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Cover: From Catlin's 1836 painting of the pipestone quarry. (Courtesy, Thomas Gilcrease Institute of American History and Art, Tulsa Oklahoma)

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The Pipestone Indian Shrine Association is a nonprofit organization which, as a cooperating agency of the National Park Service, assists in the interpretive program of the Monument. The Association's activities include publication of educational material pertaining to the Monument, the encouragement of scientific investigation and research in the fields of history and archeology, the development of the Monument library, land acquisition, and similar objectives.
A HISTORY OF PIPESTONE NATIONAL MONUMENT MINNESOTA

Robert A. Murray
INTRODUCTION

This booklet is intended to present a detailed, accurate account of the area now included within Pipestone National Monument during the period since the first official, direct Federal contact with it.

The complexity of this century and a quarter of contact makes it necessary to limit the consideration that has been given to such important topics as the aboriginal occupation of the area, the geographic setting, and the sizable body of local folklore arising from the interaction of Indian legend and Victorian romanticism.

Robert A. Murray
PIPESTONE
A History of Pipestone National Monument Minnesota

GEOGRAPHIC SETTING

Pipestone National Monument is located on the western slope of the Coteau des Prairie (the divide between the Mississippi and Missouri drainage on the north-central plains), astride the valley of Pipestone Creek, a tributary of the Big Sioux River.

The general topography of the surrounding lands is gently rolling, interrupted here and there by outcrops of Sioux quartzite bedrock. It is between layers of one of these outcrops that Indians discovered the exposure of soft, red catlinite.

The climate of this region is Humid Continental (short summer phase), most distinctly characterized by its short, hot summer and long, cold winter. Precipitation ranges from 14 to 35 inches a year, with an average of 24.5 inches, 78 percent of which usually occurs in the months of April through September.

Before the advent of white settlers, the region was covered with tall prairie grasses and associated plants. Several areas within the Monument still have such vegetation. Early visitors took note of the long distance to usable wood supplies.
ABORIGINAL BACKGROUND

The Indian occupancy of the area and earliest use of catlinite from the quarries has long been discussed, but archeological studies over the past 30 years have greatly improved knowledge in this field.

The proto-Mandan people who once frequented the area are not believed to have used
catlinite. The first quarrying here was probably done by people associated with the Oneota Aspect, about 1600 to 1650 A.D. In earliest historic times these tribes were known as the Iowa and the Oto.

Quite early in historic times the Sioux (or Dakota) moved to the west and southwest. They were better armed than the Iowa and Oto through their trade contacts, but restrained on the north by the Cree and pressed from the northeast by the Chippewa. By about 1700 A.D. the Sioux were in control of the Coteau and remained so until the end of tribal days about a century and a half later. Catlinite received its most widespread use during Sioux times.
EARLY VISITORS

The French were trading on the upper Mississippi by the 1690's, and maintained a number of temporary trading posts within 125 miles of the pipestone quarry by 1750. It seems likely that some of their men visited the quarries, but no direct record is available. Territorial Governor Sibley referred to such visits in some of his writings.

Major Taliaferro of the Sioux Agency mentions a visit by unidentified persons to the quarry in 1831 in his Journal. Later that same year, the well-known trader, Philander Prescott, visited the quarry on his way to build a wintering house on the Big Sioux River. Prescott reported that "We arrived at the famous place called the pipestone quarry . . . We got out a considerable quantity but a goodal of it was shaly and full of seams, so we got only about 20 good pipes after working all day . . . This quarry was discovered by the Indians but how and when we have never learnt . . ." He also mentioned his return by way of the quarries in the spring of 1832.
Joseph LaFramboise, a mixed blood trader for the American Fur Company, supposedly quarried pipestone here in 1835 for use in trade.

Most widely publicized and long believed to be "the first white visitor" was George Catlin, who visited the quarries in September 1836. Catlin was the first quarry visitor to "break into print," and his writings and lectures were popular and widely known. Dr. C. T. Jackson of Boston, to whom Catlin had given samples of stone, originated the term "catlinite," still applied to the pipestone from these quarries.
Less than 2 years later, Catlin's friend and host, LaFramboise, guided the first truly scientific expedition to the pipestone quarry. With it the period of Federal contact began.
PRESETTLEMENT DAYS

The Louisiana Purchase in 1803 and the Treaty of Ghent in 1814 brought to the United States the ownership of claims once held by Britain, France, and, for a brief period, Spain to a vast area in the heart of the continent.

The region between the Mississippi and the Missouri, stretching far down the Red River to the 49th Parallel, was by this time well known to traders, their employees, and hangers-on. But to reduce this knowledge to useful, precise scientific terms required many years and a series of professional expeditions. The most important of these after that of Lewis and Clark were the Long Expedition of 1823, the Featherstone-Haugh party of 1835, the private explorations of Joseph Nicholas Nicollet, and the two Nicollet-Fremont Expeditions of 1838 and 1839. Of these, the Nicollet-Fremont Expeditions truly put the pipestone quarries "on the map."

In the summer of 1838 these men and their party traveled from H. H. Sibley's post on the Mississippi, up the Minnesota River, thence up the Cottonwood River for some distance, overland via Great Oasis Lake, pipestone quarries and Lake Benton, through the present South Dakota Lake country on the Coteau, and returning via Big Stone Lake and the Minnesota River. The party spent from June 30 through July 6, 1838, at the pipestone quarry. Nicollet's Report, his Journal, and comments by Fremont in his own
Memoirs are the first detailed descriptions of lands along their route, except for the Minnesota River valley.

"The idea of the young Indians, who are very fond of the marvellous is, that it has been opened by the Great Spirit, and that whenever it is visited by them, they are saluted by lightning and thunder," Nicollet wrote.

The next notable appearance of the pipestone quarries was in 1849 when a piece of stone from the quarry was sent to Washington to be incorporated in the structure of the Washington Monument.

It is not known exactly how early or to what extent white man and the trading companies were dealing in catlinite. By 1849, however, the stone was a commercial item of some value, and was noted among the items for sale at Fort Bridger in what is now western Wyoming.

