



Chief Little Shells tribe of landless chippewa indians of montana: a question of recognition  
by Jeanne Marie Oyawin Eder

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:

Chief Little Shell's Tribe of Landless Chippewa Indians' of Montana is one of approximately three hundred Indian tribes that are presently applying for federal recognition. Chief Little Shell's tribe has a history that is complicated by mixed blood ancestry of Chippewa and European stock. The tribe's fate in Montana is intermingled with the movement of the Rocky Boy Band of Chippewa Indians and the Little Bear Band of Cree Indians into the state in the late 1800's. At approximately the same time, Little Shell moved his band into Montana in protest to the fact that his tribe was left off enrollment records of the Turtle Mountain Reservation in North Dakota for its refusal to sign away ancestral lands. Upon arrival in Montana, the Little Shell group became identified with the Rocky Boy Chippewa and the Little Bear. Cree. Although the Rocky Boy Reservation was established in 1916 for the Chippewa and Cree living in Montana, the Little Shell group was again left off tribal enrollment records. As a result, these people are presently unrecognized by the federal government. However, they have a unique language base, a combination of French and Cree with the Cree portion of the language the key element in its makeup. It is on the basis of this strong identifiable language that Chief Little Shell's Tribe of Landless Chippewa Indians of Montana deserves federal recognition as a legitimate Indian group.

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*Neenah Board*  
*25% COTTON*  
8 JUNE 1983  
Date

*[Signature]*  
Chairperson, Graduate Committee

Approved for the Major Department

May 27, 1983  
Date

*[Signature]*  
Head, Major Department

Approved for the College of Graduate Studies

15 June 1983  
Date

*[Signature]*  
Graduate Dean

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Date

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## ABSTRACT

Chief Little Shell's Tribe of Landless Chippewa Indians of Montana is one of approximately three hundred Indian tribes that are presently applying for federal recognition. Chief Little Shell's tribe has a history that is complicated by mixed blood ancestry of Chippewa and European stock. The tribe's fate in Montana is intermingled with the movement of the Rocky Boy Band of Chippewa Indians and the Little Bear Band of Cree Indians into the state in the late 1800's. At approximately the same time, Little Shell moved his band into Montana in protest to the fact that his tribe was left off enrollment records of the Turtle Mountain Reservation in North Dakota for its refusal to sign away ancestral lands. Upon arrival in Montana, the Little Shell group became identified with the Rocky Boy Chippewa and the Little Bear Cree. Although the Rocky Boy Reservation was established in 1916 for the Chippewa and Cree living in Montana, the Little Shell group was again left off tribal enrollment records. As a result, these people are presently unrecognized by the federal government. However, they have a unique language base, a combination of French and Cree with the Cree portion of the language the key element in its makeup. It is on the basis of this strong identifiable language that Chief Little Shell's Tribe of Landless Chippewa Indians of Montana deserves federal recognition as a legitimate Indian group.

## CHAPTER 1

### THEY ARE AN IN-BETWEEN PEOPLE

Chief Little Shell's Tribe of Landless Chippewa Indians is a vanquished and dispossessed race. As one of approximately three hundred tribes of Indians not recognized by the United States government as viable and legitimate Indian groups, they are denied the services usually given to Indian tribes by the United States government. This denial has forced them to turn to city, state, and county agencies. However, because these agencies view them as Indian and as the responsibility of the Bureau of Indian Affairs, they are again denied services. As Walter Denny, Elder of the Rocky Boy Tribe, aptly describes the Little Shell Indians, "They are an in-between people."<sup>1</sup> They are in-between two cultures, two forms of government, and two countries.

Their story begins with roots deep within intermarriage with the Cree, Sioux, Ottawa, and Assiniboine Indians and with the Europeans. These intermarriages resulted in offsprings who would belong to no single ethnic group. They were called by many names. The English referred to them as half-breeds. The French called them 'bois-brule', meaning burnt wood, a translation of the Chippewa word meaning "men partly-burned." The French also used the term 'metis',



meaning "of mixed blood," to describe their mixed ancestry. The people speak of themselves as 'Michif', a Chippewa-Cree pronunciation of 'metis'.<sup>2</sup>

During the late 1800's, the Chippewa and Cree Indians moved into Montana in three separate phases. The first was the Cree group led by Little Bear; the second, the Chippewa group led by Rocky Boy; and the last, the Little Shell Chippewa from the Turtle Mountain region of North Dakota led by Little Shell. All three groups arrived after the establishment of existing reservations in the state.

