

Rep. E. Peterson moved to report HB 2368 as amended favorable for passage. Rep. Gilbert seconded the motion. The motion passed.

Rep. Vickery moved to amend the March 4 Committee Meeting Minutes to read as follows: "Rep. Vickery questioned why provisions of Section E were different than those of the next sections of the bill." Rep. Franklin seconded the motion. The motion passed.

Rep. Hutchins made a motion to approve the Committee Meeting minutes as written for February 26, March 3, March 8, March 9 and as amended for March 4. Rep. Franklin seconded the motion. The motion carried.

Meeting adjourned at 2:10 P.M.

HOUSE FEDERAL & STATE AFFAIRS
GUEST LIST

DATE: 03-10-99

| NAME | REPRESENTING |
|-----------------------|---------------------------------------|
| STEVE ARCHER | CITY OF ARKANSAS CITY |
| JOE SHRIVER | St. Rep. # 79 |
| Richard Buck | Shriver's intern |
| LANE MASSEY | CITY OF ARKANSAS CITY |
| Steve Phillips | ASST A.G. |
| Ramon Powers | Kansas State Historical Society |
| Virginia A. Wulfkuhle | KSHS |
| Donna C. Roper | Professional Archaeologists of Kansas |
| Mart Steg | KSHS |
| Barbara Alderson | Just Visiting |
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AND REGULATIONS

FEDERAL AND STATE AFFAIRS
CHAIRMAN SUSAN WAGLE
MEMBERS OF THE COMMITTEE

House Bill 2368 is a simple change to a short section of state statute. Until the halloween floods of 1998, I never understood the State of Kansas antiquities laws.

K.S.A. 74-5401 Definitions. As used in this act:

(a) "Antiquities" means historic or pre-historic ruins and other archeological sites, including evidence of such features as constructions or inscriptions by human agency or other evidence of human activity having antiquity, but not including any unmarked burial site subject to the provisions of the Kansas unmarked burial sites preservation act.

(b) "Commission" means the Antiquities Commission created by this act.

As confusing as that definition may be, I wish to speak to you today about old things. After the passage of the last highway plan, various agencies, (local, state and federal), started working on plans to combine a bypass project in Cowley County with an Army Corp of Engineers Levee Project. By combining the two projects, it was hoped that savings could occur. One of the first assessments was to the historic preservation of the area. As we now know, this area of Cowley County has vast historic value.

House Bill 2368 is a result of the agreed solution by participating parties in resolving a conflict which may have delayed the building of a tieback levee near Arkansas City. In design of the Arkansas City Levee Project (a federal Army Corp of Engineers program) a levee was designed to run parallel to the existing Santa Fe/Burlington-Northern tracks. The distance between these two parallel structures (the railroad tracks and a new levee) would vary from over a mile to less than a mile. On the northern most of these structures, a tieback levee was designed to prevent the flow from North Creek. It is within this area artifacts were found.

K.S.A. 74-5403 which is the state statute I wish the Committee to consider amending, prohibits certain acts without authorization. No individual, institution or corporation shall excavate in, remove material from, vandalize or deface any site or area set out in K.S.A. 74-5401, on lands belonging to or controlled by the State of Kansas or any agency thereof, or to any county or municipality in the state, or on lands in which a qualified agency is conducting scientific archeological investigations, without specific authorization.

The bill as I submitted to you would provide an exception in the preservation of life and health of persons residing near such sites.

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The flooding from this storm, the aftermath of hurricane Mitch, provided unusual record river levels on both the Walnut River and Arkansas River at Arkansas City. House Bill 2368 will do nothing to address current problems of mitigation or litigation in the Arkansas City flood problems. It is my hope that House Bill 2368 will prevent, in the future, an area of archeological importance to be a hold up endangering the health and lives of those living near such sites.

It only has been with cooperation of the City of Arkansas City, Kansas State Historical Society, Governor Graves and the Wichita Indian Tribe, that a timely resolution has been brought forward. Today, contracts have been let to build the tieback levee that might have prevented millions of dollars of damage in the Arkansas City area. The artifact in the tieback levee area have been removed, thanks to an emergency dig ordered by the State Antiquities Commission.

I thank the Committee for its consideration of this matter. Madam Chairman, I stand for questions.

Joe Shriver
State Representative
District #79

section (e) of K.S.A. 75-3223 and amendments thereto.

History: L. 1987, ch. 306, § 8; L. 1988, ch. 304, § 5; July 1.

74-5369. Grounds for denial, suspension, limitation, revocation or nonrenewal of registration; procedure; judicial review. An application for registration under K.S.A. 74-5361 to 74-5371, inclusive, and amendments thereto may be denied or a registration granted under this act may be suspended, limited, revoked or not renewed by the board upon proof that the applicant or registered masters level psychologist:

(a) Has been convicted of a felony involving moral turpitude;

(b) has been found guilty of fraud or deceit in connection with the rendering of professional services or in establishing such person's qualifications under this act;

(c) has aided or abetted a person not licensed as a psychologist, registered under this act or an uncertified assistant, to hold oneself out as a psychologist in this state;

(d) has been guilty of unprofessional conduct as defined by rules and regulations of the board;

(e) has been guilty of neglect or wrongful duties in the performance of duties; or

(f) has had a registration, license or certificate as a masters level psychologist revoked, suspended or limited, or has had other disciplinary action taken, or an application for a registration, license or certificate denied, by the proper regulatory authority of another state, territory, District of Columbia or another country, a certified copy of the record of the action of the other jurisdiction being conclusive evidence thereof.

Administrative proceedings under K.S.A. 74-5361 to 74-5371, inclusive, and amendments thereto shall be conducted in accordance with the Kansas administrative procedure act. Judicial review and civil enforcement of agency actions under K.S.A. 74-5361 to 74-5371, inclusive, and amendments thereto shall be in accordance with the act for judicial review and civil enforcement of agency actions.

History: L. 1987, ch. 306, § 9; L. 1988, ch. 304, § 2; July 1.

74-5370. Rules and regulations. The board may adopt rules and regulations to administer the provisions of K.S.A. 74-5361 to 74-5371, inclusive, and amendments thereto.

History: L. 1987, ch. 306, § 10; July 1.

74-5371. Representation as registered masters level psychologist; prohibited acts, misdemeanor. (a) On and after May 1, 1989, no person shall represent oneself as a registered masters level psychologist or use the abbreviation RMLP or use any word, letter, signs, figures or devices to indicate that such person using the same is a registered masters level psychologist unless such person holds a valid registration as a registered masters level psychologist.

