

UNIVERSITY OF WISCONSIN-EAU CLAIRE

LOST BONES: THE ARCHAEOLOGY OF RICE LAKE

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ABSTRACT

This paper summarizes the history of two major Indian burial mound groups in the City of Rice Lake in Barron County, Wisconsin. These mound groups are: The Rice Lake Mound Group, of which a few remaining mounds are preserved within a city park, and the Cyrus Thomas Mound Group, remnants of which lay across the lake to the northeast in the Hiawatha Park area. The archaeological culture responsible for the city's mounds is also discussed. Finally, this paper examines recent regulatory changes to the Native American Graves Protection and Repatriation Act of 1990 and the impact these changes may have on human remain and artifact collections from Rice Lake. The author finds that the history Rice Lake's mounds has been – and continues to be – a microcosm of an important part of United States history.

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*The Red Man came – The Roaming hunter – the tribes war-like and fierce,
And the mound builders vanished from the earth.*

– William Cullen Bryant, from “Pre-Historic Race”

*And soon the spade and mattock must
Invade the sleeper’s buried dust
And bare their bones to sacrilegious eyes,
And send them forth some joke collector’s prize.*

– Charles A. Jones, from “The Old Mound”

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AUTHOR'S NOTE

Although protected by stiff penalties under federal and state laws, many burial mounds remain vulnerable to looting and vandalism. The author asks readers to respect these burial sites, leave archaeological work to trained professionals, and report vandalism or attempted vandalism of burial sites to local authorities.

Introduction

In mid-2010, the City of Rice Lake's plans to expand a north-side cemetery came to a screeching halt. The area had already been used as a burial ground. A local engineering firm found Indian burial mounds adjacent to the proposed cemetery grounds, as annotated on a 1950s plat map.¹ Further research by Cynthia Stiles, the archaeologist hired to investigate matters further, revealed that in 1931 a county land surveyor had reported the presence of "seven or nine round and oval mounds" on the proposed cemetery grounds.² According to this surveyor, there had once been "some twenty mounds in this group" before the land was farmed over.³ Moreover, an aerial photograph from 1939 clearly showed the ground soil to be discolored in more than a dozen spots.⁴ Were these spots the remains of vanished burial mounds? More importantly, were there still intact Indian burials on the property?

Since Indian graves in Wisconsin, regardless of age, are now afforded the same protection as non-Indian graves, further investigation was required before the city could proceed with its plans.⁵ Initial shovel tests revealed almost nothing, but probing continued into the next year.⁶ The proposed cemetery grounds had been the site of intense crop cultivation for more than a century and although any visible trace of the mounds had long since disappeared, the

1. Cynthia M. Stiles, "Proposed Cemetery Expansion Project City of Rice Lake, Barron County, Wisconsin," September 2010, 1.

2. Ibid.

3. Ibid.

4. Ibid., 2, 9.

5. In Wisconsin, Indian gravesites – even those on private land – are protected under state law. Burial sites on federal land are protected under federal law. See: *Burial Sites Preservation Law*, Wis. Stats. 157.70 (1987); *Native American Graves Protection and Repatriation Act*, Public L. No. 101-601, 25 U.S.C. 3001 (1990).

6. Shovel testing refers to the standard practice of digging small test pits, usually with a shovel, to determine whether there are cultural remains within the soil that are not visible on the surface. See: Stiles, "Proposed Cemetery Expansion Project," 1.

possibility remained that plowing activity had scattered bones and artifacts over the entire site, or that undisturbed burials still remained in the project area.⁷

In 2011, after the proper permit was obtained, increment scraping of the project area was performed, each pass removing two or three inches of soil.⁸ To the surprise of many, almost nothing was found. Several pieces of bone were recovered, but these were either determined to be animal or were so badly eroded as to preclude proper identification.⁹ Only a few small artifacts were recovered.¹⁰

Where had all the burials gone? A close study of soil profiles revealed something of their fate: “Plow scars were evident as deep as 18 inches below ground surface,” Stiles reported, “and some of the scars were present in a criss-cross manner indicating repeated deep plowing in both north-south and east-west directions.”¹¹ Whatever had once remained of the mounds, it now seems, had been pulverized, chewed up and strewn across the entire field by a century’s-worth of farming. And the areas of discolored soil? These, it turned out, were not the remains of burial mounds at all. Rather, Stiles concluded, “most ... were burned out tree stumps or decomposed roots left from early twentieth century field clearing.”¹²

Because no intact human burials were found, Stiles recommended the city proceed to use the site as previously planned.¹³ Still, she cautioned that “it is possible that deeply buried site deposits or human burial sites may still exist undiscovered below the ground surface.”¹⁴ As of mid-November 2011, the city has not formerly announced whether it will continue with its

7. Ibid.

8. Cynthia M. Stiles, “Increment Scraping within Proposed Nora Cemetery Expansion Project City of Rice Lake, Barron County, Wisconsin”, Report of Archaeological Investigations in Relation to 47 BN 104/47 BBN 104, August 2011, 3.

9. Ibid., 3-4.

10. Ibid., 4.

11. Ibid., 3.

12. Ibid. 4.

13. Ibid. 5.

14. Ibid.

cemetery expansion project. Informally, however, city officials have acknowledged this is still the plan.¹⁵

And so another chapter in the long history of Rice Lake's burial mounds has been written. Before their removal in the nineteenth century, Rice Lake had been the home of Indian peoples for at least several hundred years before the arrival of white Euro-Americans. Even today, the most visible legacy of this former occupation is the many burial mounds scattered across the region. In fact, Rice Lake and neighboring Chetek once boasted some of the largest concentrations of mounds in northwestern Wisconsin. A survey done by an archaeologist in the 1930s indicated there had been at least 87 mounds in the Rice Lake alone.¹⁶

The exact original number of mounds at Rice Lake will likely never be known, as many disappeared before their existence could be recorded. In 1864, Knapp, Stout & Co. dammed the Red Cedar River to ensure adequate water levels for log-floating even in times of drought.¹⁷ The ensuing floodwaters behind the dam transformed "a series of rice pools and rush swamps" into the large body of water it is today.¹⁸ The floodwaters all but snuffed out the wild rice paddies on which the local Ojibwe Indians relied on for subsistence, nearly touching off war. According to later accounts, Knapp, Stout & Co. avoided conflict by providing the Ojibwe with large quantities of barreled pork and flour.¹⁹ In addition to killing off a major food source for local Indians, the floodwaters also submerged an unknown number of mounds.²⁰

15. Ronn Kopp, telephone conversation with author, November 4, 2011; Curtis Snyder, telephone conversation with author, November 16, 2011.

16. Leland R. Cooper, "The Red Cedar River Variant of the Wisconsin Hopewell Culture," *Bulletin of the Milwaukee Public Museum* 16, no. 2 (December 1933): 54.

17. James Bracklin, "James Bracklin's Account of an Occurrence in 1864," *The Wisconsin Magazine of History* 3, no. 1 (September 1919): 44.

18. Gordon S. Newton, ed., *History of Barron County, Wisconsin*, (Minneapolis: H.C. Cooper, Jr., & Co., 1922): 1058.

19. "Indians and Logging Camps," *Rice Lake Chronotype*, January 18, 1928.

20. Ibid.

Today, few of Rice Lake's original mounds remain. Most of those that were not immediately submerged or washed away were eventually ploughed over by farmers, leveled in advance of city expansion, used as fill soil for various projects, or unceremoniously gutted by tourists and treasure hunters. This destruction was part of larger pattern of land development that ultimately claimed upwards of 80 percent of Wisconsin's mounds.²¹

Until now, Rice Lake's mounds have received little historical interpretation. Several mounds are preserved within a city park, but there is a striking lack of historical information available about them. A park sign declares the mounds to be "pre-Columbian" but elaborates no further. There are no other historical plaques or signs anywhere. Historical literature on the mounds is similarly lacking. Some of the city's mounds were excavated by archaeologists, but reports from these excavations – to the extent they were ever written – only ever achieved a limited circulation. These are not easily accessible to the general public and generally lack much-needed modern interpretation. This paper, therefore, aims to fill a void in the local history of Rice Lake.

Artifacts and human remains taken from Rice Lake's mounds are now curated by the Smithsonian Institution, the Milwaukee Public Museum and the Wisconsin Historical Society.²² These items were collected from Rice Lake in a time before state and federal laws prohibited their removal. Until recently, these items seemed destined to stay within the possession of the scientific community.

21. Robert A. Birmingham and Leslie E. Eisenberg, *Indian Mounds of Wisconsin* (Madison, Wis: University of Wisconsin Press, 2000), 3.

22. National Park Service, "Culturally Unidentifiable Native American Inventory Database: Wisconsin," National NAGPRA Online Databases, http://grants.cr.nps.gov/CUI/generate_State_report.cfm (accessed July 31, 2011); *Catalog of Specimens 1882-87*, MS 7118, Vol. 4, pp. 10-13, National Anthropological Archives, Smithsonian Institution, Suitland, MD.

In 1990, the Native American Graves Protection and Repatriation Act (NAGPRA) was signed into law.²³ Among other things, this law affects all federally-funded museums and agencies and mandates that human remains and funerary artifacts that can be affiliated with a modern Indian tribe or Native Hawaiian organization be repatriated upon request.²⁴ Only a small number of such collections ever been reburied, however. Rather, the vast majority of these items have been labeled “culturally unidentifiable” – a classification given to given items that cannot be affiliated with an existing tribe based on a preponderance of evidence. In the past, such a classification all but ensured these collections would remain in the custody of the scientific community.

Recent changes to federal legislation, however, may have a profound effect on the final disposition of thousands of Indian remains, including those taken from Rice Lake. Indeed, in the not-so-distant future, many bones from Rice Lake may be returned to the earth. This paper will explore the archaeological history of Rice Lake, the identity of the city’s mound builders, and effects of current legislation on museum collections from the area. The author’s research shows that the archaeological history Rice Lake has been – and continues to be – a microcosm of an important part of United States history.

23. *Native American Graves Protection and Repatriation Act*, Public L. No. 101-601, 25 U.S.C. 3001 (1990).

24. *Ibid.*

Skull Hunting in Wisconsin: 1885

In the September of 1885 an unusual visitor arrived at Rice Lake. His name was James D. Middleton, and he had arrived to dig up the dead.²⁵ Middleton, an employee of the Smithsonian Institution, arrived in the city a few weeks after the harvest and just as many farmers were nearly finished with their fall tilling. An Indian summer swept the land and an autumn bouquet bloomed in the slanting daylight. The weather was fine for now, but in the coming weeks the first frosts would arrive and woodpiles would begin to shrink. For Middleton, there was little time to waste.

At the time, Rice Lake was a quiet but growing community that had received its start less than two decades earlier as a logging camp of the Knapp, Stout & Co. lumber company. The town would not incorporate for another two years and Rice Lake had little else to differentiate it from a myriad of other lumber towns across the state – except, of course, that it had dozens of old Indian burial mounds.

Middleton's arrival in Rice Lake was part of a sweeping effort by the Smithsonian Institution in Washington, D.C., to survey and study mounds all across the country. In 1879 the Smithsonian had created the Bureau of Ethnology (later renamed the Bureau of *American* Ethnology) for ethnological research related to the American Indian. The Smithsonian appointed John W. Powell, a well-known geologist, explorer and Civil War veteran, as head of the new bureau.²⁶ In 1882, in response to a bequest by Congress, Powell created a subdivision of the BAE known as the Division of Mound Exploration for the express purpose of mound research.²⁷

25. "What We See, Hear and Find Out," *Barron County Chronotype*, October 8, 1885.

26. Robert Silverberg, *Mound Builders of Ancient America: The Archaeology of a Myth* (Greenwich, Conn: New York Graphic Society, 1968), 171.

27. Silverberg, 166-174.

This division was in turn headed by Cyrus Thomas, an entomologist and botanist from southern Illinois.²⁸

The Mound division was charged with opening as many mounds as possible, recording their contents and gathering bones and artifacts for later study, all in the hopes of discovering who had built the thousands of mounds scattered across the nation. The single question to be addressed here was whether the mound builders and the American Indian were of separate “races.”²⁹ Beginning in the late eighteenth century and continuing well into the late nineteenth century, a popular myth prevailed in the minds of many.³⁰ This myth held that at some point in the distant past, North America had been inhabited by a noble and enlightened race of mound builders – a “Lost Race.” What culture had this Lost Race stemmed from? The list was exhaustive and included the Canaanites, Carthaginians, Chinese, Egyptians, Greeks Israelites, Malays, Scots, Welsh, Vikings and people from the continent of India.³¹ Although culturally advanced, the myth held, these people had ultimately been annihilated by the aggressive, warring Indian who then assumed their territory.

The Lost Race myth came at a very convenient – but not incidental – time for the United States. The myth’s reign coincided with a string of wars and battles fought between the U.S. government and various Indian nations that were quickly being crowded off the continent. As Robert Silverberg noted in *Mound Builders of Ancient America*:

... As this century-long campaign of genocide proceeded, it may have been expedient to conjure up a previous race whom the Indians had displaced in the same way. Conscience might ache a bit over the uprooting of the Indians, but not if it could be shown that the Indians, far from being long-established settlers in the land, were themselves mere intruders who had wantonly shattered the glorious Mound Builder civilization of old.