From 1853 to 1859 a wide variety of parties visited the general area, and some of them visited the immediate vicinity of the quarries.

Following the Spirit Lake Massacre of 1857, the Inkpaduta band, with white captives, camped briefly in the area as did at least one force of pursuing troops. One of the survivors, Mrs. Abigail Gardner Sharp (then Abigail Gardner), revisited the area in late September 1892, and pointed out the campsite not far from the quarries.

The Treaty of 1858

A treaty was negotiated in 1851 with the Sisseton and Wahpeton bands of Sioux at
Traverse de Sioux, Minnesota Territory, by which they gave up their interests in most of the lands of southwestern Minnesota. However, the Yankton Sioux also claimed much of this land. Believing that the Sissetons and Wahpetons had wrongfully sold their land, the Yanktons visited these two tribes when annuities were paid, extorting money and goods from them and committing many minor depredations.

Agents to the Sioux reported this inter-tribal friction. Finally, in late 1857, a delegation of Yankton Sioux was called to Washington to negotiate a special treaty for their tribe. The Government wished to obtain the ownership of all Yankton interests to lands in Minnesota and Yankton land in Dakota, and to resettle the tribe on a reservation.

After 5 months of discussions, terms acceptable to the Yanktons were reached. They refused to sign the treaty until they felt their rights to the quarry were secured. This was done to their satisfaction in Article 8 of the treaty, which states:

The said Yankton Indians shall be secured in the free and unrestricted use of the Red Pipestone Quarry, or so much thereof as they have been accustomed to frequent and use for the purpose of procuring stone for pipes; and the United States hereby stipulate and agree to cause to be surveyed and marked so much thereof as shall be necessary and proper for that purpose, and retain the same and keep it open and free to the Indians to visit and procure stone for pipes so long as they shall desire.

The treaty was signed on April 19, 1858, ratified by the Senate on February 16, 1859, and proclaimed in effect by the President on February 26 of the same year.

To comply with the treaty, a General Land Office survey of the reservation was ordered. The letter of instructions to the surveyors provided for a reservation 1 mile square, centered on the rock bearing the inscription of the Nicollet-Fremont party. Provision was also made to close public land surveys at these boundaries. Contract surveyors, C. H. Snow and Henry Sutton, completed the survey in August 1859, and their field notes and plats were filed in the General Land Office in November of that year. The 1859 survey is still of importance, for portions of the present Monument boundary line coincide with segments of the 1859 reservation boundaries.
Late Presettlement Days

The coming of the Civil War and the Sioux Uprising relieved the pressure of settlement upon the Minnesota frontier temporarily, but military activity of the period brought a number of visitors to the pipestone quarries.

Lt. Joseph H. Swan of the 3d Minnesota, with a detail of 150 men, abandoned the week-old trail of a band of hostiles a few miles west of Pipestone late in the autumn of 1862, and made their way to a point about a mile upstream from the quarries on an unburned patch of prairie. Here they made an overnight camp with only prairie grass as fuel for their campfires and forage for their worn mounts.

On November 22, 1863, the pipestone quarries were the rendezvous point for elements of the celebrated "Moscow Expedition." A supply train bound for Fort Thompson, Dakota, this column consisted of 153 wagons, over 800 head of beef cattle, and an escort of three companies of the 6th Minnesota Volunteer Infantry. James Boyd Hubbell, well-known among supply contractors of the period, was in charge of the train, and Capt. Joseph C. Whitney commanded the escort. Two Hubbell freight wagon trains camped at the quarries during 1864, after which the route was abandoned in favor of river transportation.

During the winter of 1864-65, Hubbell set up the largest single commercial venture in the catlinite trade, and later wrote a description of it:

. . . I venture to say the residents of Pipestone City and that beautiful section are not aware of the fact that a large quantity of the pipestone was hauled to Lake Shetek and manufactured into Indian pipes and other things by machinery. It was not considered safe for the men to work at the quarry, hence the vacated houses at Lake Shetek, which were deserted by the
settlers during the outbreak were utilized.

The owners that had escaped had not at that time ventured to return. Gen. Sully had expected to be ordered to make a treaty with the Sioux, and as the red stone pipes were prized highly with them, he engaged with me for 5,000 pipes at $5 apiece. I employed men to make them under the supervision of A. B. Smith, one of the earliest settlers of Dakota.

Gen. Sully did not make the treaty as expected, but the pipes were no loss, as we traded them to good advantage with the Indians all along the Missouri, receiving a well-dressed buffalo robe or its equivalent in other skins for a pipe. Robes at that time were worth over $10.00 on an average.

During the immediate post-Civil War period, three geologists came to the region, and two of them actually visited the quarries. In June 1866, James Hall read a paper on the geology of the region before the American Philosophical Society. In October 1866, Dr. F. V. Hayden came to the area, and published a description of its geological features in the January 1867 issue of the American Journal of Science and Arts. In 1868 and 1869, the American Naturalist carried articles by Dr. C. A. White, who had visited the quarries in the course of a trip to study evidences of glaciation in the region.

The first known visit by a photographer was that of W. H. Illingworth of Sioux City, Iowa, in late May or early June 1870.
In the spring of 1871, a party, consisting of Frank Fords, Lewis Huillitt, Cash Coates of the Sioux Falls district, and a Sioux named Big Eagle from Flandreau, quarried some 600 pipe blanks which were taken from them when they tried to sell them to Indians at Fort Thompson.

With the coming of public land surveyors and a few settlers, the frontier years ended, and the active and complex era of settlement began.
THE SETTLEMENT PERIOD

During 1870, public land surveys in the Pipestone area were completed, but no one paid attention to the long-standing instructions of the General Land Office, and the surveys overran the limits of the Pipestone Reservation.

Though the pace of settlement lagged a few years behind the surveyors, the first filings by land seekers of a speculative nature came soon after the surveys were made. The earliest known "homesteader" on reservation lands was Henry T. Davis. The next such filing was that of August Clausen in July 1871.