Throughout their history, the Cree were a nomadic people, related to the Eastern Woodland tribes of Algonkian, Montagnais, Nakapi, and Micmac. They lived in the heart of the North American continent in the great basin of the Red River of the North, an area that extended from central Minnesota to Lake Winnipeg. In this area, the glacial drift prairie that stretched two hundred miles west to the Missouri River Plateau joined three great river basins: the Nelson, draining north to Hudson Bay; the St. Lawrence, tumbling eastward to the Atlantic; and the mighty Mississippi, rolling slowly southward to the Gulf of Mexico. And only a little way to the west, across a ridge so low that travelers scarcely noticed it, lay the country of the Upper Missouri. This area, with its abundance of fur-bearing animals and buffalo, provided the Cree with furs for trade

with those who traveled these rivers.<sup>3</sup> The St. Lawrence canoe route brought the French voyageurs. The French were willing to adopt the culture of the Indian people and to marry their women, hoping through intermarriage to gain a foothold on the North American continent.<sup>4</sup> The Hudson Bay brought the English and the Scots. They were the most unpopular of the newcomers as their primary goal was the acquisition of financial gain. The Mississippi brought the American settlers and adventurers, asserting their Manifest Destiny. From the Upper Missouri of the west came mountain men in search of adventure.<sup>5</sup>

The establishment of the fur trade in the late 1600's marked the beginning of a new lifestyle for the Indians on the North American continent. Because of their location, the Cree became middlemen in this fur trade industry and maintained an access to all the trading posts. They eagerly sought the trade goods of Europe, placing greatest trade value on the gun. In their golden age the Cree were the most important Indian group in Canada.<sup>6</sup>

This golden age of fur trading began shortly after Charles II of England issued a charter in 1670 to "The Governor and Company of Adventurers of English Trading into Hudson's Bay," granting the company access to all the land drained by the rivers that entered Hudson Bay. This included territory in what are now the states of Minnesota, North Dakota, and Montana. After England set up the Hudson

Bay Company, the French followed, establishing the North West Company with its headquarters in Montreal, deep within fur country. Those Indians who chose to sell to the English had a long trek to the posts on the Bay, whereas those who wanted convenience traded with the "Norwesters."<sup>7</sup> The competition for the fur trade and the building of empires on this new continent by both the British and the American colonists created mounting unrest. After the Hudson Bay Company absorbed the North West Company, it faced the competition of the American fur companies. Because smugglers contributed considerably to the decline of the power of the Hudson Bay Company, by 1830 the profits of fur trade had shifted to the American fur companies.

Between the years 1871 and 1876 the Dominion of Canada made a series of treaties with the Cree. These treaties confined the Cree to a specific range and obligated them to uphold the peace, thus, increasing the unrest between the white man and the Indian. With a confinement to the reserves, loss of power in the fur trade, and the disappearance of the plains buffalo, the Cree sought remedy through rebellion.<sup>8</sup> In 1885 under the leadership of a half-breed, Louis Riel, several bands of Cree and Michif raided trading posts, killing white settlers. Although, the Dominion of Canada quickly put down the resistance of the Indians, the Louis Riel Rebellion remained in their memory for many

years and would later cause much conflict.<sup>9</sup>

The history of the Indian people of Canada parallels that of the Indians in the continental United States. The struggle of the Cree and Michif people was a valiant but futile one. Like refugees at the end of any war, after the Riel Rebellion bands of Cree and Michif, led by Little Bear, drifted South across the international boundary into Montana.<sup>10</sup> From this time on, they would be known only as the Cree from Canada. Here began their endless search for a place to settle.

In the same way the Chippewa Indians, also called the Plains-Ojibwa, suffered from tribal misidentification and geographical mislocation. The Chippewa consists of several Indian groups that are designated by the United States Bureau of Indian Affairs as Chippewa or Chippewa-Cree. The Bureau of Indian Affairs also views the Bungi of North Dakota and Montana as segments of the Ojibwa group. The Chippewa are woodland Indians of Minnesota, Wisconsin, and Michigan. The government seems to believe that these woodland Chippewa scattered onto the Plains complete with their original culture intact. Many historians maintain that this view is too narrow and that it denies the adaptive abilities of Indian groups that came onto the Plains and formed cultural identities different from their woodland cousins.<sup>11</sup>

By 1880 the Chippewa were well established on the

plains. At this time they divided themselves into two distinct ethnic groups: the 'full-bloods' and the 'Michif'. The term 'full-blood' was used to designate those individuals who "adhere to 'Indian' as opposed to 'half-breed' way of life."<sup>12</sup> The Michif members of the tribe, although basically Chippewa, had a large amount of French and other European ancestry and were the descendants of the voyageurs and wagonmen of the fur trade era.<sup>13</sup> Because of this blending of French and Indian cultures, the Chippewa developed their own unique culture.

