles with the rival Ojibwa. The two Indian nations had a long series of conflicts stretching from 1736 to the mid-1850's. In 1825 the Ojibwa and Dakota reached an agreement that set a boundary that ran diagonally across Minnesota, from what is now Stillwater to the Fargo area. The Dakota were south of the line, including the Minnesota River Valley. (Krohn 2008)

First Conflicts in Southern Minnesota

"In 1837, a treaty was signed giving all Dakota land east of the Mississippi to the government. Much of the money that was to go to the Indians instead went to traders who said – sometimes falsely – that they were owed debts by the Dakota. In 1851, on of the nation's most important treaties was signed at Traverse des Sioux between the government and the Wahpeton and Sisseton bands of Dakota. In the treaty, the Dakota gave up 24 million acres of land in southern Minnesota, Iowa and South Dakota. In exchange, the Indians were given a tract of land 10 miles wide on each side of the Minnesota river, from near Fort Ridgely to the South Dakota border. There were to receive just more than \$3 million in payments over 50 years.

By the winter of 1861 and 1862, the Indians were in dire conditions. Promised food and money didn't arrive. According to the Redwood Gazette newspaper at the time, the Indians had resorted to eating most of their dogs and many horses to survive. The Dakota were not only starving and felt betrayed but a sense of weakness among the Minnesota frontier settlers, brought on by the departure of many of their young men to fight in the Civil War. The spark came on Aug. 17, 1862, when four young Dakota warriors murdered five settlers near Acton. On Aug. 18, Indians at the Lower Sioux Agency rebelled, killing most of the settlers on their reservation." (Krohn 2008)

The final battle took place September 23 at Wood Lake near Birch Coulee at a battlefield between Granite Falls and the town of Echo. Three days later, the Dakota released 269 captives they held west of Montevideo and surrendered. A military commission was set up to decide which Indians should be punished. In the end, the commission sentenced 303 Dakota to death. President Lincoln was under pressure to give the final order for execution. Missionaries wrote

letters to the press calling for new, fair trials for the condemned. Lincoln eventually ordered the execution of only 38 Dakota.

“At 10 a.m. on December 26, 1862 the 38 ascended a specially made timber gallows erected in Mankato. Mounted Scout William Duly severed the rope to hang the Indians. The bodies were buried, but because of high demand for cadavers for anatomical study, the graves were opened and the bodies distributed among local doctors. The Dakota did not begin returning to the reservation lands until the 1880’s.” (Krohn 2008)

Life and Movement Patterns from 1862 to early 1900’s

In the winter of 1862 the defeated Dakota were in a prison camp at Fort Snelling near the city of St. Paul, Minnesota. Pneumonia and other diseases were rampant in the camp and nearly one-third of the population died that winter. In the spring the Dakota were crowded onto cattle boats and shipped to Nebraska for relocation. Here the remaining members of the Dakota were given a small plot of land that was arid and mostly unwanted and unusable for the settlers. They were told that they were to become farmers and work the land. Even today with modern agricultural techniques the land that was given to the Dakota cannot sustain a cash crop; it certainly didn’t support one over one-hundred years ago.

“In the wake of the Dakota Conflict, Dakota people moved up the Minnesota River and onto the plains beyond. This exodus has often been presented as if the refugees fled either to the Dakota Territory or to Rupert’s Land, as if the boundary presented a real barrier once crossed. In reality, Dakota fled to the borderlands and then moved back and forth between American and British Territory. Although the boundary had not yet been marked on the ground (this would not happen until 1873-74), Dakota peoples were very much aware of its existence, and they took advantage of the opportunities it offered during the 1860’s.” (McCrary 2006, 17)

After the uprising of 1862 this border will become a significant factor in determining how their present day ancestors see each other. In the 1970’s there was still a lot of people who remembered which families were in the prison camps and which families fled the battle; but most importantly, who were the families of the 38 who were hung in Mankato (Lawrence 2006). This was one of the difficulties the founders of the Mahkato Wacipi had to face when they were organizing their first pow-wow. If the Dakota wanted to “reunify” with the whites, they must first “reunify” among themselves. They must put aside the hard feelings about Mankato and the war. The first Mahkato Wacipi was in 1972. Today, my observations are that most of it has been put aside, but every once in a while it pops up again in an occasional heated argument.

In a story told to me by Eli Taylor, I was told that the Dakota who moved to Sioux Valley, Manitoba, Canada were originally from the Mankato area in Minnesota. I was told that after the uprising started many Dakota, heeding the words of warrior Chief Little Crow and realizing his insight; “if you kill one, two, ten and ten times ten will come to kill you” fled the Mankato area and moved north. Eli said those years before the uprising a number of Dakota had gone to England and visited with the Queen, who they referred to as “Queen Mother.” The story, as Eli had heard it, said that the Queen had a wonderful conversation with them about “star people, life and the world around them, how it works and how to we should live in it.” They felt that they understood each other very well. The Queen made his family comfortable while they were there and when they left they were told that if they ever needed protection that they should go north, to Canada, and she would protect them. Eli said that “Grandpa told me that when the

uprising started, his family remembered the stories about this original meeting with the Queen and they moved north to seek her protection. They didn't know if they had gone far enough for it to be safe, so they just kept going, until they reached the area that was to become Sioux Valley, Manitoba." The valley is extensive and you can see long distances. On the ridge of the valley, the story goes, was a church. On top of the church's steeple was a large cross. To the Dakota this is the sign of "the four directions" one of the central symbols to their religion, thus they felt they were finally safe from the U.S. Army. They settled in the region and have lived there ever since. (Taylor 1998)

I had heard this story of Eli's two or three times before he had died. To my surprise I found the following reference while researching this paper. "In May 1863 at Pembina the Mdewakanton leader Little Crow, a grandson of the Little Crow who fought for the British during the War of 1812, announced his intentions of visiting the Red River Settlement: "his ostensible object," wrote the local newspaper was "to show the Government some writings which he has had since the War of 1812. He and a group of eighty others arrived at Fort Garry on 29 May and had two meetings with the "Company's big folks" the next day." The first meeting was held in the courtroom, where Little Crow told the British authorities of his people's desire to be at peace with the "English." To demonstrate the truthfulness of this claim, his people produced, and "ostentatiously displayed," medals bearing the likeness of King George III. Little Crow asserted that, at the time of the war, the British had promised that "whenever they [the Sioux] should get into trouble with the Americans they had only to come and the folds of the red flag of the north would wrap them round, and preserve them from their enemies." He and his people "had come to claim the fulfillment of this promise." (McCrary 2006, 18-19) Which ever version of history is the more accurate, maybe neither, only time may tell. Although there can be no denying that in the final result, Eli Taylor's family of the Dakota people of southern Minnesota, came to live in Sioux Valley, Manitoba.