28. Ibid., 173.

29. Ibid., 203-204.

30. Ibid. 25-96.

31. Ibid., 26, 32, 51-52, 71, 74, 83-84.

What had been a simple war of conquest against the Indians now could be construed as a war of vengeance on behalf of the great and martyred ancient culture.³²

The mound builder myth coincided with another popular myth – that of the “Vanishing Red Man.” Indians had no place in the modern world, popular society reasoned, and nothing could be done to prevent the inevitable destruction of their cultures. This belief was used as justification for relocating Indians to reservations and also to obtain skeletons and body parts for study. In an 1868 order, the U.S. Surgeon General requested that medical officers collect “a sufficiently large series of adult crania of the principal Indian tribes to furnish accurate average measurements.”³³ As a result, thousands of skulls were collected from mounds, battlefields and cemeteries.³⁴ Thus, the nineteenth century was marked not only by the collecting of the mythic mound builders – the bodies of modern Indians were fair game as well.

Born in Pennsylvania in 1855, Middleton was one of two division field agents (the other being John W. Emmert, another full-time assistant) who worked in Wisconsin in the summer of 1885 and one of six agents in the whole division. In 1885, Emmert and Middleton’s work was mostly confined to the southwestern part of the state. Here Emmert studied effigy mounds – that is, earthworks constructed in the shape of mammals and birds – and Middleton investigated conical burial mounds, such those found at Rice Lake.³⁵

32. Silverberg, 57-58.

33. D.S. Lamb, *A History of the United States Army Medical Museum 1862 to 1917 compiled from the Official Records*, National Museum of Health and Medicine, Armed Forces Institute of Pathology, Washington, DC., 51.

34. Walter R. Echo-Hawk and Jack F. Trope, “The Native American Graves Protection Act Background and Legislative History,” in *Repatriation Reader: Who Owns American Indian Remains?* ed. Devon Abbott Mihesuah (Lincoln: University of Nebraska Press, 2000), 126.

35. Tenth Census of the United States, 1880, Illinois, Jackson County; Twelfth Census of the United States, 1900, Minnesota, Cass County; Smithsonian Institution, *Seventh Annual Report of the Bureau of Ethnology to the Secretary of the Smithsonian Institution, 1885-’86*, John W. Powell (Washington, DC: Government Printing Office, 1891), xvii – xviii; Smithsonian Institution, *Eighth Annual Report of the Bureau of Ethnology to the Secretary of the Smithsonian Institution, 1886-’87*, John W. Powell (Washington, DC: Government Printing Office, 1891), xx.

Even by Middleton's early arrival in Rice Lake, the mounds here were far from undisturbed archaeological specimens. "Quite a number of them have been opened by some of the citizens of this village, and visitors," wrote Middleton.³⁶ One of these early explorations was later recalled by Ed Field, a long-time resident of the Rice Lake and chronicler of the early lumber days of the city. In 1882, Field, then seven years old, assisted his older brother, his father and another man known to history only as Dr. Farness in burrowing into three of the largest mounds near the west bank of Rice Lake.³⁷ Field recalled finding "arrowheads, knives and a 'hardened copper hatchet'," the latter object still having remnants of a leather sheath affixed to the blade.³⁸ Field stated he thought these relics were later donated to the Wisconsin Historical Society, although he said he was never able to verify this.³⁹

Rice Lake had occasionally attracted the interest of outsiders too. Such was the case of John A. Rice, a physician from Merton, Wisconsin, a community in the extreme southeastern part of the state. Rice was greatly interested in archaeology and spent decades exhuming burials across the state and other parts of the country. He also won some notoriety as an expert witness in the 1881-82 trial of Charles Guiteau, the assassin of President James Garfield.⁴⁰ By 1880, Rice had "thoroughly examined a large number of the many mounds in the vicinity of Rice, Long, and

36. James D. Middleton to Cyrus Thomas, Sept. 21, 1885, Box 7, Folder "Wisconsin – Middleton," Division of Mounds Exploration Records, 1881-1889, MS 2400, National Anthropological Archives, Museum Support Center, Suitland, MD.

37. Ed Field to Anonymous, March 24, 1955, Edward Field Papers, Stout Area Research Center, University Library, University of Wisconsin-Stout, Menominee, WI.

38. Ibid.

39. Ibid.

40. Geo A. West, "The Indian Authorship of Wisconsin Antiquities," *The Wisconsin Archeologist*, o.s., 6, no. 4 (October to December 1907): 216; John Clark Ridpath, *The Life and Trial of Guiteau the Assassin*, (Cincinnati: Jones Brothers & Company 1882), 56; Hugo Philler, "In Memoriam: Dr. John A. Rice," *The Wisconsin Medical Journal* (September 1906): 191-193.

Chetek lakes, opening a large number of them and examining a vast number of skeletons”⁴¹

To his dismay, however, Rice reported he “was unable to obtain a single perfect skull or anything else for that matter of an interest.”⁴²

Despite all this destruction and looting, Rice Lake evidently still had enough undisturbed burial mounds for study. Middleton surveyed and excavated two mound groups: One on the western shore of the lake and another on the opposite side of the lake to the northeast on a peninsula formed by the west bank of the Red Cedar River and the east bank of the lake itself. In the final version of Middleton’s report, those mounds on the west side of the lake were referred to simply as the “Rice Lake Mounds.”⁴³ Those on the east side went unnamed but later became known as the Cyrus Thomas Mound Group. It is not entirely clear how this latter place name was achieved. Although Thomas is known to have been in Wisconsin in the summer of 1885, the *Barron County Chronotype* does not mention his presence in Rice Lake, and there is no other evidence suggesting he ever visited the city.⁴⁴

According to Thomas, mound division field assistants were to be meticulous in their note taking. For each mound excavated they were to record, “the character and thickness of the strata, the exact positions of the skeletons and relics found in it, and all of the items deemed interesting or important”⁴⁵ Still, one cannot read Middleton’s report, not published until 1894, without being struck by the astonishing absence of cultural material. Middleton opened 20 burial mounds and encountered the remains of at least 85 human skeletons yet reported finding only two tubular

41. John A. Rice to James D. Butler, November 22, 1880, Charles E. Brown Papers, Box 16, Folder “Barron County, 1876-1929,” Wisconsin Historical Society, Madison, WI [Hereafter cited as Brown Papers]; 1880 United States Federal Census, Wisconsin State, Waukesha, Merton County.

42. John A. Rice to James D. Butler, November 22, 1880, Brown Papers.

43. Smithsonian Institution, *Twelfth Annual Report of the Bureau of Ethnology to the Secretary of the Smithsonian Institution 1890-’91*, John W. Powell (Government Printing Office, Washing, D.C., 1894): 94.

44. Smithsonian Institution, *Eighth Annual Report*, xvii.

45. Smithsonian Institution, *Work in Mound Exploration of the Bureau of Ethnology, Bulletin 4*, Cyrus Thomas (Washington, DC: Government Printing Office, 1887): 6.

copper beads, a stone axe, a copper drill and some birch bark. Later excavations in the area would recover hundreds – sometimes thousands – of artifacts in a single mound.⁴⁶ What could explain this difference?

The answer, it seems, is *speed*. The exact date of Middleton's arrival is not known, but the only newspaper account of his visit suggests he arrived sometime around the first week of September.⁴⁷ Yet by the 20th of that month, he had already opened at least 19 of the 20 mounds described in his final report, putting his rate of work at greater than one mound per day.⁴⁸ In contrast, a mound excavation of the mid-twentieth century could take weeks to complete. It is doubtful that Middleton used any special techniques in his work, and much of his digging was likely carried out with picks and shovels – imprecise implements to be sure. He may also have relied on hired hands to assist him in his work. To be fair, of course, archaeology was still in its infancy and many of the methods and techniques used by archaeologist today were not standard practice then. The practice of sifting dirt through a mesh screen to locate small artifacts, for example, was not a widely followed until the 1960s.

When finished, Middleton carefully packed up his artifacts – nine human skulls and the charred remains of a partial human cremation – and shipped them back to the Bureau of Ethnology.⁴⁹ From here they were turned over to the National Museum of Natural History where they remained for the next century.⁵⁰ On October 6th, Middleton quietly departed Rice Lake.⁵¹ Both he and Emmert were thereafter transferred to Tennessee, where the pair worked until

46. See page 29 of this report.

47. "What We See, Hear and Find Out," *Barron County Chronotype*, October 8, 1885.

48. Middleton to Thomas, Sept. 21, 1885, Box 7, Folder "2400 Wisconsin Middleton," Division of Mounds Exploration Records, 1881-1889, MS 2400.

49. *Catalog of Specimens 1882-87*, MS 7118, vol. 4, pp. 10-13, National Anthropological Archives, Smithsonian Institution, Suitland, MD.

50. In August 2010, this collection was transferred to the Smithsonian's Museum Support Center in Suitland, MD.

51. "What We See, Hear and Find Out," *Barron County Chronotype*, October 8, 1885.

Middleton was recalled to Washington to assist in various duties associated with publishing the bureau's annual report.⁵² After Middleton's departure, decades passed before Rice Lake's mounds received attention from the academic community.

Wanton Destructiveness: 1880s-1920s

In the summer of 1912, two members of the Wisconsin Archeological Society, a Madison-based organization created "for the purpose of advancing the study and preservation of Wisconsin antiquities," surveyed the remaining mounds along the west bank of Rice Lake.⁵³ This survey work was conducted by Charles E. Brown, the museum director of the State Historical Society of Wisconsin and the secretary of the Wisconsin Archaeological Society, and Robert H. Becker, another member of the archaeological society. Brown had served as museum director since 1908 and would continue doing so until his retirement in 1944.⁵⁴ He was greatly concerned with the rapid destruction of mounds across the state and spearheaded efforts to preserve them. It has been estimated that the Wisconsin Archeological Society saved several hundred mounds from potential destruction.⁵⁵

A year prior, the Wisconsin Archeological Society had received \$1,500 from the state legislature for the purpose of conducting archaeological research. In response, the Society created a permanent survey committee of seven members who worked on a voluntary basis but had certain expenses covered by the Society. By this time, most archaeological features in the southern half of the state had been thoroughly documented. Thus, the society deployed the

52. Smithsonian Institution, *Eighth Annual Report*, xvii – xviii; *Catalog of Specimens 1882-87*, MS 7118, vol. 4, pp. 10-13, National Anthropological Archives, Smithsonian Institution, Suitland, MD.

53. Quoted material can be found on the second page of older issues of *The Wisconsin Archeologist*.

54. John G. Gregory, "Charles Edward Brown, Early Milwaukee Background," *The Wisconsin Archeologist*, n.s., 25, no. 2 (June 1944): 44; Albert O. Barton, "Wisconsin's Charles Brown," *The Wisconsin Archeologist*, n.s., 25, no. 2 (June 1944): 46.

55. Birmingham and Eisenberg, 41.

survey committee to “the unexplored sections of northern Wisconsin,” to places for which information was lacking or outdated.⁵⁶ In August 1912, Brown and Becker set up camp in Rice Lake at a tourist park formerly located adjacent to the present-day county fairgrounds.⁵⁷ The team surveyed the Rice Lake Mound Group – or at least what remained of it – and spoke with locals about other features of archaeological interest.

In the spring of 1913, the State Survey Committee published a summary of its activities for the previous year.⁵⁸ By then, committee members had visited hundreds of mounds, campsites, battlegrounds, and trails across northern Wisconsin. Among these, the communities of Chetek and Rice Lake received special attention. “Visitors to these places,” the committee concluded, “cannot but be impressed with the lack of public spirit which has permitted such wanton destructiveness. As an attraction to summer resorters the presence of these works, if they had been protected, would in time have put thousands of dollars into the pockets of residents of these places.”⁵⁹ The City of Rice Lake, however, appears to have been unaffected by this admonishment, and no immediate action was taken.

In the fall of 1917, the *Wisconsin Archeologist* published a more in-depth account of Brown and Becker’s visit.⁶⁰ At least 26 mounds of the Rice Lake group had been obliterated since Middleton’s visit less than three decades earlier. George E. Soper, a well-known local businessman, farmer and agriculturalist, had leveled several mounds that were formerly located on the site of the Lakeview Medical Center, which was located just north of the intersection of

56. “The State Archeological Survey,” *The Wisconsin Archeologist*, o.s., 10, no.4 (January – April 1912): 186-187.

57. *Rice Lake Chronotype*, August 8, 1912.

58. “Report of the State Survey Committee,” *Wisconsin Archeologist*, o.s., 11, no. 4 (April 1913): 147-152.

59. *Ibid.*, 152.

60. Charles E. Brown and Robert H. Becker, “The Chetek and Rice Lakes,” *Wisconsin Archeologist*, o.s., 16, no. 2 (October 1917): 102-114.

Main and Short Streets, until it was relocated to West Stout Street in 2010.⁶¹ A few other mounds were leveled during improvements to the fairgrounds. Most of the mounds, it appears, were simply destroyed in advance of city expansion, with little or no record of their demise.