The Chippewa also entered the fur trade with the British and the French. During the late seventeenth and early eighteenth centuries, they were at the peak of their influence in the Great Lakes Region. They successfully pushed the Sioux out of northern Minnesota and stopped the westward expansion of the Iroquois Confederation. As was true for most of the Indian nations, their power came to an end in the late eighteenth century. In 1815, the Chippewa, like the Cree, underwent a series of treaty negotiations with the rapidly expanding United States government. These treaties confined the Chippewa to reservations in Minnesota and Wisconsin. Refusing to be confined, many of the bands found their way onto the plains and joined with the other plains tribes. Rocky Boy's band may well have been a part of this movement. Although there is no record of when his band left

Minnesota, the most accurate assumption is that they either settled with the Chippewa in the Turtle Mountain region or moved with the Cree across the plains of Canada.<sup>14</sup>

In October of 1863, the United States government negotiated its first treaty with the Red Lake and Pembina Bands of Chippewa at the Old Crossing of Red Lake River in Minnesota. In this treaty, the Chippewa bands ceded right, title, and interest to lands owned and claimed by them in Minnesota. In return, the United States government agreed to pay them twenty thousand dollars per annum for twenty years. According to the terms of the treaty, one quarter of this amount was to be applied to agriculture, education, the purchase of goods, and other beneficial purposes.<sup>15</sup> For the next twenty years the Pembina band of Chippewa, under the leadership of Chief Little Shell, pushed for compensation for other lands they claimed in the Turtle Mountain region of North Dakota. In 1882, in response to their claim, President Arthur designated twenty-two townships as the Turtle Mountain Indian Reservation. A tribal roll was prepared, and all members of Chief Little Shell's band of Chippewa were enrolled. All the enrolled members then selected land on the newly created reservation for their homes. The United States government supplied them with food, livestock, farm implements, and seeds so they would be able to set up farming activities.

However, two years later, the federal government

diminished the reservation land from twenty-two to two townships. The two least desirable townships were reserved for the Indians, and the remaining twenty townships were opened to white settlement. At this time a new tribal roll was prepared, and all Indians who were not living within the two townships and who were not carried on this new roll were told to homestead on other lands. At the counsel of Chief Little Shell and other leaders of the tribe, these displaced Indians refused to comply with the federal order.<sup>16</sup>

Chief Little Shell strongly opposed the diminishing of the reservation lands and fought for many years to have the twenty townships reinstated as tribal land. In response to this controversy, on August 19, 1890, the Indian Appropriations Act was passed providing that a commission should visit the reservation and negotiate with the Turtle Mountain people for the purpose of settling their alleged claim. The Sixty-First Annual Report of the Commissioner of Indian Affairs to the Secretary of the Interior in 1882 reported:

They have for many years claimed title to a large tract of land in North Dakota, comprising about 9,500,000 acres, and have insisted with great earnestness that the government should pay them for it.<sup>17</sup>

However, no mention was made in the report that their claim was in any way a valid one. The Indian Appropriations Act of July 13, 1892, again made provisions for a commission to negotiate with Little Shell and his tribe for cession and

relinquishment to the United States of whatever rights or interests they might have on these lands they were claiming.<sup>18</sup> In a further attempt to negotiate with the Turtle Mountain Indians for cessation of their claim, Congress authorized the formation of a three member commission. Known as the McCumber commission, this three man commission was given authorization to prepare a tribal roll. However, because the commission did not arrive at the Turtle Mountain Reservation until two years after its formation, this time lapse forced the Indian people, particularly Chief Little Shell's band, to wander westward in search of food.

In 1891, Chief Little Shell wrote to the Commissioner of Indian Affairs from Wolf Point, Montana, proposing to vacate the Turtle Mountain area in exchange for a reservation adjacent to the Fort Peck Indian Reservation in Montana. The Commissioner refused Little Shell's request. In his response, the Commissioner stated that since the land Little Shell requested was part of public domain, it could not be given in exchange for lands elsewhere. He also explained that there was not enough land on the Fort Peck Reservation for the Little Shell group.<sup>19</sup>

In 1891, John Waugh was the current Indian agent on the Turtle Mountain Reservation. As agent, he had control over all food rationing and over all social and business activities on the reservation. Because of this he had absolute authority over the internal affairs of the tribal group.



When the Commissioner requested a determination of the number of Chippewa and mixed-blood Indians on the Turtle Mountain Reservation, John Waugh appointed a committee of thirty-two men, sixteen full-blood Chippewa and sixteen Michif, to represent the Turtle Mountain people. Because Little Shell and his band were in Montana at the time this committee was formed, they were not included as members. Waugh charged the committee to prepare the tribal roll and to delete from the earlier roll the names of those families who should not be entitled to participate. Since the committee was hand-picked by Waugh, Little Shell later questioned the authenticity of the membership list contending that Waugh had overexerted his authority when he deleted the Little Shell Band from the tribal roll.