The Canada-United States Borderlands

Between the 1860's through the 1880's many of the Dakota people moved to the borderland area between Canada and the United States and farther north. "By the end of the decade other Sioux groups were likewise shifting territory. Some were migrating up the Missouri River to its junction with the Yellowstone and, beyond that, the Milk River. Other Dakota groups occupied the country south of the Milk River. Several bands of Upper Yanktonais, originally from the area around Fort Rice, migrated up the Missouri to the area surrounding Fort Buford. Santees and Yanktons from the southern part of the Dakota Territory joined them in the area. The Santees, Yanktonais, and Yanktons were also joined by northern bands of Lakotas who were, during the same years, moving from the area southwest of the Missouri toward the lower Yellowstone country and from it to the mouth of Milk River.

Several Dakota groups established themselves north of the Forty-ninth Parallel by mid-decade, although they too remained in contact with Sioux of American territory. Little Crow's Mdewakantons and Little Six's and Medicine Bottle's Mdewakantons and Wahpetons camped from Sturgeon Creek to the White Horse Plains and farther west to Poplar Point and Portage la Prairie." (McCrary 2006, 31)

The Dakota learned quickly how they could use the border. When they were being pursued by the U.S. Army their leaders would take them north to the safety of Canada. Likewise, when things were not so well in Canada, they would move south to gather the

resources and trade from within the United States. When treaties were made tribal members from both sides of the border would be present and expect compensation. For a while this was an economic boon for the Dakota because they would make treaties with both British and American governments over the same land use rights. Many whites saw this as “double-dipping” and began to demand that only British Dakota be paid by Canada and only American Dakota be paid by the United States. When the British and Americans agreed on the 49th parallel as the border they didn’t realize, or didn’t care, that they were in essence splitting dozens of Native American indigenous groups. These groups never recognized the borders as dividing them only as separating the British and Americans.

Exploiting the Borders

“Indigenous peoples throughout the colonial world made tactical use of European colonial boundaries. In Africa, for example, where European boundary making throughout the continent partitioned indigenous societies, people crossed colonial boundaries to evade taxes or labor conscription (especially when it was military conscription), sell goods or find employment in neighboring colonies whose economics were stronger, and avoid warfare with European troops.

The position of colonial boundaries often had little impact on indigenous identities. In 1965, for example, the king of Ketu, a Yoruba state located within modern-day Nigeria, told an interviewer: “We regard the boundary as a separating of the French and the English not the Yoruba.” Despite a century of foreign rule and countless border crossings, the king of Ketu and his people had remained Yoruba. Twenty years later a former chief of the Tobacco Plains Band of Kootenays in British Columbia stated the point bluntly: “We shouldn’t be classified as Canadian or American. We are the same people: we’re all Kootenays.” Clearly, the history of the borderlands Sioux is but one chapter within a larger volume of indigenous peoples’ history in border areas around the world. “ (McCrary 2006, 104)

“By the early 1880’s both the American and the Canadian governments were taking steps to stop aboriginal people from crossing the boundary. Over the course of a single generation the boundary was closed and the borderlands destroyed. In Canada the North-West Mounted Police used the tactic of arresting Indians who brought stolen horses into Canada to control Indian movement. In addition the Canadian government withheld rations from Native People who refused to go to their assigned reserves farther north in an effort to “starve them out” of border areas, especially new Fort Walsh. Native people were “not to be permitted to think that they can go to any Post and receive a similar Ration to those Indians who belong there. “ (McCrary 2006, 110)

“The Sioux have had a complicated relationship with the Canada-United States boundary. Canadian and American government policy regarding the common borders evolved over the course of the nineteenth century; by century’s end, however, they had all but closed it. Yet the Sioux, by virtue of the opportunities offered by the boundary, ended up residing on both sides of it and maintained transboundary ties throughout the century. Their diplomacy had significance for relationships among aboriginal people along the entire length of the western Canada-United States boundary and invites comparison with boundary situations involving indigenous people throughout the world. A borderlands perspective shifts the historical lens away from Canadian

and American history and, in doing so, offers clearer insights into Sioux history.” (McCrary 2006, 113-114)

Reservation life before gambling (Early 1900’s through the 1970’s)

The large clan groups which had once dominated Dakota life were being split up in the 1890’s through the early 1930’s. This separation came along distinct family lines. Sometimes it was by the choice of the family members involved, but most often by the “well intentioned” white people who were trying to “rehabilitate” the Dakota into American society. The boarding school system that was set up by the B.I.A. set the children off to be schooled by mission churches that were quite often very far away. Here the children were taught that their grandparents were “pagans” and that they needed to be more like white people. Quite often the children were beaten if they spoke their Dakota or Lakota language. “I remember we would get a spanking if we spoke Dakota when we were at school and when we would get home grandpa would spank us if we spoke English” (Larson 2008). What was happening was a systematic effort to “eliminate” the culture of the Dakota and force them to adopt the ways of white people. The problem is when you force something new on people, they tend to resist it.

