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A Reservation is No Refuge A Story of the Turtle Mountain Chippewa 1800-1900

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**A RESERVATION IS NO REFUGE
A STORY OF THE TURTLE MOUNTAIN CHIPPEWA 1800-1900**

by

**Roland E. Marmon
Bachelor of Arts, Minot State University, 1994**

A Thesis

Submitted to the Graduate Faculty

of the

University of North Dakota

in partial fulfillment of the requirements

for the degree of

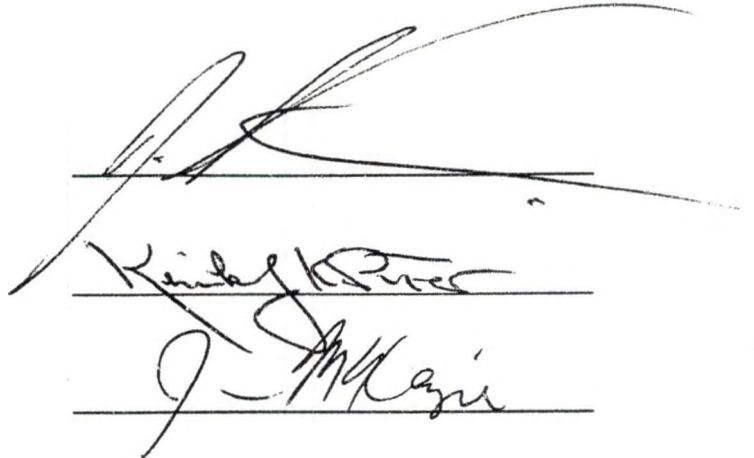
Master of Arts

Grand Forks, North Dakota

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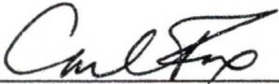
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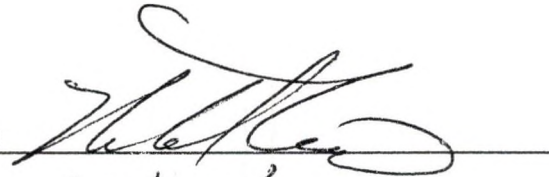
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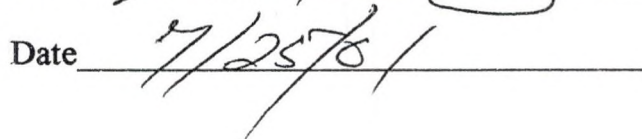
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ABSTRACT

This paper will consist of a history of the evolution of the Turtle Mountain Chippewa as viewed from the lives of the three Chief Little Shells (grandfather, father, and son). The paper will pay particular attention to the origins through historical analysis. The first Chief Little Shell life coincides with the woodland Chippewa moving onto the plains at the end of the eighteenth century. The paper will sketch the history of the plains Chippewa known as the Pembina Chippewa up to the Pembina Treaty of 1863, when a large part of the group will split and form the Turtle Mountain band.

The bulk of the paper will focus on the years from 1882 to 1892 at the newly formed Turtle Mountain Reservation. With a background of existing histories and analysis, new evidence will be brought forward which will dramatically alter accepted mainstream theories. It is the purpose of this paper to shed new light on the causes leading to the creation of the reservation and the removal of Chief Little Shell in 1892.

CHAPTER ONE

In 1892, in the midst of treaty settlement negotiations, federal representatives replaced the head chief of the Turtle Mountain Chippewa who had been in power since 1863. The sequence of events leading up to this forced transition of leadership have not been put into proper perspective by historians due to a lack of evidence. An examination of federal actions from 1882 to 1892, will demonstrate a debilitating policy that was directed toward the native people at Turtle Mountains. The combination of circumstances during this period such as the reduction of the reservation, shortages of food and rations, hostility from surrounding white communities, harsh winters, and a myriad of other factors would combine to create an environment at the Turtle Mountain Chippewa reservation of fear and uncertainty, and even worse – of starvation and death.

Much of the history written about the Turtle Mountain Chippewa during the 1880s and 1890s has failed to adequately analyze the role played by the federal government as manifested in its official policies toward the tribe and its government. During this time, the actions taken by the federal government, combined with divisions occurring within the Turtle Mountain community, would cause their tribal government to become ineffective to such an extent they would receive one of the poorest settlements ever

reached between an American tribe and the federal government. It will be demonstrated that the rise to prominence of the mixed-blooded American Metis or Mitchifs in Turtle Mountain Chippewa political affairs, culminating in the seizure of tribal government control in 1892 from the traditional full-blooded Turtle Mountain Chippewa tribal government, was the result of an international racial competition instilled within the tribal group because of an arbitrary classification system determined by the American federal government. Explanations from the federal government specifying confusion over who was or was not American as the reason for downsizing the reservation and the tribal rolls, will be shown to illustrate the government's inconsistent and sometimes irrational policies.

Various historians have tried to convey the terrible consequences of the negative federal policy directed at the Turtle Mountain Chippewa at this time. The relationship between the federal government and natives at Turtle Mountain resulted in one of the smallest reservations ever created in the United States. Because the magnitude of the consequences caused by federal government actions affected the Turtle Mountain people so completely, many Turtle Mountain Chippewa have since suspected that federal explanations were incomplete and perhaps fraudulent. The Turtle Mountain Chippewa have contended quite successfully that the 1892 treaty settlement tribal roll was far from

complete and that the formal treaty itself was woefully inadequate when compared to others.¹ For the future generations of Turtle Mountain Chippewa, winning small concessions such as the federal government admitting to mistakes made in 1892, such as the mishandling of the tribal rolls and the improper terms of the treaty settlement, would not be rectified until the 1970s. However, the underlying processes which caused these unfortunate outcomes has never been fully uncovered, especially the reduction of the reservation in 1884. However, although Turtle Mountain Chippewa history is heavy with innuendo of negative federal interference, there has simply not been enough proof to substantiate these suspicions. Some of the blame for the incomplete historical record has to be attributed to the researchers and historians for failing to include all the evidence which has been available to them all along in the National Archives.

Four of the most serious charges of injustice aimed at the federal government, have been the perplexing and massive downsizing of the reservation, the questionable census of tribal members, the replacement of the traditional head chief by federal officials, and the pitiful financial treaty settlement for ten million acres of land. The causes and ramifications of these and other contributing factors that affected the native people at Turtle Mountain will be the main focus of this thesis. With the introduction of new evidence to add to the general body of knowledge, a re-examination of the case of the

¹ Personal Collection and Writings of Charlie White Weasel, Pembina and Turtle Mountain Ojibway (Chippewa) History. (Canada: privately published, 1993), 12.

Turtle Mountain Chippewa can throw new light on a difficult period in Native American and U.S. government relations.

The two native groups who comprised the people known as the Turtle Mountain Chippewa, were the full-blooded Chippewa descended from the Pembina or Red River Chippewa/Ojibway and the mixed-blooded Chippewa called the Metis or Mitchifs.² By 1882 the Chippewa mixed-bloods or the Mitchifs, outnumbered the full-blooded Chippewa nearly ten to one. Within the mixed-blood group there were two major subdivisions - the Canadians (Metis) and the Americans (Mitchifs). Although closely related, American federal definitions would pressure the two groups within the main body to become increasingly at odds on important issues when the 'definitive' Turtle Mountain Chippewa Treaty of 1892 was 'negotiated'.

Both of these mixed-blood groups – Canadian Metis and the American Mitchifs - were descended from the Red River Metis whose territory spanned both Canadian and American lands for most of the 19th century and were directly related to the Turtle Mountain Chippewa through decades of intermarriage. However, by 1882, the international border was firmly in place, and the U.S. government would play havoc in the community at Turtle Mountain which lay along the American side of the line. This was done primarily by forcing racial distinctions on the mixed-bloods and the full-

²Ojibway and Chippewa mean the same thing; the term Ojibway "to roast till puckered up" perhaps meaning how they tortured their captives) will be used before 1800 and refer to the Minnesota woodland Ojibway, and the term Chippewa (anglized version of Ojibway) will be used for after 1800 and refer to the plains Chippewa. Other names include the Salteaux, Salteurs, Anishinabe, Ojibwa, and Bungi.

bloods as well as insisting upon a determination as to whether or not they were Canadian or American in order to be counted as a Turtle Mountain Chippewa tribal member. With the federal government holding federal status and land settlement dollars over their heads, the Turtle Mountain Chippewa were forced to accept arbitrary tribal guidelines which pitted families and neighbors against each other in a scramble to be declared an American Turtle Mountain Chippewa.³

Turtle Mountain Chippewa and U.S government relations history is fairly standard in regard to the creation of a reservation and federal recognition for a Native American tribe during the last half of the nineteenth century. However, there were some events during this time which marked the Turtle Mountain Chippewa situation as being unique and especially tragic. When the Turtle Mountain Chippewa Reservation was first created in 1882, it consisted of twenty-two townships, and the tribal lands surrounding it constituted a large area of present-day North Dakota. However, just two years later, it was reduced by twenty townships by presidential order. Gerhard J. Ens, in his study, "After the Buffalo: The Reformation of the Turtle Mountain Metis Community, 1879-1905," described the reservation reduction and the problems resulting from it as being

Frederick W. Hodge. Handbook of American Indians. Bureau of American Ethnology, Bulletin 30. vol. 1 (Washington: Government Printing Office: Fourth Impression, 1912), 280-281.

³The Metis are split into two groups among the Turtle Mountain Chippewa. Mitchif is the term for the American Metis and is the term preferred by them because it differentiates them from the Canadian Metis. The term "mixed-bloods" meaning all Mitchifs and Metis will be used for the purposes of this paper to differentiate them from the "full-bloods". White Weasel, Personal Collections, 92.

caused by the U.S. government's "reneging" on their original grant of a large reserve.⁴ The reasons why it was reduced and the consequences of this drastic reduction have been matters of contention between the federal government and the Turtle Mountain Chippewa ever since.

The same can also be said of the events leading up to and including the negotiations of the Treaty of 1892. It was during the treaty settlement talks, which included the final sale of ten million acres of Turtle Mountain Chippewa tribal land, that a shift of power occurred which saw the traditional head chief and his government replaced by a federally backed one. This shift of power saw the forced removal of a hereditary head chieftain named Little Shell, who had been the Turtle Mountain Chippewa hereditary leader since 1863. Led by a man named Flying Eagle and reportedly American-born tribal members - collectively known as the Committee of Thirty-two - this new government would finish the negotiations and sign the Treaty of 1892 without Little Shell's consent. The reasons given by historians for the coup against Little Shell's tribal government by leaders of a mixed-blood faction have failed to include some important factors such as religious differences as being a major reason why these men would turn upon their long standing full-blood leader.⁵

⁴ Gerhard J. Ens, "After the Buffalo: The Reformation of the Turtle Mountain Metis Community, 1879-1905" edited by Jo-Anne Fiske, New Faces of the Fur Trade: Selected Papers of the Seventh North American Fur Trade Conference, Halifax, Nova Scotia, 1995, (Michigan State Univ. Press, 1998), 145.

⁵ As other historians of Turtle Mountain Chippewa history have only given the religious differences between the different cultural groups passing remarks, Charlie White Weasel is the only historian who described the sometimes vicious religious and cultural rivalry which existed between the mixed bloods

As stated before, the events of 1882, beginning with the creation of the original Turtle Mountain Chippewa Reservation, its reduction in 1884, and the Treaty of 1892, have been the subject of many histories. The first notable history would actually come from Chief Little Shell himself in an 1893 protest letter refuting the actions of the treaty commission known as the McCumber Commission. In the protest, Little Shell denounced the McCumber Commission for replacing the original tribal council, for the poor settlement terms it offered, which he felt were not acceptable and for the dropping of hundreds of eligible Turtle Mountain Chippewa from the tribal rolls. Researched and written by Little Shell's lawyer J.B. Bottineau - a mixed-blood himself, and named an official member of the Turtle Mountain Chippewa Band by Little Shell in 1890 – this protest letter (known as Senate Document 444) provided a near complete history of the Little Shell family and the Turtle Mountain Chippewa from the 18th century to 1892. The protest letter's intent was to show Little Shell's family history of chieftainship among the Turtle Mountain Chippewa and their undisputed right to that position, while also strengthening the tribe's land claims. In support of these arguments, Little Shell and Bottineau utilized the journals of traders from the fur trade era, government documents, intertribal correspondence, and other forms of evidence to uphold Little Shell's claim to chieftainship.⁶

and full bloods, and even between the mixed bloods over who was American or Canadian. *White Weasel. Personal Collections*, 11.

⁶ "Paper in Agreement with Turtle Mountain Band of Chippewa Indians in North Dakota," Document No. 444 in *Senate Executive Documents*, 56th Congress, 1st Session, 1900-1901, Serial Set No. 3878, 132-

Foremost in the protest letter, Little Shell and Bottineau outlined the events leading up to and culminating in the treaty settlement talks of 1892. They argued that the federal officials in charge of government affairs at Turtle Mountain discriminated against many of the people there by cutting them off of the tribal rolls just before the treaty settlement through the use of questionable membership guidelines which were clearly aimed at dispossession. Little Shell was especially angry about the interim tribal council that had replaced him during the treaty settlement negotiations. Little Shell and Bottineau claimed that Flying Eagle and his Council of Thirty-two were self-appointed and could not represent the Turtle Mountain Chippewa in the settlement negotiations without the official support of the people. They went on to blame the McCumber Commission for backing Flying Eagle and undermining the interests of the Turtle Mountain Chippewa. Although Little Shell and Bottineau's accusations of federal government tampering are believable, they bring forth no hard paper evidence which definitively proved that the federal government and its agents were involved in deliberately destroying the Turtle Mountain Chippewa from the outside with unlawful federal sanctions and actions. The reasons why the historians (including Little Shell and Bottineau) could not accurately report the actions of the federal government can be narrowed down into two explanations. One, is that the Turtle Mountain Chippewa/federal government

correspondence found in Record Group 75, which is the hard legal evidence needed to make accurate reports has been completely overlooked by all previous reporters research. The second possibility is that much of the written documentation on Turtle Mountain affairs during this crucial time period has not been made available for general use and has been hidden deep in the national archives until now. The fact that the National Archives in Washington D.C., had never fully catalogued the documents of Record Group 75, which contained the Turtle Mountain documented for the years 1882 to 1892, until the information was requested in 1996, simply means this material has just been made available. The documents presented in this paper from Record Group 75, will fill major holes in the present interpretations of Turtle Mountain Chippewa history and stress the need for further research.

Because of never before utilized evidence, this study's contribution to the field of Turtle Mountain Chippewa studies will be the adding of at least three new chapters to the story of the Turtle Mountain Chippewa. First, it will reveal the real reason behind the massive reservation reduction in 1884. Historians have had to believe government officials who maintained that low census counts and the fact that the reservation was too close to the international border along with a few lesser reasons, were the primary causes for the reduction.⁷ As we shall see, none of the reasons played as large a part as

⁷ Report of the Commissioner of Indian Affairs for 1883, Serial Set No. 2191, 38-39, 280.

the interests of mining and land speculators who had enough clout to influence the President of the United States to sign the order for the massive reservation reduction and the subsequent opening of the Indian lands for commercial purposes. Second, it will document the conspiracy that was hatched to depose Chief Little Shell's tribal government during the period preceding the negotiation of the Treaty of 1892. Evidence contained in official documents showing plans between federal officials and tribal government members known as the Committee of Thirty-two, will prove conclusively that these plans were made well in advance of the treaty settlement negotiations between the McCumber Commission and Chief Little Shell's tribal government. Third, this study will show how religious differences between the two ethnic groups helped fuel a tribal government takeover. The full-bloods' conversion to the Protestant faith in the late 1880s flew directly in the face of the staunch Roman Catholic mixed-bloods. Moreover, the rifts caused by these religious differences helped propel a government takeover. These revelations combined with other important evidence, will document an even more debilitating policy employed by the federal government toward the Turtle Mountain Chippewa than previously believed.

To better understand the situation of the Turtle Mountain Chippewa during the

1880s and 90s, one must go back through their history. To do this, a complete historiography must be provided and it should be split into three main parts; one for the history of the Plains-Chippewa, one for the history of the Metis, and one for the Turtle Mountain Chippewa proper (1874 to 1892).

The convergence of the traditional Turtle Mountain Chippewa or Plains Chippewa with the Metis and Mitchifs goes back at least to the 1820s, at the settlements along the Red River when the buffalo trade first took off. It was during this time that both groups entered into an unspoken beneficial alliance to hunt and trade buffalo on the plains, while at the same time protecting themselves from other Indian nations. This alliance had roots in the long-established fur trade which originated from the Great Lakes region in the 1600s. The Metis were the offspring of the Chippewa/Ojibway people and the European fur traders of this era, and after generations of mixed-blooded children had been brought up in fur trade society, the opportunity of the new buffalo trade during the 1820s attracted them to the Red River Settlement. By this time, the Red River Settlement was the westernmost boundary of the western Chippewa. These two peoples would co-exist together as allies in this region and would later become classified as one under the title of Turtle Mountain Chippewa by the American federal government during the reservation era beginning in the 1870s.

How the woodland Chippewa came to be at the Red River and how they adapted to plains life is essential to an understanding of the Plains Chippewa, from whom the full-blooded Turtle Mountain Chippewa are derived. The same can also be said of the Metis, who settled the Red River region, and had to adapt to their new environment on the plains. Throughout their history together these two peoples would keep separate their cultural identities and take from each other bits and pieces to suit their needs. As economic problems set in with the decline of the buffalo trade and the pressure increased to move onto reservations during the last quarter of the nineteenth century, this alliance would be put to the test.

Because much of this study focuses on the political life of Chief Little Shell III, who was the leading political figure among the Turtle Mountain Chippewa from 1863 to 1892, it will be beneficial to trace his family origins. The purpose of doing this is not only to understand the man and his motivations, but to illustrate how the Little Shell chieftain family served as a binder in the relationship between the Turtle Mountain Chippewa and the Metis. Chief Little Shell III was a full-blooded Turtle Mountain Chippewa chieftain named Aya-be-weh-way-tung, who also kept his grandfather's name Ais-saince (meaning Little Clam or Little Shell), and used that name to emphasize his relationship with his chieftain ancestors. Aya-be-weh-way-tung was the third in a line of

Chippewa head chieftains and became head chief as early as 1863, and remained so until being deposed in 1892. It would be under Little Shell's leadership that the Turtle Mountain Chippewa would officially include into the tribe their mixed-blooded cousins and relatives - the descendants of the Red River Metis.⁸

By examining the Little Shell chieftain family, one can see the traditions and customs concerning chieftainship in Plains Chippewa society. Through this examination, the question may be answered about the legitimacy of Little Shell III's rank as head chief. It is important to this thesis to determine if Little Shell III was still considered the head chief by most of the people at Turtle Mountain in 1892, and to examine the tribal rules governing the replacement of a head chief. If he was indeed the acknowledged head chief, it begs the question of how the McCumber Commission could replace him with another head chief without formal elections by the people, and/or by a consensus of the council members.

In 1893, after the McCumber Commission had effectively relieved Little Shell III from his powers as head chief, he and the lawyer J.B. Bottineau wrote a protest letter to the federal government detailing the history of the Little Shell chieftainships among the Turtle Mountain Chippewa to show the legitimacy of their titles as head chief. However, in the history they put together, they failed to mention the birthplace and origins of Little

⁸ Senate Document 444, 134-175.

Shell III's grandfather.⁹ Sticky tribal affiliation guidelines employed by the American government might explain why Little Shell did not divulge his grandfather's home tribe of the Minnesota Chippewa and where it was located for fear of further clouding his by now discredited title as Chief of the Turtle Mountain Chippewa in North Dakota. For Little Shell, his tribe's origins and migrations were convoluted enough for him to exercise caution when giving information to the federal government.

The direct ancestors of the Turtle Mountain Chippewa before 1800, when the first of the Little Shells appeared at the Red River, were the Minnesota Ojibway who had been living in villages along the shores of Lake Superior and who were moving westward with the fur trade. A substantial historiography of the western Ojibway has been derived from early explorer accounts, missionary and clergy records, and trader journals. Perhaps the best of early Minnesota Ojibway history can be found in Ojibway historian William Warren's *History of the Ojibway Nation*.¹⁰ Relying on oral accounts dictated to Warren by Minnesota Ojibway chiefs such as the Pillager Chief Flat Mouth during the 1840s, Warren put together a comprehensive history upon which many contemporary historians have based their histories. In the 1850s, two more noteworthy studies of the Minnesota and Red River Ojibway written were Edward D. Neill's *The French Voyageurs to Minnesota and the Red River Valley During the Seventeenth*

⁹ Ibid.

¹⁰ William Warren, *History of the Ojibway Nation*, (Minneapolis, Minnesota: Ross & Haines, Inc., 1974).

Century, which added to Warren's native side of the story, and Henry Schoolcraft's voluminous *Information concerning the Indian tribes of the United States*.¹¹ One of the best "modern" scholars who researched early Minnesota Ojibway history was Harold Hickerson. Hickerson produced a wealth of research on the Minnesota Ojibway and provided much accurate analysis. Two examples of Hickerson's studies on the Minnesota Ojibway which are particularly relevant to this study are, *Ethnohistory of Mississippi Bands and Pillager and Winnibigoshish bands of Chippewa*, and "The Genesis of a Trading Post Band: The Pembina Chippewa," which is an article.¹² Another informative modern work on the western Ojibway is Laura Peers' heavily researched *The Ojibway of Western Canada*, which is primarily concerned with tracking the westward migrations of the Ojibway from the Great Lakes, throughout Minnesota, and onto the buffalo plains of Canada and the United States. Peers' study emphasizes western Ojibway cultural adaptation, and brilliantly demonstrates the continuity of western Ojibway culture. Peers' maintains that the western Ojibway brought with them to the plains a core of culture, which formed the basis of their plains identity. Her volume is considered one of the best on this subject¹³

¹¹ Edward D. Neill, *The French Voyageurs to Minnesota and the Red River Valley During the Seventeenth Century*, (St. Paul, Minnesota: Minnesota Historical Society Press, 1850); Henry Rowe Schoolcraft, *Information, respecting the History, Condition and Prospects of the Indian Tribes of the United States*, vol. 4 (6 vol., Philadelphia, 1853-1857).

