



The reformation of American Indian policy and the Flathead Confederation, 1877-1893
by Jay William Spehar

A thesis submitted in partial fulfillment of the requirements for the degree of MASTER OF ARTS in History

Montana State University

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Abstract:

During the late nineteenth century, eastern philanthropists led a reform movement in American Indian policy that aimed at converting the Indians' status from one of wardship to one of citizenship. Fearing that frontier settlement would drive the Indians into extinction, the reformers developed theories and programs designed to promote their assimilation. When Congress passed the General Allotment Act in 1887, the reformers' efforts reached their culmination. The so-called Dawes Act provided for allotting the reservations in severalty and for opening them to white settlement.

The implementation of this policy on any particular reservation rested upon the assumption that the Indians there were ready for assimilation. The Dawes Act made citizens of the Indian allottees and anticipated the eventual disappearance of the Indian reservations.

Within the context of the national reform movement, this thesis focuses upon the administration of United States Indian Agent Peter Ronan. Between 1877 and 1893, Agent Ronan served the Flat-head Confederation, and during his extraordinarily long tenure, he initiated the reformers' programs for the Indians' assimilation. Although the confederation did not complete its allotment schedule until 1909, it was primarily during Agent Ronan's administration that they were prepared for assimilation.

Peter Ronan was an unusually competent Indian agent, and this study examines his administrative policies as well as his political connections. Agent Ronan managed to increase the general welfare of the tribes, but because they induced tribal factionalism many of his specific accomplishments tended to be somewhat counter productive. Although he agreed in principle with the assimilative process, Agent Ronan advised the government against forcing the issue on the Flathead Reservation.

Agricultural productivity and education were Ronan's two outstanding areas of success. But his successes were dampened by a paralyzed legal system, friction in Indian and white relations, Indian conservatism, insufficient medical facilities, and a host of other problems that revolved around the government's desire to confine the Indians to their reservations. Yet on a relative basis, the Flathead Confederation was considered to be advanced far beyond the accomplishments of most Indian tribes. Consequently they were considered to be prime candidates for assimilation.

When the allotment process did take place, the tribes utterly failed to assimilate. Fallacious assumptions, haste, and inadequate funding and preparation all contributed to the reformed Indian policy's ultimate failure. These serious obstacles aside, perhaps the most damaging factor was an inability on the part of both the government and the public to appreciate the magnitude of the task that they faced. The reformers boasted that the Indians could be assimilated and civilized within the course of a single generation, and beyond all others, it may well have been this attitude that doomed their program to failure.

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Jay W. Spehar

Date

May 25, 1980

DEDICATION

This thesis is dedicated to Dr. Richard Brian Landis, 1930-1980. A devoted scholar and educator, Dr. Landis served on the faculty at Montana State University from 1961 until his early retirement in 1979. His devotion to his students and to his community remains as an inspiration to the profession.

THE REFORMATION OF AMERICAN INDIAN POLICY AND
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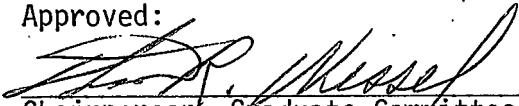
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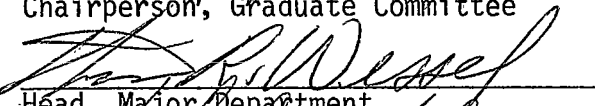
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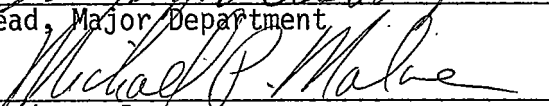
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The completion of this thesis depended most upon the cooperation of Dr. Thomas Wessel, and to him I owe a great debt for his enduring patience, sagacious advice, and financial support. In one way or another Dr. Larry Bishop, Dr. Michael Malone, and Dr. Jeffrey Safford were all instrumental to the completion of my graduate education, and I am deeply appreciative for all their unselfish and generous efforts.

I would like to make my special appreciation known to the staffs of the Special Collections Room at Montana State University, the Montana Historical Society archives in Helena, and the National Archives in Washington, D. C. I would also like to thank the following people for their hospitality and cordial accommodations: Mr. Douglas Helms of Washington, D.C.; Dr. Harkness Gaines of Dillon, Montana; William Forrester of Billings, Montana, and Katie Weddle and Renee Sipple of Bozeman, Montana.

A NOTE TO THE READER

Certain Indian terms and colloquial expressions that are referred to in this study are subject to a wide variety of spellings. Although "Bitterroot" is a more popular spelling, I have adopted the more traditional spelling of "Bitter Root." I have also utilized the spellings "Kutenais" and "Pend d'Oreilles" rather than a number of other possible variations. As a standard practice in the cases of direct quotations, or formal citations, I have used either the signatories' full first names or their first initials, depending upon how they signed their names. In all cases I have cited the complete signatures just as they appear in the primary sources.

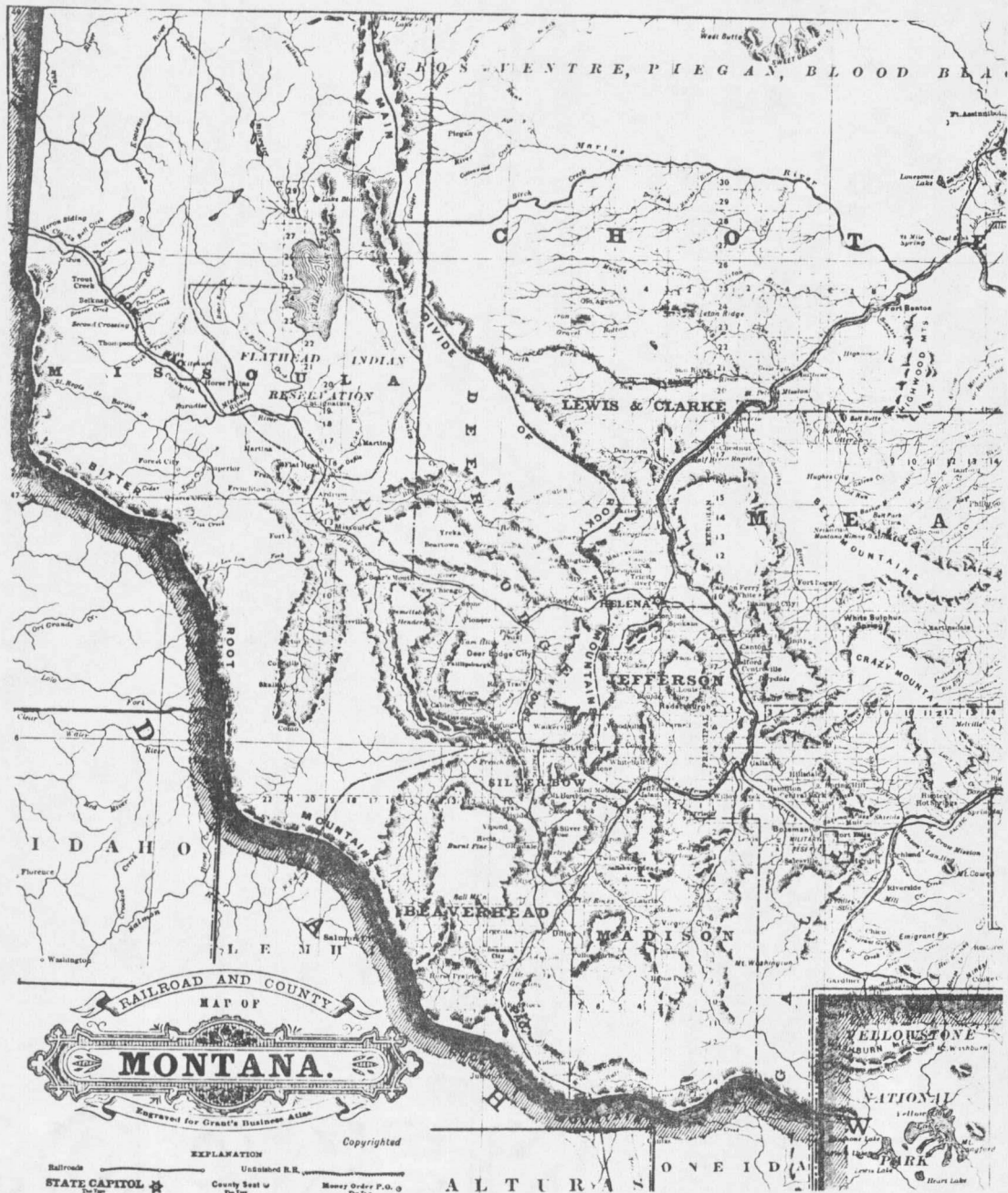


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ABSTRACT

During the late nineteenth century, eastern philanthropists led a reform movement in American Indian policy that aimed at converting the Indians' status from one of wardship to one of citizenship. Fearing that frontier settlement would drive the Indians into extinction, the reformers developed theories and programs designed to promote their assimilation. When Congress passed the General Allotment Act in 1887, the reformers' efforts reached their culmination. The so-called Dawes Act provided for allotting the reservations in severalty and for opening them to white settlement. The implementation of this policy on any particular reservation rested upon the assumption that the Indians there were ready for assimilation. The Dawes Act made citizens of the Indian allottees and anticipated the eventual disappearance of the Indian reservations.

Within the context of the national reform movement, this thesis focuses upon the administration of United States Indian Agent Peter Ronan. Between 1877 and 1893, Agent Ronan served the Flathead Confederation, and during his extraordinarily long tenure, he initiated the reformers' programs for the Indians' assimilation. Although the confederation did not complete its allotment schedule until 1909, it was primarily during Agent Ronan's administration that they were prepared for assimilation.

Peter Ronan was an unusually competent Indian agent, and this study examines his administrative policies as well as his political connections. Agent Ronan managed to increase the general welfare of the tribes, but because they induced tribal factionalism many of his specific accomplishments tended to be somewhat counter productive. Although he agreed in principle with the assimilative process, Agent Ronan advised the government against forcing the issue on the Flathead Reservation.

Agricultural productivity and education were Ronan's two outstanding areas of success. But his successes were dampened by a paralyzed legal system, friction in Indian and white relations, Indian conservatism, insufficient medical facilities, and a host of other problems that revolved around the government's desire to confine the Indians to their reservations. Yet on a relative basis, the Flathead Confederation was considered to be advanced far beyond the accomplishments of most Indian tribes. Consequently they were considered to be prime candidates for assimilation.

When the allotment process did take place, the tribes utterly failed to assimilate. Fallacious assumptions, haste, and inadequate funding and preparation all contributed to the reformed Indian policy's ultimate failure. These serious obstacles aside, perhaps the most damaging factor was an inability on the part of both the government and the public to appreciate the magnitude of the task that they faced. The reformers boasted that the Indians could be assimilated and civilized within the course of a single generation, and beyond all others, it may well have been this attitude that doomed their program to failure.

INTRODUCTION

Throughout the nineteenth century, American Indian policy was continuously plagued by the rapid development of the TransMississippi frontier. Reacting to the immediate demands posed by the frontier's advance, Indian policy developed in a pell-mell fashion that resulted often in lurching and radical policy changes. In very general terms, American Indian policy sought primarily to clear the frontier of Indians and to confine them to areas supposedly safe from its advance. These areas were known as reservations, and they functioned not only as living space, but also as controlled environments under the immediate supervision of the local United States Indian Agents.

This policy, which required that the Indian treaties be satisfied by the United States Senate, provided annuity payments as compensation to the Indians for the surrender of their traditional lands. This policy also readily threatened military force when confronted with serious Indian resistance or disobedience. By the closing quarter of the nineteenth century, the policy of clearing and of confining had become an obvious failure. In 1876, while Americans celebrated their first one hundred years of nationhood and progress, the massacre at the Little Big Horn of Lieutenant Colonel George Custer and his troops brutally symbolized the failure of the first one hundred years of American Indian policy.

The policy of Indian removal and its close association with violent incidents such as the Custer Massacre fostered a reform movement in American Indian policy. During the latter nineteenth century, Indian policy makers began formulating a new federal Indian policy. The new policy developed in more particular and scientific terms, concentrating upon the Christianization, the civilization, and the assimilation of the Indians into the mainstreams of American thought and culture. This policy rested upon a comprehensive program designed to carry the Indians to the ultimate goal of American citizenship. The reformed Indian policy was totalitarian in its social scope, and in its pursuit the federal government provided the reservation tribes with the rudiments of religious, agricultural, educational, legal, political, and medical institutions. Informed citizens of the era believed commonly that these Anglo-American institutions were the progressive models to civilization. The reformers held that training and experience with these institutions would provide the Indians with a sure and quick path to total assimilation.

On the Jocko, or as it later became known, the Flathead Reservation in Montana Territory, the reformers' efforts to Americanize the native Americans failed ultimately in both theory and practice. Although the Flathead Agency became a model institution of its kind, the Indians there never completed the assimilative process. Despite significant advancements in literacy, productivity,

and their general welfare, a significant faction of Indians persisted in resisting assimilation and in encouraging conservative behavior.

Under the capable and judicious leadership of the United States Indian Agent Peter Ronan, the Flathead Confederation faced the perils of a cultural transition that influenced virtually all aspects of life. Although the Indians had been in contact with white explorers, traders, and missionaries since the early nineteenth century, it is no exaggeration to credit Agent Ronan with ushering the tribes across the threshold of Anglo-American civilization.

On the Flathead Reservation, the policy of assimilation faced several serious obstacles. While the reformers had hoped to eradicate all traditional tribal relations, they succeeded merely in crippling them. This situation left the typical Indian, whether progressive or conservative, somewhere adrift between his own suddenly anachronistic cultural heritage and the reformers' ideal of total assimilation.

Local settlers often adopted a belligerent attitude when dealing with the Indians, and the occasional indifference or ineptitude of governmental officials served only to compound the problem. Conservative Indian factions hoped to preserve their native cultures and ignored the fact that time and events had irrevocably altered their traditional environment. Ethnocentrism and bigotry prevailed in varying degrees on all sides of the Indian policy debate.

An unfortunate rigidity in the attitudes of all parties, whites and Indians alike, only hastened and heightened the crisis that they faced.

By the late nineteenth century, the tribes of the Flathead Confederation had experienced several decades of close contact with white people and the government of the United States. Although the government had made contact with the Flatheads as early as the Lewis and Clark expedition, no formal relations were established until the late 1850's. From the outset the federal government failed to fulfill faithfully its treaty obligations with the Flathead Confederation, and to date the so-called Hell Gate Treaty of 1855 remains a source of contention between the tribes and the government of the United States. During the early 1850's, Isaac I. Stevens, the Governor of Washington Territory, began negotiating with the various tribes living in the northwestern United States. Through negotiations, treaty making, and annuity payments, Governor Stevens hoped to acquire legal title to the Indians' traditional lands while restricting them to reservations. In 1853 he toured the Flatheads' country and returned to the Pacific coast quite impressed with the potential for development in the Bitter Root Valley, an area located to the South and West of present day Missoula, Montana.

Later the same year, Governor Stevens dispatched Lieutenant John Mullan to the Flatheads' country for the purpose of conducting surveys for possible rail routes through that area. Stevens directed Lieutenant Mullan to promise the Flatheads federal aid and protection from their traditional enemies, the powerful and well armed Blackfeet.

More importantly, Mullan suggested to the Flathead chiefs that the United States government might soon establish a United States Indian Agency with the tribe. Mullan further arranged for a conference between the Indians and Governor Stevens which transpired the following year, 1854. ¹

The Flatheads expressed a strong desire to secure the United States as an ally against their Blackfeet enemies. Hell Gate, the natural entrance way to the domain of the Flatheads, aptly implied the dangers of passing through the narrow and rugged defile and onto the plains. As Flathead hunting parties passed through the Hell Gate, Blackfeet raiders subjected them to bold and devastating attacks. Governor Stevens knew that the Flatheads lived "principally by the chase" and also that the headman wanted to acquire a knowledge of American agricultural techniques and implements.² Because of their long association with whites, the Indians had come to partially appreciate the advantages to be derived from a sedentary style of life.

In 1854 Governor Stevens recommended to the Indian Department that if the Flatheads' lands became a "throughfare of travel, they to some degree at least, should be protected from their enemies." As Stevens viewed the situation, he believed that the destruction of the buffalo and other game animals would eventually "render some new

mode of subsistence an object of proper care on the part of the government." Stevens, like most of his contemporaries, considered the Indians to be simple wards of the federal government, and he recommended that the government establish an Indian agency somewhere near the Hell Gate. ³

During the summer of 1855 and following arrangements made by Lieutenant Mullan, Governor Stevens met in council with the chiefs and headmen of the various tribes living near the Hell Gate. In council Stevens proposed that the Flathead, Kutenais, and Pend d'Oreilles tribes should agree to a single treaty with the United States. He hoped to obtain a surrender of their common lands and to confine them to a single reservation. The chiefs believed that the council's purpose was to form an alliance against the Blackfeet, and they viewed Stevens' proposal with some skepticism. The Flatheads and Pend d'Oreilles objected strongly to including the Kutenais in the treaty as they only happened to camp in the area and lacked close blood relationships with the other two Salish tribes. Possibly basing his decision on what he believed were signs of weakness in character, Stevens appointed Victor, a Flathead chief, as the Head Chief of the Flathead, Pend d'Oreilles, and Kutenais Tribes.⁴

Stevens' proposal for establishing a single reservation

delayed the smooth consummation of a treaty. Governor Stevens and Chiefs Alexander and Michel of the Pend d'Oreilles all insisted that the agency be located in the Jocko River Valley, near the Pend d'Oreilles' home land. Victor, Chief of the Flatheads, and newly appointed Head Chief of the confederation, demanded that the reservation be located in the Bitter Root Valley, nearer to his own ancestral home land. This issue locked the council in a stalemate for seven days. Finally on the eighth day, Stevens saw a way to alleviate the problem and "seized upon a vaguely expressed sentiment of Victor's that he was willing to live upon the reservation which was best, and embodied it in the eleventh article of the treaty." 5

The compromise directed the President of the United States to order a survey of the lands in question and then empowered him to choose the site which proved to be most suitable for a reservation. If the President chose the Bitter Root Valley, the treaty stipulated that the government was to establish a separate reservation there solely for the use of the Flathead Tribe. In this case the compromise allowed for placing both the Flatheads and the Pend d'Oreilles on reservations within the confines of their ancestral lands. 6

On July 15, Governor Stevens and the chiefs and headmen of

the Flathead, Pend d'Oreilles, and Kutenais Tribes concluded a treaty that has since become known as the Hell Gate Treaty of 1855. Following a model of treaties that he had concluded earlier with tribes on the Pacific slope, Stevens wrote a concise document of twelve short articles. The treaty's preamble constituted the three tribes as the Flathead Nation, or Confederation. It named Chief Victor of the Flatheads as the Head Chief of the Confederation and required all parties to recognize him as such. Article one described meticulously in metes and bounds the lands that the Indians ceded to the United States. The second article defined the boundaries of the so-called Jocko Reservation and prohibited any white encroachments into that area. Article three allowed for the building of transportation routes across the reservation, guaranteeing their use to all American citizens. The third article also invested the Indians with the right to the reservation's water resources and guaranteed their right to hunt and fish on the reservation.

Article four concerned the government's obligation to make annuity payments to the tribes as a means of compensating them for loss of their native lands. This article required the government to spend \$120,000 over a period of twenty years for the benefit of the tribes' civilization and education. The treaty empowered the President to spend all funds at his own discretion and forbade

deducting certain payments from the annuity fund. Article five dealt with such payments and required the government to provide agricultural and industrial schools with the necessary instructors and facilities; to establish and equip a blacksmith shop, a tin shop, and a gun shop; to employ a smithy, a plow maker, a tinner, and a carpenter; to build and to provide for a hospital and a medical doctor; and to maintain these facilities with the necessary personnel for a period of twenty-five years. Article five also established an annual salary of \$125 for the chiefs of the three tribes and furnished them with housing and ten fenced and plowed acres. The treaty placed the burden of all costs of article five on the government of the United States and forbade any deductions from the annuity funds in meeting their expense. ⁸

Indicating the future trend in American Indian policy, article six authorized the President to conduct a survey of the reservation for the purpose of allotting it in severalty at some future date. The seventh article prohibited the paying of personal debts through the use of annuity funds, and the eighth article recognized the tribes' dependence upon the government of the United States. Through the use of annuity funds, article eight also directed the government to compensate all victims of depredations, whether committed against Indians or whites through the use of annuity funds.

Article nine prohibited the use of liquor on the reservation and empowered the President to discontinue annuity payments if a liquor problem ensued. The tenth article protected the reservation from encroachments by the Hudson's Bay Company. ⁹

Article eleven, the compromise article, directed the President to conduct a survey of the Bitter Root Valley above the Lo-Lo Fork. It ordered that the area then be considered as a possible separate reservation site for the Flathead Tribe. The article stated clearly that, "No portion of the Bitter Root Valley above the Lo-Lo Fork, shall be opened to settlement until such examination is had and the decision of the President is made known." The twelfth article concluded the Hell Gate Treaty, making its provisions, once ratified by the United States Senate, obligatory and binding to all its signatories. ¹⁰

Although the Senate failed to ratify the treaty until 1859, Governor Stevens immediately dispatched an Indian Agent to the Flathead Confederation. Stevens appointed Dr. R. H. Lansdale as the first agent to the confederation and instructed him to determine which of the two proposed reservation sites best suited the needs of an Indian agency. Lansdale neglected to conduct a "survey" and merely inspected the areas in question. Despite the treaty's survey stipulations, Dr. Lansdale concluded that the best site was

in the Jocko River Valley, and he recommended as much to the Indian Department. Even though Lansdale reversed his decision two years later, from the point of his initial decision in 1855, the federal government insisted that the Flatheads remove themselves from the Bitter Root Valley and relocate on the Jocko River Reservation.¹²

In 1864 Congress found it appropriate to create Montana Territory which had its first territorial capital located at Bannack City in the Grasshopper Creek area.¹³ Although the early placer finds in Montana Territory initially accounted for only a few thousand white immigrants, these early settlers established trends in population growth and frontier development that lasted throughout the remainder of the nineteenth century. According to the United States census reports, in 1870 some 20,000 persons lived in Montana Territory. By 1880 that figure had nearly doubled, and at the closing of the frontier in 1890, the census recorded over 142,000 persons living in the state of Montana.

The magnitude of population growth and frontier development in Montana Territory led inevitably to Indian and white confrontations. The growth of the white population resulted in increasing encroachments into traditional Indian lands and served as an impetus to diminishing the supply of game animals that the Indians relied upon for both subsistence and shelter. As the

Indians' patience waned, they became increasingly hostile toward the settlers. The federal government found it necessary to establish a string of military posts across the territory for the purposes of protecting white settlers and critical transportation routes.¹⁴

Settlers in Montana Territory, as well as elsewhere throughout the West, commonly viewed the Indians as obstacles to a divinely guided progress and the manifest destiny of the American nation. Many settlers thought of the Indians as primitive savages, undeserving of the land that they occupied. One Montana settler, who participated in the militia campaign of 1867, wrote home to his father expressing these sentiments: "their [sic] is but one way to treat them and that is extermination . . . They are a great draw back in prospecting our rich territory. . . The Indians have to be chastized and we are going to give them the best in the shop."¹⁵

Although sentiments such as these posed a significant threat to the Indians, they also served to unify and advance the Indian policy reform movement. Indeed, the reality and imminence of Indian extinction or extermination became a major factor in promoting the reformation of national Indian policy.

INTRODUCTION FOOTNOTES

¹ Commissioner of Indian Affairs, Annual Report, 1853, (Washington: Government Printing Office, 1854), pp. 462-463.

² Ibid., pp. 415-416.

³ Ibid., p. 417.

⁴ John Fahey, The Flathead Indians, (Norman: University of Oklahoma Press, 1974), pp. 93-96.

⁵ Historical Reprints, James A. Garfield's Diary of a Trip to Montana in 1872, ed. Oliver W. Holmes, (Missoula: Montana State University Press, 1935), pp. 3-4.

⁶ Wilcomb A. Washburn, The American Indian and the United States, A Documentary History, 4 vols. (New York: Random House, 1973), 3:2508.

⁷ Ibid., pp. 2503-2508.

⁸ Ibid.

⁹ Ibid., pp. 2507-2508.

¹⁰ Ibid., pp. 2508-2509.

¹¹ Fahey, p. 98.

¹² Commissioner of Indian Affairs, Annual Report, 1857, p.666.

¹³ Michael P. Malone and Richard B. Roeder, Montana: A History Of Two Centuries, (Seattle: University of Washington Press, 1976), pp. 50-69.

¹⁴ Merrill G. Burlingame, The Montana Frontier, (Helena: State Publishing Company, 1942), pp. 194-217.

¹⁵ Not In Precious Metals Alone, A Manuscript History of Montana, ed. by the staff of the Montana Historical Society, (Helena: Montana Historical Society Press, 1976), p. 57.

CHAPTER I

THE NATIONAL INDIAN POLICY REFORM MOVEMENT 1877-1893

On February 8, 1887, Congress passed and made into law the General Allotment Act. Subsequently and in honor of its principal proponent, Senator Henry L. Dawes of Massachusetts, the General Allotment Act became known popularly as the Dawes Act.¹ The passage of the Dawes Act represented the culmination of the efforts expended by an entire generation of American Indian policy reformers. Although Congress did not apply the Dawes Act to all the reservations in a blanket fashion, those tribes awaiting its implementation awaited only in preparation.

The Flathead Confederation did not complete its allotment schedule until 1909, however, during the late 1880's and early 1890's the federal government established the institutions necessary for engaging in the assimilative process and for implementing the Dawes Act on the Flathead Reservation. The success of the Dawes Act depended upon the tacit assumption that the complete and rapid assimilation of the Indians was both desirable and possible. An examination of the Dawes Act's evolution and of its particular mechanics delineates the reformers' ideas of assimilation as well as the institutional devices that they considered essential to higher civilization.

The Dawes Act developed slowly from an earlier Indian policy reform movement that began emerging during the Civil War. As the reformers became convinced that the Indians faced certain extinction, they began developing theories designed to mold the Indians into an American way of life. But before any significant reforms could take effect, the critical conditions prevalent in American and Indian affairs first had to be brought before the public and opened to debate.

As the frontier line penetrated the Indians' domain, Americans found themselves confronted with a serious moral dilemma. Generally reformers and laymen alike found it unthinkable to leave vast tracts of fertile land in the West to the Indians' domain. Historically, Americans had viewed the West as the land of future prosperity, the commercial outlet to the riches of the orient, and the great garden that would eventually become the heart of the empire and the bread basket of the world.² Certain values that characterized the American mind during the latter nineteenth century also rejected outright any notions of leaving the West to the nomadic Indian tribes. Americans believed deeply in progress, optimism, manifest destiny, practicality, and material gain. These values tended to reinforce ethnocentrism, making simple nonsense of any policies promoting the Indians' traditional modes of life.³

On the other hand, the prospects of the advancing American civilization driving the Indians into oblivion and extinction also seemed repugnant to many. Americans considered their nation a Christian society founded upon the ideals of love, brotherhood and equality. The possibility of the Indians extermination cut against the grain of the Christian tradition and inspired many reformers to search for ways of preserving both the Indians and the frontier's advance. Religiously minded eastern philanthropists took the lead in the reformation of American Indian policy. The reformers attempted to save the Indians by shaping them into a stereotyped image of what they believed to be "truly American." In 1855, Commissioner of Indian Affairs, J.D.C. Atkins stated the reformers' mission with great clarity: "to the philanthropist, and a great Christian people like ours, is to know how to relieve him [the Indian] from . . . dependence and barbarism, and to direct him in paths. . . to the light and liberty of American citizenship." ⁴

During the Civil War the problem of Indian hostilities on the western frontier became an issue of national concern. The bloody and dramatized Minnesota Sioux uprising of 1862 and the atrocious Sand Creek massacre of 1864 rallied the so-called "friends" of the Indians around the cause of reforming American Indian policy.

As the Civil War reached its end, both Congress and the American public began responding to the crises emerging in Indian affairs. But, as one authoritative study of the era concludes, "It was not until the Civil War had ended and over seven million acres of western land were being sold annually that the nation recognized that a permanent solution of Indian problems could no longer be postponed." ⁵

The leadership of the early reform movement reflected its later Protestant makeup, and their efforts were mainly in the interests of protecting the "wards of the nation." John Beeson, an English emigrant turned Oregonian pioneer, began pamphleteering and agitating for a reformation of American Indian policy during the late 1850's.⁶ Beeson implored Congress to protect the rights of its Indian wards, accusing the settlers sometimes of being the aggressors in Indian and white hostilities. Charges of this nature earned Beeson the reputation of a fanatic and a traitor, but nonetheless, his efforts began arousing the public's attention as well as attracting some attention from Congress. Apparently Beeson accepted no specific religious denomination, but he tended to lean toward the Quakers, one of the most influential groups in initiating a reform in American Indian policy.⁷

One of the more influential reformers was the Episcopal

Bishop of Minnesota, Henry B. Whipple. Following the Minnesota Sioux uprising of 1862, Bishop Whipple enlisted the aid of Minnesota's Senator Henry M. Rice in the cause for reforming Indian policy. Using Rice's influence, Whipple petitioned President Lincoln and Congress to investigate the nation's Indian policy and to reform its Indian affairs.

Bishop Whipple argued that the Indians were the wards of the federal government and concluded that the government was duty bound to protect and to care for them. He urged Congress to provide the Indians with Christian educations and with the training necessary for undertaking a life of farming. Whipple wanted the government to provide the Indians with farms and to secure their titles for a period of at least twenty-five years. He also agitated for the creation of boards of inspection to check graft and corruption in the Indian service. Whipple realized, too, the necessity for implementing a system of law, and with little success, he implored Congress to enact a uniform legal code governing all Indians and all reservations.⁸

After forming a close alliance with Quakers also interested in reforming Indian policy, Bishop Whipple succeeded in convincing Congress to create special commission for investigating American and Indian affairs.⁹ In March of 1865, Congress authorized the

creation of a Joint Special Committee for the purpose of investigating Indian problems in the West. The Committee reported in 1867, and the report concluded that with the continuing advance of the frontier line, the Indians faced inevitable extinction. In 1867 this dismal prospect inspired Congress to create the so-called Peace Commission, and in 1869 Congress established a permanent Board of Indian Commissioners to police the Indian service. ¹⁰

The Peace Commission of 1867 was comprised of military officers and philanthropic civilians who attempted "to conquer by kindness," and to thereby resolve the Indian problem. The Commissioners hoped to create two large reservations, one North of the Platte River and the other South of the Arkansas River, and in pursuit of that end, they initiated negotiations with the various tribes of the plains. After completing treaties with the southern tribes, in 1868 at Fort Laramie, the Peace Commission concluded treaties with the tribes of the northern plains. Although these treaties resulted in opening fertile lands in Kansas and Nebraska for settlement and rail routes, they also committed the federal government to a complicated, expensive, and somewhat contradictory treaty system. ¹¹

The Commissioners hoped to pacify, civilize, and assimilate the Indians in a humane and compassionate manner, but nonetheless,

when faced with Indian opposition, they readily recommended the employment of military force.¹² The Commission negotiated treaties binding the Indians to keep the peace and requiring the United States to "provide suitable reservations with fixed boundaries, and to furnish the means for the education and the civilization of the tribes."¹³ When President U.S. Grant took office in 1869, he followed in the same vein as the Peace Commission and inaugurated the famous "Peace Policy." Grant's Peace Policy encouraged a dialogue among the military, religious, and governmental leaders concerned with the Indian problem, and it incorporated their views into the formulation of future Indian policy.