“What is significant about contact between Sioux communities at the end of the century is that it occurred within bordered lands, not in the borderlands. Native people had lost their independence, and their leaders could no longer use the boundary as a tool. Settling on reserves and reservations, made necessary when the buffalo herds failed, was also having consequences, Children went to European-run schools, former hunters became enmeshed in and dependent on European-style agriculture; government administrators collected data on aboriginal people and where they “belonged.” The collapse of the buffalo economy tied aboriginal people to government agencies where they could obtain rations. “ (McCrary 2006, 113)

In the Global Conference at South Central College in 2007 Lakota elder Jerry Dearly spoke of the traditional marriage structure of the Lakota. He said that polygamy was practiced among the Lakota peoples of his ancestry. This practice was continued until 1904 when the United States Government officially outlawed all forms of polygamy from within Native American groups. At which time the Dakota and Lakota men had to choose one wife. The wives that were not chosen went back to their families and either remarried or took back the family name. These children soon lost track of who their patriarchal ancestry really was (Dearly 2007). The practice of Dakota polygamy was well documented by historians. With this having occurred less than four or five generations ago, many Dakota and Lakota people are finding out that they are related to someone they had never met before, the lost relations being tied to the traditional polygamous family structure. I personally have three Dakota friends, all who have found this to be a problem for them. All three were married to people of European decent. The wives of all three filed for divorce, citing cultural differences as one of the problems. My three friends then decided that “if they were to marry again, it would only be with a Dakota woman.” Over the next seven years each began to date again. I watched as each one went through the same scenario. They finally found a Dakota woman who they were getting along with quite well. All were thinking that this could be a good relationship to be in. All three found out that they were related to their new found fancy as a distant cousin. The romance ended quickly with all three.

Life in the late 1950's and 60's didn't change much from previous years. "Reservation life was rustic to say the least." There was no blacktop roads out there, the roads were more like trails, two tracks where the wheels would go. There were no street names. You got directions by people saying "you take a left and go so far then take a right and go so far." Their meeting place was a little one room building; you could hardly fit everyone in it. No one had running water; most of them went to the public well and would fill up there and carry it home. It wasn't until the 1970's when some people put in their own wells. Bathrooms were out-houses, there was no sewer system at that time. (Lawrence 2008)

In the early 1970's the government put in new home, but in most cases they didn't connect it to any water. Here were these people with sinks, bathrooms and the like, but no running water. An article in the Red Wing paper of the time showed Noah and Blanch White standing in their new home in front of a sink with no running water. (Lawrence 2008)

Traveling Among the Dakota in the 1960's through the 1980's

Bud Lawrence tells of how the Dakota leaders in particular would spend a lot of time traveling from place to place; Amos Owen and Wally Wells in particular. In those days the cars were not in the greatest of shapes. Many of them had bad tires; some of them had their tires tied on the roof or hood of their cars for easy accessibility. Networking was very important, and still is, to the Dakota. They love to get together for this or that reason, just so they can see each other. (Lawrence 2008)

For many of us, large family reunions are a thing of the past. Today our families are stretched over thousands of miles and it is not very cost effective to get everyone together. Yet for the Dakota, this is still very important to them. After the 1800's many Native American families were split apart by government agencies. Children were sent to boarding schools where they were taught that their grandparents were "heathens." They were not allowed to speak their own language or to listen to the stories of their history. If they did, they were severally punished. Life on the reservations didn't offer them very much hope on a better life so many natives moved from the reservations into the larger metropolitan areas. "The government even had a program to help move people off of the reservations, the problem with this was the people had little education so the opportunities for success in the new cities was quite minimal. " (Lawrence 2008) With this movement away from the home lands the people also saw a moving away from their traditional native values and spiritual culture, in favor of the rewards offered if they lived the ways of the new culture.

Traveling Through Mankato.

After the hanging in Mankato all of the Dakota fled the area with the first people returning to the reservations in the 1880's. The Dakota stayed away from the Mankato area for many years. I have meet many Native people who remember when they were young their families would only pass through Mankato at night and only stop for gas for fear of attack by the local people. The children would have to lie down in the car so people passing by wouldn't see them. It wasn't until they were out of town did the family feel safe and children could be children. This fear was very tangible. In the 1970's an elderly Dakota couple passing through the Mankato stopped at a local restaurant on the south edge of town. While there they were attacked, beaten and then run off by a group of local people simply because they were Indian. Bud Lawrence tells of the time

when a Native woman, who in 1981 was sent into town to get something at the grocery store for the pow-wow. While there several local bikers began to hassle her in the store. When she left they followed her and surrounded her car. When she locked the doors wouldn't stop right away, the bikers began to attack the car breaking out a couple of windows and threatening her. They stated that "they were going to come down to the pow-wow and kill some Indians." The woman went back to the pow-wow and told the people what had happened. Everyone at the pow-wow was expecting a battle, but the bikers never showed up. (Lawrence 2008)

Dave Larson also remembered that day. Dave is a large man physically, and probably could have taken on several people at once if need be. Because of his size he was called upon quite often in his youth to protect members of his tribe who were being threatened. Dave tells of a similar story that happened in Morton, Minnesota which is the town next to the Lower Sioux reservation; about fifty miles from Mankato. Dave stated that the altercations first began with some bikers who were the bar. One of the young Dakota women happened to walk by them on the street and they began to follow her. Cat calls and other obscenities were being used when Dave and another Dakota man stood up to them and told them to stop harassing her. Pushing and shoving began to take place, but Dave and his friend had bought enough time for the girl to get to the safety of their car and the family drove away. This is when the fight began. Dave and his friend fended off five bikers and made it back to their car. As they drove away the bikers said that they were going to come up to the reservation and kill every Indian there. Dave and his friend made it back to the reservation and told everyone what had happened. The local sheriff was called, but no one came up to the reservation, citing that they did not have jurisdiction over reservation lands. As time went on more and more bikers were showing up in Morton and it looked like there would be a show down. The Sheriff called the reservation and gave reports as to the growing numbers of bikers that were massing in the town. Soon the Dakota were on the telephone calling their warriors (American Indian Movement members) to come to their aid. A.I.M. quickly responded and soon men were massing on the reservation as well. The whole thing ends shortly afterward. The sheriff drove up to the reservation and told the people that when the bikers started seeing all of the A.I.M. members coming to the aid of the reservation they decided to abandon the fight and leave Morton. The sheriff was happy because he didn't have the manpower to handle the situation if it got out of control. He had been calling all of the neighboring counties asking for assistance, but no one would send anyone over. They were all citing that reservations are considered sovereign nations and they had no jurisdiction over those areas. (Larson 2008)

Hiding the Religion; Protecting the People; and The effects of the two battles at Wounded Knee.

The Dakota and Lakota travel thousands of miles a year to attend ceremonies all over the United States and Canada. In order to understand this better we must look at the events of Wounded Knee in 1890 and again in 1973. These two events play a pivotal role in how the Dakota and Lakota practice their religion today. It represent the two ends of long road that the Dakota and Lakota have had to travel to keep their culture and their religion alive.