¹² Harold Hickerson, *Ethnohistory of Mississippi Bands and Pillager and Winnibigoshish bands of Chippewa*. (New York: Garland publishing. Inc., 1974); Harold Hickerson, "The Genesis of a Trading Post Band: The Pembina Chippewa." *Ethnohistory*, Vol. 3, Number 4, Fall, 1956 (Indiana University Press).

¹³ Laura Peers, *The Ojibway of Western Canada, 1780 to 1870*, (Winnipeg: University of Manitoba Press,

The earliest recorded documentation of the Minnesota Chippewa that would later become the Turtle Mountain Chippewa coincides with the life of the first Little Shell. In 1800, one of the first year round trading posts was established near the forks of the Red and Pembina Rivers. There are two firsthand accounts which provide the cornerstones for a sketch showing the evolution of the Chippewa group living at the Pembina post of which Little Shell was a part. In *The Journal of Alexander Henry*, covering the period from 1800 to 1810, Ais-saince (Little Shell I) is shown accompanying the group of Chippewa who followed the Northwest Fur Company trader Alexander Henry (the younger) into the middle Red River Valley region to set up trading posts there.¹⁴ John Tanner's *Captivity Narrative*, a description of Tanner's life among the Red River Chippewa and Ottawa during the same time period, largely corroborates Henry's account.¹⁵ Both men knew Ais-saince well, and through their writings, Ais-saince's life and the society in which he lived, can be viewed. Harold Hickerson states in the "Genesis of a Trading Post Band" that this was one of the first instances in Minnesota where a Chippewa band made their year round home around the trading post and established themselves as a separate village tribal entity in a territory where no

1994).

¹⁴ Coues, Elliot, New Light on the Early History of the Greater Northwest. The Manuscript Journal of Alexander Henry, furtrader of the Northwest Company, and of David Thompson, official geographer and explorer of the same company, 1799-1814. Exploration and Adventure among the Indians on the Red, Saskatchewan, Missouri and Columbia Rivers, (3 vol., New York, 1897).

¹⁵ John Tanner, John Tanner's Narrative of His Captivity Among the Ottawa and Ojibwa Indians (1789-1822) ed. James Edwin. (New York, 1830).

Chippewa presence existed beforehand.¹⁶ Also useful in tracing Red River Chippewa life in the late 1700s and early 1800s are the writings of traders such as Charles Chaboillez, Peter Grant, John McDonnell, and David Thompson.¹⁷

As the Pembina or Red River Chippewa learned to adjust to plains living from 1800 on, traditional fur supplies in the region would be quickly exhausted. Indeed, by 1810 the Red River Valley was becoming trapped out. However, sometime around 1820, the buffalo market would transform the Red River region into an important economic center.¹⁸ The demand for buffalo, whether it be for the robes, hides, or pemmican, attracted large numbers of Metis families into the Red River region. With the death of Ais-saince in 1807, Weesh-e-damo, or Little Shell II, would take the reins of leadership, and help establish the Pembina Chippewa as a buffalo hunting society. From 1820 to 1870, the Plains Chippewa would steadily lose their importance in the affairs of the northern plains as the Metis became the principal indigenous influence in the area due to the strength of their numbers and their status as traders. During this period, the Plains Chippewa culture and traditions underwent major changes as the transition from the woodlands to the prairies reached completion.

¹⁶ Hickerson, "Trading Post Band," 315-316.

¹⁷ Harold Hickerson, ed. *Journal of Charles Jean Baptiste Chaboillez, 1797 to 1798*, (Indiana University Press, 1959); Peter Grant, *The Sauteux Indians, Les Bourgeois De La Compagnie Du Nord-Ouest, Recit de Voyages, Lettres et Rapports Inedits Relatifs au Nord-Ouest Canadien Publies avec une Esquisse Historique et des Annotations, Premiere Serie*. (New York: Antiquarian Press, Ltd. 1960); John McDonnell, *The Red River, Extracts from John McDonnell Journals of the North West Company 1793-1797. Les Bourgeois De La Compagnie Du Nord-Ouest*, ed. trans. L.F.R. Masson, vol. 1. pp. 265-295. (Quebec: 1889); Coues, *New Light*.

Examining Weesh-e-damo or Little Shell II's role as chieftain of a still deeply traditional Chippewa band will provide insight into his son Aya-be-wey-weh-tung's claim to be hereditary head chief of the Pembina-Turtle Mountain Chippewa in 1892. Principally occupied with buffalo hunting and warring with enemies such as the northern Dakota, the Plains Chippewa were content to ally themselves with the powerful Metis. Although the Plains Chippewa worked closely with the Metis, they still fiercely retained their native beliefs and customs. Perhaps the best ethnological studies of Minnesota Chippewa society of the early nineteenth century are Warren's *History of the Ojibway Nation* and Frances Densmore's *Chippewa Customs*.¹⁹ James Howard's ethnological study of the Plains Chippewa which emphasizes the Turtle Mountain Chippewa, *The Plains-Ojibwa or Bungi*, focuses on the customs still practiced by the Turtle Mountain Chippewa from the 1800s up to the 1950s, and works well with Peers' assessment of cultural change and adaptation.²⁰

Unfortunately, there is not much known about Weesh-e-damo and the Plains Chippewa from 1820 to 1870. Their presence in the region can be attested to in treaty records such as the Treaty of 1851, which was negotiated between the American government and some of the Minnesota Ojibway tribes. Although the treaty was never ratified by Congress, it is notable for the inclusion of the Pembina tribe with Weesh-e-

¹⁸ Stanley Murray, "The Turtle Mountain Chippewa, 1882-1904" North Dakota Historical Collections, (Bismarck: Historical Society Press, 1972), 3-5.

¹⁹ Frances Densmore, *Chippewa Customs*, (Washington: U.S. Govt. print. off., 1929).

²⁰ James H. Howard, *Reprints in Anthropology: The Plains-Ojibwa or Bungi*, 1955, (Lincoln, Neb: J&L

damo or Little Shell II signing as head chief. However, twelve years later, when the next treaty was signed with the United States -- the Treaty of 1863 -- Weesh-e-damo was no longer present and it was his son Aya-be-wey-weh-tung, who signed for the Pembina Chippewa. The Treaty of 1863 turned Aya-be-wey-weh-tung's band of Pembina Chippewa into the Turtle Mountain Chippewa because the treaty stipulated the exchange of most of the Red River Valley in northern Dakota and Minnesota Territory for the buffalo range west of the Red River which included the Turtle Mountains. William Warren and Alexander Ramsey provide the compelling evidence through treaty documents and oral recordings from other Ojibway chiefs that the Little Shells were the head chiefs for the plains Pembina Chippewa and Turtle Mountain Chippewa, and were recognized within the Ojibway nation and by neighboring tribes, and also the whites -- especially the American government -- from 1800 through 1863.²¹

The importance of the Red River Metis and their influence in the Red River region and upon the Pembina and later Turtle Mountain Chippewa cannot be overlooked. A vast literature on the rise and fall of the Metis nation in Canadian history has been produced, but its story has almost been forgotten on the American side. Most of these Canadian histories focus on the events of the Metis Resistance in 1869-70, from which the Province of Manitoba was created, and the NorthWest Rebellion of 1885,

Reprint Co. 1977).

²¹ Alexander Ramsey, *Journal of Alexander Ramsey*, roll 38, Vol. 3. (St. Paul, Minnesota: Minnesota State Historical Society, 1904). 11.

which were both led by the charismatic Louis Riel. In Canadian history - from their origins in the fur trade, to their becoming a major influence in the Red River region, to their taking up arms against Canada for economic and political reasons - the Metis have enjoyed a somewhat romanticized affair with historians. From early histories such as George Stanley's *The Birth of Western Canada*, Marcel Giraud's *Le Metis canadien*, Arthur S. Morton's *The New Nation, the Metis*, and even to American journalist Joseph Kinsey Howard's colorful *Strange Empire*, one can see the importance of the Metis to Canadian history.²² Although these early histories are worthy of merit, too often they spread the nationalistic notion of Canadian manifest destiny versus the inherently flawed Metis character. These histories started to discredit the white belief that the Metis, because of their biological connections with the natives, failed as a people because they could not accept the advent of civilization, much like the "doomed Native American" in early and some contemporary United States historical writing.

The first of many so-called revisionist histories which presented a more realistic approach to the Metis began in the 1950s with W.L. Morton's works, which set the stage for George Stanley's 1963 biography of Louis Riel.²³ By the 1970s and 80s, another flurry of works caused a re-orientation of Metis history such as those of Sylvia Van

²² W.L. Morton, *Manitoba: A History*, (Toronto: University of Toronto Press, 1957); W.L. Morton, ed. introduction, *Alexander Begg's Red River Journal and other Papers Relative to the Red River Resistance of 1869-70*, (Toronto, 1956); George Stanley, *The Birth of Western Canada*, (London, 1936); Joseph Kinsey Howard, *Strange Empire: Louis Riel and the Metis People*, (Toronto, Canada: Lewis & Samuel, 1952).

Kirk's, *Many Tender Ties*, and Jennifer S.H. Brown's *Strangers in Blood*, which took new approaches to Canadian and Metis history by examining the roles of women and families in the fur trade.²⁴ These works would help stimulate other such diverse works such as Thomas Flanagan's revisionist *Riel and the Rebellion: 1885 Reconsidered*, D. N. Sprague's, *Canada and the Metis 1869-1885*, which differs widely from Flanagan, Gerald J. Ens's insightful economic-based explanations of Metis settlement and resettlements, *Homeland to Hinterland*, and Frits Pannekoek's *A Snug Little Flock: The Social Origins of the Riel Rebellion 1869-70*, which is focused on the social relationships between the Metis and the clergy.²⁵ Also, more analytical histories have been written concerning the origins of the Metis such as Jennifer S.H. Brown's "The Metis: Genesis and Rebirth," which present a more coherent explanation of Metis development.²⁶

As stated earlier, while the Canadian historiography is substantial in the study of the Metis, the American historiography of the Metis or Mitchif (as they prefer to call

²³ George Stanley, *Louis Riel*, (Toronto, 1963); W.L. Morton, ed. *Alexander Begg's Red River Journal and other Papers Relative to the Red River Resistance of 1869-70*. (Toronto, 1956); W.L. Morton, *Manitoba: A History*, (Toronto, 1957).

²⁴ Sylvia Van Kirk, *Many Tender Ties, Women in Fur-Trade Society in Western Canada, 1670-1870*, (Winnipeg, Manitoba: Watson & Dwyer, 1980); Jennifer S.H. Brown, *Strangers in Blood: fur trade company families in Indian Country*, (Vancouver: British Columbia Press, 1980).

²⁵ Thomas Flanagan, *Riel and the Rebellion of 1885 Reconsidered*, (Saskatoon: Western Producer Books, 1983); D.N. Sprague, *Canada and the Metis, 1869-1885*, (Waterloo, Ontario, Canada: W. Laurier University Press, 1988); Gerhard J. Ens, *Homeland to Hinterland: The Changing Worlds of the Red River Metis in the Nineteenth Century*, (Toronto: University of Toronto Press, 1996); Frits Pannekoek, *A Snug Little Flock: The Social Origins of the Riel Resistance of 1869-70*, (Winnipeg: Watson & Dwyer, 1991).

²⁶ Jennifer S.H. Brown, "The Metis: Genesis and Rebirth," *Native People and Native Lands*, (edited by Bruce Alden Cox), (Ottawa Canada: Carlton University Press, 1988).

themselves in America to differentiate themselves from the Canadian Metis) is very slight. Much of the history about the Mitchif in America is written in conjunction with the Turtle Mountain Chippewa, and centers around the creation of the reservation. These combination histories of native/mixed blood histories have within them the best studies of the American Mitchif/Metis so far.

Perhaps three of the best contemporary examples of Turtle Mountain Chippewa histories because each contain excellent backgrounds detailing the origins and evolutions of both the Turtle Mountain Chippewa and the mixed blooded Turtle Mountain Metis and Mitchifs, are Verne Dusenbury's "Waiting for a Day that Never Comes," Stanley Murray's "The Turtle Mountain Chippewa, 1882 - 1904," and Gregory Camp's *The Plains-Chippewa and the Metis, 1795 - 1935*.²⁷ Moreover, what also makes these three works so valuable is that they are mainly concerned with the events surrounding the creation of the Turtle Mountain Reservation and the Treaty of 1892.

In "Waiting for a Day that Never Comes," Dusenbury traces a history of the Turtle Mountain Chippewa, especially the mixed-blooded Mitchifs, from their origins around the Great Lakes. Dusenbury follows their trek westward, up to the creation of the reservation in 1882, and the flight from the Turtle Mountains after the disastrous events of 1892 to Montana. Dusenbury presents an excellent account of how the tribal rolls

²⁷ Verne Dusenbury, "Waiting for a Day that Never Comes," *Montana, The Magazine of Western History*, vol. 8, no. 2, Spring, 1958; Gregory Camp, *The Turtle Mountain Plains-Chippewas and Metis, 1795-1935*, (Bismarck: North Dakota State Historical Society, 1987); Murray, "Turtle Mountain Chippewa".

were established which cut off hundreds of people who arguably had legitimate rights to be there. Dusenbury argued that the tribal roll was created by arbitrary methods and would be the basis for the decline of the Turtle Mountain Chippewa. Following Little Shell's lead in blaming the federal agents' questionable appointment of tribal members not sanctioned by the tribal government to set the tribal rolls, Dusenbury argues that this fragmented the people and set the stage for the McCumber Commission and its actions. However, although Dusenbury recounts these events in favor of Little Shell and the misplaced Turtle Mountain Chippewa, he cannot present - just as Little Shell and Bottineau could not - any concrete evidence of prior plans or collaborations between federal agents and tribal members which would signal outright tribal roll tampering.²⁸

Stanley Murray's work, "The Turtle Mountain Chippewa, 1882 - 1904," focuses on the political events during this pivotal time. Well researched and documented, this history is the benchmark so far in chronologically linking the events at Turtle Mountain in a cohesive manner. Laden with government record citations and secondary source analysis, Murray's history depicts a disintegrating political atmosphere for the Turtle Mountain Chippewa which would ultimately lead to the meager settlement of 1892 and the dispersal of the dispossessed people who were deliberately excluded from the final settlement. Within this history, Murray describes in detail the events surrounding the

²⁸ Dusenbury, "Waiting for a Day", 6-10.

Treaty of 1892, and Chief Little Shell's ouster by the McCumber Commission in favor of the Council of Thirty-two. However, Murray's strength of governmental research is also his main weakness. Because Murray relied so heavily on federal records he could find, he failed to realize the lengths to which the federal government had already gone to undermine the Turtle Mountain Chippewa and instead takes their flawed explanations at face value. This is small criticism, only because Murray did not have the evidence needed to make a better analysis, especially regarding the reduction of the reservation and the links between the federal government and the self-proclaimed Council of Thirty-two.²⁹

Mary Jane Schneider's Ph.D dissertation, "Adaptive Strategy and Ethnic Persistence of the Mechif of North Dakota," and Gregory Camp's dissertation, which was later published as, *The Plains-Chippewa and the Metis 1775 to 1935*, basically rehashes the events from 1882 to 1892, but are important in the analysis of the long relationship between the Turtle Mountain Chippewa and the Metis or Mitchif.³⁰ Both works focus on the Turtle Mountain Chippewa - or more accurately, the Plains-Chippewa - adaptation from a woodland culture to a plains culture during the nineteenth century. Camp especially describes the evolving relationship between the Plains-Chippewa and the Metis, by defining the types of Metis and Plains-Chippewa, and

²⁹ Murray, "Turtle Mountain Chippewa", 10-15.

³⁰ Mary Jane Schneider, "Adaptive Strategy and Ethnic Persistence of the Mechif of North Dakota" (Unpublished Ph.D Dissertation, University of Missouri, 1974); Camp, *Plains Chippewas and Metis*.

describing their differences and commonalities in genetic, social, and economic terms. And just as Camp does, Schneider attempts to place the Turtle Mountain Chippewa into several different groups by identifying their ethnic markers. Schneider, who takes her strategy from Frederik Barth's book, *Ethnic Groups and Boundaries*, maintains that smaller groups within a larger group can still retain their own ethnic identities.³¹ Both Camp and Schneider are correct in promoting the idea that ethnic boundaries played a significant part in the history of the Turtle Mountain Chippewa. One example of this claim is that different ethnicities within the tribal group were used by the federal government as a mechanism to plead ignorance about tribal affiliation criteria. Again, however, without the necessary evidence needed to complete the argument, Camp and Schneider both fall short of their goal of pinning the federal government down on the issue of ignoring historical ethnic precedence in favor of factionalizing the Turtle Mountain people into groups in an effort to minimize any reparations or settlements.

What is important to this study is the question of how the Metis and so-called Mitchifs came to the Turtle Mountains during the 1870s and 1880s. After, in essence, losing both fights for independence, Manitoba (1869-70), and Saskatchewan (1885), many Metis left these regions in search of more stable and economically viable environments and would see the creation of the Turtle Mountain Chippewa Reservation

³¹ Frederik Barth, *Ethnic Groups and Boundaries; the social organization of culture difference*, (Boston: Brown, Little and Co., 1969).

as an opportunity to settle down and begin again. The exodus or dispersal of the Metis away from areas such as the Red River and Manitoba have been addressed and debated in most of the histories concerning the Metis. However, most of the histories which are so detailed and well researched are concerned with the Canadian Metis and not the American Mitchif. Gerhard J. Ens's book *Homeland to Hinterland*, gives some attention to the Mitchif and argues that it was the lack of economic opportunities in Manitoba which caused so many Metis to leave after 1870 and migrate to places such as the Turtle Mountains. Ens's follow up study, "After the Buffalo: The Reformation of the Turtle Mountain Metis Community, 1879-1905" examines the strategies, both political and economic, that the Metis used to formulate an identity and community at the Turtle Mountains.³² Through extensive research, Ens details the many destinations, including the Turtle Mountains, where some Metis went in order to find economic stability.³³ Although Ens's works, and other histories such as Jacqueline Peterson and Jennifer S.H. Brown's *The New Peoples: Being and Becoming Metis in North America*, are helpful and informative, they do not give a clear picture of how many Metis relocated to the Turtle Mountains and when.³⁴ Only by analyzing the Turtle Mountain census records can a more accurate estimate be made.

These Canadian works help provide background and insight into the

³² Ens, "After the Buffalo", 140.

³³ Gerhard J. Ens, Homeland to Hinterland: The Changing Worlds of the Red River Metis in the Nineteenth Century, (Toronto: University of Toronto Press, 1996), 19-20.

³⁴ Jacqueline Peterson, Jennifer S.H. Brown, ed., The New Peoples: Being and Becoming Metis in North

Metis/Mitchif at Turtle Mountain and their expertise combined with other more peripheral works which focus on Turtle Mountain Chippewa history can be very informative. These histories include the Turtle Mountain Chippewa historian Charlie White Weasel's work *Personal Collections and Writings*, Laura T. Law's *History of Rollette County*, and Linda Slaughter's *Leaves from Northwestern History*.³⁵

Even with their common bonds, there were some fundamental differences which led to conflict between the mix-bloods and the Turtle Mountain Chippewa. These differences would widen at the Turtle Mountains during the 1880s and 1890s. As we shall see from historical documents, the Metis/Mitchifs have resented the American federal government for not granting them the status afforded the full-bloods, including the right to participate in treaty negotiations.

The endeavors to cultivate the souls of the natives at Turtle Mountains has also been a source of conflict between the mix-bloods and the full-bloods. Exasperated by the missionaries themselves, who sought to dominate the spiritual landscape, the problems would deepen as the Mitchif and Turtle Mountain Chippewa were squeezed together because of the reservation reduction in 1884. Along with Pannekoek's work, Francis Paul Prucha's comprehensive treatment of missionary influence upon the natives, *American Indian Policy in Crisis: Christian Reformers and the Indian, 1865-1900*,

America, (Winnipeg: University of Manitoba Press, 1985).

³⁵ White Weasel, *Personal Collections*, 92-93; Laura T. Law, *History of Rollette County, North Dakota, and Years of Pioneers*, (Minneapolis: privately published, 1953); Linda Slaughter, "Leaves from Northwestern History" *North Dakota State Historical Society of North Dakota*, Vol. 1. (Bismarck: North

provides insight into this too often forgotten phenomenon.³⁶

To determine whether or not Little Shell III was an undisputed head chief and that his being deposed by a faction within his own tribal government was wrong, is not an objective of this paper. The events of the 1880s and 90s will show that Little Shell III's tenure as a head chief among the Turtle Mountain Chippewa depict a chief who operated within a chieftain's parameters to mediate disputes and competently represent his diverse tribe to outsiders. The failure or lack of success in achieving his goals cannot be a condemnation of his abilities considering that success for Little Shell depended upon fair and equitable treatment by the federal government. That is why it is imperative to proceed carefully with the new information and lay groundwork for further study. Nevertheless, the documentation presented will condemn the federal government for - at the very least - unkind practices against a peaceful people which were designed to debilitate them as a people, and destroy their concept of chieftainship.

Dakota State Historical Society 1906).

³⁶ Francis Paul Prucha, American Indian Policy in Crisis: Christian Reformers and the Indian, 1865-1900, (Norman: University of Oklahoma Press, 1976).

