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The Access to Voting Polls is an Ethical Issue Even on the Northern Plains

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Perhaps one of the most obvious ethical issues facing the Northern Plains is the treatment of the indigenous people of the region. A fairly recent instance of questionable ethics, though according to a federal judge “not a case of overt racism”, was the decision by the Benson County Commission to close the two polling places on the Spirit Lake Reservation and only leave one polling place, off reservation at the county seat, open in the county. Ethically, government at any and all levels should not make it hard for its citizens to vote.

This issue of access to polling places and the ability to exercise your right to vote in a democratic nation is something our country has struggled with since its inception. The access to voting by members of the Dakotah Nation should concern all of us because it raises concerns about a push toward mail voting, and absenteeism voting, or not voting at all and the sparsity of citizen participation in the democratic voting process is already a concern. It is also a concern to all of us because as Souryal¹ states, “citizens in a free society are morally obliged to prevent the perversion of government by not aiding in its hegemony or contributing to its perpetuity”.

The Obama administration in reaction to a recent Supreme Court decision, *Shelby County v. Holder*, which upheld that States can make changes to their election laws without advanced Federal approval, which is contrary to some elements of the Voting Rights Act of 1965, and only actually effects nine states, stated that they want to “ensure every eligible American has the right to vote”². The current concern about voting access across the nation is spurred by the idea that the minority voice might change election outcomes³ and changes to voting procedures may effectively silence segments of the minority voice⁴. That concern, and some say possibly political motivation,^{5,6,7} around the

¹ Sam Souryal, *Ethics in Criminal Justice: In Search of the Truth*, 5th ed. (Burlington: Anderson Publishing, 2011), 97.

² David Jackson, “Obama pledges to strengthen Voting Rights Act,” *Usatoday.com*, July 30, 2013, <http://www.usatoday.com/story/theoval/2013/07/30/obama-voting-rights-act-civil-rights-sharpton/2598699/> (accessed September 17, 2013).

³ Vonnie Lone Chief, “North Dakota Native Vote Efforts Show at the Polls,” *Indian Country Today Media network.com* last modified November 9, 2012, accessed July 1, 2013, <http://indiancountrytodaymedianetwork.com/opinion/north-dakota-native-vote-efforts-show-at-the-polls-144707>.

⁴ Adam Liptak, “Supreme Court Invalidates Key Part of Voting Rights Act,” *Nytimes.com*, June 25, 2013, http://www.nytimes.com/2013/06/26/us/supreme-court-ruling.html?pagewanted=all&_r=0 (accessed July 1, 2013).

⁵ David Gibb, “Indian voting rights abused in North Dakota county,” *Indianz.Com*, October 19, 2010, <http://www.indianz.com/News/2010/022213.asp> (accessed July 1, 2013).

decision to close polling places on the reservation. The reservation communities are diverse within themselves, and members have an assortment of political views, but the votes tend to be more Democratic party favorable than not and members are more in favor of Democrats than the state which surrounds them. The colorful voter maps often show dots of blue amidst a sea of red. The point is often made that there are other ways to vote than going to the polls, but many minority communities do not have ready access to the internet to register for absentee ballots, they may not have a stable residential address for mailed ballots, and they may not have money or reliable transportation to travel long distances to get to the existing poles. The main question perhaps should not be how we can have voting without polling places, but rather, how we can help increase access to the polling places. As President Johnson stated in 1965 when signing the Voting Rights Act, “it is wrong, deadly wrong to deny any of your fellow Americans the right to vote in this country”.⁸

Though it may seem like a bit of a history lesson, it is important to reflect on the struggles and achievements of the past to understand where we stand on some of these issues today. In the early years of our country, such as 1776, despite being thought of as the land of equality, it was only Anglo men who owned property and were not Catholic, Jewish, Quaker, or Asian who were allowed to vote. By 1789, that right was broadened to include Anglo males without property. In 1870, the 15th Amendment allowed African American males the right to vote in theory, though actually having your vote counted at a polling place continues to be a struggle for some. Another notable moment was in 1887 when Native American males could vote, but only if they gave up their tribal citizenship. In 1920, Anglo women could vote when the 19th Amendment was passed. In 1924, Native American citizens as members of sovereign tribal nations could vote without giving up Tribal citizenship depending on state laws. Slowly, over the next several decades, other races were allowed to become citizens and vote, such as Asians and Chinese in 1943, Filipinos in 1946, Japanese in 1952, and then came the Civil Rights Act in 1957, and the Voting Rights Act in 1965. In 1971, the 26th Amendment granted the right to vote to citizens 18 years of age and older. In 1990, the Disabilities Act included the provision of services to the disabled so they can have access to voting as well. The Military and Overseas Voter Act in 2009 provided access to ways to vote for citizens not within our borders at election time.

After all the hard won efforts to grant voting privileges to all American citizens over the past 220 years and numerous amendments, it seems ethically questionable to close polling places on the reservation based on alleged budgetary concerns, especially when the tribe then offered to pay the expenses of keeping the polls open. When Benson County tried to close the reservation polling places, the Spirit Lake tribe protested and filed a law suit against the Board. This was not their first suit alleging problems with the voting process, and this is not the only tribe facing such difficulties⁹. The court found in

⁶ Rob Capriccioso, “Tribe Deprived of Rights,” Eaglesnestcenter.org, October 21, 2010, <http://www.eaglesnestcenter.org/ENCnewsltrvol1no4.pdf> (accessed July 1, 2013).

⁷ Rob Port, “Benson County, ND Needs More Than One Polling Spot,” October 12, 2010, <http://sayanythingblog.com/entry/benson-county-nd-needs-more-than-one-polling-spot/> (accessed July 1, 2013).

⁸ Lyndon B. Johnson, *The American Promise* (speech), 1965

⁹ Andrea Smith, *Conquest: Sexual Violence and American Indian Genocide*, (Cambridge: South End Press, 2005).

their decision to Civil case 2:10-cv-00095 that there was no intentional discrimination but that it would have a dispirit impact on Native Americans¹⁰. Fortunately for tribal members, the two locations on the reservation were ordered to remain open.

Our entire Nation needs to take a look at voting procedures and locations before the next election season is upon us, and these issues need to be addressed on the Northern Plains as well. In particular, making sure that Native Americans are given every opportunity to vote in a way they are comfortable with seems like a change that is needed and should become somewhat permanent. As Andrea Smith has said:

[T]he reality is that there is no way to build a real movement for justice and peace, whether between peoples or between peoples and the land, without challenging...historical and contemporary colonialism¹¹.

While cost is a valid concern when deciding these issues, accessibility and not having a dispirit impact on any group of American citizens are ethical factors which need to be given careful attention as well.

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¹⁰ United States District Court, *MEMORANDUM OPINION & ORDER GRANTING IN PART AND DENYING IN PART MOTION FOR PRELIMINARY INJUNCTION: Civil File No. 2:10-cv-095*, October 21, 2010, <http://electionlawblog.org/archives/Spirit%20Lake%20-%20Memo%20%26%20Order%2010-21-10.pdf> (accessed July 1, 2013).

¹¹ Smith, *Conquest*, xviii.

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Legislative Travel Paid for by Lobbyists Raises Ethical Questions

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Why would an out-of-state corporation spend thousands of dollars to send a North Dakota legislator on a trip? To answer that question, one has to understand the structure and relationships between private companies and state legislators. Corporations expect a return on their investments, and when they host legislators on trips, corporations expect to get their money's worth.

I had the privilege of serving as an attorney on the staff of the North Dakota Legislative Council for 40 years, the last 25 of which I was the director of the agency. I was aware of numerous trips being taken by the people I worked for, and many times I was asked not to tell anyone. I will honor those commitments in this article—no names, no specific trips. This is just an overview of what I see as an ethical problem for the legislative branch of state government in North Dakota.

During my years as Legislative Council Director, I had the duty of providing ethics training to legislators. I used to preface my presentations by saying I often heard we have no ethics problems in North Dakota. Translation: we have no one in jail for ethics violations. Perhaps the reason we have no one in jail is because legislators write their own ethics laws and rules, and care is taken to make sure nothing is done to disturb the cozy relationship between legislators and lobbyists.

Once elected to the state legislature, a person enters a world of privilege and perks unheard of by the rest of us. Suddenly, a new legislator is invited to numerous dinners and parties. Most of these dinners and parties are open gatherings, and the media sometimes covers these occasions. There have been pictures in the paper showing a freshman legislator holding a beer in one hand and a hot dog in the other. Some people see those pictures as a problem, because someone has purchased that beer and hot dog for the legislator. To me, those kinds of dinners and parties are not cause for alarm, as the money spent per person is not large and these gatherings are open to the public. The question the media should ask is who is not at those open dinners and parties? Some legislators might make an appearance and then disappear, only to go to some lavish private dinner hosted by deep pocket lobbyists. Those private dinners, away from public scrutiny, should get our attention.

State law puts limits on how much a lobbyist can spend on a legislator on a specific occasion, and anything above that amount is supposed to be reported to the Secretary of State. Lobbyists have found a way to avoid making those reports. If a dinner or party exceeds the cost per person allowed by state law, lobbyists simply go together, so if two or more lobbyists buy a dinner, they split the cost, and no reports are made. The smart money in the lobbying business is far too sophisticated to endanger the sponsoring corporations from getting bad publicity over these matters. So, instead of buying meals for large groups of legislators in a public setting, the smart money goes to private dinners where just a few key legislators meet with corporate sponsors for special time out of public view. Likewise, trips paid for by corporations are kept out of public view.

It should be understood this article is not addressing trips paid for with public money. Legislators attend meetings of public interest groups such as the National Conference of State Legislatures (NCSL) and the Council of State Governments (CSG). Those trips are at public expense and there is full accountability. Records of those trips are open to the public. I see no problem with those trips. In fact, I think the public is well served by investing in activities that help legislators do their jobs.