Responding to the lobbying efforts made by Quakers and Philadelphia philanthropists, in 1869 President Grant began the policy of appointing the nominees of religious denominations to vacancies in the Indian service. Initially this policy involved only Quakers, but in 1870 when Congress forbade the appointment of military officers as Indian agents, Grant expanded the principle to include several religious denominations.¹⁴ The division of the Indian agencies among the various religious groups caused much bickering among the churches' leaders. The Catholics especially resented the assignment process and complained bitterly of bigotry on the part of high government officials.¹⁵

The fact that Catholics received assignments at only seven of thirty-eight expected agencies outraged the Church leaders, and they complained that the Protestant composition of the reform movement prevented any meaningful Catholic participation in American Indian policy. In 1874 the Catholics created the Bureau of Catholic Indian Missions, hoping to counteract Protestant influence through lobbying efforts in Congress.¹⁶ Protestants also dominated the Board of Indian Commissioners which, as constituted in 1869, exercised "joint control with the Secretary of the Interior in the disbursement of funds" appropriated for the use of the various Indian tribes. Although the Board functioned as an important policy making body for a short period of time, by the middle 1870's disagreements with Congress reduced the Board's role to that of an unofficial advisory committee.¹⁷

In March of 1871, Congress passed legislation that undermined the basis of the old treaty system. Congress forbade the United States government from recognizing the tribes as independent nations and from making treaties with them on that basis. Thereafter, negotiations with the tribes resulted in "agreements" which required ratification by both the House and the Senate. Although these agreements had less force of law than ordinary contracts, they assured the participation of the House in the formulation of

America's future Indian policy.¹⁸

As one eminent critic of Grant's administration has noted, "Under the 'Peace Policy' the government approached the Indians of mountain and plain with a Sharp's Carbine in one hand and a Bible in the other."¹⁹ In adopting the Peace Policy the government desired to confine the Indians to their reservations so as to make way for rail routes and white settlement. President Grant ordered the military to use force against those Indians who refused to undertake reservation life, and the Peace Policy's implicit commitment to force not only proved contradictory, but also hinted at its ultimate failure.

Although the Peace Policy succeeded in clearing many Indians from the plains, it failed to do so in a peaceful manner. In Montana Territory, Major Eugene Baker's slaughter of the Piegans in 1870, the Custer Massacre in 1876, and the Nez Perce war in 1877 all symbolized that Peace Policy's failure. One prominent Montana pioneer complained bitterly of the Peace Policy's failure, "during which time the Indians were almost exterminated, the lives of hundreds of white people [were] sacrificed, expensive Indian campaigns [were] carried on, and much valuable property [was] destroyed."²⁰ In 1878 the disastrous removal of the Poncas to the Indian Territory and the pathetic flight of the Northern Cheyenne from the

Indian Territory provided further concrete evidence of the Peace Policy's inability to keep the peace or to civilize the Indians.

The policy of concentrating large bodies of Indians in the Indian Territory met stiff resistance from western Congressmen who feared such a measure on military grounds and from eastern Congressmen who objected for more humane reasons.²¹ Military commanders and western settlers commonly favored transferring Indian affairs to the War Department, but frontier incidents involving the military, some tragically disastrous and others stupidly atrocious, worked to sway public opinion away from that option.²² By 1880 the Indian policy reformers, as well as the public and Congress had rejected both the ideas of concentration and transfer, and thus the way opened for a more substantial reformation of American Indian policy.

Although the Peace Policy failed, it significantly influenced the formulation of a new policy that reached its climax in 1887 with the passage of the Dawes Act. The new reform movement grew out of the Peace Policy's failure, becoming better organized, more articulate and increasingly influential. During the era of the Peace Policy, public opinion, especially in the West, viewed the Indian problem with very little sympathy. But by 1880 with a more sympathetic Congress and a broader base of public support, the reformers found a more favorable climate in which to institute their reforms.²³

During the 1880's the reformers developed an Indian policy that attempted to concentrate the Indians on reservations located near their native lands. The trend turned notably from the earlier concept of wardship toward a new one of self-reliance and citizenship, and the reformers placed the heaviest emphasis on the full assimilation of the Indians with the larger and domineering American society. Addressing "the present aspects of the Indian problem" in 1881, Secretary of the Interior Carl Schurz stated the proposition bluntly: "The circumstances surrounding them place before the Indians this stern alternative - extermination or civilization." ²⁴ At the close of the frontier in 1889, Commissioner of Indian Affairs T.J. Morgan continued in the same vein: "This civilization may not be the best possible, but it is the best that the Indians can get. They cannot escape it, and either must conform to it or be crushed by it." ²⁵

While reformers had long viewed Christianity as essential to the Indians' civilization, there developed in nineteenth century evangelical Protestantism a "subtle transformation that brought about an almost complete identification of Protestantism with Americanism." ²⁶ During the 1880's Protestant ministers and lay persons dominated the reformation of American Indian policy, and their theories and policies tacitly aligned Protestantism with

Americanism and called the result civilization. As the reformers understood the idea of civilization, its basic moral fibers grew the roots of the Christian tradition and the Protestant ideal of individual salvation. In 1878 Commissioner of Indian Affairs E.A. Hoyt predicted that Christianizing the Indians would "reclaim them from a debasing paganism. . ." and "win them to a purer and more enobling faith." ²⁷ Leading reformers viewed the movement as a Christian missionary activity designed to promote the building of a "Christian civilization." They declared that the solution to the Indian problem depended upon bringing them "under the sway of Christian thought and Christian life, and into touch with the people of this Christian nation." ²⁸

In the larger social organization, American Protestantism emphasized the role of the individual family unit. Consequently, reformers believed that the Indian could only reach a higher state of civilization through the dissolution of tribal relations and through the development of individual family units. Commissioner E.A. Hayt asserted his belief that, "In the process of Indian civilization it is necessary to build from the foundation, and therefore it is proper to begin with the family relation." ²⁹

Christian homes provided the basis for the Indians' civilization and assimilation, and "the Christian purity and virtues

that they extolled could take root and be nurtured to full maturity only within the Christian family." ³⁰

The Protestant concepts of individual salvation and the Puritan work ethic became strong forces in the reformation of American Indian policy. The reformers coupled the Protestant ideal of private property ownership with the Jeffersonian ideal of an agrarian republic. As a result of this connection, the idea of Indian citizenship rested mainly upon the dissolution of tribal property relations and upon the primacy of private property ownership.

Relying on the theories of the English economist Thomas Malthus, Commissioner of Indian Affairs Hiram Price wrote in 1882 that, "there can be no well founded hope of obtaining a large produce from the soil but under a system of private property." ³¹ The Board of Indian Commissioners concurred and declared that "no people will reach a high state of civilization under the communistic system, and without the incentive to labor and enterprise that the right to individual ownership inspires." ³² The idea of private property depended upon the Indians' willingness to work, and Commissioner Price urged that labor was "an essential element in producing civilization." He concluded that it was best for the Indian to be compelled "to depend upon his own exertions for a livelihood." ³³

In the reformers' vision of civilization, "livelihood" meant

the operation of productive agricultural enterprises that could provide the Indian with the material base essential to functioning in a capitalistic economy. Agriculture in the reformers' view represented a significant advancement toward civilization. In 1887 Commissioner of Indian Affairs J.D.C. Atkins claimed that the Indians' civilization would naturally follow from "a knowledge and practice upon their part of the art of agriculture." The Commissioner stated further that the agricultural arts represented the "highest intellectual and moral development of men."³⁴ Enlisting the aid of "historians, philosophers, and statesmen," Commissioner Atkins equated ignorance in general with ignorance of agriculture in particular. He concluded "that those. . . ignorant of agriculture, are ignorant of almost everything else."³⁵

The reformers developed allotment plans designed to dissolve tribal relations and to place individual Indian families on privately owned homesteads. The allotment process reflected both a humane and a cynical side. While the allotment schemes promised the Indians assimilation rather than extermination, they also authorized the sale of excess Indian lands to the government, and ultimately to white settlers. In a moment of sheer enthusiasim Commissioner J.D.C. Atkins proclaimed, "Every Indian can own a homestead. . . What a heritage!"³⁶ Commissioner Atkins believed that allotments

in severalty would provide the Indians with "the corner stone of their complete success in agriculture, which means self support, personal independence, and material thrift." ³⁷ The Board of Indian Commissioners agreed and declared that allotments in severalty would "inspire the Indian with a new faith in the government . . . encourage him to greater efforts toward a nobler and better life. . . [and] secure him the integrity of the family and the home - the unit of Christian civilization." ³⁸

Believing environmental determinism to be more influential than natural evolution, the reformers assumed that once an Indian abandoned his tribal relations, became Christianized, and took a homestead he was ready for the ultimate in assimilation, i.e. American citizenship. The reformers envisioned education as the primary vehicle of the assimilative process. Familiarity with the farm and school and a basic industrial background guaranteed that the Indians would become "part and parcel of the great brotherhood of American citizens." ³⁹ Once the Indian earned his right to citizenship, Commissioner Atkins declared, "we shall hear no more of him as the 'ward of the nation'." ⁴⁰

Underlying the reformers' efforts to develop a workable theory of civilization there existed an assumption accepting "the traditional view that mankind passed through distinct stages of

society from savagery to civilization."⁴¹ Through an educational system emphasizing especially training in the English language and practical skills, the reformers sought to "speed up the process . . . to accomplish in one generation what nature alone had taken eons to effect."⁴² In 1891 Commissioner T. J. Morgan, a professional educator, confidently asserted that "time as an element in human progress is relative, not absolute." The Commissioner placed the greatest faith in the miracles of education, concluding that "a good school may bridge over for them [the Indians] the dreary chasm of a thousand years of tedious evolution."⁴³

Borrowing from the works of the eminent American anthropologist, Lewis Henry Morgan, the reformers both adopted and adapted his thesis concerning the natural passage of all societies through a certain series of social and ethnic stages. According to Morgan these stages ultimately resulted in a state of high civilization. Morgan's theories, however, did not support the reformers' desires to assimilate the Indians within the course of a single generation. Morgan argued that it was impossible to circumvent nature's processes. "We wonder that our Indians cannot civilize," he wrote, "but how could they, any more than our own remote ancestors, jump ethnical periods?"⁴⁴ Nonetheless, the reformers chose to accept those parts of Morgan's theories that supported their ends and handily ignored

the rest.

The reformers placed too great a faith in the forces of education and environmental determinism. Coupled with a blind ethnocentrism, this naive faith ultimately spelled disaster to the reformers' vision of assimilation. Education provided an essential element to the final solution of the Indian problem. The reformers believed that if they administered the proper educational experience within the proper environmental conditions, the Indians' assimilation would follow both naturally and rapidly. Richard Henry Pratt, a pioneer in the development of Indian education, believed that the Indians lacked civilization only because "we will not allow them the same environment of America and our civilization." 45

In 1878 at Hampton, Virginia, and a short time later at the Carlisle Barracks in Pennsylvania, Pratt opened experimental Indian industrial boarding schools. Pratt insisted that the Indians must become fully integrated into American society, and he developed a system of Indian education to meet the end. Pratt's industrial boarding schools stressed training in the English language, manual arts, and domestic arts, as well as a general familiarity with the values and institutions of American civilization. In order

to maximize the Indians' contact with white society, Pratt implemented the so-called "outing system" where Indian pupils were farmed to live and to work with white families for short periods of time. ⁴⁶

Pratt's experiments in Indian education achieved a notable popular success and attracted considerable public attention. In practical terms, Pratt proved to the public that the Indians were educable and that his goal of Indian assimilation was not merely theory. In 1880 the Acting Commissioner of Indian Affairs E.M. Marble reported that "the establishment of these schools has aroused strong interest. . . on the part of benevolent people in the East, which has resulted in generous donations to aid. . . pupils at both Hampton and Carlisle." ⁴⁷

Although Pratt proved the feasibility of Indian education, reformers refused to adopt this system in its entirety. Pratt's insistence that Indian education be conducted in the East, far away from the supposed degenerative influences of the tribe, posed an immense practical barrier to adopting his system. The reformers agreed with Pratt's general philosophy of Indian education, but they wanted it instituted on the reservation where it was cheaper and where the entire tribe might be benefited. ⁴⁸

During the closing decades of the nineteenth century, Congress gradually increased appropriations for Indian education. These funds

supported Pratt's industrial boarding schools, reservation boarding and day schools, and religious boarding schools which provided Indian education through contractual arrangements with the Indian Department. Generally the reformers favored the reservation boarding school model, as it protected the pupils from the negative influences of tribal life while not requiring the removal of the students to some far off place. As the Indian pupils became familiar with the educational process, the reformers hoped that Congress would aid them in establishing homesteads and invest them with the "privilege of citizenship, including the right of suffrage." 49

During the late 1880's there occurred a growing conviction among many Indian policy reformers that compulsory, nonsectarian Indian education held the best promise for success. Commissioner of Indian Affairs T.J. Morgan led the movement and implemented a new system of Indian education. Morgan promoted a professional, compulsory, nonsectarian, and nonpartisan system that focused upon "education for patriotic citizenship." Morgan outlined a thorough system of primary, grammar, and high schools which he believed would prepare the Indians for "useful, happy citizen [ship] in [the] great republic, sharing on equal terms in all its blessings." 50

For the Indian schools Commissioner Morgan prescribed strict regulations concerning courses, text books, and personnel quali-

fications. He even went so far as to dictate the holidays to be observed by Indian schools, including the anniversary date of the Dawes Act as Indian Franchise Day. Morgan looked toward the day when education and citizenship would eliminate the necessity for reservations. "The reservation system is an anachronism," he bluntly declared. As Commissioner Morgan reasoned, "Indian youth should be instructed as American citizens. . . and made to feel that the United States, and not some paltry reservation, is their home." ⁵¹ Morgan believed that the policy of assimilation would reorient the relationship of the Indians so that "the relation of all shall be changed from that of wards to that of citizens." ⁵²

Much like the attempt to rapidly educate the Indians, the creation of adequate legal institutions continuously plagued the reformers' plans for Indian citizenship. In 1789 Congress decreed that the Indians had no legal rights as parties in law suits, either as plaintiffs or as defendants. During the 1830's, Chief Justice John Marshall had defined the Indian tribes' as domestic and dependent nations. This ruling implied that the Indians relied internally upon their own institutions and externally upon the institutions of the United States. Occasionally Congress passed laws that limited the tribes independence, but usually these acts dealt only with the conduct of trade and commerce. Historically, Congress

had left the problems of legal institutions and the maintenance of law and order to the traditional means employed by the various tribes. ⁵³

In 1871 when Congress prohibited the United States from any further treating with the tribes, the authority and prestige of the chiefs and headmen were greatly diminished. When the younger braves learned that the government no longer respected their tribal leaders as sovereigns, their own respect for the chiefs likewise diminished. Because neither the government nor the tribes provided an adequate legal institution, the Indians found themselves living in a situation lacking all pretense of law and order.⁵⁴

As early as 1877 Commissioner E.A. Hayt complained that "there is no act of Congress which deals with the punishment of crimes against person or property. . . committed by or against Indians within the boundaries of an Indian reservation."⁵⁵ The Commissioner noted that the assimilative process had naturally eroded the tribes' traditional institutions, and he recommended that Congress enact a uniform legal code applicable to all Indian reservations. While awaiting the enactment of such legislation, the Commissioner asked Congress to appropriate funds for the creation of Indian police forces. ⁵⁶

The Indian policy reformers believed that the extension of

a legal code over the tribes would mitigate the lawlessness flourishing on the Indian reservations. In 1877 the Board of Indian Commissioners referred to the reservations as the "paradise of desperadoes" and recommended the extension of the full force of the law over them. ⁵⁷

In 1878 and under persistent pressure from the Indian Department, Congress finally passed legislation authorizing the establishment of Indian police forces. The act provided salaries for officers and privates at the rates of eight dollars and five dollars per month respectively, and it limited the size of the force to fifty officers and 430 privates.⁵⁸ In 1887 Congress increased the salaries to ten dollars per month for officers and to eight dollars per month for privates. ⁵⁹

The Indian police forces began experimentally, responding to both the demands of philanthropic theorizers as well as to the legitimate practical needs of the reservations. Under the control of the local Indian agents, the Indian police served as peace officers, couriers, guards, truant officers, census counters, military scouts, and most importantly as progressive examples of the Indians' civilization. The Indian police bridged the gap between the old tribal traditions and the newer concept of Indian citizenship. Reformers expected the Indian police to set fine examples of civilized behavior

and to generate progressiveness among their tribesmen. 60

The effectiveness of the Indian police faced two severe limitations, one cultural and the other legislative. The traditional tribal hierarchies usually resented the Indian police, viewing them as usurpers of their chiefs' rightful authority. This situation polarized the tribes into conservative and progressive factions, weakening them internally while doing precious little to bring law and order to the reservations. Illegal alcohol sales also undermined law and order. In near unanimity, the reformers agreed that whiskey sales to the Indians accounted for the majority of crimes committed on or near the reservations. They implored Congress to stiffen the laws by setting minimum punishments for illegal whiskey sales at "not less than \$300 fine, and not less than two years imprisonment." Congress refused to comply, however, leaving the punishment set at the older and more tolerant level of "not more than \$300 fine, and not more than two years imprisonment." Consequently, illicit liquor sales flourished on and around the reservations, and the violators seldom faced vigorous prosecution. 61

The creation of Indian police forces set a precedent for the creation of an Indian court system. In 1883 Commissioner Price chastised Congress for ignoring "repeated recommendations. . . ." from "government officials, institutions, religious societies,

missionaries, and other philanthropists." all of which urged Congress to place the Indians under a uniform code of law.⁶² In April of 1883, Secretary of the Interior Henry M. Teller lost patients with Congressional inaction, and he authorized the Indian Department to create a "Court of Indian Offenses."⁶³ The Commissioner's office required the local Indian agents to nominate progressive and competent Indians as judges, and the regulations prohibited "heathenish dances," polygamy, medicine mens' practices, and the destruction of the property belonging to Indian estates.⁶⁴

Initially the Court of Indian Offenses lacked statutory authorization, and it became only quasi official in 1888 when Congress appropriated \$5,000 for the salaries of Indian judges.⁶⁵ The Indian courts served to control misdemeanors and heard civil cases, functioning much like the courts of the justices of the peace in the states and territories. Under the agents' control, the system of Indian police and courts violated a fundamental constitutional principle in mixing the powers of the executive with those of the judiciary. Occasionally Indian police also served as judges with their salaries coming from the penalties they imposed. Although the reformers found this condition undesirable, they viewed it as a transitory problem that would disappear once the Indians became citizens subject to the laws of the United States.⁶⁶

The court lacked jurisdiction over felonies committed by one Indian against another Indian. In 1884 the United States Supreme Court heard the notorious case of Crow Dog who had flagrantly murdered the Sioux Chief Spotted Tail. The court ruled that the District courts lacked all jurisdiction over such offenses which the United States statutes had remitted to tribal customs for prosecution and punishment.⁶⁷ Later that same year in the case of John Elk v. Wilkins, the Supreme Court strengthened its earlier opinion by ruling that Indians remained tribal members, even though they voluntarily severed their tribal relations. The court held that the Indians could only become citizens, under the full force and protection of the law, if Congress passed naturalization legislation.⁶⁸

In the Indian appropriation act of 1885, Congress finally responded by declaring that certain crimes committed by Indians, whether on or off reservations, were to be tried and punished under the laws of the states and territories. The act included "murder, manslaughter, rape, assault with intent to kill, arson, burglary, and larceny."⁶⁹ Initially the act required that in the cases where Indian crimes were committed in the territories, the specific county where the crime occurred had the responsibility of prosecuting the Indian criminals. The great expense of prosecuting such criminals

discouraged cooperation in the territories, and in 1889 Congress corrected the problem by placing the burden of the prosecutions' expense on the federal government.⁷⁰

In 1886 the Supreme Court upheld the legality of the Indian Crimes Act in the case of the United States v. Kagama. The court confirmed the authority of Congress to govern the tribes through Congressional acts and ruled that Congress had rightfully empowered the courts of the territories to prosecute and punish Indian crimes.⁷¹ This ruling pleased the reformers who believed that they had encouraged Indian progressiveness while demonstrating the mechanics and dynamics of Anglo-American law. When Congress passed the Dawes Act in 1887, the reformers believed that they had successfully initiated the Indians into American legal institutions, and the Indian allottees found themselves suddenly citizens of the United States and under the full force of its laws.

During the 1880's the reformers of American Indian policy made consistent efforts to bring the Indians into the folds of American citizenship. They spawned numerous national organizations that operated in cooperation with the Commissioner of Indian Affairs and the Board of Indian Commissioners. In 1883 and under the leadership of Albert K. Smiley, a New York Quaker and philanthropist, the various reform organizations attended the first annual conference of Indian policy reformers at Lake Mohonk, New York.⁷²

In 1886 when the reformers gathered at Lake Mohonk, they recommended that Congress immediately pass the Dawes Act. They believed that "industry, education, and morality would be secured by giving citizenship first," and they invited all other good citizens "to join in. . . efforts to protect, to civilize, and to Christianize the Indians." ⁷³ The Mohonk conferees also supported increased appropriations for the Indians' education which they believed would promote the "general, industrial, moral, and religious" development of the Indian race. ⁷⁴

When the Dawes Act passed in 1887, it provided the practical apparatus for finalizing the reformers' theory of assimilation. The Dawes Act empowered the President of the United States to order surveys of the Indian reservations, and with the consent of the tribal members, he could then allot the reservation lands in severalty. Family heads received 1/4 section of land; single persons over eighteen received 1/8 section of land; orphans under eighteen received 1/6 section of land, and those persons under eighteen and born prior to the actual allotment date also received 1/6 section of land. ⁷⁵

The Dawes Act directed the government to hold the allotted Indian lands in trust with inalienable titles for a period of at least twenty-five years. After completion of the allotment process,

the Dawes Act authorized the Secretary of the Interior to negotiate with the tribes for the sale of their excess lands. The Act then empowered the government to sell the excess land to settlers in 160 acre tracts. The proceeds from these sales went to the United States Treasury where they accrued interest at the rate of three percent per annum. Congress specifically earmarked these funds for the promotion of the tribes' civilization and education.⁷⁶

After the allotment process had been completed, the Dawes Act placed the Indian allottees under the civil and criminal codes of the states and territories in which they resided. Most importantly, the Dawes Act declared each Indian allottee "to be a citizen of the United States and. . . entitled to all the rights, privileges, and immunities of such citizens."⁷⁷ Thus the Dawes Act brought the Indian allottees into the mainstreams of American life both as private property owners and as citizens of the United States. Many reformers hailed the Dawes Act as the immediate solution to the Indian problem, however, the more enlightened and farsighted reformers urged caution. Senator Dawes feared that the allotment process would be applied too quickly, and he viewed the Act as merely an "instrument" to the Indians eventual assimilation.⁷⁸

While some reformers urged caution and prudence, other reformers viewed delays in the implementation of the Act as viola-

tions of its intent and purposes.⁷⁹ In 1888 Commissioner of Indian Affairs John Oberly argued that the Indians must recognize that the frontier had closed and adopt civilized modes of life. According to Commissioner Oberly, the Indians' duty was "to work. . . ." and to become "imbued with the exalting egotism of American civilization."⁸⁰ For those Indians too hostile or too stubborn for cooperation, Oberly recommended that the government compel them to abandon their isolation and to "enter into citizenship - into assimilation with the masses of the republic - into the path of national duty."⁸¹

After the passage of the Dawes Act, many reformers soon grew disinterested in working further with the Indian problem. Congress began gradually to decrease the amount of money available for the aid of the tribes, and public interest and concern for the Indian tended to wane. Thus the legacy of the Dawes Act became established. Ethnocentrism, haste, and compulsion all conspired to defeat the Act in both spirit and purpose. Only a few years after the Act's passage, Senator Dawes remarked that had he realized the full extent of its impact, he never would have supported the Act in the first place.⁸²

Ultimately the Dawes Act proved to be one of the spectacular legislative failures in American history. It moved against the

trend of the twentieth century by emphasizing individualism during an era of increasing collectivity. It provided too little land for agricultural subsistence on the semi-arid plains, and the allotment procedure tended to checkerboard the reservations into small and nearly useless tracts of land. It deprived the Indians of the majority of their natural resources and left them extremely bitter toward the domineering American culture.

One critic of the Dawes Act summarizes its failure in the following manner:

Because of the egocentric nature of men, political democracy has seldom been humanitarian in its motivation. Political democracy has always best served the interests of powerful groups, and has neglected weak minorities. This perhaps was the most important reason why a policy intent upon accuturation of the 325,000 Indians on reservations in 1890, had not reduced significantly the number of those living apart from Anglo-American society at the middle of the twentieth century. ⁸³

CHAPTER I FOOTNOTES

- ¹ Washburn, v. III, pp. 2188-2193.
- ² Henry Nash Smith, Virgin Land, The American West As Symbol And Myth, (Cambridge: Harvard University Press, 1950), see especially chapters I-IV and XI-XX.
- ³ Henry Steele Commager, The American Mind, An Interpretation Of American Thought and Character Since the 1880's, (New Haven: Yale University Press, 1950), see Chapter I, "The Nineteenth Century Mind."
- ⁴ Commissioner of Indian Affairs, Annual Report, 1885, p.3.
- ⁵ Loring Benson Priest, Uncle Sam's Stepchildren, The Reformation of U.S. Indian Policy 1865-1887, 2d ed., (New York: Octagon Books, 1969), p.5.
- ⁶ Francis Paul Prucha, American Indian Policy in Crisis: Christian Reformers and the Indian, 1865-1900, (Norman: University of Oklahoma Press, 1976), pp. 4-6.
- ⁷ Henry E. Fritz, The Movement for Indian Assimilation, 1860 - 1890, (Philadelphia: University of Pennsylvania Press, 1963), pp.34-38.
- ⁸ Prucha, pp. 7-10.
- ⁹ Fritz, pp. 54-56.
- ¹⁰ Prucha, p. 15.
- ¹¹ Ibid., pp. 18-21.
- ¹² Fritz, p. 71.
- ¹³ Prucha, p. 23.
- ¹⁴ Fritz, pp. 75-76.

- 15 Prucha, pp. 56-60.
- 16 Ibid.
- 17 Fritz, p. 75.
- 18 Ibid., pp. 84-86.
- 19 Ibid., p. 83.
- 20 Granville Stuart, Pioneering In Montana, The Making of A State, 1864-1887, ed. Paul C. Phillips, (Lincoln: University of Nebraska Press, 1977), p. 95.
- 21 Priest, pp. 11-14.
- 22 Ibid., pp. 23-27.
- 23 Fritz, pp. 166-167..
- 24 North American Review, Carl Schurz, "The Present Aspects of the Indian Problem," July 1881.
- 25 Commissioner of Indian Affairs, Annual Report, 1889, p.3.
- 26 Prucha, p. 158. Prucha demonstrates the heavy Protestant influence in the reform movement by pointing out that at the Lake Mohonk Conferences, "Of the names listed in the membership rosters, 1883-1900, more than a fourth were ministers. . . and representatives of religious groups, and a great many more were prominent lay leaders in their churches." See page 149. Prucha is referring directly to Protestant churches and church members.
- 27 Commissioner of Indian Affairs, Annual Report, 1878, p. 1.
- 28 Annual Report of the Board of Indian Commissioners, "Lake Mohonk Proceedings," 1886, p. 13. Also see Prucha's footnote #37, p. 151.

- 29 Commissioner of Indian Affairs, Annual Report, 1878, p. 27.
- 30 Prucha, p. 155.
- 31 Commissioner of Indian Affairs, Annual Report, 1882, p. 43.
- 32 Annual Report of the Board of Indian Commissioners, 1882,
pp. 7-8.
- 33 Commissioner of Indian Affairs, Annual Report, 1881, p. 5.
- 34 Ibid., 1887, p. 9.
- 35 Ibid., p. 10.
- 36 Ibid., 1885, p. 5.
- 37 Ibid., p. 4.
- 38 Annual Report of the Board of Indian Commissioners, 1882,
p. 8.
- 39 Commissioner of Indian Affairs, Annual Report, 1885, p. 6.
- 40 Ibid., p. 7.
- 41 Prucha, p. 156.
- 42 Ibid.
- 43 Commissioner of Indian Affairs, Annual Report, 1891, p. 5.
- 44 The Nation, Lewis Henry Morgan, "The Indian Question,"
November 1878. Also see Prucha, pp. 156-158, and Fritz pp. 123 -
125.
- 45 Prucha, p. 275.

- 46 Ibid., pp. 265-275.
- 47 Commissioner of Indian Affairs, Annual Report, 1880, p. 7.
- 48 Prucha, pp. 279-281.
- 49 Commissioner of Indian Affairs, Annual Report, 1886, p.25.
- 50 Ibid., 1889, pp. 93-97.
- 51 Ibid., p. 96.
- 52 Ibid., 1892, p. 7.
- 53 Prucha, pp. 328-329.
- 54 Ibid.
- 55 Commissioner of Indian Affairs, Annual Report, 1877, p. 2.
- 56 Ibid.
- 57 Annual Report of the Board of Indian Commissioners, 1877,
p. 7.
- 58 Commissioner of Indian Affairs, Annual Report, 1878, p. 42.
- 59 Ibid., 1887, p. 36.
- 60 William T. Hagan, Indian Police and Judges, Experiments in
Acculturation and Control, (New Haven: Yale University Press, 1966),
pp. 10, 169-170.
- 61 Commissioner of Indian Affairs, Annual Report, 1884, p. 7.
- 62 Ibid., 1883, p. 11.

- 63 Ibid., p. 15.
- 64 Ibid., 1888, pp. 24-30.
- 65 Ibid.
- 66 Hagan, pp. 172-174.
- 14-15. 67 Commissioner of Indian Affairs, Annual Report, 1884, pp.
- 68 Prucha, pp. 345-346.
- 19-20. 69 Commissioner of Indian Affairs, Annual Report, 1885, pp.
- 70 Ibid., 1889, pp. 24-26.
- 71 Ibid.
- 72 Prucha, pp. 143-147.
- 73 Annual Report of the Board of Indian Commissioners, 1883,
"Lake Mohonk Conference Proceedings," p. 4.
- 74 Ibid.
- 75 Washburn, v. III, p. 2188.
- 76 Ibid., p. 2190.
- 77 Ibid., p. 2192.
- 78 Annual Report of the Board of Indian Commissioners, 1887,
pp. 131-132.
- 99-100. 79 Ibid., "Lake Mohonk Conference Proceedings," 1893, pp. 4-5,

⁸⁰ Commissioner of Indian Affairs, Annual Report, 1888, p.89.

⁸¹ Ibid.

⁸² Priest, pp. 249-250.

⁸³ Fritz, p. 221.