(b) A violation of this section is a class C misdemeanor.

History: L. 1987, ch. 306, § 11; L. 1988, ch. 304, § 8; July 1.

74-5372. Privileged communications. The confidential relations and communications between a registered masters level psychologist and such psychologist's client are placed on the same basis as provided by law for those between an attorney and an attorney's client.

History: L. 1988, ch. 304, § 9; July 1.

Article 54.—ANTIQUITIES COMMISSION

74-5401. Definitions. As used in this act:

(a) "Antiquities" means historic or prehistoric ruins and other archeological sites, including evidence of such features as constructions or inscriptions by human agency or other evidence of human activity having antiquity but not including any unmarked burial site subject to the provisions of the Kansas unmarked burial sites preservation act.

(b) "Commission" means the antiquities commission created by this act.

History: L. 1967, ch. 433, § 1; L. 1989, ch. 234, § 16; July 1.

Research and Practice Aids:

States — 45.

C.J.S. States §§ 79, 80, 82, 136.

74-5402. Establishment; composition; secretary; compensation and expenses. There is hereby established a Kansas antiquities commission, to be composed of the following persons or their designated representatives: The secretary of the state historical society, who shall be the chairman thereof; the heads of the departments of anthropology of the university of Kansas, Kansas state university and Wichita state university; and the state archeologist on the staff of the state historical society, who shall be the secretary of the commission. Members of the Kansas antiquities commission attending

meetings of such commission, or attending a subcommittee meeting thereof authorized by such commission, shall be paid subsistence allowances, mileage and other expenses as provided in K.S.A. 75-3223.

History: L. 1967, ch. 433, § 2; L. 1974, ch. 348, § 78; July 1.

74-5403. Certain acts prohibited without authorization. No individual, institution or corporation shall excavate in, remove material from, vandalize or deface any site or area set out in K.S.A. 74-5401, on lands belonging to or controlled by the state of Kansas or any agency thereof, or to any county or municipality in the state, or on lands in which a qualified agency is conducting scientific archeological investigations, without specific authorization.

History: L. 1967, ch. 433, § 3; July 1.

Law Review and Bar Journal References:

"What is America's Heritage?—Historic Preservation and American Indian Culture," Paul E. Wilson and Elaine Oser Zingg, 22 K.L.R. 413, 450 (1974).

74-5404. Permits; written request, requirements. Permits may be granted by the commission, through its secretary, under such limitations and for such periods of time as he may determine, to educational or research institutions, public museums or nonprofit corporations organized for scientific and research purposes. They may be authorized to excavate, remove materials, or otherwise scientifically investigate by recognized professional techniques if, in the opinion of the commission, they have the professional staff and the laboratory, storage and/or museum display facilities to make available to the public the professional knowledge gained and to preserve permanently all objects, photographs and other records of their investigations in public repositories under their own supervision or control. Permits may be issued only after approval of a formal written request detailing the purposes of the proposed investigation, the location in which it is to be conducted, the sponsoring agency, and the professional personnel to be in charge.

History: L. 1967, ch. 433, § 4; July 1.

74-5405. Agencies authorized *ipso facto* to conduct scientific investigations. Agencies represented by the members of the commission shall *ipso facto* have permission to conduct scientific investigations, and other official agencies of the state of Kansas which employ a specifically entitled archeological research staff and which have facilities for laboratory and

storage and for publications of scientific reports shall also have such *ipso facto* permission.

History: L. 1967, ch. 433, § 5; July 1.

74-5406. Artifacts and materials recovered to be submitted to historical society, when. Artifacts and other materials recovered from such scientific investigations, if and when they are not needed or are no longer desired for retention by the original investigating agency, shall be submitted to the state historical society for preservation if the society so desires.

History: L. 1967, ch. 433, § 6; July 1.

74-5407. Reports of discoveries; preservation. It shall be the responsibility of any person in charge of any survey, excavation or construction on any of the above defined lands, and he is hereby required, to report discoveries of objects, ruins or other antiquities to the secretary of the commission or, in the informant's discretion, to one of the other members of the commission. The reporting official shall take all reasonable precautions to preserve the discovery until it can be investigated by the commission or its designated agent.

History: L. 1967, ch. 433, § 7; July 1.

74-5408. Penalties for violations of act. Any person, institution or corporation violating any provision of this act shall be guilty of a misdemeanor and upon conviction shall be punished by a fine not exceeding five hundred dollars (\$500) or imprisonment not to exceed six (6) months, or both. All material collected from the site by a convicted offender shall be delivered to the Kansas state historical society.

History: L. 1967, ch. 433, § 8; July 1.

Article 55.—DEVELOPMENTAL DISABILITY AGENCIES

STATE PLANNING COUNCIL ON DEVELOPMENTAL DISABILITIES SERVICES

74-5501. State planning council on developmental disabilities services; establishment; membership. (a) There is hereby established the state planning council on developmental disabilities services which shall consist of not more than fifteen (15) members. The membership of the council shall at all times include representatives of the principal state agencies, higher education training facilities, local agencies, and nongovernmental agencies and groups concerned with services to persons with developmental disabilities. The

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NOTES

Evidence of the Spring Planting Ceremony to Evening Star and Her Sacred Garden

Susan A. Holland

ABSTRACT

A bison scapula hoe with an engraved design was recovered from a Great Bend aspect site at Arkansas City, KS, in the fall of 1995. The site is associated with the historic and modern Wichita, who, along with their relatives the Pawnee, had star cults and planting ceremonies. By using sign language to interpret the symbols and relate them to the spring planting ceremony, I conclude that the artifact was associated with this ceremony to Evening Star and her Sacred Garden to ensure food production.

Keywords: *engraved scapula; spring planting ceremony; Evening Star; Wichita tribe*

INTRODUCTION

The Wichita and the Pawnee are very, very similar (Virgil Swift, Wichita and Affiliated Tribes, personal communication, 1995).