CHAPTER TWO

Richard White, in his study of European and Indian interaction in the Great Lakes region, *The Middle Ground*, described the Algonquin world in the early 1600s as a “world that had been shattered and of which only fragments remained.”¹ During the early and middle 1600s, diseases knifed through the Algonquins leaving death and destruction in their wake. To make matters worse, in their desire for furs and captives, the Iroquois began a series of brutal wars against the Algonquin tribes and the people that were left fled west to escape the onslaught around the middle Great Lakes region. The Ojibway were a part of the large group of Algonquin speaking peoples which existed north and west of Iroquoia, the land of the Iroquois, and they too would have to flee before the “Iroquois hammer.”² The western Ojibway refugees that ventured from Lake Superior into the Minnesota woodlands would become the ancestors of the Pembina and Turtle Mountain Chippewa.

The road to recovery after the horror and displacement of disease and the Iroquois wars created a refugee world from which the western Ojibway would have to piece back together their society. The settlements that the Ojibway created after being forced west by the Iroquois were in actuality refugee centers which also contained other native groups such as the Cree and Ottawa, and the resulting mixing created some hybrid

¹ Richard White, *The Middle Ground: Indians, Empires, and Republics in the Great Lakes Region, 1650-1815*, (Cambridge University Press, 1991), 1-2.

² *Ibid.*, 4-6.

peoples. From large villages which were necessary to protect each other from the Iroquois, these uprooted people who banded together were forced to reconstruct their customs and beliefs to fit their new environments and learn to share each others expertise.³

The Ojibway bands who lived on the northern and southern shores of western Lake Superior continued their fishing, hunting, and gathering traditions, and built their society into a strong nation once again. On the northern shore, the Ojibway settlement of Boweting (Ojibway named) or Saulte Ste. Marie (as it was known to the French), was visited by explorers and Jesuit priests by the middle of the 17th century.⁴ There does not seem to be any evidence of Ojibway settlements on the western shores and into the interior until the 18th century because of the direct threat from the Dakota (a large branch of the Sioux nation) who lived there. During most of the 17th century, the Dakota controlled almost all of the area west and south of Lake Superior, which today constitutes much of present day Minnesota.⁵ However, towards the end of the 17th century, the westernmost Ojibway people experienced another set of dramatic changes, including the proliferation of more guns provided by traders which would enable them to mount a direct assault on the northeasternmost Dakota and compete for their large woodland territory.⁶

³ Ibid., 6-14.

⁴ Warren, History of the Ojibway, 87, 114-115.

⁵ Ibid., 176.

⁶ Neill, The French Voyageurs to Minnesota and the Red River Valley During the Seventeenth Century, (St. Paul, Minnesota: Minnesota Historical Society Press, 1850), 2-3.

As time went on in Ojibway held western Lake Superior country, the explorers and missionaries eventually gave way to the ever growing numbers of fur traders from Montreal. By studying the history of Lake Superior during the last two decades of the 17th century, it shows that wherever the missionary went, the fur trader was usually not far behind. As the historian Edward Neill stated in his study of early Minnesota history, "hardly a chapel and cross was erected, without a trading house being built beside it."⁷

French expansion through the western Great Lakes region continued more rapidly in the 18th century from the fur trade base in Montreal. Demands for furs in Europe and from around the world had created huge trading enterprises and mammoth fur companies such as the Hudson's Bay Company, which operated out of posts on Hudson's Bay and vied for control of fur trading with the French-backed Montreal trading houses until the French were defeated by the British in 1763. Nevertheless, even though the French could no longer officially trade furs from the New World, Frenchmen continued to remain and be involved in the North American fur trade.⁸

With greater emphasis being placed on the killing of animals for their furs, the burgeoning western Ojibway population eventually faced a depletion of furred resources in their territories. To maintain productivity - and to avoid starvation - the Ojibway sometimes pressed their aims with warfare. Because of their intimate association with

⁷ Neill, *French Voyageurs in Minnesota*, 2.

⁸ Hickerson, "Trading Post Band", 291-294.

the European fur traders, the Ojibway were usually better armed than their enemies. However, this close relationship with the fur trade also meant there would always be a need for new territory to exploit for furs.⁹

William Warren stated that Sandy Lake, called Kah-me-tah-wung-a-guma, conquered by the Ojibway chief Bi-aus-wah around the year 1730, was the site of the first Ojibway village about the headwaters of the Mississippi.¹⁰ From this new stronghold the Ojibway apparently launched a large offensive to the west against the Dakota. Warren, who was recounting oral reports from Minnesota Ojibway chiefs during the 1840s, said that it was only after many successive military campaigns that the Ojibway finally forced the Dakota to “evacuate their favorite seats at Leech, Winnipeg, Cass, and Red Lakes, and also from Gull Lake, Crow Wing, and the vicinity of Mille Lacs.”¹¹

In 1775, the Montreal-based fur trader Alexander Henry the Elder, traveled along Rainy River and found Ojibway, whom he called Pillagers, at the Lake of the Woods. Henry said the Pillagers were named by traders supposedly for their custom of extorting goods for toll.¹² Warren differed from Henry and identifies the term Pillager as meaning “men who take by force” with respect to the taking of Leech Lake, the name being a

⁹ Ibid., Warren, History of the Ojibway, 126.

¹⁰ Warren, History of the Ojibway, 177-178, 189.

¹¹ Ibid., 178.

¹² Alexander Henry, Travels and Adventures in Canada and the Indian Territories between the years 1760 and 1776, ed. James Bain (Boston: Little, Brown & Company, 1901), 56.

distinguished one.¹³ Later the Pillagers would become identified with Leech Lake alone.

Alexander Henry the Elder did not mention the Pillagers being near Leech Lake, but this is probably because he did not travel that far south. Harold Hickerson contends in his ethnohistory of the Pillagers, it was the “same Ojibway that Henry Sr. met at the Lake of the Woods who came down from the north to occupy Leech Lake.”¹⁴ Even Alexander Henry the Elder was not sure they were Pillagers, because Lake of the Woods was a couple of hundred miles away from Leech Lake and there were other Ojibway settlements just as close. This explanation conflicts with Warren who stated that the Pillager (Leech Lake) chief Flat Mouth (who was also with Little Shell I in Alexander Henry the Younger’s Brigade) told him that the Leech Lake Ojibway had originally come from Sandy Lake.¹⁵ By an examination of the evidence, the occupation of Leech Lake must have occurred before 1781, when a great smallpox epidemic ravaged the tribes of the northwest and the plains. Warren wrote that Chief Flat Mouth told him the epidemic died out just as it reached Leech Lake, sparing many of the Ojibway living there.¹⁶

Conflicting accounts make it difficult to pinpoint where the Ojibway who claimed Leech Lake had come from. The oral testimony given to Warren from Flat Mouth about the Pillagers of Leech Lake coming from Sandy Lake, appears to be the most

¹³ Warren, *History of the Ojibway*, 187, 256.

¹⁴ Hickerson, *Ethnohistory*, 64.

¹⁵ Warren, *History of the Ojibway*, 177, 263.

¹⁶ *Ibid.*, 262.

compelling one because it was from such a strong regional native source.

Canadian historian Laura Peers also believed the Ojibway at Leech Lake came from Sandy Lake. Peers suggests only the Sandy Lake Ojibway had a sufficient amount of manpower to occupy that region, and were in the best position geographically to make such a move.¹⁷ Since the search for Little Shell I points to Leech Lake as his home residence, his band's prior residence may have been Sandy Lake. That Ais-saince's family originated at Sandy Lake is purely based on a smattering of evidence which is not enough to reach a definitive conclusion.

The first time Ais-saince or Little Shell I appeared in the pages of recorded history is in the journals of an English Northwest Fur Company trader Alexander Henry the Younger (the nephew of Alexander Henry the Elder). This journal gives a detailed account of his experiences while establishing fur trading posts for the Northwest Fur Company, along the Red River from the years 1800 to 1810. According to Henry, in August 1800, Little Shell and forty other Saulteurs (Chippewa) men were waiting for him and his voyageurs when they arrived in 1800 at the forks of the Red and Assiniboine rivers.¹⁸ The combined force of Ojibway and European men then descended the Red River to exploit fur resources there. Henry gave this diverse group of men the name, "The Red River Brigade," and gave a complete listing of the names of everybody

¹⁷ Peers, Western Ojibway, 13-14.

¹⁸ Coues, New Light, 43-44.

involved in the expedition - including the Ojibway.¹⁹ Henry listed the Ojibway in his brigade as coming from two different home lakes: Leech Lake and Red Lake.²⁰ Henry listed Little Shell in the Leech Lake category. In the listing, Henry translated the Ojibway name to French and English. Ais-saince can be translated to Petite Coquille, and Little Clam (which would later change to Little Shell in Henry's journal), his English name.²¹

Of the forty Ojibway men waiting for Alexander Henry in the spring of 1800 at the forks of the Red and Assiniboine rivers, seven are listed as being from the "Red Sucker of Beavers, inhabitants of Red Lake, which they abandoned in 1790."²² The remaining thirty-four Ojibway men including Little Shell, are listed as being from "two bands of O-ge-bois (Ojibway) or Saulteurs, inhabitants of the Mississippi, Leech Lake, etc., and have since left their lands since the years 1789-90."²³

If accurate, Henry's account means Little Shell and other Ojibway may have been roaming in that part of the country (Red River) for at least a decade, away from their home locations in central and northern present day Minnesota. During this time it was very probable that this group of Ojibway were involved with the fur trade.

Alexander Henry the Younger married the daughter of an Ojibway chieftain of the Red River Brigade named Liard (translated as Cottonwood) in about 1801. Liard was

¹⁹ Ibid., 49-55.

²⁰ Ibid.

²¹ Ibid.

²² Ibid., 54.

²³ Saulteurs is also another name for the Ojibway, just as Anishinabe, Chippewa, Bungi, also means the

Ais-saince's brother, which meant Alexander Henry became Little Shell's in-law, according to European custom. Henry even noted it in his journal that he considered Ais-saince his brother and had great respect for Liard his father-in-law.²⁴

Another trader who may have had contact with Little Shell before 1800 was a Frenchman named Charles Jean Baptiste Chaboillez who traded at the forks of the Red and Pembina rivers from 1797 to 1798.²⁵ Chaboillez, who also worked for the Northwest Fur Company, set up a post at the mouth of the Pembina River and traded for almost a full year before departing. During this time, Chaboillez kept a record of his trading with the Indians there. Although primarily a clerical record of business, Chaboillez's journal provides some useful information about the Indians hunting and trapping in the region at that time.

Ais-saince was not mentioned in any of Chaboillez's records, however, Liard, his brother was. Chaboillez mentioned Liard only once in his journal, noting that on April 23, 1798, "arrived the Borgne, Beaver, & Liard, gave them each a Dram & a piece of Tob."²⁶ Although this passage does not show that Liard or Little Shell are from Leech Lake, it does corroborate with Henry's listing.

In order to extend trading south down the Red River, Henry and his group of white traders and Ojibway men established three fur trading posts in the dangerous, contested

same people of this large tribal group. Ibid., 53-54.

²⁴ Ibid., 163, 260.

²⁵ Hickerson, *Journal of Chaboillez*, 265-267.

²⁶ "Dram" is a glass of mixed rum. "Tob" is a chunk of tobacco. Ibid., 385.

middle Red River region at Pembina, Park River, and Grandes Fourches (present day Grand Forks). During that period, this entire area was considered a war road between the Chippewa and the Dakota Sioux, thus making it a seldom hunted fur trapping paradise.

For a woodland people to move into this fringe area which bordered the plains, they would need strong leaders to guide them. To be a chief among the Chippewa hunting bands that had moved into the Red River and Pembina River area, a man had to have a combination of things. A leader had to be an efficient hunter and provider for the band, and it helped if the leader was related to a chieftain family already, so the title would come hereditarily which strengthened their position. For the larger, more established village groups such as those at Red Lake and Leech Lake, the hierarchy of hereditary chiefs was the norm in their society. The smaller, mobile bands which engaged in hunting or trapping tended to be groups of families where leadership was more flexible. Each group or band of hunters became separate units and had their own leaders conduct affairs for the band with the consent of fellow bandmembers. While still recognizing the head chiefs of their home villages, leaders of these small bands were more like petty chiefs fulfilling the role as chief when called upon by the group. For the Pembina band of Chippewa who were a conglomeration of small hunting and trapping

bands who had no long established hierarchy of chiefs or priests among them all the time, their leaders were typically the best hunters. Their need for a chief would change over time as these hunting groups came together at the Pembina post and established a hierarchy of leadership somewhat like that in their home villages.²⁷

The Pembina Chippewa chieftain hierarchy was based not on heredity alone, but on capability as well. Ethnologist Frances Densmore wrote in *Chippewa Customs*, that chiefs were mostly respected because of their capacity for leadership, and that a good chief attracted members to his group. If a chief could not provide good leadership, he would cease to be a head chief.²⁸ One of the main responsibilities for a head chief with the arrival of the white man was the ability to mediate and negotiate for their people. For the travelling native groups who dealt with the European trading companies on a regular basis, supporting and even establishing a chief came out of a basic need for order within the native group, especially their need to be represented at the trading table.²⁹ For the fur traders at Pembina around 1800, instead of dealing one on one with every band member, it was easier to deal with one chief or a few chiefs.³⁰ Such instances of European influence in tribal political matters became commonplace as time went on in order to create a favorable environment for trade or negotiations. This did not mean necessarily that a chief needed to have the endorsement of the European traders. However, even

²⁷ Hickerson, "Trading Post Band", 314-319.

²⁸ Densmore, *Chippewa Customs*, 131.

²⁹ Hickerson, "Trading Post Band", 319.

³⁰ *Ibid.*, 314-319.

among the Ojibway at Pembina, to be a head chieftain with the authority to influence lesser chiefs or hunting leaders, that person needed to have been part of a ruling chieftain family recognized by other members of his tribe, or have been an exceptional hunter and leader with a following, to be duly recognized by the fur traders.

Another important component of Ojibway life which would further explain native conformity to their chiefs was the Midewiwin religion. The Minnesota and Pembina Chippewa practiced the Midewiwin or Grand Medicine religion. This secret organization was composed of four different levels of holiness which one strived to attain through the course of ceremonies and initiation rites. The Ojibway chiefs whom Warren interviewed in the 1840s told him that the secrets of the Medawe were entrusted to priests, who jealously guarded them from one generation to the next.³¹ To obtain the different levels, an individual had to pay heavy fees to the priests or medicine men.³² The initiations were open to both sexes. Densmore described the traditions of the Medawe as containing the history of the tribe, which were handed down from one generation to the next.³³ The Ojibway believed that every stone, tree, or animal had a soul or spirit and that their shamans had the power to call bad spirits to exercise harm. With these types of beliefs, it was natural that the Ojibway were very fearful and superstitious of any person who professed supernatural powers. John McDonnell, the

³¹ Warren, History of the Ojibway, 65-66.

³² John McDonnell, Red River Extracts, 265-295.

³³ Densmore, Chippewa Customs, 8.

Northwest Company fur trader who had a fort on the Red River from 1793 to 1797, said of the Ojibway there, “almost every great man or chief among the Indians is a doctor of physic.”³⁴

Little Shell’s documented spiritual leadership asserted itself when the religion of the Shawnee prophet Shaweto spread throughout western Indian country including the Minnesota and Red River Chippewa region. Tanner says that once the messenger of the Prophet arrived and explained the new Indian teaching, Little Shell was among the first of his people to subscribe to Shaweto’s teachings, and urged his people to do the same.³⁵ Although the Prophet came to be viewed by some Indians as a fraud, it did show Ais-saince’s influence as a spiritualist among the Pembina Chippewa and supported some of John McDonnell’s assessments of a chief among the Ojibway on the Red River.³⁶

Evidence of Ais-saince’s rising importance came in 1802, when Alexander Henry the younger rewarded eight of his best or most influential hunters with chief’s clothes, particularly Little Shell, Buffalo (Payjick), and Tabashaw.³⁷ As fur traders usually did, Henry needed the best hunters and leaders of the natives working with him. By certifying their chieftain status with extra gratuities and favors, Henry hoped to have a strong core of hunters that worked exclusively for his fur trading posts.³⁸

By 1805, Henry was so successful at attracting Chippewa into his fur trading

³⁴ Ibid., 278.

³⁵ Tanner, Captivity Narrative, 155-159.

³⁶ Ibid.

³⁷ Coues, New Light, 196.

³⁸ Hickerson, “Trading Post Band”, 319.

community that the natives established a year round village at the Pembina post which the Chippewa had never done before in the Red River region. Constant fear of attacks from Dakota Sioux war parties made being chief a demanding job which required men of stern character. The mantle of leadership would fall on Ais-saince's shoulders after the death of his brother.

During the fall of 1805, Liard and Henry's native wife (Little Shell's niece) were killed in a raid by the Dakota and it appeared that Little Shell had proven himself enough by this time that he was either already a chief or was at least ready to assume a chieftainship. Henry wrote, "Little Shell acted as Commander-In-Chief" of a combined group of Pembina Chippewa (the Chippewa who lived in the village around Pembina) and a "large group of Indians coming from Leech Lake." The force from Leech Lake had come in response to the attack on Liard's camp and appeared to have a direct link with Little Shell. Henry described Ais-saince "riding back and forth in front of the men carrying the sacred pipe," and wrote that Little Shell led the war party against the Dakota.³⁹

Moreover, by 1807, Ais-saince was clearly considered a head chief by Alexander Henry, and also by John Tanner, a white man who was a captive among the Ojibway. According to Tanner, Ais-saince was a "head chief," and a "man of considerable

³⁹ Coues, New Light, 56.

means.”⁴⁰ Tanner considered Ais-saince a friend and mentioned him frequently throughout his account.

Little Shell’s bravery and leadership was well documented in both Henry and Tanner’s narratives. One such incident mentioned in both records, occurred in 1808, when a “large band under the direction of Ais-saince,” went to the Wild Rice River and was attacked by a large war party of Dakota. Facing overwhelming numbers, and with his wife already dead, Little Shell and his party held off their enemies. However, during the skirmish, one of the Dakota warriors managed to sneak in to scalp and kill Ais-saince’s young son.⁴¹ Once the Dakota warrior made it safely back to his own side, he taunted Little Shell with his son’s scalp. Enraged, Little Shell rushed forward and killed his son’s attacker, cut off his head and held it aloft in defiance. The action by Little Shell had been so fierce, the Dakota party retreated.⁴²

Ais-saince’s remarkable life ended in the fall of 1808, at the hands of his lifelong enemies, the Dakota. Perhaps a little too confident in his abilities, he established a hunting and gathering village on the northern shore of Spirit Lake - 90 miles west of the Red River. There were fewer people than usual in the village because one of the people in the Pembina village had experienced a vision filled with bad omens. The Pembina Chippewa believed strongly in the power of dreams, so many decided not to go with

⁴¹ Tanner, Captivity Narrative, 156, 178.

⁴² Ibid., 104.

⁴³ Coues, New Light, 263-264.

Ais-saince. On an autumn day at Spirit Lake, the whole village was overrun by a warparty of Dakota. Everyone was killed except for a young man named Matchetoon who made it back to the main village at Pembina. This was the same person who had had the dream. When the rescue party arrived, they found everyone killed and mutilated, except for one man who was full of arrows leaning against a tree - Ais-saince. John Tanner gave the final eulogy for Ais-saince saying, "Thus died the Little Clam, one of the last considerable men of his age."⁴³

By the time of Ais-saince's death in 1808, he had become the most influential of the Chippewa chiefs at Pembina. Ais-saince's death also coincided with the end of the Ojibway golden age of trapping on the Red River. With the depletion of furs along the Red River, some Ojibway would return to the lakes of Minnesota while those who stayed at Pembina would adapt to living on the plains and hunting the buffalo.⁴⁴

By 1810, although the Red River region was depleted of furs, it was becoming a center for the preparation of pemmican. Made of dried buffalo meat pounded into a powder and mixed with melted fat, and then poured into skin bags, pemmican kept indefinitely and retained high nutritional value, which made it a much sought after provision among traders. Pemmican provided the means for the NorthWest Company to establish a far flung fur trading transportation system stretching from Montreal to the

⁴⁴ Spirit Lake is also known as Devil's Lake. *Ibid.*, 178-181.

⁴⁵ Hickerson, "Trading Post Band", 329.

Pacific slope during the first quarter of the nineteenth century. The NorthWest Company became so huge and successful at the beginning of the nineteenth century that it rivaled the mighty Hudson's Bay Company (HBC) in the North American fur market.⁴⁵ This was due, in large part, to the Metis of the Red River, and other groups such as the Cree and the Assiniboine. Because of their importance in the hunting of buffalo and the making of pemmican, the Metis who moved to the Red River from places such as the Great Lakes, the Ohio River Valley, and other locations to the north and west of the Red River regions, enjoyed considerable economic success from 1810 to 1870. The Metis moved to the Red River in such numbers that they soon outnumbered the natives and whites almost ten to one. The Metis grew naturally from this environment and soon became a cohesive people, and a large part of their economic success during this period lay in the fact that they acted as a cultural bridge between the Indians and the Europeans.

