



United States Invasion of Shoshone Land

**"By taking away our livestock and our lands you are taking away our lives."
-Clifford Dann**

For five days, November 19-24, 1992, the U.S. Bureau of Land Management (BLM) invaded Western Shoshone territory in Nevada, stating its intention to round up "unauthorized horses" found grazing on "public lands". Two hundred and forty-six horses were rounded up, of which 40 were tended by Mary and Carrie Dann and 229 were wild.

On the first day of the round up Shoshone elder Clifford Dann, father of the two sisters, was injured while trying to block the confiscation of the horses. In desperation, he doused himself with gasoline declaring, "by taking away our livestock and our lands you are taking away our lives." He was subsequently charged with assault on federal officers. Through this action the BLM not only stole the horses from land which belongs to the Western Shoshone, as recognized by the Treaty of Ruby Valley, but the government also violated its own Federal Wild Horse and Burro Act which regulates removal of wild horses.

During his trial, Clifford's only witness was an expert in ethnological jurisprudence who testified that existing law precluded the U.S. Court's jurisdiction in Western Shoshone territory. This was the defense strategy, because Clifford preferred to be convicted rather than "get off" on a technicality. On March 3, 1993 Clifford Dann was convicted and imprisoned. The Western Shoshone Defense Project is organizing a demonstration to coincide with Clifford's sentencing hearing in Reno on May 17, 1993. The critical jurisdictional issues will serve as the basis for an appeal.

Since 1773, the Treaty of Ruby Valley confirms the Shoshone Indians' "jurisdiction," while arguably surrendering legal "title" to the land over which that jurisdiction still exists. In 1863 the Western Shoshone Nation signed a treaty of Peace and Friendship with the United States that granted rights of passage to U.S. citizens without giving up the land. Since its ratification in 1869, this document delineates the boundaries of Western Shoshone territory. However, the presiding judge in the Dann case has decided not to acknowledge that "title" and "jurisdiction" are different legal concepts. Even though so far the U.S. government has failed to produce any evidence of documents giving the U.S. title to the land.

The jurisdictional and "title" issues are convoluted with a claim of U.S. purchase of land from the Shoshone in 1872. This claim was made by a Bureau of Indian Affairs (BIA) puppet "representing the interests" of the Shoshone and who also benefited financially from the agreement. Even if the Shoshone wanted to give up their land, the only date it could be said they gave up title to their land was in 1979, when the Indian Claims Commission granted the award to the BIA hired attorney "representing" the Shoshone. Even according to this agreement, the Shoshone should be paid approximately \$40 billion and not the \$21 million, the 1872 price of the land, which is what the U.S. wants to pay. However, the land has not been sold and is not now for sale. When the Shoshone found that they had been deceived, they refused to accept the money.

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