Those mounds that had survived had not gone unscathed, however. Brown and Becker reported that local residents had dug into many earthworks along the west lakeshore “by the very unsatisfactory method of digging into their tops.”⁶² In a few instances, treasure hunters had continued digging outward from these holes, all but gutting one side of the mound.

Although grave robbery was probably an act carried out by people at all levels of society, several of Rice Lake’s most prominent citizens are known to have dug into the mounds. Among them were: David M. Monteith, the city’s first mayor, an esteemed businessman and an early proprietor of the *Barron County Chronotype*; William W. Dietz, a long-time city resident who served two terms as county sheriff; and Kapp E. Rasmussen, a well-respected lawyer who served as the Rice Lake city attorney, a state assemblyman, and as a long-time member of the county board.⁶³

Although curiosity fueled many amateur mound excavations, mounds had occasionally opened on the basis they would soon be destroyed and potentially valuable information lost. In 1881, one observer noted that in nearby Chetek: “Our country around the lake is being so rapidly brought under cultivation that soon all trace of our mounds, and their treasures, will be lost, but while they remain as they now are all lovers of the prehistoric should embrace the opportunity, and leave not a mound unexplored. They will be amply repaid for their trouble.”⁶⁴ Decades later,

61. Brown and Becker, 107.

62. Ibid., 106.

63. George Forrester, ed., *Historical and Biographical Alum of the Chippewa Valley* (Chicago: A. Warner, 1891-92), 311, 343, 345, 346, 830-831; Gordon, 889-890.

64. W.R. Smith to Butler, November 1881, Folder “Barron County, 1876-1929,” Brown Papers.

a Marshfield resident reported that he intended “to go out on Rice Lake and open an old mound which will soon be destroyed by farming.”⁶⁵

Grave-disturbing activities were not just confined to burial mounds. The graves of the recently deceased were fair game as well. On Colan Point, a peninsula jutting into Lower Rice Lake, several Ojibwe graves had been present, including one said to be that of a close relative to a former chief. While rummaging through her final resting spot, summer tourists reportedly found “a small amount of cheap jewelry, metal forks and other articles.”⁶⁶ According to Brown and Becker, an aboveground Ojibwe burial ground was formerly located on the north side of the narrows that divides Upper and Lower Rice Lake, but this cemetery was destroyed during grading for a new railroad bridge.⁶⁷

Although not mentioned in Brown and Becker’s report, another Ojibwe cemetery also appears to have been destroyed. Recalling the scene decades later, Ed Field remembered seeing Ojibwe funeral processions, with the body of the deceased secured to a triangular wooden frame and pulled behind a pony, headed to a burial ground on the north side of the city. As Field recalled, “the burial grounds extended in [a] north westerly direction from mounds [at the] north end of [the] Village of Rice Lake to [the] road now leading to ‘Nora Cemetary [*sic*].’”⁶⁸ Field stated that the “raising of the lake flooded much of this ground.” He did not indicate when this happened, however.⁶⁹

Despite the shabby condition of the Rice Lake Mound Group, Brown and Becker recommended the city take action to preserve what remaind. “As these are the last mounds now

65. H.C. Fish to Butler, June 13, 1906, Folder “Barron County, 1876-1929,” Brown Papers.

66. Brown and Becker, 111.

67. Ibid.

68. Ed Field to Anonymous, March 24, 1955, Edward Field Papers, 1937-1955, Stout Area Research Center, University Library, University of Wisconsin-Stout, Menominee, WI.

69. Ibid.

remaining on the west side of the Rice lake [*sic*],” the two men wrote, “citizens should take advantage of the present opportunity to permanently preserve some of them. This place is a portion of what is known as Howard’s Point. It is well located for use as a city park”⁷⁰

Several years passed without action, but in 1924 the City of Rice Lake purchased a parcel of land containing some of the last remaining mounds of the Rice Lake group, specifically for use as a new public campground.⁷¹ Initially known as “Tourist Park,” it would eventually become the present-day Indian Mounds Park, although its boundaries have changed somewhat since the 1920s. Whereas today the park extends only to the eastern side of Lakeshore Drive, it once stretched to the west side of Main Street, which at the time ended slightly further north at a cul-de-sac in front of the Lakeside Methodist Episcopal Hospital.⁷² Relatively little appears to have been done with the park until two years later when the city council agreed to paint and erect signs leading into the city advertising the park to tourists.⁷³ That same summer, the park board “improved” the new park “so that even city people would hardly realize it was the same place.”⁷⁴ The grounds now boasted two outbuildings, including a kitchen with a screened porch, as well as new toilets and electric lights.⁷⁵

70. Birmingham and Eisenberg, 39.

71. Rice Lake City Council Meeting Minutes, November 30, 1923, vol. 9, p. 394, Rice Lake City Hall, Rice Lake, WI (hereafter cited as Minutes, Rice Lake).

72. City of Rice Lake plat map, Undated [c. 1925], Rice Lake City Hall, Rice Lake, WI.

73. Minutes, Rice Lake, May 11, 1916, vol. 10, p. 248.

74. “Park Board Fixes Up Tourist Camp,” *Rice Lake Chronotype*, August 25, 1926.

75. In the spring of 1935, the *Wisconsin Archaeologist* reported that “At Rice Lake, Barron County, the preservation of another group of mounds is receiving consideration.” The journal did not state which mounds these were, however. See: “Miscellaneous,” *Wisconsin Archeologist*, n.s., 14, no. 4, (April 1935): 101.

Masks of the Mound Builders: 1930s

By the turn of the twentieth century, the myth of a separate race of mound builders had been thoroughly laid to rest. But mound excavations continued as archaeologists sought to establish a chronology of the various mound-building cultures of North America.⁷⁶ During the early 1930s, Rice Lake became the focus of extensive archaeological fieldwork jointly sponsored by the University of Wisconsin in Madison and the Milwaukee Public Museum. Field operations were overseen by William C. McKern, a well-known and respected archaeologist who was making quite a name for himself in his field.

Born in Medicine Lake, Washington, in July 1892, McKern obtained his degree in anthropology at the University of California, Berkley in 1917. Although determined to continue his education, McKern was drafted into military service and sent to France as an infantryman in 1918. He was released from military service the following year and spent the next several years working in various ventures: He taught at the University of Washington, conducted research in Polynesia and worked as a field assistant for the Bureau of American Ethnology. In 1925, he moved to Wisconsin and began serving as curator of the anthropology department of the Milwaukee Public Museum. He held this position until 1943, at which point he assumed directorship of the museum.⁷⁷

In 1930, while overseeing excavations at Clam and Spencer Lakes, McKern directed a smaller team of students to explore those at Rice Lake.⁷⁸ This latter team was led by Leland R. Cooper, who would achieve significant notoriety for his work at Rice Lake and others sites in

76. Birmingham and Eisenberg, 46.

77. Alton K. Fisher. "Obituary: Will Carleton McKern," *The Wisconsin Archeologist*, n.s., 69, no. 3 (1988): 207.

78. Adelin Hohfeld, "All Around Town," *The Capital Times*, newspaper clipping, n.d. [ca. 1932], Folder "Clippings," Leland R. Cooper Personal Files, Anthropology Department, Wisconsin Historical Society, Madison, WI (Hereafter cited as Cooper Files).

Minnesota and Wisconsin. Born in Boscobel, Wisconsin in 1899, Cooper's family lived in several parts of the state before moving to Rice Lake in 1914.⁷⁹ Here he attended high school there and was graduated four years later. The son of a preacher, Cooper was initially moved to adopt his father's calling and was ordained in 1931.⁸⁰ An often-overlooked fact is that Cooper was not a professional archaeologist at the time he first led work at Rice Lake. Rather, he was still pursuing his bachelor's degree in Madison – a degree he would not receive until 1936.⁸¹

Regardless, Cooper appears to have gained at least some field experience prior to his work at Rice Lake. In 1926 he "investigated" parts of the Lower Pine River Valley in Richland County, and in 1928 he worked under McKern, assisting in the excavation of the Nicholls Mound, a massive burial mound near the Village of Trempealeau.⁸² By the early 1930s, he was a member of the Wisconsin Archeological Society as well as the American Anthropological Association and had amassed a sizable collection of Indian pottery shards from various locations.⁸³

In 1929, Cooper surveyed mounds on both sides of Rice Lake and described finding several mounds that had apparently escaped earlier observation. He stated there had been at least 87 mounds on either side of the lake.⁸⁴ Of these, however, only three or four still appeared to be intact. The mounds of the Cyrus Thomas group, on the east side of the lake, had been especially vandalized. "Without exception," Cooper reported, "those mounds along the lake shore have been gutted and their contents strewn about their tops. Those of the group farther back from the

79. John Goadby Gregory, *Southwestern Wisconsin: A History of Old Crawford County*, (Chicago: S.J. Clarke Pub. Co, 1932), 4: 583-584.

80. Gregory, 584.

81. Leland R. Cooper Curriculum Vitae, 1966, Biography File, Hamline University Archives, Hamline University, Saint Paul, MN; Leland Cooper Obituary, April 3, 1975, Biography File, Hamline University Archives.

82. "Archeological Notes," *Wisconsin Archeologist*, n.s., 6, no. 2 (March 1927): 67; Leland Cooper, "The Red Cedar River Variant of the Wisconsin Hopewell Culture," *Bulletin of the Public Museum of the City of Milwaukee*, 16, no. 2 (December 1933), 55.

83. Gregory, 584.

84. Cooper, "The Red Cedar River Variant," 54.

lake have been less seriously mutilated.”⁸⁵ Cooper lamented this sorry state of affairs. “Little has been left untouched for the student of prehistory in the land of the summer cottager and tourist,” he wrote.⁸⁶

For a few weeks during the summers of 1930 -1932, the Cyrus Thomas mounds became the encampment of a small army of shirtless young men armed with shovels and spades. Cooper and his team excavated Mound 8 in September of 1930, Mound 12 the following summer, Mound 10 in 1932.⁸⁷ It is not entirely clear on what basis these mounds were chosen for excavation or how the students avoided excavating a mound already visited by Middleton. The Smithsonian never published a plat of this group.

In Mound 8, Cooper and his team found the remains of eight individuals buried in a rectangular pit. These skeletons had been disarticulated and individually bundled. Two of these burials were associated with a mix of pebbles and red ocher, a pigment derived from naturally-colored clays.⁸⁸ Another burial was found with a chert flake knife and a split bear canine tooth that, although damaged, showed signs of having once been perforated, indicating it had been used as a pendant.⁸⁹ The mound also contained an oval pit with a mix of ash, charcoal and the calcined bones of birds, fish and other animals, as well as a “spatulate-tanged projectile point and roulette-marked rim sherd.”⁹⁰

85. Cooper, “The Red Cedar River Variant,” 58.

86 Ibid., 54.

87. Ibid., 55.

88. Ibid., 85-86.

89. Ibid., 87.

90. Ibid.

Curiously, Cooper gave no detailed description of the contents of Mound 13. He merely wrote that it “yielded some rather startling evidence which led to the examination of Mound 10.”⁹¹

In Mound 10 – a mound that had been reduced to a height of just over two feet by years of plowing and crop cultivation – Cooper found the remains of eight individuals interred on a slightly raised earthen platform.⁹² Two of these burials had been cremated. The remains of another individual had been cremated on a cobblestone platform. Artifacts associated with these burials included a canine jaw pendant and a “crushed cord-marked pot” Cooper described as having a squat figure “with a distinctly canoidal base.”⁹³ Cooper also found rim sherds of another pot “promiscuously scattered over the mound floor,” which he described as corresponding “so closely to pottery materials found at Trempealeau that it is justifiable to classify them as products of the same pottery culture.”⁹⁴ Two additional items were found on the surface of other mounds: a black diorite scraper and a Red flint spearhead, the latter item Cooper later reported as having “disappeared.”⁹⁵

Cooper’s most astonishing discovery, however, was the remains of two clay “death masks” associated with burials in this mound.⁹⁶ These masks had started as wet clay molded over the partially-defleshed skulls of the deceased, covering the entire face. In the case of Mask 1, impressions left on the interior of the mask indicated the deceased’s nasal cavity had been reinforced with a “wooden, chisel-like object.”⁹⁷ In the case of Mask 2, similar impressions

91. Cooper, “The Red Cedar River Variant,” 87.

92. Ibid.

93. Ibid, 70.

94. Ibid.

95. Ibid., 68.

96. Ibid., 73.

97. Ibid., 75.

indicated the deceased's eye sockets had been stuffed with grass. In both cases, the masks were fired and subsequently hardened during a crematory process.

Initially these masks seemed to defy explanation. "A feature such as the funerary masks," Cooper wrote, "... is difficult to use in cultural comparisons since it is, apparently limited to a single group."⁹⁸ This assertion was not strictly true, however. Theodore H. Lewis, a Minnesota land surveyor of the Hill-Lewis Archeological Survey, had found a similar artifact in a burial mound at Saint Paul, Minnesota in 1879.⁹⁹ Evidently neither Cooper nor McKern had any knowledge of this find.