CHAPTER II

PETER RONAN: THE PROFILE OF AN UNITED STATES INDIAN AGENT

In 1877 President Rutherford B. Hayes appointed Peter Ronan as the United States Indian Agent assigned to the Flathead Confederation. Agent Ronan served until his death in 1893, when at the age of fifty-five, he was the oldest agent serving in the Indian service. During Agent Ronan's extraordinarily long tenure, the Indians of Flathead Confederation abandoned the hunt and undertook civilized pursuits as dictated by United States Indian policy. According to regulations prescribed by the Department of the Interior, the chief duty of an Indian agent was to induce the "Indians to labor in civilized pursuits. To attain this end every possible influence should be brought to bear, and in proportion as it is attained, other things being equal, an agent's administration is successful or unsuccessful."¹ Peter Ronan became an unusually proficient agent, earning the respect of whites and Indians alike. Although both the reformed Indian policy and the theory of assimilation failed ultimately, Agent Ronan did succeed in initiating several "civilized" advances while earnestly and sincerely seeking to protect the Indians' particular interests.

Peter Ronan's career in the Indian service provides an excellent example of the tasks and perils faced by an Indian agent.

He served during the heyday of United States Indian Agents, from the end of the Indian wars in the northwest to the close of the frontier. In general, Agent Ronan agreed with the reformers' goals of civilization and assimilation for the American Indians. He worked dutifully and diligently to prepare his charges for self-sufficient citizenship, and during his tenure the Flathead Agency flourished as an exemplary institution and model Indian agency. During Agent Ronan's administration the Flathead Confederation made significant advances in agriculture, education, law, and general health and welfare. In spite of these advances, they never reached the reformers' ultimate goal of self-sufficient citizenship: at the present they remain wards of the federal government and second rate American citizens.

The administration of the reformed Indian policy, and its ultimate success or failure, depended most heavily upon the offices of the local Indian agents. Reformers, governmental officials, and the local public all charged the agents with a nearly impossible task. They expected the Indian agents to Christianize, civilize, educate, and assimilate the Indians. Furthermore, they expected the agents to accomplish these tasks within a single generation, and all too often without adequate funding or suitable facilities. The magnitude and peculiarities of their tasks required agents

competently trained in politics, agricultural arts, mechanics, educational theories, administrative duties, and a host of other tasks. In short the successful discharge of an agent's duties depended upon the ability to employ sound, practical, and judicious decisions in most difficult situations.

President Grant had recognized the important role played by Indian agents and attempted to ameliorate the problem by appointing the nominees of various religious organizations to vacancies in the Indian service. This policy was less than satisfactory, and by 1879 some of the religious denominations began withdrawing from the program. During President Hayes' administration, Secretary of the Interior Carl Schurz began discouraging the practice of appointing religious nominees as Indian agents. In 1879 at the annual meeting of the Christian missionaries, the Unitarian representative reported that the "Secretary (Carl Schurz). . . said. . . frankly that he feared the tendency was to nominate broken down ministers for the service, and that . . . the service required very strong, executive business men." ²

In 1883, Commissioner of Indian Affairs Hiram Price concurred, complaining that too often "men who are broken down physically, financially, or politically" received appointments as Indian agents.³ Commissioner Price recognized that the formidable

duties of the agents' required highly qualified and capable appointees. Price asserted that "the civilization and elevation of the Indians depends more upon the agents. . . than upon any and all instrumentalities combined, and hence none but the best class of men should be selected . . . and to them a fair compensation should be paid." ⁴

Hoping to recruit "honest, industrious, and intelligent Christian" agents who were "morally, mentally, and physically above the average of what are considered good men," the Commissioners' office continuously sought to upgrade the salaries of the Indian agents. In 1877 Commissioner E.A. Hayt recommended implementing a system of graduated salaries, ranging from a low of \$1,000 annually for agents in charge of eight hundred Indians or less and topping off at a high of \$2,500 annually for agents in charge of more than seven thousand Indians.⁵ Hayt believed that such a plan would draw a higher caliber of personnel to the Indian service while reducing political nepotism at the Indian agencies.⁶ Because an economically concerned Congress refused to finance the plan, the agents' salaries remained at around \$1,500 annually.

Commissioner Price attempted to increase the agents' salaries as well as their deplorable working conditions. According to Price's reports, the agents found themselves "surrounded with difficulties,

hampered and embarrassed by regulations" and commonly "harassed and annoyed by technical rules in conducting the affairs of the agency." Price argued that these conditions drove the best agents from the service, causing them to lose their dedication and to become disgusted with the entire operation.⁷ Price also attacked the "vexatious manner of keeping and settling their accounts" as being one of the most serious problems alienating good men from the Indian service. He also deplored the quality of the agencies' facilities where agents lived in "houses. . . in wretched condition, much less comfortable than stables for horses and mules in civilized communities." As a way of correcting the problem, Price asked Congress to appropriate \$100,000 for the purpose of reconstructing and maintaining the agencies' facilities. But once again, budgetary considerations killed the project.⁸

In 1888, Commissioner of Indian Affairs John H. Oberly, a former civil service commissioner, directed his attention toward upgrading the caliber of personnel employed by the Indian Department. Oberly outlined the "qualifications needed" for agency employees, stressing integrity, technical skills, and dedication to the Indian service. He suggested that political partisanship might be eliminated by applying civil service regulations to the Indian Department's employees and by implementing a merit system for promotions.

in the Indian service.⁹ Commissioner Oberly introduced new regulations requiring detailed information concerning the applicants' backgrounds as well as professional recommendations for their employment in the service. But due to widespread partisanship and nepotism, he failed to bring the office of Indian Agent under civil service regulation.¹⁰

During President Harrison's administration, Commissioner of Indian Affairs T. J. Morgan continued the efforts to upgrade the salaries and personnel in the Indian service.¹¹ The Board of Indian Commissioners and Lake Mohonk conferees supported Morgan's efforts, especially in desiring to eliminate political partisanship in the Indian Department.¹² In 1890 when the Messiah Craze and the Wounded Knee incidents occurred, reformers made a new and strenuous effort to bring civil service regulations to the Indian service. Reformers blamed these hostilities on ineptitude fostered by political partisanship, and in the heat of the crisis they found themselves forced to rely upon military personnel in replacing many Indian agents.

President Grover Cleveland began appointing military officers as Indian agents, and before his first year in office had transpired military officers served as Indian agents at twenty-seven of fifty-five Indian agencies. Reformers supported

this policy, but only apprehensively. While relying on military officers to administer the Indian agencies, the Indian Department returned as quickly as possible to civilian administrators. By 1898 military officers served at only three of a total of fifty-six Indian agencies.¹³

Because Indian agencies provided Congressmen with comfortable niches for their political supporters, civil service reforms came to the Indian Department very slowly and in a piecemeal fashion. In 1891 President Cleveland extended civil service regulations over agency physicians, matrons, and school superintendents, but the office of Indian agent was excluded due to Congressional reluctance. Commissioner Morgan believed that as the Indians became civilized, the office of Indian agent would gradually disappear. In 1892 he recommended appointing school superintendents to the office of Indian agent, hoping to focus the Indians' attention on the schools rather than on the agencies.¹⁴

Congress approved the measure in 1893, thinking that the allotment process would eventually eliminate reservations as well as Indian Department employees.¹⁵ Despite all efforts to the contrary, political partisanship remained a principle characteristic of the Indian agent's role in the administration of American Indian policy. Congress refused steadfastly to place the Indian agents

under the provisions of the Pendleton Act, and consequently political control over the agents only waned as the office itself gradually disappeared.¹⁶

In retaining his office through seventeen years of Republican and Democratic administrations alike, Agent Peter Ronan relied mainly upon his personal political connections. Although he probably never aspired to become an Indian Agent, Ronan's peculiar background made him especially suitable for the job. As a youngster Ronan emigrated from Nova Scotia to Rhode Island with his Irish Catholic parents. At the age of seventeen he took employment with a printing firm in Providence, Rhode Island, and began a long career in the printing and newspaper business.¹⁷

During the 1850's Ronan worked as a newspaperman for the Evening Times in Dubuque, Iowa. In 1860 gold fever lured him to the Pike's Peak diggings in Colorado, where he remained for the next two years. He returned East in 1862, settling at Leavenworth, Kansas, and purchasing an interest in the Daily Enquirer there.¹⁸ Being the only Democratic journal in the state, the proprietors of the Daily Enquirer found themselves harassed by military officials as well as the local public. After a riotous crowd attacked and destroyed the paper's offices in 1863, Ronan once again sought his fortunes in the West. ¹⁹

Ronan settled at Bannack City in Montana Territory and undertook a placer mining operation near Grasshopper Creek. A short time later he moved to Alder Gulch and returned to the newspaper business, working for John P. Bruce, the owner of the Montana Democrat. In 1866 Ronan followed the mining frontier to Last Chance Gulch where he and H. M. Maguire bought interests in the Rocky Mountain Gazette, a Democratic journal published by E. S. Wilkinson and Sons.²⁰ At this early date Ronan began to enjoy the endearments of the local Democratic Party, and Acting Governor Thomas Francis Meagher offered him an appointment as the Territorial Superintendent of Public Instruction. But Ronan respectfully declined.²¹

In 1868 Martin Maginnis, who later became the Territorial Delegate, bought out the Wilkinsons and became a coeditor of the Rocky Mountain Gazette. A common interest in the newspaper business and politics generated a long and close personal relationship between Ronan and Maginnis that eventually resulted in Ronan's appointment as an Indian agent. Due to accidental fires, the newspaper failed as a business venture. But as a political venture, it proved highly successful in advancing Maginnis' political career. Fire wiped out the paper in 1872, and the proprietors reorganized as a joint stock company. This brought the journal

back to life as the Daily Helena Gazette in 1873. That same year Maginnis began his first term as Territorial Delegate and left the supervision of the paper largely to Ronan's care. ²²

As a newsman Ronan kept Maginnis posted with the necessary political intelligence, but when fire wiped out the paper again in 1874, Ronan quit the business forever. Although Ronan had turned back to gold mining, he continued to keep Maginnis informed on political developments in Montana Territory. Ronan became closely acquainted with Samuel T. Hauser, a silver mining baron who later became Territorial Governor, and together they worked for Maginnis' re-election in 1875. ²³

Peter Ronan and his wife Mollie became prominent and well-liked citizens of Montana Territory. They listed among their close friends such influential political figures as Maginnis, Hauser, Joseph K. Toole, Wilbur F. Sanders, and T.C. Power, all of whom assisted Ronan in keeping his appointment as Indian Agent. ²⁴

Friends and visitors alike regarded Ronan as a hospitable man with a quick wit and a warm sense of humor. ²⁵ In 1873 his peers favored him with "honorary" membership in the Historical Society of Montana, and Ronan developed an interest in history, and especially the history of the local Indian tribes. ²⁶

Although Ronan never returned to the newspaper business, he combined his experience in journalism with his first hand knowledge of Indians and published an informative series of articles concerning the history of the Flathead Confederation. Ronan's history dealt with the Flathead Tribe between the years of 1813 and 1890. Initially published as a series of newspaper articles, they were designed to inform the local public of the complex problems created by the Indians' encounter with white civilization. ²⁷

Ronan's considerable competency and his close acquaintance with Montana's politicians made him a popular Indian Agent during both Democratic and Republican administrations. Between 1855 and 1877, twelve agents served at the Flathead Reservation. Although John Owen served a six year term, on the average agents served less than two years each. This condition resulted from political partisanship, corruption, and disillusionment on the part of the various agents. Ronan was able to avoid these distractions during his long administration, and he managed to transcend party lines, to retain his sense of the practical, and to keep himself above graft and corruption. After accepting his appointment as Indian agent, Ronan wrote home to his parents concerning his moral integrity and the so-called "Indian Ring," a term used commonly in reference

to graft and corruption in the Indian service. "I came into this office with clean hands," he wrote, "and with clean hands I shall go out." ²⁸

Although his wife described it as something out of the "blue," Ronan received his appointment as Indian agent as a political reward from the Territorial Delegate, Martin Maginnis. Charles S. Medary, Ronan's direct predecessor in office, faced charges in the Second Territorial District Court. The charges alleged malfeasance in office, misappropriation of annuity funds, illegal grazing on the reservation, and violations of the confederation's agreements with the United States.²⁹ The only charge that the court upheld involved Medary's grazing some of his own stock on the reservation, a practice which had been common for years among the Indian agents.

A powerful coalition of the confederation's headmen, traders, and stock grazers had instigated the charges against Medary. T. J. Demers, a Democratic Missoula County Commissioner, actually pressed the charges on behalf of the confederation. Medary had aroused Demers' considerable ire twice, once by suing him for illegally grazing on the reservation and a second time by denying him the position of post trader. The fact that whites, who had married Indians, grazed their herds on the reservation while incurring

no taxes outraged Demers. He threatened to repeat charges against Medary until he was either convicted or resigned from office.³⁰

The confederation's headmen felt dissatisfied because the government had failed to establish, as provided in the Hell Gate Treaty of 1855, a nonsectarian industrial school on the reservation. They objected to the use of government funds in supporting the St. Ignatius Mission school, and Chiefs Arlee and Michel quarreled bitterly with Medary over the disbursement of annuity funds.³¹ Duncan McDonald, a half breed trader, also opposed Medary's interference with white grazers on the reservation. Medary did little to soothe his opponents wrath, charging them with fraud, conspiracy, and treachery against both the government and himself.³²

Whatever the case, Medary eventually faced charges in District Court for the recovery of \$191 that he owed the confederation for the grazing of his personal stock on the reservation. The court found Medary guilty and fined him \$600, even though agents had always grazed their own stock on the reservation.³³

Commissioner Hayt and Attorney General Charles Devens both refused to intercede, and consequently, Agent Medary lost his office and incurred the fine.³⁴ The Weekly Missoulian regarded Medary's plight as "something other than justice" and concluded that the penalty demonstrated "unmerited severity" on the part of local

authorities. ³⁵

In April of 1877, Charles Ewing of the Bureau of Catholic Indian Missions nominated Peter Ronan to replace Agent Medary at the Flathead Agency.³⁶ With Delegate Maginnis' blessings, the nomination proceeded smoothly. On June 1, 1877, Ronan reported to Commissioner Hayt that he had relieved Medary at the agency. ³⁷ Ronan settled into his new job with ease, and in January of 1878, he wrote to Delegate Maginnis, reporting that he was happily and dutifully serving the government. Ronan assured Maginnis of victory in the upcoming November elections and asked him not to support motions to transfer Indian affairs to the War Department. Ronan explained that he wanted to keep his new job long enough to retire to farming and stock raising. ³⁸

In September Ronan apologized to Maginnis for not having much money to contribute to his campaign, but he wrote confidently of victory and recommended that Maginnis place Hauser in charge of the campaign in Butte.³⁹ When Maginnis won the election in November of 1878, Ronan promptly wired off his congratulations. ⁴⁰ The following September Maginnis visited the Flathead Reservation and made a laudatory report of Ronan's accomplishments there. "Without any means," Maginnis wrote, "more has been done in the way of advancement there in two years, than on all the agencies

in Montana with their large appropriations." ⁴¹

Until the time of Maginnis' retirement in 1885, Ronan continuously worked to advance his political career. Ronan donated considerable time and money to Maginnis' campaigns, drumming up support for his re-elections in the Missoula County area. In November of 1882, Ronan wrote to Hauser explaining that he had devoted a solid three weeks to campaigning for Maginnis. He also mentioned spending some \$428 of his personal funds in campaigning and operating a "saloon slush" for Maginnis' victory.⁴² Meanwhile Delegate Maginnis helped marshal the political forces necessary to keep Ronan in office through two consecutive Republican administrations.

Although a loyal Party member, Ronan's position seemed less than secure when President Grover Cleveland brought the Democrats back to office in 1885. Cleveland set about purging the Indian Department and replaced fifty of sixty-one agents with his administration's nominees.⁴³ Ronan had served under the two previous Republican administrations, and Martin Maginnis, his political guardian, had retired from office. Nonetheless, the Democratic Party rallied behind Ronan and managed to keep him in office. Samuel T. Hauser, the Territorial Governor, supported Ronan's reappointment and had an intimate knowledge of his

loyalty to the Democratic Party.⁴⁴ Senator George G. Vest of Missouri, a close acquaintance of both Ronan and Maginnis, also strongly endorsed Ronan's reappointment, referring to him as "the best agent" that he had ever known.⁴⁵ Joseph K. Toole, the newly elected Territorial Delegate and a Democrat, likewise endorsed Ronan's reappointment, and Toole explained to Commissioner of Indian Affairs J.D.C. Atkins that Ronan was a lifelong and loyal Democrat.⁴⁶ Ronan also received strong support from Democrats in Missoula County. Although retired, Martin Maginnis endorsed Ronan's reappointment and exercised his considerable influence in Ronan's behalf.⁴⁷ Thus, due to the efforts of Ronan's Democratic associates, President Cleveland retained Ronan as an Indian Agent, and as one of only eleven retained in the entire Indian service.

In 1888 several eminent westerners attempted to secure Ronan a promotion to the position of United States Indian Inspector. The most influential recommendations for promotion came from: T.F. Oakes, Vice-President of the Northern Pacific Railroad; General John Gibbon, of the Department of the Columbia; Marcus Daly, the Manager of the Anaconda Mining Company; and General M.H. Ruger, of the War Department's Headquarters in St. Paul, Minnesota.⁴⁸

Ronan's promotion did not come about during Cleveland's first administration, and when the Republicans returned to the presidency under Benjamin Harrison in 1890, the movement to promote Ronan to Indian Inspector quietly died.

The advent of a new Republican administration again put Ronan on the defensive. Maginnis immediately came to his aid, informing Secretary of the Interior John W. Noble that Ronan was "the most successful and efficient agent in the West."⁴⁹ Bishop John Brondel of the Catholic diocese at Helena added his support as did the members of the Montana Republican Committee. Charles E. Warren, a member of that committee, advised President Harrison to place the Flathead Agency above politics and to retain Agent Ronan for the benefit of both Indians and whites.⁵⁰ Although the Silver Bow County Republicans actively dissented from Warren's view, Ronan received the open support of many influential Republicans in Montana.⁵¹ The Missoula County Republican members of the state legislature wrote to Montana's Republican Congressional delegation advising them to support Ronan's reappointment, and Ronan secured the aid of both Senators Sanders and Power.⁵² The combined efforts of Montana's influential Democrats and Republicans proved to be sufficient to secure Ronan's reappointment, and on September 4, 1890, the chief clerk of the Interior

Department announced Ronan's retention in office.⁵³ This appointment secured his position for another four years, but Ronan passed away before he completed his term.

When Ronan initially took his office in the summer of 1877, the Nez Perce uprising and their flight through Montana tested immediately his skills as an Indian Agent. Ronan's conduct during the crisis won him the Indians' confidence and respect for his sense of fairness, his judicious decisions, and his humane generosity. Ronan worked closely with the confederation's headmen, inducing a relative calmness among his charges. He spent over \$1,300 out of his own pocket to purchase the confederation badly needed and long overdue supplies. Later, Ronan worked tirelessly to secure the Indians authorization to purchase arms and ammunition for their seasonal buffalo hunts.⁵⁴

Agent Ronan quickly established amicable relations with the agency's traders, and with the aid of Delegate Maginnis he secured a post trading license for T.J. Demers.⁵⁵ Although he remained unlicensed, Ronan also allowed Duncan McDonald to operate a trading post on the reservation.⁵⁶ He also permitted two other Indians, Antoine Rivaïs and Joseph Loyola, to operate unlicensed trading posts on the reservation. Ronan insisted that

all trade be conducted in either cash or kind and prohibited the use of tokens or tickets in the place of legal tender. He enforced the Indian Department's regulations requiring that all traders clearly post legible price lists for their goods, and he kept himself familiar with the traders' business accounts. Agent Ronan encouraged the traders to grant the Indians credit, and in doing so he often spared his charges the higher prices of the open market. ⁵⁷

The problem of white grazers on the reservation proved to be perennial, but Agent Ronan managed at least to defuse the situation by allowing for Indian participation in the matter. In council with the confederation's headmen, Ronan and the chiefs agreed that no whites would be allowed to remain on the reservation without both Ronan's approval and a majority vote of the confederation council. Ronan and the chiefs agreed to compile a list of all whites with authorization to live on the reservation, and they agreed then to evict all whites whose names did not appear on the list. ⁵⁸

Agent Ronan maintained friendly but businesslike relations with the freighters and contractors serving the Flathead Reservation. During the early 1880's and until the arrival of the railroad, the firm of T.C. Power dominated the transportation and

supply business at the agency. Power's firm depended upon river boat navigation up the Missouri River, and freighters then hauled goods overland from Fort Benton to the Flathead Agency. The system seldom functioned smoothly as shipments depended heavily upon the weather and early Congressional appropriations that could beat the seasonal problems of low water or ice.

Agent Ronan expected Power to fulfill his contracts with the government in both letter and spirit. Shipping delays forced Ronan to make purchases on the open market at much higher rates, and this caused him problems with both his supervisors and his Indian charges.⁵⁹ In 1881 when the agency was long overdue several tons of freight, Ronan complained to Power that he had failed to fulfill the government contract in a businesslike manner. Ronan explained to Power that no businessman would accept six to sixteen month delays, and he informed Power that there was no reason to think that an Indian agent would either.⁶⁰

Yet, Ronan worked to protect Power's interests as well as those of the Indian Department. In 1881 Ronan determined that the agency's beef contract placed Power at an unfair disadvantage, and he advised Power to seek a natural annulment of the contract so that his firm would not lose money on the transaction.⁶¹ Ronan and Power also made occasional agreements that allowed for Indian

farmers to provide the food stuff necessary to fulfill Power's contracts with the government. In such cases Ronan insisted that Power pay the Indians for their goods at the same rate that white farmers received on the open market. This allowed for the Indians to profit on their crops and also saved Power money on shipping costs.⁶²

During his years in office, Ronan introduced the Flathead Confederation to the reformers' program for Indian civilization and assimilation. Ronan emphasized the development of agricultural enterprises and livestock raising. He encouraged the Indians to reduce the size of their horse herds and to build up their cattle herds. He engineered and set in operation the first irrigation system utilized by the Flatheads and introduced the Indians to the cultivation of fruit orchards. Agent Ronan also assisted the Indians in establishing a prized buffalo herd on the reservation. Between 1877 and 1893, the number of Indians engaged in agriculture and related "civilized pursuits" increased dramatically on the Flathead Reservation. After 1888 Ronan consistently reported that over ninety percent of the confederation's adult males were engaged in "civilized pursuits." Ronan reported a similar success in estimating the number of Indians regularly appearing in "citizens dress." This figure rose by nearly 100% during his

administration. 63

The Flathead Confederation utilized an industrial boarding school operated by Catholic missionaries at the St. Ignatius Mission. Agent Ronan strongly supported the boarding school and stressed continuously the importance of Indian education. During Ronan's administration the average school attendance on the reservation increased by nearly 500% and literacy increased at about the same rate. 64

Agent Ronan introduced the first formal police and court system to the Flathead Confederation. White encroachments, the arrival of the railroad, and tribal factionalism made law enforcement an extremely difficult task. Although Ronan was never very satisfied with their performance, he retained the Indian police and judges throughout his administration. In 1893 Ronan reported four Indians employed as judges and a police force comprised of one Indian officer and fourteen Indian privates. Judges and privates received a salary of ten dollars per month, and the officer received a salary of fifteen dollars per month. 65

Although Ronan agreed with the Dawes Act in principle, he advised the government against forcing it on the Flathead Reservation. The confederation regarded the Act with suspicion, believing it to be a measure designed simply to reduce the re-

servation.⁶⁶ According to Ronan's reports, the headmen, full bloods, and most of the older Indians opposed the allotment plan while some of the younger and better educated Indians favored it.⁶⁷ Ronan believed that allotment in severalty was inevitable, but he presented the opposition's case with force and fairness. During Ronan's administration, the government made only a few allotments on the reservation, and a general allotment plan did not take effect until 1909. A half century later, confederation members operated only one farm in seven out of a total of nearly two thousand farms occupying the original reservation.⁶⁸

Agent Ronan assessed his work at the Flathead Reservation and proudly judged it good. He believed that under his guidance the confederation had made steady advances toward civilization. He thought that the advancement of his Indians occurred at a much faster rate than it did among a majority of their race. In 1884 Agent Ronan cited with pride a Congressional report which concluded that "the condition of these Indians. . . is so good that we feel justified in reporting that in a very few years they will be as useful and prosperous a community as any in the far West."⁶⁹

United States Indian Inspectors usually agreed with Ronan's estimations of his work. Inspectors commonly cited law enforcement and the agency's physical location as the two most

serious deficiencies, but they tended to blame the former on Missoula County officials and the latter on the federal government. According to the Inspectors' reports, Ronan carefully and accurately maintained the agency's accounts and records. Inspectors usually found the agency's buildings and equipment well maintained and cared for and the supplies all properly accounted for. In 1885 Inspector Thomas cited the agency as "a credit to the service," and in 1888 Inspector E.D. Bannister remarked that "Agent Ronan's long service peculiarly fits him for the position and all the employees are worthy and efficient." 70

In 1890 Inspector W.W. Junkin reported that he had not "come into contact with a better or more conscientious agent," and he added that there were "few men who can better discharge the duties of an Indian Agent than Peter Ronan." Inspector Junkin went on to praise Ronan's moral character and referred to him as "a calm and deliberate . . . man of fine judgement and careful in action, and an officer who will not reflect discredit upon the Department." 71 During the summer of 1890, Inspector Gardner reported the Confederation to be well advanced in agricultural and educational endeavors. Gardner's report praised Ronan and the agency's staff and facilities. He found Ronan to be of sound moral character and to be a "faithful, competent, and efficient

administrator." Most importantly Inspector Gardner noted that Agent Ronan held the Indians' "confidence and respect." He also noted that Ronan's honesty and dedication were above reproach.⁷²

However, local settlers did not always place Agent Ronan above criticism. In 1884 some forty-seven settlers from the Selish area petitioned the Commissioner of Indian Affairs, complaining that Ronan failed to keep his Indians on the reservation or from committing depredations.⁷³ Certain anonymous citizens of Missoula County complained to the Commissioner's office in 1885, charging that Ronan had illegally sold annuity supplies. These unsubstantiated charges alleged that Ronan had come into office with debts totaling over \$8,000 and that by misusing his office he had accumulated a small fortune of over \$30,000.⁷⁴

One Indian Inspector also found Agent Ronan to be somewhat less than an ideal officer. In 1886 Inspector Pearsons visited the Flathead Reservation and reported Ronan to be an incompetent drunkard. Pearsons charged that Ronan took little interest in his Indians and recommended that he be removed from office. Pearsons accused Ronan of falsifying agency reports and faulted him for his inability to maintain law and order. Pearsons concluded by recommending that the Indian Department at least "require" Ronan "to aid and assist and look after the welfare of his Indians, and to

protect them from designing white men and whiskey sellers." 75

Like the settlers' allegations, Pearsons' accusations never were proven, and the Indian Department took no further action.

The settlers' opinions shifted easily with the general popularity of Indian policy. In 1889 when the federal government undertook a major effort to clear the Bitter Root Valley of Charlot's band, over 250 citizens of the valley signed a resolution praising Ronan's success and demanding his reappointment as the Flathead Confederation's Indian Agent. 76 The settlers applauded Ronan's efficient administration of this popular policy, but numerous other times when federal Indian policy failed to suit their aims, the settlers found it quite convenient to castigate the local Flathead Indian Agent.

Although nineteenth century federal Indian policy can be subjected to severe criticism, Agent Peter Ronan's judicious implementation of the reformers' theory of assimilation won him the respect of the majority of his Indian charges, his peers, and his supervisors in the Indian service. In an enthusiastic and competent manner, Ronan made it his business to prepare the Flathead Confederation for assimilation, and he dreamed of the day when his Indians would become self-sufficient citizens of the United States. When Ronan died in the late summer of 1893, the prospects for

the Flathead Confederation must have looked promising to him. The Indians had advanced steadily under his guidance. The original reservation remained largely intact and literacy and prosperity had risen dramatically. He probably could not have imagined that three quarters of a century later the confederation's Indians would still remain largely unassimilated, the dispossessed wards of the nation.

CHAPTER II FOOTNOTES

- ¹ Prucha, p. 195.
- ² Annual Report of the Board of Indian Commissioners, 1879,
"Journal of Ninth Annual Conference with Representatives of Missionary Boards," p. 92.
- ³ Commissioner of Indian Affairs, Annual Report, 1883, p.8.
- ⁴ Ibid.
- ⁵ Ibid.
- ⁶ Ibid., 1877, p. 6.
- ⁷ Ibid., 1883, p. 9.
- ⁸ Ibid.
- ⁹ Ibid., 1888, pp. 84-85.
- ¹⁰ Ibid., pp. 86-87.
- ¹¹ Ibid., p. 3. Also see Ibid., 1890, pp. 118-119.
- ¹² Annual Report of the Board of Indian Commissioners, 1890,
p. 10. also see "Mohonk Platform," pp. 126-127.
- ¹³ Prucha, pp. 368-370.
- ¹⁴ Commissioner of Indian Affairs, Annual Report, 1892, p. 10.
- ¹⁵ Prucha, pp. 368-369.
- ¹⁶ Fritz, pp. 219-220.

17 Contributions to the Historical Society of Montana, v. III, (Helena: State Publishing Company, 1900), Biographical sketch by Chas. D. Curtis, pp. 143-147. Other biographical material can be found in: Helen Addison Howard, Northwest Trail Blazers, (Caldwell: Caxton Printers, Ltd., 1963), pp. 204-208; James McCellan Hamilton, History of Montana, From Wilderness to Statehood, ed. Merrill G. Burlingame, (Portland: Binforde and Mort Publishers, 1957), pp. 482-483; Margaret Ronan, Frontier Woman, the Story of Mary Ronan as told to Margaret Ronan, ed. H.G. Merriman, (Missoula: University of Montana Press, 1973).

18 Contributions to the Historical Society of Montana, v. III, p. 143.

19 Ibid., p. 144.

20 Ibid., p. 145. Also see v. V, Henry N. Blake, "The First Newspaper of Montana," pp. 253-256.

21 Hamilton, p. 491.

22 Contributions to the Historical Society of Montana, v. III, p. 145.

23 Montana Historical Society MS #50, bx. 3, fldr. 16, correspondence from Ronan to Maginnis, 1873 - 1874, Maginnis Collection.

24 Margaret Ronan, p. 76.

25 Howard, pp. 208-209.

26 Michael A. Leeson, History of Montana, (Chicago: Warner, Beers, and Co., 1885), p. 372.

27 Peter Ronan, Historical Sketch of the Flathead Indian Nation, (Minneapolis, Ross and Haines, Inc., 1890).

28 Margaret Ronan, pp. 88-89.

²⁹ National Archives, M234, R507, 0666-0672, Report of District Judge Hiram Knowles, December 15, 1876.

³⁰ Ibid., 0748-0763, Charles Medary to Attorney General Devens, January 5, 1878.

³¹ Ibid., William Clagget to James A. Garfield, December 24, 1876.

³² Ibid., 0732-0738, Charles Medary to Commissioner of Indian Affairs, December 8, 1876.

³³ Ibid., R508, 0257, Summons of 2d Judicial District of Territory of Montana, February 15, 1877.

³⁴ Ibid., 0254-0255, Charles Medary to Commissioner of Indian Affairs, March 2, 1877.

³⁵ Weekly Missoulain, May 4, 1877.

³⁶ National Archives, Record Group 48, Records of the Secretary of the Interior, Appointment Division, Ronan's Appointment File, Chas. Ewing to Secretary of the Interior, April 12, 1877.

