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Minnesota Senate Transportation Committee

March 23, 2023

Dear Members:

SF2250 cancels statutes and denies access to public land to more than 95% of Minnesotans. The goal of the bill is to find and eliminate all protective provisions keeping a state park in public ownership that currently permits visitor access, including commemorative and religious ceremony; transferring public ownership to private resulting in closure of the Park to all except for select members of a single tribe – less than 600 people. This tribe has only occupied the area for 300 years according to the DNR’s July 2009 report *Upper Sioux Agency State Park Management Plan*. The original stewards displaced through warfare by the Dakota is the federally recognized Iowa Tribe of Kansas and Nebraska whose inhabitation of the area can be traced to 900 A.D. (Lance Foster, Tribal Historic Preservation Officer, Iowa Tribe of Kansas and Nebraska, 2012).

The Upper Sioux Agency is, by statute, an Outdoor Recreation System Unit, a Historic Site, a Historic District, a place on the National Register of Historic Places. These titles under State and US Code protect the land and its natural and cultural resources considered by all Minnesotans and visitors including the historic buildings dating to the 1850s and 1860s. For these reasons, the Park cannot be transferred.

The nonprofit Minnesota Historical Society abandoned its interpretive responsibilities within the park in the 1980s (DNR, 2009).

Regarding transportation, Upper Sioux Agency State Park is identified as the future trailhead for the Minnesota River State Trail (DNR, 2009). Millions have been spent on the trail via planning and construction to create a trail to connect all historic sites in the area. The fissures causing the closure of Hwy. 67 east of the Park’s entrance create even more need to keep the park within State ownership to permit a travel/trail routes in the River Valley that can no longer be accessed by roads.

Indigenous and non-Indigenous historians have extensively researched Indigenous intertribal warfare and the U.S. – Dakota War and emphasize Upper Sioux Agency State Park’s importance.

Public general knowledge does not include the Dakota as victors in their land conquests, nor the cooperation between French and American explorers and missionaries as demonstrated by the Upper Agency community in the confines of the Park.

In 1854, Dakota ambushed and killed 25 Ojibwe and intimidated Agency inhabitants and Dakota who converted to Christianity by holding a scalp dance with the scalps at the Upper Agency. (Anderson, Gary Clayton. Minnesota Massacre The Dakota War of 1862, the Most Violent Ethnic Conflict in American History. Page 54.) This turmoil boiled to refusal of the June 1862 annuity and to the War.

In Indigenous history, the Park was originally home to the Chiwere speaking Iowa tribe from 900 A.D. to about 1740 when the tribe lost to invading Dakota (Siouan speaking) tribes.

The Upper Sioux Agency carries a history predating Dakota occupation and a history of man's inhumanity to man regardless of skin color. It can only be experienced and investigated under the eyes of a government willing to recognize all people, not those defined by a single Indigenous tribe.

The fissures caused by natural fault lines closing Highway 67 to the east of the Park's entrance have emphasized the need for the Minnesota River State Trail and the need for a trailhead to be continually developed. The DNR supports further development of trail connections including those that cross existing highways. Public access support via alternative trails with ADA provisions needs MnDOT's leadership, cooperation, expertise, and support.

Transportation Committee approval of SF2250 is not supportive to more than 95% of Minnesotans. It would remove commemorative and religious rights from all parties other than a single tribe, victors of a 1700 war. Approval would waste all funds past, present and future including \$250,000 serving as defeasance of capital investments. All action related to this bill including defeasance need to be removed from consideration as well - SF676 1<sup>st</sup> Engrossment, Article 1 Appropriations, Section 7 Natural Resources, Subdivision 21 Upper Sioux Agency Defeasance; \$250,000 is needed from the general fund to excuse remaining GO bonding.

Thank you,

  
Stephanie Chappell

Resources:

Anderson, Gary Clayton. Massacre In Minnesota The Dakota War of 1862, the Most Violent Ethnic Cleansing in American History. University of Oklahoma Press, 2019.

Foster, Lance M. *Forgotten or Unmentioned Facts are Troubling* (Book review of Mni Sota Makoce). Amazon, 25 Oct 2012. Accessed 20 Mar 2023.

Miner, William Henry. The Ioway. The Torch Press. 1911. [Pages 28-33](#).

Upper Sioux Agency State Park Management Plan. Minnesota Department of Natural Resources Division of Parks and Trails. July 2009. [Emphasis to pages 34-39, 53, 58-62, 70-73](#).