The Hudson's Bay Company, agitated by the NorthWest Company's success in controlling the pemmican and furs in the western interior granted a major stockholder, Thomas Douglas, the Scottish Earl of Selkirk, a tract of land below Lake Winnipeg in the Red River Valley to found the colony of Assiniboia. Otherwise known as Lord Selkirk, Douglas was committed to setting up colonies for poor Scottish Highlanders,

⁴⁶ David Lavender, "The Hudson Bay Company: A Tricentennial Report," *American Heritage*, (April, 1970), 25.

while at the same providing the HBC with a ready made labor pool, and a source of locally produced food stuffs.⁴⁶ When the first wave of colonists arrived at the Red River in 1812, after a terrible journey filled with hardships, they were not welcomed by the local inhabitants or the NorthWest Fur Company. The Metis and the NorthWest Company felt the colonists had been deliberately planted by the Hudson's Bay Company to disrupt trade and usurp their land ownership claims. However, the Selkirk colonists would actually be helped by the local inhabitants at Pembina during the long winter of 1812-13. Although the colonists were in no shape to compete with anybody, they found themselves targets for reproach. In 1815, the Metis chased the colonists out of the country, all the way up to Norway House at Hudson Bay. However, soon more colonists were back, and this time the Metis and the Nor'Westers were not content to just chase them away. In 1816, provoked by the Governor of the Selkirk Colony Robert Semple, twenty one settlers, including Semple, were killed in a clash with the Metis known as the Battle of Seven Oaks.⁴⁷

The ruthless competitiveness between the two fur-trading companies, the Hudson's Bay Company and the NorthWest Company, ended in 1821, when the two companies were forced to merge by the British government. For many years, the Metis who had been pulled back and forth between the two giant companies had grown nationalistically

⁴⁷ W.L. Morton, Manitoba, 51-65.

as a people. The Metis claimed to be a legitimate native nation just like the Chippewa, Cree, and the Dakota. They were confident in their aboriginal rights to the land and in their ability to back up these rights militarily. The Red River Metis proclaimed to the world that they were the “New Nation” and believed they were the natural possessors of the soil, even protectors of the natives from European encroachment.⁴⁸ This nationalistic feeling of racial distinction and culture would grow until the newly formed Canadian government crushed the Metis twice over land rights in the Red River Resistance of 1869-70, and the Northwest Rebellion of 1885.⁴⁹

From 1810 on, the Pembina Chippewa took a backseat to their Metis relatives in the United States and British Territories. As intermarriage between the natives and the frontier whites continued well into the 1860s and 1870s, and between the mixed blooded and full-blooded Chippewa, the bonds remained strong between the Metis and the Plains Chippewa. Relatively few, and roaming over a vast area from Minnesota to Montana and Saskatchewan, the Plains Chippewa participated in the numerous Metis buffalo hunts and still were able wage war on the Dakota with the benefit of the heavily armed Metis as a powerful ally.⁵⁰

For Native Americans, events to the east during the 1820s would be harbinger of things to come. Without the interference of any European nations to ally with or defend

⁴⁸ Sprague, Canada and the Metis, 37.

⁴⁹ *Ibid.*, 21.

⁵⁰ A.S. Morton, The New Nation, The Metis, 139-140.

the natives, American leaders such as Andrew Jackson were illegally evicting the eastern tribes to places west of the Mississippi River. The great moral debates about Indian rights and land tenure among famous men like Daniel Webster, John Ross, and Chief Justice of the Supreme Court John Marshall and in court cases such as Johnson v McIntosh, Cherokee Nation v the State of Georgia, and Worcester v Georgia, shaped Indian policy in the nineteenth century.⁵¹

While the eastern American tribes were being driven west away from white settlements, the Plains Ojibway and Metis were engaged in hunting buffalo. From the 1820s on, massive buffalo hunts were conducted which killed thousands at a time. Other tribes such as the Mandan and the Dakota hated the Metis buffalo hunters for their indiscriminate slaughter of this life sustaining animal for their skins. The Dakota and other Indian tribes who tried to slow the slaughter were forced to grudgingly respect the prowess of the Metis marksmen and attacked the buffalo hunters with great trepidation.⁵²

It was in this era of the great buffalo hunts that Ais-saince's son, Weesh-e-damo or Little Shell II, rose to chieftain status. William Warren described Weesh-e-damo as, "the principal chief of the Pembina Chippewa." and it was Weesh-e-damo or Little Shell II who represented the Pembina Chippewa in the Treaty of the Chippewa in 1851.⁵³

⁵¹ Wise, Jennings C., Red Man in the New World Drama: A Politico-Legal Study with a Pageantry of American Indian History, ed. Vine Deloria Jr. (New York: Collier Macmillan Publishing Co. Inc. 1932), 211-212

⁵² Howard, Plains-Ojibway or Bungi, 14.

⁵³ Warren, History of Ojibway, 47; Ramsey, Journal of, 11.

Warren writes at length of Weesh-e-damo's stature as follows:

Weesh-e-damo, son of Aissaince (Little Clam), late British Ojibway Chief of Red River, is also a member of this (Crane) family. He is a young man, but has already received two American medals, one from the hands of a colonel of our army, and the other from the hands of the Governor of Minnesota Territory. He is recognized by our Government as chief of the Pembina section of the Ojibway tribe.

The facts are stated to show the importance of this family, and its wide extended influence over the tribe. It can be said of them that wherever they have planted their wigwam on the widespread Territory of their people, they have been recognized as chieftains.⁵⁴

Not much is known about Weesh-e-damo other than that he was the chieftain of the Plains Ojibway. Closely linked to the Metis, the Plains Ojibway were involved in the annual buffalo hunts and moved freely through allied territories. With friendly nations such as the Cree and Assiniboine weakened by disease and war, the Metis and Plains Ojibway ranged into lands as far west as Montana and Saskatchewan. The rising power and influence of the Metis allowed the Plains Ojibway to roam over a vast amount of buffalo range and allowed them to maintain a traditional culture and migratory economy well into the 1870s.⁵⁵

It appeared that the Plains Ojibway broke into small bands during the prairie phase from 1800 on. Father G.A. Belcourt, the longtime Catholic missionary who worked with the Metis and other native tribes around the Red River from 1831 to 1859, wrote in

⁵⁴ Warren, *History of Ojibway*, 47-48.

⁵⁵ *Ibid.*, Murray, "Turtie Mountain Chippewa," 2-6.

1849, that the people there consisted of three classes; the colonists from Canada and from Europe, the “half-breeds,” and the “savages”. Of the attitudes of the three, Belcourt writes that the colonists esteemed themselves over the other inhabitants, the half-breeds or Metis felt superior as the lords of the lands, and the natives have a spirit of nationalism above the other two.⁵⁶ From Father Belcourt’s statement one can see the continuing rise of cultural identity building within the minds of the Metis. However, according to Father Belcourt, the Plains Ojibway and the other Indian tribes, had the upper hand in displaying nationalistic sentiment. Also, Belcourt’s assessment affirms that the Plains Ojibway were flourishing as an intact culture in his eyes by 1850.

As early as the 1830s, the complexion of the fur trade began to take a different turn as white women entered the scene. Sylvia Van Kirk’s *Many Tender Ties*, says the advent of white women had a devastating effect on the relationships between the natives and whites. The native and mixed-blood women who had for so long been the only option for the way faring white fur traders were becoming replaced and pushed down the social ladder. Van Kirk explains that white women coming into the Red River Settlement, “underscored the increasing class and racial distinctions which characterized fur-trade society in the nineteenth century.”⁵⁷ For Van Kirk, a white woman, was like the missionary, “she symbolized the coming of a settled, agrarian order.” Van Kirk even

⁵⁶ Reverend George Antoine Belcourt, “Department of Hudson Bay” Collections of Minnesota Historical Society, Vol. 1. (St. Paul: 1872), 9.

⁵⁷ Sylvia Van Kirk, Many Tender Ties, Women in Fur-Trade Society in Western Canada, 1670-1870, (Winnipeg, Manitoba: Watson & Dwyer, 1980), 5.

goes as far as to state that white women were such “agents of racism,” that the deeply felt ramifications would permeate all aspects of relations between the whites and the natives and contribute greatly to bring about the demise of the fur trade.⁵⁸ The social and economic role played by the native women associated with the fur trade would indeed become diminished with the arrival of more white women, and Van Kirk is correct in the assumption of this subject’s importance upon the history of the fur trade in the 19th century.

From 1850 on, white perceptions (mostly American) of leadership roles in Plains Ojibway society turned more racist as more white settlers arrived and military garrisons were built on the American side of the border. The cultural status of the Chippewa in western Minnesota and along the Red River - in the eyes of the Americans - can be found in the report of Major Wood, who was in charge of the American expeditionary force to the Pembina settlements in 1850:

They are a wild, roving race of people with but few wants, and these are supplied by the country. They know but little of the United States, and have no bonds uniting them with our government, as other tribes, by the obligations of treaty stipulations. They live principally by the chase, and warlike by nature and habit, come often in conflict with their irreconcilable enemies, the Sioux, while hunting on the plains.⁵⁹

⁵⁸ *Ibid.*, 6-7.

⁵⁹ Major Wood, Pembina Settlement, Letter from the Secretary of War, Transmitting Report of Major Wood, relative to his expedition to Pembina Settlement, and the condition of affairs of the North-Western frontier of the Territory of Minnesota, March 19, 1850. (31st Congress, 1st Session, House of Representatives. Ex. Doc. 51), 22.

Where Weesh-e-damo was at the time of Wood's arrival is uncertain. However, according to William Warren, by the late 1840s, Weesh-e-damo was the acknowledged leader of the Pembina Band.⁶⁰ It must be remembered, that especially with the Americans, if a chief was not present when a military attachment came to talk, then the commander would create one, even if perhaps there was none present such as in the case of Major Wood, who stated he selected three men to represent the natives there.⁶¹

However, to Major Wood and the Americans, the Pembina Chippewa seemed unorganized and ignorant, devoid of structure and intelligence. Warren writings conflicts with Wood's assessment by describing a hereditary system for chieftainship along with an elaborate clan system.⁶² Warren stated that the Little Shells were part of the Crane totem. Each totem boasted their own ancestral stories and heroes. The totemic system served as a binder to link all the Chippewa together through bloodlines. Densmore agreed with Warren saying the totem system linked all the Ojibway together.⁶³ According to Warren, chieftainship for the Chippewa was usually attained hereditarily, but the prospective chief had to be blessed with the ability to generate trust among his fellow tribesmen, as Ais-saince had done after his brother Liard was killed.⁶⁴

In 1851, Minnesota Territorial Governor Alexander Ramsey went to the Minnesota tribes, which included the Pembina Chippewa, to make a treaty and Weesh-e-damo

⁶⁰ Warren, History of Ojibway, 47.

⁶¹ Wood, Pembina Settlement, 24.

⁶² Warren, History of the Ojibway, 47-48.

⁶³ Densmore, Customs, 9-10.

⁶⁴ Warren, History Of Ojibway, 41-53.

represented the Pembina Chippewa at the talks. Ramsey described the frustration felt by the mixed-bloods, who easily outnumbered the full-bloods, because he would not allow the mixed-bloods to be represented at the treaty proceedings. The mixed-bloods felt they were the dominant native group and any treaty or land cession should be done by them. The mix-bloods also believed the full-bloods were not competent enough to deal with the Americans. An example of the conflict between the two groups, can be found in Ramsey's treaty journal of 1851. In the following, Ramsey is relating a specific incident occurring between the mixed-bloods and the full-bloods who were present during the treaty negotiations while he was reading terms of the treaty to them:

"I (Ramsey) did so, and the paper stated that they wished the whole of their land money be paid over to the half-breeds. The agent (McClean) asked them if that was their wish. To which they made no reply. One of the Indians asked me to let him take the paper, the moment he took hold of it, he tore it into pieces; after which a general confusion ensued among the Indians, who denied having signed a paper to that effect."⁶⁵

For some reason, this particular treaty was never ratified by Congress. Nevertheless, this passage shows the friction created between the mixed-bloods and the full-bloods because of treaties and cash settlements. It was understandable for the mixed-bloods to want representation at any treaty or settlement and get the best deal possible for their

⁶⁵ Ramsey, Journal of, 12.

people. This struggle for representation would play itself out again at the Turtle Mountains in the fall of 1892.

There are no records of what happened to Weesh-e-damo after the treaty of 1851, and his whereabouts and the date of his death remains a mystery. However, he probably made his home in the Wood Mountains of Saskatchewan, the Milk River region in Montana Territory, or the Turtle Mountains or someplace close to these areas. This assumption of where Weesh-e-damo made his later residences, are based only on the travels and personal writings of his son, Aya-be-way-weh-tung. The chieftain of the Red River Chippewa, as he was described by Warren in the 1840s, helped create a distinct band of Plains Ojibway, who were closely linked and allied to the powerful Metis. Weesh-e-damo would pass on a flourishing Pembina Chippewa tribe with substantial territories to his son, the third in the Little Shell line, whose daunting job would be to keep it intact.

CHAPTER THREE

By the early 1860s, Americans had moved into the newly admitted state of Minnesota (1858) in sufficient numbers to force treaties and land cessions from the Chippewa and Sioux living there. In 1861, the Wahpeton-Sisseton bands of the Dakota had struck a deal with the Americans over their lands in Minnesota in exchange for a reservation to the west. However, relations between them quickly soured. Known as the Minnesota Sioux Uprising of 1862, raids upon white settlements in Minnesota by the Dakota took the lives of approximately eight hundred white settlers and had repercussions for all the Indian tribes living in the state of Minnesota and Dakota Territories.¹

The federal government sought treaties in an effort to prevent the Chippewa tribes in Minnesota from joining the Dakota and to insure their allegiance to the United States. In 1863, when Governor Alexander Ramsey and his delegation arrived at the forks of the Red Lake and the Red Rivers, bands of Minnesota Chippewa and a large number of Metis were waiting. However, Ramsey could not begin negotiations until the Pembina Chippewa had arrived. Finally, three days later, the Pembina group consisting of about three hundred individuals came in. The Pembinas were led by two principal chiefs, Red Bear and a young man named Aya-be-way-weh-tung or Little Shell III.² At this treaty

¹ Wise, Red Man in New World Drama, 214.

² Ramsey, Journal of, 12., White Weasel, Personal Collections, 135.

council, the Pembina group ceded the Red River Valley (approximately nine million acres) to the United States but retained the land north and west of Spirit Lake in present day North Dakota (approximately ten million acres), which included the Turtle Mountains.³ Included in the treaty was the right of the Pembina Chippewa to live at the White Earth Reservation, which Aya-be-way-weh-tung refused, while approximately one hundred of his three hundred followers chose to do so. The Pembina Chippewa who decided to move to White Earth were led by Chief Red Bear while those who refused to locate on the White Earth Chippewa Reservation (and who soon became known as the Turtle Mountain Chippewa because of their preferred location in the Turtle Mountains of north central Dakota Territory) were led by Little Shell III.⁴

In *Ojibwa of Western Canada*, Laura Peers describes the years from 1780 to 1870 as a pivotal period for the western Ojibway, during which they maintained a “constantly shifting balance between cultural continuity and adaptive change.”⁵ By the 1870s, life for the Turtle Mountain Chippewa was increasingly tenuous as the fur trade and the stability it brought had been crumbling for years with dropping prices. The old fur trade society was failing and one of the final straws would occur in 1869, when the Hudson’s Bay Company announced it would transfer all its land ownership in the Red River region or all of Rupert’s Land to Canada. The withdrawal of the Hudson’s Bay

³ Murray, “Turtle Mountain Chippewa”, 6.

⁴ Camp, *Plains-Chippewa and Metis*, 103-105.

⁵ Peers, *Ojibwa of Western Canada*, 206.

Company, signaled an end to a system, which had helped sustain the plains Chippewa and the Metis, and had made both an integral part of its economic success for decades.⁶

In 1869, angered at the impending land transfer to Canada and worried about their economic and political future, the Metis, led by Louis Riel, would proclaim independence and in the process of negotiating with Canada, create the province of Manitoba. Unfortunately, the Metis of Manitoba and their hopes for a native province would be swept aside as white Canadian settlers moved in from the east.⁷

The standard of living continued to decline for the plains Chippewa and the Metis during the 1870s, and into the 1880s. In Canada, the plains Chippewa along with their Cree allies looked to protect their interests by negotiating treaties with the new Canadian government. Treaty One, or the Stone Fort Treaty was agreed upon in 1870, Treaty Two was negotiated and signed in 1871, and Treaty Four was finalized in 1874.⁸ For the plains Chippewa on either side of the border, changes in their lifestyle were taking place. The great northern buffalo herds continued to dwindle from the slaughter of both whites and native people. The rapid decline of the buffalo and an increasing influx of white settlers diminished the prospective hunting and living locations which the plains Chippewa and Metis had once enjoyed.⁹

As America secured its borders with Canada and Mexico, Americans and immigrant

⁶ Ibid, 201-202., Ens, Homeland, 130-132.

⁷ Ibid, 127-128; Morton, The New Nation, 140.

⁸ Ens, Homeland, 184.

⁹ Camp, Plains-Chippewa and Metis, 108-109.

Europeans alike migrated west to settle the plains. During the 1870s, the dual process of reservation making and cutting tribal lands into allotments gained momentum as tribes were being forced onto small plots to continue their existence. The Turtle Mountain Band of Chippewa was not blind to the new order, and realized that all over the West, Indian nations such as the Dakota and the Apache, were resisting the onslaught of white settlers and their insistent demands for more land with armed force. The Turtle Mountain Chippewa had always retained peaceful relations with the United States and they hoped that fact would be taken into consideration when it was time to negotiate a treaty. However, it would not be until 1871, that another effort to locate the Turtle Mountain Chippewa on a reservation was made.¹⁰

Deeming it appropriate to cement their hold on the Turtle Mountains region, the Pembina Chippewa full-bloods along with their Mitchif council members who called this area their home, offered to sell approximately nine million acres and to keep one million for themselves. Perhaps in apprehension of what was happening up north in Manitoba to the Metis, the American mixed-bloods again allied themselves (as they did in 1851 and 1863) with the Turtle Mountain Chippewa who did not object. In 1871, the Commissioner of Indian Affairs Annual Report quoted Agent E.P. Smith, who had assessed the Red Lake and Pembina Chippewa request, as saying:

The Red Lake and Pembina bands of Chippewa entered into

¹⁰ Murray, "Turtle Mountain Chippewa", 8-9; Commissioner's of Indian Affairs Report for 1871. Serial Set 1500, 593.

a joint treaty in 1863, in which they ceded a part of the lands of the Red Lake and all that of the Pembinas are living in Dakota without any reservation, unless the Department shall recognize the claim of the Turtle Mountain band of Pembina who at the time of the treaty were living west of the line of the ceded territory and would seem to retain all the natural rights which Indians ever acquire to territory. They ask that this Turtle Mountain country shall be acknowledged to them as their reservation.¹¹

The report went on to describe the Pembina Chippewa in a somewhat derogatory fashion:

The whole number of full-blooded Pembina Indians will not exceed three hundred. They are a constant annoyance to the settlers at Pembina; a straggling, wretched, houseless people; some of them can be induced to settle at White Earth if provision for their removal can be made. Others will go out into the Turtle Mountains, if they can be allowed to call it their reservation.¹²

As Washington officials slowly contemplated their options, years would go by before any attempts to negotiate a treaty were made again. In 1874, the son of Weesh-edamo, returned to the Turtle Mountains for a long drawn out political siege with the United States. Responding to pressure from the Pembina settlers, the Dakota Territorial legislature presented petitions signed by the citizens of Dakota Territory to the Secretary of the Interior in 1872 and 1873 which asked for the removal of the Pembina Chippewa from that territory.¹³ Feeling they needed the power of a hereditary head chieftain to

¹¹ Ibid.

¹² Ibid.

¹³ Senate Document 444. 164; White Weasel, Personal Collections, 135-136.

negotiate with the American government and strengthen their position and the Territorial government, Chief Little Bull and the leaders of the Turtle Mountain band asked Aya-be-way-weh-tung, the son of Weesh-e-damo, to come and assume leadership of the Turtle Mountain Chippewa.¹⁴ Little Shell III then left his home about four hundred miles northwest of the border at Wood Mountains, Canada to go to the Turtle Mountains. Soon afterward, Little Shell went to Washington in the summer of 1874 asking for a permanent reservation for his people, but the trip was not a success.¹⁵

Also in 1874, while Little Shell was gone from the Wood Mountains in present day Saskatchewan, a treaty was signed, which included the Wood Mountains, between Her Majesty the Queen's Canadian government and the Cree and Salteaux (Chippewa) tribes at Qu'Appelle and Fort Ellice. The agreement was called Treaty No. 4, and established a reserve there. The Treaty was concluded September 15, 1874, and a census was then taken for the tribal rolls. For the relinquishment of a considerable amount of land, each chief was to receive \$25, each headman \$15, and \$5 to every man, woman, and child. From examining the treaty record, Little Shell is not listed as either a chief or a headman.¹⁶ Little Shell could have used a different name, but of that there is no proof.

Little Shell returned to Wood Mountain, while keeping his eye on the situation on the southern side of the border.¹⁷ In the meantime, while Little Shell was away, his first

¹⁴ Murray, "Turtle Mountain Chippewa", 7.

¹⁵ White Weasel, Personal Collections, 136.

¹⁶ Roger Dumahel, F.R.S.C., Treaty No. 4, Between Her Majesty The Queen And The Cree And Salteaux Tribes of Indians, (Ottawa: Queen's Printer and Controller of Stationary, 1966).

¹⁷ R.G. 75. doc. 2368. Letter, Little Shell to U.S. Agent Major Cramsie complaining about their unceded

warrior, Little Bull, was the highest-ranking tribal leader in the Turtle Mountains. In 1876, in a renewed effort to create a reservation and to sell some of their lands, Chief Little Bull, sent a memorial, signed with the consent of Little Shell to the Congress of the United States reiterating the boundaries and extent of Turtle Mountain Chippewa lands as granted them in the Pembina Treaty of 1863.¹⁸ After 1876, the Turtle Mountain Chippewa would refuse to accept any payment from the Pembina settlement - although none appears to have been offered - fearing that doing so would negate their present land claims.¹⁹

Chief Little Bull stipulated that his people wanted a permanent reservation set apart for them and an agency established within it. Also, the Turtle Mountain Chippewa wished for due compensation for their lands which were already being occupied by white settlers.²⁰ Unfortunately, the Turtle Mountain Chippewa would have to languish another six years as settlers continued to move in illegally and take up homesteads before the federal government acted. Needless to say, by July 18 1882, the Turtle Mountain Chippewa were in a state of considerable consternation over this state of affairs, and in order to prevent any acts of violence - which many of the Chippewa people were contemplating at this time - Aya-be-way-weh-tung returned to the Turtle Mountains. There is no record of exactly how or by whom Little Shell was asked to

land being opened for settlement. June 18, 1882.