³⁷ National Archives, M234, R507, 0178, Peter Ronan to Commissioner of Indian Affairs, June 1, 1877.

³⁸ Montana Historical Society, MS #50, bx. 3, fldr., 16, Ronan to Maginnis, January 10, 1878, Maginnis Collection.

³⁹ Ibid., Ronan to Maginnis, September 9, 1878.

⁴⁰ Ibid., November 16, 1878.

⁴¹ National Archives, M234, R514, 0074-0076, Maginnis to Commissioner of Indian Affairs, September 25, 1879.

⁴² Montana Historical Society, MS #37, bx. 7, fldr. 40, Ronan to Hauser, November 4, 1882, Hauser Collection.

⁴³ Prucha, p. 355.

⁴⁴ Montana Historical Society, MS #37, bx. 12, fldr. 16, Ronan to Hauser, September 4, 1885, and November 5, 1885, Hauser Collection.

⁴⁵ National Archives, Record Group 48, Records of the Secretary of the Interior, Appointments Division, Ronan's Appointment File, Vest to Commissioner of Indian Affairs, November 7, 1885.

⁴⁶ Ibid., Toole to Commissioner of Indian Affairs, November 11, 1885.

⁴⁷ Ibid., W.J. McCormick to Secretary to the Interior; and Maginnis to Commissioner of Indian Affairs, November 16, 1885.

⁴⁸ Ibid.

⁴⁹ Ibid., Maginnis to Secretary of Interior, January 1, 1890.

⁵⁰ Ibid., Chas. E. Warren of the Montana Republican Committee to President Harrison, January 15, 1890.

⁵¹ Ibid., Missoula County Republican Members of the State Legislature to Thomas H. Carter, Wilbur F. Sanders, and T.C. Power, February 20, 1890.

⁵² Montana Historical Society, Reference Use Box, fldr. 1/1, Ronan to W.F. Sanders, August 22, 1890; and MS #55, bx. 3, fldr. 4, Ronan to T.C. Power, August 22, 1890, Power Collection.

⁵³ National Archives, Record Group 75, 30739, E.W. Dawson, Chief Clerk, Interior Department, September 4, 1890.

⁵⁴ National Archives, M234, R511, 0501, January 15, 1878; and 0604, April 1, 1878.

⁵⁵ Ibid., 0567-0568, February 19, 1878; and 0337, April 22, 1878.

⁵⁶ Ibid., 0776, October 14, 1878.

⁵⁷ Ibid., R517, 0579-0580, December 29, 1879.

⁵⁸ National Archives, Record Group 75, 10775, Ronan to Commissioner of Indian Affairs, April 13, 1886.

⁵⁹ Montana Historical Society, MS #55, bx 169, fldr. 12, Ronan to Power, March 26, 1881, Power Collection.

⁶⁰ Ibid., Ronan to Power, September 17, 1881.

⁶¹ Ibid., bx. 14, fldr. 27, Ronan to Power, November 27, 1884.

⁶² Ibid., bx. 16, fldr. 35, Ronan to Power, August 25, 1884.

⁶³ Commissioner of Indian Affairs, Annual Reports, 1887-1893, See tables in appendix compiled from statistical reports accompanying the Commissioners' annual reports. Although these tables are inaccurate and subject to inflated or mistaken estimates, they provide at least some measurement of the Indians' progress.

⁶⁴ Ibid.

⁶⁵ Ibid., 1893, p. 546.

⁶⁶ Ibid., 1887, p. 140.

⁶⁷ Ibid., 1892, p. 294.

⁶⁸ Fahey, p. 106.

⁶⁹ Commissioner of Indian Affairs, Annual Report, 1884,
pp. 111-112.

⁷⁰ National Archives, Record Group 48/75; 4846, Synopsis of Report of Inspector Thomas, October 1, 1885; and 5261-5262, Synopsis of Report of Inspector E.D. Bannister, October 20, 1888.

⁷¹ National Archives, Record Group 75, "Special Report in Relation to Indian Agencies and Superintendents at the Several Agencies and Bonded Schools Visited Since June 1889," report dated February 18, 1890.

⁷² National Archives, Record Group 48/75, 5223, Synopsis of Report of Inspector Gardner, August 7, 1890.

⁷³ National Archives, Record Group 75, 13494, Settlers of Selish, Montana Territory, to Commissioner of Indian Affairs, July 17, 1884.

⁷⁴ Ibid., 30733, Citizens of Missoula County to Commissioner of Indian Affairs, December 17, 1885; also see 1626, Missoula Democrats to Commissioner of Indian Affairs, January 7, 1886.

⁷⁵ National Archives, Record Group 48/75, 6543-6544, Synopsis of Report of Inspector Pearsons, November 11, 1886. This is the only extremely critical report existing in Ronan's files.

⁷⁶ National Archives, Record Group 48; Records of the Secretary of the Interior, Appointments Division, Ronan's appointment file, Resolution of Citizens of Stevensville to Commissioner of Indian Affairs, November 15, 1889.

CHAPTER III

REGIONAL CONCENTRATION: THE FIRST ELEMENT OF FRONTIER DEVELOPMENT AND INDIAN ASSIMILATION

Throughout Montana's territorial period the policy of Indian concentration played a major role in preparing the natives for assimilation. Indian concentration accomplished two ends: first, it cleared the frontier for settlement, and secondly, it placed the Indians within the scope of the reservation environment, an environment that reformers considered essential to successful assimilation. In theoretical terms, Indian concentration provided the Indians with a direct route to allotments in severalty and citizenship. In more pragmatic terms, it opened millions of acres in the West to settlement and economic development.

The persistence of Indian hostilities during the 1870's led frequently to territorial officials advising the federal government to use military force in the subjugation of the tribes. Political survival dictated that territorial officials adopt an aggressive attitude in relation to the Indian problem, and the developing frontier economy required that ever increasing amounts of western land be opened to the public for settlement.

During the 1880's the rapid development of the frontier, spurred by the arrival of the railroad, brought settlers and Indians

into increasingly close contact. As the availability of prime agricultural land diminished, competition for the use of the land intensified, and the public began clamoring for the concentration of nontreaty bands on the existing Indian reservations. In order to appease the settlers and to promote the Indians' civilization, Congress enacted legislation requiring the non-reservation bands to accept either allotments on the public domain or to move onto a reservation. Unfortunately for those who chose allotments on the public domain, settlers often disregarded such Indian land titles and blatantly squatted upon the Indians' allotments.

In 1870 Benjamin F. Potts began his long and illustrious career as Montana's Territorial Governor. Potts served until 1883, and during his administration the federal government began introducing Montana's tribes to the assimilative process. Despite the so-called "Peace Policy," political realities in the West often kept territorial officials at odds with the federal government's desires. Governor Potts found it necessary to oppose the "appointment of Psalm singing Methodist ministers" to the position of Indian agent, and he believed that military force could best resolve the Indian problem. ¹

Governor Potts viewed the Indian problem from the twin perspectives of his own political fortunes and the economic development of Montana Territory. As one critic of Pott's administration has concluded, "In general his policies were vigorous to subjugate the Indians, protect settlement, and whittle down reservations, all approaches which would not harm him politically."² When the ill-fated Nez Perce uprising occurred in 1877, Governor Potts responded by demanding that the Nez Perce hostiles either be "punished or exterminated."³ It was of little significance to Potts that the Nez Perce had attempted to pass peaceably through the Territory. Pott's principle concern was simply in keeping them off the public domain.

As early as 1871 Governor Potts had requested the Indian Department to force Chief Charlot and his Flathead band to leave the Bitter Root Valley and relocate on the Flathead Reservation. Potts held the mistaken belief that Charlot's band numbered no more than one hundred persons, and he argued that if they lived off the reservation extinction would become their inevitable fate. In a direct violation of the Hell Gate Treaty of 1855, over one thousand white settlers had squatted in the Bitter Root Valley, and Potts claimed that they provided nearly one half of the vegetables and grains consumed in Montana Territory. Relying on article

eleven of the Hell Gate Treaty, Potts asserted that the Flatheads had no valid claim to the Bitter Root Valley. He suggested further that a removal order would be met by only token Indian resistance.⁴

President Grant agreed with Governor Potts and in November of 1871, he ordered the Bitter Root band's removal to the Flathead Reservation. Congress then supported President Grant's executive order with an appropriation to facilitate the removal process.⁵ Even though Potts thought that the removal could be easily accomplished, in fact it did not occur until nearly two decades later.⁶

Meanwhile Territorial Delegate Martin Maginnis agitated in Congress for further applications of the federal concentration policy. Maginnis served from 1873 until 1885, and during this period he persistently sought to clear the frontier for settlement and economic development. During the 1870's Maginnis had advocated the transfer of Indian affairs to the War Department, and he occasionally opposed the activities of the philanthropic eastern reformers. Maginnis promoted the rapid settlement of the frontier and agitated in Congress for the reduction of the Indians' reservations, both in size and number. By the end of his career, Maginnis had moved more into line with the desires of Indian policy reformers, and he began supporting allotment schemes, promoting Indian education, and working for the establishment of professional standards for the

Indian service.

During the latter 1870's and at the climax of the Indian wars, Maginnis adopted the view that "no matter what you may do or what policy you may adopt, there is an irrepressible conflict between civilization and savagery which must be waged until one is triumphant and the other submits." ⁷ Fearing the Indians' acquisition of breech loading rifles, Maginnis recommended that Congress support the strengthening of military garrisons on the Montana frontier. ⁸ These views followed Maginnis' long held belief that it was "the duty of the government to use force, and enough of it to subdue these defiant savages, and give protection to the prospector and the settler." ⁹

Maginnis referred to President Grant's Peace Policy as "a system ensanguined with blood and foul corruption. . . a stench in the nostrils of humanity."¹⁰ His insistence that the government transfer the Indian problem to the War Department and his strong criticism of the Peace Policy won Maginnis the support of his constituency. One Montana settler wrote to Maginnis in 1877 expressing his approval of Maginnis' outspoken position on the transfer issue, "All . . . here regardless of Party endorse it [transfer] and say well don[e] good and faithful servant, you are in the right place and we will. . . return you as our delegate to Congress." ¹¹

Maginnis strongly supported Indian concentration and the reduction of their reservation lands. In 1874 he introduced a petition in Congress demanding that the federal government immediately remove the Flatheads from the Bitter Root Valley and open up the valley to white settlement.¹² In cooperation with the Montana Territorial Legislature, Maginnis also introduced a memorial in Congress asking for a large reduction of the Crow Reservation in 1878.¹³ He likewise agitated in Congress for a reduction of the reservation for the Piegan, Blood, Blackfeet, Assiniboiné and Gros Ventre Tribes in northern Montana.¹⁴

Although Maginnis favored the removal of Charlot's band to the Flathead Reservation, he also provided occasional assistance to the Flathead Confederation. Following the Nez Perce war, Maginnis interceded with federal officials at the request of his old and close friend Agent Peter Ronan. Maginnis helped secure authorization for the tribes to purchase arms and ammunition for their seasonal buffalo hunts, a privilege that the government had revoked following the outbreak of hostilities.¹⁵ Maginnis also made an unsuccessful attempt to provide the Bitter Root Flatheads with a financial reward for their good behavior during the Nez Perce uprising. Congress ruled the motion out of order for it would have rewarded Indians who had refused to remove to the reservation.¹⁶

In 1879 when the Hell Gate Treaty expired, Maginnis launched an effort to secure appropriations for the confederation's further education and civilization. He charged that the federal government had failed to fulfill its treaty obligations and argued that the government still owed the confederation long overdue annuities. He praised the confederation for being peaceful and trustworthy allies, well advanced in the tedious process of civilization. Justice and equity, Maginnis argued, demanded that the federal government continue to provide the confederation with appropriations to aid and assist the tribes' civilization.¹⁷

While touring the northwest with Senator George Vest's Special Commission in 1883, Maginnis became convinced of the necessity for providing the Indians with greater support. He declared that increased appropriations would save the Indians from starvation and destitution. Maginnis recommended that Congress increase appropriations by \$50,000 for the purpose of providing the tribes of the northwest with the materials, implements, and training necessary to furthering their advance toward assimilation.¹⁸

Maginnis also took an active interest in the internal workings and organization of the Indian Department. He introduced legislation designed to prevent monopoly of the Indian trade and favored placing the supervision of the moral behavior of Indian

traders under the control of district judges who lived near the reservations.¹⁹ Maginnis also supported increased salaries for Indian agents, beginning with an annual base of \$1,500 and increasing it in graduations according to the reservations' populations.²⁰ Maginnis proposed placing the inspection of the agencies' records and supplies under the supervision of Army officers who were supposedly free of political interests and experienced in the problem of Indian affairs. By 1884 Maginnis had turned away from supporting the transfer of Indian affairs to the War Department, but he continued to advocate the use of military personnel in the Indian service as both a practical and economical measure.²¹

Toward the end of his term as Territorial Delegate, Maginnis grew increasingly concerned with the problems of Indian education and became a strong critic of the reservation day schools. Citing the Blackfeet and Crow day schools, he argued that "every dollar spent for the purpose of keeping up these day schools. . . might just as well have been sunk in the ocean."²² Maginnis believed that the day schools failed to protect the Indian pupils from the degenerative influences of the tribes, and he favored the reservation boarding school model, like the one run by Catholic missionaries on the Flathead Reservation.²³

At the time of his retirement in 1885, Maginnis came out in

favor of the reformers' plans for allotments in severalty. He wanted the government to provide the Indians with whatever lands they needed for agricultural and grazing purposes, and he recommended that their excess lands then be opened immediately to white settlement. Maginnis favored utilizing the proceeds from the sale of Indian lands for the benefit of the tribes' education and civilization. ²⁴

In 1886 Congress passed legislation designed to concentrate the various nonreservation bands living in the northwestern United States. The Indian appropriations act for that year included authorization for the Secretary of the Interior to negotiate with the various nonreservation bands in northern Montana. The act empowered the Secretary of the Interior to "negotiate with the Upper and Middle bands of Spokanes and Lower Pend d'Oreilles. . . for their removal to the Colville, Jocko, or Coeur d'Alene Reservations."²⁵ The act further empowered the Secretary of the Interior to "negotiate with said Indians for the cession of their lands to the United States." Congress provided \$15,000 for the implementation of the act and directed that the agreement should not take effect until ratified by Congress." ²⁶

On April 27, 1887, the Northwest Indian Commission concluded an agreement with the Flathead Confederation. The agreement provided

for the removal to and settlement upon the Flathead Reservation of "scattered bands of nonreservation Indians, so as to bring them under the care and protection of the Government of the United States." ²⁷ The Flathead Confederation consented to settling the Upper and Middle bands of Spokanes and the Lower Pend d'Oreilles upon their reservation as a means of compensation. The government promised to provide the confederation with a saw mill, a grist mill, a miller, and a blacksmith. The agreement bound neither party until ratified by Congress.²⁸

Although Congress failed to ratify the agreement, Chief Michael moved his band of Lower Pend d'Oreilles onto the Flathead Reservation. The Commissioner's office approved of the move and provided some funding for the band's transportation and subsistence.²⁹ Agent Ronan repeatedly urged that Congress ratify the agreement, but to no avail. Meanwhile most of the Spokanes chose to settle at Coeur d'Alene, but the Lower Pend d'Oreilles continued to trickle onto the Flathead Reservation.³⁰ Many other Lower Pend d'Oreilles drifted onto the public domain in northern Idaho, believing that "they could better support themselves by fishing, hunting, and . . . wandering," than by living on the reservation with little or no government assistance.³¹ At the end of Ronan's administration in 1893, he reported fifty-eight Lower Pend d'Oreilles living on the

Flathead Reservation, and they received only occasional and meager appropriations from the Indian Department. ³²

A large camp of exiled Canadian Cree also settled on the Flathead Reservation. The federal government refused to accept any responsibility for these Canadian Indians, and the Flathead Chiefs denied them permission to remain on the reservation because they felt that it was being over-crowded by the concentration policy. ³³ In 1890 Ronan reported the presence of eighty Crees on the reservation, and he allowed them to remain there through the harvest so that they could provision themselves for the winter. Ronan reported to the Commissioner's office that he could "not turn them into the mountains without provisions and mostly on foot and without arms to procure game. I shall insist that they leave at the close of harvest." ³⁴ The luckless and landless Cree, however, stuck to the reservation, and as late as 1909 the Flathead Agent reported that "there are a number of Cree Indians on this reservation, they are not enrolled, and little attention is paid them." ³⁵

In 1889 the Commissioner's office ordered Agent Ronan to conduct a census of the Kutenais Indians living in northern Idaho, and if possible, to induce them to remove to the Flathead Reservation. Ronan's census tallied some 218 Kutenais living in the vicinity of Bonner's Ferry, Idaho. Frontier development in that

area had resulted in several confrontations between the settlers and the Indians. Ronan reported that the Kutenais expressed a strong desire to remain in northern Idaho, near their ancestral homes. He recommended that the government issue them allotments and allow them to remain in the Bonner's Ferry area.³⁶

The Idaho Kutenais suffered from extreme poverty, and the arrival of the railroad and increased settlement threatened their survival even further.³⁷ Ronan filed several allotments and assigned them to the Idaho Kutenais, but according to War Department officials many settlers encroached freely upon these Indian allotments. One Kutenais allottee complained to the Commissioner's office that white settlers had assaulted her haying hands and stolen her crops. She charged that the settlers intended to drive her from her allotment by force and asked for the War Department's protection. The allottee deemed such action necessary "to protect the rights and lives of Indians living in the vicinity."³⁹

Settlers in the vicinity of Bonner's Ferry complained to the Commissioner's office that Ronan and certain white men who had married Indians were conspiring to deprive the settlers of their rightful land.⁴⁰ These charges were based upon malicious rumor, and the settlers later retracted them.⁴¹ In order to placate the settlers' demands and bring peace to the area, the Commissioner's

office decided to concentrate the Idaho Kutenais on the Flathead Reservation. On October 17, 1891, the Secretary of the Interior authorized an expenditure of \$5,000 for the purpose of relocating the band on the Flathead Reservation. Most of the band chose to cross the border and live in Canada, and only eight families remained on their allotments in northern Idaho. In 1893 Ronan reported that fifty-eight members of the band had settled on the Flathead Reservation.⁴²

The federal government did not officially survey the Flathead Reservation until 1887. This survey excluded a piece of land at the northern end of Flathead Lake that the confederation had always regarded as being within the reservation's original boundaries. Kutenais lived in this area near Dayton Creek, and the survey excluded both their village and their hay fields. Because the Indians had considered these lands to be their own since the Hell Gate Treaty of 1855, Agent Ronan recommended that they be included in the reservation.⁴³

Commissioner of Indian Affairs T.J. Morgan refused, explaining that despite the landmarks described in the Hell Gate Treaty, the government's survey began precisely at a point half way between the northern and southern ends of Flathead Lake. Thus

the Commissioner argued, the survey could not be mistaken. Commissioner Morgan realized that the situation constituted a certain annoyance to the Indians, but he dismissed the matter briefly remarking that "it is of course a matter of great regret that the Indians should not have all the land to which they believe themselves entitled." ⁴⁴

In view of this situation, Agent Ronan set about assigning allotments to Indians who had improved lands that the survey excluded. ⁴⁵ White settlers immediately challenged these allotments. A group of twenty-five or thirty settlers armed themselves and gathered at the head of the lake, hoping to clearly demonstrate their intentions of homesteading the Dayton Creek area. They constructed an irrigation ditch that diverted the Indian village's water supply and used it to water their own crops. ⁴⁶ The settlers blatantly refused to leave the area and effectively deterred the Indian allottees from improving their farms. Agent Ronan lodged several strong protests, claiming that the United States held the allotments in trust for the Indians. But the settlers ignored him. Ronan also reminded the Commissioner's office that the government had a "duty" to protect the Indians' rights to their land. ⁴⁷

The local United States District judge and District attorney both agreed with Ronan and joined him in petitioning the Secretary

of the Interior to officially sanction the allotments so that the legal disposition of the land in question could be determined.⁴⁸

This measure proved to be somewhat less than just or expeditious, and the status of these lands remained contested for well over another decade. Finally in 1904 Indian Department officials persuaded the Dayton Creek Kutenais to sell their so-called allotments and move to the reservation. The sale averaged only one dollar per acre.⁴⁹

Between 1886 and 1893 the government managed to concentrate nearly all of the nonreservation Indians living near northwestern Montana on the Flathead or other reservations. Those who refused either faced the settlers' considerable animosities or fled to live in exile in Canada. The policy was severely flawed by Congressional haste, inadequate funding, and bigotry of the most blatant sort. Furthermore, it failed to prevent Indian sojourns onto the public domain. As late as 1890 the manager of the Butte Butchering Company complained that several Indians, probably from Charlot's band, continually scavenged around his slaughter house for food. This practice annoyed the locals, and the manager complained that Agent Ronan refused to take any action to prohibit such behaviors.

After Agent Ronan's death in 1893, pressure continuously

mounted to apply the Dawes Act to the Flathead Reservation. Ronan's successors lacked his vigor in presenting the confederation's opposition to an allotment act. In 1894 Charles S. Hartman, a Republican and Montana's Representative to Congress, concisely stated the policy adopted by the federal government and most Montanans in the conduct of Indian affairs. Hartman urged the government to proceed with the allotment process and recommended that the Indians' rights to the reservation lands be extinguished. He concluded, "let us purchase the land and allot to them [the Indians] one hundred and sixty acres each, and give them from five to ten years. . . in which to improve those lands. . . and then say to those fellows, 'you rustle and earn your own living or starve.'" ⁵¹

Due to strong resistance on the part of the confederation, several early attempts to allot the reservation failed. Missoula businessmen and cattle raisers hoped for an early opening of the reservation, and in 1903 they enlisted the aid of Montana's Representative to Congress, Joseph M. Dixon. When Representative Dixon discovered that the Hell Gate Treaty of 1855 had provided for the future allotment of the reservation, he was able to convince Congress that this stipulation amounted to the confederation's prior consent to an allotment act.⁵² In April of 1904, Congress passed an

allotment act for the Flathead Reservation. After completion of the allotment schedule in 1909, the government considered the Indians to be assimilated, and the reservation was opened to white settlement. ⁵³

In allotting the Flathead Reservation, it is ironic that the government relied mostly upon the provisions of a treaty that it had ignored and violated at convenience for a period of nearly fifty years. The Indians accepted the allotment act against their wills and without the funds and assistance necessary to carry it to a successful conclusion. Indeed, recent scholarship has traced current poverty on the reservation to the initial allotment act and its implementation. In general, the concentration and allotment processes reflected the success of the tyranny of the majority, "and the Indians cause was outweighed by the pervasive American belief in the virtues of and necessity for expansion, development and progress." ⁵⁴

CHAPTER III FOOTNOTES

¹ Clark C. Spence, Territorial Politics and Government in Montana, 1864-1889, (Chicago: University of Illinois Press, 1975), p. 114.

² Ibid., p. 111.

³ Ibid., pp. 32-33.

⁴ Not in Precious Metals Alone, A Manuscript History of Montana, ed. by the staff of the Montana Historical Society, (Helena: Montana Historical Society Press, 1976), pp. 61-62. Source cited: Montana Governors' Papers, Montana Historical Society.

⁵ Washburn, v. III, p. 2841.

⁶ See the following chapter for a detailed analysis of the Bitter Root Valley dispute.

⁷ Congressional Record, 45th Congress, 1st Session, January 9, 1877, p. 324.

⁸ Ibid., 45th Congress, 2d Session, June 23, 1878, p. 3722.

⁹ Ibid., 43d Congress, 1st Session, June 9, 1874, p. 3736.

¹⁰ Ibid., 44th Congress, 1st Session, May 20, 1876, p. 2663.

¹¹ Not in Precious Metals Alone, A Manuscript History of Montana, E.G. Brooke to Maginnis, December 6, 1877, p. 64.

¹² Congressional Record, 43d Congress, 1st Session, July 15, 1874, p. 662.

¹³ Ibid., 45th Congress, 2d Session, January 14, 1878, p. 319.

¹⁴ Ibid., 47th Congress, 1st Session, February 6, 1882, p. 933.

¹⁵ National Archives, M234, R508, 0434-0435, Maginnis to Commissioner of Indian Affairs, October 17, 1877.

¹⁶ Congressional Record, 45th Congress, 2d Session, May 7, 1878, pp. 2895-2896.

¹⁷ Ibid., 46th Congress, 2d Session, April 15, 1880, p. 2452.

¹⁸ Ibid., 47th Congress, 2d Session, January 31, 1884, pp. 773-774.

¹⁹ Ibid., 44th Congress, 1st Session, April 3, 1876, pp. 2157, 3571.

²⁰ Ibid., 46th Congress, 1st Session, April 18, 1880, p. 2399.

²¹ Ibid., 48th Congress, 1st Session, April 3, 1884, pp. 2562-2566.

²² Ibid., pp. 2573-2574.

²³ Ibid.

²⁴ Ibid., 48th Congress, 2d Session, January 20, 1885, p. 865.

²⁵ Commissioner of Indian Affairs, Annual Report, 1886, p.35.

²⁶ Ibid.

²⁷ Ibid., 1887, p. 139.

²⁸ Ibid.

²⁹ Ibid., 1888, p. 157.

³⁰ National Archives, Record Group 75, 25995, Ronan to Commissioner of Indian Affairs, September 9, 1889.

³¹ Commissioner of Indian Affairs, Annual Report, 1890, p.124.

32 Ibid., 1893, p. 698.

33 National Archives, Record Group 75, 27548, Ronan to Commissioner of Indian Affairs, 1887.

34 Commissioner of Indian Affairs, Annual Report, 1890, p. 124.

35 Fahey, p. 240.

36 National Archives, Record Group 75, 22436, Ronan to Commissioner of Indian Affairs, August 6, 1889.

37 Ibid., 7523, Fry to Ronan, February 15, 1891.

38 Ibid., 19344, Ruger to Commissioner of Indian Affairs, May 31, 1891.

39 Ibid., 31469, Fry to Ronan August 29, 1891.

40 Ibid., 33828, Peel to Commissioner of Indian Affairs, September 8, 1891.

41 Ibid., 33726, Henry to Commissioner of Indian Affairs, September 15, 1892.

42 Commissioner of Indian Affairs, Annual Report, 1893, p. 698.

43 Ibid., 1891, p. 277.

44 Ibid.

45 Ibid.

46 National Archives, Record Group 75, 45207, Ronan to Commissioner of Indian Affairs, December 14, 1891.

47 Ibid., 21139, Ronan to Commissioner of Indian Affairs, June 1, 1893.

⁴⁸ Ibid., Ronan, Knowles, and Weed, to Secretary of the Interior, May 30, 1891.

⁴⁹ Fahey, p. 262.

⁵⁰ National Archives, Record Group 75, 17591, Brown to Commissioner of Indian Affairs, June 3, 1890.

⁵¹ Congressional Record, 53d Congress, 2d Session, July 13, 1894, p. 6236.

⁵² Pacific Northwest Quarterly, v. 70, no. 3, "The Politics of Allotment, The Flathead Indian Reservation as a Test Case," Burton M. Smith, July 1979.

⁵³ Ibid.

⁵⁴ Ibid.

CHAPTER IV

THE BITTER ROOT VALLEY DISPUTE

After the signing of the Hell Gate Treaty in 1855, the course of national events detracted from Congress' ability to cope with the Indian problem. The impending calamity of the Civil War prevented the Senate from ratifying the Hell Gate Treaty until 1859. During the war and for sometime thereafter, political and military realities kept Congress from attending properly to federal Indian policy. By 1865 the presence of both white settlers and Flathead Indians in the Bitter Root Valley had become a serious problem. Flathead Indian Agent Augustus H. Chapman urged the government to order the removal of Chief Charlot's band to the Flathead Reservation. Agent Chapman believed that such an act would prevent hostilities and would ultimately serve the true interests of Indians and whites alike.