Regardless, the discovery was unique enough that Cooper felt compelled to keep it a secret – even from the landowner, Perry Hall. "If the relic hunters hear of the finds up there," Cooper wrote to McKern from his residence in Oregon, Wisconsin, "they will tear hell out of every mound in the neighborhood."¹⁰⁰ Cooper had good reason to be worried. In 1915, a local man had dug into nearly all the mounds, "pitting them from the top down and removing quantities of bone material which he carried to his home by the washtub full."¹⁰¹ What exactly happened to these bones next is somewhat unclear. In one version of the story they were discarded in the city dump; in another version they were thrown into the lake behind the man's residence.¹⁰² In any event, Cooper's attempt at secrecy appears to have been only partially

98. Cooper, "The Red Cedar River Variant," 81.

99. Theodore H. Lewis, "Mounds and Stone Cists," *The American Antiquarian* 17, no. 6 (November 1896): 316.

100. William C. McKern to Leland R. Cooper, August 11, 1933, on file at Milwaukee Public Museum, Milwaukee, WI. The author utilized photocopies of originals available in the Anthropology Department of the Wisconsin Historical Society, Madison, WI.

101. Draft of 1959 excavation report, Folder "BN 90 Rice Lake mounds Drafts & paper on mounds," Cooper Files.

102. Draft of 1959 excavation report, Folder "BN 90 Rice Lake mounds Drafts & paper on mounds," Cooper Files; Leland R. Cooper, *Indian Mounds Park Archaeological Site, Rice Lake, Wisconsin*, Science Bulletin no. 6 (St. Paul, MN: Science Museum of the St. Paul Institute, 1959), 4.

successful. Although no mention of the clay death masks was published in Rice Lake until 1936, Madison's *Capital Times* newspaper announced the discovery shortly after it was made.¹⁰³

In his final report, Cooper suggested the Cyrus Thomas mounds had been built by a people with ties to Hopewell, a cultural development that derives its name from mounds located on the former farm of M.C. Hopewell in southern Ohio. Excavated in the nineteenth century, these mounds exhibited elaborate mortuary practices and an array of strikingly artistic and stylized funerary artifacts. Many of these were constructed of exotic materials that had been obtained from a wide geographic area. Archaeologists soon recognized strong similarities between the Hopewell mounds and other earthworks in the Ohio and Illinois River Valleys and beyond. Although often initially referred to as a single culture, archaeologists now recognize Hopewell as “different cultures between which some form of interchange existed,” that resulted in superficial similarities among the mortuary sites of separate cultures. This model of exchange is known as the Hopewell Interaction Sphere. Thanks to radiocarbon dating – an absolute dating technique that was not available to archeologists until the 1950s – we now know that Hopewell existed during the Middle Woodland period, which lasted in Wisconsin from about 50 BC to AD 500.¹⁰⁴ At least eight Middle Woodland expressions of Hopewell are known to have existed.¹⁰⁵ In Wisconsin, Hopewell interaction lasted between about AD 100-300.¹⁰⁶

Surviving correspondences suggests Cooper's Hopewell classification was developed primarily at McKern's suggestion. “The sherds, large scraper, bear tooth and spatulate-tanged projectile point are clearly Hopewellian in type,” McKern wrote to Cooper, later adding that,

103. Adelin Hohfeld, “All Around Town,” *The Capital Times*, newspaper clipping, n.d. [ca. 1932], Cooper Files; “Rice Lake Mounds Yield 2,00 B.C. Death Masks,” *Rice Lake Chronotype*, April 15, 1936.

104. Birmingham and Eisenberg, 92.

105. Stuart Struever, “Middle Woodland Culture History in the Great Lakes Riverine Area,” *American Antiquity* 31, no. 2 (October 1965): 216; Birmingham and Eisenberg, 55, Table 2.1.

106. James L. Theler and Robert F. Boszhardt, *Twelve Millennia Archaeology of the Upper Mississippi River Valley* (Iowa City: University of Iowa Press, 2003), 111.

“the perforated canine jaw ... is also strongly suggestive of Hopewell technique.”¹⁰⁷ McKern had experience excavating Hopewell mounds. In 1928 and 1930, he excavated nearly 40 mounds of three separate groups near Trempealeau and discovered artifacts and exotic materials consistent with the Hopewell cultural complex.¹⁰⁸

Cooper conceded that his Hopewell classification was somewhat tentative, admitting that if the mound builders at Rice Lake and Trempealeau were related they been “poor relations.”¹⁰⁹ After all, the elaborate and stylized funerary artifacts that typify Hopewell mortuary sites were absent. So too were the exotic natural materials. All the artifacts found in the Cyrus Thomas mounds were constructed of locally-sourced material. Even Cooper was forced to acknowledge the plainness of his discoveries. “Chipped stone artifacts of the splendid nature of those found in Ohio and at Trempealeau,” he admitted, “are almost wholly missing from this region.”¹¹⁰ Nevertheless, he stated that enough cultural similarities existed between the two locales to justify “a tentative classification.”¹¹¹

In the summer of 1935, McKern visited the Cyrus Thomas group with a team of students, Cooper among them, as part of continued joint field operations. McKern had been motivated to oversee his own mound excavation by Cooper’s “extraordinary find, and a certain amount of doubt as to the exact nature of these features, involving a certain amount of professional skepticism.”¹¹² McKern and his team excavated a very small mound, which stood about one foot in height. They found it to contain a central rectangular pit, reinforced by four outside logs, in

107. McKern to Cooper, n.d. [ca. 1933], on file at Milwaukee Public Museum.

108. Theler and Boszhardt, 114; Cooper, “The Red Cedar River Variant,” 55, 69-70.

109. Cooper, “Red Cedar River Variant,” 68.

110. Ibid., 69.

111. Ibid., 78.

112. “Notes and News,” *American Antiquity* 1, no. 2 (October 1935): 157; McKern, Monthly Departmental Report, September 1935, Milwaukee Public Museum; William C. McKern, “Preliminary Report of the University of Wisconsin-Milwaukee Public Museum Archaeological Expedition 1935,” Milwaukee Public Museum, 13; George Irving Quimby, “A Thing of Sherds and Patches,” *American Antiquity* 58, no. 1 (January 1993): 9.

which “the bones of an indeterminate number of individuals” had been laid to rest and cremated.¹¹³ The remains of eight clay funerary masks, including one that had been molded over the face of a young child, were found among the mix of charred bone and ash. McKern concluded that the Hopewell classification (which he referred to as “Central Basin phase”) appeared to be “fairly well substantiated.”¹¹⁴ He did not elaborate further. It is unclear what additional artifacts were recovered because McKern never issued a final report. Nor did he describe the masks in further detail.

McKern returned to Rice Lake the following summer with a team of more than a dozen workers. According to the journal *American Antiquity*, McKern and his team investigated “a camp site and a group of small mounds in Barron County”¹¹⁵ Little else is known about this work, however, because McKern either failed to write a preliminary report or it has since been lost.¹¹⁶

Final Excavations: 1950s-1960s

In 1952, the City of Rice Lake invited Cooper to excavate a mound in Indian Mounds Park, for the purposes “of giving historical recognition to that area reserved for park purposes.”¹¹⁷ By this time, Cooper was employed as an associate professor at Hamline University. In 1937, Cooper had conducted another survey of the mounds on the west side of the

113. McKern, “Preliminary Report,” 15; Quimby, 9.

114. McKern, “Preliminary Report,” 16.

115. “Milwaukee Museum Men At Work Here,” *Rice Lake Chronotype*, July 8, 1936; “Notes and News,” *American Antiquity* 2, no. 1 (July 1936): 53; “Notes and News,” *American Antiquity* 2, no. 2 (October 1936): 147; McKern, Monthly Departmental Report, September 1936, Milwaukee Public Museum.

116. The author contacted numerous persons affiliated with the Milwaukee Public Museum in an effort to track down McKern’s missing preliminary report. No report was located.

117. Gifford M. Bailey to Cooper, June 26, 1952, Folder “Bn 90 Rice Lake mounds notes,” Cooper Files.

lake and found that only 29 remained.¹¹⁸ By this late year, the mounds at Indian Mounds Park had been heavily looted. “As has been true for all but a few of the mounds in the area of Rice Lake, none now remain that have not been disturbed, most of them wholly destroyed either by relic hunters or from road and building construction,” he reported.¹¹⁹

Assisted by two members of the city’s work crew, Cooper set to work excavating the largest remaining mound in the park. This particular mound sat close enough to another (partially obliterated) that the pair formed a curious dumbbell shape. The mound was approximately 40 feet in diameter, but Cooper found it difficult to estimate its original height because the topmost portion had been leveled by the city’s Parks-Recreation Department in the early-1940s to facilitate easier lawn mowing.¹²⁰ As was to be expected, Cooper found an array of small pottery fragments, stone implements and various kinds of flakes almost immediately after work began.¹²¹

Perhaps less expected was the public outcry that ensued. “Public protests against carrying off, for all time, the fragments of Indian culture in Rice Lake’s mounds have been voiced by local citizens,” the *Rice Lake Chronotype* reported.¹²² Mayor Frank A. Havel had received several calls “from historically inclined persons here, requesting something be done to secure some of the material remaining here for public view.”¹²³ Some suggested that artifacts be periodically returned to Rice Lake for display. The parks board approached Cooper to see what could be done.¹²⁴ Cooper, however, rejected these suggestions on the grounds that the city had no

118. Draft of 1959 excavation report, Folder “BN 90 Rice Lake mounds Drafts & paper on mounds,” Cooper Files.

119. Cooper, *Indian Mounds Park*, 4.

120. *Ibid.*, 9.

121. “Indian Mound Yields Pottery Fragments,” *Rice Lake Chronotype*, August 27, 1952.

122. “Indian Mound Yields Pottery Fragments,” *Rice Lake Chronotype*, August 27, 1952.

123. *Ibid.*

124. Minutes, Rice Lake, August 26, 1952, vol. 21, p. 107.

paid curator to look after such material. “With any other arrangement,” he said, “I’m afraid interest would soon be lost and the collection would gradually be scattered and lost.”¹²⁵ Although no one could have known it then, not even a paid curator could keep these burials and artifacts from disappearing – at least for a time.

Excavation work continued unabated. Although the mound had been heavily looted at one time, Cooper found some deeply-buried skeletons to be untouched, albeit just barely. “In one instance,” reported Cooper, “intrusive shovel marks indicated a skull had been missed by only a few inches.”¹²⁶ The mound contained two burial pits, both containing human bones. Only one of these pits, however, contained artifacts. Here, Cooper found a long laundry list of objects, including a cutting tool fastened from a deer antler and a beaver incisor tooth, pieces of decayed clam shell, a crude stone knife, several triangular arrow points, a small elbow pipe, two abrading stones, a piece of cedar fiber fabric, fragments of turtle shell, and remnants of a “thin sheet-copper cone similar to those used as tinklers on historic Indian garments.”¹²⁷

The most interesting – and controversial artifacts – recovered by Cooper were two items that may have been European trade items: a lead button and a steel spring.¹²⁸ Cooper found these items in close association with human burials. Taken as inclusive features of the mound, they would seem to suggest the mound had been built *after* European Contact – a rare occurrence. Cooper suggested that the Dakota Sioux had built the mound, principally on the basis that they were the last known inhabitants of the area before the Ojibwe pushed them out in the 18th century. Cooper did not feel that the mounds were built by the Ojibwe. “The evidence from tradition and documentary data,” concluded Cooper, “strongly supports the occupation of the

125. “Prof. Cooper Deplores ‘Pot Hunters’,” *Rice Lake Chronotype*, September 10, 1952.

126. Cooper, *Indian Mounds Park*, 4.

127. *Ibid.*, 22, 41.

128. *Ibid.*, 23-24.

territory by the Dakota Sioux for some time during the European contact period before the final acquiring of the region by the Ojibwa Indians. Thus, when taking all limiting factors into consideration, it appears that some branch or branches of the Dakota Sioux occupied the area under consideration in the historic period and were probably responsible for the construction of some of the mounds which appear to be of Late Woodland origin for the region.”¹²⁹

Cooper carried out additional excavations in Rice Lake in 1961, although less is known about this work. Surviving field notes, letters and newspaper articles indicate that Cooper took a year’s leave from Hamline University to conduct archaeological excavations across Wisconsin using a \$10,200 grant from the National Science Foundation (NSF).¹³⁰ As part of this work, Cooper aimed sought to identify the archaeological cultures that had occupied the Rice Lake area and in what order these cultures appeared.¹³¹

Assisted by four student assistants, Cooper excavated parts of the Cyrus Thomas group and other sites in the Hiawatha Park area.¹³² Somewhat confusingly, Cooper referred to these areas in his notebooks by the name of the landowner at the time and not by their common names. Thus, he referred to the parts of the Cyrus Thomas group he excavated as the Hall Site, after Perry Hall. He also excavated the Johnson Site, another site in the Hiawatha Park Area, and did some work again in Indian Mounds Park as well.¹³³ During his work in the Hiawatha Park area, Cooper reportedly uncovered a vessel of the Mississippian tradition, a Late Woodland cultural manifestation. “I have felt for a long time that Rice Lake was probably an outpost for wealthy

129. Cooper, *Indian Mounds Park*, 48.

130. “News and Notes,” *American Journal of Sociology* 67, no. 4 (January 1962): 447; “Mr. Leland Cooper ... 32nd Recipient of the Lapham Research Medal,” *The Wisconsin Archeologist* 47, no. 2 (June 1966): 96; “Notes and News: National Science Foundation,” *American Antiquity* 27, no. 2 (October 1961): 272.