When the three-man McCumber Commission finally arrived in September of 1892, the standing committee of thirty-two select men presented their report of eligible members. Despite Little Shell's protest that the names of his band had been unjustly omitted from the tribal roll, the McCumber Commission informed Little Shell that they could only approve the committee report Waugh prepared for them. Despite continued protests from Little Shell and his followers, the McCumber Commission finished hearing the report of the committee and on September 24, 1892, published the roll of eligible members. The names of most of Little Shell's

followers were deleted from this list. Shortly after the roll was published, the following letter was sent to those whose name had been dropped from the enrollment list:

Notice is hereby given to all parties who are not residents of the Turtle Mountain Reservation, or enrolled as members of the Turtle Mountain Band and accepted by the Commission now present as entitled to participate in any proceedings with the said Commissioners having in view the making of arrangements for a Treaty, are hereby directed to withdraw from within the limits of the Turtle Mountain Reservation or be at once arrested.<sup>20</sup>

The McCumber Commission continued its negotiations with the people of the Turtle Mountain area. In the final agreement, the Turtle Mountain Indians agreed to withdraw their claim to all of the 9,500,000 acres except for the two townships they had been given. In return, the government promised to pay them one million dollars. Because this amounted to approximately ten cents per acre, the treaty became known as the Ten-Cent Treaty.<sup>21</sup> Appalled that the government was offering his people so little for their land, Little Shell mailed a letter of protest to Washington, D.C., stating that he would chose exile in Montana over signing away his homelands for ten cents an acre. However, his protest was never considered, and in 1904 Congress ratified the McCumber Commission's report and the Ten-Cent Treaty.

In the final ratification, the federal government made provisions for all members of the Turtle Mountain band who were unable to secure land on the reservation to homestead

on any vacant land in the public domain and still retain their rights to tribal funds, annuities, and properties held by the Turtle Mountain group.<sup>22</sup> The year after Congress ratified the Ten-Cent Treaty, the Assistant U.S. Attorney General held that before final approval of the treaty, a release would have to be obtained from all Turtle Mountain Indians. In protest to the treaty, Little Shell and his followers refused to sign the release. Because of their refusal, their names were dropped permanently from tribal rolls. In his report of 1906, Francis E. Leupp, Commissioner of Indian Affairs, stated that those Indians who had resided on the Turtle Mountain Reservation but had been "permanently removed therefrom" would no longer be eligible for grants.<sup>23</sup> This stipulation dealt a crucial blow to both the Michif and Little Shell's band. For many years, their destiny was to lie in their ability to survive as nomads in the state of Montana.

## CHAPTER 1 - FOOTNOTES

<sup>1</sup>Walter Denny, Interview held on the Rocky Boy Reservation, 15 June 1977.

<sup>2</sup>Verne Dusenberry, The Montana Cree: A Study in Religious Persistence (Stockholm: Almqvist and Wiksell, 1962), pp.28-46.

<sup>3</sup>Joseph Kinsey Howard, Strange Empire (New York: William Morrow and Company, 1952), pp.2-30.

<sup>4</sup>Bruce Sealey, "Indians of Canada: A History Sketch," in Indians Without Tipis, Bruce Sealey and Verna J. Kirkness, eds. (Ontario: The Book Society of Canada, Ltd., 1973), pp.18-20.

<sup>5</sup>Howard, Strange Empire, pp.30-32.

<sup>6</sup>Ibid., pp.56-66.

<sup>7</sup>Ibid., p.185.

<sup>8</sup>Dusenberry, The Montana Cree: A Study in Religious Persistence, p.32.

<sup>9</sup>Ibid., pp.33-34.

<sup>10</sup>Ibid., pp.33-35.

<sup>11</sup>Verne Dusenberry, "The Rocky Boy Indians," Montana Magazine of History 4 (Winter 1954):7-9.

<sup>12</sup>James H. Howard, "The Plains Ojibwa or Bungi," (Unpublished Manuscript, Anthropological Papers Series, No. 1: University of South Dakota Museum Manuscript Collection, 1965), p.5.

<sup>13</sup>Ibid., p.10.

<sup>14</sup>Ibid.,p:11.

<sup>15</sup>Thomas R. Wessel, History of the Rocky Boy Reservation (Unpublished Manuscript: Montana State University Library, 1973),pp.7-10.

<sup>16</sup>Ibid.,p.8.

<sup>17</sup>Treaties and Agreements of the Chippewa Indians (Washington, D.C.: Institute for the Development of Indian Law, pp.103-107.

<sup>18</sup>Raymond Gray, "History of the Cree Indians" (Unpublished WPA Writers' Project manuscript, Montana State University Library, 1942), p.11.

<sup>19</sup>U. S. Department of Interior: Sixty-First Annual Report of the Commissioner of Indian Affairs (Washington,D.C.: U.S. Government Printing Office, 1892), pp.77-78.

<sup>20</sup>Ibid.,p.78.

<sup>21</sup>Verne Dusenberry, "Waiting for a Day that Never Comes." Montana: The Magazine of Western History 8 (Spring 1958): 33-34.

<sup>22</sup>Ibid.,pp.3-35.

<sup>23</sup>Ibid.,pp.36-37.