Chief Charlot refused to move his band from the Bitter Root Valley, and he strongly resisted all attempts to lure his band from it. Although Charlot kept his band peaceful and quiet, the government persisted and after a period of nearly three decades, it finally succeeded in forcing Charlot's band onto the Flathead Reservation. Despite the Flathead's prior treaties and agreements

with the government of the United States, federal officials enforced national Indian policy by relying upon the plenary powers of Congress to dictate policy to the Indian tribes.²

In 1868, W.J. McCormick, the Flathead Agent, reminded the Commissioner's office that the government had failed to comply with the eleventh article of the Hell Gate Treaty of 1855 which had ordered a survey of the Bitter Root Valley above the Lo-Lo-Fork. Agent McCormick stated that he did not believe that the Flathead Chiefs would have ever agreed to the treaty without its tacit promise of a separate reservation for them in the Bitter Root Valley. McCormick reported that there was an atmosphere of "alarm and discontent" among settlers and Indians living in the valley. In violation of the Hell Gate Treaty, white settlers already occupied many choice farming sites in the Bitter Root Valley.³

Territorial Superintendent of Indian Affairs James Tufts inspected the Flathead Agency in 1868, and he reported it to be in "very bad condition." The facility suffered from a general state of disrepair, and there existed a serious shortage of annuity supplies, implements, and agency personnel.⁴ Tufts found that the agency had accrued a debt of over \$30,000 that the various agents had charged against the confederation's annuity funds. He

counted some 550 Flatheads in the Bitter Root Valley where they lived in peaceful destitution, observing the treaty of 1855. Tufts again reminded the Commissioner's office of the government's failure to conduct a survey of the valley and to keep the land closed to settlement until the President made his final decision known.⁵

Tufts reasoned that if the government would fulfill its obligations under article five of the Hell Gate Treaty, which provided the confederation with certain annuities, facilities, and personnel, Charlot's band would agree to relocate on the reservation.⁶ The government, however, failed to fulfill its obligations, and the agency remained in a condition of general want and disrepair. General Alfred Sully, who served a short term as Territorial Superintendent of Indian Affairs, concluded a hasty treaty with the Flathead Tribe in 1869. This treaty allowed for the establishment of a separate reservation in the Bitter Root Valley. In the face of strong protests from settlers and local politicians, however, Congress refused to ratify the treaty, and thus the problem remained unresolved.⁷

In 1871 J.A. Viall replaced General Sully as the Territorial Indian Superintendent, and he became a strong proponent for the removal of Charlot's band to the Flathead Reservation. Viall asserted that there were no more than three good Indian farms in

the entire Bitter Root Valley, and he suggested that if the rest of the band moved to the reservation, the owners of these particular farms might remain in the valley. Viall estimated that no more than 150 Indians lived in the valley, and he thought that the government could remove them at a cost of about \$5,000. Viall's census was seriously in error, and probably around 550 Indians lived in the Bitter Root Valley at that time. Viall knew that the Flatheads understood that their treaty empowered the President to choose their reservation site, and he recommended that President Grant officially choose the Jocko River Valley location.⁸

In the Indian Act of 1871 Congress prohibited the government of the United States from making any further treaties with the Indian tribes. Congress directed that the government was to make future agreements with the Indians by means of either Congressional acts or executive orders. In November of 1871, President Grant issued one of the earliest of the new executive orders and directed the Flatheads to move promptly from the Bitter Root Valley. In June of 1872 Congress complemented Grant's order with the passage of "an act to provide for the removal of the Flathead and other Indians from the Bitter Root Valley."⁹

The 1872 act made it the "duty" of the President to expedite the removal process. It ordered the President to conduct

a survey of the Bitter Root Valley above the Lo-Lo Fork, and it directed the government to open those lands to white settlement. From the proceeds of land sales in the valley, the act provided that the government should set aside \$50,000 for the compensation of the Indians. The act made it possible for an Indian to secure a patent to 160 acres of land in the Bitter Root Valley, but it required the Indian allottees to be family heads actually living on and cultivating the soil there. Furthermore, the Indian allottees had to inform the government that they intended to abandon all tribal relations and remain living in the Bitter Root Valley.¹⁰

In order to expedite the Congressional Act of 1872, the Commissioner of Indian Affairs appointed James A. Garfield as a special Agent to the Flathead Confederation. Garfield had been misled by field reports and arrived in Montana Territory believing that he could easily accomplish the removal process. Garfield met with Governor Benjamin Potts on August 16, 1872, and learned that the local settlers were worried about rumors alleging impending Indian hostilities. Garfield doubted the sincerity of these rumors and remarked in his diary that "I think there is a mercenary purpose on the part of some white settlers to secure troops in the Valley."¹¹

On August 22, 1872, Garfield met with the headmen of Charlot's band and found them united in their convictions to peacefully resist the removal process. Garfield explained to the Indians the requirements of the Presidential order of 1871 and the Congressional Act of 1872. He advised them to cooperate with the removal process and assured them of the good faith of the government of the United States.¹² Under the leadership of Chief Charlot, a son of Chief Victor, the headmen responded: because the United States had failed for seventeen years to conduct a survey of the Bitter Root Valley and to fulfill its annuity obligations, in their view the Hell Gate Treaty became automatically invalidated. The chiefs stressed that they did not intend to leave their ancestral homes but assured Garfield that they would remain friendly toward the white settlers.¹³

In council the next morning, the chiefs reaffirmed their loyalty to the President of the United States but still refused to leave the Bitter Root Valley. Apparently the Indians hoped that they could collectively secure enough land under the 1872 act to remain banded together in the Bitter Root Valley. Garfield quickly dashed that hope, explaining to the headmen that very few Indians qualified for patents under the provisions of the 1872 act. He then

adjourned the council and set a new meeting for August 24, 1872. ¹⁴

At the next council the chiefs complained that \$50,000 was an insufficient compensation for the loss of the Bitter Root Valley, and for what they feared would result in a serious division of the tribe. Garfield interpreted this as a weakening of the Chiefs' position and took the initiative. "It had become evident," he wrote, "that the chiefs had at last become divided in opinion. . . on the matter of removal." ¹⁵ He quickly drew up an agreement that capitalized on the Indians' division and remarked in his diary on August 25 that he had "held a long conference with the Flathead . . . Chiefs and after almost failing, succeeded." ¹⁶

The division among the Flathead leadership left Chief Charlot, alone, firmly opposed to removal. Chiefs Arlee and Adolph indicated their willingness to relocate on the reservation but demanded a more lucrative compensation. Garfield's agreement with the Flatheads directed the government to provide those Indians who removed to the reservation with sixty small cabins, six hundred bushels of wheat and some vegetables, fenced and plowed parcels of land, \$5,000 to cover the cost of removal, and the initial \$50,000 dollars provided for in the Congressional Act of 1872. Garfield, Montana's Territorial officers, and Chiefs Arlee and Adolph all signed the

agreement. Chief Charlot remained adamant, refusing to sign the agreement or to ever speak to Chief Arlee again. ¹⁷

Although Charlot refused to become a party to the Garfield Agreement, officials led the public to believe that he had signed it. Garfield's report mentioned that he and J.A. Viall had agreed to treat Charlot just as if he had signed the document, and thereby he implicated himself in a rather disgraceful act of trickery. Apparently Garfield and the Territorial officials believed that Chief Charlot would join in the agreement once he had witnessed a demonstration of good faith on the part of the government. ¹⁸ As it turned out, he did not.

Garfield did attempt to upgrade conditions on the reservation, and after conducting an inspection of the agency, he reported that conditions there were a "disgrace to the government." ¹⁹ His complaints were the usual: a general state of disrepair, a lack of the required equipment and facilities, and a high turnover of the agency's personnel who all too often were "mere boys whose chief function seemed to be to sign the payroll and draw their pay." ²⁰ Garfield realized that the quick success of his agreement with the Flatheads depended upon the government's prompt fulfillment of its obligations to the tribe, and he urged the Commissioner's

office to meet those obligations. Early reports indicated that the Garfield agreement was a great success, but by 1875 the enthusiasm had all but dissipated.²¹ Chief Arlee complained of agreement violations that year because the government had failed to deliver the promised six hundred bushels of wheat. Disgusted with what he viewed as the government's bad faith, Chief Adolph bolted from the reservation, losing his right to all compensations and annuity supplies. In time the agency returned to its usual state of decay, and a shortage of annuity supplies once again caused friction in Indian and white relations.²² Meanwhile Chief Charlot and the majority of his band remained in the Bitter Root Valley.

In 1877 the flight of the Nez Perce through Montana Territory marked the beginning of a strenuous government effort to concentrate the nontreaty and nonreservation Indian bands in the area on local reservations. Montana Territorial Governor B.F. Potts over reacted to the Nez Perce invasion. Potts informed the Interior Department that the Indian uprising had caused much unrest in western Montana, and especially in Missoula and Deer Lodge counties. He requested a military force of one hundred troops to garrison Missoula, stating his conviction that "the Confederated Tribes of the Flathead. . . have shown signs of being hostile for some time."

Potts summarized the situation as being "alarming." ²³

Anticipating trouble in the Bitter Root Valley, Potts dispatched Territorial Secretary James Mills to the Bitter Root on an intelligence gathering mission.²⁴ Potts also directed Agent Ronan to meet with the confederation's headmen for the purpose of determining their reaction to the Nez Perce uprising.²⁵ On the basis of Mills' report, Potts informed the Secretary of the Interior that Charlot's band was restive. Governor Potts maintained that close relations between the Nez Perce and the Flatheads made "the cause of one . . . the cause of the other," and he feared that the Confederated Tribes would join the Nez Perce uprising. He felt especially apprehensive about the trustworthiness of Chiefs Charlot and Michel.²⁶

Agent Ronan assessed the situation quite differently. He reported that in council "the Indians gave . . . unqualified assurance of their loyalty to the whites, and stated that . . . they were ready to go to war with any tribe. . . who might attempt to make war on the settlers of Montana." ²⁷ Chief Charlot, according to Ronan's report, had promised to undertake a defensive war against his Nez Perce friends, but he refused to mount an offensive campaign against them. Ronan emphasized that he placed his complete con-

fidence in Charlot's good behavior. ²⁸

As the Nez Perce advance neared the Missoula area, Ronan attended to a peaceful Nez Perce band camped near the agency and to sorting out numerous rumors concerning an imminent and general Indian uprising. He advised Eagle-Of-The-Light's peaceful Nez Perce band to leave the reservation and to camp near the military garrison at Missoula. ²⁹ Mountain Chief, a Blackfeet headman, had visited the reservation and informed Chief Arlee about the Blackfeets' objections to the government's new policy which prohibited the sale of arms and ammunition to Indians. Chief Arlee reported to Agent Ronan and expressed his fears that if the Flatheads failed to participate in a general uprising, the Blackfeet would attack the reservation. Despite all rumors to the contrary, Ronan believed that the Confederated Tribes would remain peaceful and that a general uprising would not occur. ³⁰

Events proved Ronan's assessment of the situation to be correct. During the last week of July the Nez Perce hostiles passed through western Montana, neatly skirting the infamous "fort fizzle." ³¹ They made their way leisurely through the Bitter Root Valley and departed without serious incident. The Confederated Tribes behaved like perfect allies. The headmen informed the Nez Perce chiefs "that if any outrage was committed, either to the

person or property of any settler in the Bitter Root Valley. . . they would immediately make war upon them [the Nez Perce].³²

Agent Ronan reported proudly that it was to Chief Charlot and the confederation headmen that the "white settlers of the Bitter Root Valley owe their preservation of life and property." ³³

Although not officially mentioned, much of the credit went to Agent Ronan. His well reasoned, calm, and cautious approach to the Nez Perce threat reassured all parties concerned, and especially the confederation Indians. Ronan's expenditure of several hundred dollars of his own funds to provide the local bands with long delayed annuity supplies demonstrated even further his strong resolution to avoid a violent confrontation. Reporting this action to the Commissioner's office, Ronan explained his practical approach to the crisis: "The long delay in the receipt of goods. . . necessitates prompt and intelligent actions, for the Indians are like children, and cannot take into their brain the necessity of delay when a thing is promised." ³⁴

Ronan protested the government's order prohibiting the sale of arms and ammunition to the Flathead Confederation. He informed the Commissioner's office that both the Pend d'Oreilles and the Kutenais Tribes depended heavily upon hunting for their

subsistence. Ronan stated that hunting was essential to the Indians' survival and argued that the government's order was very unjust considering the confederation's good behavior during the Nez Perce invasion. Charlot's band had not reaped their summer harvest due to the Nez Perce troubles, and they also needed to take to the hunt.³⁵

In a letter to Territorial Delegate Martin Maginnis, Ronan complained that the government was unwittingly creating an Indian war with its arms and ammunition policy. He chastised the government for failing to provide the Indians with the food stuffs necessary to survival and concluded that "hunger will compel them to fight for food."³⁶ Father D'aste of the St. Ignatius Mission also attempted to intercede on the Indians' behalf, and he advised the Commissioner's office that without the hunt the Indians faced imminent starvation.³⁷ Finally the government relented, and Secretary of War G.W. McCrary authorized the sale of arms and ammunition to the Flathead Confederation. The authorization, however, came with considerable qualifications. Metallic ammunition used in breechloading weapons remained unavailable for purchase, and Secretary McCrary only authorized the Indians to purchase powder, lead, and caps for the older model muzzle loading rifles.³⁸

Chief Charlot's band left for the hunt a full month before

the government authorized the sale of arms and ammunition to the Flathead Confederation. Enroute they visited Governor Potts in Helena and requested that he allow them to purchase arms and ammunition for their hunt. Potts refused, and the band then left for the Judith Basin area. Along the way they committed a number of minor depredations and greatly aroused the local settlers.³⁹ These incidents involved the killing and maiming of a few head of sheep and the cutting of several fences. Settlers complained that these and some earlier depredations had cost them at least \$160.⁴⁰ As a result of incidents like these, the War Department determined to allow the confederation Indians passage through the public domain only while under the supervision of military escorts.⁴¹

In the wake of the Nez Perce uprising both the Indians and the whites felt themselves unjustly wronged. The peaceful and loyal headmen of the Flathead Confederation charged that the government had unjustly crippled their ability to hunt. Chiefs Arlee, Michel, and Eneas presented their case to the Commissioner's office, complaining that since they owned predominately breechloading rifles, the government's authorization for them to purchase ammunition for only muzzle loading weapons did them little or no good.⁴²

The Nez Perce uprising and the following depredations outraged local settlers. Lieutenant Colonel Gilbert, the commander at Fort Baker, presented the Indian Department with a petition signed by over one hundred settlers of the Smith River Valley. The petition protested "frequent journeyings of the Flatheads through their country and depredations therein."⁴³ Gilbert charged that Flathead hunting parties provided screens for hostile Indians, and he regretted that he lacked sufficient troops to patrol the area adequately. Gilbert concluded that the best solution to the problem lay in confining the Indians strictly to their reservations and in keeping the whites strictly off the reservations.⁴⁴

Agent Ronan blamed the situation on the government and pointed out that if the government had provided adequately for them, there would be no reason for the Indians to hunt. As the situation stood, he felt that the Indians faced only two choices - either to hunt or to starve. He recommended the continued use of military escorts and insisted that the Indians utilize the northern and more isolated route to the buffalo country.⁴⁵ During the fall of 1878, the Flatheads suffered a luckless hunt. Blackfeet and Assiniboine warriors met the Flathead hunting party and forced them from the buffalo country with threats of war, and once again the confederation faced starvation.⁴⁶

The Flatheads failed to appreciate the seriousness of their hunting problems. Increasing settlement had gradually constricted the buffalo country, and the once great herds stood virtually at the edge of extinction. Colonel T.H. Ruger, the Commander of the Headquarters District of the Eighteenth Infantry at Helena, warned the Interior Department that the situation in the buffalo country was fast approaching a crisis. Settlers and cattle grazers in the buffalo country had organized themselves, and they intended to use force to put a stop to Indian hunting parties.⁴⁷

Professional hunters also objected to the Indian hunting parties. One hunter wrote to Agent Ronan complaining that the Flatheads occupied every decent game pass between the Blackfoot and Musselshell Rivers. This condition, he felt, imposed upon his own right to hunt. He demanded that Ronan keep the Indians on the reservation through the use of force.⁴⁸ Another hunter threatened simply to shoot the Indians if they failed to return to the reservation. He wrote Ronan warning him that "i have plenty amannishion and i wil shote an indian as soon as i would a wolf or kiotey. . . it wil cost the government something for lumber to box them up with after we get through with them [sic].⁴⁹

Threats such as these failed to prevent the Indians'

seasonal hunts. Ronan argued that the Indians had a right to hunt by virtue of their agreements with the United States. He felt that most complaints stemmed from white hunters' jealousies over the Indians' superior hunting skills. Ronan began employing Indian police to accompany the Indian hunting parties, and as late as 1885 they continued to embark on seasonal hunts, much to the settlers' chagrin. ⁵⁰

Repercussions from the Nez Perce war kept the frontier in a state of unrest. Hostiles filtering back from Canada murdered seven settlers near the reservation in 1878, and once again rumors of a general Indian uprising abounded. One incredible rumor claimed that the tribes of the Columbia were about to launch an attack into western Montana. Chief Michel provided Pend d'Oreilles scouts to track the Nez Perce murderers, and the military chased them into Idaho Territory where they killed seven and wounded another three. ⁵¹

Remnants of White Bird's hostile Nez Perce band had camped in Canada North of the Flathead Reservation, and they then made contact with the Kutenais' Chief, Eneas. They informed Chief Eneas that they were tired of exile and that they wanted to settle on the Flathead Reservation. ⁵² The Nez Perce band, comprised of fifteen lodges and some 140 starving and destitute Indians, desired to acquire land on the reservation where they could once again take up

the life of the sedentary farmers. Agent Ronan supported their request and believed that with a small amount of assistance the government could quickly place them back on the path to civilization. The government, however, refused to accept the band except as prisoners of war, and consequently White Bird's band remained exiled in Canada.⁵³

Rapid frontier development coupled with Indian incidents placed increasing pressure on the Bitter Root Flatheads to move to the reservation.⁵⁴ In 1880 Agent Ronan requested the Commissioner's office to send a special commission from Washington, D.C., to settle the Bitter Root dispute. Ronan had made several attempts to negotiate with Chief Charlot, but in all cases these attempts had failed. As early as 1876, the Commissioner's office had authorized the issuance of fifty-one land patents to Indians living in the Bitter Root Valley, but Chief Charlot had obstructed all attempts to assign the patents.⁵⁵

Chief Charlot based his arguments upon political idealism rather than pragmatic politics. He reasoned that because the United States government had failed to fulfill its treaty by conducting a prompt survey of the Bitter Root Valley, the treaty automatically became invalidated. He denied every signing the Garfield

Agreement and protested that the patents offered by the government were already subject to white encroachments. Chief Charlot failed to appreciate the fact that it was politically impossible to remove several hundred settlers from the Bitter Root Valley.⁵⁶

In 1883 Congress sent a Special Senate Subcommittee to Montana to investigate problems in Indian affairs. Senator George Vest of Missouri and Montana's Territorial Delegate Martin Maginnis visited the Flathead Reservation in the fall of 1883, and they attempted to negotiate a settlement of the Bitter Root dispute with Chief Charlot.⁵⁷ Senator Vest especially desired to settle the problem of the Bitter Root land patents. He advised the Flatheads that "there are no more plains. The white men are as thick as leaves from ocean to ocean. Either get a patent to your lands here, or go upon the reservation where you can raise plenty to eat."⁵⁸

Senator Vest's meeting with Chief Charlot was a highly charged session, and both men exchanged angry insults.⁵⁹ Vest showed sympathy for Charlot's arguments, but it was a political impossibility for him to sanction Charlot's claims. Vest agreed that the Hell Gate Treaty and the Garfield Agreement were both most unfortunate affairs. He also understood that the Garfield

Agreement had caused a large influx of white settlement upon the Indians' lands, and that it had split the tribe both politically and geographically. But in final analysis Vest faced the fact that the government could quiet the settlers' demands only by removing Charlot's band to the reservation.⁶⁰

The council ended in a deadlock with neither Senator Vest nor Chief Charlot able to effect a compromise.⁶¹ As a result of the aborted council, the Indian Department authorized Agent Ronan and some Flathead chiefs to travel to Washington, D.C., for the purpose of resolving the Bitter Root Valley dispute.⁶² During the winter of 1884 Agent Ronan, Chief Charlot, Crane-With-A-Ring-Around-His-Neck, Grizzly-Bear-Far-Away, Hand-Shot-Off, and Red Arm all traveled to Washington by way of the newly constructed Northern Pacific Railroad. In Washington Chief Charlot rejected all offers that the government made and demanded that his people remain living peaceably in the Bitter Root Valley.⁶³ Secretary of the Interior Henry Teller and Agent Ronan agreed to attempt to lure away the loyalty of Charlot's three hundred plus band members by offering them special annuities and privileges for agreeing to remove to the Flathead Reservation.⁶⁴

Ronan offered Indian family heads 160 acre parcels of land with houses, ten fenced and plowed acres, two cows, one wagon and

harness, agricultural implements, seed for one year, and provisions until their first harvest was completed. Ronan believed that this policy would soon attract the Bitter Root band to the reservation.⁶⁵ By 1888, however, nearly 190 Flatheads still remained in the Bitter Root Valley.⁶⁶ The process worked too slowly, and Ronan recommended that if the government allowed the Indians to sell their land in the Bitter Root Valley, the speed of the removal process would be greatly enhanced.⁶⁷

In 1889 Congress passed an act implementing Ronan's suggestion. The act provided "for the sales of lands patented to certain members of the Flathead Indians" and authorized either the patent holders or their heirs to sell their land in the Bitter Root Valley.⁶⁸ The act directed the Secretary of the Interior to appraise the land and to offer it for sale to white settlers. It allowed Indian families who sold their land to keep the proceeds and required them to move to the Flathead Reservation.⁶⁹

In 1889 the Indian Department dispatched General H.B. Carrington, a veteran of the Indian wars, to Montana for the expedition of the Flatheads' removal. Carrington inspected all the patents that the Indians claimed and found fifty-six to be valid. Destitution and impatience had caused the band's loyalty to wane, and the majority of the Indians accepted their patents, agreeing then to sell

them and to remove promptly to the reservation.⁷⁰ Although Carrington expected a prosperous sale, the unstable history of Bitter Root land claims blunted its success. In fact, the Indians managed to sell only the very best tracts of land.⁷¹

Many Indians who expected to sell their lands failed to plant crops during the spring of 1889, and they now faced the harsh realization of no land sales and no crops. Ronan informed the Commissioner's office that unless the government provided these Indians with some assistance, they would surely starve.⁷² Those Indians lucky enough to sell their land still faced a serious problem. In accordance with the 1889 act, much of the land sold in eighty acre parcels. Consequently the buyers quickly bought up the best eighty acre tracts and left the Indians holding the poorer tracts which the government had appraised far below their full market values.⁷³ During the course of these events, Chief Charlot persistently refused to move to the reservation.

After returning to the East, General Carrington came back to Montana in 1891 and attempted to rectify the situation. He reappraised the remaining tracts in the Bitter Root Valley to which the Indians still held patents. He then succeeded in convincing Chief Charlot to abandon destitution and to remove to the Flathead Reservation.⁷⁴ Charlot and his band members did not fare too well

on the reservation. By 1892, the combined total of the sales of the Indians' land in the Bitter Root amounted only to slightly over \$14,000. Meanwhile Charlot became increasingly angry, bitter, and cynical.⁷⁵

Facing the inevitable, however, Chief Charlot finally agreed to move to the reservation, but he would only go after the death of Chief Arlee, who had proceeded him as Head Chief after defecting during the Garfield negotiations. In fact, Charlot demanded Arlee's farm, but Carrington rejected the demand in deference to Arlee's widow and family.⁷⁶ Consequently, Agent Ronan described Charlot's behavior on the reservation as "nonprogressive . . . , opposed to education and advancement . . . , [and] a bad influence." Ronan also noted that Charlot's band remained restless, shiftless, and generally disinterested in reservation life.⁷⁷

In 1899, Cyrus Beede, an United States Indian Inspector, sold the remaining 4,520 acres of Flathead land in the Bitter Root Valley to settlers in an aggregate for the sum of \$5,500.⁷⁸ After four and one half decades the Bitter Root dispute finally reached its resolution. The Bitter Root Flatheads now resided on the reservation - safe from the settlers, safe from the army, and safe from themselves. It is a fact that the government of the United

States failed to treat the band fairly, and there is little wonder that they failed to assimilate into a society that treated them so unjustly. Moreover while Congress held plenary power over the Indians and through such power dictated Indian policy, the Indians had no representation in Congress to protect their interests or to support their claims.

CHAPTER IV FOOTNOTES

¹ Commissioner of Indian Affairs, Annual Report, 1865,
pp. 247-248.

² In 1911 the United States Supreme Court, delivering its opinion in the case of Gritts v. Fisher, provided a comprehensive review of earlier decisions relative to Congress' plenary powers over the tribes. The Court held that it was the specific right of Congress "to administer upon the affairs of dependent Indian tribes." In a word, the Court defined the power of Congress over the tribes as "plenary." "Nor does the difference in character of the title held by Indian tribes to their lands in any manner or degree, change, alter, or diminish the power of Congress over them or their tribal property. The power is the same in all cases - plenary." The only condition necessary for Congress to exercise its plenary power over the tribes and their property was "that as a nation of Indians. . . recognized in their tribal capacity by the political department of the United States; they were under the supervisory control of Congress." Delivering the Court's majority opinion, Justice Willis Van Devanter described the relationship between Congressional Acts and their Indian objects. "The difficulty with the appellants contention is that it treats the act. . . as a contract when 'it is only an act of Congress and can have no greater effect.'" Justice Van Devanter held that Congressional acts were "an exertion of administrative control of the government over the tribal property of tribal Indians. . . subject to change by Congress at any time." Referring to treaties and property rights, the Court applied the same logic. "Congress had the same power to ammend the law that it had to enact it originally. That property expectations would be affected by its actions did not impair its power. Acts of Congress dealing with Indian tribes, and treaties with those tribes stand upon the same footing." See the United States Supreme Court Reports, v. 56, 224US640, (New York: The Lawyers Cooperative Publishing Co., 1912), pp. 929-934.

³ Commissioner of Indian Affairs, Annual Report, 1868, p.214.

⁴ Ibid., p. 217.

⁵ Ibid., pp. 218-221.

⁶ Ibid.

- ⁷ Fahey, pp. 151-152.
- ⁸ Commissioner of Indian Affairs, Annual Report, 1871,
pp. 413-414.
- ⁹ Charles K. Kappler, Indian Affairs, Laws, and Treaties,
4 vols. 2 ed., (Washington: Government Printing Office, 1904), 1:135.
- ¹⁰ Ibid.
- ¹¹ James A. Garfield's Diary, p. 9.
- ¹² Commissioner of Indian Affairs, Annual Report, 1872, pp.
109-110.
- ¹³ Ibid.
- ¹⁴ Ibid.
- ¹⁵ Ibid.
- ¹⁶ James A. Garfield's Diary, pp. 9-10.
- ¹⁷ Commissioner of Indian Affairs, Annual Report, 1872, pp.
114-115.
- ¹⁸ Ibid.
- ¹⁹ Commissioner of Indian Affairs, Annual Report, 1872, p. 112.
- ²⁰ Ibid.
- ²¹ Ibid., pp. 275-276.
- ²² Ibid., 1875, p. 305.
- ²³ National Archives, M234, R508, 0434-0435, Potts to Secretary
of the Interior, June 21, 1877.

24 Ibid., 0438-0439, June 28, 1877.

25 National Archives, M234, R507, 0271, Potts to Ronan, June 29, 1877.

26 Ibid., R508, 0441-0443, July 3, 1877.

27 Ibid., R507, 0271, Ronan to Potts, July 10, 1877.

28 Ibid.

29 Ibid., R508, 0469, July 17, 1877.

30 Ibid.

31 Merrill D. Beal, "I Will Fight No More Forever," Chief Joseph and the Nez Perce War, (Seattle: University of Washington Press, 1963), pp. 91-99.

32 Commissioner of Indian Affairs, Annual Report, 1877, p.135.

33 Ibid.

34 National Archives, M234, R511, 0501, Ronan to Commissioner of Indian Affairs, January 15, 1878.

35 Ibid., R507, August 20, 1877.

36 Montana Historical Society, MS #50, bx. 3, fldr. 16, Ronan to Maginnis, August 21, 1877, Maginnis Collection.

37 National Archives, M234, R507, 0469, D'aste to Ronan, September 20, 1877.

38 Ibid., R508, 0941, McCrary to Schurz, October 31, 1877.

39 Ibid., R511, 514-519, Ronan to Commissioner of Indian Affairs, January 10, 1878.

- 40 Ibid., 0507-0512, January 10, 1878.
- 41 Ibid., R512, 0114, McCrary to Schurz, April 18, 1878.
- 42 Ibid., R511, 0636-0639, Confederated Headchiefs to Commissioner of Indian Affairs, May 1, 1878.
- 43 Ibid., R512, 0263-0265, Gilbert to Commissioner of Indian Affairs, June 20, 1878.
- 44 Ibid.
- 45 Ibid., R515, 0109, Ronan to Commissioner of Indian Affairs, March 3, 1879.
- 46 Ibid., R511, 0238-0239, November 27, 1878.
- 47 Commissioner of Indian Affairs, Annual Report, 1881, p.15.
- 48 National Archives, Record Group 75, 24767, Walker to Ronan, October 10, 1885.
- 49 Ibid., Smith to Ronan.
- 50 Ibid., Ronan to Commissioner of Indian Affairs, October 14, 1885.
- 51 National Archives, M234, R511, 0706-0712, Ronan to Commissioner of Indian Affairs, July 29, 1878.
- 52 Ibid., R515, 0203-0204, July 24, 1879.
- 53 Ibid., 0702, July 1880.
- 54 Commissioner of Indian Affairs, Annual Report, 1877, p.305.
- 55 Ibid., 1880, pp. 109-111.

- 56 Ibid.
- 57 Peter Ronan, p. 55.
- 58 Helena Daily Independent, September 13, 1883.
- 59 Ibid.
- 60 Peter Ronan, pp. 63-68.
- 61 Helena Daily Independent, September 16, 1883.
- 62 Peter Ronan, p. 69.
- 63 Ibid., pp. 71-73.
- 64 Ibid., pp. 73-75.
- 65 Commissioner of Indian Affairs, Annual Report, 1885,
126-129.
- 66 Ibid., 1886, pp. 178-181.
- 67 Ibid., pp. 155-157.
- 68 Kappler, p. 326.
- 69 Ibid.
- 70 Fahey, pp. 247-249.
- 71 Ibid., pp. 251-252.
- 72 Commissioner of Indian Affairs, Annual Report, 1890,
pp. 124-125.
- 73 Ibid., 1893, p. 183.

⁷⁴ Ibid., 1891, pp. 275-279.

⁷⁵ Ibid., 1892, pp. 292-295.

⁷⁶ Fahey, p. 250.

⁷⁷ Commissioner of Indian Affairs, Annual Report, 1892, pp. 292-295.

⁷⁸ Fahey, p. 256.

CHAPTER V

THE ARRIVAL OF THE RAILROAD AND ITS IMPACT

In 1870 the Philadelphia financial firm of Jay Cooke and Company undertook the enormous project of building the Northern Pacific Railroad. Congress endowed the transcontinental railroad with the largest land grant in American history, and between 1870 and 1873 the line proceeded rapidly from Pacific Junction, Minnesota, to Bismark in the Dakota Territory. Because Cooke had grossly overextended his firm's financial resources, in 1873 the firm suffered a financial collapse which resulted in a national depression. The panic of 1873 brought a sudden halt to nearly all railroad building in the West, and rail construction remained dormant for the next several years.

Largely due to the efforts of Frederick Billings, construction of the Northern Pacific resumed in 1879. Through the financial wizardry of Henry Villard, a group of Portland investors obtained controlling interest of the Northern Pacific in 1881. Under Villard's direction the railroad proceeded through Montana Territory. The eastern and western branches of the Northern Pacific joined ceremoniously at Gold Creek, Montana, in September of 1883.

The route of the Northern Pacific through Montana Territory established the line's right of way through both the Crow and Flathead re-

servations.

For the Indians the advent of the railroad held very serious consequences. On the Flathead Reservation the railroad's construction pumped up the local economy temporarily as the Indians provided both laborers and resources for the line's completion. But the deleterious effects were of a far greater consequence. Building the railroad across the reservation greatly disrupted the Indians traditional modes of life. Construction crews and camp followers spread lawlessness and disease along the railroad's route, and a large influx of settlers quickly followed, hoping to acquire desirable tracts of land near the tracks. This condition resulted in increasing the public pressure to confine all nontreaty and non-reservation bands on the local reservations. In the case of the Flathead Confederation, their business dealings with the railroad company aroused a good deal of animosity toward the company as well as the government. Incidents involving the construction of the railroad confirmed the Indians' worst suspicions that the government intended to destroy their reservation.