Ghost Dance and Its Aftermath

In 1889 a new Indian spiritual leader by the name of Wovoka came to the people. Jack Wilson was very ill during a total eclipse of the sun on January 1, 1889. "People shot off guns at the apparition, they yelled, some wailed as at a death. Jack Wilson felt himself losing consciousness. It seemed to him he was taken up to heaven and brought before God. God gave him a message to the people of earth, a gospel of peace and right living. Then he and the sun regained their normal life." (Kehoe 1989, 3)

Jack Wilson was now Wovoka. He was a spiritual leader for his people. One of the ceremonies he brought to the people was that of the Ghost Dance. In the dance people who participated could have a vision of their loved ones who had passed on. These loved ones could then advise you from the other side. You must remember that within a time span of about 15 years, the Sioux went from being the largest indigenous group to rule the upper great plains to a defeated people who had lost most of their lands, their way of life (The Buffalo) and most of their ability to rule over themselves. The people desperately needed to find something that would reunite them. The Ghost Dance seemed like a good start. Over the next year people came from all over to dance the Ghost Dance. Some were successful, others like Sitting Bull said it only gave him a headache (Sitting Bull was a great supporter of the Ghost Dance, although it seems he never received a vision from it).

With the Ghost Dance craze was spreading through Indian country and many of them coming to South Dakota, the white people of the area became nervous. Complaints were sent to Washington by high ranking state officials asking the Army to be sent in to put down this new religion. On November 20, 1890 U.S. Army troops marched into Pine Ridge and neighboring Rosebud reservations under the order of President Harrison. Over the next few days agent James McLaughlin used this opportunity to get back at his rival Sitting Bull. He was able to convince the Army that force was needed to put down these Ghost Dancers. On December 15, 1890 McLaughlin had Sitting Bull executed for refusing to cooperate with the attempt to put down the Ghost Dance. On December 28, 1890 the U.S. Army surrounded the camp of Big Foot. After demanding the people give up their weapons the Army began to fire upon the now defenseless women, children and elderly who made up Big Foot's Camp. Shortly after the massacre at Wounded Knee the U.S. Government made it unlawful to practice the Ghost Dance and Dakota and Lakota religion in general.

Protecting the People.

The second battle of Wounded Knee begins in February of 1973 when the F.B.I., state and local law enforcement came on to the Lakota Nations lands and surrounded the people. I have always found it interesting when law enforcement doesn't want to help the Native Americans they use the "sovereign nation" argument, yet when they want to show force over them, there is little regard to any "sovereign nation" status of the same people.

The second Wounded knee started after a number of Lakota had been murdered by gangs and thugs in South Dakota and the perpetrators would continually have their cases dismissed or would receive extremely light sentences for their acts. The Dakota and Lakota held a meeting at Wounded Knee to try to figure out what they could do. Remembering what had happened at the first Wounded Knee, it soon became apparent that the people would have to take a stand to protect their relatives. Wounded Knee would be that place and the American Indian Movement (AIM) would be the protectors of the people.

As all of this was taking place tribal chairman Richard Wilson saw his power and influence waning. Many of the people of Pine Ridge were convinced Wilson was corruptly using tribal monies to enrich himself and his friends. Wilson had lost face and was now losing influence and power to this new organization A.I.M. Wilson asked the F.B.I. and U.S. marshals to assist in “keeping the peace.” Two weeks after the agents and marshals arrived the hamlet of Wounded Knee was under siege. Soon reinforcements came on both sides of the dispute. “Armored vehicles were brought in to support the FBI and marshals. Indians from Pine Ridge and from other reservations and tribes, reporters, church representatives, and a few political radicals walked over the prairie hills to sneak between roadblocks into the hamlet. Marshals and Indians each dug in, excavating bunkers to shoot from. Gunfire was exchanged from time to time, each side insisting the other had fired first. Within the hamlet, people set up community kitchens, assigned sleeping spaces, and scheduled guard shifts and religious rituals.” (Kehoe 1989) For many Dakota and Lakota people this would be the first time they had participated in their traditional religion openly. It would truly be a new beginning for those people.

The American Indian Movement

AIM was founded in Minnesota’s Twin Cities in 1968, a late start by the standards of twentieth-century rights movements. Indians took longer than blacks and other minorities to mobilize in part because they were more thoroughly oppressed and in part because their population was tiny and diffuse. (Hendricks 2006, 28) It got its start policing the Minneapolis police, especially in the bars that catered to the Midwestern Indians who gravitated to the Twin Cities. These were low-end taverns prone to brawls, and when the brawls broke out, the police tended to arrest every Native in sight, guilt or innocence be damned. Often the Indians were beaten ruthlessly. AIM took to the bars with foot patrols that were equipped with police scanners, walkie-talkies and cameras. When a fight started AIM often arrived before the cops. They told Indians who were being arrested of their rights, and they photographed the police at work. They were thanked with blackjacks to the head, arrests, and indictments for “interfering” with the law. The AIMers persisted. They held public hearings about the abuse. They published their photographs. The press, particularly in Minneapolis, responded favorably. In a remarkably short time, the police beatings and indiscriminate arrests came to a stop, and AIM was lionized. AIM’s work expanded into quieter services, like finding decent housing and jobs for urban Indians, who had long had neither, and founding “survival schools” for Indian children who had left or been rejected by white schools. But AIM garnered most of its following and nearly all of its headlines from its rowdier deeds. When AIM co-founder Clyde Bellecourt bellowed in his speeches, “We’re the landlords of this country, the rent is due, and we’re here to collect!”—only a cigar-store Indian could resist smiling. (Hendricks 2006, 29-30)

Russell Means, Dennis Banks, Vernon & Clyde Bellecourt,

Russell Means, Dennis Banks, Vernon and Clyde Bellecourt are among the founders of the American Indian Movement (AIM). In 1973 they were key figures in the second Wounded Knee. Some served jail time for their role in the siege. They are important to this tale because of their history. Still to this day the FBI, as claimed by AIM members, is still harassing them and others from the AIM leadership. “Trying to pick a fight” was the term that I have heard several times. This seems to fluctuate from time to time. This seems to have intensified because of the recent death of Vernon Bellecourt. Phones were tapped, AIM leaders followed, and family members of AIMers harassed and even threatened. One AIM member said they were using the

Patriot Act to label AIM as a terrorist group. When I asked why the F.B.I. would do something like that, the reply was “we embarrassed them with the truth and they want to get back at us.”