By July 1872 the General Land Office noted that the surveys had overrun the reservation limits and ordered the reservation to be resurveyed and the boundaries marked on public land plats. The new survey was completed in late July of that year. It was found that the reservation occupied part of sections 1 and 2, Township 106, Range 46 West, and a small strip of sections 35 and 36, Township 107, Range 46 West. It was also found that the reservation boundaries were not aligned parallel to public land survey directions, resulting in small portions of sections 1 and 2, Township 106, being outside the southern boundary of the reservation.

Another settler, Job Whitehead, filed a timber claim on a portion of the reservation in June 1874.

By late 1875, all of the filings on the reservation had been properly canceled, except that of Clausen. Under circumstances which later seemed highly questionable, a patent was issued to Clausen for the S.W. 1/4 of section 1, Township 106. He sold this patent soon thereafter to Congressman Averill in July 1874, and Averill resold it to Herbert M. Carpenter of Minneapolis on November 5, 1877.

More settlers came to the surrounding lands from 1876 to 1880. In 1876 the townsite of "Pipestone City" was platted, and by 1878 the village was a small but growing trading center. From 1858 until the arrival of settlers, nothing interfered with Yankton use of the quarries. By mid-1876, however, friction developed, and the Yankton agent passed on complaints of his Indians to Washington, but little action was taken.
Daniel E. Sweet and his family were the first settlers in Pipestone County. The little girl was the second white child born in the county.

Not all the settlers were indifferent to Yankton rights. In the autumn of 1877, Daniel E. Sweet, early settler and prominent citizen, made the first of his many protests to the Government, requesting protection for Yankton quarrying rights.

The Yanktons, through their agent, formally complained of the intrusions in the area of the quarries in 1878. Extended discussions between the General Land Office and the Indian Bureau followed, and the issuance of the patent to Clausen came to light. In March 1879, Secretary of the Interior Carl Schurz issued instructions to obtain the surrender of the Clausen patent. The document was traced to Carpenter, and a suit was filed to recover it. The case was heard in June 1880. Carpenter asked for a demurrer on the grounds that the Government owned the land, that Indian quarrying rights had not been interfered with, and that the Indians were not a party to the case. His contentions were upheld by the Circuit Court. The Government then appealed to the Supreme Court, but the case was not heard until 1884. In the meantime, the situation at Pipestone grew more complicated.

Late in 1880, a party of Yanktons returned from the quarries, and reported to their agent
that white men were quarrying large amounts of stone on the reservation. The agent, Major Andrews, went to Pipestone to investigate on June 17, 1881. He found that Riley French, an agent for Carpenter, was opening a large quartzite building-stone quarry extending from the southern portion of the reservation across the section line to the south. Andrews was the first to voice suspicion that there had been collusion between Clausen, Carpenter, and unnamed persons in the Land Office in the issuance and transfer of the Clausen patent.

C. C. Goodnow, register and receiver of the Land Office at New Ulm, arrived in Pipestone early in 1882 to act as an agent for Carpenter, operating the quarry first noted by Major Andrews. Through this period the Yanktons continued to protest activities of this kind.

Lack of a firm policy or any vigorous action on the part of the Government encouraged more aggressive land seekers at Pipestone, and Goodnow, who was, by this time, mayor of Pipestone, was the first to move. In the spring of 1883, he built a two-story house, and fenced about 40 acres of land on the reservation. During the summer, he built another house nearby, this for his mother. In the autumn of that year, Hiram W. George built a small house near the west side of the reservation, and other Pipestone citizens quarreled over bits of land there.

Sweet wrote to Strike-the-Ree, Chief of the Yanktons, telling of these activities. An exchange of correspondence between them, the Yankton agent, and the Commissioner of Indian Affairs followed.

Early in November, the agent, Major Ridpath, visited Pipestone as instructed by the Commissioner of Indian Affairs. He reported the settlement and building activities. He gave the settlers notice to remove, but they refused. None of them presented any evidence of title to the lands on which they were living. Ridpath said, "I can see no excuse for these parties, they are not ignorant of the law. I will take pleasure in removing them and in tearing down their buildings if you so direct."

The Commissioner of Indian Affairs favored Ridpath's suggestion, and submitted a detailed report to the Secretary of the Interior. At this time the Secretary was Henry M. Teller, a strong supporter of Western and settler viewpoints on Indian lands. Teller refused to support Ridpath's recommendations, and stated (1) that he did not believe the land constituted an Indian reservation, (2) that he believed the Yanktons had only quarrying rights there, and (3) that the settlers did not appear to have interfered with these rights. No further action was taken in the matter during the remainder of the Arthur Administration.

The Election of 1884, won by Grover Cleveland, brought many changes in personnel and policies concerned with Indian affairs. The new Secretary of the Interior, L. Q. C. Lamar; his Commissioner of Indian Affairs, J. D. C. Atkins; and the Attorney General, A. H. Garland, were all the more inclined toward just, realistic Indian land policies. So the renewed complaints of Sweet, Strike-the-Ree, and the new Yankton agent, J. F. Kinney, did not fall on deaf ears.

The hand of the Government was also strengthened by the decision of the Supreme Court in the Carpenter case in late 1884. The Court said:

The whole of such land was by treaty withdrawn from private entry or appropriation until the Government had determined whether any portion less than the whole should be reserved. Its power of selection, if the whole was not retained, could not be restricted by the action of private parties. So,
Complaints continued through late 1885. Additional persons had settled on the land, including W. W. Whitehead, F. A. Marvin, W. H. Hockabout, and G. W. Huntley. Beginning in December, the Commissioner of Indian Affairs and his agent assembled a mounting collection of evidence. The Yanktons became more irate as time passed, and submitted a formal petition to the Commissioner in November 1886.

Action to remove the squatters got underway in earnest with the visit of Agent Kinney to Washington early in 1887. On his return, he reported that the Commissioner of Indian Affairs and the Secretary of the Interior favored such action and were prepared to back it up with force. The U. S. Attorney for Minnesota failed to take action to have the courts remove the settlers, so the agent was authorized to obtain assistance from the Army.