My concern is with private trips paid for by people and corporations seeking favors from legislators. It should be understood that lobbyists do not directly pay for trips by legislators. That would require a full report and the public might be upset. Instead, in order to make it impossible to follow the money on trips paid for by lobbyists, corporations launder their money through innocent-sounding nonprofit entities. Ever heard of the American Legislative Exchange Council (ALEC) or the State Legislative Leaders Foundation (SLLF)? These are private groups that are not open to public scrutiny. Rather than paying for airline tickets and hotels for legislators, corporations pay their money to nonprofit entities of this kind, and the public has no way of knowing who is really paying for a trip taken by a North Dakota legislator. We never find out if our legislators' trips are paid for by specific lobbying groups that have particular interest in issues in North Dakota. We never hear with whom our legislators sat on long flights to China, India, Russia, and other distant venues, or whether those seating arrangements were prearranged as opportunities for specific lobbyists to spend valuable time with key legislators.

What, you may ask, are these corporate interests buying on those trips? The key word is access. A good lobbyist is going to know who has real power in the legislative process, and what these special interests want is to be able to pick up the phone, be on a first name basis, and ask for favors. A lobbyist for a pharmaceutical company once told me it is worth many thousands of dollars to his firm if he can keep certain bills from being introduced. If he cannot keep a bill from being introduced, think of the value of being able to make a single phone call to achieve desired results. If a phone call to a legislative leader will bring a commitment to see that certain legislation fails, think of the thousands of dollars in travel costs, not to mention valuable time, a corporation might save by not having to send its people to Bismarck.

If anything you have read in this article disturbs you, or if you think something will be done to limit these kinds of expenditures for our legislators, do not expect anything to change. A lobbyist once told me that if the name of his company ever appeared in the press regarding a scandal involving lobbying expenditures, that lobbyist would lose his budget for those expenditures. We will never see the internal communications lobbyists use to justify their budgets. As noted previously, corporations expect a return on their investments. And what better way to justify next year's lobbying budget than to show what a good return the corporation got for last year's expenditures?

Lobbyists fear scandals that might get the attention of top corporate officials or, worse, stockholders. Stockholders do not want to read in the paper that their money is being spent taking North Dakota legislators on trips. If the public, especially stockholders, knew about the trips corporations are buying for legislators, those trips would end. That is why it is so important to keep those trips out of the public eye.

With North Dakota's newfound wealth, particularly from oil, decisions made by our elected representatives are going to earn the attention of corporate interests that have

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much to gain from valuable access to the movers and shakers in the legislative process. We are talking about big money, and big money buys the access so desired by everyone who wants something from the legislature. What is so unfortunate about this picture is that the public will never know who is buying influence under current laws.

John D. Olsrud retired in 2007 after working as an attorney for the North Dakota Legislative Council for 40 years. The last 25 of those years he was director of the agency, and one of his duties was to provide ethics training for legislators and staff. Olsrud taught an online ethics course for five years as an adjunct professor at Bismarck State College, where he is now teaching political science courses. Olsrud has degrees in public administration and law from the University of North Dakota. He grew up in Beach, North Dakota, where his father was a Lutheran minister.



Dealing with Indoor Smoking and Health in North Dakota

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I am a dentist, so I am a member of the healthcare community. In my work, I have seen firsthand the devastating ramifications of tobacco use among my patients. As such, I have always counseled them to stop tobacco use for their own health. It is my professional duty as their dentist to do so.

As for the public, I do not feel it is my duty to force my ideas on tobacco use to those who do not seek me out for their oral health care needs. Much like the nation's obesity problem, I feel it is my obligation to take care of myself and my patients, but not the general population who have not sought me out for help. As much as obesity and tobacco use are certainly dangerous to our overall health, I believe each person has the right to make his or her own choices, good or bad, as long as they don't directly affect me or those I care about.

That is why I came to support and push for the indoor smoking ban in North Dakota. Smoking near me does directly affect me and my health. Although eating 12 double cheeseburgers and 6 colas, while sitting near me, is potentially dangerous and certainly unhealthy for that person, it does not directly affect my health or the health of those sitting around that person. On the other hand, smoking close to me and those around the smoker in enclosed environments does directly affect the health of those people. There are mountains of scientific evidence that second-hand smoke is very dangerous to the health of those people who are exposed to it.

My participation in the ban's political process included getting signatures for the initiated measure and enlisting the help of my colleagues in the dental profession, most of whom were very willing to support the measure for the same reasons I did. I also joined the local smoke-free coalition already in existence and helped them by writing letters to the editor and trying hard to combat some misinformation presented by those opposed to the initiated measure. As a member of the health care community, I had a voice and the knowledge to bring the scientific side of the issue to the forefront, without the extraneous input of emotion that always seems to cloud political issues.

That is why I felt strongly that North Dakota needed an indoor smoking ban, and after talking to state legislators who felt they could not vote for such a legislative bill because of the potential political backlash, worked very hard with many others to bring it to a vote of the citizens of North Dakota.

With the outcome being two to one in favor of the ban, it is obvious the populace overwhelming felt the same way. It is telling that the legislature would no longer take on this issue because they felt it "too political" when there was overwhelming public support for the indoor smoking ban as seen by the voting outcome. I would hope in the future the legislature will take on difficult issues, such as the indoor smoking ban. It seems to me that dealing with difficult, sometimes emotional but always important issues, is why we elect them to represent us. But, that is probably a discussion for another day.

Ron J. Seeley

Ron J. Seeley has been a general dentist in Williston, ND, since 1980 when he graduated from the Creighton University Dental School. Dr. Seeley is a past president of the North Dakota Dental Association and a past speaker for the North Dakota Dental Association House of Delegates. He has also served on the Joint Commission on National Dental Examinations. Dr. Seeley is the current ND Delegate to the American Dental Association House of Delegates



*An Invitation to Restorative Justice: The Canton Asylum for
Insane Indians*

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There are three pillars of restorative justice: raising awareness of the harm done, determining the obligations, and engaging together to increase our awareness and address our obligations so that we can move forward together. So, we need to know our history. Not to assign blame or guilt, but to heal our communities for seven generations forward and seven generations behind us.

The end of the 19th century was a dynamic time for the southeastern part of the Dakota Territory, and especially for the town of Canton. On December 30, 1867, Canton became the territorial seat of the Dakota Territory. The first post office and the first stores opened in 1868 to meet the needs of the settlers who were arriving by wagon train. By 1869, the area was growing faster than any other in the Dakota Territory. Just ten years later, in July 1879, Canton was connected directly by a new rail line to Chicago. Then, Augustana Academy moved its campus from Beloit, Iowa to Canton in 1884. Although its name was changed to Augustana College, the school still included the Augustana Academy for high school students. The Norwegian writer, O. E. Rølvaag, author of *Giants in the Earth*, graduated from Augustana Academy in 1901. That same year, another Augustana Academy alumnus, Ernest O. Lawrence, was born in Canton. Lawrence would later win the Nobel Prize in Physics in 1939 for creating the first nuclear cyclotron, was another of the school's students.

Canton's former mayor, a Civil War veteran named Oscar Gifford, served as the Lincoln County district attorney, and then the Dakota Territorial delegate to Congress from 1885 to 1889. Following South Dakota's admission as a state in 1889, Gifford was elected as a Representative and served in Congress until 1891. His wife was influential, too. Phoebe Fuller Gifford was able to secure funding for a Carnegie library in Canton. The 9,000 residents of Canton had many reasons to be proud.

On December 31, 1902, as the new century began, the Canton Asylum for Insane Indians – later re-named the Hiawatha Asylum for Insane Indians – opened in Canton, South Dakota. The asylum staff gathered at the train station to welcome their first patient: 33-year old Andrew Hedges from the Santee Agency in Nebraska. Canton's residents had been assured that this facility, the only asylum for insane Indians in the United States, would add to their town's stature and provide steady employment for its citizens. Over time, at least 391 Native Americans from 53 tribes would be declared insane and sent to this asylum. The actual number is unknown.

How did this insane asylum come to be in Canton? It was a solution to the "Indian Problem."

Nine days before the 1890 massacre at Wounded Knee Creek on the Pine Ridge

Agency, Frank Baum – the young editor of the *Aberdeen Saturday Pioneer*, and later the author *The Wonderful Wizard of Oz* – praised Sitting Bull and then wrote:

The Whites, by law of conquest, by justice of civilization, are masters of the American continent, and the best safety of the frontier settlements will be secured by the total annihilation of the few remaining Indians. Why not annihilation? Their glory has fled, their spirit broken, their manhood effaced; better that they die than live the miserable wretches that they are (December 20, 1890).

The Saturday following the massacre, he wrote, tongue-in-cheek:

The *Pioneer* has before declared that our only safety depends upon the total extermination of the Indians. Having wronged them for centuries, we had better, in order to protect our civilization, follow it up by one more wrong and wipe these untamed and untamable creatures from the face of the earth. In this lies future safety for our settlers and the soldiers who are under incompetent commands. Otherwise, we may expect future years to be as full of trouble with the redskins as those have been in the past (January 3, 1891).

Six and a half years later, on May 24, 1897, Indian agent Peter Couchman at the Cheyenne River Agency wrote a letter to South Dakota Senator Richard Pettigrew. Couchman complained that the South Dakota State Mental Hospital would not accept Indian patients because the U.S. Supreme Court had determined they were the responsibility of the federal government. Couchman did not want to keep locking them in the guardhouse. He proposed building a separate insane asylum for Indians.

In June 1897, Senator Pettigrew began advocating for the placement of an insane asylum for Indians in Canton. He believed insanity was on the rise among Indians. This was his primary argument to his colleagues in Washington D.C.:

It has been well established that the percentage of insanity is greater among half-breeds than among full-blooded Indians. That is explained by the theory of crossbreeding, that has a tendency to weaken the race. For this reason it is confidently expected by those who have made a study of these conditions, that the rate of insanity will greatly increase as our civilization grows.

A few months later, when the Department of the Interior asked Dr. William Godding—the superintendent of St. Elizabeth's Government Hospital for the Insane in Washington D.C.—what he thought about building a government hospital for insane Indians. Godding responded that there were only seven Indian patients at his own hospital, so he did not think there was any need for a separate institution. Godding was not alone in his opinion. Other agents, such as Captain Frank Baldwin at the Kiowa Agency in Oklahoma, reported that insanity was not common among Native Americans. This was not surprising; none of the Native American tribes in the United States had a word for “crazy.”