The government's regulations concerning the building of railroads across Indian reservations required the railroad companies to secure their easements through negotiations with the various

tribes. Invariably these negotiations resulted in a financial compensation for the tribes.¹ According to the Commissioner of Indian Affairs Hiram Price, the system worked well, benefiting railroad companies and Indians alike. In 1881 Commissioner Price reported proudly that the Indians "offered no opposition to the passage of railroads over their reservations; on the contrary, they hail their construction with every evidence of satisfaction."²

In spite of the Commissioner's assurances, the Northern Pacific brought little satisfaction to the Confederated Tribes. In January of 1881 Agent Ronan informed the Commissioner's office that rumors concerning the railroad's arrival were rampant on the reservation.³ One rumor claimed that because the Flatheads' had accepted a small issuance of government beef, the railroad's right of way required no further compensation. Consequently, the Indians felt anxious and excited about the railroad's construction. The headmen understood that article three of the Hell Gate Treaty of 1855 had authorized the construction of transportation routes across the reservation, but they insisted that the government adequately compensate them for such easements.⁴

Chief Arlee expressed his apprehension in a letter to President James A. Garfield. Arlee complained bitterly that the Garfield Agreement of 1872 had divided the Flathead tribe politically

and geographically. He resented the fact that it had failed to protect the tribe from further white encroachments, citing the approach to the railroad's surveying parties as evidence of his charges. Chief Arlee asked President Garfield to intercede and give his assurances that the government would guarantee the confederation an adequate compensation for the right of way.⁵ Agent Ronan also felt anxious over the approach of the railroad. In August of 1881 he requested the Commissioner's office to inform him of the disposition of the right of way, timber appropriations, and other materials that the railroad might obtain from the Flathead Reservation.⁶

A few weeks later Ronan reported that locating engineers were running a survey line near the reservation and that the reservation police had become busy evicting trespassers off the reservation. In 1880 Ronan had made the unpleasant discovery that the government had failed to conduct a survey of the reservation as required by the Hell Gate Treaty of 1855. Since no survey existed, he complained to the Commissioner's office that it would be infinitely more difficult to establish the right of way confidently across the reservation. In compliance with instructions from the Commissioner's office, Ronan informed the railroad engineers and the Indians that "the lands necessary for the right of way should not be taken until

after agreement therefore. . . between the Indians and the United States, and the Indians fairly compensated for the same." ⁸

In January of 1882, J.P. Weeks, the division engineer for the Northern Pacific Railroad Company, informed Agent Ronan that he had located the line across the reservation, and he requested information concerning how to proceed with the railroad's construction.⁹ Ronan suggested that the Commissioner's office send a delegation to the reservation for the purpose of negotiating with the Indians for an easement. Ronan used the occasion to express his own concerns for the welfare of the tribes, and he urged the Indian Department to expedite the negotiations. Meanwhile the young braves became increasingly impatient and took to harassing the railroad's locating parties. In late January of 1882 a minor incident occurred between some of the young braves and a railroad construction party. Although the chiefs quickly re-established order, the railroad officials and the local settlers referred to the incident as an Indian "uprising."¹⁰ Agent Ronan informed the Commissioner's office that although the incident was minor, they could expect more serious trouble unless the government promptly secured an agreement with the confederation for the right of way. ¹¹

The Indian Department took no immediate action, and Ronan

then wrote to Territorial Delegate Martin Maginnis complaining that the Commissioner's office would neither cooperate nor provide explicit instructions. Ronan emphasized that although Commissioner Price had claimed that Indians offered no resistance to railroad construction across their reservations, on the Flathead Reservation the Indians fiercely opposed the railroad's construction. Ronan concluded that only the Indians' weakness prevented them from engaging in open hostility against the railroad.¹² Several weeks later Henry Villard, the President of the Northern Pacific Railroad Company, informed Secretary of the Interior Henry Teller that the tracks had arrived at the edge of the reservation. Under the provisions of article three of the Hell Gate Treaty of 1855, Villard requested the authorization for a right of way across the reservation.¹³

Despite charter regulations to the contrary, Villard attempted to secure a four hundred foot right of way through the reservation. According to Villard's initial plan, the railroad requested fifty-seven acre depot sites every 8.5 miles over a total distance of 51.1 miles, with the right of way totaling an aggregate of 2422.37 acres. Secretary Teller noted that this request violated the Revised Charter Act of 1875 which stipulated that depot sites were not to

occur more than every ten miles and were to be limited to twenty acres per site. Teller overruled Villard's request for fifty-seven acre depot sites, allowing instead for five depot sites of twenty acres each. He also limited the right of way to one hundred feet from both sides of the road's bed.¹⁴ On July 1, 1882, Villard agreed to Secretary Teller's terms and requested permission to proceed with construction.¹⁵

Agent Ronan counseled the Commissioner's office against haste and recommended the consummation of a formal agreement between the government and the Indians before the actual construction began.¹⁶ Secretary Teller agreed and ordered Ronan to compile a list of all of the confederation's adult males so that the government could convene a general council with them.¹⁷ Teller then detailed Assistant Attorney General Joseph K. McCammon to conduct the negotiations for the United States.¹⁸

On August 30, 1882, Agent Ronan and McCammon met in council with the confederation's headmen and adult males. After introducing McCammon, Ronan stated the purpose of the council, and railed a bit himself against drunkenness on the reservation.¹⁹ The following afternoon, McCammon convened the council and began direct negotiations with the chiefs for the railroad's easement.²⁰ Chief

Arlee took the lead and demanded that Ronan evict all whites from the reservation. Arlee also requested that the government extend the reservation's northern boundary to the Canadian line, arguing that such a measure would protect the reservation from eventual white encirclement. Chief Michel of the Pend d'Oreilles and Chief Eneas of the Kutenais agreed that this was a very desirable request.²¹

In council the next day Chief Eneas allied himself with Chief Arlee and accused the government of numerous treaty violations. He demanded that the railroad bypass the reservation and resented the railroad's plans to acquire some of the prime locations on the reservation for its depot sites. Chief Arlee objected to the railroad line dividing the reservation, and he feared that the construction crews would spread lawlessness, disease, and other corrupting influences among the tribes.²²

McCammon attempted to allay the Chiefs' anxieties by guaranteeing that the government would strictly forbid the presence of whiskey on the reservation and by suggesting that the railroad would place the Indians infinitely nearer to officials in Washington, D.C. McCammon found allies in Chiefs Adolph and Michel, both of whom viewed the railroad as inevitable and advised cooperation.²³ McCammon offered the confederation a liberal sum of \$15,000 for

the right of way, or about \$10 per acre. This figure greatly exceeded the more common rate of \$2.50 per acre and was in excess of the sum paid to either the Crows or Shoshones for similar right of ways. Chief Arlee, however, immediately lodged a strong objection and demanded a payment of \$1,000,000 for the right of way, a figure which would have compensated the Indians at the rate of nearly \$700 per acre! The conciliatory Chief Michel also thought the \$15,000 offer to be too small a compensation, and the council adjourned with no further progress. ²⁴

The next day when McCammon entered council, he was prepared to up the ante. He offered the confederation \$16,000 for the right of way and promised to do whatever was in his power to secure an extension of the reservation's northern boundary. Regardless of their differences concerning the railroad's construction, all the chiefs greatly desired the boundary's extension, and it was hope for such an extension that enticed the council to grant the Northern Pacific an easement across their reservation. Chief Arlee closed the council stating that the only benefit to be derived from granting the easement would be in securing the boundary's extension as a gift for their future generations. McCammon again promised to use his influence to secure the extension, and thus the negotiations ended. ²⁵

The official terms of the agreement provided a payment of \$16,000 for the relinquishment of 1,430 acres, compensating the Indians at the rate of \$11.18 per acre. It provided an additional payment of \$7,625 for private property damage brought about by the railroad's construction.²⁶ The agreement authorized the Northern Pacific Railroad a right of way two hundred feet wide, 53.26 miles long, and constituting 1,300 acres. Another 130 acres went to the railroad for depot and fuel storage sites, making the total 1,430 acres. The route entered the Flathead Reservation at the Corriacan Defile and followed the Jocko and Pend d'Oreilles Rivers north by northwest toward the mouth of the Missoula River where it left the reservation.²⁷

Agent Ronan made it clear to Commissioner Price that the Indians entered into the agreement with great reluctance. Even after the agreement's conclusion Ronan reported that "a fierce spirit of opposition still prevails on the part of many of the Indians to the construction; they regarding the road as fatal to their interests and the sure precursor of the abandonment of their homes and lands to the whites."²⁸ Ronan described the extension of the northern boundary as the "chief incentive" to the Indians' making the agreement. Because only eight homesteaders had located

in that area, Ronan recommended that the Commissioner's office approve the extension of the northern boundary to the Canadian border. ²⁹

McCammon also recommended the extension to the Commissioner's office. Because the land involved was a remote wilderness area, McCammon suggested that the government could easily extend the northern boundary "by moving, as it were, the reservation northward about thirty or forty miles." McCammon argued that as long as the reservation system existed, it would be desirable to keep the Indians out of reach of the frontier's advance. ³⁰ His argument was hardly convincing to reform minded Indian policy makers who had long envisioned allotments in severalty and the eventual disappearance of Indian reservations.

In retrospect the confederation chiefs erred in negotiations when they accepted a money payment for the railroad's right of way. After paying the Indians at such a favorable rate per acre, officials of both the government and the railroad felt that they had paid a generous, perhaps even a gratuitous, compensation to the Flathead Confederation. Consequently, they felt no obligation to provide any further financial compensation or to extend the northern boundary. On January 13, 1883, and while quite pleased with the agreement, Commissioner Price "had the honor to recommend to the Department that said agreement. . . be approved." ³¹

The construction of the railroad across the reservation involved the procurement of timber from the tribes' natural resources. In 1882, M.L. Joslyn, the Acting Secretary of the Interior, authorized the Northern Pacific Railroad to utilize reservation timber while the railroad passed through the Indians' land. The railroad agreed to compensate the Indians fairly and to employ them in the logging operation.³² Agent Ronan informed the Indians of the timbering agreement and explained that the Indian Department would handle all the details.³³ A few months later at the height of the railroad's construction across the reservation, Ronan reported "many Indians engaged in furnishing piles, ties, and cord wood for the Northern Pacific Railroad Company, and. . . well pleased by the fair wages paid them." ³⁴

Although the Indians complained that the railroad had illegally cut some of the timber, an United States Timber Inspector completely exonerated the company and ruled that the operation held strictly to the regulations prescribed by the Indian Department.³⁵ Eventually the railroad compensated the Indians at the rate of two dollars per board foot of timber cut. The total payment amounted to \$5,458 and accounted for 2,729,006 board feet of timber. ³⁶ This payment brought the total compensation paid to the Flathead Confederation to the sum of \$26,625.

While the Indians assumed that they would be paid immediately, the Northern Pacific was tardy in making the full compensation. In May of 1883 Agent Ronan reported that the Indians felt anxious because they had not received any of their compensation.³⁷ Under pressure from the Secretary of the Interior, Henry Villard made the payment for the railroad on June 4, 1883.³⁸ The Interior Department advised against distributing the payment among the confederation members on a cash and per capita basis.³⁹ Ronan discouraged this view, explaining that the Indians felt forced into the right of way agreement and wanted at least a cash payment. Ronan also assured Commissioner Price that the Indians were quite capable of managing the cash.⁴⁰ The Secretary of the Interior agreed, and in November of 1884 Ronan began distributing the payment on a cash and per capita basis.⁴¹ He completed the process in January of 1885, having distributed \$21,458 among the confederation members. Ronan was pleased and remarked that he felt "especially elated that no complaint. . . reached me of a man, woman, or child having been forgotten or overlooked in the payment."⁴²

During the construction phase the railroad brought havoc to the reservation. In November of 1882 Ronan reported a formidable construction crew of some 7,400 men working on the reservation.

Following the crews came a motley assortment of camp followers, saloon keepers, gamblers, and prostitutes.⁴³ Ronan found it necessary to disband the agency's traditional volunteer police force. Because of "so much lawlessness along the line," he organized a new police force of salaried officers whom he kept under his own "immediate control."⁴⁴ During the fall of 1882 a large number of Indians left the reservation, ostensibly to undertake the hunt. According to Ronan they more likely sought to escape the lawlessness, disease, and general chaos that accompanied the railroad's construction.⁴⁵

As the railroad progressed across the reservation and assumed full operation, the Indians filed several claims against the company for the destruction of their livestock. Agent Ronan compiled a detailed and fully documented list of the Indians' claims, but when he loaned it to a railroad agent, it somehow became irrecoverably lost.⁴⁶ Ronan then compiled a new list, but it was impossible to completely document each claim. The railroad refused to honor any claims without documentation of the damages or losses. This practice aroused the Indians' hostilities against the railroad and prompted Ronan to charge the company with indifference toward its debts to the Indians. Ronan warned the company to expect depredations and hostile acts if it did not immediately settle the Indians' valid claims.⁴⁷ Two weeks later when a storage

shed mysteriously burned at the Jocko Station, Ronan again urged the railroad to settle the claims. The old chiefs and headmen, Ronan emphasized, could no longer control the angry young braves.⁴⁸

The railroad installed a permanent agent in Helena to settle livestock claims, but the excited and angry Indians continued to commit depredations.⁴⁹ Some minor depredations occurred in December of 1885, and in March of 1886 when some Indians found a keg of whiskey near the railroad tracks, a serious incident nearly resulted. The drunken Indians obstructed the tracks, drove off the section crew, and greatly irritated the railroad's managers.⁵⁰ The Commissioner's office telegraphed authorization for Ronan to restore order with military force if necessary. But meanwhile and much to the management's relief, he had arrested the parties involved and had cleared the tracks of all obstructions.⁵¹

In November of 1884 the Northern Pacific accepted sixty Indian livestock claims that totaled \$3,155. By 1888 that figure rose to over \$11,000, and Ronan expressed his satisfaction that the company had dealt with the Indians in a fair and equitable manner. Because of increasing livestock claims, Ronan recommended that the railroad fence the right of way. Ronan feared that the claims payments had a deleterious effect on the Indians because "the money paid to them for the killing of cattle or horses is generally spent

in frivolous ways." ⁵²

The arrival of the Northern Pacific Railroad brought about increasing pressure on the government to open the Bitter Root Valley to white settlement. In 1883 the Interior Department ruled against the railroad's claims to land grants in the Bitter Root, and this action opened the valley to white settlement under the provisions of the act of 1874 which had extended the Homestead Act to the Bitter Root Valley. ⁵³ In the years that followed the railroad carried a steady stream of settlers into northwestern Montana, and they often homesteaded on what had been traditionally Indian land.

The building of the Great Northern Railroad across northern Montana intensified the Indians' problems even further. As settlements like Kalispell began to spring up North of the reservation, the Indians' hope for an extension of the northern boundary ended forever. These settlements brought about the white encirclement that the Indians had so long feared, and the settlers and Congress began a strenuous effort to confine all nonreservation Indians in that area to the Flathead Reservation. This particular policy led directly to the eventual allotting and opening of the reservation.

In 1890 Commissioner of Indian Affairs T.J. Morgan succinctly outlined the Indian Department's policy regarding the

building of railroads across reservations. "While it is not believed that Indian reservations should be allowed to stand as barriers to the development of the country surrounding them," the Commissioner wrote, "whenever practicable it should require the consent of the Indians."⁵⁴ The Commissioner's statement harbored a threatening implication that if the Indians' consent was not a matter of practicality, the railroad would be built across reservations just the same. To Indian policy reformers and western settlers alike, the presence of the railroad represented evidence of frontier development and national progress. Despite whatever conflicting views that they may have held concerning national Indian policy, Americans commonly agreed that the reservations would soon disappear. Reformers interpreted the Indians' encounter with the railroad as another important step toward their ultimate assimilation and as the harbinger of the development, settlement, and eventual disappearance of the Indian reservations.

CHAPTER V FOOTNOTES

- ¹ Commissioner of Indian Affairs, Annual Report, 1881, p.28.
- ² Ibid.
- ³ National Archives, Record Group 75, SC55, 2131, Ronan to Commissioner of Indian Affairs, January 22, 1881.
- ⁴ Ibid., Also see Washburn, v. 4, 2505-2506.
- ⁵ National Archives, Record Group 75, SC55, 8318, Arlee to Garfield, May 6, 1881.
- ⁶ Ibid., 15910, Ronan to Commissioner of Indian Affairs, August 25, 1881.
- ⁷ Ibid., 20142, November 1, 1881.
- ⁸ Ibid., 1542, January 3, 1882.
- ⁹ Ibid., 1843, Weeks to Ronan, January 12, 1882.
- ¹⁰ Ibid., 2782, Jordan to Adjutant General, January 27, 1882..
- ¹¹ Ibid., 3541, Ronan to Commissioner of Indian Affairs, February 1, 1882.
- ¹² Ibid., 5546, Ronan to Commissioner of Indian Affairs, March 9, 1882.
- ¹³ Ibid., 11091, Villard to Secretary of the Interior, June 14, 1882.
- ¹⁴ Ibid., 12042, Secretary of the Interior to Commissioner of Indian Affairs, July 1, 1882.

¹⁵ Ibid., 12686, Maginnis to Secretary of the Interior, July 1, 1882.

¹⁶ Ibid., 13107, Ronan to Commissioner of Indian Affairs, July 8, 1882.

¹⁷ Ibid., 13202, Secretary of the Interior to Ronan, July 19, 1882.

¹⁸ Ibid., 1123, Secretary of the Interior to McCammon, July 22, 1882.

¹⁹ Ibid., 1123/21964, Transcript of 1882 Railroad Conference, August 30, 1882, pp. 1-7.

²⁰ Ibid., August 31, 1882, pp. 7-8.

²¹ Ibid.

²² Ibid., September 1, 1882, pp. 9-15.

²³ Ibid., pp. 15-18.

²⁴ Ibid., pp. 19-23.

²⁵ Ibid., September 2, 1882, pp. 26-36.

²⁶ Ibid., 1964, McCammon to Secretary of the Interior, November 29, 1882.

²⁷ Commissioner of Indian Affairs, Annual Report, 1882, p. 103.

²⁸ Ibid.

²⁹ Ibid.

³⁰ National Archives, Record Group 75, SC55, 21056, McCammon to Commissioner of Indian Affairs, November 21, 1882.

³¹ Commissioner of Indian Affairs, Annual Report, 1883, p. 19.

³² National Archives, Record Group 75, SC55, 19314, Villard to Secretary of the Interior, October 28, 1882.

³³ Ibid., 21012, Ronan to Commissioner of Indian Affairs, November 10, 1882.

³⁴ Commissioner of Indian Affairs, Annual Report, 1883, p. 100.

³⁵ National Archives, Record Group 75, SC55, 1226, Ronan to Commissioner of Indian Affairs, January 1, 1883.

³⁶ Ibid., 9977, Harris to Secretary of the Interior, May 27, 1884.

³⁷ Ibid., 9212, McCammon to Secretary of the Interior, May 19, 1884.

³⁸ Ibid., 10149, Villard to Secretary of the Interior, June 4, 1883.

³⁹ Ibid., 13427, Secretary of the Interior to Commissioner of Indian Affairs, July 15, 1884.

⁴⁰ Ibid., 14753, Ronan to Commissioner of Indian Affairs, July 28, 1884.

⁴¹ Ibid., 22947, November 25, 1884.

⁴² Commissioner of Indian Affairs, Annual Report, 1885, p. 128.

⁴³ National Archives, Record Group 75, 20702, Ronan to Commissioner of Indian Affairs, November 1, 1882.

⁴⁴ Commissioner of Indian Affairs, Annual Report, 1885,
p. 128.

⁴⁵ National Archives, Record Group 75, 20702, Ronan to Commissioner of Indian Affairs, November 1, 1882.

⁴⁶ Ibid., SC55, 13687, Ronan to Commissioner of Indian Affairs, July 12, 1884.

⁴⁷ Ibid., 17163, August 30, 1884.

⁴⁸ Ibid., 18029, Ronan to Caber, September 12, 1884.

⁴⁹ Ibid., 23633, Ronan to Commissioner of Indian Affairs, December 10, 1884.

⁵⁰ Ibid., 1210, Oakes to Commissioner of Indian Affairs, March 11, 1885.

⁵¹ Ibid., 5582, Ronan to Commissioner of Indian Affairs, March 13, 1884.

⁵² Commissioner of Indian Affairs, Annual Report, 1888,
p. 158.

⁵³ Fahey, pp.240-241.

⁵⁴ Commissioner of Indian Affairs, Annual Report, 1890,
pp. 62-63.

CHAPTER VI

AGRICULTURE AND THE FLATHEAD CONFEDERATION, 1877-1893

The success of the reformed Indian policy depended largely upon the Indians' ability to engage in the agricultural arts. The reformers believed that every Indian should own a homestead, and they assumed that successful agricultural enterprises would provide the Indians with a direct route to self-sufficiency and assimilation. The reformers hoped that allotments in severalty would facilitate the agricultural aspect of the assimilative process, but they failed to recognize that the procedural process of the Dawes Act virtually doomed long-range Indian agriculture to failure.

The Dawes Act not only provided the Indians with too little land for subsistence, but over the course of a few generations, the original allotments became fragmented into parcels so small as to be nearly useless for commercial agricultural purposes. As a matter of Indian Department policy, the heirs of the original allottees shared and shared alike in Indian estates, and indeed at the present it is not at all uncommon to find an Indian heir sharing as little as 1/250 interest in parcels of land as small as ten or twenty acres. Nor is it uncommon to find Indians whose minute land holdings are located in many small parcels scattered throughout the reservations. Undoubtedly this fragmentation of Indian

land resources has greatly diminished their ability to sustain healthy agricultural growth rates during the twentieth century.

According to the Indian Department's records, by 1893 the Flathead Confederation enjoyed a healthy and progressive level of agricultural productivity. Through their association with Jesuit Missionaries the Indians had been exposed to advanced agricultural techniques since the 1840's. During the 1880's United States Indian Agent Peter Ronan introduced the confederation to modernized techniques and diversified agricultural operations. Throughout his seventeen years tenure, the tribes greatly increased their agricultural productivity. But despite the Indians long association with agriculture and Agent Ronan's particular successes, the Flathead Confederation never assimilated or became fully self-sufficient. This fact points to the reformers' fallacious assumption concerning the relationship between agricultural arts and assimilation, and it also reflects the long-range fragmentation inherent in the allotment process.

During Agent Ronan's administration the acreage cultivated by the confederation rose from around two thousand acres to well over ten thousand acres. Wheat production rose by nearly 400%, and production of oats, barley, and vegetables increased at a similar rate. The size of the Indians' stock herds also grew steadily,

with the number of cattle rising from an estimated one hundred head in 1877 to over fifteen thousand head in 1893. The tons of hay cured by the Indians rose similarly from about one hundred tons in 1877 to over 4,200 tons in 1893. The agency's agricultural records suggest that the ratio of Indians to acres cultivated stood at about one Indian per every 1.5 acres cultivated in 1877. By 1893 this figure rose to one Indian per every 5.5 acres cultivated. Similarly the ratio of Indians to the number of cattle raised was about one person per every .88 cows raised in 1877, and by 1893 it had grown to a figure of one Indian per every 7.8 cows raised on the reservation.¹

Agent Ronan stressed the need for the Indians to undertake diversified agricultural pursuits. He induced the Indians to raise hay crops, engineered the reservation's first irrigation system, and introduced orchards and buffalo herds to the reservation. During Ronan's administration the confederation suffered only one severe crop failure, and it reduced overall production by about 75%.² Despite the magnitude of this setback, agricultural production recovered quickly and reached the pre-drought level within two years after the failure.³

In the late 1870's the federal government began a policy of issuing stock cattle to various tribes for the purpose of enlarging

their domestic herds. The Commissioner's office reported in 1880 that "but a few years can elapse before the Indians. . . will be the possessors of large herds of cattle, thus placing in their hands the ready means of self support, and rendering them. . . independent of the government."⁴ Between 1878 and 1881, the government issued over seven hundred head of stock cattle to the Flathead Confederation. This figure constituted the nucleus of their growing herd and provided them with a base of about 20%.⁵

As the confederation undertook large scale stock raising, Agent Ronan encouraged the curing and storage of hay. In 1878 Ronan reported that the Indians had little interest in curing hay because they believed the winters to be too mild to make it profitable. Because of this attitude, he feared that an unusually hard winter might "find them unprovided and occasion great loss." In order to prevent a large livestock loss during the winter months, Ronan intended to "see that all the straw from the crops is carefully stacked."⁶ He continuously stressed the importance of haying to the Indians, and gradually they began to harvest annual crops. Within a decade the wisdom of this policy became obviously apparent.

During the vicious and legendary winter of 1886-1887, authoritative estimates suggest that somewhere near 60% of the cattle in Montana Territory perished.⁷ The confederation cured some

four thousand tons of hay in 1886, and luckily the winter did not strike nearly as hard in western Montana as it did to the East. Largely due to their diversified operation and Ronan's competent guidance, the Indians emerged from the winter with about 85% of their cattle herd intact, and during the following years they continued to increase their hay production on an annual basis.⁸

The suitability of the reservation's soil and climate to stock raising lured white cattlemen onto the reservation. While some white stock raisers occupied the Indians' land as interlopers, others concluded unofficial agreements with the headmen that authorized the top leasing of reservation land for grazing purposes. The problem of whites grazing their herds on Indian land had long plagued the Indian Department, and due to Congressional inaction and indecision the problem never reached a satisfactory resolution.

In 1877 the presence of white grazers on the Flathead Reservation proved serious enough to be partially responsible for the dismissal and prosecution of Agent Medary. Replacing Medary failed to correct the situation, however, and the problem persisted throughout Ronan's administration. In 1883 United States Indian Inspector S.S. Benedict found several head of white-owned stock grazing on the reservation. Inspector Benedict ordered their immediate removal because the Indians derived no benefits

from their pasturage there.⁹ A few months later the situation returned to normal, and Indian Inspector Howard echoed Benedict's complaint after finding a large number of white-owned stock grazing on the reservation.¹⁰

Agent Ronan reported that normally around eleven white-owned herds grazed on the reservation, accounting for over 4,300 head of cattle. According to Ronan, this situation resulted from loose family connections between white grazers and the local Indians. White grazers commonly supplied their so-called relations with bills of sale for the cattle herds that showed the Indians to be the legal owners. In actuality the white cattlemen cared for the herds and profited from their sale.¹¹

To a large degree the problem of white stock grazers rested outside the local agents' control. Congress had passed no laws authorizing the Indians to lease their lands, but at the same time, no laws existed forbidding the grazing of white-owned stock on Indian reservations. In 1885 President Cleveland attempted to mitigate the problem through Presidential proclamation. Cleveland nullified all leasing agreements with the Cheyenne and Arapaho Indians in the Indian Territory. The Justice Department supported Cleveland's proclamation, and attorney General A.H. Garland declared that statutory measures precluded the Indians' right to

lease or alienate any portions of their land. Attorney General Garland's opinion stated that "in the absence of any treaty or statutory provisions. . . neither the President, Secretary of the Interior, nor any other officer. . . has power to make, authorize, or approve any leases of lands held by Indian tribes." ¹²

In 1885 Commissioner of Indian Affairs J.D.C. Atkins suggested that "the leasing system should either be legalized, with proper restrictions, or it should be abolished altogether." ¹³ Congress, however, took no action, and in spite of President Cleveland's proclamation the tribes persisted in making leasing agreements with white stock grazers. In 1888 United States Indian Inspector E.D. Bannister hinted at the extent of the leasing practice on the Flathead Reservation. Inspector Bannister reported that a majority of an estimated sixteen thousand head of cattle grazing on the reservation belonged to "half breeds and squaw men." ¹⁴

Because of the persistence of the grazing problem and Congressional inaction, in 1889 Commissioner of Indian Affairs T.J. Morgan began a policy that authorized certain tribes to make leasing arrangements with white stock grazers. Under Morgan's plan the Indian Department established the grazing regulations and supervised the leasing agreements. ¹⁵ However well intended,

Morgan's policy lacked the force of law and failed to solve the grazing problem. By 1890 the grazing problem had grown to such enormous proportions that President Benjamin Harrison evicted all white-owned cattle from the Cherokee Strip in the Indian Territory.¹⁶ Finally in 1891, Congress acted and partially relieved the problem. Congress authorized the reservation tribes to lease land not otherwise needed for their own agricultural subsistence, but only if the actual Indian land holder was disabled by age or some other infirmity.¹⁷

On the Flathead Reservation Agent Ronan placed the greatest emphasis on family farming. Around the agency headquarters Ronan supervised the raising of timothy grass, oats, and vegetables by aged or infirmed Indians who kept the fields in common.¹⁸ Ronan created this operation as a means of caring for and keeping the ill or destitute Indians employed, but in the main family farming provided the agricultural base on the Flathead Reservation. Grain farming flourished in a number of areas on the reservation. The Indians located the major concentration of farms in the Jocko and Mission Valleys. They farmed in smaller concentrations along the Pend d'Oreilles River, near the mouth of the Jocko River, and on the Camus Prairie. By 1885 nearly one hundred family farms occupied these areas, and they accounted for several thousand

bushels of wheat, oats, barley, and vegetables annually. Chief Eneas' band of Kutenais operated the only tribal farm which was located near Dayton Creek and which only amounted to two hundred fenced acres. ¹⁹

Irrigation was essential to successful farming in most areas of the Flathead Reservation. During favorable years and in the absence of irrigation, Indian farmers raised respectable crops in prime locations along the river bottoms and on farms adjacent to Flathead Lake where moisture in the air provided a good deal of precipitation for the crops. In one case Ronan reported that Baptiste Eneas, a full blood farmer, had raised sixty bushels per acre at the foot of the lake where he utilized only the lake's mists and rain water for irrigation. ²⁰ Such cases, however, were exceptions, and generally successful farming required irrigation.