131 “Study of Indian Culture Being Made Here,” *Rice Lake Chornotype*, August 9, 1961.

132. Ibid.

133 Field notebook of Dean Snow, Folder “Cadotte Site/ Rice Lake Mounds (1961) FIELD NOTEBOOKS,” Cooper Files; Field notebook of Edmund Levering, Folder “1935 [sic] Field Notebook (Cooper’s ?) re: Spencer Lake, Clam Lake & Rice Lake,” Cooper Files.

tribes of Illinois and Ohio Indians,” Cooper told the newspaper. “Discoveries made near La Cross would indicate Indians followed the Mississippi river north and used larger waterways off of it to reach this vicinity, probably for the wild rice that was prominent here.”¹³⁴

After the 1961 field season passed, Cooper requested additional money from the NSF to continue his work in Wisconsin.¹³⁵ Yet not even a recommendation from McKern could buy Cooper more research money.¹³⁶ He did, however, receive an additional \$4,600 thereafter to write and publish his findings.¹³⁷ It does not appear, however, that he ever wrote a report for his work at Rice Lake that year.¹³⁸

Fortunately, in the 1980s the Burnett County Historical Society was able to piece together something of Cooper’s exploits from his field notes summarizing his work in 1989.¹³⁹ At the Hall sites, Cooper excavated two mound features, uncovering several fire hearths and a large quantity of ceramic shards – but no burials. Although thousands of artifacts had been collected, datable artifacts proved to be relatively scarce.¹⁴⁰ Regardless, the authors concluded that the Hall Site represented a Late Middle Woodland site that was “consistent with other Late Middle Woodland assemblages in the region of northwestern Wisconsin and east-central Minnesota.”¹⁴¹

134. “Study of Indian Culture Being Made Here,” *Rice Lake Chornotype*, August 9, 1961.

135. McKern to Cooper, March 9, 1962, Folder “Cooper/McKern Correspondence(1962),” Cooper Files.

136. Cooper to McKern, April 22, 1962, Folder “Cooper/McKern Correspondence(1962),” Cooper Files; “Current Research: National Science Foundation,” *American Antiquity* 28, no. 3 (January 1963): 413.

137. Cooper to McKern, May 19, 1962, Folder “Cooper/McKern Correspondence(1962),” Cooper Files.

138. *Note*: In August 2011, the author filed a Freedom of Information Act request with the NSF requesting copies of files related to Cooper’s 1961 and 1962 grants. Personnel at the NSF were unable to locate any files related to these grants; they may have been transferred to the National Archives, although there is no paperwork indicating this transfer took place. See: National Science Foundation, “Award Abstract# 6111354: Aboriginal Cultural Horizons in Minnesota,” National Science Foundation, <http://www.nsf.gov/awardsearch/showAward.do?AwardNumber=6111354> (accessed August 2, 2011); National Science Foundation, “Award Abstract# 6215304: Aboriginal Cultural Horizons in Minnesota,” National Science Foundation, <http://www.nsf.gov/awardsearch/showAward.do?AwardNumber=6215304> (accessed August 2, 2011).

139. Peter B. Mires, Jennifer L. Kolb and Edgar S. Oeichbauer, “The Archaeological Resources of Northwestern Wisconsin: Region 1 Archaeology Program, 1988-1989,” *Siren, Wisconsin: Burnett County Historical Society*, 1989, 41-65.

140. *Ibid.*, 54-56.

141. Mires, Kolb and Oeichbauer, 63.

This determination was based on projectile points of Middle and Late Woodland design that were made of locally-sourced materials, and a ceramic assemblage most closely related to the St. Croix Stamped series. This pottery style has been found in “northwestern Wisconsin, central and northeastern Minnesota, northeastern South Dakota and eastern North Dakota.”¹⁴²

Unmasking the Mound Builders?

Who built Rice Lake’s mounds? No discussion about these earthworks would be complete without attempting to answer this question. It is a difficult one to answer, however. Rice Lake was widely excavated but poorly reported and comparative analyses with other sites have been rare.

Still, a few basic conclusions can be drawn. Rice Lake was almost certainly the gathering spot of a band of Indians who pursued a hunting-and-gather-based subsistence strategy. These people moved frequently to maximize their harvest of wild game and other natural resources. This band spent most of each year dispersed into smaller family groups, or *microbands*, at pre-determined seasonal encampments. During summer months, these family groups reunited at Rice Lake where the wild rice harvest served as a reliable and abundant annual food source. This gathering was also a time to bury the bones of those who had died since the last reunion. When someone died during the months of dispersal, family members placed the deceased’s body in a temporary resting place, such as a scaffold. Left to the elements, it would not have long before little more than a skeleton remained. As families prepared to reunite in the summer, they gathered the bones of the deceased were gathered and carried to their final resting place at Rice

142. University of Minnesota Department of Anthropology, “St. Croix Stamped Series,” http://anthropology.umn.edu/labs/wlnaa/pottery/ware/st_croix.php (accessed Nov. 4, 2011).

Lake. In many instances, only the major bones of the skeleton, such as the skull and long bones, were reburied.¹⁴³

Archaeologists recognize many different archaeological cultures based on culturally and temporally distinct artifact types, pottery styles, mortuary practices, and settlement patterns. To which of these did the Rice Lake mound builders belong? In 1933, Cooper argued the Cyrus Thomas mounds had likely been created by people who were culturally affiliated – albeit somewhat distantly – to the “Hopewell” mound builders near the Village of Trempealeau. This tentative conclusion was based on artifact assemblage similar in some respects to that found by McKern in that area.

Until relatively recently, this classification proved to be highly resilient within the archaeological community. In 1952, for instance, anthropologist John W. Bennett noted that although the artifacts from the Cyrus Thomas mounds did not seem to be any more Hopewellian in nature than those found in mound groups in nearby Minnesota, he believed the funerary masks dated the mounds to “the Hopewell end of the Middle Woodland continuum” and further noted that the pottery style Cooper found was essentially the same as that found in Trempealeau.¹⁴⁴

In 1979, the Cyrus Thomas Mounds were featured in Mark F. Seeman’s book *The Hopewell Interaction Sphere*, a spatial analysis of trade artifacts and exotic raw materials from 241 Hopewell mortuary sites across the country. Seeman included Rice Lake in his analysis based on the presence of cold-hammered copper beads and awls – which he considered possible interregional trade goods – as well as Cooper’s discovery of a bear canine tooth ornament.¹⁴⁵

143. Theler and Boszhardt, 10-12.

144. John W. Bennett, “The Prehistory of the Northern Mississippi Valley,” in *Archeology of Eastern United States*, ed. James B. Griffin (Chicago: University of Chicago Press, 1952), 117.

145. Mark F. Seeman, *The Hopewell Interaction Sphere: The Evidence for Interregional Trade and Structural Complexity* (Indianapolis: Indiana Historical Society, 1979), 357-358, 359-361, 371-374.

In 1981, anthropologists Della Collins Cook and Kenneth B. Farnsworth included the clay funerary masks from Rice Lake in their discussion of 13 clay masks found in the Lawrence Gay Mound Group, a group of Hopewell mounds in Pike County, Illinois.¹⁴⁶ The Lawrence Gay masks were constructed of red and/or white clay built over portions of the skull where the flesh of the deceased had decomposed. In some cases, the eyes and mouth had also been filled with clay.

A comparison of burial modes suggests the Rice Lake and Lawrence Gay mounds are not closely related, however. For one, no crematory process is described for the Lawrence Gay mounds and, consequently, the clay facial coverings were not fired. For another, most of the Lawrence Gay burials are described as having been “extended” burials – meaning that the bodies had been laid to rest in a generally straight fashion and indicating burial had taken place before major decomposition had occurred.¹⁴⁷ In the Cyrus Thomas mounds Cooper had found bundled burials exclusively.

In 1986, archeologist Robert J. Salzer wrote that “early excavations by Leland Cooper at Rice Lake in Barron County suggest that a Hopewell-related Middle Woodland development – ‘Red Cedar Hopewell’ – may ultimately be defined for the area.”¹⁴⁸ Salzer acknowledged, however, that Middle Woodland developments in northern Wisconsin were “different from those in the southern part of the state” and conceded that the “northern developments are more closely related to each other and to other cultures such as Laurel in the Upper Great Lakes area.”¹⁴⁹

146. Della Collins Cook and Kenneth B. Farnsworth, “Clay Funerary Masks in Illinois Hopewell,” *Midcontinental Journal of Archaeology* 6, no. 1 (1981): 3-15.

147. Cook and Farnsworth, 5, 7.

148. Robert J. Salzer, “The Middle Woodland State,” *The Wisconsin Archeologist*, n.s., 6, no. 3-4 (1986): 279.

149. Salzer, 279.

In 1992, a bold new interpretation of the Cyrus Thomas mounds emerged. Elden Johnson and Tim Ready compared clay masks recovered from the McKinstry Mound 2 on the Little Fork River in northern Minnesota to those recovered by Cooper from Mound 10 in Rice Lake in the 1930s.¹⁵⁰ Of the five masks recovered from the McKinstry mound, three had been constructed over skulls and the remaining two had been constructed over bundles of cattail leaves -- a practice not reportedly observed at Rice Lake. The incomplete nature of the masks made a completed analysis impossible, but the authors noted a number of characteristics strikingly similar to the Cyrus Thomas masks. All the McKinstry masks had been associated with a crematory process and subsequently hardened. In two instances, clay had been packed into the eye sockets of the skulls. In at least one instance the mouth of the deceased had been stuffed with an unidentified “flowering plant” material, as evidenced by imprints left in the clay.¹⁵¹ In the case of a third skull, that of an infant, the eye sockets had been stuffed with this same plant material.¹⁵² In the case of one skull, the nasal cavity had been stuffed with “a wad of grass-like material.”¹⁵³

Johnson and Ready compared these masks to those found at two other locations: the Hungry Hall mounds on the Rainy River in Ontario, Canada and the Wakanda Park in Menominee, Wisconsin. These latter mounds are located adjacent to Lake Menomin which, like Rice Lake, is a flowage of the Red Cedar River. Warren Wittry excavated Mound 7 of this group in 1959 and recovered the fragments of a clay mask associated with a cremated burial.¹⁵⁴ He

150. Elden Johnson and Tim Ready, “Ceramic Funerary Masks from McKinstry Mound 2,” *Midcontinental Journal of Archaeology* 17, no. 1 (1992): 16-45.

151. *Ibid.*, 18.

152. *Ibid.*, 19.

153. *Ibid.*

154. Warren L. Wittry, “The Wakanda park Mound Group, Dn1, Menomonie, Wisconsin,” *The Wisconsin Archeologist*, n.s., 40, no. 3 (September 1950): 95-115.

described this mask as “similar to those for the Red Cedar River focus.”¹⁵⁵ Of special interest in Wittry’s report is the occurrence of “partially obliterated net impressions” on the interior and exterior surfaces of the Wakanda masks.¹⁵⁶ “In a detailed examination of the Red Cedar masks, Milwaukee Public Museum specimens,” Wittry continued, “the writer found similar partially obliterated net impression on the interior and exterior surfaces of both masks. The nose of Red Cedar [*sic*] Mask 1 was built up or supported with a stick while the nose of Mask 2 was partially built up with a wad of fabric.”¹⁵⁷ It is unclear when this examination was made, as time Johnson and Ready wrote that Cooper’s, “reconstruction of the Cyrus Thomas masks included covering the entire interior surfaces with plaster so that any examination now to determine the presence of [*sic*] absence of cordage or other plant material on those surfaces cannot be made.”¹⁵⁸

Johnson and Ready noted a strong connection between the Rainy River and Hungry Hall sites on the basis of a similar pottery style, the use of the crematory process, and similar funerary masks. These two sites are also attributed to Blackduck culture, a Late Woodland manifestation that stretches from northwestern Wisconsin through the upper half of Minnesota and into central Canada. Johnson and Ready also noted a strong correlation between the Wakanda and Cyrus Thomas sites on the basis of similar mound construction, cobblestone cremation features, and similar funerary masks.¹⁵⁹

155. Warren L. Wittry, “The Wakanda park Mound Group, Dn1, Menomonie, Wisconsin,” *The Wisconsin Archeologist*, n.s., 40, no. 3 (September 1950): 103.

156. *Ibid.*, 104.

157. *Ibid.*

158. Johnson and Ready, 25.

159. *Ibid.*, 25-26.