Written notices to remove were served on the settlers in March by the sheriff of Pipestone County, giving them until May 1 to leave. These notices were ignored.

A series of minor administrative details served to slow action, but at last, on October 8, 1887, orders were issued at Fort Randall, Dakota, to Capt. J. W. Bean to provide assistance to the agent. Captain Bean was instructed to meet the agent at Armour, Dakota Territory, with a detail of 10 enlisted men. Lt. W. N. Blow was to accompany the party as surveying officer.

The small force arrived at Pipestone on the evening of October 11, and camped in a field at the north edge of town. On the morning of October 12, Kinney and Captain Bean hired a vehicle and went to confer with the settlers. Finally, all agreed to move by the following Monday, October 17, and to remove their buildings by March 1, 1888.

While these discussions were taking place, Lieutenant Blow, assisted by the enlisted men, surveyed and re-marked the reservation boundaries.

Locally, the arrival of the troops caused quite a stir and some amusement as the long-standing resolve of this band of settlers melted when confronted by this small force of U. S. Regulars. The editor of the Pipestone Republican praised the conduct of Major Kinney, Captain Bean, and Lieutenant Blow, and noted their courteous performance of the duty assigned them. A considerable body of Yanktons was on hand to witness the removal, and was highly pleased by this action.

The local agricultural association and those Yanktons present negotiated an agreement by which the association could rent the fenced portions of the land for use as a fair grounds. This agreement was endorsed by the agent.

Kinney also reported the existence of a railway, which he found had been built across the reservation in 1884. He immediately contacted the company (Burlington, Cedar Rapids, and North Railway), which contended it had filed adequate notice to obtain right-of-way. The Commissioner of Indian Affairs notified the company that the general acts for rights-of-way did not apply on the reservation, and that Congress would have to solve this problem. A bill (H. R. 10766) was introduced in July 1888, but was not passed.
Congressman Lind of Minnesota introduced a more complex bill which did pass. It carried the title "An Act for the Disposition of the Agricultural Lands Embraced Within the Limits of the Pipestone Indian Reservation" (25 Stat. 1012). It provided (1) that a board of appraisers should evaluate all lands on the reservation, including the right-of-way; (2) that the former settlers might have priority to purchase lands from which they had been removed, if agreeable to the Indians; and (3) that the consent of a majority of the adult men of the tribe must be obtained and that the Indians might give their consent to the entire proposal or to either part individually.

In May 1889, the lands were appraised according to the provisions of the Act. The board gave an itemized appraisal of individual parcels of the reservation land, and set a value, including damages, of $1,740 for the railway land.

A commission was appointed to negotiate with the Yanktons. These discussions extended from August 3 through August 21. The Indians agreed to accept payment for the railway right-of-way, but refused to dispose of the other lands. By 1890, the railway company had paid the required amount. The General Land Office issued a patent to the company for only a part of the land in 1898, and the status of the balance is not yet clear.

With the settlement of the railway question to the satisfaction of the Yanktons in 1890, the problems connected with the settlement period came to an end.
Early in 1890, as the varied menaces posed by the surrounding frontier society seemed to fade, another problem related to the Pipestone Reservation rose to plague the Yanktons for well over a generation.

As the land in Pipestone County filled with settlers, the more active and enterprising of these citizens began to think of developing the community beyond the agricultural and commercial base already established. This movement included a broad range of public and private projects. Businesses and light industries beyond local need were established. New institutions were promoted, and some of them actually founded.

One popular project was the proposal to establish an Indian school on the reservation near the town. This idea held many appeals to the citizens of Pipestone. Construction of the buildings would mean employment for many and an outlet for building materials. Operation of the school would require the services of technical and professional personnel, creating new opportunities for local citizens and attracting desirable newcomers. Procurement of supplies would furnish an outlet for local wholesale and retail stores.
This trip to the area was one of several promotional activities undertaken in the early 1890's. (Courtesy, Minnesota State Historical Society.)

This proposal was probably discussed casually for several years before being noted in the press. It first appeared in a strongly favorable editorial in the *Pipestone County Star* in January 1890. More editorials followed, and by early March the idea had gained many adherents. Other promotional activities were soon undertaken, including the shipment of many pipestone souvenirs to Members of Congress and other officials. Seven petitions on this subject were sent to Congress between March 6 and April 3, 1890.

Congressman Lind introduced legislation to establish the school in February 1890, but in committee another bill, introduced by Congressman Stockbridge, was substituted for it. This bill passed, and was signed by the President on February 16, 1891.

Daniel Dorchester, superintendent of Indian schools, selected the building site. Planning and contracting went ahead rapidly. In spite of Yankton protests to the plan, construction began that summer and the school was ready to open early in 1893.
In response to Yankton protests, the Secretary of the Interior asked the Attorney General for an opinion on the status of the reservation lands. The reply was much the same as that given Teller in 1883 — that the Indians had only quarrying rights.

The Government made individual allotments of reservation lands to the Yanktons in the late 1880's. This left much "surplus" land in tribal ownership. The Indian Appropriation Act of 1892 provided that the Government might negotiate with the tribe for the purchase of these lands. Negotiations with the Yanktons extended from October 1892 to March 1893. No transcript was made, but the Yanktons are supposed to have refused to sell unless some means were provided to clear the title to the Pipestone Reservation.
The negotiators reached agreement on the land sale, which Congress ratified in 1894. Section 16 provides:

If the Government of the United States questions the ownership of the Pipestone Reservation by the Yankton tribe of Sioux Indians under the treaty of April 19, 1858, including the fee to the land, as well as the right to work the quarries, the Secretary of the Interior shall, as speedily as possible, refer the matter to the Supreme Court of the United States, to be decided by that tribunal, and the United States shall furnish without cost to the Yankton Indians at least one competent attorney to represent the interests of the tribe before the court.