Debate went on for months. A number of professionals in both the Indian Service and the psychiatric community argued against the construction of a separate asylum for Native Americans. Horace Rebok, the Sac and Fox Reservation Agent, said that regulations would be needed to “vigilantly guard against the incarceration of unfortunate

Indians whose friends may attempt to get rid of them for personal reasons.” At the same time, many others saw this as an opportunity to deal with the “Indian Problem.” Native Americans who refused to give up their way of life could be labeled as “insane” and sent to the asylum. The latter group prevailed.

In 1899, Senator Pettigrew introduced legislation to appropriate federal funding for an Indian insane asylum. Through the Indian Appropriation Act, Congress voted to spend \$45,000 on this project. Of that amount, \$3,000 was designated for purchasing land, and \$42,000 was allotted for building construction. Oscar Gifford – the former Canton mayor and state Representative – arranged for the purchase of a suitable site. According to the deed on file at the Lincoln County Courthouse, on July 7, 1899, the United States of America paid \$3,000 to Charles and Ella Judd for 100 acres of land overlooking the Big Sioux River, two miles east of Canton. Gifford was one of the witnesses of record.¹

A grand, three-story brick building was constructed in 1901. A spur was added to the Canton railroad to bring the building materials out to the site. Although the west wing burned during construction in August of that year, the building was completed in September. The foundation was made of jasper granite, and the windows and doors were trimmed in white stone. The facility had 120 electric light fixtures, a radiator heating system, tiled bathrooms with flush toilets, and a modern sewage system. Hundreds of trees and bushes were planted on the grounds. In order to prevent escapes, a 7-foot high woven steel fence surrounded the property. The entry to the asylum was through two black wrought iron gates between tall brick pillars. Over the gates was a wrought iron arch with the sign, “Hiawatha Asylum for Insane Indians.”

Unlike other insane asylums in the United States, the Hiawatha Asylum had no medical staff when it opened. For the first eight years, there was no psychiatrist on staff. For the first 25 years of its 31-year existence, there were no nurses. Instead, following the boarding school model, the Hiawatha Asylum was staffed by matrons. Most of the staff was not trained in any form of patient care. In direct violation of federal regulations, the staff dealt with the inmates by shoving them, knocking them down and kicking them, by chaining or shackling them to beds and radiators, by locking them in closed rooms for months, and by confining them in straitjackets. In addition, the first asylum superintendent, former mayor and congressional representative Oscar Gifford, had no medical background whatsoever. Unlike the superintendents of other insane asylums, Gifford was not accountable to a board of directors.

Also, unlike other insane asylums, the Hiawatha Asylum had no formal commitment procedures. (In 1933, the Bureau of Indian Affairs would admit that there were no documents related to the commitment of the inmates on file in their office. This is one reason why the actual numbers of persons committed, and persons who died, are unknown.) The Commissioner of Indian Affairs simply approved the referral by a reservation’s Indian agent. Parental consent was not required for the admission of school-age children. The process was simple: If there was an available bed at the time of referral, the person was committed to the asylum. Once a person was admitted, she or he was rarely heard from again. Little or no documentation was kept regarding each inmate’s history, admission and intake, ongoing treatment, or progress. In some cases, no files were kept at all. These practices were indications that the Canton asylum’s primary

¹ Lincoln County, South Dakota, *Book 7 of Deeds*, 1899.

purpose was incarceration and assimilation, and not medical care.

In order to understand the unique mission of the Hiawatha Asylum, it is helpful to read historian Carla Joinson's description of another American insane asylum at the end of the 19th century:

The McLean Asylum for the Insane in Massachusetts was a premier establishment that catered to wealthy families who could afford to give their loved ones the best of care. Its staff administered typical therapies for the time: calomel, Epsom salts, opium products, and various purges, along with rest and recreation designed to calm patients and help them keep their minds off their troubles. Recreation could include sewing and reading, billiards, tennis, strolls through manicured gardens, carriage rides, trips into town, and art appreciation classes. But, despite its country club atmosphere, between 1888 and 1892, McLean established laboratories that combined biological chemistry, physiological psychology, and psychiatry, and were perhaps rivaled by only Professor Emil Kraepelin's laboratory in Heidelberg, Germany.²

Not surprisingly, most of the Native Americans who were sent to the Hiawatha Asylum in Canton were sent for reasons that had nothing to do with mental illness. Both men and women were sent there. Many of the adults were sent to Canton because they argued with a reservation agent. Some were sent there because they had drinking problems, and some were sent because they were horse thieves or petty criminals. At least one was sent because she had given birth to a child each year for several years; this was cited as evidence that she lacked self-control. Many were admitted because they had epilepsy or tuberculosis; still others were admitted with developmental difficulties or other disabilities. Those who had epilepsy were treated with sodium bromide or potassium bromide. The asylum inmates were kept highly medicated, and overdoses were not uncommon. The side effects of these medications included confusion, emotional instability, hallucinations, and other psychotic behavior. It is not surprising that these inmates were labeled "insane."

Sadly, most of the inmates at the Hiawatha Asylum were under 30 years old. A number of the inmates were children, including at least 7 children who were born there. The majority of the children and young adults who were sent to the asylum in Canton were sent because they had been "difficult" at boarding school. For decades, children in the government boarding schools were threatened with being "sent to Canton" if they argued with a schoolteacher or otherwise misbehaved.

That was a serious threat. Native Americans knew that incarceration at the Canton asylum was a death sentence. 90% of those who were released from the asylum were released through death. The average age of death for Hiawatha inmates was 42 years of age. Inmates with tuberculosis or syphilis were regularly left untreated. In fact, fully one-third of the 182 recorded deaths at the asylum were due to untreated tuberculosis, despite the fact that the cause and the prevention of that illness were well known at the time.

Clara Christopher lived on the farm next to the asylum. She worked at the asylum for over 20 years, beginning on the day it opened. During her tenure, she performed a variety of duties, including that of cook. In 1979, when she was 91 years old, she described the arrival of new patients to the asylum: "Some would see that sign 'asylum'

² Carla Joinson, "Canton asylum for insane Indians, South Dakota, 1902-1934", 2013, http://cantonasylumforinsaneindians.com/history_blog (accessed April 2, 2013).

and it hurt 'em; some were heartbroken. I always felt for em. I felt for them as I would anyone. I could never stand to see them someplace and hold my ears so I couldn't hear 'em. Sometimes, you know, out on the reservation they had something against an Indian, and he was vicious or something like that, and they'd scribe 'insane.'”

Early in 1903, a few months after the asylum's opening, six Native Americans were transferred by train from the Government Hospital for the Insane (St. Elizabeth's Hospital) in Washington, D.C. to the Hiawatha Asylum in Canton. Among them was 21-year old Robert Brings Plenty from the Pine Ridge Agency in South Dakota. One night, five months later, this partially paralyzed inmate had an epileptic seizure and died. He was the first inmate to die at the new asylum. When the Pine Ridge reservation agent failed to request the return of Brings Plenty's body, a section of the asylum property located on a hill, out of sight of the asylum building, was set aside for a cemetery. Robert Brings Plenty, like all of the inmates who were buried there, was buried with an Episcopal ceremony. When the subject of marking the graves was broached, Gifford was told by the Indian Service in Washington D.C. that stone grave markers would be prohibitively expensive, so funds would not be provided. To this day, all but two of the 121 known graves in the asylum cemetery remain unmarked. A plot map was kept on the wall of the Superintendent's office to record the burials.

One year later, Gifford hired a general practitioner, Dr. John Turner, to be his assistant superintendent. However, for the remaining seven years of his tenure, Gifford overruled Turner's medical decisions. Gifford's lay opinions regarding the inmates were allowed to stand as fact, because the government inspectors who came to visit the asylum were not trained in psychiatry. During their inspections, the inspectors concentrated on the condition of the physical buildings and the farming operation rather than the condition of the inmates.

Although the inspectors turned a blind eye to what was going on at the asylum, there were plenty of problems. In 1906, when Lizzie Vipont became pregnant, Dr. Turner filed a complaint with Charles Dixon, the supervisor of Indian Schools. Turner's complaint resulted in the asylum's first major inspection by an outside agency.

There was a second investigation in April 1908, after the Canton residents who served on the asylum staff complained to Washington about the problems they were having with Superintendent Gifford. A few months later, Dr. Turner filed another complaint when an autopsy showed that an inmate died because Gifford had refused to allow Turner to operate and remove the inmate's gallstones. Senators and representatives from South Dakota tried to protect Gifford in Washington D.C. However, by the summer of 1908, Francis Leupp, the federal commissioner of Indian Affairs, had the support of Secretary of the Interior James Garfield, and he forced Gifford to resign.

In October 1908, Superintendent Gifford was replaced by psychiatrist Harry Hummer. A few months after Hummer arrived, thirteen employees threatened to resign. They reported that Hummer was mistreating both inmates and staff. They complained to Washington D.C., describing how Hummer withheld food and clothing, and locked inmates up for lengthy periods of time. According to her granddaughter, Emma Gregory was one of the inmates mentioned in the reports. Anne Gregory described how her grandmother spent nearly a decade being strapped to her bed for days at a time, in a room without any windows. She had been sent to the asylum because she had a “nervous breakdown” and wasn't able to care for her son after her two daughters died of diphtheria

and her husband left to go fight in the Spanish-American War. Gregory died in the asylum in 1912.

Charles Davis was the federal investigator assigned to review the situation. He reported that Hummer was “temperamentally unsuited for his position.” Davis also wrote, “In view of the facts developed through my investigation, there is nothing left but to recommend another man be placed in charge of the asylum.” However, no improvements were made. Instead, Hummer fired a number of the disgruntled employees and others resigned. A few months later, Dr. Turner also resigned.

The physician who replaced him as Assistant Superintendent, Dr. Hardin, also resigned after a few months. In addition to his report that Hummer used obscene language, Hardin complained that the asylum was overcrowded, the patients were denied clothing and food, they were kept in unsanitary conditions, the roof leaked, the sewer system didn’t work, the emergency doors and windows were locked, and the fire extinguishers were empty. After Hardin resigned, Hummer never employed another assistant superintendent or physician. Because Hummer served primarily in an administrative capacity, as he himself admitted, for the next 17 years there would be only minimal medical care for the inmates until the first nurse was hired in 1927. Like other medical staff before her, she raised concerns about Hummer’s policies. She didn’t last long on Hummer’s staff.