## CHAPTER 2

## FROM THE DAYS OF OUR ANCESTORS

When Little Bear and his band of Cree arrived in Montana in 1885, they went to the Wolf Point area, near the present border of the Fort Peck Reservation. At the time, Little Bear was thirty-four years old, a warrior, and the tutored son of Big Bear, respected leader of all Cree. He was also a hunted man with a price on his head because of his participation in the Riel Resistance. In his youth, he and his people had traveled from Fort Pitt in Canada to the Missouri River in Montana in search of the now extinct buffalo. Upon bringing his people to Montana Little Bear had addressed them, saying:

Ki ash, long ago we lived in this new land. We fought the enemies of all Cree. All of the Indians of the South feared and respected the Cree. Game was plentiful here and our children were never hungry. Today there is a strange people here with a strange religion. They talk with two tongues. They are as many as the stars above us and they have taken our land, killing all the buffalo. The agents have told the Indians that we have made war on the government. The Indians in this new land have been told to drive us away if they should see us near their reservations. The soldiers have been told to make war on us. The Red Coats, when they ordered us out of Canada, have taken all our weapons. We lived by our guns. We are hungry and cannot fight.... It makes me sad to think that we cannot live the way we have lived in the past. It makes me sad and my heart is on the ground. We must live in little bands near the white man's town.... Sometime, I, Little Bear, will call all the bands together.<sup>1</sup>

Little Bear set up camp near Fort Assiniboine and sent his men to perform odd jobs for the military. By 1888, Little Bear's followers were camped in nearly one hundred lodges in the vicinity of the fort. They managed to make a living by hunting, fishing, and trapping, and by cutting cord wood for the contractors who were furnishing Fort Assiniboine.<sup>2</sup> The winter months brought desperate conditions for the wandering homeless Indians. The winter was also hard on the local cattle ranchers. Fearful of another harsh winter, the ranchers pressed for more hay land which was only to be found in Indian country. In response to the demands of ranchers for open grazing land to meet the needs of their cattle herds, in 1887 and 1888 the federal government enacted new treaties with the Indians shrinking the size of the reservations of the Blackfeet, Gros Ventre, and Assiniboine to their present day size. With those tribes safely on reservations, the wandering Cree became the major source of antagonism for the ranchers.<sup>3</sup>

In 1887, newspaper reports told of another harsh, freezing winter and described the Cree Indians as near starvation. In response to their plight, President Cleveland authorized the use of disaster funds to help the Cree through the winter. In the summer of the same year the Cree went in search of a place to settle permanently. Appearing before a council of chiefs and representatives of the Pend

d'Oreille, Flathead, and Kutenai tribes, Little Bear asked permission to settle sixty Cree families on the Flathead Reservation. However, The United States government had decided at this time to place Chief Charlo's band of Salish on the Flathead Reservation. Although Michelle, Chief of the Pend d'Oreille sympathized with the plight of the Cree, he was forced to reject their proposal. The Cree then wandered the state in search of employment and a place to settle. In their search, grievances against them multiplied, and they frequently encountered negative receptions from cattle ranchers.<sup>4</sup> As long as they had been able to remain in Montana hunting the buffalo, their lives had been abundant. But as the white man pushed into the state claiming more and more of the land for his own use, the Indians were no longer able to maintain their old way of life. As Raymond Gray stated in his report on the Cree Indians in Montana, "Soon these people became a wandering band of tramps, seeking odd jobs but depending largely on the charities of the public."<sup>5</sup>

Montana became a state in 1889. During his first years in office, Joseph Toole, the first governor of the new state, received numerous letters of request for removal of the Cree Indians from Montana. The Fort Benton Press expressed the opposition of many settlers in the following editorial statement:

We are pleased to note that Governor Toole has taken the matter in hand, and sincerely trust that he will give Secretary Blaine no rest until these



Indians are taken and put upon a reservation and kept there either by Canada or the United States. If they are Canadian wards they should be sent across the line before a spell of hard weather comes and they are again thrown upon the charity of the State of Montana, as was the case in the winter of 1886-1887. If they claim United States protection and can make their claim good, then let our Government take charge of them, and put them on a reservation, and treat them just as it does other tribes of Indians.<sup>6</sup>