Encl.

StarTribune commentary, Dec. 26 Counterpoint We Should Also Remember Other Victims of 1862

2021 photos of Upper Sioux Agency State Park and Historic Building

Amazon review including brief history of Iowa tribe

# Counterpoint: We should also remember other victims of 1862

The 650 men, women and children deserve our thoughts, too.

By Curtis Dahlin

DECEMBER 29, 2022 — 5:45PM

**Opinion editor's note:** *Star Tribune Opinion publishes a mix of national and local [commentaries](#) online and in print each day. To contribute, click [here](#).*

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In "Riders share history's burden" ([Dec. 27](#)) the Star Tribune reported about Dakota Indians riding to Mankato and gathering there on Dec. 26, the anniversary of the hanging of 38 Dakota in 1862. Gov. Tim Walz was in attendance, and he apologized to the Dakota for the hanging of the 38 and for the removal of Dakota from Minnesota.

But there is more to the story, as Walz, a former teacher, knows.

In 1862, the Dakota were unhappy and angry over their situation for a variety of reasons. By 1862, they had sold most of their land to the U.S. government. By mid-August, grievances came to a head among the Dakota, and some decided to wage war on settlers along the Minnesota River valley.

Early in the morning of Aug. 18, 1862, Dakota attacked the Lower Sioux Agency and then settlers who were living near them in Renville and Brown Counties. The Dakota's attacks that day were devastating, resulting in the killing of about 265 mostly unarmed men, women and children. Five Dakota warriors were killed. In the following days, the Dakota attacked Fort Ridgely twice and the town of New Ulm twice, but they were unable to take either place.

Ultimately, 650 whites were killed. Among them were 40 adult women and 100 children age 10 or under, including infants. Some were killed with great brutality, which particularly enraged the white population. In addition, the Dakota took about 150 white women and children captive, along with many mixed-bloods.

By the end of the conflict some 100 Dakota warriors were killed, but no Dakota women or children.

Gov. Alexander Ramsey learned of the attacks on the settlers on Aug. 19, and he selected Henry Sibley to lead the military response and stop the killing. Things got off to a rocky start for Sibley when on Sept. 2 and 3, a large burial party he had by then dispatched was badly mauled by the Dakota at the battle of Birch Coulee. Sibley continued to gather his force, and on Sept. 23 he defeated the Dakota at the Battle of Wood Lake. Three days later, he freed the captives at what became known as Camp Release.

Sibley established a military commission to try those Dakota who were accused of crimes. Nearly 400 were tried, with just over 300 being convicted of capital offenses. The trials were brief and the Dakota were not represented by counsel. But neither were Civil War soldiers accused of crimes. It was a different

time. White settlers were clamoring for justice, and after the war ended, had made several attacks on Dakota prisoners, killing three.

President Abraham Lincoln had his staff review all the trial transcripts. He cut the number to be executed to 39, and one late reprieve brought the number to 38. Lincoln spared the lives of 265 convicted Dakota.

The 38 were hanged at Mankato on Dec. 26, 1862. It was the largest mass execution in U.S. history, in response to the deadliest Indian uprising in U.S. history.

In November 1862, about 1,600 Dakota dependents were taken to a camp at Fort Snelling. Here they were humanely treated, fed soldier's rations and protected from revenge-minded whites, of whom there were many. While at least 100 Dakota died in the camp from disease that winter, the same type of disease toll was taking place in the white community. The following spring, many but not all Dakota were shipped out of the state, to ensure none could resume killing settlers.

The war was the most significant and tragic event in Minnesota's history. If violence were to erupt today killing the same proportion of the state's population, there would be some 18,000 dead.

So governor, we know your feelings about the 38. What are your feelings about the 650 who were murdered? Are they worthy of being mentioned and remembered? Since this is now a public issue, I would request that you respond in a public setting.

*Curtis Dahlin lives in Roseville.*





Lance M. Foster

★★★★☆ **Forgotten or Unmentioned Facts are Troubling**

Reviewed in the United States us on October 25, 2012

SF2250

Lance M. Foster

Tribal Historic  
Preservation  
Officer

Iowa Tribe of  
Kansas and  
Nebraska

True History of  
Southern MN  
Not told in book  
*Mni Sota Makoce*

This is a pretty cool book in many ways, and I wish I could give it more stars, maybe 4, but there is something really missing in it that bothers me, which is why I have to give it only 2. I always applaud when Indian people assert their histories in the face of cultural genocide, and I applaud our Sioux brothers and sisters care for the land in Minnesota. I have only honor and applause for their efforts to protect the sacred places and burials. That's the good side of the book, which is why I give it two stars instead of only one. I was a friend of Maria Pearson and her work, although we disagreed on some things. I still miss her a lot.