Ironically, during this time, Hummer received Congressional approval to build a hospital on the asylum grounds. The new building was completed in 1917. For the next 16 years, it was primarily used as inmate housing, instead of its intended use as a hospital. The operating room contained only two washbowls and a slop sink; it was not equipped for medical procedures. The only room used for medical purposes in the hospital was the first-floor drug room. The hospital’s hydrotherapy room was used to store coal, and the solarium that had been designed for the treatment of tuberculosis was not used for that purpose. In fact, inmates with diseases such as tuberculosis and syphilis were not treated at all, and there were no sanitary practices in place to protect the other inmates.

Over the years, Hummer continued to build. In 1915, before the hospital was completed, he spent \$4,000 for the construction of a Craftsman-style home for himself and his family. He arranged for a dairy and a barn to be built in 1917. A steel tank and water tower were completed in 1918. Then, late in 1926, Hummer bought the Christopher family’s 277-acre farm and extended the asylum’s land holdings.

To their credit, the Canton residents who worked as asylum staff continued to file complaints against Superintendent Hummer. They were overworked and underpaid. Both the patients and the staff were starving because Hummer allowed his wife to take much of the asylum’s food rations for their own family. There were many reports of sexual harassment and other forms of physical and emotional abuse. Each time a complaint was filed, Hummer was quietly cleared of the charges. Staff turnover at the asylum was high.

In the 1920s, the asylum admitted several Native Americans who had been “code talkers” during World War I. Among them were privates, corporals, and sergeants. Some of these veterans died at the asylum and are buried in the unmarked graves in the asylum cemetery. Others were later transferred to St. Elizabeth’s in Washington, D.C. after the Canton asylum closed.

By 1921, at least 260 Native Americans from 53 tribes had been admitted to the

asylum. Of those, 58 had been diagnosed with epilepsy. In addition, there had been at least 115 deaths and 8 escapes since the asylum's opening. Most of the deaths were due to tuberculosis and pneumonia.

In 1922, twelve of the inmates were children and teenagers. Three of them were younger than 10 years old. According to asylum records, in 1924, more than half of the 78 inmates were under 30 years old. Eleven were teenagers, and four were under 6 years old. In addition, records show that, over the years, at least seven babies were born at the asylum. Most of the babies born in the asylum died soon after. There are no records to indicate how many pregnancies occurred, or how often sexual abuse resulted in rape.

The first major investigation of the asylum under Hummer's leadership was led by George Vaux in 1923. Vaux was the chair of the Indian Commissioners. When he arrived at the asylum, he was appalled by the inadequate level of care the inmates received and by the lack of appropriate medical equipment. In his report, Vaux recommended a renovation of the facilities and an investment in better equipment. He wrote: "We are dealing with human beings, not with fads and fancies."

Congress ordered a second investigation of Hummer and the asylum in 1925. When Commissioner Charles Burke inspected the asylum during that investigation, he reported a number of concerns. He was disturbed to discover an inmate walking around naked. He found another inmate chained to his bed. Only one attendant was on hand to supervise more than 90 patients. Burke's report included the recommendation that Hummer to hire more staff, and funding was allocated for their wages. Hummer refused to comply. In the meantime, Hummer was pressuring the House Committee on Appropriations in Washington D.C. to allow him to buy the Christopher's acreage adjacent to the asylum to use for farming.

Problems at the asylum continued. In 1926, the asylum employees filed another set of complaints against Hummer. As a result of these new complaints and the four prior investigations, the Hiawatha asylum became one of the sites reviewed by the federal Meriam Commission.

The Meriam Commission was authorized by the Institute for Government Research and funded by the Rockefeller Foundation. Its mission was to assess the Department of Interior's implementation of the 1887 Dawes' Act, and the overall conditions on reservations and in boarding schools. The report concluded that the death rate was high and diseases were widespread at these sites. Staff, equipment, management, and design were characterized as "lacking." According to the report, "the most important single item affecting health is probably the food supply." Another major concern was the lack of knowledge of the Indian languages by healthcare providers. How could providers accurately diagnose or treat patients if they did not know the person's language?

The investigator sent to Canton, Dr. Herbert Edwards, was the Medical Field Secretary of the National Tuberculosis Association. Edwards quickly discovered that the inmates' records were seriously deficient. There was little or no documentation regarding the inmates' admissions to the facility, and little documentation regarding their treatment or their progress. Many inmates showed no signs of the symptoms of the diagnoses they were supposed to have.

In his report on the asylum, Edwards wrote:

As stated previously adults and children are housed in the same quarters; only the more violent cases are segregated in single rooms. Cases of tuberculosis were reported in the

hospital building, but no precautions were being taken to protect the other patients from them, nor were their dishes sterilized. . . .

It was impossible to study the diet served patients, as no file of menus was available. . . . Proper facilities, such as tables in ward dining rooms, and personnel to supervise the patients at their meals, were lacking. Several patients were eating from the floor. . . .

Since the personnel in attendance is untrained and limited in number, the patients receive but a minimum of care. The first trained nurse for this institution was engaged in April, 1927. She received her training at St. Elizabeth's Hospital in Washington, D.C., and appeared to be very capable but bewildered at the responsibilities thrust upon her. . . . Clinical records of cases in this institution are inadequate. It was impossible to obtain a complete picture of the case[s] from the available notes. . . .

One case in particular was studied; a young boy sent there from Arizona. The facts in the case as presented in clinical notes and correspondence would indicate that the reservation superintendent was determined to have this boy hospitalized, despite the fact that the superintendent of the hospital reported repeatedly that he was not a case for this institution, as he had been unable, after several months of observation to determine any sufficient cause for hospitalization. At the time of the survey visit, correspondence was still in progress between the two superintendents and the Indian Office. It seemed obvious, however, that the agency superintendent was determined to be rid of this boy. This conclusion was strengthened after comparing notes with a member of the survey staff who had studied the facts of the case on the reservation from which the boy came. He was subsequently sent home.

When the Meriam Report, also known as *The Problem of Indian Administration*, was published in 1928, it was so disturbing that Charles Burke, the Commissioner of Indian Affairs, called for a special investigation of the Hiawatha Asylum. Dr. Samuel Silk from St. Elizabeth's Hospital was sent to Canton to conduct a more thorough review in March 1929.

Meanwhile, in Canton, Hummer refused to cooperate when the newly hired head nurse, Grace Fillius, spoke up about changes that needed to be made at the asylum. He decided to get rid of Fillius. So, Hummer asked four business colleagues from Canton to investigate her. Not surprisingly, Hummer's friends decided this experienced nurse should be terminated immediately. When Dr. Silk reviewed the situation, he determined that Fillius was good at her job, and that Hummer was relying on gossip from subordinate employees in an attempt to get rid of her. However, Silk deferred to the other inspector on site, Dr. Krulisch. Krulisch concluded that either Hummer or Fillius would have to leave because the situation was unresolvable. At that point, Fillius resigned. With Nurse Fillius out of the way, Hummer began to destroy the reputation of the second nurse on staff, Doretta Koepp. She, too, was abruptly fired. Hummer terminated two additional employees, Lewis Larson and Robert Stengle, because they failed to support him in his bid to get rid of the two nurses. The asylum was already understaffed; with these departures the staffing level became dangerously low.³

During his 1929 investigation, Dr. Silk quickly discovered that, despite plenty of light fixtures, the asylum was kept in darkness because Hummer refused to spend money on electricity. Silk reported that the food served was barely edible; he said it was of such

³ Samuel Silk, *Canton Indian Insane Asylum Report of Survey*, (South Dakota State Historical Society, April 13, 1929).

poor quality that it was not even suitable for animals. In addition, although there were plenty of toilets, the inmates were not allowed to use them. Instead, the inmates were confined in rooms or chained to their beds and forced to use the overflowing chamber pots under their beds. The bathrooms were used as storage rooms. And, because every window in the place was locked and barred to prevent escapes, it was impossible for fresh air to circulate in the building. The asylum was intolerably fetid.⁴

When he explored the asylum, Dr. Silk discovered that a number of the children had been admitted without their parents' consent. In one room, he met a 10-year-old boy who had been confined in a straitjacket because he kept tearing off the clothes he had been assigned on his arrival at the asylum. Although the boy was somewhat unkempt, and tended to drool, there didn't seem to be any reason to isolate and restrain the child. Silk began his series of interviews at the Hiawatha asylum with this boy. This first interview was the one that eventually brought about the final closure of the asylum.⁵

Dr. Silk also discovered that most of the inmates were inadequately clothed. Many were chained to heating pipes and radiators. One girl who had been chained to a radiator had epilepsy. Silk reported that it was a "miracle" that she had not been burned. A paraplegic girl was forced to sleep half-naked in a locked bathroom. He found sane people who had been chained in their rooms for as long as three years. Many were gagged. Some had been handcuffed and shackled for so long that the keys to their fetters had been lost. Some were tied to their beds. He came upon one man gagged and confined in a locked room. He found a woman lying in her bed in piles of feces infested with maggots. He discovered that many inmates had treatable diseases – tuberculosis, epilepsy, syphilis, flu – but they had not been tested or treated, and precautionary measures to protect other inmates had not been taken. Instead, these inmates were slowly and painfully dying from their conditions.⁶

In his report, Dr. Silk noted that the inmates received "the poorest kind of medical care" and they were kept in conditions "very much below the standard of a modern prison." He declared the asylum to be "intolerable," and he described it as a place of "padlocks and chamber pots."⁷

Dr. Silk cited Dr. Hummer for his failure to treat the inmates, and for his failure to keep records. The latter was especially important because over half of the deaths at the asylum were due to tuberculosis. Silk recommended many changes, including a "complete reorganization" of medical care at the site, and the hiring of an assistant physician.⁸ Hummer excused the conditions at the asylum by complaining about the inadequate funds provided by the federal government. Although Hummer said he was forced to operate the asylum on a "shoestring," he actually returned thousands of dollars of his annual allocation for the asylum to Washington each year to demonstrate his frugality. Hummer also blamed the inability to care for the inmates on the lack of trained staff available in the Canton area. Finally, he excused the lack of medical care for the inmates by stating that administrative duties had taken all of his time.