If the Secretary of the Interior shall not, within one year after the ratification of this agreement by Congress, refer the question of ownership of the said Pipestone Reservation to the Supreme Court, as provided for above, such failure upon his part shall be construed as, and shall be, a waiver by the United States of all right to the ownership of the said Pipestone Reservation and the same shall thereafter be solely the property of the Yankton tribe of the Sioux Indians, including the fee to the land.

The Secretary of the Interior attempted to bring the question before the Supreme Court, but the Attorney General felt that this was impractical since the Court could not decide what was regarded to be an academic question. The Yanktons felt that failure to bring the question before the Court within the required time clarified their title, but their
request for certification of this point was ignored.

A general council of the Yanktons in January 1897 passed a resolution asking compensation for the land taken as a school site. An item in the 1897 Indian Appropriation Act authorized the negotiation of this question. In the spring of 1898, the Secretary of the Interior detailed Inspector James McLaughlin to meet with the Yanktons.

McLaughlin had some 20 years' experience in Indian affairs, most of it with the Sioux. His wife was half Sioux, and spoke the language fluently. He opened negotiations with the Yanktons on April 27, 1899, but the talks lasted only two days. McLaughlin had other important business to conduct elsewhere, and saw quickly that the Yanktons were not ready to come to terms. He left and returned in September.

As the autumn meetings opened, McLaughlin quickly concluded that negotiations with the tribal council would get nowhere, so a committee drew up an agreement which was submitted for vote to the individual adult males of the tribe. It passed on October 2 by the narrow majority of 14 out of 480 Yankton men over 18 years of age.

Article I of the agreement provided that the Yanktons would give up all interest and rights to the Pipestone Reservation. Article II provided that the Yanktons should be permitted to use for camping and stone quarrying a 40-acre tract, to be selected by a tribal committee. Article III provided that the Yanktons should receive $100,000 for the reservation, $25,000 in cattle and the balance in cash, to be paid on a per capita basis. Article IV guaranteed that the United States would not sell or otherwise dispose of the lands ceded, but would maintain the area as a "national park or reservation." Article V concerned the settlement of outstanding Yankton claims, and Article VI outlined ratification procedures.

In due course, a bill to ratify the agreement was introduced in the Senate. The Committee on Indian Affairs reported against this measure, contending that the Government already had title to the land and that the 1892 agreement could not have given a valid title to the Indians. Three committee members disagreed and filed a minority report in which they outlined the history of the land title, and noted the number of times the Government had already upheld Yankton title to the land. By 1910, three more bills to obtain ratification of the 1899 agreement were introduced, but none passed.

An item placed in the 1910 Indian Appropriation Act sought to settle the land title question by giving jurisdiction to the Court of Claims. The Yanktons had no money with which to hire an attorney, but, in 1911, Congress provided $5,000 for this purpose. Finally, in November 1911, their attorney filed a petition with the Court of Claims. That court did not act until 1917 when it concluded that it did not yet have proper jurisdiction to handle the case. Four bills were introduced to provide adequate jurisdiction for the Court of Claims, and in 1920 one finally passed.

The Yanktons had come a long way down the "White Man's Road" since the day on which the infant Strike-the-Ree, wrapped in the United States flag, is supposed to have been held in the arms of Meriwether Lewis.

Through the early settlement period, leadership of the tribe was in the hands of men brought up in the old Indian social order. With the passing of these men, the natural leaders of the tribe were either highly acculturated Indians or mixed bloods whose ability to deal with officials and with white neighbors placed them in the forefront. They were, however, men of limited formal education, lost in the world of law. It was men of
this group who helped write the agreements of the 1890's. Now another generation had come to tribal leadership. These men were almost uniformly Christian, educated in white schools, and in many cases competitive and successful in the non-reservation world. They were the ones the tribe was consulting in the pipestone quarry case.

What of the accompanying changes in attitude toward the pipestone quarries and the reservation there? The Yanktons who negotiated the 1858 treaty viewed the quarries as both a place sacred beyond price and a great source of commercial wealth. Yankton quarrying declined with settlement on the reservation 150 miles away and with the breakdown of old patterns of trade. The trade in pipestone articles increasingly moved into the hands of Indians from the non-reservation settlement at Flandreau, South Dakota. These Indians had no rights in the quarries, but their activity was tolerated by Indian school officials. The last known group of Yanktons quarried there in 1911.

A view of Winnewissa Falls taken about 1908 shows initials left on rocks by visitors, emphasizing need for protection of area. (Courtesy, National Archives.)

The committee who drew up the 1899 agreement was clearly interested in immediate payment, and probably reserved quarrying rights simply to please the old people of the tribe. In later litigation, Yankton efforts seem centered around establishing title in order to receive payment for the land. All references to old sentimental, religious, and commercial values were intended to force this payment as high as possible.
Raymond T. Bonnin was a central figure in the pipestone quarry case. He and his wife were Yanktons, but well-educated and widely traveled. Once an Army captain, Bonnin was a law clerk in the 1920's. From 1917 on, the Yanktons often consulted him on the pipestone question and other problems. He appears to have suggested that they retain the Washington, D. C., law firm of Munn, Anderson and Munn to present their case to the Court of Claims under the 1920 act. Bonnin may have been an employee or agent of that firm. A contract with the firm was signed by the tribe, and Munn, Anderson and Munn assigned Col. Jennings Wise to the case.

The attorneys filed a petition with the Court of Claims in July 1924. That court reached a decision on June 8, 1925, in which it held that the Yanktons had only quarrying rights and these had not been terminated, consequently no compensation was due.

Petition for a new trial was not granted, so the Yanktons submitted a petition for a writ of certiorari from the Supreme Court. This was granted in January 1926, and the Court heard the case that autumn. A decision on November 22, 1926, reversed that of the Court of Claims, and stated:

That the United States has taken and holds possession of the entire Quarry tract of 648 acres is not in dispute; and since the Indians are the owners of it in fee, they are entitled to just compensation as for a taking under the power of eminent domain.