“But they appear unrelated,” the authors concluded, “if the accepted view of the Cyrus Thomas Mound 8 as a northern Hopewellian variant is correct.”¹⁶⁰ Radiocarbon dates from the McKinstry, Hungry Hall and Wakanda Park sites all dated the masks to the Late Woodland period, or about AD 1100-1300.¹⁶¹ This dated the masks to a much more recent time period than archaeologists had generally thought. To Johnson and Ready, the primary obstacles to overcome here were the pottery sherds Cooper “found promiscuously scattered over the mound floor” that had been used to tie Rice Lake to in Trempealeau. Unlike other archeologists, Johnson and Ready were not so quick to accept these pottery fragments as inclusive features. Instead, they argued the mound had likely been “constructed over an earlier Middle Woodland habitation or activity site and that the sherds ‘scattered over the mound floor’ actually [had] only a fortuitous association with the burials and the funerary masks.”¹⁶² Bearing this, Johnson and Ready concluded, the Cyrus Thomas mounds are much younger than previously thought probably dating to the twelfth century. Of the McKinstry and Cyrus Thomas masks, they concluded that “the similarity in construction technique and the finished appearance of the masks is quite unlikely to be the product of ‘independent invention.’”¹⁶³

But what of the perforated bear canine tooth that McKern and other archaeologists have used as evidence of Hopewell participation? As it happens, bear canine teeth ornaments were not strictly a Hopewell or even Middle Woodland period artifact. As Thomas E. Berres *et al* noted in their 2004 article on bear ceremonialism, “Bear canine-tooth ornaments were created over

160. Johnson and Ready, 26.

161. *Ibid.*, 16, 23-24.

162. *Ibid.*, 26.

163. *Ibid.*, 27.

thousands of years spanning Late Archaic through historic Native American times.”¹⁶⁴ For example, canine pendants have been found at sites identified as belonging to Laurel Culture, another Middle Woodland manifestation seen across parts of Canada, and northern Michigan and Minnesota.¹⁶⁵

Unfortunately, Cooper’s Hopewell classification is not his only assertion to be called into question. There is reason to question Cooper’s assertion that the Mound 1 in Indian Mounds Park had been built after European contact. Cooper felt the Rice Lake mound he excavated in 1952 had been built after Europeans had made landfall on the continent. This assertion was based in large part on the recovery of a steel spring and a lead button he insisted were inclusive features of the mound – that is, that they had been found in undisturbed strata and had not been introduced by looters or some other disturbance. Some archaeologists have been hesitant to accept Cooper’s assurances. “The fact that the mound had been heavily disturbed before being excavated by Cooper,” wrote Birmingham and Eisenberg, “has led archaeologists to be cautious about accepting it as historic, rather than prehistoric and ascribing a specific tribal affiliation to its builders.”¹⁶⁶

Although cross-section diagrams in Cooper’s report clearly illustrated the area of the mound disturbed by looters, Cooper failed to disclose everything he found in the mound. In 1994, the *Chronotype* interviewed Jim Patraw, a geology professor at the University of Wisconsin-Barron County and the last surviving member of the Indian Mound Park

164. Thomas E. Berres, David M. Stothers, and David Mather, “Bear Imagery and Ritual in Northeast North America: An Update and Assessment of A. Irving Hallowell’s Work,” *Mid-Continental Journal of Archaeology* 29, no. 1 (Spring 2004): 17.

165. James B. Stoltman, *The Laurel Culture in Minnesota*, Minnesota Prehistoric Archaeology Series No. 8, (St. Paul: The Minnesota Historical Society, 1973): 110.

166. Birmingham and Eisenberg, *Indian Mounds of Wisconsin*, 172.

excavation.¹⁶⁷ In 1952, Patraw, then a young boy greatly interested in archaeology, had spent several days watching Cooper and his team carry out their work. One day, Cooper approached Patraw and said: “You should be making yourself useful, rather than being ornamental.”¹⁶⁸ Patraw eagerly obliged and was soon put to work sifting soil through a wire mesh screen. Remembering the event decades later, Patraw described finding things Cooper had left out of his report: “We found snoose tins; we found broken shovels,” Patraw said, “we found all sorts of crap.”¹⁶⁹ Yet curiously no mention of this debris ever made it into Cooper’s final report. Did he intentionally withhold this information to avoid weakening his argument that the button and spring were European trade items? With no one alive from that dig, we can only speculate.

Thus, Cooper seemed to strengthen his Hopewell classification while There are other problems in this same report as well. Cooper described having surveyed the Rice Lake group in 1929. According to Cooper, the relatively low-rising mounds of the Cyrus Thomas group suggested they were older than relatively steep-sided mounds of the Rice Lake group. Cooper suggested that “the relatively steep-sided condition of the Indian Mounds Park group would suggest that sufficient time has not elapsed since their construction for erosion to have reduced them extensively.”¹⁷⁰ Thus Cooper lent credence his old argument that the Cyrus Thomas mounds were of a much earlier period of occupation while simultaneously strengthening his argument that Mound 1 in Indian Mounds Park was of relatively recent construction.

This analysis was fatally flawed, however. The Cyrus Thomas mounds had been located on farmland at the time of Cooper’s work in the 1930s. Their state of “erosion” came not from

167. Gene Prigge, “Indian Burial Mounds Remain Monuments to Region’s Past,” *Chronotype*, January 12, 1994.

168. Ibid.

169. Gene Prigge, “Indian Burial Mounds Remain Monuments to Region’s Past,” *Chronotype*, January 12, 1994.

170. Cooper, *Indian Mounds Park*, 10.

centuries of environmental exposure but from human activity. In fact, Cooper himself acknowledged this when he wrote in 1933 that “the heights of all but Mound 8 have been reduced by more than twenty years of ploughing.”¹⁷¹ In fact, the Cyrus Thomas group had been on farmland going even further back. Although omitted from the final report, Middleton specifically stated in a letter to Thomas that this group was located on farm land of Knapp, Stout & Co.¹⁷² It should be of no surprise then that the Cyrus Thomas group presented a generally eroded appearance by the time of Cooper’s 1929 survey – they had been the scene of crop cultivation for up to four decades. More telling, Middleton described the mounds on the east side of the lake in a letter to Thomas as being “generally larger” than those of the Rice Lake group – directly contradicting Cooper’s later conjecture.¹⁷³

Finally, it must be noted that some mounds may have contained burials left by a culture that did not build mounds itself. Evidence for this intriguing possibility can be found in Middleton’s description of “intrusive burials” in a number of mounds.¹⁷⁴ Intrusive burials describe a burial that was made by digging a pit into a previously existing mound rather than following the customary practices of either building a new mound or placing a secondary burial on top of an existing mound and adding another layer of soil overtop. An intrusive burial is evidence of mound reuse by people who did not practice mound-building themselves but used existing mounds as mortuary sites, possibly because they believed them to be a safe place to do so.¹⁷⁵

171. Cooper, “The Red Cedar River Variant,” 58.

172. Middleton to Thomas, Sept. 21, 1885, Box 7, Folder “2400 Wisconsin Middleton,” Division of Mounds Exploration Records, 1881-1889, MS 2400.

173. Ibid.

174. Smithsonian Institution, *Twelfth Annual Report*, 95-96.

175. Birmingham and Eisenberg, 177.

In one mound Middleton uncovered three skeletons at a depth of just two feet. Here he noted that the soil above these bones “had a disturbed appearance; indicating that these were intrusive burials.”¹⁷⁶ In another mound, Middleton found skull fragments at a depth of two feet. At this point, he wrote, “there were evidences that a grave had been dug in the mound after it had been completed, and a body buried in bark wrappings, but all save these garments of the skull had completely decayed,”¹⁷⁷

Some archaeologists have questioned whether intrusive burials were actually found at Rice Lake. A 1988 report by the Burnett County Historical Society noted that, “the presence of ‘intrusive’ burials has not been subsequently noted for any mounds in northwestern Wisconsin. It is likely that either Thomas [*sic*] misinterpreted the positioning of the burials, or that he did not literally mean ‘intrusive’, but was describing burials placed in separate mortuary areas, within the mound.”¹⁷⁸ This explanation may apply in some instances, but they do not seem to fit well with the specific examples above. Nor does this analysis account for the fact that by the time archaeologists began excavating mounds in the early twentieth century, many mounds no longer retained their original outermost soil layers – that is, those layers most likely to contain intrusive burials – due to years of plowing or ravaging by looters. This was certainly the case at Rice Lake.

However, if we accept that at least some burials at Rice Lake were actually intrusive, who might have left them? Too little information is available to draw any definitive conclusions, but it is worth noting that the Ojibwe are known to have wrapped their deceased in birch bark

176. Smithsonian Institution, *Twelfth Annual Report*, 96.

177. Smithsonian Institution, *Twelfth Annual Report*, 97.

178. Jennifer L. Kolb, Michael Kolb and Edgar S. Oerichbauer, “The Archaeological Resources of Northwestern Wisconsin: Region 1 Archaeology Program 1987-1988.” Burnett County Historical Society Siren, Wisconsin, 1988, 51.

and buried them in shallow graves.¹⁷⁹ These traits would seem to fit the specific examples noted above. In Minnesota, some intrusive mound burials have been attributed to the Ojibwe whereas others have been attributed to the Sioux. Still others have been identified as intrusive but not associated with any specific tribe.¹⁸⁰ Many of these intrusive graves were found to contain European or American trade goods. Middleton described finding no such artifacts. This may have been for the simple fact that they were not present or that he worked too quickly to notice them.

Although less likely, it may also be that Middleton had actually excavated mounds already visited by curious locals. If so, the soil disturbances he described might actually have represented the filled-in holes left by looters. While it seems likely that Middleton sought undisturbed mounds for his excavations, the possibility that others had beaten him to certain tumuli cannot be ruled out.

Reburying the Dead?

During the nineteenth century, Indian bodies and parts of bodies were collected and studied as a consequence of the Lost Race debate or out of the belief that they were a vanishing race. Indians did not vanish, but the collecting of bodies continued, in large part, in an effort to answer other questions posed by the scientific community. As was the case in Rice Lake, many Indian graves were no longer tended to, and there was no one around to resist their destruction. In other instances, however, scientists and archaeologists – as was especially true in the nineteenth century – used outright deception to obtain the bodies of dead Indians.¹⁸¹

179. Works Progress Administration, "Indian Burial Customs," in Chippewa Indian Historical Project *Records, The State Historical Society of Wisconsin, Manuscripts*, 1936-1940, 1942

180. Constance M. Arzigian and Katherine P. Stevenson, *Minnesota's Indian Mounds and Burial Sites: A Synthesis of Prehistoric and Early Historic Archaeological Data*, (St. Paul: The Minnesota Office of the State Archaeologist, 2003), 117.

181. Echo-Hawk and Trope, 125-129.

Scientists study the dead for many reasons. In the early twentieth century archaeologists gradually established a chronology of various pre-contact North American cultures. As osteological analysis became more advanced, so too did scientists' abilities to answer increasingly complex questions. Human bones, after all, are essentially storage repositories for an incredible amount of information. Through careful observation, as well as microscopic, osteometric and chemical analysis, researchers have used skeletons to verify the accuracy of the historical record, chart the arrival of the first people in North America, make connections between prehistoric diets and the prevalence of diseases. In some cases, insights gained through the study of ancient diseases and epidemics have allowed researchers to help treat modern ones.¹⁸²

In the twentieth century, Indian graves were afforded some protection from looting under two federal laws, the American Antiquities Act of 1906 and the Archeological Resources Protection Act of 1979. These laws only protected sites on federal land, however, and were principally aimed at deterring looters. Indian burials were still considered objects of scientific interest that could be exhumed and studied once the proper permits had been obtained.¹⁸³

As the twentieth century neared its close, increasingly vocal critics challenged the continued study and exhumation of Indian skeletons. Born from the greater civil rights movement of the 1960s, a new movement, consisting of Indians and non-Indians alike, emerged to seriously challenge the continued disinterment and study of Indian dead.¹⁸⁴ In addition to

182. For a more detailed discussion on this topic, see: Patricia M. Landau and D. Gentry Steele, "Why Anthropologists Study Human Remains," In *Repatriation Reader: Who Owns American Indian Remains?* ed. Devon Abbott Mihesuah. 123-167. Lincoln: University of Nebraska Press, 2000.

183. Jace Weaver, "Indian Presence with No Indians Present: NAGPRA and Its Discontents," *Wicazo Sa Review* 12, no. 2 (Autumn 1977): 16; Michelle Hibbert, "Galileos or Grave Robbers? Science, the Native American Graves Protection and Repatriation Act, and the First Amendment," *American Indian Law Review* 23, no. 2 (1998/1999): 427.