In light of Dr. Hummer's excuses, Silk recommended that the facility be closed,

⁴ Silk, *Report of Survey*, 1929.

⁵ Ibid.

⁶ Ibid.

⁷ Silk, *Report of Survey*, 1929.

⁸ Ibid.

the healthy inmates sent home, and those who were genuinely in need of care be transferred to St. Elizabeth's Hospital in Washington D.C.⁹

In Washington, Dr. Silk's report raised great concern about conditions at the Hiawatha Asylum in Canton. The Secretary of the Interior, Ray Wilbur, immediately authorized the termination and replacement of Dr. Hummer, the closing of the asylum, and "the transfer of the Indians to state institutions." Unfortunately, these measures were not enacted because there were not enough places immediately available to send the inmates, and because members of Congress intervened. The objection of Michigan's Representative, Louis Cramton, played a part in this. Cramton publicly praised the asylum, basing his lavish support for the place on the glowing report done by Hummer's cronies to justify the termination of Nurse Fillius. Cramton hadn't read Silk's report. As a result of Cramton's support and Congress' intervention, Hummer continued as Superintendent.

By 1929, Canton had become a popular tourist destination. There were two main attractions. One of these was the "world's finest ski hill" – a 275' tall ski jump located across the road from the asylum. Skiers could cover a distance of one eighth of a mile at speeds up to 100 miles per hour. For years, national and international ski champions joined thousands of tourists at the annual Sioux Valley Ski Tournament at that site. The National Tournament in 1932 drew a crowd of nearly 20,000 people.

The second attraction in Canton was the Hiawatha Asylum for Insane Indians, billed as the only institution of its kind in the world. With the support of the Canton Chamber of Commerce, Hummer opened the asylum to the public on weekends. The Chamber advertised in newspapers as far away as Minneapolis and St. Louis, inviting vacationers to "come and see the crazy Indians." The asylum became a popular money-maker for both Hummer and for the city of Canton. Commemorative spoons, plates, tea cups, postcards, and pillowcases were available for tourists to purchase as souvenirs of their visit.

Julian Holter and Charles and Manfred Hill grew up in the Canton area, and they remember going to the asylum. Holter went there to sing with a quartet from the Augustana Academy in 1933. The Hill boys went to the same country school as the children of the asylum staff, so they went to the asylum to play with their friends on Saturdays. The boys were accompanied by their parents, their grandmother, and their uncle on these Saturday visits, although they are not sure why their adult relatives went to the asylum. The Hill brothers described the asylum as a "beautiful building." They said they would enter the property through the wrought iron gates on Highway 18, and then walk past the pump house (the site of the current golf course club house), and up to the main building.¹⁰

They recalled going into the asylum on Saturdays and walking through the "women's room." Manfred Hill remembered seeing "women sitting in a circle on the floor of the room with their backs against the wall." There wasn't any furniture; there didn't seem to be anything in the rooms except people. The brothers both remembered seeing one woman, every Saturday, who would sit and wiggle her finger in her ear without stopping. They also recognized a Native woman named Waubay. They said she

⁹ Ibid.

¹⁰ Manfred Hill, Charles Hill, and Julian Holter, *Oral history: A conversation about Hiawatha Indian Asylum in Canton, SD*, July 26, 2013.

would chase their uncle and yell, “Men! Men! Men!” They reported that Waubay also loved to dance. The two boys also got to know Willie Dayae. Sometimes, they said, they were able to talk with him when he was out working out in the fields. Although the brothers were on the asylum grounds every weekend, they didn’t know about the inmates’ cemetery until they were adults.¹¹

In the Department of the Interior, there was still great concern about the inadequate care being provided for the 92 inmates at Canton, and the deplorable state of the asylum. There were a number of on-site inspections in 1931 and 1932. John Holst wrote in August 1932: “A heterogeneous number of human derelicts are herded in and practically forgotten. One can easily imagine a comparison with a leper colony.” In October of that year, after a visit to the asylum, Charles Lowndes of the Board of Indian Commissioners reported that the place was a “necessary evil.”

In April 1933, John Collier was named Commissioner of Indian Affairs. Three months later, the wife of Cletto Tafoya, an asylum inmate from the Santa Clara Pueblo, begged him to investigate the condition of her husband. At that point, Collier read Dr. Silk’s report and then Mr. Lowndes’ report. Disturbed by what he read, Collier traveled to Canton to make an investigation himself. What he found troubled him deeply. Cletto Tafoya was not mentally ill at all. At that point, Collier became firm in his resolve to close the asylum, citing its inhumane conditions. In his report he wrote, “The institution was so outrageously cruel and injurious that we would deserve to be blown out of the water if we continued it.” He described conditions at the asylum as “reminiscent of the terrible indictments Charles Dickens leveled against English poorhouses and schools.” He challenged the Indian Service, stating that the practice of keeping Native Americans in a separate facility with inadequate care had the effect of “denying [them] even the minimal scientific treatment to which they are entitled.”

Mr. Collier moved quickly. By August 4, 1933, Collier had arranged for funding to enlarge St. Elizabeth’s Hospital to provide room for Hiawatha inmates who were, indeed, mentally ill. He consulted with the Department of the Interior on the legality of transferring the inmates to Washington D.C., and discovered there were other cases that could serve as precedents in this matter. On August 31st, Collier sent Dr. Silk to Canton to begin arrangements for the transfer of Hiawatha inmates to St. Elizabeth’s. Silk’s assignment at that time was to determine each person’s actual diagnosis and their present condition, and then determine who would need continuing care in Washington D.C. and who could return to their reservations.

During his 21-day visit, Dr. Silk discovered that only 25-30 of the 90 inmates had mental illness of any kind. Like Mr. Collier, he noted that the Canton asylum housed a large population of normal young people. He learned they had been sent to Hiawatha because of “some difficulty at a school or reservation agency – a fight with a white man, or a fight with a husband or wife.” Some were there for refusing to give up their cultural beliefs and practices. Two-thirds of the inmates had been there for more than 5 years, and one had been at the asylum for over 24 years. Silk asked Hummer about other adult inmates who clearly were not mentally ill. Hummer explained they were confined to the asylum because they were “below normal” and, by the standards of the day, they had to be sterilized before they could be released. Because no one on staff knew how to perform

¹¹ Ibid.

sterilization procedures, he said, none of the inmates could be discharged.¹²

Silk was deeply troubled. He raised these questions in his *Report of Patient Transfers*: Should the inmates of the asylum “be judged by the standards of the upper class of cultured white people? Is it fair to keep them at Canton because some minor difficulty landed them there, while hundreds of thousands of others whose mental level is no higher are permitted to be outside?”¹³

By now, it was the middle of the Depression, and the loss of the Hiawatha Asylum would mean a loss of jobs for the area. In September 1933, the president of Canton’s Chamber of Commerce urged the president of the U.S. Chamber of Commerce to argue the city’s case to Secretary of the Interior Harold Ickes. South Dakota Senators Peter Norbeck and William Bulow, as well as Representative Fred Hildebrandt and others, also contacted Ickes. They argued that the asylum must be kept open because it was necessary to Canton’s economic interests. Then a group of Canton residents sent Judge Ray Daugherty and G. J. Moen to Washington D.C. to meet with Collier and try to convince him the city would suffer a financial blow if the asylum was closed. Collier listened. In the end, he only agreed to defer the closure. He summarized his views in a letter to Moen. When the two men returned home, Hummer helped draft the Canton rebuttal. Moen then filed an injunction in federal court against the closure, arguing that the move would prevent inmates from being visited by their families and friends. The irony of this claim was not lost on the investigators who had interviewed the staff and inmates. Distance and shame had prevented most families from visiting their relatives. Worse, for decades, Hummer had repeatedly denied the few requests he did receive from family members to visit their relatives at the asylum; he steadfastly claimed that such visits would prevent an inmate’s recovery.

On October 5, 1933 Collier charged Hummer with malfeasance, misfeasance, and poor medical administration. The charges were based on Silk’s 1929 and 1933 investigative reports. Collier also charged Hummer with incarcerating sane Indians. Hummer was allowed to respond, but his response was determined to be inadequate.

The October 14, 1933 press release announcing Hummer’s departure stated: “A score of perfectly sane Indians are being confined in an institution in Canton, South Dakota as a result of the greed and selfish inhumanity of certain interests there.” The tone of the release was intentionally harsh in order to prevent the business interests in Canton from convincing Congress to support them in their quest to keep the asylum open.

Articles appeared in papers across the country. *The New York Times* ran a lead article titled, “Sane Indians Held in Dakota Asylum: Patients Kept Shackled” (October 14, 1933). That paper described the conditions under which the Indians were “imprisoned” as “sickening and intolerable.” The article picked up the points in the press release comparing the conditions at the asylum to the English poorhouses reviled in the novels of Charles Dickens. The article also noted that yet another report about the conditions at the asylum had been filed with Secretary of the Interior Harold Ickes.¹⁴

At the same time, some Canton residents came up with another plan. They approached Native Americans on the Rosebud reservation and asked them to sign a petition to keep the Hiawatha asylum open. This was the first time many of the Lakota on

¹² Samuel Silk, *Report on patient transfers: Asylum for Insane Indians, Canton, SD*, (October 3, 1933).

¹³ *Ibid.*

¹⁴ “Sane Indians Held in Dakota Asylum: Patients Kept Shackled”, *The New York Times*, October 14, 1933.

the Rosebud had heard of the insane asylum. 6,000 Native Americans gathered on that reservation to sign the petition to halt the departure of the asylum's inmates. Then they sent representatives to Canton and reported that they hoped to have 30,000 signatures from tribes across the United States before the petition went to Washington D.C.

On October 16, 1933, Ickes fired Hummer from his position as superintendent of the Hiawatha Asylum. Superintendent James Balmer from Pipestone, Minnesota was ordered to Canton to handle the asylum's financial matters, and Dr. L. Culp was assigned to handle administration and medical matters. Hummer had managed to outlast five commissioners before Collier and Ickes terminated his employment.

Later that week, on October 20th, the injunction filed by the Canton residents was heard in federal court. In December, the court dismissed the matter. In its decision, the court made it clear that Indian patients did not have to be treated at the Hiawatha Asylum in Canton. This removed the final hurdle for the transfer of patients from Canton to Washington, D.C.