An active campaign began with the added efforts of politicians and ranchers to deport the Cree back to Canada. When Governor Toole left office, his successor, Jack Rickards, continued these efforts. Finally, in 1896, after years of negotiation with Canadian officials, the Dominion government granted a general amnesty to all those involved in the 1885 Louis Riel Rebellion. Congress also appropriated \$5,000 for the deportation campaign. The Cree had plenty of time to leave the state before the troops could round them up, but Governor Rickards and Major J. M. J. Sanno of the Third Infantry negotiated with Little Bear to get his people to agree to the deportation and to explain to them that an agreement had been made with the Canadian government granting amnesty to those involved in the 1885 Riel Rebellion. At this time, one hundred-eighty Cree lodges were located in Montana: eighteen in Great Falls, forty in Silver Bow, forty in Horse Plain, five in Missoula, two on the South Peigan Reservation, thirty five on the Crow Reservation, twenty in Glasgow, and twenty in Bull Hook. Little Bear personally traveled to all the Cree lodges,

convincing his people to agree to the deportation.<sup>7</sup>

On June 19, 1896, First Lieutenant John J. Pershing arrived in Great Falls at the Cree camp of Buffalo Coat. Through an interpreter he told the Indians that he came to them under the orders of the Great Father in Washington. He explained to them that he wanted to keep them together and that he would furnish them with rations until such time as they were transported to Canada. He further assured them that since he had seen, with his own eyes, the statute made by the Great Mother of Canada granting pardon for all acts committed during the Riel Rebellion, they could feel confident that no punishment awaited them.<sup>8</sup>

By July 9, the U.S. Cavalry forces under the command of Lieutenant Pershing had rounded up nearly all the Cree and had shipped them over the railroads to Canada. The railroad company had made a tremendous profit, and by July 10 all the appropriated funds had been spent. Major Sanno reported that the cost to ship 175 Indians 175 miles was \$1,000. As there were approximately 192 Indians yet to be deported, and as appropriations were exhausted, state officials determined that the remaining Cree would have to walk the estimated 350 miles to the Canadian border.<sup>9</sup> Under the watchful eye of the U.S. Cavalry, the Cree marched from Missoula to Sweetgrass, on the Canadian border. They traveled through a rain storm, with the roads wet, and every

night they were forced to sleep on a damp camp ground. The majority of the Indians were suffering from bronchitis and colds, and as they neared the border, measles broke out in the camp. Although only four persons died on the trip, when the Indians arrived on August 6, 1896, at the Canadian border, many were seriously ill. They were perhaps the most desperate group of Indians yet to be turned over to the Canadian authorities.

Despite the fact that the Canadian government had granted amnesty to all those involved in the Riel Rebellion, the Royal Mounted Police of Canada sent two constables to meet the train carrying the Cree into Canada, and upon its arrival, arrested Little Bear and Lucky Man for their involvement in the Frog Lake Murders during the Riel Rebellion. Eleven years had passed since the rebellion. Only two women had survived the Frog Lake incident, and their recollection of the event had faded. When Little Bear and Lucky Man were brought to trial, the only witness against them was a Cree woman whose husband had been one of the victims of Frog Lake. However, because she denied having ever seen either Little Bear or Lucky Man, they were subsequently released.<sup>10</sup>

Within five years, the Cree were back in Montana. Many had returned in the confusion that surrounded the arrest of Little Bear and Lucky Man. Others, unable to forget the Canadian government's broken promise of amnesty, chose to

leave Canadian soil. Little Bear returned to Montana with this group where he again began to lead his people in their search for a permanent place to settle. The years from 1897 to 1903 were uneventful for Little Bear and his people. In 1899 they were still camped at Great Falls. The next year he and his group moved to an area near Cut Bank. At this time the Chippewa Indians were also reported to be in Montana camped near the city of Augusta, selling polished buffalo horns and bead work.

During 1901, there was an outbreak of small pox among a small group of Cree Indians camping on the Flathead Reservation. The federal government sent U.S. Cavalry forces to drive them from the reservation and quarantined them at a place north of Kalispell. Because state and local agencies refused to provide health services for the Cree, General Donovan sent the \$602.36 claim for care of the Cree while under quarantine to the Commissioner of Indian Affairs, requesting payment.<sup>11</sup> Although the federal government still did not recognize this group as Indian, they eventually agreed to pay the claim.

As the years passed, Little Bear grew weary of his efforts to secure land for his people. He knew that part of his problem was that he had been a participant in the Riel Resistance and that he came from Canadian soil, regardless of the fact that he and his followers considered portions of

the United States soil their homeland. With this in mind, he relinquished his leadership to his brother-in-law, Rocky Boy.<sup>12</sup> In 1902, Rocky Boy began his petition for a reservation, sending a petition to the Department of the Interior, Commissioner of Indian Affairs, asking for a portion of land on the Flathead Reservation. Paris Gibson, U.S. Senator from Montana, supported Rocky Boy's request with letters to the Department of the Interior. However, because two tribes, Salish and Kutenai, were already living on the Flathead Reservation, and more importantly, because portions of the reservation were going to be opened to white settlers, Rocky Boy's request was denied.