¹⁸ Commissioner of Indian Affairs Report for 1877, Serial Set no. 1800. 525; Commissioner of Indian Affairs Report for 1880, Serial Set no. 1959. 226; Senate Document 444. 98-99; Murray, "Turtle Mountain Chippewa," 9-10.

¹⁹ Camp, Plains-Chippewa and Metis, 107.

return to assume chieftainship. Nevertheless, Little Shell immediately thereafter posted throughout the lands of the Chippewa the warning to all white settlers that they must leave at once until a treaty between the Turtle Mountain Chippewa and the American government had been reached. The hereditary chief of the Turtle Mountain band of Pembina Chippewa had clearly come home to take over responsibilities as head chief.²¹

The granting of the reservation would not come until December of 1882, but only after an unlawful action by the federal government two months earlier. Because of large-scale wheat farming in the Red River Valley and the proposed construction of a Great Northern railroad line in 1881 and 1882, settlers began filling up Pembina, Ramsey, and Cavalier county lands that were still unceded by the Turtle Mountain Chippewa.²² In October, 1882, the Secretary of Interior sent a letter to the Department of the Interior Land Office, without informing the Turtle Mountain Chippewa, and declared that the remaining Chippewa lands - approximately 10 million acres - would be restored to the mass of public domain and made subject to the general settlement laws. This now meant that any prospective white settler could file a claim on these lands.²³

The Turtle Mountain Chippewa found out about this action only after settlers moved into the area and informed the Turtle Mountain people that they had filed upon the land in Grand Forks or Fargo and that the land was now legally theirs. In some

²⁰ Senate Document 154, 55th Congress, 2nd session, 1898, Serial Set no. 3757. 11-12.

²¹ Law, History of Rollette County, 21-22; Hesketh, History of Turtle Mountain, 119-120.

²² Murray, "Turtle Mountain Chippewa", 9.

²³ Ibid.

cases, a settler would come and build a home right next to an Indian residence.²⁴ Soon thereafter, Chief Little Shell left with a delegation for Washington and met with the Secretary of the Interior for the purpose of halting white settlement on Turtle Mountain Chippewa land. Although many things were left undetermined, such as final payment for lands ceded and lost property, a deal for a permanent reservation was struck between the two parties. They agreed upon a block of land thirty-six miles long by twenty-four miles wide (or twenty-two townships) located along the international boundary encompassing most of the Turtle Mountains. The action of the Secretary of the Interior was followed by the Executive Order of the President, dated December 21, 1882, setting apart without conditions the Turtle Mountain Chippewa Reservation.²⁵

The two years that followed were the calm before the storm for the people of the Turtle Mountains. During this time, Turtle Mountain Chippewa who had been living in different parts of the country were invited home from such places as Montana, Saskatchewan, Manitoba, and Minnesota, in order to come and build homes on their own reservation lands.²⁶ Also, many American Mitchifs and Canadian Metis with family and relatives among the Turtle Mountain Chippewa came to the newly created Turtle Mountain Reservation to make it their permanent home.²⁷ However, this peaceful time would not last long.

²⁴ RG 75. doc. 2368; John Hesketh, "History of the Turtle Mountain Chippewa" Collections of the State Historical Society of North Dakota, V (1923). 118-120.

²⁵ Senate Document 154, 22-25; Hesketh, History of Turtle Mountain, 112-113.

²⁶ Dusenbury, "Waiting for a Day", 23-30; Camp, Plains Chippewa and Metis, 109-110.

²⁷ Murray, "Turtle Mountain Chippewa", 10; Camp, Plains Chippewa and Metis, 118-121.

Without prior warning, on March 1, 1884, an Executive Order by President Chester Arthur, was issued, "restoring to the mass of the public domain all of the lands reserved by the aforesaid order of withdrawal of December 21, 1882, except Township 162 and 163 North Range 71 West." In the blink of an eye, the Turtle Mountain Chippewa Reservation had been cut down from twenty-two townships to just two townships. Worse yet, of the remaining land, which comprised 46,000 acres, only one-half was tillable.²⁸ As will be discussed more fully later, President Arthur and the federal government cited many causes for the reduction of the reservation, but failed to cite what was, in all likelihood, the real reason for this massive reduction.

As might have been expected, the Turtle Mountain Chippewa reeled under this unexpected blow, Chief Little Shell called together the Grand Council in the summer of 1884, which was a combination of the full-blood Chippewa council and the Mitchif council. It is not certain when the two councils at Turtle Mountain started or how they came into being, but by Little Shell's letter, the dual councils were obviously in place by 1884. These two councils represented the two different peoples at Turtle Mountain - the Mitchifs and the full-bloods. The Mitchif council had the most constituents, but the full-blood council was recognized by the federal government and was the representative tribal government. However, the Grand Council was very important and Chief Little

²⁸ Murray, "Turtle Mountain Chippewa", 9-10.

Shell appears to have valued the advice from the Mitchif leaders throughout his tenure as head chief. The council decided that Little Shell should again go to Washington and meet directly with the President of the United States. However, after arriving in Washington in the autumn of 1884, the only person Little Shell was allowed to meet with was a staff member of the Department of the Interior. After accomplishing nothing, Little Shell returned home.²⁹

Little Shell argued in a letter to the Secretary of Interior that during the continuance of the larger reservation there were upon it "more than one hundred families of full-bloods of the Turtle Mountain Band," or approximately five hundred people and were in addition about "one hundred and fifty families of full-bloods of said band scattered elsewhere in search of subsistence." Little Shell's figures conflict sharply when compared to the three hundred full-blood census reported by an area businessman named Cyrus Beede in 1883. This particular census by Beede is the one which many historians and the federal government have cited as the reason for the reservation reduction.³⁰ Why a person such as Beede with perhaps a bias interest in seeing the reservation thrown open to settlement would be allowed to take an official government tribal census is one of the mystifying actions done by the federal officials during this time. Little Shell went on to say that during this same period there were living inside the lines of the reservation

²⁹ Ibid., 11; Camp, Plains Chippewa and Metis, 118.

³⁰ R.G. 75, doc. 11303. Letter, Little Shell to Sec. of Interior, April 22, 1885; Commissioner of Indian Affairs Report for 1884, Serial set no. 2287. 30; Law, Rollette County, 20.

(mainly in Township 163 North of Range 70 West, which would become one of the two townships of the smaller reservation) "1200 persons of the mixed-bloods belonging to the Turtle Mountain Chippewa Band, and also, a large number of others of this class in the same general locality."³¹ Little Shell's census figures of 1884, not only show the crowded conditions there at the time, but are strikingly different those put forth by Beede.

With Beede's census setting the tone for the conflicting numbers at Turtle Mountain, conjecture about the actual number of natives at Turtle Mountain flew, as reports now focused on whether people were legally there or not. In Agent John W. Cramsie's report to the Secretary of the Interior for 1884, the focus turned to native people who had either come late or were not officially listed on a tribal roll. In the report, Cramsie wrote:

The Turtle Mountain Reservation consists of two townships which form the south-eastern portion of the mountain, and contain sufficient arable land and also timber for the use of the Indians and mixed-bloods. Thirty-one families of renegade Chippewa Indians are located on the reservation and vicinity; They are from the reservations in Minnesota and Dakota. There are also about 1,200 mixed-bloods so located who claim and imagine the government should feed, clothe, and supply their wants.³²

The "renegade" Chippewa Indians, Cramsie is referring to, illustrates what the government would do concerning the Turtle Mountain Chippewa from 1884 on. Every

³¹ R.G. 75. doc. 11303; Murray, "Turtle Mountain Chippewa", 10.

³² Commissioner of Indian Affairs Report for 1884, Serial Set 2287, 154.

Chippewa, whether full-blood or mixed, now came under heavy scrutiny in order to determine if they were an American or a renegade (Canadian). Furthermore, once the revocation of the withdrawal of 1882 was made known in the newspapers and the new Turtle Mountain land was opened for general settlement, another land rush ensued. This time, white Canadians and immigrants who had originally come to Canada, crossed the border in considerable numbers and were claiming the choicest lands thrown open, including in some instances, the very houses and implements of members of the Turtle Mountain band.³³

Surprisingly, there were no reports of violence during this difficult time. In the midst of this emergency, Chief Little Shell went to the Devils Lake Agency asking for help in stopping the immigrants from settling upon his people's unceded lands. Little Shell told the Indian agent at the Devils Lake agency, that county officers, whose jurisdiction was one hundred miles away, were coming to the aid of the settlers by bringing their land office forms and seals of office in places convenient for white settlers. This unlawful action by county officers had serious consequences for the Indians already living on the land, and in the end, many Mitchifs would lose their homes.³⁴

Once learning of their predicament, the Turtle Mountain Indians - mostly the

³³ Camp, *Plains-Chippewa and Metis*, 115-116; Murray, "Turtle Mountain Chippewa", 11-12.

³⁴ Murray, "Turtle Mountain Chippewa", 12-13.

mixed-bloods who found themselves off the reservation after the reduction - scrambled to escape total ruin by taking advantage of the terms of the Indian Homestead Act of March 3rd, 1875, under which every eligible Indian could file for 160 acres. Because many mixed-bloods had voted in elections in the newly created Rollette County - which was carved out of the boundaries of the old reservation - there was confusion over whether or not they were American citizens. The answer was not immediately forthcoming, and this confusion provided an opportunity for a few unscrupulous whites to take advantage of the Indian citizenship question.³⁵ In 1887, Indian agent John Cramsie complained to the Commissioner of Indian Affairs John Atkins of the "schemers" among the whites and their "rings" which tricked the Indians out of their rights to land.³⁶ Little Shell complained later that a delaying tactic employed by land speculators was to tell the mixed-bloods they could claim land under the General Homestead Act.³⁷ The speculators knew once the Mitchifs did try to file their claims under the General Homestead Act, they would probably be told they were in fact not American citizens, but Indians, and have to file under the Indian Homestead Act. While the Mitchifs scrambled for clear answers, settlers filed claims for their lands in Grand Forks and Fargo.³⁸

To complicate matters, the Mitchifs were one hundred miles from the local land

³⁵ Ibid.

³⁶ R.G. 75. doc. 7931. Letter, U.S. Indian Agent at Fort Totten, John Cramsie to Commissioner of Indian Affairs Atkins. U.S. Indian Agent Cramsie complains about the "schemers," whites and their "rings" in tricking the Indians out of their rights to land. March 21, 1887

³⁷ Murray, "Turtle Mountain Chippewa", 10-11.

office and the Indian Agent at the Devil's Lake Sioux Agency who was in charge of the Turtle Mountain reservation. It appears that the land speculators knew more about the Indian land question than the federal government, for even the Indian agents seemed as ignorant as the Turtle Mountain people about how to take the proper steps necessary to secure land rights under the Indian Homestead law.³⁹ This confusion about whether the Mitchif were considered American Indian or not would last for decades, and the answer would come too late for many of them to have homesteads in the Turtle Mountains.

Protests were sent out from the Turtle Mountain Chippewa to the federal government. However, the government was not sympathetic to their plight as can be seen in the Commissioner of Indian Affairs report for 1885;

The reduction of their reservation to two townships has caused some dissatisfaction and they have asked for more land, but it is believed that they have all the land they need or will ever make use of, and as they are at liberty to take homesteads on the public domain, does not seem necessary for enlargement of their reservation. If they have suffered any wrong as is claimed, the remedy is with Congress. Many half breeds who properly belong on the other side of the British line are mixed in with our Native Indians, producing discord amongst them and proving a constant source of annoyance to the white settlers. No doubt the liberal advantage offered to our Indians in obtaining help has reduced many and will tempt others to come over in the hope of securing the proffered aid and assistance.⁴⁰

It appeared from the Commissioner's letter, as if the fear of drawing Canadian mixed-bloods across the border was the reason for the American government's disregard

³⁸ Ibid; Camp, *Plains-Chippewa and Metis*, 125-127.

³⁹ R.G. 75. doc. 19145. Letter, Farmer-In-Charge Brenner to John Cramsie. Brenner is requesting information relative to the Indians filing on government land under Indian Homestead Act. July 22, 1888.

for Turtle Mountain Chippewa distress. One prevailing belief of the Commissioner and other federal Indian Agents was that the Turtle Mountain Reservation could be harboring Canadian Indians and Metis from the Northwest Rebellion led by Louis Riel which was going on just north and west of the Turtle Mountains that same year in 1885. The rebellion stemmed from the Canadian government not allowing the Metis to keep their French style river lots in Saskatchewan and wanting to resurvey the land which the Metis feared would result in a loss of their lands. Resurveying Metis river lots had been one of the main causes of the Red River Resistance of 1869-70.⁴¹ Many of the Indians in the area believed it was a Metis fight and stayed out of the conflict, but some groups of the Cree did participate. After two weeks of fierce fighting between Metis and Canadian forces at Batoche, Saskatchewan, Louis Riel surrendered and was eventually sent to the gallows. Many Metis and Indians scattered to escape retribution from the Canadian government and some went into U.S. territory. The failure of the rebellion and the death of Louis Riel, threw the Metis nation into disarray. Indeed, many of these people sought refuge and economic stability in other parts of Canada, and in the United States, notably in Montana and the Turtle Mountains.⁴²

The Commissioner had good reason to fear Canadian Metis coming over as the 1885 NorthWest Rebellion of the Metis had just ended. Furthermore, population counts

⁴⁰ Commissioner of Indian Affairs Report for 1885, Serial Set 2379, 310.

⁴¹ Sprague, *Canada and the Metis*, 33-34, 157-160; Ens, *Homeland*, 127.

⁴² Ens, *Homeland*, 127-128.

taken by government officials in 1885 (3,240), and 1886 (3,792), give good cause why the government may have made a mistake when the President reduced the reservation. Although much higher than the blatantly incorrect three hundred census count by Cyrus Beede in 1884, these census counts, which were dramatically lower than Little Shells and others such as Father Genin's assessments (whose figures reached five thousand) still show a sharp increase in population of about five hundred from 1885 to 1886.⁴³ This upturn in population can only be attributed to the ending of the 1885 Metis Rebellion in the NorthWest Territory, in modern day central Saskatchewan.⁴⁴

As early as 1886, Farmer-in-Charge E.W. Brenner reported an increase in the mixed-blood population at Turtle Mountain.⁴⁵ By 1887, the mixed-blood population had burgeoned so much it created extreme difficulty in passing out rations to those entitled. Instead of issuing more rations to help the growing population at Turtle Mountains, the federal government tried to control the rationing even more. In this letter, Brenner did not say anything about internal divisions within the people there, but he did hint at the growing turmoil when he issued rations.⁴⁶ The suspicion that perhaps hundreds of native Canadian dissenters were hiding on American soil dramatically affected relations between federal officials and the Turtle Mountain people, which in turn, further widened

⁴³ Father Genin was a Catholic priest who would visit the Turtle Mountains periodically throughout the 1880s and champion their cause against the federal government.

⁴⁴ R.G. 75, doc. 2895. Letter, Inspector Gardner reporting census to the Secretary of the Interior. July 17, 1885.

⁴⁵ R.G. 75, doc. 2437. Letter, Farmer In Charge E.W. Brenner to the Commissioner of Indian Affairs, John Atkins, of being alarmed at the swelling of the mixed blood population. Aug. 28, 1886.

⁴⁶ Ibid.

the divisions within Turtle Mountain.⁴⁷

Meanwhile, in the early part of 1887, while in the midst of starvation and a severe winter, a new problem flared for the people at Turtle Mountain in the form of county taxes. Because the federal government was slow to clarify the situation of the mixed-bloods living off the reservation, county officials became more zealous in the collection of tax monies. The Rollette County Commissioners decided not to wait for the federal government's ruling on the matter and attempted to collect back taxes from the mixed-bloods living off the reservation. On February 5, 1887, in the coldest part of winter, tax collector Thomas Hesketh, with Sheriff Flynn, went from house to house to collect taxes supposedly "owed" by the Indians living off the reservation to Rollette County. In most cases, the families were assessed \$10, \$15, or \$20 dollars. If the family could not pay, the sheriff was instructed to seize the stock, if any, in lieu of the taxes owed.⁴⁸

While trying to avert any violence between his people, the settlers, and county officials, Little Shell wrote letters to known Indian sympathizers. In a letter dated February 24, 1887, to Dr. G.W. McConnell, a member of the Friends of the Indian, a lobbying group supporting Indian rights in Washington, Little Shell told McConnell that the off reservation people were being provoked, and complained that the taxes implemented by the county were "unfair," and that the actions taken by the sheriff and

⁴⁷ Ibid.

⁴⁸ R.G. 75, doc. 11303. Letter, Little Shell to the Secretary of the Interior. February 22. 1887.

others were “extremely harsh and may lead to trouble.”⁴⁹

The signatures on the letter to McConnell identify the highest-ranking council members. At the top of the page was Little Shell, followed by the President of the Council, Jean Bapiste Lenoir, Francois Dauphinais, Francois St. Germain, Joseph Bomcaux, Antoine Brien, Joseph Lafournaise, and Pierre Grant, and witness Joseph M. John. The secretary, or actual writer of the letter, was Joseph Rollette.⁵⁰ From the French surnames of the participants it appeared this was the Mitchif mixed-blood council with Little Shell presiding which formulated the letter. From looking at the protests coming out of the Turtle Mountains, it appeared that the mixed-blood council was the most active at this time, probably because much of the conflict directly involved mixed-bloods living off the reservation. The affair did not concern full-bloods that were not subject to taxation, which may account for the full-bloods being absent from the list of signatures. It must be remembered that the full-bloods were not taxed because they were protected by the federal government. However, the mixed-bloods were not protected because the county assessors did not consider them Indian, a view apparently based on census records or surnames, and insisted on their paying property taxes.⁵¹

For Little Shell, being head chief of the Turtle Mountain Chippewa during the 1880s presented a set of unique problems. On the one hand he was the head chief of the

⁴⁹ R.G. 75, doc. 6838. Letter, Little Shell to Dr. G.W. McConnell. February 24, 1887.

⁵⁰ Ibid.

⁵¹ R.G. 75, doc. 7573. Letter, John Cain, Commissioner of Board of Commissioners of Rollette County to U.S. Indian Agent, John Cramsie. March 14, 1887.

traditional full-blooded Chippewa and head of the Grand Council, but also he was the presiding officer for the Mitchif council. The presence of a large Metis population accustomed to governing themselves posed a variety of problems for Little Shell in reaching a consensus between the two groups. Because the Mitchifs came under the auspices of the Turtle Mountain Chippewa - and since the American government tended to disallow Indian rights for mixed-bloods - they were subordinate to the Grand Council. However, the official tribal letters coming from the Turtle Mountains during the 1880s, indicate that Mitchif participation in both councils continued to dominate Turtle Mountain affairs from the 1880s on.⁵² For Little Shell, the presence of dual councils and the heavy influx of Mitchifs into Turtle Mountain tribal affairs must have been difficult to sort out, but never in any of his tribal government letters did he protest the Mitchifs being involved in the political affairs at Turtle Mountain. This sense of inclusion toward all the mixed-bloods, whether Canadian Metis or American Mitchif, is a testament to Little Shell's ability to fulfill the role of head chief by trying to help everyone, even to the point of hurting his own position politically.

Other problems continued to mount for Little Shell and the people at Turtle Mountain. The threat of a clash over taxation became reality at St. Johns on March 1, 1887. On that day, a group of about one hundred men led by Little Shell, Little Bull, and

⁵² R.G. 75, doc. 7575. Letter, U.S. Indian Agent Cramsie to Commissioner of Indian Affairs. March 12, 1887.

Red Bear broke into a barn and released cattle and horses which had been seized by the sheriff and county officials from the off reservation Indians (Mitchifs) for nonpayment of taxes.⁵³ In a letter to the U.S. Indian Agent Cramsie at the Devils Lake Agency, John Cain, Chairman of the Rollette county commissioners stated that the Indians were “a drunken mob of Canadian half breeds that had come to stir up trouble,” and charged that they had been engaged in the Rebellion in the Canadian NorthWest Territory in 1885. Cain claimed their plan now was to start trouble in the United States. He went on to say that white settlers in the Rollette county area were in danger of an Indian uprising and ended the letter by asking for a company of soldiers to be sent to the town of St. John to protect the white settlers there.⁵⁴

Major John Cramsie, the Indian Agent at Devils Lake, in his report to John Atkins, Commissioner of Indian Affairs sided with the Turtle Mountain Chippewa and Chief Little Shell in this instance. Cramsie reported that the delinquent taxes owed Rollette County from the year 1885 (one year after the reservation reduction) amounted to \$1,433.73, and of this amount \$1,057.32 was apparently due from the off reservation Indians living within the county, and \$376.41 from the whites living there. Why Cramsie would list the dollar figures the natives owed to the Commissioner is unclear. However, Cramsie went on to note that at the time of the tax trouble at St. John, there was a

⁵³ Ibid.