In 1884 when several members of Charlot's Bitter Root band moved to the reservation and settled along the Jocko River, Congress appropriated \$5,000 for the purpose of constructing an irrigation ditch to serve them. Agent Ronan surveyed and engineered the ditch, and Indians provided the necessary labor. It irrigated a large plateau on the North side of the Jocko River and carried twenty-four cubic feet of water. The ditch measured two feet in

depth, four feet in width at the top, and three feet in width at the bottom. The ditch required eighty thousand board feet of lumber for fluming and ran a length of four miles. ²¹

This project succeeded beyond all expectations, and even during the dry years, the ditch provided ample water for crops. In 1889 after the ditch had proven its worth for four years, United States Indian Inspector W.W. Junkin reported his satisfaction that Agent Ronan had "made wise and judicious disposition of the appropriation." Junkin also noted that the ditch lacked the capacity to carry enough water to serve all the farms developing along the North side of the Jocko River. He recommended an additional appropriation of \$3,000 for trebling the ditch's capacity and thereby hoped to make the Jocko Valley "blossom as the rose." ²²

As more Indian farms developed along the Jocko Valley, the need to expand the irrigation project became increasingly apparent. In 1892 Congress appropriated \$5,870 for the enlargement of the Jocko River irrigation project and for the construction of a new ditch on the South side of the river where another contingent of Charlot's band had settled. Rather than drawing water from the Jocko River, the new ditch utilized water from natural mountain lakes. ²³

Although orchards had been common in the Bitter Root Valley since the 1860's, Agent Ronan introduced the first fruit orchards to the Flathead Reservation. In 1886 he encouraged the Indians to purchase apple, cherry, and plum trees from eastern suppliers. Ronan and representatives from the nurseries instructed the Indians in planting and cultivating the orchards, and soon they accomplished those tasks with very little assistance. In 1887 Ronan reported that the fruit trees had already "yielded abundantly", and he predicted that "in a few years the raising and selling of fruit will be a marked industry of the reservation." Ronan's prediction proved correct, and the Flathead Valley became one of the prime fruit producing areas in Montana. ²⁴

Another innovative agricultural measure introduced by Agent Ronan involved the raising of a buffalo herd on the reservation. In 1878 when the great buffalo herds were fast approaching extinction, Ronan induced the Indians to drive two cows and a bull buffalo onto the reservation. The buffalo ranged on the Pacific slope of the continental divide where within a decade they had increased to twenty-seven head. Ronan advised the Indians to breed and buildup the buffalo herd just as if it were a stock herd. The Indians utilized the poorer bulls for feasts and banquets, and they retained the better animals for breeding purposes. Eventually

two half breeds came to own the herd, and Ronan advised them to reject several tempting offers for the purchase of their herd. He also counseled the government to secure an interest in the herd that represented the "last remnants of the millions that roamed the great American plains in former days."²⁵ In 1909 Congress responded and established an 18,521 acre national bison range on the Flathead Reservation.²⁶

The location of the agency's headquarters in the southeastern corner of the reservation hindered agricultural progress. Several large bands, especially the Kutenais, lived as many as seventy-five miles from the agency headquarters. At such distances these bands shared inadequately in the agency's facilities and resources. The use of the agency's mills, mechanical shops, trader's store, and dispensary were for the most part unavailable to the outlying bands. Federal Indian Inspectors and Agent Ronan continuously requested the Indian Department to authorize the removal of the agency to a more central location, but the expenses of such a project made it impossible.²⁷

In 1884 Congress appropriated \$25,000 for the employment of additional farmers who were to instruct the reservation Indians in practical farming.²⁸ Congress salaried these farmers at the rate of \$75 per month, and they were to take to the Indians' fields

where they could teach self-sufficiency in farming through practical demonstrations. At the Flathead Agency the work load was such that the Agency Farmer spent most of his time doing clerical work. This situation deprived the Indians of practical experience and training, especially those who lived far from the agency.²⁹ In 1892 the Indian Department authorized the agency an assistant farmer which tended to alleviate the problem somewhat, but even so, the solution was much less desirable than centrally locating the agency headquarters. ³⁰

Federal Indian inspectors usually found the agency's agricultural implements and machinery well cared for and properly maintained. In 1890 United States Indian Inspector Cisney praised Ronan's organization, control, and maintenance of the agency's agricultural equipment. Cisney declared that Ronan's assortment was better "than at any Agency the Inspector [had] visited." ³¹

In some cases the Indians purchased their own agricultural equipment to augment that of the agency, but usually on the smaller farms the Indians relied on simple, hand operated scythes and grain cradles.³²

In order to engage in successful farming, the Indians had to limit their fascination with the horse. Over the years Ronan gradually convinced the Indians to reduce the size of their horse herds and to adopt the more sedentary life of farming. Between

1880 and 1893, the Indians reduced their horse herds from ten thousand head to about 6,700 head, or by nearly one third. Between 1888 and 1891, the Indians sold over one thousand head of horses.³³

In order to improve the remaining herd, Ronan encouraged them to purchase pure bred stallions so that the remaining animals could be selectively bred.³⁴

In 1889 a drought struck western Montana and the confederation farmers suffered a severe crop failure. Ronan reported the Indian farmers to be nearing destitution, and he requested the Indian Department to provide them with thirty thousand pounds of flour and ten thousand pounds of bacon. Father D'aste of the St. Ignatius Mission requested an additional five hundred pounds of bacon and two thousand pounds of flour for the subsistence of Indian children at the Mission's boarding school.³⁵ Due to the drought, wheat production declined by nearly 80%, oat and barley production fell by 70%, and the vegetable harvest dropped by 75%. Although hay production fell by nearly 40%, the size of the Indians' stock herds was not seriously effected by the drought.³⁶

In spite of the severity of this setback, agricultural productivity recovered rapidly. In 1890 Agent Ronan reported that the reservations agricultural prospects as being very favorable. Indian farmers had fenced and cultivated nearly two hundred farms on

the reservation, ranging in size from eight to 160 acres each. Collectively, they raised about ten thousand head of cattle, five thousand head of horses, four to five thousand fowls, and some twelve hundred hogs.³⁷ Grain and vegetable production recovered quickly with nature luckily providing amply wet seasons. By 1892 grain production had reached its pre-drought levels, and thereafter it continued to increase annually.³⁸

During Agent Ronan's tenure, the acreage cultivated by the Indians increased by nearly 500%, from 1,920 acres in 1877 to 10,600 acres in 1893. United States Indian Inspector Gardner noted that most of the Indian farmers knew their business well and that some had developed rather prosperous farms. But he also noted that "a considerable number of these Indians" lived lives "of idleness and dependency, spending their time in visiting and gambling."³⁹ As the Indian policy reformers envisioned it, every Indian could, and should, own a homestead. Although competent agents like Peter Ronan produced impressive results, every Indian clearly could not own a homestead.

The Indian policy reformers seriously erred in equating agricultural aptitude with assimilation. Agriculture on the Flathead Confederation illustrates a basic flaw in federal Indian policy. The Indians had enjoyed a long association with agri-

cultural techniques as well as the able guidance of an uncommonly competent Indian agent. By the 1890's the confederation was well on the way to agricultural self-sufficiency, and yet even with these advantages, they did not assimilate. The reformers failed to recognize the distinction between agricultural competence and cultural assimilation, and after the completion of the allotment process in 1909, many potential Indian farmers found themselves unable to engage in commercial agricultural pursuits due to a shortage of the acreage available for Indians to cultivate.

CHAPTER VI FOOTNOTES

¹ Commissioner of Indian Affairs, Annual Reports, 1877-1893.
See appendix of agricultural statistics compiled from the Commissioners' annual reports. These tables should be interpreted carefully as they reflect several estimates and are probably subject to inflated reports.

² Ibid., 1889, p. 229.

³ Ibid., See appendix of agricultural statistics for the years 1888-1893.

⁴ Ibid., 1880, p. 14.

⁵ Ibid., 1881, p. 28.

⁶ Ibid., 1878, p. 88.

⁷ Michael P. Malone and Richard B. Roeder, Montana, A History of Two Centuries, (Seattle: University of Washington Press), 1976, pp. 124-125.

⁸ Commissioner of Indian Affairs, Annual Report, 1886, p. 445; and 1887, p. 387.

⁹ National Archives, Record Group 48/75, 13058, Synopsis of Report of Inspector S.S. Benedict, July 10, 1883.

¹⁰ Ibid., 5061, Synopsis of Report of Inspector Howard, December 4, 1883.

¹¹ National Archives, Record Group 75, 1817, Ronan to Commissioner of Indian Affairs, December 18, 1883.

¹² Commissioner of Indian Affairs, Annual Report, 1885, pp.16-19.

- 13 Ibid.
- 14 National Archives, Record Group 48/75, 5261-5262, Synopsis of Report of Inspector E.D. Bannister, October 20, 1888.
- 15 Commissioner of Indian Affairs, Annual Report, 1889, p.30.
- 16 Ibid., 1890, pp. 72-73.
- 17 Ibid., 1891, p. 71.
- 18 National Archives, Record Group 75, 22106, Ronan to Commissioner of Indian Affairs, November 24, 1883.
- 19 Commissioner of Indian Affairs, Annual Report, 1885, pp. 126-127.
- 20 National Archives, M234, R511, 0816, Ronan to Commissioner of Indian Affairs, December 14, 1878.
- 21 Commissioner of Indian Affairs, Annual Report, 1889, p. 230.
- 22 National Archives, Record Group 48/75, 5635, Synopsis of Report of Inspector W.W. Junkin, September 13, 1889.
- 23 Commissioner of Indian Affairs, Annual Report, 1893, p.185.
- 24 Ibid, 1887, p. 138.
- 25 Ibid., 1888, p. 158.
- 26 Fahey, pp. 300-301.
- 27 National Archives, Record Group 48/75, 5223, Synopsis of Report of Inspector Gardner, August 7, 1890.

- 24-27. ²⁸ Commissioner of Indian Affairs, Annual Report, 1885, pp.
- ²⁹ National Archives, Record Group 48/75, 5223, Synopsis of Report of Inspector Gardner, August 7, 1890.
- ³⁰ Commissioner of Indian Affairs, Annual Report, 1893, p.546.
- ³¹ National Archives, Record Group 48/75, 1503-1504, Synopsis of Report of Inspector Cisney, February 28, 1890.
- ³² Commissioner of Indian Affairs, Annual Report, 1890, p.122.
- ³³ National Archives, Record Group 75, 26603, Ronan to Commissioner of Indian Affairs, June 27, 1893.
- ³⁴ Commissioner of Indian Affairs, Annual Report, 1891, p.275.
- ³⁵ National Archives, Record Group 75, 7092, Ronan to Commissioner of Indian Affairs, February 27, 1890; and Ronan to D'aste, February 27, 1890.
- ³⁶ Commissioner of Indian Affairs, Annual Reports, 1877-1893.
See appendix with table of agricultural statistics compiled from Commissioners' annual reports.
- ³⁷ Ibid., 1890, p. 122.
- ³⁸ Ibid., 1892, p. 807.
- ³⁹ National Archives, Record Group 48/75, 5223, Synopsis of Report of Inspector Gardner, August 7, 1890.

CHAPTER VII

LAW ENFORCEMENT AND THE FLATHEAD CONFEDERATION, 1877-1893

As frontier settlements developed near the borders of the Flathead Reservation, the equitable administration of justice developed into a persistent and perplexing problem. Unless a white victim happened to be involved in a particular incident, Missoula County officials generally resisted the vigorous prosecution of Indian criminals. Indian Agent Ronan found the Indian police force and the tribes' Court of Indian Offenses to be generally unreliable, and these particular institutions of the reformed Indian policy tended to erode and diminish the Indians' respect for their traditional tribal authorities. Consequently, the tribal hierarchies found that their demands and judgements no longer received the obedience and respect that had been afforded them in their more traditional cultural setting. In effect a vacuum of authority existed in both law enforcement and judicial administration, and this condition often resulted in personal retaliation, vigilante actions, and kangaroo courts.

During the late 1870's Agent Ronan had reported very little crime occurring on or around the Flathead Reservation. But by 1886 the peaceful conditions that had prevailed during the earlier

and less complicated era had all but disappeared. The arrival of the railroad and frontier development drastically altered the reservation's environment, and the increasing contact between Indians and whites often resulted in violent confrontations. Between 1885 and 1893, the reservation's Court of Indian Offenses prosecuted and convicted about 188 Indian offenders, and the local civilian courts convicted at least seventeen more. During the same time period, Indians reportedly murdered at least fourteen of their own people as well as nine white settlers. White settlers accounted for the killings of at least another six Indians. According to Agent Ronan and federal Indian inspectors, alcohol accounted for much of the disorder, but nonetheless, only eight whiskey traders faced prosecution for selling liquor to the Indians.¹

In 1877 Agent Ronan reported that with the assistance of the reservation's volunteer police force he had managed to suppress gambling and horse racing on the reservation. Chief Andre of the Pend d'Oreilles led a force comprised of twenty warriors from each of the three tribes. According to Ronan, the police functioned well during the Nez Perce uprising and successfully kept the confederation Indians confined to the reservation. This volunteer force served without pay or provisions, and Ronan requested the Indian Department to provide them at least with some official

recognition and supplies.²

In 1878 Ronan reported that little crime had occurred on the reservation, and in his estimation liquor consumption accounted for most of the crimes that did take place.³ That same year Ronan made an unsuccessful attempt to organize an official agency police force in accordance with Indian Department regulations that encouraged the creation of official and salaried police forces. But the Indians resented the organization of a formal police force and assumed correctly that it would induce alienation and factionalism among the tribes. Ronan agreed and retained the traditional voluntary force which he kept as tightly under his control as possible.⁴

Until 1881 the traditional police force functioned fairly well and managed to keep the peace, at least in so far as serious crime was concerned. In 1881 authorities found three Indians murdered off of the reservation, and the Commissioner's office ordered Agent Ronan to investigate the murders. Ronan's investigation resulted in the arrests of two white men, but after a short detainment, Missoula County officials released the two alleged murderers for lack of sufficient evidence.⁵

As the Northern Pacific Railroad tracks neared the reservation, serious criminal incidents began to increase noticeably.

Initially Ronan reported that he had the full cooperation of Missoula County officials and that together they had nearly stopped all whiskey selling on the reservation.⁶ The arrival of large construction crews and numerous camp followers, however, quickly deteriorated the situation. By 1883 Ronan openly admitted that crime was a serious and growing problem on the reservation.⁷

In July of 1883 United States Indian Inspector Benedict found a large number of both Indian and white intruders occupying the reservation, and he ordered their immediate removal.⁸

Before the evictions were completed, the Commissioner's office ordered Ronan to travel to the northern end of the reservation for the purpose of settling boundary disputes in that area. Meanwhile a party of about forty nonreservation Indians arrived at the agency and embarked upon a drinking and gambling spree. Before their foray ended, the Indians robbed a white man of \$210, and their hostilities prompted the military to force them off of the reservation.⁹ The alien band, comprised of renegade Cayuses, Nez Perce, and Kutenais, narrowly missed a violent conflict with the reservation Indians. But the volunteer police force judged itself insufficient in strength to meet the crisis and refused to act.¹⁰ Chief Michel urged Ronan to request military support

from Fort Missoula, and only the arrival of troops restored peace and order on the reservation. Ronan arrested one white man for selling whiskey on the reservation and one Indian for disorderly conduct.¹¹

In 1884 United States Indian Inspector C.T. Howard reported that with the arrival of the railroad, whiskey consumption had risen dramatically on the reservation. Howard identified the major sources as being French Town, around the new settlements that had developed on the Camus Prairie, and in the area near the head of Flathead Lake. Of seven murders that occurred in 1883 and 1884, Inspector Howard directly connected three of them with the Indians' consumption of whiskey. Ronan arrested one alleged Indian murderer and turned him over to the District Court in Missoula. But because Chief Arlee had fined the murderer two ponies in accordance with traditional tribal law, Missoula County officials refused to prosecute the Indian offender, arguing that he could not be tried twice for the same crime.¹²

Although Ronan believed that the Indian police induced a sense of progressiveness among the Indians, he complained that they were "inadequate at times, and loath to meet emergencies."¹³ When the Indian police hesitated Ronan had to make the arrests, and he noted that, regardless of the seriousness of the offense, the

reservation Indians generally sympathized with their tribesmen when they faced the force of the white man's law.¹⁴ Because of the Indians' aversion to Anglo-American law, Ronan requested the Commissioner's office to authorize the retention of tribal law on the reservation which at least tended to generate a sense of respect and obedience among his Indian charges.¹⁵

Whiskey trading in the vicinity of the northern end of Flathead Lake seriously hindered law enforcement both on and off the reservation. In 1887 S.W. Powell, the Indian Commissioner of British Columbia, complained to Ronan that the Ramsdale Brothers were selling large quantities of liquor to Indians on both sides of the border.¹⁶ In 1888 L. Van Kaughnet of the Canadian Indian Department repeated the complaint and accused drunken Flatheads of embarking on forays North of the border.¹⁷ Agent Ronan investigated the Ramsdale operation and found it located just North of the reservation and South of the Canadian border. Ronan publicly accused one William Ramsdale of whiskey trading with the Indians. Ramsdale replied that Ronan was an incompetent, and he attempted to have him driven from office through a petition campaign.¹⁸ Ramsdale achieved some success and presented a petition to the Commissioner's office that demanded Ronan's immediate removal from

office. Over 350 settlers located near the head of Flathead Lake had signed the petition. 19

The Indian Department assigned a Special Agent to investigate the Ramsdale operation. The investigation report concluded that the Ramsdale Brothers purchased goods and whiskey from the Missoula Mercantile Company and then sold them to Indians in the vicinity of the Tobacco Plains. According to the report, authorities had driven William Ramsdale out of the Canadian Pacific area where he was involved in an illicit gambling operation. Although the Ramsdales possessed no licenses for Indian trading, they had managed to acquire a large herd of Indian livestock through their trading operation. Further evidence implicated William Ramsdale in an Indian lynching, and he publicly boasted that he had mounted the petition campaign so as to force the uncooperative Agent Ronan from office. 20 Although Ramsdale's petition drive failed to remove Ronan from office, whiskey selling continued unabated at the northern end of Flathead Lake.

In 1882 Secretary of the Interior Henry Teller authorized the creation of the Courts of Indian Offenses. He desired to establish law and order on the reservations while encouraging a sense of progressiveness among the Indians. Agent Ronan had little faith in the Indian courts, and he feared that they performed too

often in an arbitrary manner. According to Ronan the court's punishments seldom suited the Indians' crimes, and he complained that "the transition from an autocratic to a republican form of government is too sudden." He recommended that Congress enact a simple legal code that would apply to all Indians, without exceptions, who resided on the reservations. ²¹

During the construction of the Northern Pacific Railroad, Agent Ronan found it necessary to disband the traditional volunteer police force. In its place Ronan organized a formal and salaried Indian police force, and in 1885 he established a local Court of Indian Offenses. Initially the three judges received no salaries, but nonetheless Ronan reported the efficient administration of reservation law "borne out with good judgement and dignity." ²² The Court of Indian Offenses replaced the traditional tribal institutions and heard misdemeanor charges in such cases as polygamy, liquor consumption, dancing, gambling, and prostitution.

The Chiefs and more conservative tribesmen objected to and resented the creation of the Court of Indian Offenses. Both the court and the official police force eroded the chiefs' traditional authority, and Chief Arlee openly advised the Indians to resist their decisions. In his own home, he harbored fugitives from the

Indian police, and such actions prompted Ronan to request a strong statement from the Commissioner's office explaining to Chief Arlee that he was not above the prosecution of the law.²³

Ronan claimed that the court eventually had put a curb on the "actions of the Chiefs, who at first opposed the rulings of the Court of Indian Offenses and the actions of the Indian police." In 1888 when Congress provided funding for the salaries of Indian judges, Ronan applauded the measure, believing that such a policy would bring the chiefs even further under the court's influence.²⁴ Between 1885 and 1893 the Court of Indian Offenses passed through its heyday on the Flathead Reservation, and the court averaged about nineteen convictions per year during that time period.²⁵ At the end of Ronan's administration in 1893, the agency employed four Indian judges salaried at ten dollars per month each, an Indian police captain salaried at fifteen dollars per month, and fourteen Indian police privates salaried at ten dollars each per month.²⁶

Regardless of Ronan's opinion concerning the favorable influences of the Indian police and courts, serious crimes steadily increased on the reservation. In 1888 United States Indian Inspector E.D. Bannister reported that "murder and theft are committed with almost brazen effrontry. . . and the agent is powerless. . . to preserve order or have the law enforced." The growing rate

of murder involved both Indians and whites. The citizens of Demersville lynched two Kutenais in retaliation for the murder of three white prospectors, and Inspector Bannister recommended stationing a military force at the head of Flathead Lake for the preservation of law and order there. He also suggested the employment of a United States Deputy Marshal in the Horse Plains area so that liquor trafficking in that area could be brought under control. ²⁷

Inspector Bannister viewed the main problem as being "the decisions of the courts" which encouraged the "Indians' lawlessness." In 1889 United States Indian Inspector W.W. Junkin drew the same conclusion and complained that in Missoula County it was nearly impossible to secure a conviction for whiskey trading with the Indians. Inspector Junkin also noted that although the county failed to prosecute whites for crimes committed against Indians, it vigorously prosecuted crimes committed by Indians against white settlers. ²⁸

The failure of the courts to administer justice fairly prompted the Indians to turn to their own traditional practice of justice through personal retaliation. In 1889 Ronan arrested Laura Finley, a half breed Kutenais, for a murder committed on

the reservation. Finley informed him of the murder of two white men, an act previously undiscovered by local authorities. Evidently the Indians had committed the murders in retaliation for the lynching of two Indians in the railroad settlement of Arlee in 1887. Ronan passed this information on to the Missoula County Sheriff's office, and when a posse arrived at the reservation to arrest the alleged murderers, they mistakenly arrested and accidentally killed an innocent Indian. The immediate outrage of the reservation Indians forced Ronan to call in military troops to restore law and order, and meanwhile the actual Indian murderers escaped. 29.

As if in a vicious cycle, the Indians' hostilities seemed to arouse vigilante activity among the settlers. In July of 1889 an Indian search party discovered the remains of a Pend d'Oreilles hunting party off of the reservation. Unknown persons had murdered, burned, and buried the party in a small mound. The Indian search party found the remains of a recent white encampment nearby, and they naturally assumed the murderers to be white men. An investigation by local authorities failed to produce any charges, and the crime remained unsolved. In Deer Lodge that same year a white man killed a young boy from Charlot's band who had apparently been drinking whiskey and carousing about the town. Local authorities

arrested the killer for selling the Indian whiskey, but later they released him on a plea of self-defense. ³⁰

Incidents such as these greatly diminished the Indians' respect for both civilian courts and the reservation's Court of Indian Offenses. Critics easily pointed out that while the Indians suffered the full force of the law, white crimes against Indians seldom faced serious prosecution. Conservative Indians argued correctly that the court broke down traditional tribal relations and failed to adequately enforce law and order. In 1889 the personnel of the Indian police and court had become so corrupted that Ronan found it necessary to discharge one judge and one police officer for shielding Indian criminals from the Missoula County Sheriff's office.³¹ United States Indian Inspector Gardner deemed the reservation police force as too inefficient to be of any practical use, and the Missoula County Sheriff finally induced cooperation by taking Chief Michel as a hostage for the surrender of two Indian murderers hiding on the reservation. This situation not only made a mockery of justice but also tended to heighten racial tensions around the reservation. ³²

In August of 1889 and apparently without provocation, a white settler shot and killed Chief Eneas' son who had been drinking whiskey in Demersville. Although the citizens of Demersville feared

the Chief's wrath, they withheld information concerning the crime and only belatedly insisted that another Indian had committed the crime. Louie, a son-in-law of Chief Eneas, had witnessed the shooting and insisted that a white man was responsible for the crime. Despite Louie's charges no prosecution resulted. That same summer a Missoula County Sheriff's posse swept the reservation, arresting six Indians wanted for various crimes committed against whites. Agent Ronan could only hope "that the same energy [would] be used by officers of the law to bring forward for trial white men guilty of crimes against Indians." ³³

In Agent Ronan's estimation the perpetual condition of violence and the inequitable administration of justice had nearly crippled the effectiveness of the Indians' court and police force. As long as critics could point toward the unfair administration of justice, the integrity and credibility of the Indian police and courts could only be discredited.³⁴ In 1891 Ronan declared candidly that "our Court of Indian Offenses and our police force are neither efficient nor worthy of any particular praise in the discharge of their duties." ³⁵ In 1892 he reorganized the court and police force, hoping to rid them of their conservative influences.³⁶ This project largely failed, and at the end of his administration in 1893, Agent Ronan was still complaining about the

conservatism and inefficiency of the reservation's Indian judges and police officers. 37

During the late nineteenth century, the reformers of American Indian policy theorized that the creation of Indian police forces and courts would encourage progressiveness and familiarize the Indians with the institutions of Anglo-American law. They believed that once the Indians understood the benefits of these institutions they would enthusiastically adopt them as their own. On the Flat-head Reservation the creation of the Indian police and courts only tended to strengthen the Indians' conservatism, and their experience with both the local and kangaroo courts only served to confirm their suspicions of a double standard in the administration of justice. However well intended the reformers' plans for Indian legal institutions may have been, the net effect of their policy was to create a vacuum in legal authority, and one in which crime flourished despite all the efforts of federal, local, and tribal authorities.

CHAPTER VII FOOTNOTES

¹ Commissioner of Indian Affairs, Annual Reports, 1885-1893, See the table in the appendix compiled from the Commissioner's annual reports. These statistics should be interpreted carefully as they are based to some degree on estimations and no doubt reflect a certain degree of inflation or deflation.

² Ibid., 1877, p. 136.

³ Ibid., 1878, p. 88.

⁴ National Archives, M234, R511, 0714-0716, Ronan to Commissioner of Indian Affairs, August 2, 1878.

⁵ Ibid., Record Group 75, 2130, Ronan to Commissioner of Indian Affairs, January 22, 1881.

⁶ Ibid., SC55, 14119, Ronan to Commissioner of Indian Affairs, August 1, 1881.

⁷ Commissioner of Indian Affairs, Annual Report, 1883, pp. 100-101.

⁸ National Archives, Record Group 75, 3051, Benedict to Ronan, July 7, 1883.

⁹ Commissioner of Indian Affairs, Annual Report, 1883, pp. 100-101.

¹⁰ National Archives, Record Group 75, 19115, Ronan to Commissioner of Indian Affairs, October 9, 1883.

¹¹ Ibid., 16640, Jordan to Adjutant General, August 14, 1883.

¹² Ibid., 1465, C.T. Howard to Secretary of the Interior, January 19, 1884.

¹⁴ Ibid.

¹⁵ Ibid., 16035, Ronan to Commissioner of Indian Affairs, June 12, 1889.

¹⁶ Ibid., Group 48, Records, of the Secretary of the Interior, Appointments Division, Charges File, Ronan's Charges File, S.W.Powell to the Secretary of the Interior, January 14, 1887.

¹⁷ Ibid., Record Group 75, 29521, L. Van Kaughnet to Commissioner of Indian Affairs, November 27, 1888.

¹⁸ Ibid., Record Group 48, Records of the Secretary of the Interior, Appointments Division, Charges File, Ronan's Charges File, article taken from the Helena Journal, April 27, 1889.

¹⁹ Ibid., Petition of Settlers from Flathead Lake to President Benjamin Harrison, March 10, 1890.

²⁰ Ibid., Special Agent H.W. Warchaut to Ronan, June 18, 1889.

²¹ Commissioner of Indian Affairs, Annual Report, 1884, p. 113.

²² Ibid., 1885, p. 128.

²³ National Archives, Record Group 75, 1291, Ronan to Commissioner of Indian Affairs, January 1, 1887.

²⁴ Commissioner of Indian Affairs, Annual Report, 1888, p. 158.

²⁵ Ibid., 1885-1893, See law enforcement statistics in appendix.

²⁶ Ibid., 1893, p. 546.

²⁷ National Archives, Record Group 48/75, 5261-5162, Synopsis of Report of Inspector E.D. Bannister, October 20, 1888.

²⁸ Ibid., 5635, Synopsis of Report of Inspector W.W. Junkin, September 13, 1889.

²⁹ Commissioner of Indian Affairs, Annual Report, 1889, p. 230-231.

³⁰ Ibid.

³¹ Ibid.

³² National Archives, Record Group 48/75, 5223, Synopsis of Report of Inspector Gardner, August 1, 1890.

³³ Commissioner of Indian Affairs, Annual Report, 1890, pp. 124-126.

³⁴ Ibid., 1890, p. 128.

³⁵ Ibid., 1891, p. 229.

³⁶ Ibid., 1892, p. 294.

³⁷ Ibid., 1893, p. 285.

CHAPTER VIII.

EDUCATION AND THE FLATHEAD CONFEDERATION 1877-1893

During Agent Peter Ronan's tenure, the St. Ignatius Mission school provided the Flathead Confederation with an unusually high caliber of Indian education. Although an exemplary institution of its kind, the school lacked adequate funding and facilities to serve the entire confederation. Because they believed the school to be an instrument of tribal destruction, many conservative Indians opposed its influence on the reservation. Despite these problems the school managed to grow, and it provided an ever increasing number of Indians with an education. The school's eventual demise came about, not due to tribal resistance or budgetary problems, but rather, because of a shift in federal Indian policy that signaled the final subordination of missionary activities in the formulation of American Indian policy.

In the reformers' vision of the Indians' assimilation and citizenship, no part of their doctrine played a greater role than that of education. Congress began funding Indian education as early as 1819, and by 1880 the work of Captain Richard Pratt at the Carlisle and Hampton Institutes had proven the general

validity of the reformers' educational plans! In 1878 Commissioner of Indian Affairs E.A. Hayt claimed that the policy of Indian education had proven "beyond all doubt that the eventual civilization of all Indians may be reached through education, and further, that it can be brought about more speedily by that method than by any other." ² The Commissioner regarded the Indians' self support as the "cardinal point" of the reformation of American Indian policy and that end, he argued, could "only be accomplished through an education of the head and heart." ³

The reformers' dream of the Indians' self-sufficiency rested squarely upon education, both academic and practical. The Indian policy reformers stressed reading, writing, and arithmetic, as well as training in the manual and industrial arts. In 1882 Commissioner of Indian Affairs Hiram Price confidently declared the reformers' faith in education. The Commissioner wrote that "the government has before it the alternative of supporting them as idlers and drones, or of adopting some measure looking to their education in manual arts and other industrial pursuits, and their ultimate self support and civilization." ⁴

In 1885 Commissioner of Indian Affairs J.D.C. Atkins directed that teachers utilize only the English language in

Indian education, and he argued that "industry and education are the two powerful cooperating forces which, together, will elevate the Indian and plant him upon a basis of material independence." ⁵

At the Lake Mohonk conference in 1886, the conferees concurred and adopted a platform promoting education of a "general, industrial, moral, and religious" nature. ⁶

Relative to most Indian tribes in the West, education made an early start among the Flathead Confederation. Jesuit missionaries had introduced the Indians to Catholicism during the 1840's, and the "black robes" had attempted to establish an Indian boys' school among the tribes. They eventually abandoned the effort as premature, but meanwhile the Montreal order of the Sisters of Charity of Providence successfully established an Indian school at the St. Ignatius Mission in 1864. In 1865 the sisters reorganized the Mission's school according to the boarding school model. ⁷ Congress provided funding for the Mission's school at the rate of \$1,800 annually, allowing \$1,200 for a teacher's salary and \$600 for the salary of an assistant teacher. ⁸

The Catholic missionaries and Agent Ronan favored the boarding school model. They felt that it was superior to the reservation day schools which failed to protect the Indian pupils from the degenerative influences of tribal life. On the

Flathead Reservation the Chiefs objected to the missionaries' boarding school because it separated the pupils from their parents. The St. Ignatius Mission school also violated the Hell Gate Treaty of 1855 which at least implied the future establishment of a government funded and nonsectarian school on the reservation. In 1878 Agent Ronan reported, "the chiefs and headmen are very anxious to educate their boys and their girls, and I am constantly referred to the fifth article of the treaty and asked why it is not complied with?" ⁹

Partially in response to the Indians' dissatisfaction, in 1878 Congress contracted with the Bureau of Catholic Indian Missions for the operation of a manual arts boarding school at the St. Ignatius Mission. Congress provided the school with \$100 per student annually for as many as forty students. The funds proved too meager, and the forty students only reflected about 7.5% of the tribes' school aged children. Agent Ronan proclaimed faithfully that "the influence of religion and education is the true source of the regeneration of these tribes," and he requested further aid from Congress and the Indian Department to promote their edification. ¹⁰

Catholic missionaries staffed the manual arts school, and due to geographical proximity and the tribe's larger population,

the Pend d'Oreilles attended it in the greatest numbers. The Flatheads and Kutenais followed respectively. The missionaries taught the boys skills in carpentry, smithing, gardening, farming, and printing. With the assistance of their Indian students, the missionaries even compiled a dictionary of the Flathead language. Missionaries instructed the girls in such general domestic chores as laundrying, sewing, mending, cooking, and baking. In addition to these skills the Indian children learned basic English grammar and the teachings of Christianity.¹¹

The manual arts school remained in session twelve months per year, excepting a short vacation in August that allowed the children to participate in the annual harvests. The school averaged twenty-two days of class sessions per month that were divided into periods of academic instruction and periods of instruction in the industrial arts. Of the text books that the missionaries utilized, fully one half dealt with Catholic religious instructions.¹²

Although the boarding school operated smoothly, Agent Ronan complained that its limited facilities impeded Indian education on the reservation. In 1881 he informed the Commissioner's office that a general desire existed "among the Indians to have their

children educated, and a large number of applicants to the school can not be admitted, as the contract with the government provides only for a limited number." ¹³ In 1882 Congress provided some relief by authorizing the education of sixty pupils at the rate of \$60 per student annually, and yet this figure reflected only about 7% of the confederation's growing number of school aged children. ¹⁴

In 1883 Catholic missionaries responded to overcrowding at the St. Ignatius boarding school by expanding the old facility and by constructing two modern buildings. At the Church's expense, the missionaries constructed a new L shaped building for the boys' dormitory that measured sixty-six feet by twenty-two feet. They also built a large three story multi-purpose building, measuring 110 feet by twenty-two feet. In addition to these new buildings, they added another story to the school's original structure. In 1890 when the expansion project neared completion, United States Indian Inspector Cisney estimated its value at over \$50,000. ¹⁵