F.B.I. and A.I.M.

The Federal Bureau of Investigation and the American Indian Movement have not been the greatest of friends to say the least. In 1973 during the second battle of Wounded Knee the F.B.I. was caught lying to the public on numerous occasions about their operations against the Indians, which only made the Justice Department more aggressive toward the natives. (Hendricks 2006) In Minneapolis and other cities AIM members had been videotaping F.B.I. and other law enforcement agencies while they were arresting people. They were successful in showing the heavy handedness and unequal treatment that was being shown to Native Americans by law enforcement. They were successful in getting better legal representation for those Natives who found themselves at the mercy of the court system. They were also supporters of a religion that used peyote in their ceremonies. In later years AIM would join up with other minority groups to become a stronger political voice for their people. This has proven a threat to the status quo so the animosity still grows within some agents and law enforcement people.

The Native American Religious Freedom Act

After the second Wounded Knee there was a renewed support for the plight of Native American. Many Americans thought the government’s handling of the events at Wounded Knee were too heavy handed. Many questioned the motives of the people of South Dakota in their part in the siege. All of this gave new support to Native American causes by the general American public. So in 1978 the Native American Religious Freedom Act (AIRFA) was signed by then President; Jimmy Carter (see appendix). For the first time in about 90 years the Dakota and Lakota people were allowed legally to practice their religion openly, on their own reservation lands. President Jimmy Carter said, in a statement about the AIRFA, a very similar thing. “In the past, Government agencies and departments have on occasion denied Native Americans access to particular sites and interfered with religious practices and customs where such use conflicted with Federal regulations. In many instances, the Federal officials responsible for the enforcement of these regulations were unaware of the nature of traditional native religious practices and, consequently, of the degree to which their agencies interfered with such practices. This legislation seeks to remedy this situation.” (Carter 1978)

New Safe Haven for Religion Practice

One thing that happened because of the second Wounded Knee was that many Dakota, for the first time in their lives, participated in the traditional religion and ceremonies of their people. This made a unifying effect on the people that can still be seen today. The reservations soon became filled with people of all cultures wishing to learn about the ways of the “red road.” This fascination with Native religion reached its greatest height with the release of the movie “Dances With Wolves.” Dakota and Lakota medicine men tell of doing the ‘crying for a vision’ ceremony at Bear Butte shortly after the movie came out. People were coming from all over the United States and Canada to participate in the ceremony. The medicine men and helpers were there for over two months putting people on the hill so they could have a vision. The ceremony usually takes about four days. One shaman estimated that they put over 750 people up on the hill for the ceremony that year. Since then things have died down considerably.

Movement patterns among the Dakota before Gambling.

Leaving Reservations

In most of the 1900's the general trend of migration for many Native Americans was "to get off of the reservation." Life on the reservations was not very easy to say the least. Very few had running water or sewer systems available. There were no jobs and the land was too poor for agriculture. To complicate things even more, towns that were just off of the reservations were benefiting economically from the cheap labor and rampant alcoholism that was a part of reservation life at the time. Natives were usually looked down upon and many were beaten by gangs of local thugs who were allowed to roam freely in the small towns.

Lack of economy

Typically Indigenous reservations are placed on lands that are deemed "of no value or importance" by the government. Thus, many Indigenous peoples find that they have not only lost their lands, but they have also lost their ways of making a living. Native Americans were moved, sometimes hundreds of miles, from their traditional homelands to new reservation lands that did not even have the same ecology as their traditional homes. In the case of the Cherokee and the Trail of Tears we see that they were moved from their lush environments of Georgia to the barren lands of Oklahoma. This changed again when oil was found in Oklahoma and it was decided that the Indians had to be moved again so that Americans could have the land. With this general trend of putting Indigenous people on the poorest land available, governments have intentionally prevented the people from making a living. This, in turn, enslaves them to the government's welfare system.

Bureau of Indian Affairs Indian Relocation Program

Indian commissioner Glenn L. Emmons started the Bureau of Indian Affairs' (BIA) relocation program in 1948. Migration to urban areas became a general trend in the post World War II years. By 1953 placements had reached 2600, and they peaked in 1957 with 6964. By 1960 a total of 33,466 Indians had been relocated.

The BIA relocation program was controversial. Some believed that industrial jobs freed Indians from BIA control, exposed them to improved education, and provided a means to end Indian poverty. Others believed that the program forced Indians to leave reservations without improving living conditions or the quality of job training. The BIA relocation program continued until at least 1979. (BIA 2002)

"Russell Means had been relieved of his culture more subtly, although also by federal policy. He was born on Pine Ridge in 1939 but was reared in California, thanks to a BIA program that moved Indians from reservations to cities. The benevolent idea behind the program was that since efforts to bring jobs to Indians had consistently failed. Indians would be brought to jobs. But the program also had a sinister motive, which was to get Indians off land that whites wanted. For centuries America had pushed Indians onto unwanted lands, only later to decide those lands were desirable for one thing or another: uranium or coal, gas or timber, rangeland or farmland. So the BIA paid Indians' bus fare to cities – sometimes on threat of cutting off food and housing on the reservation- set them up in dismal apartments, and entrusted them to the free market. Badly schooled by the BIA and under-skilled from years of joblessness, most of the

émigrés couldn't find work or couldn't keep it when they did. The greater majority traded poverty among family, friends, and culture for poverty in a foreign land. Most eventually returned to the reservations, worse off now since their land had been bought or leased by whites. (Hendricks 2006, 31-32)

Legalization of Gambling on Reservations

Gaming on Indian lands begins with the passage of the Indian Gaming Regulatory Act (IGRA) of 1988. The act was intended to help Native American tribes create a viable economic alternative to agriculture or industry for their people. From the 1920's until the 1980's making a living off of the reservation lands was next to impossible. Most reservation lands were either too small or were in areas of poor soil conditions and could not sustain a significant economic base to provide the necessary infrastructure to the community. Thus modern agriculture as a means of an economic base was out of the question for most communities. Since reservation lands were usually not next to large metropolitan areas (until the metro areas grew out to meet the reservation lands in the 1980's through today) people could not commute to better paying jobs. Thus the state of life on the reservation families in the 1970's and early 80's was below poverty levels.