⁵⁴ Ibid.

meeting at the livestock barn in which two white men named Wells and Martin offered to give security for the return of the stock until payment of the taxes could be managed by the Indians and that the county could keep the security if the stock were not returned. With the owners of the stock present, and even with the promise that the county could keep the security until the taxes were paid, the commissioners refused the compromise. According to Cramsie, after the refusal, the barn door was broken open and the livestock taken. Through it all, Cramsie explained that Chief Little Shell had "full control over the men there, and exercised great caution."⁵⁵ This group of one hundred or so men were made up of both full-blood Chippewa and Mitchifs. From Cramsie's statement, it is apparent that he considered Little Shell at that time, head chief of the whole Turtle Mountain Chippewa people, because of the way he managed to control a large number of Turtle Mountain men - including both full and mixed-bloods.⁵⁶

Little Shell's leadership of both the full-bloods and mixed-bloods would further be put to the test, because one month later, the tax problem was still a volatile issue, and Little Shell feared violence would break out between the white residents of Rollette County and his people living off the reservation. Chief Little Shell and the Grand Council sent a letter to the Secretary of the Interior dated April 22, 1887, which described the desperate conditions at Turtle Mountain, and how the situation was being

⁵⁵ Ibid.

⁵⁶ Ibid.

exacerbated by Rollette County officials collecting taxes.⁵⁷ Little Shell reiterated in the letter that the Indians who were left outside the reservation when it was reduced by Executive Order in 1884, should not be taxed because Inspector Gardner, who had performed a census in 1885, had given those settled outside of the two townships surveyed as Indian Reserve, a certificate to show that no taxes could be levied on the land they occupied for a period of twenty five years.⁵⁷ Little Shell also reasoned that as the government had already supplied the Turtle Mountain people with schools (one boarding school, and two day schools) that alone should exempt them from any county taxation as a large part of county taxes went to the support of schools. And finally, Little Shell argued that the county could not levy taxes in a territory where Indian title had not yet been extinguished. Little Shell also extolled the patience demonstrated by the three hundred or so families gathered together at the Turtle Mountains at the request of the Secretary of the Interior. Little Shell said his people had come from such diverse locations as the Pembina River and Pembina Mountains in Dakota Territory, and from the buffalo hunting grounds of the Milk River, Sun River, and the Judith Basin in Montana (Little Shell carefully avoided mention of any Canadian locations as part of the Turtle Mountain Chippewa range). The Montana locations described by Little Shell exemplify the Chippewa expansion of 1800 to 1887.⁵⁸

⁵⁷ R.G. 75, doc. 11303. Letter, Chief Little Shell to the Secretary of the Interior with information about the conditions at Turtle Mountain, not enough farm implements, not enough food or seed for planting, county collecting taxes, seizure of property - veiled threat to use force. April 22, 1887.

⁵⁷ Ibid.

⁵⁸ Ibid.

In the same letter, Little Shell stated that ever since the strong promises made by the Secretary of the Interior and the government of the United States in 1882 had enticed the people to come and settle at the Turtle Mountains, there had been relatively little assistance supplied to the people to help them make a start at farming. Little Shell noted that only twenty yokes of work oxen, forty plows, ten wagons, and a few hoes had been passed out in 1885, to support over three hundred families (which was the approximate number the federal government asserted to be entitled to benefits at that time) who were planting crops. In spite of federal government negligence, Little Shell stated that about one half to two thirds of the people still managed to plow during the fall of 1886. However, Little Shell admitted that over half of the plowed land would remain idle because much of the seed had been destroyed in a large prairie fire, which burned the log buildings and had also consumed the hay and grain stacks of over fifty families.⁵⁹ He said the calamity had been reported by the tribal council, but no reply or relief had come from the Indian Department. Little Shell went further by writing that his people were not going to let the county sell their animals for a fraction of their worth in lieu of taxes, so the county could pay for the construction of "extravagant buildings."⁶⁰

The Chief of the Turtle Mountain Chippewa ended the letter with a word of warning. Little Shell said that if by May of 1887 there was still no word from the Indian

⁵⁹ Ibid.

⁶⁰ Ibid.

Department about sending more farm implements, food and seed, as well as some remedy for the unfairly collected taxes and a halt to the seizures of property, there would be:

“some real danger of breaking up the apparent harmony and peace which has preserved so far between our people and the whites.”⁶¹

Little Shell signed the letter first, with the title of head chief printed next to it. The other members signing the letter appeared to be the Turtle Mountain Chippewa Grand Council with signatures listed from top to bottom according to rank. Following Little Shell was Baptiste Lenoir, Chief Little Bull, and then Chief Black Cloud, Chief Red Bear, and Flying Eagle. At this time, Baptiste Lenoir signed as the President of the Mitchif council.⁶²

The letter was written for Little Shell by the Catholic missionary Father Malo, who was a staunch supporter of the Turtle Mountain Chippewa and faced stiff criticism for his Chippewa sympathies from the surrounding white communities throughout his long tenure among the Turtle Mountain Chippewa.

Father Malo and the other Catholic missionaries such as Genin would not achieve their goal of converting the full-blood population to the Catholic faith, because by 1889, Little Shell and most of the full-bloods became Episcopalian. The conversion of the full-bloods to Episcopalian Protestantism was due to the exemplary missionary work of

⁶¹ Ibid.

⁶² Ibid.

Reverend Wellington Salt.⁶³ The reasons for the conversion to Protestantism from their traditional spiritual beliefs can probably be attributed to the nature of the Reverend Salt, who was a mix-blood himself, and could have understood the full-bloods better than the white missionaries.

Prevailing conflicts over the souls of the natives between religious denominations have always played a major part in Native/White relations since first contact was made. Although there is no evidence of problems between the different denominational clergy at Turtle Mountain, it is very probable that there was competition among them. Francis Paul Prucha laments that saving native souls sometimes took a backseat to “maintaining a position against a conflicting group, unfortunately, was often a more powerful motivation than concern for the welfare of the Indians.”⁶⁴ One reason for the conversion away from the Catholic faith might have been related to the activities of the stringent Catholic priests and nuns who were running the day schools. For example, back in 1886, Cramsie reported to the Commissioner of Indian Affairs that of the forty children who had started school in the fall “only two remained, because the parents believed the Sisters were too harsh.”⁶⁵

As the tax question continued to embroil the Turtle Mountains, conditions still had not improved. In anticipation of this, Agent Cramsie wrote a letter to the Commissioner

⁶³ John Hesketh, “History of Turtle Mountain Chippewa”, 115-117.

⁶⁴ Francis Paul Prucha, The Great Father: The United States Government and American Indians, vol. 1 of 2, (Lincoln: University of Nebraska Press, 1984), 523.

⁶⁵ R.G. 75, doc.11318. Agent Cramsie to the Commissioner of Indian Affairs, June 14, 1886.

of Indian Affairs, which included a plea for increased appropriations during the winter of 1887-88 for the Turtle Mountain Chippewa - but it would produce few results.

Conditions were ripe for a disaster, and the disaster would come in the form of a terrible winter in 1887. Father Genin, who spent the 1887-1888 winter in the Turtle Mountains, wrote about the severe conditions in a letter to the Duluth Journal dated July 1888;

In the winter of 1887 to 1888, there were counted 151 persons, big and small, who died there of starvation. I buried a number of them myself, taking three, the mother and two grown children out of one single family. The Sisters of Mercy, who support there a large number of orphans and destitute boys and girls, deprived their house of all they could in order to carry pork, flour, sugar, tea, bread, etc., to all those we could reach. There were lots of young mothers who, after giving birth to their children, had to wait patiently for a meal until their husbands would return home from the hunt with a gopher or two, nothing else being found.⁶⁶

Father Genin explained that the reason for this mass starvation was that the provisions for the Turtle Mountain people were never distributed, and if they were, it was only "to a few favorites, while the rest were sent to do for themselves."⁵¹ Genin also claimed that the Turtle Mountain Indians were not being allowed to raise any food for their own use, because the U.S. government had not sent any seeds for planting. The situation was being intensified, he wrote, by the presence of so many starving people from Manitoba and the Northwest, which made the American government reluctant to

⁶⁶ Cited in, Slaughter, Leaves, 289; Delorme, "Turtle Mountain Band", 134.

⁵¹ Slaughter, Leaves, 287-290.

help the people who deserved the assistance.⁵² This statement confirms the U.S. government and the county's position that there were Canadian Indians in the Turtle Mountains. However, Father Genin explained the native side by saying:

just because there is a magical line that a man cannot see, the international boundary separating the United States and Canada separates them from being considered as American or Canadian Indian, and should not be the deciding factor whether they should be forced to starve or not."⁵³

Why did so many people die of starvation at Turtle Mountains in the winter of 1887-88? Father Genin believed it was because of corruption and graft that the appropriated food did not reach the people who were truly needy. Genin was probably correct, although he was vigorously opposed by U.S. Indian Agent Cramsie who believed Father Genin was a disruptive influence and that he and Father Malo were "continually preaching to these people, how they are abused by the government."⁵⁴ However, there is evidence, which further explains how the situation became so desperate. The answer to the question may stem from a mistake Agent Cramsie made the year before.

On December 20, 1886, John Waugh, U.S. Agent in charge at the Devil's Lake Agency - who oversaw affairs at Turtle Mountain Reservation about a hundred miles away - wrote to the Interior Department, Office of Indian Affairs about his assistant, Agent (Major) Cramsie and his involvement in the procurement of flour for the Turtle

⁵² Ibid.

⁵³ Ibid., 289-90.

Mountain people. In this letter Waugh questioned Cramsie's actions concerning flour he was authorized to buy from the Devil's Lake Dakota Sioux for the Chippewa at Turtle Mountain. Agent Waugh reported that Cramsie was authorized Sept. 3rd, 1886, to buy 100,000 pounds of flour from the Devils Lake Sioux at \$2.50 per hundredweight.

Waugh contended that on December 20th, three months later, Cramsie reported that the Devil's Lake Agency gristmill was not in running order and therefore he purchased 115,000 pounds or 1,150 sacks of flour on the open market without authority. Waugh stated this action had an "ugly look," even though Cramsie bought the flour more cheaply. Waugh then asked the question, "why did Cramsie wait three months before reporting these difficulties?" He also asked why Cramsie could not repair the mill until spring.⁵⁵

Cramsie responded to this criticism by writing a letter dated January 17, 1887 to John Atkins, Commissioner of Indian Affairs in Washington, D.C.. Cramsie responded to Waugh's accusations stating that repair delays for a steam boiler, "for which I had no control, have rendered it impossible for me to make the repairs for the mill before spring, or in time to manufacture the flour before the end of the fiscal year." Cramsie justified his purchase by explaining that the reports of Indians starving were probably false, but to relieve the government of any "worry and annoyance," he hurried to make

⁵⁴ R.G. 75. doc. 15401.

⁵⁵ R.G. 75, doc. 15067. Letter, Major John Waugh to Commissioner of Indian Affairs. December 20, 1886.

the purchase. Cramsie then went on to say he contracted with the Kenny Bros. of St. Paul on October 6, 1886, to make and deliver by the 1st of November, a steel boiler for the flourmill. On November 5th, Kenny Bros. sent a letter to Cramsie stating that the steel had not yet been received, but would arrive in a few days. Cramsie in his January 17th response to the Commissioner stated that, "as of yet, no sign of boiler, so we are forced to postpone work until spring."⁵⁶ The sad fact was that the boiler was not sent to the Devils Lake Agency. It appeared that the government contractor for the Indian Department, Kenny Bros. as well as Cramsie, underestimated the emergency and failed to rush a job which contributed to a disaster all too common in America's history of Indian treatment. During the time the mill was inoperable at Devils Lake, the Turtle Mountain people were caught in the middle, for it was a long winter in 1886-87. Whether it was negligence on the part of Cramsie to wait until there were reports of starvation before making the flour purchase cannot be answered. And why, when Cramsie was authorized September 24th, did he wait three months before reporting the difficulty? Nonetheless, the flour mill at Devils Lake was not repaired in the spring of 1887. In fact, the flour mill would remain broken for two years.⁵⁷

In order to balance the books for Cramsie's purchase of 115,000 pounds of flour on the open market, the federal government deducted 15,000 pounds of flour from the next

⁵⁶ R.G. 75, doc. 2290, Letter, U.S. Indian Agent Cramsie to J.D. Atkins, Commissioner of Indian Affairs, January 17, 1887.

⁵⁷ Stanley Murray is incorrect in stating that the winter of starvation in which 151 Turtle Mountain Chippewa people perished from starvation was 1886-87, rather it was the winter of 1887-88. Slaughter.,

year's appropriations to the Turtle Mountain Indians so that the amount of flour for about three hundred families was 85,000 pounds of flour.⁵⁸ According to Little Shell, this new appropriation amounted to regular rations for only one out of four families. The implications of cutting back rations would become glaringly apparent during the winter of 1887-88.

Leaves, 271; "Commissioner of Indian Affairs Report for 1888," Serial set no. 2542, 112-113.

⁵⁸ R.G. 75, doc. 2116. Letter, Major John Cramsie, U.S. Indian Agent to John H. Oberly, Commissioner of Indian Affairs, October 16, 1888.

CHAPTER FOUR

As early as August 10, 1887, unrest over rationing among the Turtle Mountain Chippewa was reported by Farmer-In-Charge E.W. Brenner, who wrote to John Cramsie at the Devils Lake Agency calling for protection because the Indians threatened to tie him up and put him off the reservation the next time he issued rations. Brenner reported to Cramsie that he had informed Chief Little Shell and his council about the incident, but they told him that the council could not help.¹

Perhaps the people at Turtle Mountains had a premonition of what was to come when they scrambled to stock their winter provisions. When the winter of 1887-88 struck, it engulfed the northern plains with its ferocity. No one was spared; as the winter raged, people starved, whether they were Indian or white, as winter provisions ran out. Whole cattle populations in Dakota and Montana were decimated and it would take years to recover. As Father Genin described, conditions at Turtle Mountain were especially rough, because of the lack of game and from being hemmed in by the white settlers. The winter took its toll on the young and the old especially, and by the time it was over, approximately one hundred and fifty people had lost their lives.

As the next winter approached, Agent Cramsie may have had a change of heart and expressed the frustration he felt in a scathing letter to the Commissioner of Indian

¹ R.G. 75, doc. 6120. Letter, E.W. Brenner to Major Cramsie about trouble during rationing. August 10, 1887.

Affairs about the callous treatment of the Indians at Turtle Mountain. In the letter, while citing the continuing opposition toward taxes by the local government and the tribulation visited upon the Turtle Mountain Chippewa while starving, Major Cramsie in a moment of aggravated reflection may have accidentally revealed an incident involving the federal government's fraudulent dealings in Indian lands at Turtle Mountain.²

This letter by Cramsie indicates what may well have been the real cause behind why the reservation reduction of 1884. Cramsie's letter detailing the Turtle Mountain Chippewas' lack of food, and his reaction to watching helpless people starve to death, is a startlingly frank document. A crucial part of Cramsie's argument for increasing the appropriations for the Turtle Mountain Reservation for the year 1888-89, was his argument why the Turtle Mountain Chippewa outside the reservation should not be taxed – which in turn provides an important insight to a heretofore unknown explanation for the reduction of the reservation. Cramsie wrote;

Soon after the settlement of these people on the reservation (24x32) it was discovered or supposed that extensive mines of good coal existed within its boundaries. A Syndicate was immediately formed by General Clements who seems to have had influence with the administration at that time, and it resulted in getting the reservation reduced to two townships (6x12 miles) so as to throw the supposed coal field outside of the reservation which was taken possession of by the syndicate and coal mining operations commenced.³

The "General Clements" to whom Cramsie was referring was actually Pierre W.

² R.G. 75, doc. 29537. Letter, U.S. Indian Agent J.W. Cramsie to J.H. Oberly Commissioner of Indian Affairs reports on the subject of the opposition of the Indians at Turtle Mountain to the payment of local taxes, and requests instructions. November 27, 1888.

Clemens, one of North Dakota's well known early settlers. Clemens served during the late 1860s and 70s as a guide in Dakota Territory with various commands, including the Seventh Cavalry under George A. Custer. Pierre Clemens knew the Turtle Mountains well, because he led a survey party for the government there in 1872. Because of his extensive knowledge of the territory, Clemens flourished when the land rush commenced in the 1880s. In 1882, the by-now nicknamed "General Clemens" became the president and owner of the Northern and Dakota Trust Company, which specialized in land speculation. The discovery of coal in northern Dakota, and the promise of the economic power it would bring, led Clemens into mining speculation.⁴

In the first two years of the 1880s, extensive lignite coal deposits were discovered in northern Dakota Territory creating considerable excitement among its residents. Newspapers and real estate men throughout Dakota Territory proclaimed, "cheap lands and free coal for everyone" to lure investors and settlers into northern Dakota Territory, which in 1889 became the state of North Dakota.⁵ The extensive lignite coal field known as the Laramie, offered relief from the expensive hauling of coal from Minnesota. An important outlier of the Laramie was found in the Turtle Mountains. The most valuable lignite deposits of the Laramie are outcrops of coal protruding above the soil, and of these the most valuable outcrops were found in the heart of Turtle Mountain Chippewa

³ Ibid.

⁴ Lewis F. Crawford. "Pierre W. Clemens", Crawford History of North Dakota, vol. 3 (American Historical Society: 1931), 54-55.

⁵ Frank Alonzo Wilder, "The Lignite Coals of North Dakota", Economic Geology 1905-1906, Vol. 1, (Number 7), Economic Publishing Group, 1906), 675.

country and their new reservation.⁶ Indeed, one of the best natural exposures of lignite coal was found north of Dunseith, near the settlement of the full-blooded Turtle Mountain Chippewa. Although speculative in nature, Clemens knowledge about the deposits from his survey expedition, may have led him to induce key officials in the Arthur administration to open the land for his “syndicate.”

Which officials influenced President Arthur is not certain, although the head of the General Land Office, Martin Rabin, or the Secretary of Interior Henry Teller, may have been involved at some point, but the proof is significantly lacking.⁷ The railroad king, James J. Hill, who wanted his Great Northern Railroad to cut through the land claimed by the Turtle Mountain Chippewa and to share in mining of resources, may also have been involved.⁸ However, the research has not turned up any evidence about James J. Hill and the Great Northern Railway persuading officials in the Turtle Mountain Chippewa land opening, even though the railroad would have undoubtedly made money in freight charges by hauling coal for commercial purposes and as another source of power to keep Hill’s trains moving on the tracks.⁹

In 1886, two years after the reservation reduction, a drift mine located astride a three foot coal seam, was established on a hillside two miles north of Dunseith. During the first couple of months, prospects were good for Clemens and the Turtle Mountain

⁶ Ibid.

⁷ U.S. Library of Congress, Manuscript division. Reference Department. “Index to the Chester A. Arthur Papers” (Washington: 1961).

⁸ This is President Arthur’s railroad correspondence, but there is no mention of the Turtle Mountains. Ibid., 676.

Mining Company, and a considerable amount of lignite coal was obtained. However, the extensive vein they had hoped for did not materialize and the mine was closed one year later; mining in the Turtle Mountains would not commence again on any significant commercial scale until 1904.¹⁰ Clemens and his mining partners did not get the riches from the lignite coal they desired, and neither would the Turtle Mountain Chippewa. General Pierre W. Clemens would later quietly retire near the town of Cavalier, North Dakota.¹¹

It is a little unusual that there is not more mention of the coal mining interests in the Turtle Mountains in the papers or from the correspondence of the tribal government. Apparently nobody really connected coal interests as being a major cause for reducing the reservation in 1884. The reason for this is probably because not much mining was ever done. From the research conducted to date, only two pieces of evidence concerning mining operations in Turtle Mountains, other than Cramsie's letter, have surfaced. One such bit of evidence, although eight years after the fact, can be found in a newspaper article published before the final land settlement in October, 1892. The Dunseith Herald, February 4th, while reporting J.B. Bottineau's involvement with the Turtle Mountain Chippewa, said;

J.B. Bottineau, who has been in Washington looking after the interests of the Turtle Mountain Indians, has returned to the

⁹ James J. Hill, Highways of Progress, (New York: Doubleday, Page & company, 1910).

¹⁰ North Dakota Geological Survey 1-3, 1899-1904, First Biennial Report of the Lignite Coal Fields of North Dakota, E.J. Babcock, State Geographical Engineer, (Grand Forks, North Dakota: Herald State Printers, 1904), 162.

¹¹ Crawford, "Pierre Clemens", 55.

reservation. He is confident that the Indians can establish their claim to the ten million acres of land which they claim, and which Secretary Teller has opened up for mining purposes.¹²

There is another piece of evidence which shows that at least some of the Turtle Mountain Chippewa believed their reservation had been reduced for reasons other than those given by government officials. This is found in a totally unrelated letter by Joseph Rollette. In an 1892 letter to the Commissioner of Indian Affairs, Rollette accused coal mining interests of influencing the government in throwing open Turtle Mountain reservation lands.¹³ Rollette's accusation apparently went nowhere, and as for Chief Little Shell and Bottineau, the idea that mining interests influenced the decision to reduce the reservation never appeared in their formal protest letter of 1893. Hence, for Rollette, Little Shell, Bottineau, and all the Turtle Mountain people to comprehend the implications of a government causing such hardship over some deposits of coal was probably too frightening to imagine, and was probably why the issue had never been seriously investigated.

Why the federal government would do such a thing to a peaceful people, such as the Turtle Mountain Chippewa, is impossible to answer. The endless debate of whether the mixed-blood Indians at Turtle Mountain were legitimate American born Turtle Mountain Mitchifs, and not Canadian Metis trying to share in benefits, has always been

¹² North Dakota State Historical Society, Dunseith Herald, reel 64, February 4, 1892., 2.

¹³ R.G. 75. doc. 3471. Letter, Joseph Rollette representing Little Shell's council to the Commissioner of Indian Affairs. March 14, 1892.

used as justification for the actions of the government in 1884. The legacy for the Turtle Mountain Chippewa was that they would be forever linked with the Canadian Metis, in so far as the American government and its agents were concerned. This fluid, undefined, complex allegiance between the full-blooded Chippewa and the mixed-blooded Chippewa provided enough of an opening, as Major Cramsie's letter suggests, to justify measures aimed at dispossessing the Indians - whether full or mixed-blooded - who lived on the American side of the International border.