The Supreme Court then remanded the case to the Court of Claims to settle the value of the land. A commissioner, Myron M. Cohen, held hearings at Washington, D. C.; Lake Andes, South Dakota; and Pipestone. He set the land value in 1891 at $200,000, and suggested that $36,125 was due the Yanktons for use of the property. After considering the report, the Court held that the value was $100,000, and that the Yanktons were
entitled to this amount, plus interest, until they were paid.

The Deficiency Appropriation Act of March 4, 1929, provided a total payment of $328,558.90, of which $31,722.96 was used to defray attorney fees and expenses and the balance paid to the Yanktons at $151.99 per person.

With the payment of this judgment, title to the Pipestone Reservation passed to the United States, and all treaty rights of the Yanktons were at an end. This cleared the way for concrete planning by persons interested in converting the area into a park or monument.
BACKGROUND TO ESTABLISHMENT OF PIPESTONE NATIONAL MONUMENT

It is difficult to find an exact beginning of the popular desire to protect or develop the lands around the quarry for their historic and scenic values.

Travelers of presettlement days noted the beauty of the area in sharp contrast to the monotony of the surrounding prairie. Early scientific visitors were impressed with both its geological features and the ethnological significance.

Though writings of these visitors were important, the area admittedly owes much of its early popularity to George Catlin and Henry Wadsworth Longfellow. Whatever the ethnological short-comings of their works, they certainly captured the popular imagination of their day. Various editions of the writings of both men were in widespread circulation by the time settlers arrived at Pipestone.

These early settlers were not without literary talent and ambition. From 1880 to 1895 they wrote much about the quarries. Drawing heavily from Catlin, Schoolcraft, and Longfellow, from tales told by Indians at the quarry, and from the inspiration of the scene, they left a mass of written works, most of which was published locally, either in booklet form or in newspapers. These have yet to be studied and evaluated. Most of the early efforts to preserve the Pipestone Reservation were aimed at protecting the quarrying rights of the Indians.

One of the earliest references to the scenic values of the reservation reflects the attitude of a writer new to the prairies, longing for his timbered hills of home. An item in the Pipestone County Star of June 24, 1880, notes the beginning of tree growth near the creek and along the quartzite outcrop, and expresses the hope that prairie fires will "leave the place alone" for the next few years.

A Minneapolis-St. Paul businessman visiting Pipestone in 1884 wrote a letter of protest to the Secretary of the Interior, calling the quarrying of quartzite from the outcrops "purely vandalism."

Sometime before 1890, local opinion had grown strong enough that four of the petitions calling for establishment of an Indian school contained passages asking that a "National Indian Pipestone Park" be created there. In response, the first bill introduced in the Congress contained such a provision. As we have seen, compromises in committee caused an entirely different bill to be passed, which did not provide for the park.

In 1892, a collaborator of the Bureau of American Ethnology visited the quarries, surveying and examining the ground. Local and Washington, D. C., newspapers heavily publicized this visit.

W. H. Holmes, in the proceedings of the American Association for the Advancement of Science meeting in Rochester, New York, in August 1892, wrote that "The quarries are
visited each year by about thirty families of Sioux Indians who travel some 200 miles from their reservation, spending a month or six weeks in camp about the quarries."

In the summer of 1893, students of the Indian school made the first of many "improvements" on the reservation when they built a dam 200 feet long at the northernmost lake, "raising the water level considerably."

By 1895, park advocates were again active. In November of that year, the Pipestone County Star carried an editorial on the subject. Meetings were held extending over a 3-week period, after which a draft of a bill went to Congressman J. T. McCleary, who introduced it as H.R. 3741. It was to provide:

That the Pipestone Indian Reservation, in Pipestone County, Minnesota as heretofore bounded by treaty and legislation, be, and the same is hereby, set apart and designated "The Indian Pipestone National Park," and is placed as such under the supervision of the Secretary of the Interior.

This bill died in committee.

Early in 1898, the superintendent of the Indian school proposed removing the stone bearing inscriptions of the Nicollet-Fremont party and incorporating it in the structure of one of the buildings at the school. Protests by Pipestone citizens to the Commissioner of Indian Affairs promptly halted this move.

The agreement of 1899, signed by the Yanktons but not ratified by the Congress, contained the following provision:

*Article IV*. It is understood and agreed that the United States will not sell or otherwise dispose of the lands hereby ceded by the Yankton Indians, but that the same shall be reserved and maintained as a national park or reservation, and that the superintendent or custodian of the reservation shall
be required to protect the said pipestone quarry from vandalism and prohibit all persons other than the Yankton Sioux Indians from procuring pipestone therefrom.

The efforts to obtain ratification of this agreement and the fact that it contained Article IV must have been responsible for the lack of efforts at further promotion of the park idea from 1900 through 1915.

In 1916, an article in the Pipestone County Star renewed interest in a park by publicizing a plan, drawn by Ralph J. Boomer, for development of the reservation. Boomer was a local student of architecture whose plan envisioned a park conforming to then popular convention for a "highly improved, developed" area, emphasizing intensely concentrated recreational facilities. Though this plan itself was never acted upon, it influenced local thinking through the 1920's.

During the early 1900's, before 1912, the most permanent "improvement" occurred. Indian schools of the period were to a degree self-supporting since they raised crops and kept livestock to provide as much food as possible for students. The superintendent of the Pipestone Indian School wished to increase the workable acreage of school farm lands. It was found that the rim of the falls on Pipestone Creek was higher than lands immediately upstream on the reservation, and it was believed that lowering the falls would bring an additional 18 acres to a workable condition. An appropriation of $3,500 was obtained, and a channel blasted through the quartzite ledge, lowering the rim of the falls. In later years, landowners living upstream from the reservation took advantage of the changed stream gradient, and straightened and changed the grade of Pipestone Creek throughout most of its length.

Beginning in 1919, a movement was launched to make a small tract of reservation lands into a city park. Ellsworth E. Beede led a drive for funds which was supported by the Pipestone Businessmen's Association. The general plan called for acquiring 22 acres around the small lake toward the northwest corner of the reservation. It included also the development of swimming facilities, with a bath house and graveled beach. The drive netted $600, and the bath house was built, with the tolerance of Indian school officials. However, inquiry by Congressman Frank Clague revealed the unsettled land title, and here the project ended.