Changes to infrastructure.

When my family would go to Prairie Island or other reservations in the 1970's I remember that there were no paved roads, no running water, few had electricity and poverty was high. With the casinos arrival money began to flow into these communities. The people now had money for infrastructure, local government and quality legal counsel. Paved roads, water, sewage systems, community centers and all of the things most Americans take for granted were now available for Native Americans. Homes that were once falling apart gave way to new and remodeled homes that kept the cold out in winter and the heat in summer. Greater access to medical care is also one of the benefits that the casinos brought to the people.

Mystic Lake Dakota (Shakopee)

“During the 1990s the Shakopee Mdewakanton Sioux Community continued its transformation from an economically distressed reservation to one of the most economically successful Indian tribes in the United States. In this new era of self-sufficiency, the Community was able to use its inherent sovereign rights and growing economy to purchase additional lands and to radically improve its economic base.

All through the 1990s the infrastructure of the Community went through major improvements, with new sewer and water systems and roads. New subdivisions offered major changes in housing for Community members. The natural surroundings were improved with major tree plantings and wetland and prairie restorations.

The Shakopee Mdewakanton Sioux Community continues its infrastructure improvements and growth in the new century. Since 2000 the Community has dedicated the Tiowakan Spiritual Center and Community Cemetery, completed second and third hotel towers, opened a storage and archival facility, completed the Playworks LINK Event Center, opened The Buffet at Mystic Lake, opened a Mystic Lake retail store at The Mall of America, and completed

Phase III and Phase IV at Dakota Meadows RV Park. The Community has completed construction of new parking ramps, built Dakota Parkway, and opened a new championship golf course, The Meadows at Mystic Lake. In 2001 the SMSC developed a professional fire department called Mdewakanton Emergency Services. The department now responds to an average of 200 calls a month and provides mutual aid to area departments upon request.

In 2006 a state-of-the-art Water Reclamation Facility was completed which utilizes biologically aerated filter technology to treat water for reuse as irrigation for the golf course. The building also houses the largest Green Roof in the Midwest, over 30,000 square feet containing more than 45,000 plants.

Ground was broken in the fall of 2007 for an innovative venture to generate electricity using agricultural byproducts. Called Koda Energy this environmentally friendly project is a joint venture with Rahr Malting of Shakopee. Waste from malting and food processing will be burned to generate electricity. Considerably cleaner than a coal plant, this "green" biomass energy generation project will some day be able to provide energy for all Community needs with excess available to sell to others. Koda Energy will be operational by December 2008.

The success of the Shakopee Mdewakanton Sioux Community's enterprises has allowed the Community to create and provide numerous education, health, and social service programs for Community members, staff, and Native Americans living in Scott County.” (Shakopee Mdewakanton Sioux Community 2007)

Lower Sioux

In the early days the Lower Sioux agency was much like Prairie Island was; little running water, no sewer and only dirt roads. There were only a few houses then, not many people lived there. (Lawrence 2008) Since then the growth has been tremendous.

“The Lower Sioux Community today is comprised of almost 930 enrolled members, more than half of whom reside here. The tribe, led by five elected council people, is constantly working to ensure its community members with benefits from Social Service programs to Higher Education, Economic Development and Housing. The casino, hotel and other community-owned businesses offer local sources for jobs. This is one of the main reasons many of our members are returning home. Our land base today consists of over 1700 acres. We represent a dynamic, vibrant part of Minnesota's cultural make-up, and we are one of the largest employers in Southern Minnesota.” (Jackpot Junction Casino Hotel 2008)

Prairie Island

Since the casino was built there are a number of improvements to infrastructure that have occurred. “The Prairie Island Indian Community functions much like any other small town or community, including residential areas, primary businesses, rural areas, Community Center, Clinic, Police Department, Learning Center, Administrative offices, and Public Works facilities. There are a few points of interest open to tourists, such as Treasure Island Resort & Casino, Marina & RV Park, and the Buffalo Project.” (Prairie Island Indian Community 2008) These are major improvement since the late 1970's.

The Return of the People after Gambling.

With the new improvements to the reservation infrastructure there was also excess cash that had to go back to the people. Casinos began giving large amounts of money to tribal members. It didn't take long before people were lining up claiming to be from the tribe. Tribal councils then had the arduous task of trying to determine who would be considered a tribal member and who didn't qualify. These decisions would in the end pit one family against another. Those who could easily show their tribal affiliation began to want to live on the reservations again. In the late 1990's I began to see a real surge in the number of people living on the reservations. It has been growing ever since.

On the down side to this growth is the fact that the communities values are also changing. Ceremonial activities that were very important to their parents are now less important among the children. At the Sundance at Prairie Island in July of 2008 the people were being told that they would have to move the Sundance grounds after only two years there (previously the Council had committed to four years). The reason was that they wanted to move the Buffalo to that area. This was so that they could use the present Buffalo pasture for a new housing development. Where will the people dance?

September 11, 2001 and Mahkato Wacipi

The attacks on the United States of America on September 11, 2001 seemingly didn't affect the first pow-wow very much. Attendance was down some, but most of our people who fly or drive long distances to come still made it although many of our Canadian Dakota didn't make it. What begins to happen is that a new mindset began to arise in the thinking of the people. People begin to expect hassles at the border, difficulty in getting ceremonial items back and forth, and a general mistrust toward the governments because of their historic relations with them.

Sky's shut down.

In the days after September 11 the skies over the United States were shut down to domestic flights. This posed a particular problem for the pow-wow committee. We have several committee members who live on the east and west coasts. They also held very important roles in helping make the pow-wow work every year. They have been there for us for many years and there were not enough people on the committee to cover their responsibilities. As with people all over the world we sat and wondered when life was going to return to normal. Fortunately for the pow-wow the skies were opened up just in time for our out of state committee members to make it. You would think that immediately after the skies were reopened there would be an enormous amount of security in the airports. Our people who were entering from other states didn't seem to notice anything very different. One person was even allowed to have a very large ceremonial knife in the carry-on luggage. They said the attendant looked at it and since it had never been sharpened (it had a dull blade) they allowed it through screening. They said that security was more interested in their eagle feathers than the knife. Only a small pair of "knitting scissors" was confiscated by the security from our entire out of state committee members. This ease of access changed dramatically over the next few years as the security measures tightened.