An engraved bison scapula (Figs. 1 and 2) was recovered in the fall of 1995 by the Kansas State Historical Society from a cache pit (Feature 355) at site 14CO385, Arkansas City, Kansas. The site, one of eight being investigated in a cooperative agreement with the Kansas Department of Transportation (KDOT) (Hawley and Haury 1994:1), is on the boundary of the Great Bend Lowland in the confluence of the Walnut and Arkansas rivers. The area "in prehistoric and early historic times apparently consisted of sand prairie with thin bands of floodplain forest along the Arkansas River" (Hawley and Haury 1994:4). Most of the occupation "is attributable to the Lower Walnut focus of the Great Bend aspect...[which]...is strongly inferred to be ancestral to the historic and modern Wichita" (Hawley and Holland 1996:7). The Wichita harvested their crops in the fall and stored their food supply, along with personal items, in

large subsurface cache pits and "so much care was exercised in concealing the locations of these 'caches' that no one ever thought of looking for them" (Clark 1885:403, 404).

Ethnographic documentation of the Wichita is sparse. Dorsey (1904) is credited as the best source and states that their religion was characteristically a star cult, although they lacked the extended ceremonies of their Pawnee relatives (Dorsey 1904:16). The grass house of the Wichita symbolized the heavens; the four upright poles represented gods, or world quarters, while their tops symbolized the Creator (Dorsey 1904:5). The traditional Pawnee house was also constructed in relationship to the universe. Its four roof posts represented "the four beings who hold up the heavens" (Chamberlain 1982:156). The inner door of the Pawnee lodge was marked by the western poles and represented the sacred area where the bundle and garden of Evening Star resided (Chamberlain 1982:157). Corn appears to be the only crop connected with any Wichita ceremony (Dorsey 1904:17). No description of Wichita ceremonials could be located; however, corn-planting ceremonies of the Skiri Pawnee that relate to Evening Star

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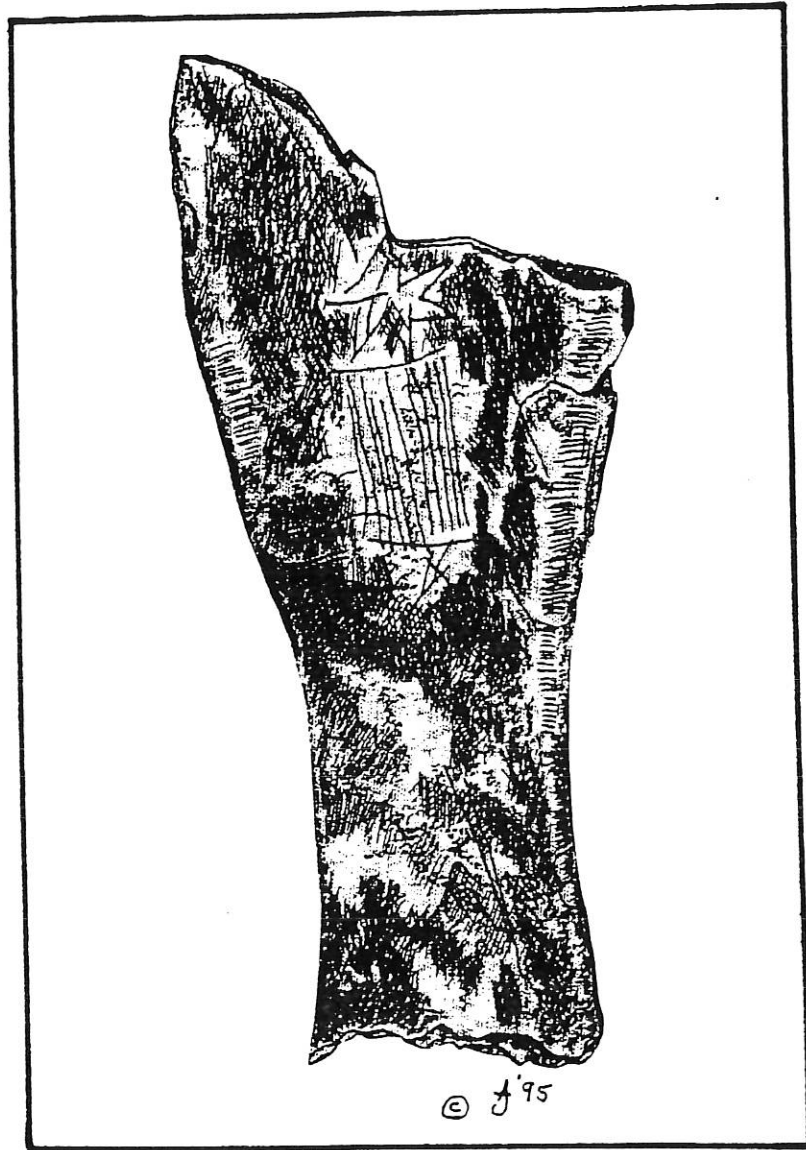


Figure 1. Decorated bison scapula hoe from 14CO385. Kansas State Historical Society. Drawing by Amy Lawson.

and her Sacred Garden are recorded in detail by Murie (1981).

The Wichita and Pawnee are both of Caddoan linguistic stock. Records show that they hunted buffalo together (Hyde 1951:9-12), and also shared ceremonies (Weltfish 1965:318-331; Dorsey 1904:17). "They have intermarried and lived together to such an extent that it is no longer possible for one custom or another to be considered as the exclusive property of a single tribe.

This holds good also regarding religion and mythology..." (Dorsey 1904:1-2). Today the two groups continue to meet once a year for kinship renewal ceremonies (Virgil Swift, personal communication, 1996).

The bison scapula hoe recovered from 14CO385 has the etched, or engraved, symbols of a star and a rectangle containing vertical lines. Bison scapula hoes were used in the Corn-Planting Ceremony dedicated to Evening Star by the

Pawnee every spring before the first corn was placed in the ground (Murie 1981:76-80). Evening Star, "known to the white people as Venus" (Murie 1981:39), symbolized the female agricultural deity responsible for the annual reproduction of food (Weltfish 1965:256), and her sacred garden, represented as a rectangle (Murie 1981:73), was a place "where the corn is always ripening and where are stored many parfleches of buffalo meat" (Murie 1981:178). Another artifact from the same feature at 14CO385, a garfish jaw with teeth, may also be related to Evening Star's Garden and to two more Pawnee ceremonies (Weltfish 1965:153-154, 259-261).

SITE 14CO385

Site 14CO385 (the Radio Lane site) contained over 150 features ranging from cylindrical pits to shallow basins and "has produced the largest single collections of artifacts and faunal material from the area to date" (Hawley and Holland 1996:8). Items of special interest from the site were a *Conus* shell pendant fragment, an antler tine scraper handle, incised pipe fragments, obsidian flakes, one Southwestern body sherd, decorated bison metapodials, a hematite rabbit effigy, a piece of lead (possibly a masticated musket ball), and the bison scapula hoe with the star and rectangle motif (Hawley and Holland 1996:8). The site produced a large number of agricultural implements, including other bison scapula hoes and bison tibia digging stick fragments.