On Wednesday, December 20, 1933, 71 patients from the Hiawatha Indian Insane Asylum were transferred to St. Elizabeth's Hospital in Washington, D.C. Two patients were seriously ill, and stayed at the asylum until they were healthier and strong enough to make the trip. Sixteen others, who were not mentally ill, returned to their reservations. Collier directed the reservation superintendents to provide housing and other assistance for them on their arrival. Sadly, at that time, one woman's body was returned to her reservation. She had been among the inmates scheduled to be released, but she died on December 19th of tuberculosis.

According to the plot map on Hummer's office wall, received at the National Archives in Washington, D.C., on February 23, 1934, the graves in the asylum cemetery were "marked" and the cemetery was fenced on February 17, 1934. Hummer attached a schedule to the plot map noting, "Schedule attached showing names, home address, ages, and tribes, with date of death of all bodies buried." He added, "No. 12, in Tier 5 contains bodies of mother and baby." Except for the grave of one man in tier 6 (a women's tier), men and women were buried in separate tiers (rows). There are two plots for which he reported, "No Number on plot, but bodies buried there." It is believed those two graves contain the bodies of Big John and Alex Kennedy. Another typed note on the plot map indicates, "Where no number are (sic) shown, no bodies have been buried." At the bottom of the map, the outside measurements of the cemetery are listed. According to Hummer, the graveyard was "about 100 x 150 feet."¹⁵

After the Hiawatha Asylum for Insane Indians was finally closed in early 1934, the few existent medical records were sent to the National Archives in Washington D.C. where they were sealed for 75 years, until 2009. The asylum building itself remained empty for a few months. Then, it was used for a short time by the State of South Dakota as an extension of the penitentiary for first-time offenders. After that, for nearly a decade, the property was leased to a local farmer. Virgil Swanson rented the buildings and the farm for \$800/year. The Hill brothers stated that he used the main building as a granary. He stored grain in the Superintendent's office, delivering it into the building through the windows. Swanson also kept hogs in the asylum basement so they could keep cool during

¹⁵ Harry Hummer, *Plot of Canton Indian Asylum Cemetery*, (Washington, D.C.: National Archives, February 17, 1934).

the summer months.¹⁶

In 1946, the land was deeded – not sold – to the City of Canton by the federal government. According to the quitclaim deed on file at the Lincoln County Courthouse, on August 12, 1946, Congress passed “An Act providing for the conveyance to the city of Canton, South Dakota, of the Canton Insane Asylum, located in Lincoln County, South Dakota.” On October 17th and 28th of that year, the deed was signed in Washington, D.C. According to the Act and the deed, the land is “to be used for park, recreation, airport, or other public purposes.” The deed clearly states that, if the deeded land is used for any other purpose, “the title thereto will revert to the United States.” The deed was filed with Lincoln County on December 4, 1946. A filing fee of \$1.80 was duly noted on the deed by Andrew Sorteberg, the Register of Deeds.¹⁷ Although the land was deeded – as is the usual practice when quitclaim deeds are used – the City of Canton’s website notes that, at that time, the people of Canton referred to the transfer of property as the “second Manhattan purchase.”¹⁸

A golf course was built on the asylum property, and it opened later that year. The course was built in such a way that the 4th and 5th fairways surround the asylum cemetery.

The following year, in 1947, the Board of the Augustana Academy in Canton had the opportunity to purchase the buildings. The Board purchased the main asylum building and the hospital for \$1000 each. According to Julian Holter, who was on the Board at the time, the Board recouped their purchase costs by selling the hospital building to the local hospital association. Eventually, the Board decided to raze the main asylum building. The stones were used to create an foundation “about 8 feet high” for a new three-story dormitory for girls on the southeast corner of the Academy campus adjoining the old main building. Holter recalls crawling on the roof, loosening the slate roof shingles, and then sliding them down a chute so that they wouldn’t break. The shingles were re-used on the new girls’ dormitory.¹⁹

It has been reported that, when the asylum building was torn down, military medals that had belonged to the inmates were found among the ruins. Apparently, there was also a bin of staff records and other papers that were destroyed as part of the demolition. Among these was a daily record book that Manfred Hill’s father took out and kept. Although he isn’t sure where that book is at this time, Hill remembers reading a little bit about Waubay in it. As far as is currently known, the rest of the asylum’s papers found on site at that time were destroyed.²⁰

Soon after the asylum hospital building was purchased, extensive renovations began. In 1949, the newly refurbished facility was opened as the Canton-Inwood Hospital. However, by 1975, that building had become unsound. It was dismantled, and a new hospital was built on the site. The hospital that now stands on the asylum hospital site is known as the Sanford Hospital Canton-Inwood.

The superintendent's Craftsman-style residence was moved to Newton Hills State Park where it continues to be used as a lodge. Dr. Hummer, in the meantime, had moved

¹⁶ Hill, Hill, and Holter, *Oral History*, 2013.

¹⁷ Lincoln County, South Dakota, *Book 53 of Deeds*, 1946.

¹⁸ “City of Canton: Gateway to South Dakota”, <http://www.cantonsd.org> (accessed April 2, 2013).

¹⁹ Hill, Hill, and Holter, *Oral History*, 2013.

²⁰ *Ibid.*

to Sioux Falls when he was terminated and gone into private practice. He died in 1957; he was 79 years old.²¹

Only two barns, a hog shed, and the cemetery were left standing on the property as reminders of the Hiawatha Asylum. The original black wrought iron gates and arch were taken down. When the gates were discovered at the landfill in Inwood, Iowa, they were returned to the hospital grounds with the hope that they might be reattached to the original brick pillars. To date, the arched sign, "Hiawatha Asylum for Insane Indians," has not been located. The asylum property eventually became home to Sanford Hospital Canton-Inwood, Three Rivers Gun Club, the 4-H Fairground, and the Hiawatha Country Club and Golf Course.

Over time, the graves in the asylum cemetery began to cave in. When Lloyd Collier became the City of Canton's golf course superintendent in the 1980s, he addressed the problem. He noted, "I thought I was going to break an axle on the tractor when I filled them in and smoothed them over. It had been neglected for too long." Collier planted trees along the fairway to try to keep the golf balls out of the cemetery, and he let golfers know that the area was out of bounds. He welcomed Native Americans who wanted to visit the graves of their family members.

Harold Iron Shield, a Lakota journalist and chairperson of the University of South Dakota Reconciliation Committee, began researching the Hiawatha Asylum in 1986. Two years later, in 1988, he led the first memorial ceremony at the asylum cemetery to honor those who had died in that place. Iron Shield was joined by others who were interested in this chapter of American history. Together, they formed the Native American Reburial Restoration Committee. Eventually, after speaking with elders from the tribes whose members are buried at the site, Iron Shield learned that many of the tribes believed any attempt to move the graves would disrupt the spiritual journeys of the people buried there. At that point, a decision was made to place a split rail fence around the cemetery, and signs were posted asking golfers not to play the game from within the cemetery if a ball landed within the perimeter of the fence.

With assistance from the South Dakota State Historical Society/State Historic Preservation Office, Iron Shield was able to convince the City of Canton to support the nomination of the asylum cemetery to the National Register of Historic Places. In February 1998, the National Park Service added the cemetery of the Hiawatha Asylum for Insane Indians to the National Register of Historic Places.

After Harold Iron Shield died in February 2008, memorial services were not held at the asylum cemetery until 2011. That year, on Mothers' Day, Lavanah Judah of the Yankton Sioux (Dakota) reinstated the annual ceremony and feast to honor those who died at the Hiawatha asylum.

Faith O'Neill came to that ceremony from California. She is the granddaughter of Elizabeth Faribault (also known as Elizabeth Fe Alexis) and Willie Dayae. Both of her grandparents were inmates at the asylum.

Elizabeth Faribault had been sent to the Hiawatha asylum by the Sisseton Agency in 1915, when she was 22 years old. Because agents responded differently to the requirements for admission, a full referral was not sent with the request her admission. Instead, a note was sent stating that she was homicidal. When more information was requested, the response from Sisseton was simply, "Doctor confirmed." Fairbault was

²¹ "Dr. Hummer, psychiatrist, 79, dies after long illness", *Sioux Falls Argus Leader*, August 30, 1957.

admitted on that evidence. From the time she arrived, Faribault continually advocated for her own release. One evening, in January 1920, she walked away from the asylum. Several days later, she was found twenty miles away in Alvord, Iowa and forcibly returned. She escaped again in September 1921 by jumping through a window screen on the asylum's sun porch. This time she was captured before she could escape from the asylum grounds. Despite these failed attempts, Faribault persisted in trying to get released. She learned to read and write. She wrote to the Indian Commissioner in Washington, D.C. to plead her case. Fifty of her friends and relatives at the Sisseton agency sent a petition for her release, all to no avail. Instead, her release came on March 2, 1928, when she reportedly died of "heart failure," although there are no records showing she ever exhibited any symptoms of that disease. Faribault was only 35 years old.

However, before Elizabeth Faribault died, she developed a relationship with Willie Dayae, a Navajo/Diné who had been sent to the asylum by the Southern Navajo Agency. Faribault and Dayae often met privately in the asylum laundry room. Their daughter, Winona, was born in the asylum on September 28, 1926. Hummer used her prior requests for release and the birth of "Baby Faribault" as evidence to justify keeping Faribault at the asylum indefinitely. Elizabeth Faribault died there when her daughter was just 18 months old.

When O'Neill learned that Manfred Hill was also at the 2011 ceremony at the cemetery, and that he had been present when the asylum closed, she arranged to spend half a day with him. Hill said she told him how cruel Dr. Hummer had been to her grandmother. She also told him Hummer kept Winona Faribault at the asylum for over 2 years after her mother's death, until she was nearly 4 years old. He wanted to see if she would prove his theory that mental illness was genetic. By the time she was 9 months old, Hummer had diagnosed "Baby Faribault" as an "imbecile." However, by 1930, it was clear that "Baby Faribault" was developing normally and she was quite sane. In order to avoid investigation, Hummer arranged to send her to the Good Shepherd Mission orphanage in Fort Defiance, Arizona, even though her mother was from the Sisseton Agency in South Dakota. On August 7, 1930, Clara Christopher accompanied the little girl on the long trip to the orphanage. Apparently, Winona Faribault led a difficult life. O'Neill told Hill that her mother, Winona Faribault, died at age 39 due to complications related to alcohol.