I do not wish to offend our friends, but I would not be true to our loway ancestors if I did not say something, for we have a history and tradition of that place too. As a member of the loway tribe, I unfortunately find some of this book contradicts not only our loway history and traditions, it also ignores many established historic records and the archaeological evidence.

Our traditions hold that our Iowa and Otoe peoples were the first people in southeastern Minnesota, from at least A.D. 900 to 1700, from the maps and oral testimonies by our loway elders No Heart and Waw-no-que-skoona, documented in the 1830s and 1840s. Our Sioux brothers and sisters at that time were further north, towards Mille Lacs, until the late 1600s. Until that time, we had been friends and allies. We have stories about that. In fact, when the French came to the area looking to establish trading posts in the 1680s, the Sioux told them that the Minnesota River, Blue Earth area, and so on, was the land of the Iowas (ah-yo-way: spelled Ayoies, Ayavois, or pa-xo-che: spelled Paotet, etc.). We called ourselves Baxoje, and we had many settlements in the Lake Pepin-Red Wing area as well, down into northeast Iowa. It's like how outsiders use the word "Sioux", but the Sioux use Dakota or Nakota or Lakota themselves.

It seems to have been that the Dakota were being pushed south by the Ojibwa out of the Mille Lacs area, in part because of population growth and in part because the Ojibwa were getting pushed themselves from the east, due to the Beaver Wars of the Iroquois and Huron in Canada. The Ojibwa were squeezed between the Iroquois in the east and the Dakota in the west ("Sioux" comes from an Ojibwa word). Because of this, the Sioux pushed us south from our lands along the Minnesota River and southern Minnesota (including Lake Pepin, Twin Cities, Pipestone, Jeffers, etc.) We had lived there since time immemorial. The Dakota were north of there. We were friendly up until about 1700. That was told even by Dakota back in those days, such as Black Tomahawk, who told about the war in which we were defeated by the Sioux and the remains of our lodges were there to be seen.

The loway were fewer than the Sioux and we lost and moved southwest, out of Minnesota and northeastern Iowa, in about 1700. As I said earlier, this was all documented in the 1840s maps of No Heart and Waw-no-que-skoona.

In addition, this is all documented in the histories and maps of the French traders Perrot, Accault, and others. Finally, the loway and Otoe are firmly established to be the descendants of the Oneota archaeological culture which inhabited all that area from A.D. 900 to 1700, and our clans developed from the Woodland people who made the Woodland mounds, just like our brothers the Dakotas and other tribes up until that time. The Dakota were not descended from the Oneota, but from the Psinomani people, further north.

Because we were squeezed in by Euroamerican settlements and the decline of buffalo and other game, the Sioux (both Dakota as well as Yankton) and the loway fought without mercy. That was how things were from about 1700 until 1840 or so, when a Sioux chief and an loway chief killed each other. Having lost two of our best leaders, we all realized our folly and made peace at last. Today, the Dakota and loway are friends. In fact, although I am enrolled loway, some of my ancestors were Sioux too. Most of us have blood from many different tribes because of trading and intermarriage when making friends and adoption of each other as relatives. It's like how the British and the U.S. fought in the Revolution, or the U.S. fought Japan and Germany, yet all are now friends. That's history too.

Now of course, everybody has their own version of history. In that case, you have to look at ALL the evidence, the oral traditions and oral history, the written records and maps, and the archaeological cultures, IF you want to know about those things.

AFTER 1700, the Dakota took over southern Minnesota including the Minnesota River country as well as northern Iowa, all the way until the unfortunate events of 1856-1862 when they conflicted with the U.S. and lost. First we lost to them by 1700, and then they lost to the Big Knives (the Americans) by 1863. Thus is history made and told by those who win.

Again, I wish to congratulate our Sioux brothers and sisters for fighting for their land and lives, and becoming the new caretakers of those sacred places and our ancestral burials. The Dakota added a beautiful new layer of culture and history there that cannot be denied, and indeed should be celebrated. I hope they succeed in saving the land from self-interest and greed for money that is destroying it, whether the greed is that of white man or Indian. Aho.