The missionaries' efforts and Agent Ronan's favorable reports aside, in 1883 United States Indian Inspector S.S. Benedict found the boys' school disorganized and poorly kept. He charged that the confederation's headmen refused to send their children to school there. According to Inspector Benedict they wanted

the government to establish an industrial school on the reservation as stipulated in the Hell Gate Treaty of 1855. Perhaps in anticipation of the future trend in Indian education, Inspector Benedict recommended that Congress deprive the Catholic boarding school of its government funding and establish a nonsectarian school in its place.¹⁶

Powerful political friends of the St. Ignatius boarding school, like Montana's Territorial Governor J. Schuyler Crosby and Territorial Delegate Martin Maginnis, immediately came to the Mission school's defense. They wrote the Commissioner's office and stressed the cleanliness, competence, and accomplishments of the boarding school. They also recommended increased appropriations for its support.¹⁷ Agent Ronan explained that Chief Arlee had prejudiced Inspector Benedict's report, and he claimed that Chief Arlee was the only headman strongly opposed to the Mission school's activities on the reservation.¹⁸

The St. Ignatius boarding school also found a powerful and influential ally in Senator George G. Vest of Missouri. Because of Commissioner Price's failure to support the Mission school, Senator Vest accused him of religious bigotry. In 1883 Vest used his influence in Congress to obtain a new contract for the school which allowed for the education of one hundred Indian

pupils at the rate of \$100 per pupil annually. In 1885 when Congress omitted the St. Ignatius Mission school from the Indian appropriations act, Vest secured a special appropriation for the school's support. In the years that followed, the school normally obtained its funding through such special appropriations acts.¹⁹

In 1883 Senator Vest led a Congressional Subcommittee's investigation of the Flathead Agency. He performed on-site inspections at both the Agency headquarters and the Mission school. At St. Ignatius Vest found a dedicated staff of five Jesuit priests and five sisters of Providence. The missionaries operated the boarding school, a saw mill, a grist mill, and a three hundred acre farm with large livestock herds. Vest's report concluded that the government could not "sufficiently commend this admirable school."²⁰

In 1885 Congress authorized the St. Ignatius boarding school to contract for the education of three hundred Indian pupils at the rate of \$150 per pupil annually. This figure included the annual education of fifty Blackfeet and Piegan students at the Mission's school. That same year the school opened new industrial facilities, and the Indian Department recognized it as an official industrial boarding school.²¹ Federal Indian School Superin-

tendent John H. Oberly supported expansion and increased funding for the St. Ignatius school. He referred to it as "a model school of its kind" where the missionaries provided Indian education with "much success" and "extraordinary skill." 22

By 1886 the St. Ignatius Mission industrial boarding school had earned a national reputation as an institution that provided its Indian pupils with an environment suitable for molding them into civilized American citizens. Academically the school emphasized English grammar, reading, writing, arithmetic, geography, and music. Sisters trained the girls in general domestic chores and dairying operations. The boys learned farming, carpentry, milling, shingling, planting, teaming, saddlery, harness making, shoemaking, tailoring, and printing. Agent Ronan claimed that the St. Ignatius school offered "the best and only means that can be employed with any hope of success to educate the young Indian generation." 23

Like the eastern reformers, Agent Ronan and the school's officials placed an enormous faith in Social Darwinism and environmental determinism. The Jesuit School Superintendent, the Reverend L.B. Palladino, stressed the plasticity of the human mind. He declared that "man at birth is but a blank. . . not a whit better than the rude savages of the Rocky Mountains." Father Palladino concluded that, "it is. . . evident that the

Indian, as the rest of mankind, if he is to be civilized, must needs to be educated."²⁴ Ronan echoed the same sentiments, believing that if an Indian youngster lived in the proper environment, it would shape him experientially into a civilized American citizen. According to Ronan if the Indian "be not educated. . . when plastic and capable of being formed. . . most likely he will remain. . . what he ceased to be when he was young, and thus the savage condition of the race need be perpetuated." ²⁵

United States Indian Inspector Pearsons agreed that the environment at the St. Ignatius school provided the proper means for civilizing Indian children, and in 1886 he praised the school, calling it "one of the first class Indian schools in the land." ²⁶ Speaking for the Indians, Chief Arlee presented a very different point of view. In 1887 he strongly criticized Agent Ronan, accusing him of incompetency and theft. He also lambasted the Mission school and asked the Commissioner of Indian Affairs for its closure. In no uncertain terms, Chief Arlee informed the Commissioner that "we have a Catholis skool here 23 years and none of my children can reade or write yet. We want a skool here [sic]. We don't want any Priests. They are no good." Chief Arlee hoped that the government would cut off funding for the Mission school and establish a nonsectarian school on the

reservation. ²⁷

Indian attitudes similar to those of Chief Arlee accounted for a good deal of truancy at the St. Ignatius school. Although the school had facilities for at least three hundred pupils, in September of 1889 United States Indian Inspector W.W. Junkin found only 168 pupils actually attending classes. He reported that many parents declined to give their children permission to attend the Mission school, especially if they were males old enough to tend to the herds and crops. Inspector Junkin recommended compulsory education as the best means of solving the truancy problem. ²⁸

In 1890 the Mission School Superintendent Reverend J. D'aste complained especially of the Kutenais, whom he believed would embrace education and the elements of Christian civilization only when forced to do so. Father D'aste reported poor success with the boys in school as they preferred the more exciting life of young braves. But according to Father D'aste, the girls liked the school and attended as often as possible because it spared them from their "slave" like existence among the tribes. ²⁹

Agent Ronan agreed with Father D'aste, and in 1890 he stated his opinion on the attendance problem most bluntly. "Indian education

should be compulsory," he declared. ³⁰

United States Indian Inspector Cisney found the St. Ignatius school to be "one of the best organized and best managed" that he had ever visited. The flag flying over the main building duly impressed the Inspector as did the school's curriculum and facilities. He referred to it as "a practical school, not a school on paper only" and praised it as a "credit to the Department and the Government." ³¹ But the truancy problem forced Inspector Cisney to recognize the school's failure to retain its students. When he visited the facility in 1891, he noted that the school could accommodate 375 Indian pupils, but it had an average attendance of only 290 pupils. Inspector Cisney did not fault Agent Ronan or the school's staff. He reported that the agent "and all connected with the school encourage attendance at the school, and all the children are in school that can be made to come otherwise than by force." ³²

In 1891 Ursuline sisters enhanced the facility with the establishment of a kindergarten at the St. Ignatius Mission school. School officials hoped to win the parents' confidence and to reach more Indian children before they had completely mastered their native tongues. Agent Ronan reported that the Indian parents approved of the kindergarten because the childrens'

mortality rate was much lower there than among the tribes.³³

Agent Ronan strongly supported a service program that provided ways and means for establishing the school's newly wedded graduates in farming enterprises separated from all dependence on the Indians' tribal relations. Ronan believed that such a program would prevent the Indians from having to rely on the tribes for their support and subsistence which, in his view, greatly diminished the value of their educations. In 1892 Ronan proudly reported that three Indian couples had benefited from such assistance after their graduations and marriages. The agency provided the Indians with the agricultural implements necessary for farming, and the missionaries built them houses and provided the necessary household goods.³⁴

When Agent Ronan wrote his last annual report in 1893, he must have viewed the Mission school as a secure and lasting success. Missionaries had built a sub-school near the agency to serve the Indians of Charlot's band who had rejected all notions of being separated from their children. The construction of the sub-school cost some \$4,500, and Ronan estimated the value of the entire St. Ignatius school facility to be around \$180,000. During Ronan's last year in office, the school's average

attendance reached an all time high of 301 pupils. The school observed all the proper national holidays, and its sixteen piece brass band accompanied the ceremonies with the appropriate tunes.³⁵ With increased funding, expanded facilities, and growing enrollments, Ronan likely thought that all was well. Nonetheless, the final phase of the reformation of American Indian policy focused upon Indian education and numbered the days of the St. Ignatius school's continuing success.

When T.J. Morgan became the Commissioner of Indian Affairs in 1889, he noted that Congress had increased appropriations for Indian education dramatically from \$20,000 in 1876 to \$2,845,610 for the fiscal year 1890.³⁶ Commissioner Morgan, a professional educator and an enthusiastic Protestant, reported with some irritation that the majority of these funds had gone to Catholic missionaries working in Indian education. Between 1886 and 1893 Congress had appropriated to the Roman Catholic Church \$2,366,416 of a total budget of \$3,767,951.³⁷

In 1889 Commissioner Morgan began an attempt to standardize Indian education along the lines of the nation's public school system. Morgan wanted to prepare the Indians for citizenship through the use of "nonpartisan, nonsectarian schools." He held that "just as the work of the public schools is supplemented. . .

by Christian agencies, so will the work of Indian education by the government be supplemented by the same agencies." Morgan did not intend to completely eliminate missionary activity, but he did seek to subordinate it to the government's role in Indian education. 38

Morgan's system for Indian education ran parallel to the public school system with tax monies supporting nonsectarian primary, grammar, and high schools. In the primary boarding schools, government teachers would introduce to the Indians the rudiments of proper home life, English, language, manners, morals, and music. Morgan designed Indian grammar schools to induce the discipline and diligence necessary for self support. These schools emphasized training in practical household tasks, agricultural arts, industrial arts, morality, and patriotism. Morgan viewed it "of prime importance that a fervent patriotism should be instilled in their minds," and he made it plain that when in school the Indian pupils "should hear little or nothing of the 'wrongs of the Indians' and the injustices of the white race." 40

Commissioner Morgan based the Indian high schools on the old boarding school model, and he believed that they would instill strong moral characteristics, patriotism, liberalism, and the in-

dustrial and academic skills necessary for university educations. The course of study extended over a five year period and covered the manual arts, the fine arts, and the sciences. Morgan wanted to locate the high schools as far from the tribes as possible where "the students would be thus free from the downpull of the camp, and able to mingle with the civilized people around them, and to participate in their civilization," ⁴¹ He also strictly outlined the professional and moral qualifications necessary for one's employment in Indian education as either a teacher or a supervisor. ⁴²

In 1890 Commissioner Morgan specified a complex set of regulations relevant to the operation of Indian schools. He outlined curriculum designs and the schools' goals on a yearly basis, and he precisely determined which text books the schools were to use in any given grade. Morgan also directed all Indian schools to recognize certain national holidays, including Indian Franchise Day. ⁴³

Commissioner Morgan stressed patriotism and hoped to break the Indians' identity with their own culture and to attach it to American culture. He directed the high schools to induce a strong sense of American history and government and recommended flag waving, the singing of patriotic national songs, and the re-

citation of patriotic national odes. Commissioner Morgan desired to awaken in the Indian pupils a "reverence for the nation's power, gratitude for its beneficence, pride in its history, and a laudable ambition to contribute to its prosperity." ⁴⁴

While the majority of the reform movement supported his efforts, Morgan's plans for nonsectarian Indian education met stiff resistance from the Bureau of Catholic Indian Missions. The Reverend L.B. Palladino took to the offensive, calling Morgan's plans for nonsectarian Indian education "an impending calamity." Palladino charged that "this policy was inaugurated. . . to do away with the Catholic Indian schools," and many Catholics felt that the primary motive behind nonsectarian Indian education was Protestant greed and religious bigotry. ⁴⁵

Commissioner Morgan, however, viewed the reservations as temporary and transitory institutions. He believed that eventually the schools would replace the agencies as the institutions central to the Indians' lives. He embarked on a policy of replacing Indian agents with school superintendents, believing that the schools should become the main source of guidance in the Indians' civilization. In 1893 the Mohonk Conference supported Morgan's plans for nonsectarian Indian education, and the idea of compulsory education became increasingly popular. ⁴⁶ Morgan's view that "the

Indians are destined to become absorbed into the national life, not as Indians, but as Americans" proved far too popular to succumb to any Catholic resistance.⁴⁷ This view complemented Protestant dogma as well as constitutional principles separating the church and the state.

The St. Ignatius Mission school managed to keep its contract throughout Commissioner Morgan's administration. Between 1886 and 1899, the school enjoyed its greatest success, averaging over \$31,500 annually in federal support. But by the turn of the century, the nonsectarian proponents had won the struggle. In 1899 the St. Ignatius Mission school managed a contract with the government for only 160 pupils. In 1900 Congress reduced that figure to only eighty pupils, and shortly thereafter the school was defunct, deprived of both its students and its funding. Commissioner Morgan's plans for an Indian school system never fully developed, and after 1900 the trend was for Indian students to enroll in the local public school systems.⁴⁸

CHAPTER VIII FOOTNOTES

- ¹ Prucha, pp. 265-268, 273-275.
- ² Commissioner of Indian Affairs, Annual Report, 1878, p.25.
- ³ Ibid., p. 26.
- ⁴ Ibid., 1882, p. 46.
- ⁵ Ibid., 1885, p. 5.
- ⁶ Annual Report of the Board of Indian Commissioners, 1886,
"Mohonk Conference Proceedings," p. 4.
- ⁷ Fahey, p. 176.
- ⁸ National Archives, Record Group 75, 27407, J.D'aste to
Commissioner of Indian Affairs, September 10, 1890. Also see
Commissioner of Indian Affairs, Annual Reports, 1877-1893, see
appendix with educational statistics compiled from the Commissioners'
annual reports. These statistics should be interpreted carefully
as they are based to a certain degree on estimations and reflect a
certain degree of inflation or deflation.
- ⁹ Commissioner of Indian Affairs, Annual Report, 1878, p. 89.
- ¹⁰ Ibid., 1879, p. 176.
- ¹¹ National Archives, M234, R517, 0725-0728, Ronan to
Commissioner of Indian Affairs, September 1, 1880.
- ¹² Ibid., 0743-0750, Ronan to Commissioner of Indian Affairs,
October 1, 1880, Text books included: The Young Catholics' Reader,
Milmer's Catechism, Gilmore's Sacred History, Sadlier's
Geography, Davis' Arithmetic, and Smith's Grammar.

- ¹³ Commissioner of Indian Affairs, Annual Report, 1881, p.115.
- ¹⁴ National Archives, Record Group 75, 27407, J. D'aste to Commissioner of Indian Affairs, September 10, 1890.
- ¹⁵ Ibid., Record Group 48/75, 1501-1502, Synopsis of Report of Inspector Cisney, February 28, 1890.
- ¹⁶ Ibid., 13058, synopsis of Report of Inspector S.S. Benedict, July 10, 1883.
- ¹⁷ Ibid., Record Group 75, 18080, Crosby and Maginnis to Commissioner of Indian Affairs, October 1, 1883.
- ¹⁸ Ibid., 22106, Ronan to Commissioner of Indian Affairs, November 24, 1883.
- ¹⁹ Fahey, pp. 272-273.
- ²⁰ Commissioner of Indian Affairs, Annual Report, 1884, p.112.
- ²¹ National Archives, Record Group 75, 27407, J. D'aste to Commissioner of Indian Affairs, September 10, 1890.
- ²² Commissioner of Indian Affairs, Annual Report, 1885, p.108.
- ²³ Ibid., 1886, p. 128.
- ²⁴ L.B. Palladino, S.J., Indian and White in the Northwest, A History of Catholicity in Montana, 1831-1891, 2d ed. (Lancaster: Publishing Company, 1922), p. 105.
- ²⁵ Commissioner of Indian Affairs, Annual Report, 1886, p.128.
- ²⁶ National Archives, Record Group 48/75, 6543-6544, Synopsis of Report of Inspector Pearsons, November 19, 1886.
- ²⁷ Ibid., Record Group 75, 5858, Chief Arlee to Commissioner of Indian Affairs, February 17, 1887.

28 Ibid., Record Group 48/75, 5700-5701, Synopsis of Report of Inspector W.W. Junkin, September 14, 1889.

29 Ibid., Record Group 75, 27407, J. D'aste, to Commissioner of Indian Affairs, September 10, 1890.

30 Commissioner of Indian Affairs, Annual Report, 1890, p.126.

31 National Archives, Record Group 48/75, 1501-1502, Synopsis of Report of Inspector Cisney, February 28, 1890.

32 Ibid., 5803-5804, July 23, 1891.

33 Commissioner of Indian Affairs, Annual Report, 1890,
pp. 126-127.

34 Ibid., 1892, p. 294.

35 Ibid., 1893, p. 186.

36 Ibid., 1889, p. 112.

37 Ibid., 1892, p. 56.

38 Ibid., 1889, p. 95.

39 Ibid., p. 103.

40 Ibid., p. 101.

41 Ibid., pp. 99-100.

42 Ibid., pp. 105-106.

43 Ibid., 1890, "Appendix of Rules for Indian Schools," pp.
147-171.

44 Ibid., p. 167.

⁴⁵ Palladino, p. 269.

⁴⁶ Annual Report of the Board of Indian Commissioners, 1893,
"Mohonk Conference Proceedings, pp. 99-100.

⁴⁷ Ibid., 1890, p. 167.

⁴⁸ Fahey, pp. 272-274.

CHAPTER IX

EPILOGUE: THE GENERAL HEALTH AND WELFARE

During the closing decades of the nineteenth century, the formulation of American Indian policy underwent a significant change. The reformed policy shifted away from the earlier concept of the Indian ward and moved toward the concept of the fully assimilated Indian citizen. This change in policy resulted from two primary motives. First the nation desired to settle and to develop the western frontier. Secondly, many educated and responsible Americans believed that the frontier's advance was driving the Indians toward extinction,

The reformers erroneously assumed that the general Indian population had fallen dramatically and that it would continue to drop off even more in the future. Consequently, the nation considered the assimilative process and Indian citizenship to be both prudent and humane policies for the remaining tribesmen. Because of the threat of Indian extinction, the Indian Department became increasingly sensitive to problems concerning the Indians' health. During the 1860's the government began assigning physicians to particular Indian agencies, and by the late 1870's over sixty-five physicians served in the Indian Department's medical corp.

Specific medical problems afflicted different Indian agencies, depending upon the climate, the prosperity, and the

peculiar physiological constitutions of the particular Indians involved. According to the Indian Department, scrofula and consumption were the most formidable diseases afflicting the Indians. Venereal diseases also prevailed throughout the reservations. In the northwest rheumatic and pulmonary diseases were the most common, and in the southwest diseases of a malarious character were the widest spread. ¹

Although the Indian Department's health service commonly suffered from inadequate funding and provided only erratic health care, on the Flathead Reservation the Indians received relatively stable medical service. During Agent Ronan's administration only three physicians served the confederation. Dr. L.H. Choquette served as the agency physician from 1877 until 1882, when he resigned due to his inadequate salary. The Commissioner's office appointed Dr. Louis Terry in 1882, but he also resigned after only one year in office. In 1884 Commissioner Price appointed Dr. John Dade as the agency physician, and he provided for the tribes' health care until his retirement in 1898. ²

Agent Ronan reported that in seeking treatments for their illnesses the Indians rarely relied upon the practices of the traditional medicine men. Between 1882 and 1893, the agency

physician treated nearly 4,200 Indian patients and successfully vaccinated four hundred more. Dr. Dade reported that the prevailing diseases were various fevers, diphtheria, consumption, scrofula, rheumatism, and eye and venereal diseases. Of the total number of cases treated an estimated 4.75% resulted in death, and of those deaths approximately 21% involved children aged five years or younger. Despite the agency physicians' records, Agent Ronan census reports clearly demonstrate that medical service reached only a fraction of the total confederation and that a large number of ill Indians received no medical attention whatsoever.³

Several problems impeded the efficient administration of medicine on the Flathead Reservation. The lack of a centrally located agency deprived the outlying bands of proper medical attention. The agency also suffered from a shortage of medical supplies, and in 1885 Indian Inspector Thomas suggested that if the Indian Department would only provide the agency physician with a buggy, a wagon, and a medicine chest health conditions on the reservations might be greatly improved.⁴ That same year Agent Ronan reported a malignant disease widespread among the Kutenais living at the northern end of the reservation. Although Dr. Dade treated a record number of 519 cases that year, a large number of Indians remained unattended to because of the great distance between them

and the agency.⁵

The problems affecting the administration of Indian health services reflected larger problems central to the reformers' entire program for Indian assimilation. Simply stated, the program provided too little too late. In 1888 the Indian Department employed only eighty-one physicians to serve over 200,000 Indians. In other words, the government provided one doctor for about every 2,469 Indians. Meanwhile Congress seemed committed to austerity and refused to fund Indian hospitals or Indian education programs in the medical fields.⁶ Commissioner Morgan referred to this condition as a "national disgrace," and in 1892 he concluded sadly that "there is nothing for them but neglect, pain, and exposure until death ends their sufferings."⁷

Near the end of his career, Agent Ronan reported widespread illnesses on the reservation accompanied by higher than average mortality rates. The only noticeable improvements in the Indians' health seemed to have occurred among those bands living close to the agency or to the St. Ignatius Mission. The agency lacked both the facilities and the personnel to service any larger an area.⁸

While the reformers' theory of assimilation might have been humane, it was even more ambitious. They believed that time was of essence, and consequently every policy that they embarked upon was marked by haste. An economically concerned Congress

complicated the problem even further and left many programs impoverished at their roots, with neither the funding nor the facilities to become truly effective.

For the period between 1877 and 1893, the Flathead Agency's records suggest that the general welfare of the tribes had improved to a certain degree. Agricultural productivity and literacy improved markedly, and housing construction increased at a similar rate. The threat of war or large-scale hostilities had diminished, and the Indians were left to deal with the more mundane but equally important tasks of their day to day existences.

In other areas however, the confederation did not fare so well. In their negotiations with the federal government, the confederation's headmen failed to achieve even one favorable agreement with the United States. They lost their ancestral lands, right to control their own destinies, and ultimately even their reservation. At the present time the Flathead Confederation retains only about 14% of the arable land within the confines of the original reservation, and due to the allotment process, much of that land is broken into parcels so small as to be of little use for farming.

The confederation's judicial system consistently failed

to administer justice equitably and only succeeded in fostering conservation and in alienating the tribesmen. Rather than encouraging the Indians' civilization, the railroad likewise spawned hostilities, resentment, and discontent. Although agriculture and education can be identified as areas showing concrete improvements, these programs also generated a good deal of Indian resistance.

At the time of Agent Ronan's death, the Flathead Confederation only balanced precariously on the verge of self-sufficiency. The reformers stressed time, however, and hoped to assimilate the Indians within the course of a single generation. Their most serious error was in underestimating and oversimplifying the complexities of their task. Ironically their penchant for haste may well have sacrificed the Indians' one opportunity to assimilate. Had they been allowed to move toward assimilation in their own manner and at their own determination, by now they might have been self-sufficient citizens rather than the wards of the nation.

CHAPTER IX FOOTNOTES

¹ Commissioner of Indian Affairs, Annual Report, 1882, p.47.

² Paul C. Phillips, Medicine in the Making of Montana, (Missioulia: Montana State University Press, 1962), pp. 276-277.

³ Commissioner of Indian Affairs, Annual Reports, 1882-1893. See the medical table in the appendix compiled from the Commissioners' annual reports. These statistics should be interpreted carefully as they are based upon estimates and reflect certain degrees of inflation or deflation.

⁴ National Archives, Record Group 48/75, Synopsis of Report of Inspector Thomas, October 1, 1885.

⁵ Commissioner of Indian Affairs, Annual Report, 1885, p. 128.

⁶ Ibid., 1888, pp. 34-36.

⁷ Ibid., 1892, p. 63.

⁸ Ibid., 1892, p. 294.

APPENDIX*

* The following tables have been compiled from the Commissioners' annual reports, 1877-1893. Although these statistics are quite useful, their interpretation must be qualified. These reports were based upon estimations, and they are commonly subject to either inflation or deflation, depending upon the particular instances concerned. At worst they are totally erroneous, and at best they provide only relative approximations. The obvious contradictions contained in these statistics were apparently either unknown or ignored by officials in the Indian Department.

TABLE OF AGRICULTURAL SUBSISTENCE

Showing the ratio of Indians to:

	<u>Acres Cultivated</u>	<u>Cattle Raised</u>	<u>Total Population</u>
1877	1:1.54	1: .88	1247
1881	1:1.16	1:2.02	1292
1885	1:3.57	1:4.41	1816
1889	1:5.12	1:7.62	1738
1893	1:5.5	1:7.84	1914

AGRICULTURAL TABLE, 1877-1893

	acres broken	acres culti- vated	wheat in bu.	oats and barley in bu.	hay in tons	vegeta- bles in bu.	horses nos.	cows nos.	hogs nos.
1877	100	1,920	5,000	4,200	100	3,425	2,100	1,100	520
1878		2,000	8,000	4,510	10	3,425	2,286	3,323	175
1879	660	3,460	20,200	4,150		4,709	9,335	5,785	500
1880	300	3,300	25,000	7,000	100	7,025	10,000	6,900	690
1881	250	1,500	20,000	15,790	300	11,340	2,443	2,619	125
1882	300	1,800	23,500	19,710	540	32,370	2,710	3,585	200
1883	400	2,200	26,200	21,000	540	14,402	3,100	5,450	220
1884	3,000	2,500	24,000	6,850	1,110	12,080	3,400	10,000	200
1885	8,000	6,490	28,000	28,000	2,335	16,150	3,900	8,000	950
1886	500	6,860	34,000	40,000	4,000	21,559	4,800	11,400	1,050
1887	14,350	7,063	35,550	41,715	4,400	7,856	4,250	9,800	1,350
1888	1,140	8,000	40,000	47,000	6,000	23,717	5,607	13,150	1,250
1889	900	8,900	45,200	45,500	4,800	27,895	5,782	13,250	1,460
1890	500	900	8,790	12,750	2,000	7,464	5,227	13,270	1,275
1891	600	10,000	23,030	20,460	4,040	12,300	4,782	14,400	1,400
1892	3,255	13,255	42,675	45,050	4,720	35,020	4,833	15,880	1,500
1893	680	10,600	20,200	19,800	4,200	13,509	6,766	15,010	1,100

TABLE OF CIVILIZATION AND VITAL STATISTICS (agent's Census)

	Total Popula.	Citizens Dress	Housing Bult/Occup.	In Civil. Pursuits	Births	Deaths
1877	1,247	150	5	175	200	
1878	1,290	955	15	190	300	
1879	1,312	970	25	215	181	47 38
1880	1,338	1,150	5	220	100	50 47
1881	1,292	1,337	20	350	760	79 66
1882	1,391	1,194	13	112	312	200 100
1883	1,693	1,400		133	380	
1884	1,734	1,500	19	152	360	96 60
1885	1,816	1,650	38	180	510	190 108
1886	1,933	1,800	37	500	450	290 273
1887	1,738	1,875	35	555	90%	150 130
1888	1,842	1,800		519	90%	72 234
1889	1,738	1,914	20	539	90%	4 27
1890	1,608	1,784	26	565	90%	60 78
1891	1,788	1,788	30	595	90%	
1892	1,801	1,801	65	660	90%	86 75
1893	1,914	1,914	20	615	90%	90 83

TABLE OF EDUCATIONAL PROGRESS, 1877-1893

	Enrolled No.Of Pupils	Average Attendance	Indians Able To Read	Indians Learned To Read	School Aged Children
1877	55	51	50	5	
1878	60	42	55	5	300
1879	58	50	60	5	450
1880	64	60	100	40	450
1881	72	56	80	18	320
1882	80	38	90	22	430
1883	49	35	150	20	900
1884	59	59			400
1885	171	133	180	60	600
1886	172	164	227	117	705
1887	186	170	283	112	705
1888	174	160	255		705
1889	176	153	285		
1890	248	193	305		
1891	299	283	314		
1892	337	290	364		
1893	347	301	472		

TABLE OF LAW ENFORCEMENT, 1885-1893

	Indians Killed by Indians Whites		Whites Killed By Indians	Indians Punished Civil/Tribal		*White Crime Against Indians	Whiskey Sellers Prosecuted
1885	1			15			
1886		1		3			
1887				35			
1888		2	3	25			
1889	8	3	3	25		3	2
1890			3	1	25		
1891	5			6	20		2
1892				4	41		2
1893				3	12		2
Total	14	6	9	17	188	3	8

*Of the white crimes reported against Indians, the Commissioners' reports show no punishments.

TABLE OF MEDICAL CASES, 1882-1893

	1882	1883	1884	1885	1886	1887	1888	1889	1890	1891	1892	1893	Totals
Typhoid Fever	1	3		33			8	8	19	14			87
Typhus Fever			2					5					7
Other Fevers	2	13	25	18	14	52	85	86	88	74	28	20	505
Chicken Pox			13	3									16
Measles							9						9
Scarlet Fever		2									23	5	30
Mumps	2						20	4			9		35
Tonsilitis	28	5	2	4	10	17	1						67
Diphtheria			1	11								73	85
Influenza (epi- demic Catrrah)	28	42		18	12	2			18				118
Whooping Cough								34					34
Venereal Diseases	8	71	21	19	2	20	26	32	23	21	26	36	305
Consumption	11	5	8	8	5	20	11	13	9	10	28	30	158
Scrofula	8	5	20	26	6	37	22	30	36	27	13	12	242
Intestinal Para- sites	3		1	2	4								12
Epilepsy			1	2	1								5
Acute Rheumatism			19	31	10	36	19	25	25	17	28	17	227
Conjunctivitis	35	33	23	44	27								162
Iritis		2	2	1		30	29	29	33	18	8		152
Suicide		1	1										2
Successful Vaccina.	36	175					170		15				396
Unsuccessful Vac- cina.	7	62					47		20				136
Patients Treated	221	267	284	519	322	408	422	404	387	301	304	328	4,167
Births	26	14		22	19	8			1			6	96
Deaths	34	14	18	28	12	11	12	8	9	8	15	20	199
Deaths under 5 yrs.	15	5		3	4		5		1			9	42
Total Popu- lation	1,391	1,693	1,734	1,816	1,933	1,738	1,842	1,738	1,608	1,788	1,801	1,914	

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These records contain assorted documents relating to a particular agent's recommendations, commendations, and criticisms. They are essential in determining the agents' political supporters as well as their performance in office. The charges files contain assorted documents relating to general criticisms of the agents' performance in office.

National Archives, Records Group 48/75. Records of the Office of the Secretary of the Interior. United States Indian Inspectors' Reports.

These records contain federal Indian Inspectors' reports of the Flat-head Agency and the St. Ignatius Mission school. The reports date from 1883 to 1893, and they contain information relating to nearly all aspects of the administration of an Indian reservation.

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These records contain documents relating to correspondence received by the Commissioner's office in reference to the various Indian agencies and agents. These records are essential in determining the problems and policies found at the local agencies. They also provide information concerning the day to day operation of the agencies.

National Archives Microfilm M18, Correspondence of the Office of Indian Affairs. Registers of Letters Received, 1824-1880.

This register indexes the Commissioner's incoming correspondence according to the particular aspects of reservation administration. The registers are designed to use with the M234 microfilm series.

National Archives Microfilm M234. Correspondence of the Office of Indian Affairs. Letters Received by the Bureau of Indian Affairs, 1824-1880.

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MONTANA HISTORICAL SOCIETY ARCHIVES

Montana Historical Society Archives. Collection 37. Samuel T. Hauser Papers.

The Hauser papers contain a large assortment of documents relating to his personal, business, and political relationships. The collection is well indexed but contains, for the most part, only his incoming correspondence.

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This collection is especially useful in relation to Maginnis' political career. It is well indexed but contains only his incoming correspondence.

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