Manfred Hill told O'Neill that he knew Dayae. He described Dayae as "about 40 years old," and as "a real nice fellow" who "took time to talk to us kids." According to Hill, Dayae was the lead farmer at the asylum, and he cared for the farm equipment. Hill said he and his brother had been told Dayae was sent to Canton because he killed his brother. O'Neill told Hill she had heard Dayae was drunk at the time.²²

Silk determined in 1933 that Dayae was not mentally ill, just as he had claimed all along.²³ As a result, the plan was to send Dayae back to the Navajo Reservation. During his conversation with O'Neill, Manfred Hill described how Dayae left the asylum. Hill and his brother, Charles, had been practicing for the Christmas program at the Lutheran Church in Canton. When they left the church at 8:00 in the evening, they saw "great big red lights" and a train sitting on the tracks. Hill reported, "I got to say goodbye to Willie

²² Hill, Hill, and Holter, *Oral History*, 2013.

²³ Silk, *Report on patient transfers*, 1933.

Dayae.” According to Hill, as the Native American came out to the train, he told the two boys, “I’m not going to go. I’m going to jump.” However, Hill remembers seeing bars on all the windows and doors of the train cars, as if it was a prison train, so he didn’t think Willie was able to jump and get away.²⁴

In 2012, after a 20-year effort, a group led by Robert and Mia Fisher convinced the City of Canton and the Lincoln County Commissioners to participate with them in funding a South Dakota Historical Marker to mark the site of the Hiawatha Asylum for Insane Indians. The historical marker was placed on Highway 18 to document this sad chapter of American history

Although the original plan was to include the information in both English and Dakota, there was room to tell the story in only one language. The text on the marker reads:

Hiawatha Asylum for Insane Indians.

Receiving Congressional appropriations in 1899, the Hiawatha Asylum for Insane Indians was the second federal mental hospital and the first dedicated to American Indians. The first patient arrived in 1902, and through 1934, more than 370 patients –ages two to eighty, from fifty tribes nationwide – lived here. Patients did domestic and agricultural work onsite, were occasionally shown to paying visitors, and underwent treatment with methods later deemed outdated and dehumanizing. From 1929 to 1933, federal inspectors found intolerable conditions, inadequate staffing, several sane patients kept by force, and numerous other abuses. In 1933, John Collier, the newly appointed Commissioner of Indian Affairs, ordered the asylum closed. G. J. Moen, with the Canton Chamber of Commerce, filed an injunction to keep the asylum open, but it was overturned in federal court. Many patients were discharged and those who still needed care were sent to St. Elizabeth’s Hospital, Washington, D.C. The major buildings used by the asylum have since been demolished. The Hiawatha Asylum cemetery, where at least 121 patients were buried in unmarked graves, is located between the 4th and 5th fairways of the Hiawatha Golf Club. In 1998, the cemetery was listed in the National Register of Historic Places.”

Among the records that have been released is the asylum superintendent’s 1934 cemetery map. It shows the graves of 121 Native Americans from 48 of the 53 tribal groups incarcerated at the Hiawatha Asylum. All but two of these inmates are buried in unmarked graves. There is concern, based on other records that have recently come to light, that even more people may be buried on the property. What is known at this time is that at least 182 people died while they were inmates at the asylum.²⁵

Most recently, in late 2012, Michelle Anderson, Donna Dexter, Jerry Fogg, Bill Bird, George Eagleman, Andrea Osthus, and representatives from the City of Canton and the Hiawatha Golf Course began meeting as the Hiawatha Indian Insane Asylum Action Committee to consider how to preserve the history, restore the cemetery, and educate others about the Hiawatha Asylum. To date, nearly 20 Native and non-Native people from the area have joined this group, including Canton resident Ross Lothrop who is currently serving as the group’s facilitator, Beth Langton of the Canton Area Historical Society, and Anne Dilenschneider of Sioux Falls, who has a background in restorative

²⁴ Hill, Hill, and Holter, *Oral History*, 2013.

²⁵ Hummer, *Plot of Cemetery*, 1934.

justice. At this point in time, their work includes: interviewing elderly Canton residents who have memories of the asylum; collaborating with Native and non-Native historians across the country who are researching the history of the asylum, including the stories of each of its inmates; sharing this chapter of American history at conferences; identifying the inmates who were WWI code-talkers in order to honor them on Veteran's Day; connecting with the 53 tribes whose members were incarcerated at the site; and conferring with tribal representatives and the City of Canton in an effort to make the memorial site a place of respect and education so that the past is not repeated. As surviving witness Julian Holter has said, the history of the Hiawatha Asylum is important, "because it is a guide to the future too. If we don't know where we've been how can we know where we're going?"²⁶ For this reason, the committee members have committed to doing their work together in a context of restorative justice, and to honoring the Native values of prayer, respect, compassion, honesty, generosity, humility, and wisdom.

There are three pillars of restorative justice: raising awareness of the harm done, determining the obligations, and engaging together to increase our awareness and address our obligations so that we can move forward together. So we need to know our history. Not to assign blame or guilt, but to heal our communities for seven generations forward and seven generations behind us. *Mitakuye oyasin*. We are all related.

The Names of the 121 People Known to Be Buried In The Hiawatha Asylum Cemetery (in the order they died)

Brings Plenty, Robert
Greenwood, Peter
Chu-E-Rah-Rah-He-Kah, Kitty
Tatsup, Fred
Standing Bear, Edith
Ridley, Sylvia
Big Day
Hon-Sah-Sah-Kah
Trucha
Toby (Koz-He-La)
LeCount (LaCount), Minnie
Reed, Lucy
Fairchild, Mary
Hayes, Jacob (Satsch)
Brown, Charlie
Nadesooda
Toistoto
Casildo, Juanita
Long Time Owl Woman
Chief Crow, James
Yells At Night
House, Ollie
Asal, Tchee

²⁶ Hill, Hill, and Holter, *Oral History*, 2013.

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Short, Alice
Woodruff, John
Battise, George
E-Nas-Pah
E-Nas-Pah, Ruth
Gingras, Baptiste
Lone War, Thomas
Sloan, Agnes
Hawk, Silas
E-We-Jar
Kay-Gway-Dah-Se-Gaik
Red Cloud
Howling Wolf
Chee
Gregory, Emma
May-Go-Wun-E-Be-Quay
Antone
Kay-Zhe-Ah-Bow
Wolf Arch
Kay-Ke-Gay-Aush-Eak (Martha Smith)
Starr, Frank
Taylor, Joseph
Clafflin, Charles
Hall, John
Blue Sky (Mrs. Carlos)
Deere, Amos
Ne-Bow-O-Sah
Chasing Bear, Thomas
McIntosh, Louise (Porter)
Burch, Jane
Dan-Ach-Onginiwa
Bigmane, Joseph
Dasia (Pidajoltaha)
Snow, Maggie
Marie, Lupe
Walkkas
Vipont, Lizzie
Pierre, Mary
Simons, Steve
Two Crows, James/John
Chewie, Nancy
Chief On Top, Ruth
Charging Eagle, Frederick
Dancer, Andrew
Buck, Mary G.
Miranda, Apolonia

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Miller, Harry
Iron, Herbert
Collins, Fred
Coal-Of-Fire, John
Comes-At-Night, Cecile
Marshall, John D.
George, Willie
Hathorn, James
Hedges, Edward
Gristeau, Ira
Magpie, Maud
Omudis
Crow Neck, Guy
Big John
Poke-Ah-Doo-Ah
Sits In It
Kennedy, Alex
Brown Ears, Amos
Crow Lightning, James
Wells, Josephine
Blair, Andrew Bray
Pejihutaskana, Josephine
Caldwell, Delores
Masten, John
Red Crow
Blackeye, James
Seabolt, , Sallie
Pilon, Celina
Mecham, Abraham
Kayso
DeCoteau, Josephine
Moore, Aloysius
Hallock, Jessie
Floodwood, Tom
Pancho, Marie
Two Teeth (Mrs.)
Black Bull, James
Juan, Benito
Wauketch, Seymour
Lucas, Anselmo
Francisco, Chico
Wolfe, Roy
Snowboy, Ebe
Smith, Matt
Kiger, No Walk
Two Teeth

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Bah, Mary
Beel, Pugay
Houle, Cynthia (Cynia)
Drag Toes
Conley, Herbert
Root, Jack

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Additional information was gained through:

Personal communication with Susan Burch, former Director of the Center for the Comparative Study of Race and Ethnicity and a professor of American Studies at Middlebury College in Vermont on May 19, 2013 and August 26, 2013. Dr. Burch has spent time in South Dakota and is writing a community history of the asylum. She has obtained 4,000 documents from the National Archives in Washington, D.C. She is also working closely with Ojibwe historian, Kay Davis, who is researching the story of each of the Canton

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Asylum inmates.

Personal communication with Kay Davis, Ojibwe historian, on May 19, 2013.

Personal communications throughout 2013 with Jerry Fogg, Yankton Sioux (Dakota), the use of his ledger transcription of the plot map for the Hiawatha Asylum cemetery.

Personal communication with Anne Gregory, granddaughter of Emma Gregory, on May 19, 2013.

Personal communications throughout 2013 with Manfred Hill, Canton resident and witness.

Personal communications throughout 2013 with the members of the Hiawatha Indian Insane Asylum Action Committee, especially Michelle Anderson, Donna Dexter, Jerry Fogg, and Kelly Eilers.

Anne Dilenschneider is a Clinician and Professor at Sioux Falls Psychological Services. With the Hiawatha Indian Insane Asylum Action Committee, she and Beth Langton of the Canton Historical Society are working on finding descendants of the staff who, for decades, courageously filed complaints about how inmates were treated. Dilenschneider and Langton want to write about the staff's heroism and what caused them to take this stand for the Native inmates many people saw as less than human.



Writing the Prairie: Can you really do that here?

Taylor Brorby

Holden Village, near Chelan, Washington

For the past several years I have been practicing sentences. Yes, practicing; that's what writers do. Writers often go back in their memories to mine from experience and help shape their perceptions of the present and the future, and in my recent mining I have been thinking about writing and North Dakota.