For the next six years, Rocky Boy and his followers continued their appeal for land. They sent scores of appeals to the Department of the Interior, to Congress, to individual members of the House and Senate, and to Montana newspapers asking for assistance in their plight. The editor of the Helena Independent reported:

Letters, telegrams, and personal appeals for aid reach me every day from some members of the hungry band. Letters written by half-breeds and dictated by a chief who could say far more in his own language than his scribes could put into English, tell of the starving conditions they are in.<sup>13</sup>

In 1908, the federal government made the first step toward granting Rocky Boy and his tribe the land they had been requesting for so many years. That year the Sixteenth Congress appropriated \$30,000 "for the purpose of settling

Rocky Boy's band of Chippewa Indians, now residing in Montana, upon public lands, if available in the judgment of the Secretary of the Interior, or upon some suitable existing Indian reservation in said State."<sup>14</sup> The Secretary of the Interior was authorized to purchase "suitable tracts of land, water, and water rights, in said State of Montana, and to construct suitable buildings upon said lands and to purchase for them such necessary stock and implements of agriculture as he may deem proper."<sup>15</sup>

Fearing that this would mean their loss of grazing lands, Montana ranchers voiced strong disapproval of the Chippewa being given any lands that could be used for farming and grazing. A front page story in the Helena Independent emphasized the ranchers' feelings:

They [the Indians] understand how to chop wood, make railroad ties, cut fence poles and mining timbers, but they are not in any sense farmers....There is no objection to this band of Indians being located in some mountainous portion of the state that will never be required for white man's agriculture.<sup>16</sup>

For seven more years, Rocky Boy and his band of followers were held by promises of land. During this time they were shipped from place to place, until finally in 1915 Congress passed an act opening a portion of the Fort Assiniboine Military Reservation to the Rocky Boy Indians. The next year, Rocky Boy, by then a tired and weary old man, died, knowing that he had finally secured a home for his people.

## CHAPTER 2 - FOOTNOTES

- <sup>1</sup>Raymond Gray, "History of the Cree Indians," pp.159-160.
- <sup>2</sup>Ibid.,p.160.
- <sup>3</sup>Verne Dusenberry, "The Rocky Boy Indians," p.4.
- <sup>4</sup>Ibid.,pp.139-140.
- <sup>5</sup>Gray,p.90.
- <sup>6</sup>Dusenberry, "The Rocky Boy Indians," p.8.
- <sup>7</sup>Ibid.,p.8.
- <sup>8</sup>Ibid.,pp.3-4.
- <sup>9</sup>Ibid.,pp.13-14.
- <sup>10</sup>Ibid.,pp.6-8.
- <sup>11</sup>Gray,p.169.
- <sup>12</sup>Dusenberry, "The Rocky Boy Indians," pp.8-11.
- <sup>13</sup>Helena Independent, 10 March 1903, p.3,col.2.
- <sup>14</sup>Proceedings of the Sixteenth Congress, First Session, in Verne Dusenberry, "The Rocky Boy Indians," p.11.
- <sup>15</sup>Ibid.,p.11.
- <sup>16</sup>Helena Independent, 21 October 1909, p.1,col 3.

### CHAPTER 3

#### ADJUSTMENT, GROWTH, AND CONFLICT

The 1920's and 1930's were a time of adjustment, growth, and conflict for the Michif people in Montana. In September of 1916, the federal government opened the Rocky Boy Reservation for Indian settlement, and under the leadership of Little Bear, the Michif began to set up their own government structure. The lifelong dreams of three great leaders, Little Shell, Rocky Boy, and Little Bear, finally found their roots in the Bear Paw Mountains. However, only Little Bear and Rocky Boy lived to see their wandering people find a home. After relinquishing his leadership to Rocky Boy, Little Shell had returned to his beloved Turtle Mountains in North Dakota, where he died in 1904. Rocky Boy lived only long enough to see his efforts fulfilled with the establishment of Rocky Boy Reservation in 1916, dying a year later. Only Little Bear, the great Cree leader, lived to see his people establish dominance within the reservation structure. With the death of Little Bear in 1922 came the death of the traditional concepts of the band structure. As reservation Indians, the Michif were now forced to learn the white man's ways of government. They were no longer to be



ruled by tribal chiefs, no longer to maintain their nomadic band structure. This new concept of living was to cause many conflicts for the Michif people who had been used to the freedom of their nomadic lives.

The 1920's and 1930's also brought years of depression, war, and conflict among the Cree and Chippewa as they fought over the available land space on the Rocky Boy Reservation. The drastic change in their way of life forced them to learn much in an incredibly short time. They had to learn how to set up a constitutional form of government and how to deal with state and federal agencies. In order to survive, they were forced to adjust to the white man's concepts of materialism and capitalism and to raise their standards of living according to the white man's cultural values.