184. Hibbert, 428.

seeking protection of existing graves, this movement also called for the return of human remains stored in museum collections. To be sure, concern for the dead was nothing new, but previous generations of Indians had generally lacked the resources or means to take action. As Jack F. Trope and Walter R. Echo-Hawk observed, “disputes between Native people and American citizens were usually settled on the battlefield, instead of courtrooms. Furthermore, in light of the prevailing racial views of the time, Indians had little realistic hope of a fair hearing in American courts.”¹⁸⁵

Strong arguments against the disinterment and study of Indian dead have been argued on various legal grounds. Among them, the issue of treaty rights has been particularly stressed. Although many tribes ceded land to the U.S. government through the treaty process, no tribe ever ceded the right to its dead or expressly provided for their disinterment. Therefore, this argument holds, tribes still retain control over them.¹⁸⁶ Other arguments have been leveled on the equal protection clause of the Fourteenth Amendment or the free exercise upon religion as protected under the First Amendment of the U.S. Constitution.¹⁸⁷

As the study of Indian skeleton’s continued, the double standard was all too apparent: The graves of non-Indians were generally considered hallowed ground, not to be disturbed whenever possible. The graves of Indians, however, were archeological resources to be excavated, their contents to be exhumed, cataloged and studied. Perhaps nowhere was this double standard evident more than in the case of a mid-nineteenth century pioneer cemetery discovered in 1971 near Glenwood City, Iowa. Uncovered during a road construction project, the cemetery contained the remains of 26 white individuals and one Indian woman, presumed to be

185. Echo-Hawk and Trope, 130.

186. Trope and Echo-Hawk, 134.

187. Ibid. 132.

Pottawattamie.¹⁸⁸ The skeletons of the white settlers were immediately reburied, but the bones of the Indian woman were sent to Iowa City for storage. Maria Pearson, a Yankton Sioux woman whose husband worked on the construction project, found out about the discriminatory treatment and fought to have the Indian woman's bones reburied.¹⁸⁹ Eventually they were but not without a protracted fight and a court order.¹⁹⁰

By 1990, efforts to by the reburial movement had made some progress. Dozens of states had enacted statutes protecting unmarked graves. In a few instances, states had enacted repatriation laws, the most encompassing of which were passed by the States of Arizona, California and Nebraska between 1989 and 1991.¹⁹¹ It was clear to many activists, however, that federal legislation was necessary to achieve more widespread protection and return of Indian remains. Between 1986 and 1990, the Senate introduced several repatriation-related bills. Although some suggestions from these bills were flatly rejected, others were utilized in crafting current federal legislation.¹⁹²

In 1990, the Native American Graves Protection and Repatriation and Repatriation Act (NAGRPA) was signed into law.¹⁹³ Although a comprehensive outline of this law – and all the controversy that has ensued as a result of its passage – is not within the scope of this paper, some of its basic tenants and reactions will be described. NAGPRA is a sweeping piece of legislation that affects all agencies and museums receiving federal funding. Excluded from this law is the Smithsonian, which is covered by the National Museum of the American Indian Act, which is

188. Gene Raffensperger, "Glenwood Reburial Seen in Indian Bone Dispute," *Des Moines Register*, July 13, 1971

189. Otto Knauth, "2 Secret Iowa Cemeteries for Prehistoric Indians," *Des Moines Register*, May 30, 1977.

190. Larry J. Zimmerman, "Made Radical By My Own: An Archaeologists Learns to Accept Reburial," in *Conflict in the Archaeology of Living Traditions*, Ed. R. Layton (New York: Routledge, 1994): 62; "Remains of an Indian Female to Be Returned," *The Malvern Leader*, July 29, 1971.

191. Echo-Hawk and Trope, 134-136.

192. *Ibid.*, 136-137.

193. *Native American Graves Protection and Repatriation Act*, Public L. No. 101-601, 25 U.S.C. 3001 (1990).

similar to NAGPRA in some respects. NAGPRA requires these organizations to inventory their collections to identify Indian human remains, funerary objects, sacred objects and objects of cultural patrimony and determine whether such items can be culturally affiliated with an existing tribe or with lineal descendent based on a preponderance of evidence. If this affiliation exists, the organization in question is required to notify related tribes or individuals and repatriate these items upon request.

Although the passage of NAGPRA elicited widespread disapproval from the anthropology and museum communities, NAGPRA now means many different things to different scientists. As Stepehn E. Nash and Chip Colwell-Chanthaphonh in a 2010 editorial: “For some it is a nuisance, a threat, an unfunded mandate, and unfinished business. For others, it is simply irrelevant to their academic aspirations. For still others, it is an exciting opportunity and a means toward historical reparations and restorative justice. And for still others, it is a difficult and awkward compromise.”¹⁹⁴

To this day many agencies and organizations are still not in compliance with NAGPRA. By law, all such inventories were to be completed by September 16, 1995. Factors contributing to this lack of compliance include the large number of Indian burials excavated, lack of funding, the scattered and poorly documented-nature of many collections, and the amount of research that is required to complete each inventory.

Although NAGPRA was passed in 1990, the body of rules regulating it was not implemented until 1995. Even then, some sections remained undeveloped. In a bid to avoid delaying implementation of basic regulations of the law, the Department of Interior set aside

194. Stepehn E. Nash and Chip Colwell-Chanthaphonh, “NAGPRA After Two Decades,” *Museum Anthropology* 33, no. 22 (Fall 2010): 99.

certain sections for future development and review.¹⁹⁵ Among these was a section related to the disposition of “culturally unidentifiable” (CUI) remains, artifacts, and sacred and cultural objects. A classification of CUI is given to remains and artifacts recognized as being of Indian origin but for which no traceable connection to an existing tribe can be established.

Generally speaking, a CUI classification insured a given collection would remain within the control of the academic community. As an exception to this trend, some CUI human remains have been transferred to tribes following a disposition issued by the NAGPRA Review Committee, a body that assists in dispute resolutions between tribes and museums.¹⁹⁶ In other instances, repatriation agreements have been made between holding institutions and tribes, even when the precise cultural affiliation was ambiguous. In such instances, tribal leaders met and reached the consensus that determining cultural affiliation was unnecessary since the human remains in question “had a cultural connection with all or some of the Indian representatives at the meeting.”¹⁹⁷

The number of CUI human remains known to be held by museums and federal agencies is staggering and has grown with each year, as agencies and organizations continue to complete their mandated inventories. As of June 2011, institutions in the U.S. held the total recorded number of culturally unidentifiable human remains stood at 125,671. Only about 7.5 percent of these have been subsequently culturally identified or transferred to a tribe by disposition of the Review Committee.¹⁹⁸

195. Department of Interior, “Native American Graves Protection and Repatriation Regulations – Disposition of Culturally Unidentifiable Human Remains,” *Federal Register* 75, no. 49, (March 15, 2010): 12378.

196. C. Timothy McKeown, “‘A Willingness to Listen to Each Side’: The Native American Graves Protection and Repatriation Review Committee, 1991-2010,” *Museum Anthropology* 33, no. 2 (Fall 2010): 218-233.

197. James Riding In *et al.*, “Protecting Native American Human Remains, Burial Grounds, and Sacred Places: Panel Discussion,” *Wicazo Sa Review* 19, no. 2 (Autumn 2004): 171-175.

198. National Park Service. “National Nagpra Program, FY 2011 Midyear Report Prepared for the NGPRA Review,” <http://www.nps.gov/nagpra/DOCUMENTS/Reports/NationalNAGPRAMidYear2011final.pdf> (accessed August 15, 2011).

This trend may soon change, however. In October 2007, the Department of Interior published its proposed rules for CUI remains. After some modifications, the final regulations were put into affect on May 14, 2010. For the purposes of this discussion, the new regulation requires a museum or federal agency to “initiate consultation with officials and traditional religious leaders of all Indian tribes ... from whose aboriginal lands the human remains and associated funerary objects were removed” for the purpose of developing a “mutually agreeable” disposition for these items and may retain them only if they can prove “right of possession.”¹⁹⁹ As defined by NAGRPA, right of possession describes “the original acquisition of Native American human remains and associated funerary objects which were excavated, exhumed, or otherwise obtained with full knowledge and consent of the next of kin or the official governing body of the appropriate culturally affiliated Indian tribe or Native Hawaiian organization”²⁰⁰ Few mound or other burial site excavations would seem to satisfy these criteria.

Museums and agencies unable to prove right of possession must relinquish control of culturally unidentifiable human remains and funerary artifacts. In doing so, they have five basic options, in a descending list of priority. Museums and agencies may transfer control to:

- 1) “The Indian tribe or Native Hawaiian organization from whose tribal land, at the time of excavation or removal, the human remains were removed”;
- 2) “The Indian tribe or tribes that are recognized as aboriginal to the area from which the human remains were removed”;
- 3) “ ... other Indian tribes or Native Hawaiian organizations” or
- 4) “ ... An Indian group that is not federally recognized.”²⁰¹

If none of the above outcomes can be met, the remains and artifacts in question must be reburied in accordance “to state or other law.”²⁰²

199. United States, *Code of Federal Regulations, 43, Public Lands, Interior*, (Washington: Office of the Federal Register, National Archives and Records Service, General Services Administration, 2010), 1: 212.

200. *Native American Graves Protection and Repatriation Act*, Public L. No. 101-601, 25 U.S.C. 3001 (1990), Section 15.

201. United States, *Code of Federal Regulations, 43, Public Lands, Interior*, (Washington: Office of the Federal Register, National Archives and Records Service, General Services Administration, 2010), 1: 212-213.

Not surprisingly, these new regulations have reinvigorated debate over the merits of NAGPRA. At the heart of the debate over the new regulations is the legislative intent of NAGPRA. Here, the central question is concerns the legislative intent of NAGPRA. That is, was it originally intended to be a piece of human rights legislation designed to protect Indian dead and right past wrongs? Or was it meant to strike a balance between the needs of Indians and Native Hawaiians and those of the scientific community? Some scientists contend that forcing museums and agencies to hand over their collections will destroy previously good relations between the scientific community and Indian communities. As one critic wrote: “Unfortunately, these new rules will destroy a crucial source of knowledge about North American history and halt a dialogue between scientists and Indian tribes that has been harmonious and enlightening.”²⁰³

Yet, as sociologist Clayton W. Dumont Jr. demonstrated in his 2011 article “Contesting Scientists’ Narrations of NAGPRA’s Legislative History,” the lawmakers that created NAGPRA did so with the full intent to right past wrongs.²⁰⁴ Moreover, the supposed “harmonious” conditions between all parties involved are little more than “happy talk” used to downplay the need for aggressive legislation and regulations.²⁰⁵ After all, if archaeologists and museums could portray relations with the Indian community as fine, why would there be a need for new regulations?

Although the debate over the regulations governing CUI remains and artifacts will continue for the foreseeable future, one thing is certain: They have potentially long-standing

202. United States, *Code of Federal Regulations, 43, Public Lands, Interior*, (Washington: Office of the Federal Register, National Archives and Records Service, General Services Administration, 2010), 1: 213.

203. Robert L. Kelly, “Bones of Contention” *New York Times*, December 12, 2010.

204. Clayton W. Dumont Jr., “Contesting Scientists’ Narrations of NAGPRA’s Legislative History: Rule 10.11 and the Recovery of ‘Culturally Unidentifiable’ Ancestors,” *Wicazo Sa Review* 26, no. 1 (Spring 2011): 5-41.

205. *Ibid.*, 10.

ramifications for the future of thousands of Indian skeletons, including those originally from Rice Lake. In July of this year, the museum division of the Wisconsin Historical Society received an \$88,476 federal grant to process its collection of CUI human remains “from lands identified as aboriginal territories of the Menominee, Potawatomi and Winnebago Nations in Wisconsin.”²⁰⁶ Up for review are the remains of 261 individuals taken from 84 sites in 33 counties across the state, accounting for about 40 percent of the museum division’s CUI collection. According to Erin Gredell, the former assistant curator of Anthropology, the Society intends to apply for additional grants to process the remainder of its CUI collection.²⁰⁷ It is not clear at which point remains from Rice Lake will be considered for repatriation. The Wisconsin Historical Society currently curates the CUI remains of at least 680 individuals between its museum and historic preservation divisions, including the remains of at least 14 individuals from Rice Lake.²⁰⁸

Other museums have been less quick to react to the new regulations. The Milwaukee Public Museum currently curates the CUI remains of at least 1,618 individuals, of which 35 are from Rice Lake.²⁰⁹ According to Dawn Scher Thomae, the anthropology collections manager and associate curator at the museum, museum officials “have not drafted a new plan.”²¹⁰ It is unclear when they intend to do so, but Scher Thomae stated that “if a request comes in for repatriation

206. Summary of NAGPRA grant, Erin Gredell, e-mail message to author, August 8, 2011; National Park Service Press Release, “Salazar Announces \$1.5 Million in Grants under Native American Graves Protection and Repatriation Act,” July 15 2011, <http://www.nps.gov/news/release.htm?id=1185> (accessed August 20, 2011).

207. E-mail message to author, August 8, 2011.

208. Erin Gredell, e-mail message to author, August 8, 2011.

209. National Park Service, “Culturally Unidentifiable Native American Inventory Database: Wisconsin,” National NAGPRA Online Databases, http://grants.cr.nps.gov/CUI/generate_State_report.cfm (accessed July 31, 2011).

210. Dawn Scher Thomae, e-mail to author, Aug. 22, 2011.

for [culturally unidentifiable human remains] we will handle [it] as a repatriation under NAGPRA as we have done for other material.”²¹¹

Remains from Rice Lake held at the Smithsonian will not be affected. As previously noted, the Smithsonian Institution is held accountable to repatriation requests under NMAIA, an act is unaffected regulatory changes to NAGPRA. Under the National Museum of Natural History’s current repatriation policy, an individual or tribe still "must demonstrate cultural affiliation with the human remains and objects being requested.”²¹² This exposes a double-standard in the current legislative code: Human remains from one mound will be eligible for reburial while those from an adjacent mound of the same group will not. Eric Hollinger, the Smithsonian’s repatriation case officer for the Northeast, Midwest, California and Great Basin regions, did not return e-mail requests for comment.

