

2023 HOUSE APPROPRIATIONS

HB 1287

2023 HOUSE STANDING COMMITTEE MINUTES

Appropriations Committee
Brynhild Haugland Room, State Capitol

HB 1287
1/25/2023

BILL for an Act to provide an appropriation to the state historical society for the study and design of a monument recognizing native Americans killed at Whitestone Hill State Historic Site.
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9:26 AM Chairman Vigesaa- Meeting was called to order and roll call was taken:

Members present; Chairman Vigesaa, Representative Kempenich, Representative B. Anderson, Representative Bellew, Representative Brandenburg, Representative Kreidt, Representative Martinson, Representative Mitskog, Representative Meier, Representative Mock, Representative Monson, Representative Nathe, Representative J. Nelson, Representative O'Brien, Representative Pyle, Representative Richter, Representative Sanford, Representative Schatz, Representative Schobinger, Representative Strinden, Representative J. Stemen and Representative Swiontek.

Members not Present: Representative Hanson

Discussion Topics:

- Lost History
- Monument

Representative Brandenburg- Introduces HB 1287

Bill Peterson- ND State Historic Society- Testifies in favor. (Testimony #16505 & #16504)

Scott Davis- Former Executive Director of the ND Indian Affairs Commission- Testifies in favor. (Testimony #16668)

Les Thomas- Enrolled Member Turtle Mountain, ND Native Tourism Alliance- Spoke in favor.

Nathan Davis- ND Indian Affairs Commissioner- Spoke in favor.

Chairman Vigesaa Closed the meeting for HB 1287 at 10:04 AM

Risa Berube, Committee Clerk

2023 HOUSE STANDING COMMITTEE MINUTES

Appropriations Committee
Brynhild Haugland Room, State Capitol

HB 1287
2/9/2023

BILL for an Act to provide an appropriation to the state historical society for the study and design of a monument recognizing native Americans killed at Whitestone Hill State Historic Site.
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9:08 AM Chairman Vigesaa- Meeting was called to order and roll call was taken:

Members present; Chairman Vigesaa, Representative Kempenich, Representative Bellew, Representative Brandenburg, Representative Hanson, Representative Kreidt, Representative Martinson, Representative Mitskog, Representative Meier, Representative Mock, Representative Monson, Representative Nathe, Representative O'Brien, Representative Pyle, Representative Richter, Representative Sanford, Representative Schatz, Representative Schobinger, Representative Strinden, Representative G. Stemen and Representative Swiontek.

Members not Present: Representative J. Nelson and Representative B. Anderson

Discussion Topics:

- Add to the Historical Society Budget

Representative Brandenburg Move for a Do Not Pass

Representative Mock Seconds the motion.

Roll Call Vote:

Representatives	Vote
Representative Don Vigesaa	Y
Representative Keith Kempenich	Y
Representative Bert Anderson	A
Representative Larry Bellew	Y
Representative Mike Brandenburg	Y
Representative Karla Rose Hanson	Y
Representative Gary Kreidt	Y
Representative Bob Martinson	Y
Representative Lisa Meier	Y
Representative Alisa Mitskog	Y
Representative Corey Mock	Y
Representative David Monson	Y
Representative Mike Nathe	Y
Representative Jon O. Nelson	A

Representative Emily O'Brien	Y
Representative Brandy Pyle	Y
Representative David Richter	Y
Representative Mark Sanford	Y
Representative Mike Schatz	Y
Representative Randy A. Schobinger	Y
Representative Greg Stemen	Y
Representative Michelle Strinden	Y
Representative Steve Swiontek	Y

Motion Carries 21-0-2 Representative Brandenburg will carry the bill.

Chairman Vigesaa Closed the meeting for HB 1287 at 9:12 AM

Risa Berube, Committee Clerk

REPORT OF STANDING COMMITTEE

HB 1287: Appropriations Committee (Rep. Vigesaa, Chairman) recommends **DO NOT PASS** (21 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1287 was placed on the Eleventh order on the calendar.

TESTIMONY

HB 1287

State Historical Society of North Dakota

Testimony

House Appropriations

House Bill 1287

9:00 a.m. January 25th, 2023

Brynhild Haugland Room

Dr. Bill Peterson

Good Morning Mr. Chairman, and Members of the Committee

For the record my name is Bill Peterson, and I am the Director of the State Historical Society of North Dakota.

The history I am about to relate to you might be different from past accounts you have heard. Today's narrative is based on new information, new sources, and a lessening of our reliance on the singular account of General Sully. Historians now realize general Sully's account was given far too much weight for too long.