The biennial report of the State Auditor in 1923 presented a list of potential State parks to the Minnesota Legislature. One of these areas was the Pipestone Reservation.

Increasing interest and visitation led the Indian school superintendent to erect bulletin boards displaying the regulations for the area, and warnings as to penalties for violations of the Antiquities Act.* He also announced plans to fence the Nicollet marker.
This act, passed in 1906, gave the President of the United States authority to establish National Monuments. Under this act it is a Federal offense to move, injure, damage, or destroy "any historic or prehistoric ruin or monument, or any object of antiquity" situated on Federal lands. Many individual states have, in recent times, passed their own state antiquities laws. The Federal and State laws protect our archeological values from indiscriminate looting and damage by vandals. Provisions have been made in the State and Federal laws for qualified institutions to make scientific investigations under permits granted by the proper State or Federal agency. The National Park Service enforces the antiquities laws in all areas of the National Park system and encourages other Federal and State agencies to enforce this act on lands under their jurisdiction for the protection of our national heritage.
During this same year, the Daughters of the American Revolution campaigned to preserve wildflowers on the prairie lands of the reservation. Soon the Governor of Minnesota directed the Highway Commission to make a survey of the reservation to evaluate it as a possible State park. While this was underway, the local post of the American Legion organized a volunteer force which cut weeds around the falls and improved the first small lake below it.

By December, the State released its survey report. This report suggested that the State acquire 24 acres of land centered around the falls. It provided an outline for the then popular "intensive development" of this tract, including picnic grounds, a bathhouse, an outdoor theater, and an American Legion lodge.

Pipestone citizens greeted the report with enthusiasm, and formed the Pipestone County Park Committee to promote the idea. In January 1925, H. J. Farmer and L. P. Johnson introduced a bill in the Minnesota Legislature to establish a park, conditional upon transfer of the required land from the Federal Government. The bill passed, but the park could not be established because the unsettled title made the land transfer impossible.

In September 1925 the Daughters of the American Revolution placed a bronze plaque on the stone bearing the Nicollet inscriptions. It then sought to protect the Three Maidens area along the southern boundary of the reservation by purchasing a purported title to this tract from Staso Milling Company of Chicago. This title was transferred to the city of Pipestone in 1928.

Once the reservation title was settled by payment to the Yanktons, local individuals and groups renewed their interest in establishing a park. In November 1929, the DAR passed a resolution favoring the establishment of a national park or monument. Local efforts to promote this idea were coordinated at a meeting at the Calumet Hotel in Pipestone on January 14, 1932, and attended by representatives of civic, religious and fraternal organizations and of local governmental agencies. Some 53 local organizations were represented. Officers elected were Winifred Bartlett as president; Edward R. Trebon, vice president; Tad A. Bailey, secretary; and Max Menzel, treasurer.

The executive committee of the organization approved a draft of a bill to establish a park. It proposed a park of 81.75 acres and granting of quarrying rights to Indians of all tribes. (No Indian quarrying rights remained after the Government acquired land title.) Superintendent James W. Balmer of the Pipestone Indian School was asked to sound out Bureau of Indian Affairs opinion of the project when next in Washington.

Balmer reported that certain officials of the bureau objected strongly to the park idea, and had no doubt been influenced by the proposals of the early 1920's. Accordingly, the name of the organization was changed to the Pipestone Indian Shrine Association, and emphasis shifted to the historic and ethnological values of the area. The balance of March and most of April 1932 was devoted to work on a booklet entitled The Pipestone Indian Shrine. It was widely distributed to promote interest in the project.

Charles Berry, a field representative of the Bureau of Indian Affairs, appeared at a late April meeting of the organization to discuss the proposals. He and Superintendent Balmer submitted a joint report emphasizing the difference between current proposals and those of 10 years before. They closed the report by highly recommending the
establishment of such a park.

In July 1932, the National Park Service prepared a brief of the land status, history, and significance of the area. Armed with this information, E. K. Burlew, administrative assistant to the Secretary of the Interior, visited Pipestone, toured the reservation, and indicated that the National Park Service would investigate the proposal in greater depth.

In October 1933, Miss Bartlett contacted both the Director of the Park Service and the Commissioner of Indian Affairs regarding the Monument proposal. Concerning the probable impact upon Indian school activities, the Commissioner stated that the required area of land would not interfere with school operations.

Late in 1933 and early in 1934, the Civil Works Administration began development of the roads bordering the reservation. Included was a stretch of road from the junction of Hiawatha and Reservation Avenues west to the Three Maidens area.

An Indian emergency conservation works program began on the reservation in January 1934. Under the general supervision of Superintendent Balmer, this project used Indian labor as much as possible. Plans called for road construction, fencing, planting trees and shrubs, and construction of a dam on one of the lakes just outside the proposed park. R. W. Hellwig took over detailed supervision of the work, and the city of Pipestone agreed to furnish 100 white elm trees and $100 for additional trees and shrubs to complete Hellwig's planting plan.

Formal legislative efforts to establish the area as a unit of the National Park System began in May 1934 with the introduction of S. 3531 by Senator Henrik Shipstead. This bill went to the Committee on Public Lands and Surveys, who sent a copy of it to the Secretary of the Interior for an opinion. Studies did not reach the report stage during that session, and no further action was taken on the bill.

On January 22, 1935, Senator Shipstead introduced S. 1339, similar to his earlier bill. Active Park Service investigations began that year, and in August the reports of investigations by Landscape Architect Neal A. Butterfield and Historian Edward A. Hummel were completed. The Public Lands Committee submitted a favorable report, the Senate passed the bill, but the House did not act upon it.
The craft of making pipes traditionally passes from one generation to another. The Taylors, shown here, are one of Indian families engaged in this craft. Ephraim, whose Indian name is Looking Eagle, (on the right in the family photo and, at bottom, shown holding the pipe), and his brother, Ted, whose Indian name is He-Who-Strikes-His-Enemy-on-the-Run, (seated in the chair in the family photo) today carry on this tradition.