In the fall of 1888, land claims for the Turtle Mountain people outside the township were still being held up by the confusion over which regulations applied to the mixed bloods. In the meantime, white settlers continued to file land claims in the Turtle Mountains. The situation was very dangerous; the mixed-bloods thought that white people were out to take their land, and were prepared to fight, if necessary, to prevent the land grabbing. On top of that, the people of Turtle Mountain were faced with a shortage of food and clothing for the upcoming winter. The agent at Devils Lake, Major Cramsie, wrote that he was angry with men like Father Malo and Father Genin for handing out false hopes for a quick settlement.

After the disastrous winter of 1887-1888, Cramsie was hard pressed to accommodate the amount of people at the Turtle Mountains and asked for more winter

appropriations for the following year. The late 1880s were hard times for the people of the northern states. Hard winters and drought in the summers caused failing crops and made land prices plummet. Many farms were abandoned, as everybody was having a rough time of it. Regrettably, Cramsie's request of more support for the Turtle Mountain Chippewa during the winter of 1888 - 89 fell on deaf ears. The Turtle Mountain Chippewa living inside and outside the small reservation faced another long and cold winter with low government rations, marginal help from the churches because they were stretched to the limit from helping the general population, and practically no help whatsoever from their white neighbors who were also having trouble.¹⁴

From Cramsie's letters, it is evident that he was unprepared for dealing with the many problems posed by the Turtle Mountain situation when that added responsibility had been thrust upon him in 1882. The more difficulties arose out of the state of unsettled affairs between the Turtle Mountain Indians and the federal government, the more he had to become involved. For Cramsie, the plight of the Turtle Mountain Chippewa, which was supposed to be a sideline for him because his first responsibility was to take care of the Dakota at the Devils Lake Sioux Indian Reservation, soon became very troublesome. Cramsie often found himself playing the role of mediator between the white settlers and the Turtle Mountain natives when the situation worsened

¹⁴ Commissioner of Indian Affairs Report for 1889. Serial set 2725, 143.

after the reduction of the reservation in 1884.

For Cramsie and the people under his charge, 1889 would not start well. In January 1889, the Sheriff and his deputies, along with the Rollette County tax collectors again began to seize the livestock of the mix-bloods living outside of the reservation in lieu of payment of taxes due since 1886. Because the Mitchifs and Indians had not paid any taxes, white residents of Rollette County were now also refusing to pay. The county officials realized they would have to make a stand or face financial ruin. The seizure of stock seemed the only solution.¹⁵

On February 13, 1889, the mixed-bloods gathered together and went to Dunseith to retake their stock. This time they rode up and down the streets of Dunseith, firing their guns and threatening to shoot the county commissioners, who they believed were conspiring against them. The county commissioners and the sheriff wired the militia at St. John, which left on February 14 for Dunseith, where they met another volunteer detachment.¹⁶

Sheriff Flynn later stated that he had telegraphed the Governor of Dakota Territory and because he received no reply, perceived it as a favorable answer to proceed with the militia into the Turtle Mountains. What he didn't know was that about ten miles from Dunseith a force of approximately one hundred well-armed Mitchifs which were

¹⁵ Senate Document 444, 156-157; Commissioner of Indian Affairs Report for 1889, 145; Murray, "Turtle Mountain Chippewa", 36; Hesketh, "History of the Turtle Mountain Chippewa", 125-127.

¹⁶ Ibid.

positioned along the sides of a ravine waiting for the two detachments, which amounted to about forty men. Fortunately, sub-Agent E.W. Brenner and Father Malo arrived on the scene with a telegram from Governor Church, forbidding the militia to march against the Mitchifs. After some discussion, the mixed-bloods pulled back and then Brenner and Father Malo went to meet Sheriff Flynn and the militia.¹⁷

The narrow escape from battle between the mixed-bloods and the militia was done entirely without the council and consent of Chief Little Shell. In fact, Little Shell wrote to Cramsie that neither he nor any of the full-bloods were involved in the militia episode and that the Mitchifs had acted entirely on their own.¹⁸ The decision to openly confront the military and the cohesiveness and cooperation, which it entailed, may have brought the mix-bloods a renewed sense of themselves - and confirmed their independence from their full-blooded Chippewa cousins. However, the decision of the mixed-bloods to act without Little Shell may signify the growing rifts between them and the full-bloods at this time. In addition, it must be remembered that this was also the year of the full-blood's conversion to the Protestant faith, so both groups may have felt more alienated toward one another as each had problems of their own to contend with.

Further signs of the large mixed-blood faction coming together as a political entity just as they had done in Saskatchewan before the Northwest Rebellion of 1885, and in

¹⁷ R.G. 75, doc. 5329. Letter. Father Malo to E. W. Brenner urging him to stop Sheriff Flynn and the St. John militia from hasty action because Governor Church had not answered yet. February 14, 1889; Hesketh, "History of the Turtle Mountain Chippewa", 127-128.

¹⁸ R.G. 75, doc. 3127. Letter, Chief Little Shell to Major John Cramsie, U.S. Indian Agent informing Cramsie the mixed bloods acted entirely on their own in attempting an ambush against the Territorial

1869-70 at Red River, emerged in their own protests to the federal government about being given consideration as a tribal entity - separate from the Chippewa. While their quest for recognition would be ignored by the American government, their protests were not unheeded by the American military establishment for they knew that among the mixed bloods waiting at the ravine for the unsuspecting volunteer militia, were men who had withstood Canadian forces for two weeks at Batoche, Saskatchewan.¹⁹ The heavy-handed practices of the Rollette County authorities had been wearing thin on men seasoned to action.

However, through all the trying times for the people of Turtle Mountains and their government, self control was evident, and there were few reports of violent occurrences. Commanding Brigadier General (of Dakota Territory) W. Merritt felt there was little to worry about and stated that if necessary a sizeable force could be sent from Fort Buford - about two hundred miles away - quickly by railroad, if conditions warranted it. General Merritt believed the Turtle Mountain Chippewa would not commit aggressions unless provoked by whites and said so in his report to Governor Church after the tax incident stating: "I know for a fact, that there is no trouble at Turtle Mountain, but will watch the situation."²⁰

Curiously, Little Shell was on a three month trip to visit other tribal leaders in

troops. February 16, 1889.

¹⁹ R.G. 5329.

²⁰ R.G. 75., doc. 20829, Brigadier General W. Merritt to the War Department and the Assistant Secretary of War, S.A. Waits. May 9, 1889.

western Dakota and Montana Territory which included the month of February of 1889.²¹

At the beginning of the month, just before the clash over taxes, the Mitchif council continued to explore diplomatic solutions by sending a delegation consisting of Kashpa (mix-blood), Maxime Marion, and Joseph Rollette to Washington, D.C.. On February 15, 1889, Rollette, Kashpa, and Maxime Marion met with the Commissioner of Indian Affairs, John H. Oberly, and his chief clerk C.F. Larrabee, to discuss the Turtle Mountain situation at exactly the same time as hostilities were taking place back home. The Commissioner told the delegation that the Turtle Mountain Chippewa land claims were acknowledged by the Commissioner and the Indian Office, but had been refuted by the Secretary of Interior in his last report. The delegation then asked the Commissioner what they should do. The Commissioner replied, "First of all, you should get rid of all the Canadian Indians living on your reservation by taking a proper census, and that would help your case immensely." The Commissioner then asked, "How many are on those two townships that ought not to be there?" Joseph Rollette answered, "about 3700 reside there and of these 2500 belong there." "Not on the two townships?" the Commissioner asked again. "On the two townships there are about 300 or 400 that are not entitled," Rollette answered. The Commissioner then told Rollette, "since you do not have a list of the people not entitled, I want you to go back and make that list." Rollette

²¹ R.G. 75., doc. 4159. John Cramsie informs Commissioner of Indian Affairs John Oberly that a delegation of Turtle Mountain Indians is on its way to Washington without his consent. February 8, 1889.

replied, " If I do that myself and get my head broken, I suppose it will be all right." The Commissioner then reassured Rollette by saying, "Let the Indians do it in council, and say it is the council that complains, I cannot act on such information as that; it must be definite."²²

It seems significant that this three man commission sent to speak on behalf of Turtle Mountain Chippewa consisted exclusively of mixed-bloods from the Mitchif council. And it also seems significant that Little Shell was away during this critical time. One has to ask if Little Shell was trying to get away from the problems at home, or whether he was becoming apprehensive about the growing involvement of the mix-bloods in tribal affairs and was seeking support from other tribal governments. Whatever the reason, by the end of the 1880s, the mix-bloods were definitely dominating the reservation.

For Rollette, Kashpa and Marion, the journey home from Washington must have been a long one. Along the way the plan to conduct the census - which they would later do - must have been discussed thoroughly by the three men before they reached home. Whether the three men being mixed-bloods affected the outcome of the meeting with the Commissioner can only be guessed at, but the men probably felt strengthened with the tentative authority of the Commissioner behind them. One can only speculate as to whether or not the three men envisioned an ultimate takeover of Turtle Mountain affairs,

²² R.G. 75., doc. 14964. Transcription - A Talk with the Turtle Mountain Chippewas at Washington, D.C., between the Commissioner of Indian Affairs and a delegation of Chippewa from Turtle Mountains. February 15, 1889.

and the rise of a new tribal government at that time or at a later date.

Even with the difficulties in Turtle Mountain political affairs, it appears from the evidence, that the leaders of the mixed-bloods still backed Little Shell, or at least had done so as late as 1888. The question of whether or not some members of the breakaway council that would emerge considered Little Shell their rightful head chief was addressed in a letter written on March 24, 1888, to the Commissioner of Indian Affairs, J.D. Atkins. The letter, penned by Joseph Rollette, on behalf of J.B. Wilkie, who was then President of the Mitchif Council, was a response to White Earth Chippewa claims to hereditary chieftainship over the Chippewa at Turtle Mountain. In the letter, Wilkie told the Commissioner that the White Earth claims were “a falsehood reflecting upon Chief Little Shell’s original title of Chief of said Turtle Mountain Band of Chippewa Indians and Mixed Bloods.” President Wilkie went on to tell the Commissioner that the attack upon Little Shell’s rightful title, “should be treated with scorn, this malicious slur upon our Chief who we respect and will uphold in his rights.”²³ When considering Wilkie’s actions in 1892, upholding Little Shell’s chieftainship rights even over the Turtle Mountain Band of Chippewa would clearly not have the same priority as it had in 1888.

In any event, in the spring of 1890, after another long winter in which the Turtle

²³ R.G. 75, doc. 8583. Letter, J.B. Wilkie to the Commissioner of Indian Affairs J.D. Atkins. March 24, 1888.

Mountain people had to live on meager rations and suffer through a shortage of wood, the new year offered little promise for conditions to change. With Little Shell back from his trip west, after visiting relatives, the problems with the federal government were still there waiting. How relations between the mixed-bloods and full-bloods stood at this juncture is difficult to know, especially after the full-bloods conversion to the rival Episcopalian faith, because neither Little Shell or any of the Mitchif leaders mention it in their letters.

Early in 1890, in what appears to be his final letter of correspondence on behalf of the Turtle Mountain Chippewa, John Cramsie, the agent who declared that the federal government sold the Turtle Mountain Chippewa out to coal mining interests, again questioned his superior's policy. Cramsie stated that the relief appropriations for the Indians at Turtle Mountains was for four hundred people, when it should have been for fourteen hundred people. Cramsie's letter is noteworthy for his treatise on the diversity among the Turtle Mountain Chippewa which he acknowledges should not be a bar for justice. In the letter, Cramsie was especially critical of the census taking and wrote:

First, I would correct a common error in regard to the number of Indians at Turtle Mountain. In 1883, there was probably but 400 Indians and half breeds to whom rations were issued, but there were also there at the same time a large number of half breeds who were not included in the 400, but who were there then and are now entitled to all the rights and share of annuities of any nature to which the full bloods are entitled,

whether they are native born or born in Canada if they are members of the Turtle Mountain and Pembina Bands of Indians because they are all descendants of the "Selkirk Settlement" and when the International Boundary line was run between the U.S. and Canada some were made American and some Canadian subjects. Now the question to be considered is simply this. Do all the members of the Turtle Mountain and Pembina Band of Chippewas, (I include half breeds as well as full bloods) who were north of the line when it was established lose their right of inheritance to that portion of their country on this side of the line? I am of the opinion that these people have rights on both sides of the line and that if they have received some assistance and pay for their lands in Canada, they have a perfect right to come over to this side and live and participate in all the annuities accruing from the sale of their lands equally with their brother, sister, father or uncle who happened to be on this side of the line when the International Boundary was established.²⁴

Cramsie continued asking for a relief amount of \$25,000, instead of \$7,000 for seed, food, and clothing. After Cramsie relating the conditions at Turtle Mountains, in the course of which he described the people as living in "abject poverty", Cramsie wrote more about why the natives were in such a state:

In 1883 & 1884 to comply with the President's proclamation establishing a reservation 24 by 32 miles, these people came and settled at Turtle Mountain in good faith, and now that they are here in consequence of the invitation of the government, I cannot see why they should be left to starve unprovided as they are without means to support themselves owing the long years of waiting and delay until the government gets ready to pass upon their title to the lands claimed by them and to which lands they have never relinquished their title.²⁵

²⁴ R.G. Group 75. doc. 9932. Letter. Agent John W. Cramsie to Commissioner of Indian Affairs, T.J. Morgan. March 29, 1890.

²⁵ Ibid.

Cramsie's last letter again shows his frustration over how the federal government was treating the people at Turtle Mountain. A parting comment for Cramsie's service is that he definitely left his mark upon the Turtle Mountain Chippewa from 1882 to 1890, whether for good or bad.

Cramsie's plea was soon to be addressed. Word that the Turtle Mountain question was pending in Congress and that a commission was coming in the summer to begin negotiations for the settlement of land claims, brought the Turtle Mountain people new hope. Soon after, a three-man commission arrived at the Turtle Mountains with the objectives of persuading the full bloods to move to Minnesota and to get an accurate census count of the eligible Turtle Mountain Chippewa. The commission would fail on both counts because the councils decided not to allow the full bloods to be relocated and could not decide on criteria for deciding who was Turtle Mountain Chippewa. Whether or not this decision was based upon the claims of the White Earth Chippewa over the Turtle Mountain Chippewa is hard to determine. At the same time, Chief Little Shell was adamant that the Turtle Mountain Chippewa Reservation be expanded to meet the needs of his people. Nevertheless, the commissioners went back to Washington empty handed to mull over the situation and find a solution for "correcting" the tribal census

records and reaching an agreeable land settlement.²⁶

On August 1, 1890, with no new commission in sight, special agents of the General Land Office came from St. John to the Turtle Mountain Chippewa homesteads off the reservation to assess Indian properties.²⁷ This time the mixed-bloods drove the land officers away with shotguns. The situation appeared serious enough for Brenner to ride to Fort Totten, a hundred miles away, to ask for soldiers, but there were no reports of any violence, so troops were not sent to the Turtle Mountains.

In the meantime, Chief Little Shell had returned from yet another trip west, and was busy dealing with an agitated crowd. His people had been filled with unrest over the federal assessments of their property and were clamoring for the agents to leave. Little Shell decided to move quickly, and on August 4, 1890, an alarmed E.W. Brenner wrote to Major Waugh at Devils Lake - who had apparently taken over from Major Cramsie - asking that troops be sent immediately to the Turtle Mountains because he expected trouble.²⁸ The reason for Brenner's alarm was that on the day before, Little Shell held a large council at which over two hundred men pledged to stand together against any outside interference in Turtle Mountain Chippewa affairs. The result of the council was a strongly worded proclamation designed to emphasize Little Shell's leadership and the Turtle Mountain Chippewa resolve to fight the local authorities and the federal

²⁶ Senate Document 444, 115, 117; Commissioner of Indian Affairs Report for 1892, Serial set 3088, 78; Murray, "Turtle Mountain Chippewa", 12; Camp, Plains-Chippewa and Metis, 129-130.

²⁷ R.G. 75, doc. 24677. Letter, John Waugh to Commissioner of Indian Affairs. August 7th 1890. Transmits letter from E. W. Brenner, Farmer-in-Charge of Turtle Mountain Reservation asking for a detachment of troops to assist him in enforcing authority and government.

government.²⁹

Little Shell, may have feared his power was slipping, and decided that only by asserting his authority in a proclamation could any semblance of order be restored. In the proclamation, the council stressed that Chief Little Shell would now run all affairs for the Turtle Mountain people and that they would disregard any orders from Brenner and other agents. If the police interfered, the people were instructed to resist. Little Shell, at the same council, claimed that all the land in dispute was under his authority, all ten million acres, and that nobody had a right to settle there until he alone had been paid for it. Little Shell finished the proclamation by instructing all the mixed-bloods on and off the reservation to pay no attention to the agents and take direction solely from his tribal council.³⁰

In the August 7 letter, Brenner continued trying to discredit Little Shell by warning Waugh of the increasing influence of the Canadian mixed-bloods upon the tribal government. According to Brenner, Chief Little Shell was now “a man without honor” whom the Canadian “half-breeds” used as a puppet. Brenner also said that Little Shell was not supported by the full-blood population. In fact, Brenner claimed that only two full-bloods were present at the council held on August 3rd, 1890.³¹

If Brenner was correct in stating there were only two full-bloods at the

²⁸ Ibid.

²⁹ Ibid.

³⁰ Ibid.

³¹ Ibid.

proclamation meeting, it signified a distinct shift in tribal affairs. At the council meeting described above, the mix-bloods appeared to dictate political proceedings, while the full-bloods had drawn away from the problems of the reservation. Apparently, the full-bloods were content to let the mixed-bloods, under the supposed direction of Little Shell, run the reservation's affairs. It must be remembered that the mixed-bloods were being besieged on all sides, and much of the trouble at the Turtle Mountains were directed at them, so the full-bloods were on the periphery. Francis Cree, tribal historian for the Turtle Mountain Chippewa, states that the Metis and Mitchifs were fighting so much among themselves they did not care what happened to the full-bloods. Cree, who did not comment on the religious differences between the two groups, believed racism got worse between the full-bloods and the mixed-bloods as conditions became more desperate at the Turtle Mountains during the late 1880s and 90s.³¹ Whatever the full-bloods' reasons for staying out of the political turmoil, the fate of the Turtle Mountain people would be decided by the mixed-bloods.

On August 19, 1890, Congress acted on the Turtle Mountain situation by authorizing the President to appoint another commission.³² The three-man commission was to negotiate with the Turtle Mountain Chippewa for cessation and relinquishment of whatever right or interest they had to land claimed by them and for removal to lands

³¹ Francis Cree, Oral Tradition Recording, (Longhouse, Dunseith, ND) October 12, 1996.

³² Senate Document 444., 115, 117.

subject to the approval of Congress, such as the White Earth Reservation. Also, the Commission was charged with determining the number of full and mix-blood Chippewa who were entitled to consideration by the government.³³ Although the news from Congress was greeted with enthusiasm by the people at Turtle Mountain, they had to wait almost two years before the Commission would come to the Turtle Mountains.

Conditions worsened for the people at Turtle Mountain as another cold winter settled in. In November 1890, Indian Agent John Waugh wrote to the Commissioner of Indian Affairs that there was no pork or flour for rations and they needed some at once because the Turtle Mountain Indians were in a "starving condition." Waugh reported that there had been reports of death by starvation because of some early winter blizzards. However, Waugh went on to say, it was only the most susceptible who died such as the old and infirm.³⁴ The situation was clearly coming to a head at Turtle Mountain. Long winters, dry summers, and little relief in the way of hunting, took its toll upon the psyche of the people and provided a fertile ground for political dissent. For Chief Little Shell, the cracks within his tribal government were now becoming major fissures.

Even with the terrible conditions, it would not be until January 7, 1891, that Little Shell held a large council at which over a hundred men signed a preamble and resolution for a suit against the United States.³⁵ The council appointed J.B. Bottineau, "one of our

³³ Ibid.

³⁴ R.G. 75, doc. 3028. Letter, Major Waugh to Commissioner of Indian Affairs stating there is no need to worry about Indians starving. November 22, 1890.

³⁵ R.G. 75, doc. 3848. Letter, J.B. Bottineau to the Secretary of the Interior. Preamble and Resolution of the Turtle Mountain Chippewa Indians. Jan. 24, 1891.

blood relation, and member of our tribe,” as counselor and attorney to manage all legal affairs for the Turtle Mountain people.³⁶ The resolution charged that the United States had not paid the Turtle Mountain Chippewa for the relinquishment of their lands since they had been thrown open for settlement in 1884. The lawsuit also charged that the land settled by whites should be lawfully returned or fair compensation paid for the land under American law before there was no land left for the Chippewa. This resolution was signed by Little Shell as head chief, Red Bear as second head chief, and “the headmen and all the other representative men of the Turtle Mountain Chippewa Indians.”³⁷

The names of J.B. Wilkie, Joseph Rollette, and Maxime Marion, who were leaders of the mixed-blood council, and part of the Grand Council, were not among the signatures of over a hundred men on the preamble. A review of later events suggests this could have been the first outward signs of a break between the Mitchif council of which J.B. Wilkie was president – and which was supposed to come under the ultimate authority of Little Shell - and Little Shell’s Grand Council. The reason why Rollette, Wilkie, and the others did not sign Little Shell’s lawsuit can only be speculated at. However, one of the reasons may have been that the attorney J.B. Bottineau, may have usurped too much authority from the Mitchif leaders, which perhaps was the last straw for some of the councilmen such as Rollette and Wilkie.

³⁶ Ibid.

³⁷ Ibid.