After the death of Rocky Boy in 1917, the federal government announced that allotments were to be granted to landless Indians on the Rocky Boy Reservation. The response to the announcement was overwhelming. Hundreds of homeless Chippewa, Cree, and Michif Indians moved to the Bear Paw Mountains. This presented an overwhelming problem because there were not enough provisions for those already living on the reservation, let alone for these new arrivals.<sup>1</sup> In his report to the Commissioner of Indian Affairs, the Superintendent in charge of the Rocky Boy Reservation described the conditions on the reservation as "improving."<sup>2</sup> He described

most of the Indians as having given up their former nomadic habits and having settled peacefully on the reservation. He further explained that from what he could see, the people were working to achieve a self-supporting life style.<sup>3</sup> The Michif had worked long and hard to obtain land and to be able to support themselves on this land. They built houses for themselves from the timber available on the reservation. They constructed a barn, storehouse, and other buildings; and, despite their minimal knowledge of farming, they cultivated several hundred acres of land during their first year.

Up until this time, no official roll had been drawn up to determine eligibility. Because the reservation had become overcrowded following the federal government's announcement in 1917 that the land was open to all landless Chippewa and Cree Indians, the Commissioner of Indian Affairs requested that the Superintendent conduct a census of all Indians residing on the Rocky Boy Reservation. The Superintendent's initial list contained 657 names. After reviewing the records of each name and consulting the tribal business committee, the Superintendent submitted a final report stating that 451 of those living on the reservation were members of the Rocky Boy tribe. Following the orders of the Commissioner of Indian Affairs, the remaining 206 names were deleted from the approved tribal roll. Because the Cree dominated the reservation, many of those eliminated were Chippewa.

This conflict culminated ten years later with the formation of "The Abandoned Band of Chippewa Indians" led by Joe Dussome. In 1934, this group incorporated into "The Landless Indians of Montana."<sup>4</sup> In 1934, a younger group split from the "Landless Indians of Montana," calling themselves "The Montana Landless Indians," with Raymond Gray their primary leader. Despite protests from those Indians already residing on the Rocky Boy Reservation, both of these groups attempted to settle on the reservation. In response to the protests of the Landless Indians that they rightfully should be included in the federal rolls of Rocky Boy, the federal government promised to buy 37,000 acres of land adjacent to the Rocky Boy Reservation. However, at the same time the federal government also promised to purchase more hay land for the Indians already living on the Rocky Boy Reservation. In an attempt to meet the needs of both groups of Indians, when the government purchased the land, it placed the land under the jurisdiction of the Rocky Boy Agency.

The result of this decision proved detrimental to both Landless Indian groups and caused a dispute over the rightful ownership of the land. As representatives of the Landless Indians, Dan Sangrey, Louis St.Marks, James Brown, and J.R. Dussome went to Washington D.C. to meet with William Zimmerman Jr., Assistant Commissioner of Indian Affairs. On June 12, 1936, Zimmerman responded in a letter

that outlined the conclusion of their meeting with him. In his letter, Zimmerman emphasized that "the Office believes that we have a definite responsibility to the Rocky Boy Indians to round out their present reservation."<sup>5</sup> He stressed that the primary use for the 37,000 acres added to the reservation was to provide hay land to permit the Rocky Boy Indians to increase their number of cattle and to assure them of sufficient hay to feed their herd during the severe Montana winters. Thus, Zimmerman's letter emphasized, only the land not used as hay land was to be allotted to landless Indians. This land, he emphasized, would be sufficient for approximately one hundred new families to be chosen by the Rocky Boy Agency.

Under the Indian Reorganization Act of 1934, those persons wishing to be selected to live on the new tracts had first to establish themselves as "individuals of one-half or more Indian blood and their application for enrollment must be approved by the Secretary of the Interior."<sup>6</sup> Zimmerman pointed out in his letter that when the new members were recognized and admitted and the numbers of new families located on the land was adequate, then a more permanent organization could be established under the Reorganization Act. In response to Dussome's request that the Landless Indians be given their own reservation separate from the Rocky Boy Reservation, Zimmerman conceded, "Later this land may be proclaimed by the Secretary of the Interior as a new

reservation or it may be added to the existing Rocky Boy Reservation."<sup>7</sup> However, the assignment of terms and conditions and the determination of admitting these new enrollees to membership was to be made by the Rocky Boy Indians. Overlooking the major conflict that had previously divided the two tribes, Zimmerman refused to grant separate lands to the Landless Chippewa Indian groups, stating only:

Since both groups are closely related and tribally affiliated, it occurs to me that many of your anticipated problems can and should be worked out together.<sup>8</sup>

Having thus been informed that the fate of his people was now in the hands of the Rocky Boy Reservation, Dussome pursued further the question of a separate reservation with the Business Council of the Rocky Boy Agency. However, here too his request was denied. As spokesman for Rocky Boy, (Joe) *Jred* Nault emphasized the need that his own people had for the 37,000 acres. Reiterrating Zimmerman's points, Nault emphasized the need to increase their cattle herd and to acquire hay land sufficient to care for the needs of the cattle during the severe winter months. Nault further emphasized that the "landless Indians" Zimmerman referred to in his letter were not specified to be "The Landless Indians of Montana." He questioned Dussome's right to consider that the term 'landless' referred to his Landless Indians of Montana:





















































