The decorated bison scapula hoe measures 18 cm long and 8.5 cm wide across the distal end. Both the blade edge and socketed end are missing. On the posterior side the spine was removed and smoothed off, leaving numerous abrasive striations. The anterior side exhibited a moderate number of abrasive marks, a couple of hairline cracks, and close to the distal end, the engraved design described in detail below.

The artifact was recovered from a cache pit 140 cm deep that belled out to approximately 140 cm in diameter at the bottom. The scapula, along with numerous other items, came from the lower 20 cm of the pit fill (Fig. 3). Other artifacts from the pit include a complete canine skull and mandible with teeth, a decorated shell, turquoise fragments, a catlinite fragment of a possible pendant,

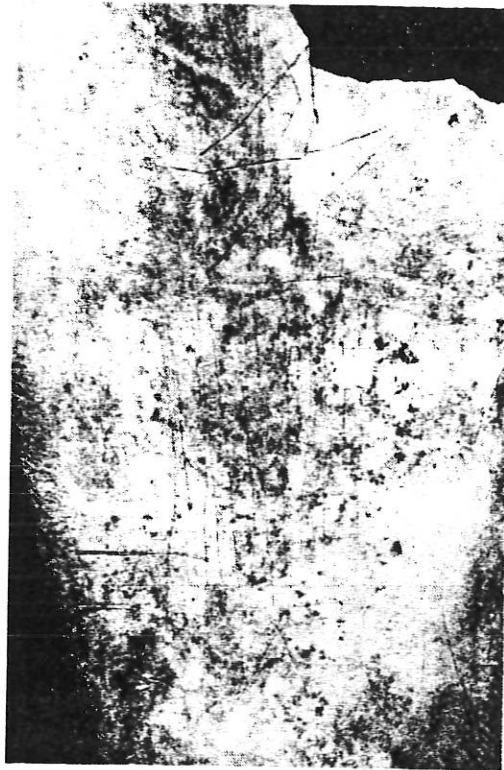


Figure 2. Engraved designs on the decorated bison scapula hoe.

and a gar jaw with teeth. The latter two items were also from the lower 20 cm level. Six C-14 dates from the Radio Lane site range from AD 790 to 1810 (Fred Scott, personal communication, 1997).

This paper discusses the engraved symbols on the decorated scapula: a star with one blunt point touching a rectangle which contains nine parallel lines. Another symbol on the lower left side of the rectangle appears to be part of the design but is not etched in the same manner.

THE ENGRAVED SCAPULA AND SIGN LANGUAGE

Broadly, the term language may be applied to whatever means social beings employ to communicate... and the object of language is to arrive by skillful combinations of known signs at the expression of something unknown to one of the parties: i.e., the idea to be conveyed (Clark 1885:9-10)

With the scapula oriented blade upward, the design consists of a star with one of its lower points

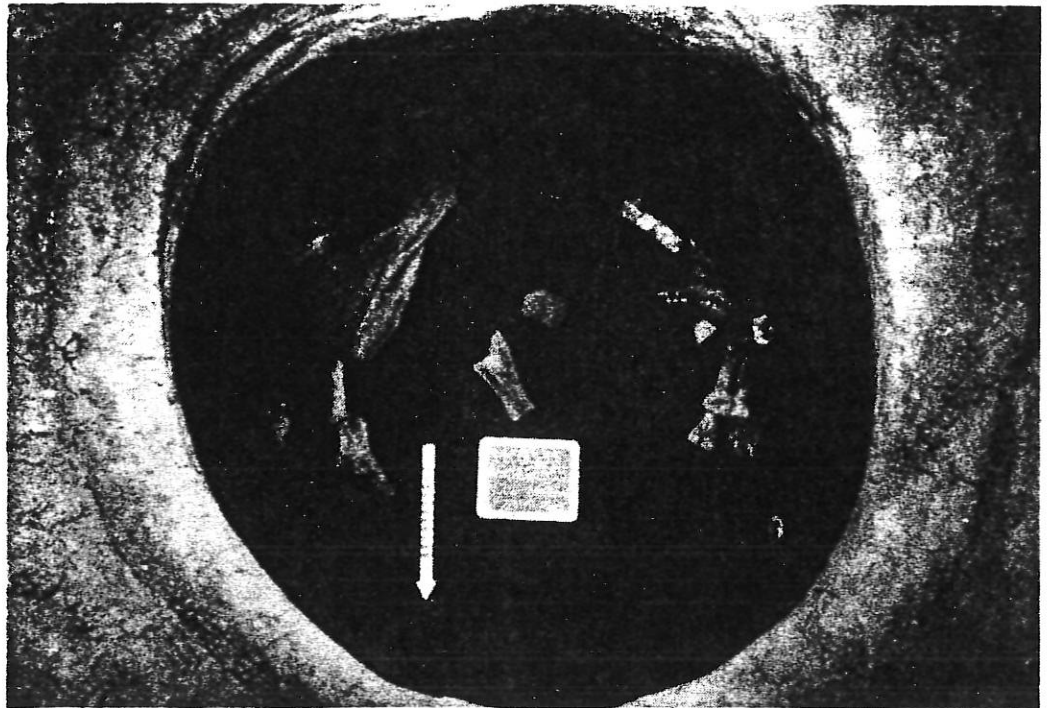


Figure 3. Feature 355 at 14CO385. The engraved hoe is shown in situ (center, just above the chalkboard) at the bottom of the bell-shaped pit, along with other artifacts. Kansas State Historical Society.

touching a horizontal line which encloses one side of a rectangle containing nine vertical lines. It is proposed that the star represents Evening Star and the rectangle, her Sacred Garden, from which she produces corn to nourish her people on earth. Sacred bison scapula hoes were used in the Ground-Breaking Ceremony to Evening Star and her garden (Weltfish 1965:95-105), discussed below.