North Dakota's landscape is wide and expansive, it is not too hard to imagine that, in some particular - or maybe peculiar - way, it contains the entirety of creation. Think about it: The Red River Valley reminds me of what the earth might have looked like after the great flood Noah experienced; the Badlands hold not only the mystique of the American West, but also dinosaurs; the Missouri River has a rich history of buffalo, bear, indigenous culture, along with The Corps of Discovery; Lake Metigoshe, with its meandering lakefront, allows the mind to contemplate the beauty of birchbark trees in autumn. North Dakota has such wonderful names for its geography, like the Turtle Mountains, Bullion Butte, and the Petrified Forest. Even human-made features such as Fort Ransom, Peacock Alley, and Stanley, North Dakota's Whirl-A-Whip are unique. In any of these topics there is room for a story to let loose.

In the words of the 17th century writer and angler, Izaak Walton, the writer must study to be quiet. He (and I use this gender pronoun only because I am a male-writer) must quiet his mind in order to listen to his imagination. Annie Dillard, in her 1989 essay "Write Till You Drop," gave this sound advice about writers: "She is careful of what she reads, for that is what she will write. She is careful of what she learns, because that is what she will know."

So what have many North Dakota writers learned and come to know? To succeed in being a writer they must leave. Louis L'Amour settled in Los Angeles; Rich Karlgaard lives in the San Francisco Bay area; Maxwell Anderson lived in Palo Alto before retiring to the East Coast; Eric Sevareid died in Washington, D.C.; James M. McPherson lives in Princeton, New Jersey; Chuck Klosterman, who writes a weekly ethics column for the New York Times, lives in New York City. Louise Erdrich, winner of this year's National Book Award, and her sister, Heid Erdrich, both live in Minneapolis. Those who are young and are ambitious to write learn early to get out.

But there must be something else. After all, two famous North Dakota writers (who are not read in North Dakota schools) have resided in the state. Kristjan Niels Julius, the famous Icelander who lived in Thingvalla Township, and Larry Woiwode, recipient of numerous awards and accolades, who has been the state's Poet Laureate since 1995 lives a few miles from Mott.

Could the literature about North Dakota be the reason so many writers leave or never come to live in North Dakota? Maybe, but I think not. Yes, Debra Marquart's well-written memoir, *The Horizontal World: Growing up Wild in the Middle of Nowhere*, paints North Dakota as a place where, as soon as you can drive, you should get the hell

out; and Ole Rolvaag's *Giants in the Earth* does not necessarily paint a lovely scene about life on the prairie.

In contrast to these two books there are so many moving--and exciting--books that come out of this wind-blown, prairie landscape: Chuck Klosterman's *Fargo Rock City* (which is actually about growing up in Wyndmere) helps to define what Metal meant for a generation; Kathleen Norris's *Dakota* examines the religious life lead on the prairie and what the Benedictine tradition inspires her to contemplate; Eric Sevareid's incredible *Canoeing with the Cree* documents the difficulties in paddling from Minneapolis to the Hudson Bay, much of it taking place along the Red River; if that isn't enough, almost the entirety of Louise Erdrich's moving and complex body of work takes place in North Dakota. There is much written about the Peace Garden State.

I am not convinced, though, that all is at peace with the thought of having writers in North Dakota. Writers are dissenters and dissidents; that is, they probe and poke, examine and question, beleaguer and assault received wisdom, values, and assumptions. Writers help hold mirrors to our flaws and foibles. This does not sit well with those of us who have insecurities.

And oddities do not warrant defensiveness. I think it is odd that where I live (in Minnesota) we have a Spam history museum, or that the town of Aitkin has a fish house parade, or that Luverne has the Tiny Church, which sits four people. Those things are odd, aren't they? But in Minnesota I am also able to write about them, point out how odd they in fact are, and I am -- usually - able to get people to agree and laugh about these funny things.

North Dakota has some oddities, too - the series of largest animals, including Salem Sue, the Holstein cow in New Salem; the world's largest buffalo is in Jamestown; Turtle Lake has Rusty the turtle, and Steele has Sandy, the world's largest sandhill crane. And there are things such as the Enchanted Highway, or towns like Gladstone, which can be nicknamed "Happyrock" or "Joyouspebble", and the rumors (for better or worse) like, It is illegal to lie down and fall asleep with your shoes on (I should be in jail for that one) or It is unlawful to serve beer and pretzels at the same time in any bar or restaurant - these could lend themselves well to some humorous writing.

But writing is not always humorous, and that is part of my worry about living and writing in North Dakota. Writing that is good, writing that can be funny, deep, complex, and insightful, should be unsettling. And writers are also unsettling. It is true that it is often hard to see the work that a writer is doing, much of it happens in solitude or in his head. And in a harsh landscape that prides itself on hard labor, this might be suspicious. Writers are forced by nature and the constrictions of their vocation to read, to think deeply, and to practice sentences. This is hard work. Try it. Yes, bringing in the fall beet harvest is difficult, and so is raising cattle, and so is working in the Baaken oil fields. But so is writing a well-turned sentence.

In his insightful essay, "On Apprenticeship," Bill Roorbach tells of a common experience for most writers:

At a Christmas gathering back home in the flatlands of Connecticut I got stuck at a house party talking to a real estate sales wizard and her husband, who was a banker. Nice folks. She had read my book, a memoir called *Summers with Juliet*...which chronicles eight summers spent traveling with my now wife, the painter Juliet Karelsen. He had not read

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the book, even grinned admitting he hadn't actually read a whole book since college. maybe not even in college, ha ha.

And she said, "We could have written that book."

"Yes!" he cried. "All the adventures we've had!"

"And a long courtship, too," she said.

He said, "Always wanted to take off a month and write the darn thing!" He really said this. A pleasant banker who hadn't (sic) read a book maybe ever.

"This is before we settled down," she said.

"Rent a little cabin, write the darn thing," he said dreamily.

I smiled, said nothing. I'm not entirely churlish and I know people say dumb things sometimes. I do have a sense of humor. And I have had such conversations before...

A doctor at a conference in Montana (and a doctor at Stonecoast Writers Conference here in Maine and a doctor at Steamboat Springs and a doctor at every conference I've ever braved teaching) strode up to me during cocktails and announced that - now that she was established as a surgeon (in fact, perhaps a little bored with it by now, the glamour having worn off) - yes, now that she had control of her time, she was going to take six months off and write her story. Mine had inspired her, she said.

I said I was pleased to be an inspiration. I wished her luck. Then there was a pause. The rattling of ice cubes. I knew how wise it would be to keep silent, but I gulped my drink anyway and said, "You know, you've inspired me! I'm going to take six months off and become a surgeon! Perhaps a brain surgeon like you, since I admire you, and since neurology seems most up my alley--after all, I work with my brain practically every day! Yes! That's it! Now that I'm established as a writer, I think I'll just take six months off and heal a few brain wounds!"¹

I share this story because I think it gets at something in the North Dakota mentality. Those of us who have had the benefit of growing up in a state known for its safety, wide-open landscapes, and friendly residents also wrestle with its consistency. Good, hard, manual labor has been here from the state's incorporation into the Union. Those of us who have done well both in and outside of the state have succeeded due to the principles and education we received in North Dakota. The state has the ability to create one of the most incredible creative writing programs in the country due to its excess funds from the Bakken oil boom. Why not? Places just as rural, such as Iowa and Montana have the good benefit of two of the most highly esteemed writing programs in the country. And what about writing colonies and writers' retreats? Jentel Artist Residency Program is housed 20 miles outside of Sheridan, Wyoming, and just eleven miles to the east, UCross holds its own residency. Minnesota has numerous opportunities for writers, including the Lanesboro artist residency, the Anderson Center in Red Wing, and The Loft Literary Center, one of the nation's leading literary arts centers.

North Dakota has no such opportunities.

Consistency is one North Dakota value: the harvest can always be counted on occurring; children roll back into their school schedules come August; Bismarck, Fargo, and Grand Forks might get a new restaurant that is the talk of the town for the next few months. But, as Emerson pointed out, "With consistency a great soul has simply nothing to do."² However, I'm still not convinced there is nothing to do in North Dakota. Maybe

¹ Roorbach, Bill. "On Apprenticeship." *Poets & Writers*, May/June 1995.

² Emerson, Ralph Waldo. "Self Reliance". New York: Barnes and Noble Classics, 2004.

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it is how we have come to view the state with the well-worn idea that the cold weather keeps the riffraff out - I say let the riffraff in, embrace it, and welcome it with local arms; after all, artists are an interesting type of riffraff.

One thing North Dakota can pride itself on is its ability to inspire stories. Before visiting our home on Lake Sakakawea, my college friends had never seen fields of sunflowers before. They scrunched their faces against the windows just to be closer to those amazing, yellow giants. The floods, the settlers, the dinosaurs, Ellendale's opera house, and Casselton's Can Pile all provide plenty of writing material and the foundation for a good story.

The writer-farmer William Kittredge helps us get at it in a different way:

We live in stories. What we are is stories. We do things because of what is called character, and our character is formed by the stories we learn to live in. Late in the night we listen to our own breathing in the dark and rework our stories. We do it again the next morning, and all day long, before the looking glass of ourselves, reinventing reasons for our lives. Other than such storytelling there is no reason to things.³

So what are the stories we are telling? Do they only include farming as a job or do they help us see how imaginative and creative farming is? Can we share stories that help others see how beautiful a sunset in the Badlands might be? Did anyone ever hear the story about Aunt Lizzy and the time the boat motor gave out on Lake Sakakawea?

Here is my question for you: Are you putting pen to paper? Because, after all, writing is more than a hobby - like farming, it is a way of life. We need curious people to observe their surroundings, collect and share stories, and, at the start of the day, go into their writing room and sit with themselves and say, "God, it's good to be a writer in North Dakota."

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Taylor's work is forthcoming from Augsburg Fortress and On Second Thought, and has appeared on Minnesota Public Radio, numerous newspapers, and The Huffington Post, where he writes on education. Taylor is an essayist and environmentalist, and he writes book reviews for The Englewood Review of Books.

³ Kittredge, William. "Doing Good Work Together." <http://public.wsu.edu/~hughesc/kittredge.htm> (accessed September 14, 2013).