If the borders closed, people can't get in from Sioux Valley.

Regardless of what was to happen in this respect many of our Canadian Dakota opted not to come to the U.S. fearing harassment by border patrol officers. Native Americans have many items that they carry with them to these gatherings. Some items, such as eagle feathers, are

illegal to have if you are not of the Native American heritage or religion. This is of a particular problem for the medicine men and women. Some of the items they use in ceremonies, particularly healing ceremonies, are listed as drugs by the U.S. government, both legal and illegal. These items, and their medicinal uses, have been known for many generations by the Dakota and Lakota. Tradition states that in order for the ceremony to work properly, you must perform it in the traditional method.

We did have one interesting thing happen in that 2001 pow-wow. One of our Canadian Sioux medicine men showed up at the pow-wow early. It was the day before the borders were reopened. There was a special ceremony he had to attend and he wasn't going to miss it. He left the morning after the attack for Minnesota. When I asked how he got into the country he smiled and said he "came in by the old ways." He was referring to the era when the Sioux worked the border lands. This was the first time I had heard of the old crossing point known only to the Dakota and Lakota.

Movement Restrictions Imposed since 911.

I remember my first trip to Sioux Valley Manitoba. One of our most respected elders from the Mankato pow-wow had passed away. Eli Taylor had helped start the Mankato Education Day where every third grader from the district would go out to the pow-wow grounds and learn about traditional native American life from the Native people themselves. I had done video interviews with Eli twice before and had listened to his tales of Dakota history on several other occasions. "Remember this" is the expression he would use every time he was trying to teach you something. He was a very good teacher and I looked up to him. At his memorial service, I and two other friends were adopted by the Taylor family because of our friendship and respect for Eli. When we stopped at the U.S./Canada border the agent asked us where we were from and what we were doing in Canada. Our driver told them that we were at his grandfather's funeral and memorial and were returning home. After a few more questions the agent asked who the other people were in the van. "Oh, these are my brothers" was the reply. The agent looked at the other two, who were of Native American decent and then looked at me and made a rather funny face. He asked two more routine questions and then let us in. In the end he didn't even ask for any of our ID's. After we were in the U.S. I asked our driver about what had happened. He told me that because of early treaty rights for access to their lands, Native Americans were to have easy access across the U.S. /Canada border. He was of course referring to the Jay Treaty.

Passports

For many years passports were not needed for going into Canada from the U.S. Many Minnesotans would travel every weekend to the quality fishing lakes over the Canadian border. Starting during this last year passports are required for entry into the Canada and Mexico. This seems to be more of a political maneuver rather than a practical one. There was resistance by some people at the beginning, but when it became clear that nothing was going to be done about it, most people just went through the process of getting their pass port. There is a small number who still refuse to get a pass port because they do not trust the government.

Eagle Feather Cards

One of the more recent additions is the enforcement of the Eagle Feather card law. It is illegal to have an eagle feather in the United States unless you are of Native American decent. If you do not have an eagle feather card, any eagle feathers you own will be confiscated by border patrol.

This is the area that has caused the most problems for Native Americans. Many people didn't know about the law at first and had feather that were given to them by parents and grandparents confiscated when they tried to cross the border. I have heard this story a number of times over the last few years.

Stories from the field.

Canada and Back; Almost

One of the stories I know about comes from the time when the government started using the terrorist watch list. In the early days, and even still today, people are being wrongly placed on the list. Sometimes this may be accidental, other times it seems political. This is a story about a Lakota person I know, who is a U.S. citizen, and the problems he faced when the terrorist watch list was first implemented. This was in the time before pass ports were required. He had gone to Canada to help perform a ceremony for the people. His trip into Canada went as normal, but upon his return he was turned back at the border. His name had popped up on the terrorist watch list. It was Sunday and he had to be back to Minnesota for work on Monday morning. Telling his employer that he was tardy because he was on a terrorist watch list would have meant immediate dismissal from his job. He had worked there for over 30 years, and he would lose all of his benefits if he left the company in this manner. He stated that it took all night long, but he contacted a cousin of his and he got him back into the U.S. using the "old ways." He made it to work on Monday morning, a bit late and without any sleep, but he finished the day. He then went back home and rested and called his lawyer. He was present at Wounded Knee in 1973. He was one of the people who snuck past the roadblocks to join the protesters. Was this why his name appeared on the terrorist watch list? The answer may never be known. His lawyer got him off of the list a few weeks later; he then went back to Canada using the "old ways" then officially returned to the United States.

Joining with other minorities to fight racism.

AIM along with a number of other minority watch groups have combined efforts to help protect the people from being abused at the hands of law enforcement. The technique of videotaping authorities is still used today. Modern surveillance techniques and equipment are easily available to the general public and these groups are using them to catch people who violate civil rights laws. Native Americans are not the only ones who are still having problems with the Minneapolis police force. There is a story that was told by American civil rights leader, Spike Moss, at speaking engagement at South Central College in Mankato, Minnesota on January 24, 2008. He spoke of the problems minority police officers were having in the Minneapolis Police Department. It seems that there are white supremacists and Klu Klutz Klan members in the ranks. For years, it was told, they would intimidate their fellow minority officers by keeping their Klan robes in their lockers at work. This was brought to the attention of Mr. Moss, who then used his position as Racial Policy advisor to the city, to ask the Police Chief to look into this problem. There was a search of the lockers and the lockers of three officers did in fact have Klan robes in them. After a couple of weeks Mr. Moss was called into the police chief's office and he was told that things were taken care of. The problem would not rise up again. The three Klan officers involved were asked not to bring their robes in to work again. (Moss 2008) The official complaint can be viewed at:

http://minnesota.publicradio.org/features/2007/12/03_williamsb_copslawsuit/complaint.pdf

Conclusions

The general trend to returning to the reservation lands is fueled by the opportunities offered by the casino money. Without this money the Dakota and Lakota would still be in the dire conditions that they lived in before 1970. Reservations that have casinos are now expanding and purchasing more land. The joke in Indian Country is that “they are buying back American one nickel at a time.” But this development has had its toll on ceremonial practices. Lands that were once open for spiritual use are now being divided up and sold to the highest bidder for development. Individual access to casino money has changed the demeanor of the people. The children do not seem as interested in the ceremonies of their parents and grandparents. There is a shift away from the traditional Indian values of brotherhood and there is more emphasis of which group you are related to; a falling back to blood relationships. This change in the people seems to have disappointed a number of the pipe carriers and shaman. There is a movement of these spiritual people to reservations that do not have casinos. Typically these reservations are more conservative, using the old ways, in their rituals and beliefs. There is less in-fighting on these reservations as well.