Congressional action renewed in January 1937, with the introduction of S. 1075. The Department of the Interior report on this bill recommended that the name be changed to Pipestone National Monument, that certain boundary changes be made, and that quarrying, rather than mineral, rights, be reserved to Indians of all tribes. The bill passed the Senate on August 6, and the House on August 21. On August 25, 1937, President Franklin D. Roosevelt placed his signature on the legislation, and Pipestone National Monument became a legal reality.
DEVELOPMENT OF MONUMENT BY NATIONAL PARK SERVICE

Congressional action to establish the Monument moved in a routine manner, but the path to development was by no means smooth. Funds were not available for use on the site for some time, consequently all Service activity was confined to investigation and planning.

An acting custodian was appointed, without compensation, in January 1939. Visitation reached a point during that summer demonstrating the need for a least seasonal staffing and for improved visitor facilities.

The preliminary historical development report for the area was completed in 1940, and formed a coordinating framework and a point of departure for later development of the area. Its basic soundness was demonstrated by the degree to which later studies for each phase of development adhered to the spirit of the suggestions made in the report.

Statistics on visitation were first recorded in 1941. The register shows 1,500 out-of-State visitors. Then came World War II and a drop in visitation for several years.

Most of the time was devoted during the war years to basic maintenance and protection activities. After the end of the war, some interpretive services were provided to the large number of visitors. Early in 1946, Federal regulations governing quarrying operations by the Indians were adopted.
Local interest in the development of the Monument increased in 1946. A number of National Park Service officials visited Pipestone and conferred with local residents, particularly with members of the Pipestone Civic and Commerce Association. Representative H. Carl Andersen joined in promoting increased operating funds, which were assured by late 1947.

The Monument was placed on a year-round operational basis early in 1948. Maintenance and development activity was accelerated, with the cooperation of State and county officials. Roads and parking lots were graveled, trails and other visitor-use facilities improved. A trail guide folder for the area was introduced, and an exhibit pit opened where visitors might see the catline layer in place. Interpretive signs were also erected along the trails.

Since the area had no buildings suitable for winter occupancy, a headquarters office was established in the Calumet Hotel in Pipestone. In 1949 a research program was started for the area, and a surface survey of portions of the Monument and adjacent lands made.

In the summer of 1949, the local chapter of the Exchange Club presented a pageant based on Longfellow's "Song of Hiawatha." This production was inspired by a similar pageant held by Indian school students in the early 1930's. It proved to be popular, became an annual event, and led to the organization of the Hiawatha Club, now a sizable, influential local group. In 1949, too, a nature trail was developed, along with a plant-labeling program.

In July 1950 the Circle Trail was opened, channeling visitors past the more important natural and historic features and proving to be a valuable aid in preventing congestion of the ever-increasing visitor load.

By the spring of 1951 the eventual closing of the Indian school was under consideration. The 1949 archeological studies had pointed out the need to acquire additional land for
the Monument in order to preserve a major portion of the quarry line.

The Bureau of Indian Affairs supported the National Park Service aims and, pending enactment of legislation, turned over administrative control of 164 acres to the Service. As closing of the school neared, legislation was introduced to transfer this land to the Service. Various bills were considered, but the final version (P.L. 593) passed and was signed in June 1956.

The Circle Trail gives today's Monument visitor a pleasant 3/4-mile walk among interesting historical, geological and biological features.

The actual transfer came as a result of an order of the Secretary of the Interior on February 16, 1957, which increased the size of the Monument from 115 to 283 acres. As disposition was made of other reservation lands, the State of Minnesota developed a game management area downstream from the Monument. The city of Pipestone received the balance of the lands and buildings.

While this complex transfer was taking place, many other important developments were occurring. A series of discussions began which led to the revival and reorganization of the Pipestone Indian Shrine Association. By early 1955 it was approved and functioning as a cooperating association.

Later in 1955 it was proposed that the Pipestone Indian Shrine Association stock and sell pipes and other pipestone craft items made by the local Indians. They had supplied items for the souvenir trade for many years, but the market was sharply seasonal and cash returns meager. There was much concern lest this craft might die out from the simple lack of markets. Sales at the Monument began on a small scale in 1956.
During 1955 the picnic shelter house was converted into a small, temporary museum. The St. Paul Science Museum prepared and installed exhibits on loan to the National Park Service.

Intensive construction activity was started in the area in 1957 and continued into 1958, with the completion and dedication of a visitor center.
In the center — a rambling, one-story, red-brick building — a museum contains a diorama depicting mid-17th century Indians quarrying the pipestone, and a series of exhibits portraying the geology and history of the area. Here visitors may learn how the Indians fashioned and used the peace pipes and other early pipestone products, and of the culture and customs that prevailed among the Indians long before Europeans came to America.

The center, located near the principal in-place quarry exhibit where pipestone layers are exposed in their natural position, includes an audiovisual room in which are presented illustrated programs. The building also houses staff offices, restrooms, workshop, and storage facilities.
The visitor center and other Monument improvements — a road, two convenient parking sites, utility systems, trails, and wayside interpretive exhibits — were constructed as part of the National Park Service's continuing program to conserve and develop areas of the National Park System to meet the upsurge of visitors to the parks.

The growing interest in historic Pipestone is a pertinent example of the increased use and enjoyment of the areas of the National Park System by the public. Visitation at Pipestone has increased from 3,100 in 1946 to 111,271 in 1964. In all areas of the System the visitor count spiralled from 21 million in 1946 to over 102 million in 1964. By 1966 — the National Park Service's 50th anniversary year — a total of approximately 108 million is anticipated. At Pipestone, the annual visitation is expected to reach 200,000 in a few years.
SUGGESTIONS FOR FURTHER READING


_____. The Pawnee Indians, University of Denver Press, 1951.


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The Monument visitor center. (National Park Service colorphoto.)