Sully had reason to pad his resume in order to get back to a more important command in the major Civil War theater. Historians have pieced together the events of the day from numerous primary sources, soldiers and Natives alike which offer far more support for the narrative I will give in this testimony.

On September 3, 1863, between 150 and 300 Dakota men, women, and children were massacred at Whitestone Hill State Historic Site. The attack resulted in more Native casualties than any other conflict between U.S. soldiers and American Indians in North Dakota. The losses may have even been higher than those at Sand Creek, Colorado in 1864 and Wounded Knee, South Dakota, in 1890.

In late afternoon on Sept. 3, three military units under Gen. Alfred Sully approached and surrounded this Dakota camp as part of a military response to the U.S. Dakota War. While Gen. Sully asked camp leaders whether any U.S. enemies were present, one unit opened fire without orders to shoot. A second unit joined in, killing an estimated 150 to 300 adults and children while some people escaped. Soldiers later concluded they had probably killed some of their own as well during the chaos. Over the next two days, Sully and his troops took 156 people prisoner, shot some wounded survivors, and plundered or destroyed all food, lodging, possessions, horses, and dogs.

Almost all of those present during the attack were at peace with the United States. Over time, we have learned the names of many of those families and bands. Their descendants naturally describe the attack as a massacre on a peaceful camp.

Gen. Sully had a history of insubordinate troops. In the aftermath, he downplayed this grave loss of command by making unsubstantiated accusations against the camp and creating an impression that the attack was a well-coordinated battle against enemies of the United States following the U.S.-Dakota War in Minnesota.

Even when the U.S. Dakota-War of 1862 broke out, most Dakotas and Dakota bands did not attack Americans. Many Dakota headmen worked to distinguish their bands as friendly to the U.S., often at great personal risk. Some Sisseton and Wahpeton leaders, including Iron Walker, Solomon Two Stars, Paul Mazakutemane, and Gabriel Renville, were so resistant to joining the fighting that they nearly had to fight other Dakotas. Some headmen worked to free Euro-American captives from their own Santee relatives. For example, Red Iron, another Sisseton leader, secured the release of 269 Euro-Americans. Puffy Eyes, a Lakota, traded his horses with Santees to free other Americans.

The massacre at Whitestone played a major role in turning many survivors into enemies of the United States, setting the direction for decades of conflict on the northern Plains. Many surviving Dakota

leaders, including Little Soldier, Big Head, and Two Bears, would fight against the United States and Lt. Col. George Custer at the Battle of the Little Bighorn 13 years later.

“When we returned to the battlefield at daylight it was a sight I do not care to see again. Tepees, some standing, some torn down, some [women] that were dead, some that were wounded and still alive, young children of all ages from young infants to 8 or 10 years old, who had lost their parents, dead soldiers, dead Indians, dead horses, hundreds of dogs howling for their masters.”

-F.E. Caldwell, 2nd Nebraska

We could not tell until morning what we had done. In the morning the sight was hard to behold. Both Indians (men, women, and children) and soldiers and their horses lay strewn over the field and piled up on each other.

-J. J. Worley, 2nd Nebraska

Over the next two days, soldiers shot some of the wounded and dying, in violation of military standards of the time. They captured lost and orphaned children as prisoners. The men rounded up healthy horses and shot wounded ones, as well as over 1,000 dogs.

There was liberty given to the soldiers & all to plunder what they could of their robes & fancy fixings. ... We busied ourselves today in strolling about the field & picking up whatever we wanted. Many of us before night had made leggings, made saddle robes & Mittens, trimmed our bridles with Indian fixings, replenished our outfit of cooking utensils, cups, plates, knives, spoons, camp kettles, till you could not rest, & as our own kettles were nearly worn out these came in play.

-Cpl. Henry Peirce, 2nd Nebraska

The soldiers' goal was to leave the survivors destitute before winter. Soldiers set fire to 400,000 to 500,000 pounds of jerky, hundreds of tipis, and other objects on Sept. 5. F.E. Caldwell of the 2nd Nebraska wrote, “the melted tallow ran down that valley in a stream. Hatchets, camp kettles, and all things that would sink were thrown into a small lake.”

Soldiers captured 156 adults and children and took them to Fort Thompson on the Crow Creek Reservation in present-day South Dakota. They were held as prisoners of war, some for seven years.

Beginning in 1905, U.S. Rep. Thomas Marshall of Oakes and three veterans of the Eastern Theater in the Civil War spearheaded a campaign to protect this parcel of land from settlement, rebury soldiers' remains, and erect a permanent marker. These efforts were focused solely on remembering the U.S. soldiers who had died.