In Native American iconography, stars are often represented by a simple cross, but may be given three or more points (Mallery 1893:697, 723). The star on the scapula hoe has six points and appears purposely designed to indicate that it is falling or "going down low" (LaVan Martineau, personal communication, 1996). Thus, two symbols are combined: Venus (the evening star) is expressed as a star that is low in the sky; and Evening Star is expressed as coming down to earth (to plant corn). In sign language there is more than one way to express "star." For example, as in Figure 4a, "deaf-mutes rub the extended index fingers placed alongside of each other, other fin-

gers closed" (Clark 1885:358). This indicates striking blows off each other, as in "striking flints to draw twinkling sparks or stars" (Sternberg 1981:696). To fall, or go down (Fig. 4b), is indicated in sign language by holding "the tips of the extended and separated index and second fingers of the right hand perpendicularly on left palm, other fingers and thumb closed, and then, by wrist action, turn[ing] the hand and lay[ing] these fingers down on the palm" (Clark 1885:166). On the bison scapula, something similar may be indicated by the upper points of the star which appear to be "falling" to their right (as fingers laying down on the palm of the hand).

The lower, blunt point of the star is actually touching the line of the rectangle beneath it and intrudes slightly below that line. This may indicate to strike, poke, or plant, as planting a seed in the ground. This action is signed by holding the left hand palm up and bringing the lower extended edge of the right hand down upon the left palm (Clark 1885:359). This indicates striking or poking the ground in order to plant a seed (Fig. 4c).

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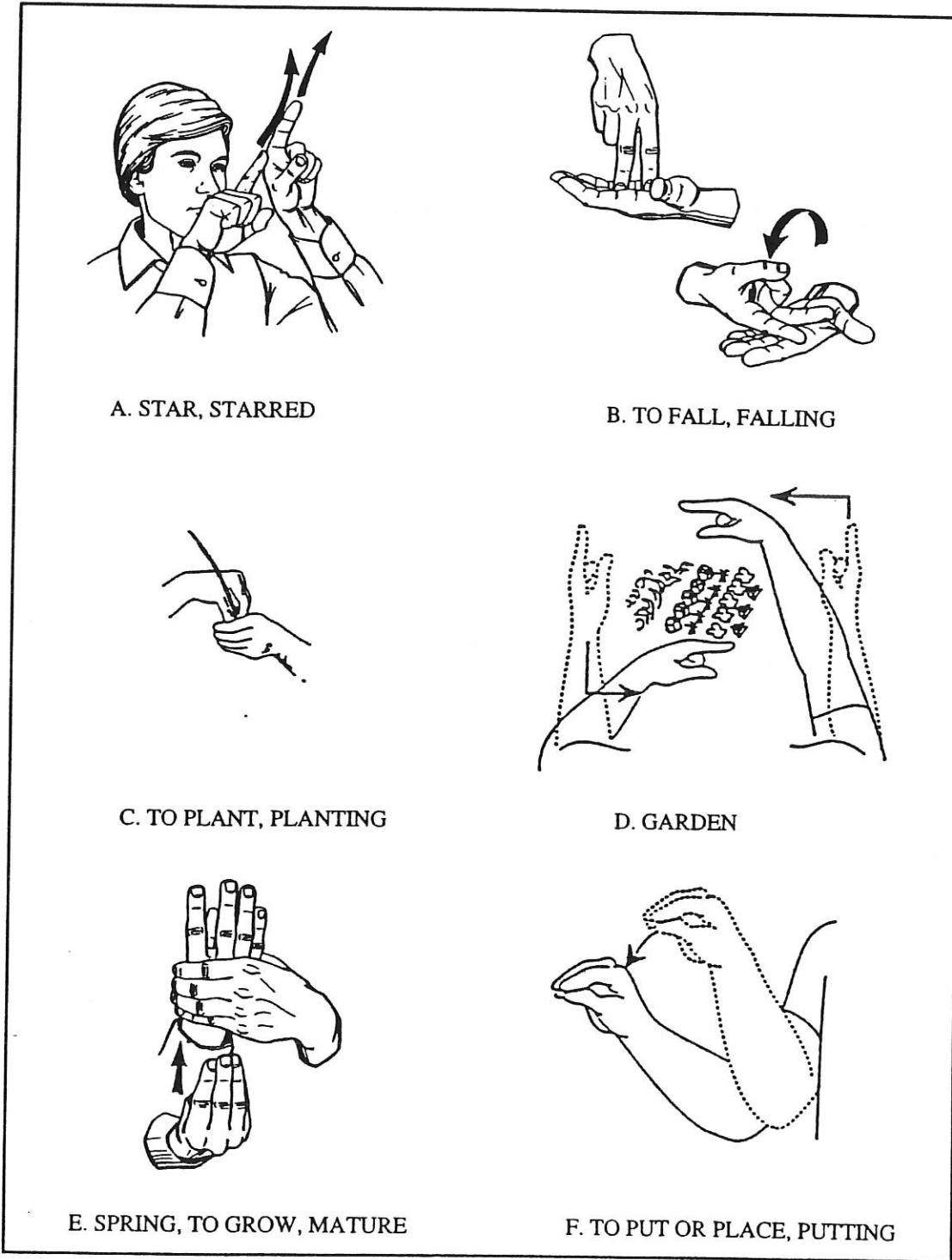


Figure 4. Handsigns used to interpret the symbols: (a) star (Butterworth and Flodin 1991:353); (b) to fall, or falling (Butterworth and Flodin 1991:153); (c) to plant, planted, planting (as placing a seed in the ground) (Sternberg 1981:544); (d) garden (Gustason and Zawolkow 1993:158); (e) spring, to grow, mature (Butterworth and Flodin 1991:351); (f) to put, putting (Gustason and Zawolkow 1993:292).

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American Indians typically struck the ground with a digging stick to make a hole for the seeds when planting their gardens.

Gardens may be indicated as rectangles in old world pictography and among American Indians (Martineau 1973:152). The sign for garden (Fig. 4d) also expresses a rectangle. The sign for "grow" (as in the vegetable world) consists of forcing "the compressed right hand from below upwards between the thumb and fingers, and as the fingers appear above the index and thumb of left hand, the fingers are spread, opened out" (Clark 1885:199) (see Fig. 4e). This may also be illustrated by holding the hand in front of the body, palm up, fingers and thumb spread, and raising the hand upwards in interrupted motions (Mallery 1893:693, Fig. 1116). On the bison scapula hoe, the lower left side of the rectangle shows lines which start below the horizontal line, continue through it, and spread as they rise, possibly indicating growing. A broad upward movement is indicated as vertical lines rising from a horizontal line (Martineau 1973:152). Thus, the vertical lines within the rectangle indicate growing, or productivity, and at the same time, the garden appears full of rows of crops.