Conclusion

In 2007 a National Park Service report examined six states in the eastern U.S. from which the highest number of CUI remains had been collected.²¹³ Of interested here, the graphed the number of CUI human remains collected in these states by decade. The graph peaked at three distinct times: one in the 1890s, another in the 1930s and a third in the 1960s.²¹⁴ Although only six states are included in this analysis, the large number of burials used in this figure (a total of 53,182, or about slightly under 45 percent of all CUI human remains then known to be in the

211. Dawn Scher Thomae, e-mail to author, Aug. 22, 2011.

212. Smithsonian Institution, National Museum of Natural History, “Guidelines and Procedures for Repatriation,” under “VIII. Criteria For Repatriation,” Amended 2006, http://anthropology.si.edu/repatriation/pdf/guidelines_and_procedures.pdf (accessed August 15, 2010).

213. National Park Service, “Who are the Culturally Unidentifiable?” Prepared by Andrew Cline, March 22, 2007, <http://www.nps.gov/nagpra/REVIEW/Who%20are%20the%20Culturally%20Unidentifiable.pdf> (assessed November 15, 2011).

214. Andrew Kline, “Who are the Culturally Unidentifiable?” National NAGPRA, March 22, 2007, <http://www.nps.gov/nagpra/REVIEW/Who%20are%20the%20Culturally%20Unidentifiable.pdf>.

U.S.) suggests the trends in this graph may be extrapolated to represent the broader rise and fall interest in burial site archaeology.

From this perspective we see that the story of Rice Lake's is congruent with broader patterns in burial mound research. In fact, as the reader will note, the aforementioned peaks in burial excavations are generally congruent with the dates of mound excavations at Rice Lake. In the late nineteenth century, just as burial collection across the nation was reaching its first peak, Rice Lake was visited by the Smithsonian, which opened dozens of mounds as it attempted to discern whether Indians and mound builders had been of separate "races." Then, in the second decade of the twentieth century, just as statewide mound preservation efforts were coming into full swing, Rice Lake again received notice when members of the Wisconsin Archeological Society paid them a visit. Like countless mound groups across the nation, both treasure hunters and antiquarians alike had gutted many of the burial mounds, hauling off an unknown number of bones and relics and leaving the remaining earthworks in sad repair. As a result, the Wisconsin Archeological Society urged city officials to preserve some of the remaining mounds. This recommendation was realized several years later with the creation of what is now Indian Mounds Park. In the 1930s, just as burial site excavations reached their all-time high in the nation, Rice Lake again became the focus of renewed archaeological interest. During a six-year period, several of the city's mounds were excavated by students and faculty of the University of Wisconsin and Milwaukee Public Museum. This work recovered a number of clay funerary masks. The full significance of these is only just now being understood. The 1950s marked a relative slump in burial site excavations – the lowest point in a 30-year period. But by the 1960s, however, burial site excavations peaked for a third and final time and. Not surprisingly, Rice

Lake was again the focus of additional archaeological fieldwork, although few if any bones appear to have been collected at this time.

Recent events at Rice Lake are congruent with a relatively recent surge in public interest in burial mounds. As Birmingham and Eisenberg noted in 2000: “For more than a decade, rarely has a day passed when we at the State Historical Society did not respond to requests for background material on mound building and mound research in Wisconsin.”²¹⁵ At Rice Lake, this renewed interest manifested itself in a 2007 plan to overhaul Indian Mounds Park, as proposed by Shannon Severud, then a city councilmember.²¹⁶ This plan was the thesis of her landscape architecture master’s degree. Severud’s plan called for returning the park to return the park “to a much simpler, more natural setting.”²¹⁷ Under her proposal, all existing structures in the park, including a red stone picnic shelter in the heart of the park, would be removed, although additional seating areas would be constructed at various locations throughout the grounds. Two glass panels placed at the main entrance of the park would include a brief history of the park. Since 2007, plans to overhaul the park have been an on-again, off-again element of the city’s budget. Although not currently slated to receive city funds, Ronn Kopp, the director of the city’s Department of Parks Recreation and Cemeteries, says he is hoping to implement the plan using a mix of grant money and funds pledge by private donors. A swing set and outdoor grill have already been removed from the park.²¹⁸

The latest regulatory changes to NAGPRA offer an additional possibility for the park. If human remains from Rice Lake are to ultimately be reburied, the park would be a logical, location for their internment, perhaps even in a burial mound specially constructed for that

215. Birmingham and Eisenberg, xiii.

216. Parks, Recreation and Cemeteries Board Meeting Minutes, October 17, 2007, Rice Lake City Hall, Rice Lake, WI; Shannon Severud, “Indian Mounds Park Presentation,” PowerPoint Presentation, 2007.

217. Severud, “Indian Mounds Park Presentation,” PowerPoint Presentation, 2007.

218. Ronn Kopp telephone conversation with author, November 4, 2011.

purpose at the spot where the picnic shelter is currently located. Such an internment would represent a “homecoming” for these bones as well as give additional recognition to Rice Lake’s Indian history. Naturally, such a plan, would be contingent upon cooperation between city officials, tribal leaders involved in the NAGPRA consultation, the Wisconsin Historical Society, and Milwaukee Public Museum.

Like thousands of human remain collections across the country, collections from Rice Lake appear to have been the focus of very little research. As far as the author has been able to discern, no material from any Rice Lake mound has been radiocarbon dated. Nor does it appear that artifacts or human remains, the funerary masks studies already discussed, have been utilized for research purposes.²¹⁹

Although much could be learned from studying the Rice Lake skeletons, reburying them will not constitute the death of archaeological research for the area. Many old habitation sites have gone unexamined by archaeologists and potentially harbor large quantities of useful information about the settlement patterns and the day-to-day lives of those who once lived in the area. As Jim Patraw once observed, there are still parts of Rice Lake where “anyone who has a yard that is made of original landscape has but to turn a spade of sod ... to find old pottery chips, fragments of clay pipes, and all sorts of village garbage....” Mounds are now off-limits to archaeologists, but a wealth of information still lies in undisturbed habitation sites found around the lake. So long as the excavation of these sites are left to the hands of trained professionals, the most exciting days of Rice Lake’s archaeological future may lay ahead.²²⁰

219. James Krakker, e-mail message to author, November 9, 2011; Dawn Scher Thomae, e-mail message to author, August 22, 2011; Erin Gredell, conversation with author, May 24, 2011.

220. Jim Patraw, “Rice Lake Area Geologic Notes,” February 1994, Private collection.

Epilogue

In 1994, the *Chronotype* reported that “the fate of the remains and artifacts found in the Rice Lake mounds is, for now, unknown.” Almost forty years after Cooper had explained to concerned citizens that his discoveries could not possibly be left in Rice Lake lest they “be scattered and lost,” they appeared to have done precisely that. Shortly thereafter it was reported that the artifacts were at the Burnett County Historical Society, which had requested them from Hamline University in 1983. Yet at the time no one – not even Bob Birmingham, then the Wisconsin State Archaeologist – seemed to know what had happened to the human remains.²²¹

This last point is especially interesting since these remains were subsequently located and are now in the custody of the Wisconsin Historical Society. In fact, surviving correspondences suggests the Society actually had them in 1994 and had likely been in possession of them since the mid-1970s. Correspondences between Joan Freeman, Wisconsin’s first State Archaeologist, and Christy Caine of the University of Minnesota, suggest the bones from Cooper’s 1952 excavation were transferred from the Science Museum of Minnesota to the Wisconsin Historical Society shortly after Cooper’s death in 1975.²²² Jennifer Kolb, the Wisconsin Historical Society’s museum director, did not respond to e-mail requests for information concerning the history of this collection.

Sadly, poor accountability seems to have been fairly emblematic of twentieth century archaeology in Wisconsin. In the 1980s, the Burnett County Historical Society compiled a list of available excavation reports for a nine-county region of northwestern Wisconsin. The Society found only seven published reports, but an incredible 21 excavations of which reports were

222. Gene Prigge, “New Laws Protect Indian Burial Sites,” *Rice Lake Chronotype*, January 12, 1994; Gene Prigge, “Artifacts from Mounds are Located,” *Rice Lake Chronotype*, January 26, 1994.

222. Joan Freeman to Christy Caine, April 3, 1975, Folder “1975-1976 CAINE / FREEMAN Correspondence re:Leland Cooper,” Cooper Files, Anthropology Department, Wisconsin Historical Society; Caine to Freeman, April 7, 1975, Cooper Files, Folder “1975-1976 CAINE / FREEMAN Correspondence re:Leland Cooper,” Cooper Files.

unpublished, incomplete or missing altogether. Based on these findings, completed and published work represented only a third of all work done in the region. At Rice Lake, this figure was hardly more encouraging: The results of about half of all excavations were published.²²³

The list of those responsible for these unreported excavations included two familiar names. Cooper alone was responsible for at least six unpublished or unfinished reports and McKern was responsible for another four. According to the Burnett County Historical Society's list, Cooper was responsible for more unpublished or absentee reports than any other single archaeologist in the region.²²⁴

Cooper's failure to report his work extended well beyond northwestern Wisconsin, however. One notable instance was the excavation of the First Fort Crawford in Prairie du Chien, done in 1938 as Works Progress Administration project. Thousands of artifacts were recovered from the site, but the true extent of Cooper's work remains a mystery. The only written document related to the excavation that ever surfaced after his death was a numbered table of contents page. According to historian William E. Whittaker, "Correspondence between Cooper and John Jenkins of the Wisconsin State Historical Society in the early 1950s indicates that Cooper was still intending to write up the excavations on First Fort Crawford but was having difficulty finding time or funds."²²⁵

Thus, even if the ethical debate surrounding the disinterment and study of Indian dead are stripped away, we see that Cooper's work (as well as that of many other archaeologists of his day) left a troubling legacy. Once an archaeological site has been excavated it can never be re-excavated. That is, the site's original historical context is gone forever. The archaeologist,

223. Kolb, Kolb and Oerichbauer, 48-49.

224. Ibid.

225. William E. Whittaker, *Frontier Forts of Iowa: Indians, Traders, and Soldiers, 1682-1862*, (Iowa City: University of Iowa Press, 2009): 82-84.

therefore, is under the ethical imperative to report (and hopefully publish) his findings. If he does not, he is little better than the treasure hunter he despises. From this perspective, much of Cooper's fieldwork did more harm than good, as he barred future archaeologists from carrying out proper excavations at certain locations. It could be argued, of course, that many of these sites would have eventually been destroyed anyway and therefore even a small amount of additional information about them represented a relative gain to what would have otherwise been a complete loss. But Cooper's work was often funded by public tax dollars and in many cases – as at Prairie du Chien, Rice Lake and other places – researchers and the general public received almost nothing in return. For his poor track record in this regard, Cooper gained the posthumous but unflattering nickname “Leland the Looter” within some circles of the Wisconsin Historical Society.²²⁶

Why did Cooper fail to finish so much of what he started? Surviving correspondences indicate he felt overburdened with his duties at Hamline University. In a 1962 letter to McKern, Cooper complained that the time he had for writing during the semester was “exceedingly limited for anything other than course preparations.”²²⁷ He further stated that his 1959 report on Indian Mounds Park had been mostly written in a two-hour window commencing at 6:30 a.m. and that was “difficult to think clearly at such an ungodly hour.”²²⁸ It may be, therefore, that Cooper was guilty of the all too human fault of taking on more projects than he was capable – or at least willing – to finish.²²⁹

Nevertheless, Cooper will likely continue to be remembered best by many for his contributions to Wisconsin archaeology. In 1966, the Wisconsin Archeological Society awarded

226. Erin Gredell, e-mail message to author, December 9, 2010.

227. Cooper to McKern, April 22, 1962, Folder “Cooper/McKern Correspondence (1962),” Cooper Files.

228. Ibid.

229. Cooper to McKern, April 22, 1962, Folder “Cooper/McKern Correspondence (1962),” Cooper Files.

him a Lapham Research Medal, a prestigious award periodically “given to those judged to have made outstanding contributions to the knowledge of archeology of Wisconsin.”²³⁰ After his death in 1975, Cooper was remembered as “a slight and pleasant man” and a “gentleman of the old school” who “contributed greatly to the history of both Minnesota and Wisconsin in his diggings of mound sites and his study of the Indians and pioneers of this part of the continent.”²³¹ He is still memorialized at Hamline through the Belle and Leland Cooper Award in Anthropology.

230. “Mr. Leland Cooper ... 32nd Recipient of the Lapham Research Medal,” *The Wisconsin Archeologist* 47, no. 2 (June 1966): 96.

231. Leland Cooper Obituary, April 3, 1975, Biography File, Hamline University Archives; Gene Prigge, “Indian Burial Mounds Remain Monuments to Region’s Past,” *Chronotype*, January 12, 1994.

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