Congress voted to set aside 640 acres, of which 600 were to be sold to pay for the monument. Built in 1909, this monument commemorates the 20 U.S. soldiers who died here. At the time, there was a nationwide movement to erect Civil War memorials to honor the aging generation of Civil War veterans and remind people of the importance of American unity. Descendants of soldiers continue to visit this site today.

This land was federally preserved from development because of Rep. Marshall's actions. As an agency we have been working to correct the narrative at Whitestone Hill for about the last ten years.

Yanktonai and other Dakotas believe a great wrong happened here. The massacre is still a national tragedy for the Dakota peoples. This memorial has added to their suffering. From early on, some local non-Natives understood this, too.

In 1914, just five years after the erection of the monument, Rev. Aaron Beede, Ph.D., an Episcopal missionary who lived on the Standing Rock Reservation, proclaimed that the attack had been a mistake in front of 5,000 visitors, including several survivors and North Dakota Governor Louis B. Hanna. He later published a play, *Heart-in-the-Lodge: all a Mistake*, to help shift public perception about the attack. SHSND 2013-P-043/-0000.000#00001

Residents were among the first to understand and spread awareness that most victims at Whitestone had been friends of the United States. In 1942, a group of Ellendale citizens built the smaller monument at the base of this hill to honor the American Indians who died here. Several members of the Two Bears family recognized their efforts by attending its dedication.

Today Dakota descendants and the State Historical Society of North Dakota, ask for legislative support, to plan and design a new monument to add to Whitestone State Historic Site to reflect a more accurate view on what happened here and recognize the tragedy of September 3, 1863. For these reasons we fully support House Bill 1287 to provide funding for the study and design of a monument recognizing the native Americans killed at Whitestone Hill on September 3, 1863.

Thank you for your time and attention today.

I will now answer any questions you may have.

State Historical Society of North Dakota



Testimony

House Appropriations

House Bill 1287

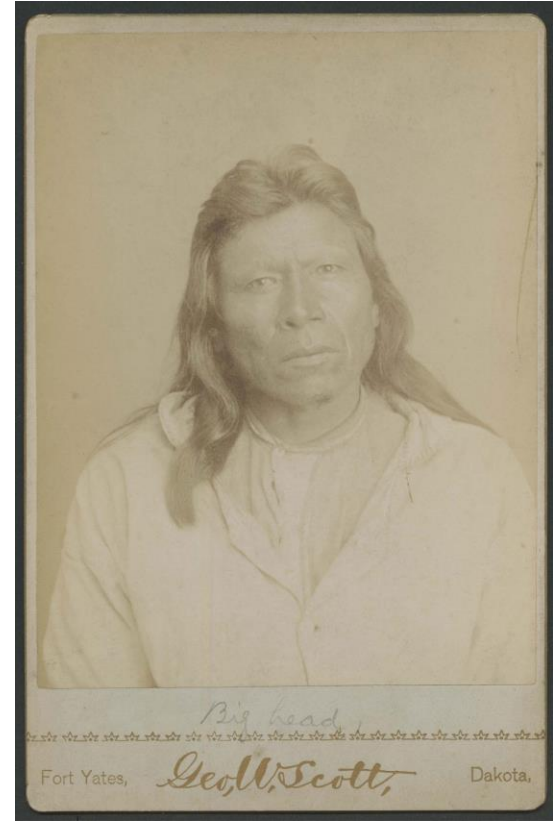
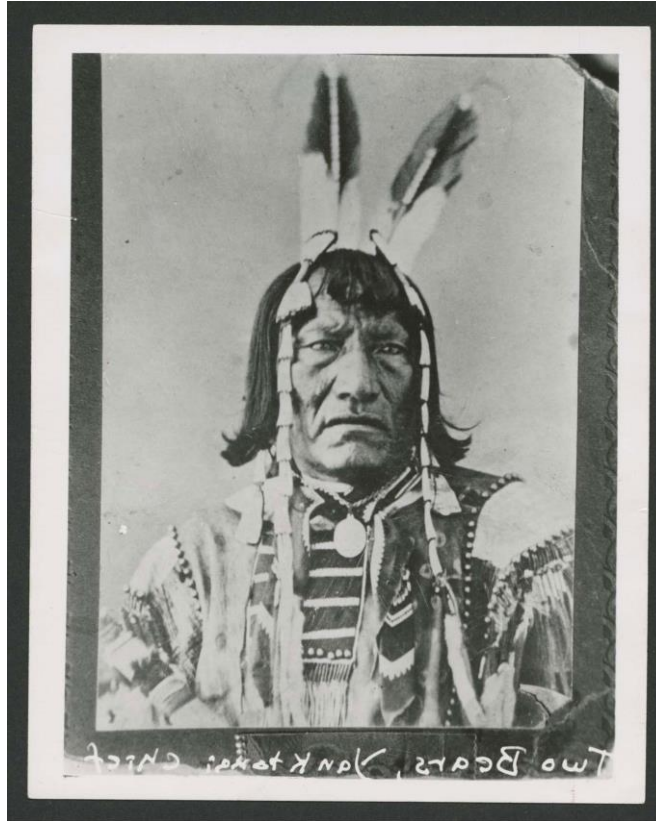
January 25, 2023