A line possibly indicating an inverted arm and hand is shown intruding into the lower left-hand corner of the garden. The straight line would be the arm and the convex line at its end would indicate an open hand, meaning "to place" or "to put" (Fig. 4f). Mallery (1893:711-712) states that such hand symbols indicate action or "doing," and thus are related to "power." The inverted hand over the garden would indicate the placement of something (seeds or food) in that space (by Evening Star) that will rise up and grow. The hand is over the "rise up" and "grow" symbols, just as Evening Star was given the power to produce food for the world.

The symbols as interpreted here indicate a star that came down to plant, and items placed in a garden that grew or reproduced (see Fig. 5). It is concluded that the star represents Evening Star and the rectangle her Sacred Garden from which she produced food for the world.

MYTHOLOGY AND SPRING PLANTING CEREMONIES

In Pawnee mythology, when Heaven was setting up the universe a God (star) was made for each cardinal direction. Evening Star was assigned to the west. The stars were told they would be "The ones who uphold the heavens. There you shall stand as long as the heavens last, and although your place is to hold the heavens up, I also give you the power to create people. You shall give them the different bundles which shall be holy bundles. Your powers will be known to the people..." (Weltfish 1965:80-81).

The Powers of the West, possessed by Evening Star, are the powers of the storms bringing forth rain, necessary for life on earth (Chamberlain 1982:25). Thus, Evening Star is the agricultural deity who reawakens life on earth each spring. She is quoted as saying, "I shall create all things... I shall give seeds to the people from my garden, and shall give them buffalo and all animals..." (Chamberlain 1982:52-54). Evening Star symbolizes a female deity responsible for the annual reproduction of plants and animals for human use (Chamberlain 1982:25), and her garden symbolizes food and prosperity.

The Pawnee had twelve sacred bundles (Weltfish 1965:79). "The Evening Star bundle and its priest were superior to all others.... It was the foremost bundle in horticultural activities" (Murie 1981:13). Evening Star gave this bundle to the Pawnee. A sacred ear of corn, representing the first woman born of Evening Star, is one of its most important objects (Murie 1981:52-53).

One of the foremost ceremonies concerning the Evening Star Bundle is the Ground-Breaking Ceremony (Weltfish 1965:95-97), or The Corn-Planting Ceremony (Murie 1981:76-80). The Pawnees believed that "...nothing on earth could move without the heavens, no practical task could be undertaken unless the appropriate ceremony had preceded it" (Weltfish 1965:79). The Ground-Breaking Ceremony, also referred to as movement or "Motion," had to take place before any planting was done. "During the ceremony, the women went through the motions of breaking the ground with sacred hoes that were kept in the four semicardi-

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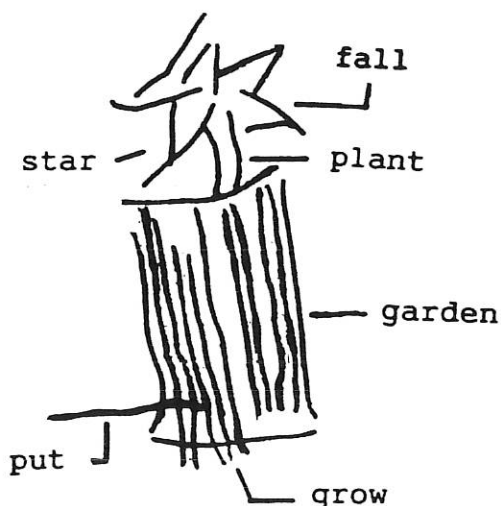


Figure 5. Symbols on the hoe, with their interpreted meanings.

ceremonies also included objects symbolizing creatures of the rain and water, one of which was the jaw of a garfish.

Evening Star, possessor of the power of storms, not only provided food for the world but also was capable of destroying it. As previously stated, the stars were given the power to create people, watch over them, and provide them with food. They were also given the power to destroy people and "[i]f the people were evil, the Stars might send storms to destroy them" (Chamberlain 1982:26). Some Wichita believe the unusual weather patterns of today are one of the many signs foretold years ago to indicate the end of the world is fast approaching. Four eras were foretold and we have passed through the first two: the creation of the world, and its cleansing by water (the great flood). We are now in the third era, in which the world has been repopulated by two peoples who survived the flood. The fourth time period is fast approaching ("or possibly upon us," Virgil Swift, personal communication, 1996), and is referred to as "Things-running-short" or

"When-everything-begins-to-run-out" (Dorsey 1904:20-21). The world will become worn out and people will no longer have the necessities to keep them alive. One of the indicators is that corn (one of life's main staples) will no longer grow, that it will be replaced by weeds (Dorsey 1904:21). In Skiri Pawnee philosophy, it is stated that the heavens "have a garden, in which there are hills of corn that are kept green all the time. When the corn in this field dies, it is time for the world to come to an end" (Murie 1981:39).

One only has to observe our weather patterns today to see that many areas either have too much or not enough of what they need for crop production, thus affecting food sources. Floods, droughts, and unseasonal snows occur, among other natural disasters.

CONCLUSIONS

The decorated bison scapula discussed here is considered one of the most significant artifacts recovered from Arkansas City, Kansas. By using sign language to interpret the engraved symbols, and by examining spring planting ceremonies, the images on the scapula can be understood as a low star, Evening Star, that came to earth (fell) to plant

nal-direction bundles and borrowed for the occasion" (Weltfish 1965:85). The women who danced in the ceremony, whether they actually possessed a hoe or not, made motions representing scraping (hoeing) the ground. "When the women with hoes are tired, they turn the hoes over to other women, all making the same motions" (Murie 1981:79). The hoes were "made of a buffalo shoulder blade tied to a short wooden stick that served as a handle" (Weltfish 1965:85). After the ceremony, the hoes were returned to their bundles, and the women began clearing the fields early the following morning for the planting of corn (Murie 1981:80).

Another important ritual involving Evening Star and her garden is the Shelling of the Sacred Ear of Corn. In front of the altar for this ceremony is dug a rectangular hole about three or four inches deep. "The rectangular hole they dug is called 'the garden of the Evening Star'" (Murie 1981:72-75). Offerings such as tobacco, buffalo meat, and fat were made to the garden by placing them in this hole.

A garfish jaw, also recovered from Feature 355 at 14CO385, may be associated with the garden of Evening Star. Both The Great Cleansing Ceremony (Weltfish 1965:153-154), and the yearly closing ceremony (Weltfish 1965:259-261) of the Pawnee involved the Sacred Garden. These

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and bring food and prosperity to the people from her Sacred Garden.