After September 11, 2001 life changed for all who live in North America. Treaties were broken, borders closed, people detained and security tightened. Most Dakota and Lakota were affected in the same way as everyone else, a few more hassles and more paperwork to fill out, but not to much more. Shaman and American Indian Movements members seem to have been singled out. They have been paying a higher price for their ability to move across the border. According to some Dakota and Lakota there has been an attempt to label A.I.M. as a terrorist organization. This seems to be a political move by the government with its roots back to Wounded Knee in 1973. The use of peyote for ceremonies has been taken away. There are also changes that are unpublished such as executive order number 13007. No one seems to know what that change was or how it affects Native Americans. In all there is an apparent focused attack on the religion, the shaman and their way of life.

Appendix

Native American Religious Freedom Act

This Act became law on August 11, 1978 (Public Law 95-341, 42 U.S.C. 1996 and 1996a) and has been amended once. The description of the Act, as amended, tracks the language of the United States Code except that (following common usage) we refer to the “Act” (meaning the Act, as amended) rather than to the “subchapter” or the “title” of the Code.

42 U.S.C. 1996,

Protection and preservation of traditional religions of Native Americans

Section 1

On and after August 11, 1978, it shall be the policy of the United States to protect and preserve for American Indians their inherent right of freedom to believe, express, and exercise the traditional religions of the American Indian, Eskimo, Aleut, and Native Hawaiians, including but not limited to access to sites, use and possession of sacred objects, and the freedom to worship through ceremonials and traditional rites.

42 U.S.C. 1996 note, Federal implementation of protective and preservation functions relating to Native American religious cultural rights and practices; Presidential report to Congress.

Section 2

The President shall direct the various Federal departments, agencies, and other instrumentalities responsible for administering relevant laws to evaluate their policies and procedures in consultation with native traditional religious leaders in order to determine appropriate changes necessary to protect and preserve Native American religious cultural rights and practices. Twelve months after August 11, 1978,

the President shall report back to Congress the results of his evaluation, including any changes* which were made in administrative policies and procedures, and any recommendations he may have for legislative action.

*One of the changes in administrative policy and procedure was Executive Order 13007, Indian Sacred Sites.

Article 3 of the Jay Treaty of 1794.

It is agreed that it shall at all times be free to His Majesty's subjects, and to the citizens of the United States, and also to the Indians dwelling on either side of the said boundary line, freely to pass and repass by land or inland navigation, into the respective territories and countries of the two parties, on the continent of America, (the country within the limits of the Hudson's Bay Company only excepted.) and to navigate all the lakes, rivers and waters thereof, and freely to carry on trade and commerce with each other. But it is understood that this article does not extend to the admission of vessels of the United States into the seaports, harbors, bays or creeks of *His Majesty's* said territories; nor into such parts of the rivers in His Majesty's said territories as are between the mouth thereof, and the highest port of entry from the sea, except in small vessels trading bona fide between Montreal and Quebec, under such regulations as shall be established to prevent the possibility of any frauds in this respect. Nor to the admission of British vessels from the sea into the rivers of the United States, beyond the highest ports of entry for foreign vessels from the sea. The river Mississippi shall, however, according to the treaty of peace, be entirely open to both parties; and it is further agreed, that all the ports and places on its eastern side, to whichever of the parties belonging, may freely be resorted to and used by both parties, in as ample a manner as any of the Atlantic ports or places of the United States, or any of the ports or places of His Majesty in Great Britain

All goods and merchandize whose importation into His Majesty's said territories in America shall not be entirely prohibited, may freely, for the purposes of commerce, be carried into the same in the manner aforesaid, by the citizens of the United States, and such goods and merchandize shall be subject to no higher or other duties than would be payable by His Majesty's subjects on the importation of the same from Europe into the said territories. And in like manner all goods and merchandize whose importation into the United States shall not be wholly prohibited, may freely, for the purposes of commerce, be carried into the same, in the manner aforesaid, by His Majesty's subjects, and such goods and merchandize shall be subject to no

higher or other duties than would be payable by the citizens of the United States on the importation of the same in American vessels into the Atlantic ports of the said States. And all goods not prohibited to be exported from the said territories respectively, may in like manner be carried out of the same by the two parties respectively, paying duty as aforesaid.

No duty of entry shall ever be levied by either party on peltries brought by land or inland navigation into the said territories respectively, nor shall the Indians passing or repassing with their own proper goods and effects of whatever nature, pay for the same any impost or duty whatever. But goods in bales, or other large packages, unusual among Indians, shall not be considered as goods belonging bona fide to Indians.

No higher or other tolls or rates of ferriage than what are or shall be payable by natives, shall be demanded on either side; and no duties shall be payable on any goods which shall merely be carried over any of the portages or carrying places on either side, for the purpose of being immediately reembarked and carried to some other place or places. But as by this stipulation it is only meant to secure to each party a free passage across the portages on both sides, it is agreed that this exemption from duty shall extend only to such goods as are carried in the usual and direct road across the portage, and are not attempted to be in any manner sold or exchanged during their passage across the same, and proper regulations may be established to prevent the possibility of any frauds in this respect.

As this article is intended to render in a great degree the local advantages of each party common to both, and thereby to promote a disposition favorable to friendship and good neighborhood, it is agreed that the respective Governments will mutually promote this amicable intercourse, by causing speedy and impartial justice to be done, and necessary protection to be extended to all who may be concerned therein.

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