9 a.m.

Brynhild Haugland Room

Dr. Bill Peterson, Director & ND SHPO





**Three of the men remembered for offering to surrender themselves to protect the camp.
Left to right, Pispíza Sápa (Black Prairie Dog), Mató Nunpa (Two Bears), and Nasúna Thanká (Big Head or Big Brain)**

[L to R: SA 1952/-0000.000#00603 Black Prairie Dog (same one as at Whitestone?);
SA 00004/-0001.000#00024 Two Bears; SA 00160/-0000.000#00009 Big Head Photo by Geo W. Scott)

Whitestone Hill became a State Historic Site in 1905.

Right: Martin Fuhrer, the first State Historical Society caretaker at Whitestone Hill, stands in front of the new "combination shelter." c. 1936 – 1941

Below: Famous 1914 Reverend Beede speech proclaiming the attack a mistake. Survivors and Governor Louis B. Hanna in attendance.





In 1933, Two Bears' daughter Mato Cinca identified this as the spot where her family's lodge had stood. She was about 11 years old on the day of the massacre. SHSND A/-514#00003



Descendants of the Yanktonai leader Mahtó Nunpá (Two Bears) dedicating a monument to the American Indian dead at Whitestone in 1942. This is one of the earliest memorials to Indigenous victims of violence in the United States. A group of Ellendale area residents erected this monument, including 19-year-old Clinton Hess, who carved the bronze mold.

Whitestone Today

Whitestone Hill Memorial Ride – 4 years this September 3, 70 riders from ND, SD, and several other states.



Whitestone Today

A place for education.

Whitestone Hill Annual Education Day takes place each September welcoming 200 area students.



Whitestone Today

Education

Recreation

3,270 annual visitors



Thank you.



House Bill 1287

House Appropriations Committee

1/25/2023

Testimony by Scott J Davis

Good morning, Chairman and members of the committee. My name is Scott Davis, I was the former Executive Director of the ND Indian Affairs Commission. A post I held for 12 years. I now represent a few Tribes in ND today. I am also a proud member of the Standing Rock Sioux Tribe and descent of the Turtle Mt. Band of Chippewa.

Whitestone Hill Historical Site has been and is a very important piece of history to the local residents of Kulm ND, the citizens of ND and Tribal citizens of ND. During my time at the Indian Affairs Commission, in partnership with the ND Historical Society, we spent a lot of time talking and holding public forums discussing the history and accounts of Whitestone. It was good example of how ND people and Tribal members can come to an agreed understanding of historical events. As we know, some of the events have not been good during a time of assimilation and battles that occurred across what we know as North Dakota today.

Regardless of history, ND is doing the right in recognizing the importance of history that sets the truth for those who want to learn, understand and value our rich history. ND also did right in making this a State Historical Park, where families are able to read and experience history and enjoy a day of family fellowship.

The past number of years, Local, State and Tribal leaders agreed that there should be a monument, statue that commemorates the fallen Dakota and Lakota members that fell/died that day. Much like the fallen soldiers that fell/died that day. In the past we were able to secure funds to begin a project, but through various events of low commodity prices and a pandemic, we find ourselves still in a premature planning stage.

Thanks to the leadership of Rep. Brandenburg, Rep. Grueneich and Senator Eberle, today we find ourselves wanting to get this project fully funded and completed in the next 2-3 years.

I am respectfully asking for your support for HB 1287 and allow the good people at the ND Historical Society administer this project. Support the good people in the Kulm area that will help with local tourism and business development. Just as important to continue to strengthen relationship between the State of North Dakota and the 5 Tribes of North Dakota.

Mr. Chairman, that conclude my testimony and I'd be happy to answer any questions.

Thank you.