Seldom are we presented the opportunity to directly link an artifact with a specific ceremony or mythology. In this case all items are present to permit this. The artifact itself is a bison scapula hoe, used in the planting ceremony, and the symbols of star, falling, garden, plant, putting (of placing), and growing are all engraved on it. These symbols all relate to Evening Star and her role in mythology.

The artifact, recovered from a Wichita site, helps confirm information recorded by James Murie relating to the Skiri Pawnee, with whom the Wichita have a shared background. The artifact also provides us with a chance to substantiate evidence of planting ceremonies of the Caddoan people and offers insight into the ceremonial aspect of life associated with its owner(s). Also, by considering today's weather patterns, and relating them to the above traditions, it gives us cause to ponder our earth's future.

Acknowledgments

I wish to thank Marlin Hawley for his comments on the original draft of this paper. I also wish to express my gratitude to Von Del Chamberlain, LaVan Martineau, and Fred Scott for reviewing the text and providing welcome comments and suggestions. My thanks to Van and Linda Gay France for reviewing the paper and Linda Gay for directing my efforts in editing. Deborah Sabo helped with the final editing. Michele Milton did the final typing. I greatly appreciate the generosity and encouragement that Virgil Swift and his family have shown me. Also, my thanks to Amy Lawson for her drawing of the bison scapula artifact.

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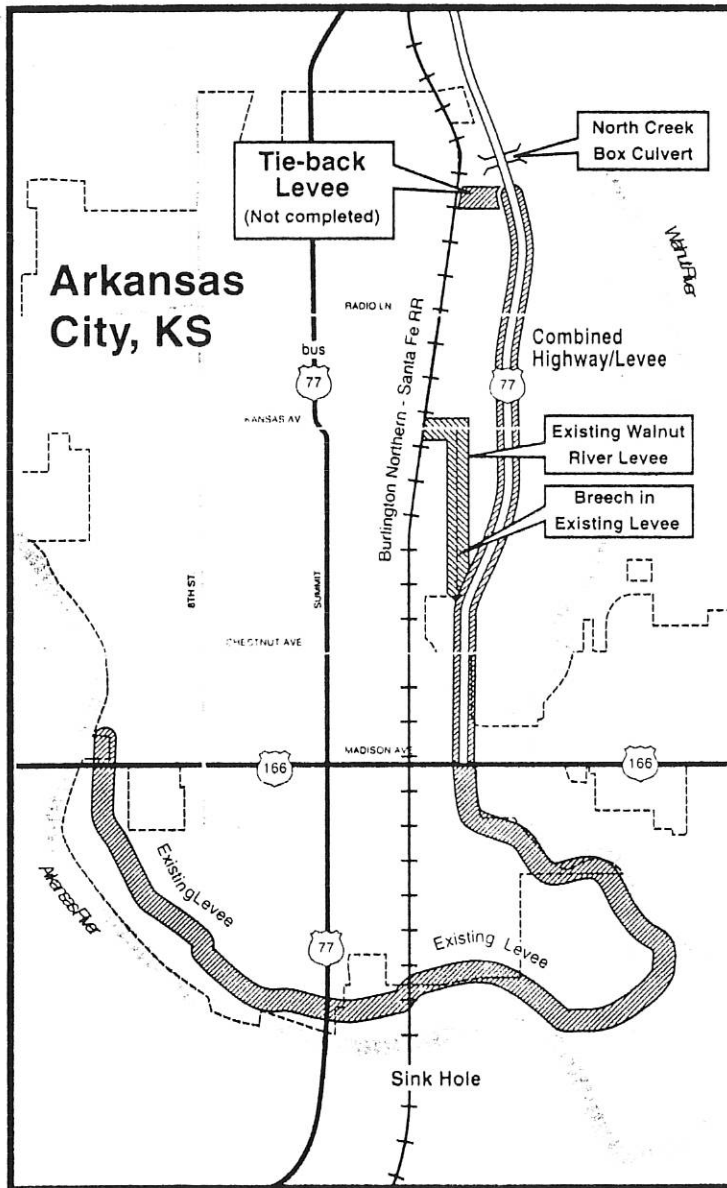
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seriously injured in an accident about 4:30 a.m. y, according to sheriff's reports. Wanda J. Cummings, 50, lost control of her Chevrolet pickup while approaching an icy bridge. The vehicle hit the bridge, left the road and landed under the bridge. Cummings was transported by the Arkansas City Fire Department to South Central

p.m. Sunday. Villa was making a right turn on a township road a half mile north and .1 mile west of Cowley 20 and Cowley 27. He lost control of his Chevrolet pickup and hit a mailbox owned by Terry Thompson, Route 3. About a half mile north of the first accident, Villa attempted another turn and lost control. The

west of Cowley to near the town of Mendoza, Arkansas City, and a passenger were eastbound about 3 this morning. Mendoza's Geo Tracer began to skid on ice. It went sideways into the south ditch, rolling over. •Despite three complaints of head and neck stiffness, people

(SEE: Ice, page 8)



CULPRIT CULVERT — At left, new floodgates cover a culvert under the U.S. 77 bypass near Arkansas City. The map above shows the location of the culvert where Walnut River water entered the town in early November. (Dave Seaton/Courier)

County moves ahead on FEMA buyout plan

By SETH BATE

The Cowley County Commission agreed this morning to apply for federal flood buyout funding even though it could be required to come up with \$150,000 or more in matching money.

Commissioners don't yet know where the local funding would come from if they take part in the Federal Emergency Management Administration program.

The program, if approved, could affect about 62 properties, most of them near the Green Farm Road close to Arkansas City. Any of the properties that were at least 50 percent damaged in the Halloween

(SEE: County, page 3)

Random thoughts

One of man's greatest needs is to be needed. — Bob Lewis

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House Fed & State
03-10-99 (#1-2)
Attachment



CITY OF ARKANSAS CITY

BOARD OF COMMISSIONERS

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Charles D. Jennings, Commissioner
Jesse A. Kindred, Commissioner
Jim D. Ramirez, Commissioner
Bill Rice, Commissioner

CITY MANAGER
Curtis B. Freeland

FEDERAL AND STATE AFFAIRS
CHAIRMAN, SUSAN WAGLE
MEMBERS OF THE COMMITTEE

My name is Steve Archer. I am the Director of Administration for the City of Arkansas City. Two weather related storms have brought me here to your committee today. First, the Halloween flooding of last fall and second, a record snow storm which leaves my boss stranded in Washington, D.C.

The City of Arkansas City is proud of the cooperation that Governor Graves and Ramon Powers, of the State Historical Society, have given to resolve the conflict of building a tieback levee near Arkansas City. City Manager, Curt Freeland and Representative Joe Shriver have worked to find a compromise that all parties could agree to. Now, Representative Shriver has HB 2368 before this committee which could put into law the compromise that led to the emergency dig which resolved the Arkansas City conflict.

Mr. Freeland wants the committee to know that we support HB 2368 and hope it provides an avenue to resolve future conflicts.

Thank you Madam Chairman. I would be willing to answer any questions.

Steve Archer
Director of Administration
City of Arkansas City

*House Fed & State
03-10-99
Attachment #2*



KANSAS
STATE
HISTORICAL
SOCIETY

Testimony to the House Federal and State Affairs Committee, March 10, 1999, on H.B. No. 2368.

Chair Wagle and members of the Committee, I am Ramon Powers, Executive Director of the Kansas State Historical Society and Chair of the Kansas Antiquities Commission. I appear today in support of H.B. 2368 with substitute amendatory language for lines 19-24 as follows:

If, in the opinion of the Kansas Antiquities Commission or the commission's designee, any survey, excavation, or construction is necessary to prevent the immediate threat to life or health of persons near a site or area, an exception may be allowed by the commission or the commission's designee.

We have reviewed this replacement language with Representative Shriver, and he has agreed to it.

K.S.A. 74-5403 provides that no individual, institution, or corporation shall excavate in or remove material from, vandalize or deface an archeological site on lands belonging to the state, county, or municipality or on lands in which a qualified agency is conducting scientific archeological investigations without authorization from the Antiquities Commission. The Commission consists of the heads of the Departments of Anthropology at the University of Kansas, Kansas State University, and Wichita State University, the secretary of the Kansas State Historical Society, and the state archeologist.

This amendment confirms that the Antiquities Commission may allow someone to engage in an activity that would adversely affect an archeological site on non-federal public lands without an investigation if there were an immediate threat to the life and health of people near the site.

This bill arises in response to a major flood event that occurred in Arkansas City during the fall of 1998. In a rare occurrence, flood crests on both the Arkansas and Walnut rivers simultaneously reached the junction of these two rivers at Arkansas City, causing water to back up the Walnut River along a newly constructed combined elevated highway by-pass and flood control dike. This by-pass and dike was one segment of an upgraded flood control project to protect low-lying parts of the city from flooding by either the Arkansas or Walnut rivers. This project was being built in stages, and one segment of the project yet to be completed was a tie-back levee along a small creek at the north end of the valley. Water continued to back up along the by-pass and dike until it reached an opening, which was a bridge over the creek at the north end. Water poured under the bridge to be trapped between the new dike and an older levee constructed in the 1940s. The older levee gave way, and portions of Arkansas City were flooded.

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Kaw Mission
Marais des Cygnes Massacre
Mine Creek Battlefield
Native American Heritage Museum
Pawnee Indian Village
Pawnee Rock
Shawnee Mission

*House Fed & State
03-10-99
Attachment #3*

In the aftermath of the flooding, the construction of the tie-back levee was made a top priority. The city contacted the Kansas Antiquities Commission in November 1998 with a proposal to construct the levee by March 1999. The consultation was required because portions of a prehistoric archeological site were present at the location of the proposed tie-back levee. The commission agreed to undertake emergency excavations at the site in order to clear the way for construction to begin. This work was completed during a ten-day period in December, during which a number of storage pits and hearths were excavated.

This bill will address future situations similar to that which occurred in Arkansas City, and at the same time, allow archeologists to undertake rapid remedial response, if necessary.

The Antiquities Commission members feel that there is a need for a thorough examination of the Antiquities Commission Act, and an organization – the Professional Archaeologists of Kansas – has established a committee to work with the Antiquities Commission to provide such an examination. At the same time, the group intends to review the state's unmarked burial law, which also needs legislative attention.

We appreciate the opportunity to appear before you today. I will be glad to respond to questions.

Statement to the House State and Federal Affairs Committee hearing on House Bill 2368, by Dr. Donna C. Roper, representing the Association of Professional Archaeologists of Kansas, March 10, 1999

Recent events in Arkansas City tested portions of the Kansas Antiquities Commission Act in new ways. All parties to those events now agree on one point—the statute needs amending. We, therefore, welcome the effort by Rep. Shriver to amend the act to better serve the needs of all interested parties.

The Association of Professional Archaeologists of Kansas (PAK), however, believes that the proposed amendment does not go far enough. The act as it now stands was drafted and passed at a time when the goals of archaeology and antiquities protection were considerably different than today. In the three-plus decades since the passage of the act, archaeology has matured from a discipline concerned with assigning sites and artifacts to a specific culture and period, to one seeking also to document the lifeways and historical processes that have formed the archaeological record. In this same interval, American archaeology has taken on a conservation and preservation ethic, now encoded in Federal and state cultural resources legislation, most of which was enacted since the 1967 passage of the Kansas Antiquities Commission act. Archaeologists also have come to work more closely with Native American peoples, who are increasingly asserting a right to preservation and study of the sites and objects that constitute their heritage. Kansas, too, has changed in these decades. Parts of the state now are experiencing marked growth and development, leading to conflicts with the preservation goals just mentioned.

*House Fed & State
03-10-99
Attachment #4-1*

The Kansas Antiquities Commission act as it presently stands, and as it would be amended by House Bill 2368, inadequately addresses current needs. One of the serious defects, and one that could be exacerbated by the passage of House Bill 2368, is that the act constitutes an unfunded mandate. There are other defects too, including emergency situations, standards for performance of investigations, and designation of approved curatorial facilities.

It is PAK's position, therefore, that the Kansas Antiquities Commission Act needs a top-to-bottom revision. To this end, the PAK President at the February 19, 1999 Annual Meeting directed our Action Committee, a standing committee under the Association's By-Laws, to identify problems with the act and propose some solutions. These would include the concerns raised by Rep. Shriver, as well as those of Native Americans and the members of the archaeological profession. PAK is willing to work with Rep. Shriver and other members of the Legislature to develop an amended antiquities act that will balance the needs of preservation and development, and better serve the State of Kansas.

We thank you for the opportunity to present this statement.