With no sign of a commission to deal with Turtle Mountain Chippewa complaints, Little Shell went west again in July, 1891, to visit friends and relatives and to look for enough acceptable land - in case the Turtle Mountain Chippewa relocated - to make a deal with the federal government.³⁸ Little Shell wrote a letter proposing that the Chippewa would vacate the Turtle Mountains in exchange for a reservation on the Missouri River in Montana plus an undisclosed sum of money. The Commissioner of Indian Affairs, J.D. Morgan refused this request stating that the land Little Shell asked for was part of the public domain and would not be considered for any additional reservations.³⁹ Meanwhile, back on the Turtle Mountain Reservation, plans were being made while Little Shell was gone.

Joseph Rollette's plan to overthrow Little Shell and take advantage of the 1889 assignment by the Commissioner to take an accurate census and remove the Canadian Metis was outlined in a letter written by him and signed by Farmer-In-Charge E.W. Brenner to U.S. Indian Agent John Waugh at the Devils Lake Agency on November 16, 1891. Rollette's letter was from a group of Turtle Mountain men who approached Brenner and announced that they had constituted a new self-appointed council to settle affairs with the federal government. Brenner then turned around and presented Rollette's letter, along with another letter written by Brenner himself, outlining the advantages of

³⁸ Dusenbury, "Waiting for a Day", 34; Murray, "Turtle Mountain Chippewa", 12-13.

³⁹ *Ibid.*

the group's proposal to his superior Major Waugh. This letter detailed the formation of a secret council prepared to represent the Turtle Mountain Chippewa in the upcoming settlement negotiations without Little Shell:

The undersigned, members of the Committee appointed to consult with you regarding the settlement of the affairs of this reservation, respectfully request you to come here to see them. They hear different reports from friends in Washington, and are anxious that in case their case lacks any further action on their part that they be preparing with a view of having it ready to present to the Congress as early as possible, we also desire to consult with you on other matters; we hope that you will meet with us as soon as possible.

Kakiniwash (Flying Eagle) - Chairman
 Jerome Rollette - Secretary
 Alexander Wilkie
 J.B. Wilkie
 Joseph Bruce
 Kashpa
 Joseph Rollette

This letter was signed by thirteen others, seven full-bloods and six mixed-bloods.⁴⁰

On the surface, the new council looked like a unification of the full-bloods and the mixed-bloods. The two men with full-blood names, Flying Eagle and Kashpa, were actually mix-bloods, and were well known to be so at the time. Of the alleged meeting or council, which appointed this committee, there is no record of such a meeting ever

⁴⁰ R.G. 75, doc. 36865. Letter, Farmer-In-Charge Brenner to Agent John Waugh. November 16, 1891.

taking place. Little Shell would surely have found out about the new committee had it been done in any sort of a public forum. The replacement group's secretive nature, its later actions, and the U.S. Indian Agent's failure to consult with Little Shell or the tribe's attorney, is an excellent illustration of an attempted changing of a native government from the inside with federal backing.

A political faction talking settlement among the leaders of the Turtle Mountain Chippewa other than Little Shell apparently intrigued Farmer-in-charge Brenner and Major Waugh. After meeting with Brenner and writing the declaration, Rollette, with the rest of his council rode almost a hundred miles on horseback from St. John's to Devils Lake to meet with Waugh. In two days, the group reached Major Waugh with the startling news. Major Waugh wrote that "sub-Agent Brenner and a delegation from the Turtle Mountains are here today to discuss with me of looking towards a settlement of differences between them and the government."⁴¹ Waugh wrote that the delegation opposed the role of lawyer J.B. Bottineau, believing that he had too much power to make decisions and was "wrong" about gathering names for a power of attorney so that he could make decisions without the councils. Waugh and Brenner stated that the delegation represented a large number of people at Turtle Mountains who did not want to sign Bottineau's ledger and were distrustful of him.⁴² Waugh concluded the letter by

⁴¹ R.G. 75, doc. 22106. Letter, Major Waugh to Commissioner of Indian Affairs, presenting Brenner's and the Indians committee letters. November 18, 1891.

⁴² Ibid.

telling the Commissioner that these people would give "proper consideration as to any proposition the government might make."⁴³

Waugh's letter to the Commissioner of Indian Affairs set the stage for the Commissioner to instruct the upcoming Settlement Commission to consider strongly the possibility of dealing with a more pliant Turtle Mountain committee and to perhaps disregard Chief Little Shell and his tribal council altogether. Perhaps Little Shell's earlier statements indicating a willingness to resist federal authority and his frequent trips away may have triggered a positive response from Brenner and Waugh. But no matter what its cause, this letter was significant in showing there was a definite relationship between government agents and members of the Turtle Mountain Chippewa who felt they could come to an agreement with or without Little Shell's authority.

Obviously, the success of the alternative committee hinged upon the support of Brenner and Waugh. In the first letter from Brenner to Waugh, Joseph Rollette was the one who approached Brenner with the proposal of a new "appointed" council ready to negotiate a settlement. By whom and how this delegation was "appointed" Rollette, Brenner, and Waugh, neglected to explain in any of the records at this particular time. Brenner, who co-wrote the letter for the council with Rollette, indicated in an accompanying letter that the document was signed by twenty-one Turtle Mountain

⁴³ Ibid.

Indians and did not include all of the members of the new council, which numbered thirty-two. Brenner finished the letter by adding;

the above is a portion of the council, the weather was very bad and they did not all come, the paper was signed in my presence.⁴⁴

Why Chief Little Shell's decision to hire J.B. Bottineau to represent the Turtle Mountain people apparently weakened his bond with the other tribal leaders - especially the Mitchifs - and stimulated the formation of the Committee of Thirty-two is hard to ascertain. The Mitchifs may have felt that Bottineau was usurping their role of advising Little Shell on tribal affairs. And whether they truly believed Bottineau would slow the settlement process with legal entanglements or was simply taking power is a question difficult to answer. To the breakaway committee, Bottineau may have assumed too much control and alienated them by not asking for their advice or consent. However, when considering Rollette's 1889 meeting with the Commissioner of Indian Affairs in Washington, an alternative to Bottineau's course of action apparently appealed to the dissenting members.

Little Shell would have been surprised had he known the names of the men who comprised the new council, for it included men who were very close to him and who had been involved in Turtle Mountain affairs for years. Trusted leaders of the Turtle

⁴⁴ Ibid.

Mountain people such as J.B. Wilkie, who had been President of the mixed-blood council for most of the 1880s, and who had worked closely with Little Shell through the many trying times of that decade, were prominent signers on the list. Also signing was Joseph Rollette, Little Shell's trusted advisor and interpreter since his return from Canada in 1882. Rollette and Little Shell had worked closely together on trips to Washington and in all the official affairs concerning the Turtle Mountain Chippewa. And finally there was Kashpa, one of chiefs of the Chippewa Grand council, who was also listed on the Committee of Thirty-two's letter.⁴⁵

Why would trusted individuals who had worked diligently for years within Little Shell's tribal government, decide to break away and try to negotiate with the federal government without the consent of Chief Little Shell and the other members of the tribal council, and the general population of the Turtle Mountain Chippewa? By examining the names on the new council, it becomes clear that it was a conglomeration of family and relatives, who took important positions on the new tribal council. Second to Kakiniwash or Flying Eagle, the chairman, was the secretary Jerome Rollette, who was Joseph Rollette's brother.⁴⁶ Both were grandsons of Joseph Rollette, the famed NorthWest Company French fur trader known as Jolly Joe Rollette.⁴⁷ However, where Jerome Rollette came from - or had been - was a mystery, because he did not show up

⁴⁵ Ibid.

⁴⁶ The names from top to bottom on all the documents and letters from the councils of the Turtle Mountain Chippewa, coincide with the level of importance. R.G. 75, doc. 22106.

⁴⁷ Murray, "Turtle Mountain Chippewa", 5.

on the yearly census rolls (the census rolls began in 1882) until 1892 - the year after he signed the council letter. Alexander Wilkie, who was not listed on the rolls until 1890, was ranked fourth above his recognized brother or cousin, J.B. Wilkie. The Wilkie brothers may have been excluded from the yearly census rolls because they were as yet undetermined Metis or were not at the Turtle Mountains during the times of the census.⁴⁸

It is understandable that these men would bring in family or relatives to be part of this new collective, because it meant a consolidation of power, trust among the individuals, and more secrecy for those involved. In the Mitchif tradition, family was very important from both a spiritual (Catholic) and social standpoint. Although the clan system did not apply to mixed-bloods, the connection by blood was an integral part of their system, not much different from the full-bloods.⁴⁹ Being closely related promoted the silence that was paramount if they were to succeed. If word got out that there was a movement to depose the head chief, and it failed, there could be serious consequences for the participating members or as Joseph Rollette told the Commissioner in Washington almost two years earlier, "we could get out heads broken."

When considering causes of why an overthrow was implemented against Little Shell's authority, religious differences between the two major denominations must also

⁴⁸ R. G. 75, doc. 22106.

⁴⁹ White Weasel, Personal Collections, 6.

be considered. Because of the tireless work of Reverend Wellington Salt - who was also of mixed-blood descent - the Protestants would triumph in the struggle for the full-blood native's souls. In 1889, Little Shell and almost all of the full-bloods converted to Protestantism,⁵⁰ and for the staunch Catholic Metis and Mitchifs this must have been paramount to betrayal. The Metis had always viewed the traditional beliefs of their full-blood cousins, which ran so contrary to their own Catholic beliefs, with uncomfortable toleration at best. But, when the Turtle Mountain Chippewa full-bloods finally turned to Christianity, the Mitchifs were shocked to find it was not Catholicism - but Episcopalianism, a form of Protestantism, to which they had turned. For Little Shell, his conversion to Christianity did nothing to instill confidence in the mixed-bloods and their leaders, and perhaps opened the last door to toppling his government.

It is impossible to know with certainty whether Little Shell knew about the shifting alliances among the full-bloods and the mixed-bloods in his council, and of their relationship with federal government agents. Little Shell may have known about a faction of dissenting tribal men within his own ranks, but he probably never conceived that they could prove to be a threat to his own chieftainship and to his tribal government.

As religious differences brought further discord into an already tense situation, the early 1890s would be defining years for the people at Turtle Mountain. As we shall see,

⁵⁰ Law, *History of Rollette County*, 12.

Senate Document 444., 143-144; Murray, "Turtle Mountain Chippewa", 16.

with a final land settlement looming ahead and people desperate to be included as beneficiaries, actions by the federal government would do nothing to ease the tensions for the people at Turtle Mountain. The fate of the people at Turtle Mountains would now be in the hands of puppets manipulated by the federal government.

CHAPTER FIVE

Brenner and Waugh would later claim that they carefully selected the nucleus of the Committee of Thirty-two to make sure they were all American-born Turtle Mountain Chippewa.¹ Stanley Murray stated that the decision of Brenner and Waugh to appoint only American-born Turtle Mountain Chippewa was "crucial in that it appears to have affected the fate of many Canadian-born people on the reserve."² However, there is evidence that Waugh and Brenner did not have anything to do with the appointment of the Committee of Thirty-two, which can also be found in Brenner's letter to Waugh introducing the breakaway members in which Brenner wrote that "the council came as a surprise to me."³ From this statement, it must be concluded that the council had been formed prior to the meeting with Brenner and without his knowledge. This meant that neither he nor Waugh could have "handpicked" the members of the Committee of Thirty-two as they both later testified. Why Brenner and Waugh would lie about this point is unclear unless they were trying to protect the integrity of the Committee of Thirty-two. Moreover, because of the large faction of Canadian mixed-bloods living at Turtle Mountains - combined with the importance of establishing American heritage - it now becomes uncertain whether these men were in fact American Chippewa or

¹ Stanley, "Turtle Mountain Chippewa", 13.

² Ibid.

³ R.G. 75, doc. 22106.

American Metis/Mitchifs, at all.⁴

As Rollette's words indicate, the leaders were self-appointed Turtle Mountain Chippewa and Metis dissatisfied with Chief Little Shell. By examining the census records of the Turtle Mountain Chippewa Reservation after 1885, (following the second Riel Metis Rebellion) some answers can be provided about the origins of the leaders in the Committee of Thirty-two. Of the seven principle members who subsequently signed the secret council letter and who participated in the negotiations with the Treaty Commission, only Joseph Rollette and Jean Baptiste (J.B) Wilkie were listed in the 1885 census.⁵ Missing from the 1885 census among members of the secret council were Kakiniwash, Kashpa, Alexander Wilkie, Joseph Bruce, and Jerome Rollette. In addition, the census of 1885, was for the first time, split into two categories; mixed-bloods (including those residing on and off the reservation, and considered Turtle Mountain Chippewa) numbering 731 people, and full-bloods (on and off the reservation) numbering 282 people.⁶

However, a word of caution must be given before delving too deeply into the census records. The government's inability to get an accurate census has been discussed throughout this piece, and the difficulty to do this arose mainly from the reluctance of the federal government to let the Turtle Mountain Chippewa construct their own tribal

⁴ All the Turtle Mountain Chippewa histories have gone along with Brenner and Waugh believing that they selected the committee of thirty two. Camp, Plains-Chippewa and Metis, 135. Murray, "Turtle Mountain Chippewa," 13-14.

⁵ U.S. Bureau of the Census. Census of Indians 1885-1897, Devils Lake Sioux (Sioux and Chippewa), roll 94,95. Washington D.C.; Census Office. 1939.

rolls. It must be remembered that the Turtle Mountain Chippewa people still had a fluid population during the middle 1880s and early 1890s because of the limited land resources after the reservation reduction, and that a reservation census was just a snapshot of who was there at a particular moment. Both the mixed-bloods and the full-bloods traveled widely to places like Montana and Canada in search of game and subsistence at any given time, as in Little Shell's case, and the men of the Committee of Thirty-two could not have been much different. Nevertheless, it may be possible to decipher approximately the identities of the Committee of Thirty-two by examining the records up to 1892.

In 1885, Esens (census name for Ais-saince, who had opted not to give his real Indian name of Aya-be-way-weh-tung) was listed as fifty-two years of age, with two wives; Great Woman, who was sixty-two years of age, and Young Woman, who was twenty-seven years old. Little Shell also had two children; a daughter named Ga Na Wa pan (Facing) who was five years old, and a son named Gyi ka emihelet (Reading the Day) who was one year old. It is interesting to note that from historical works to census records, there is no evidence that Little Shell had any children with Great Woman, which seems unusual but nevertheless appears to be a fact.⁷

In the Turtle Mountain Chippewa census of 1886, J.B. Wilkie was still there, but

⁶ Ibid.

⁷ Ibid.

Alexander Wilkie now appeared in the census. Still missing are Jerome Rollette, and Joseph Bruce. Kakiniwash or Flying Hawk (he would later change it to Flying Eagle) appeared for the first time, at twenty-two years of age, and before that had never appeared in the census as a son.⁸

The 1887 census again shows little change except that now Kakiniwash or Flying Eagle was not on the rolls. Also, in 1887, Little Shell took a fifteen-year-old boy named Chipa tako enu (the Green Man) as his stepson.⁹

It was not until the 1888 census that there appeared to have been a significant influx of men who formed the leadership of the Committee of Thirty-two. Although Jerome Rollette was still missing, Joseph Bruce was listed for the first time at age forty-four. Alexander Wilkie (fifty seven) who was not counted the year before returned to be listed, and Kakiniwash was also back on the rolls.¹⁰

In that same year of 1888, Little Shell changed the name of his four-year-old son from Reading the Day to Joseph. This is also the year before his official conversion to the Protestant faith.¹¹

In the year 1889, Little Shell and his family were gone, presumably to visit relatives and to scout areas for a new reservation. Joseph Bruce was gone again. Alexander Wilkie was also gone, but returned the following year, as did Little Shell.¹²

⁸ Ibid.

⁹ Ibid.

¹⁰ Ibid.

¹¹ Law, History of Rollette County, 12.

¹² Ibid.

By 1892, all the participants of the secret council who signed the letter with Brenner had arrived in the Turtle Mountains. Jerome Rollette appeared on the rolls for the first time, and was listed as thirty-nine years old. Only Joseph Bruce, who was listed only once since the 1885 census, and who signed the council letter in 1892, was not on the census rolls for 1892. However, Bruce showed up in the 1893 census roll count.¹³

The census records from the years 1885 to 1892, do not reveal whether or not these men were American Turtle Mountain Chippewa, American Mitchif, or Canadian Metis. Why this matters so much is because one of the most important tasks and most infamous acts connected to the Committee of Thirty-two was the completion of the final Turtle Mountain Chippewa or McCumber tribal census roll call in 1892. To be on the 1892 tribal roll was especially important, for it meant those listed could call themselves Turtle Mountain Chippewa and be eligible for the tribal treaty benefits, if any, when it was time for distribution. The Committee of Thirty-two's new census roll cut off more than five hundred people and barred many more from becoming eligible.¹⁴ Many of these people were already enrolled members and had been included in the census the year before, and had lived in the Turtle Mountains for years.¹⁵ Whether the five hundred people who were excluded from the rolls were Canadian Metis or not, this type of action signified that there were significant rifts in the social fabric of the Turtle Mountain Band

¹³ Ibid.

¹⁴ Senate Document 444, 32-34; Camp, Plains-Chippewa and Metis, 134-135; Murray, "Turtle Mountain Chippewa." 13-14.

¹⁵ Dusenbury, "Waiting for a Day", 136.

and that large groups of people were at odds. Little Shell and many others would claim that this controversial census denied tribal membership to legitimate members in order to get more for the ones who made the roll.

It is also difficult to believe Brenner and Waugh about anything at this point.

Brenner's statement that all the men on the new committee were American-born was intended solely for the sake of allowing the replacement committee to implement their own census and complete the subversion of Little Shell. Why Brenner and Waugh would even consider these things is difficult to answer. However, making a quick deal and creating a reservation agency would have been in their best interests. Considering the late arrival of some of these men to the Turtle Mountains that were supposed to be American Turtle Mountain Chippewa, as Brenner thus testified, there is considerable room for doubting the validity of the tribal rolls.

In September, 1892, the McCumber Commission finally arrived to negotiate a settlement with the Turtle Mountain Chippewa. The three-man commission consisted of Senator Porter J. McCumber of North Dakota, John W. Wilson, and Woodville Flemming.¹⁶ The Commission quickly went to work with the group of men Brenner and Waugh were supposed to have handpicked to make a complete census roll. In the meantime, Little Shell and his council was making no headway with the McCumber

¹⁶ Senate Document 444, 34-35.

Commission and complained about the five man committee assigned by Waugh and Flying Eagle's council to conduct the census without Little Shell's consent. After a few days the census was completed and the names of more than five hundred people were dropped from the rolls and posted throughout the reservation.¹⁷ Little Shell and the Turtle Mountain people were stunned. Little Shell demanded that his lawyer J.B. Bottineau be allowed to examine the census committee's records. Waugh responded by barring J.B. Bottineau and another sympathizer John Burke, who was also a county judge, from the reservation and the negotiations.¹⁸ Following Bottineau and Burke's departure, the Treaty Commission then drove Little Shell and his government away from the bargaining table with unreasonable terms such as no enlargement of the reservation, low prices for their land, and no consideration for a reservation in the west. After Little Shell left, the McCumber Commission appointed Brenner and Waugh's Committee of Thirty-two and an agreement was reached on October 22, 1892.¹⁹ Verne Dusenbury offered this about the signing of the Turtle Mountain Treaty Agreement of 1892, "the manner in which the agreement was finally obtained, and the dealings behind the scenes, proved to be a sad chapter in the history of the tribe."²⁰

¹⁷ Senate Document 444, 34-35, 41-42; Murray, "Turtle Mountain Chippewa", 13-14; Law, History of Rollette County, 21; Delorme, "Turtle Mountain Band." 133.

¹⁸ Murray, "Turtle Mountain Chippewa", 14-15.

¹⁹ The original manuscript of the Turtle Mountain Chippewa Agreement of 1892 by the McCumber Commission is done totally in Major Waugh's handwriting, and the Commission signed it. R.G. 75, doc. 34271. Articles of agreement between the Commissioners on the part of the United States and the Turtle Mountain Band of Chippewa Indians of North Dakota concluded at Belcourt, North Dakota, October 22, 1892.

²⁰ Dusenbury, "Waiting for a Day", 134.

There was one man with the power to single-handedly bring down Little Shell, if he had decided to do so. This man, so important to the political success of the Committee of Thirty-two, was Little Shell's trusted interpreter and advisor, Joseph Rollette.

In his protest letter about the settlement of October, 1892, Little Shell blamed much of the conflict with Waugh and the Commission on Rollette's faulty interpretation.²¹ This statement was important, for in the protest letter, Little Shell suspected Rollette of faulty interpretations and of conspiring with the American officials, but could not prove it. Joseph Rollette would have been the one man with the apparent ability to convey the terms and rhetoric of the Commission (apparently led by Waugh who did most of the talking) harshly enough to induce Little Shell to cut off negotiations and leave. However, when Little Shell left, Rollette did not leave with him. Rollette stayed and continued as interpreter for the new council led by Flying Eagle. Rollette did his part masterfully, for it is apparent in the protest letter that Little Shell never found out about the extent of Rollette's involvement.

The importance of Rollette to the "success" of the settlement negotiations cannot be underemphasized. His multi-lingual capabilities were invaluable to both sides. As a close advisor to Little Shell, and knowing that the chief could not speak or understand English very well, Rollette would have known just what to say to make him frustrated

²¹ Murray, "Turtle Mountain Chippewa", 14.

and angry. Equally important, Rollette could have told Waugh beforehand what Little Shell would likely say, and could have prepared Waugh and the McCumber Commission on how to answer Little Shell's proposals and requirements. Likewise, if that is true, that would also explain Little Shell's English speaking advisers, J.B. Bottineau and Rollette County judge John Burke, being barred from the reservation in an official letter stating that the two men would be arrested if they set foot on the reservation, just before negotiations were due to begin.²²

Whether the exclusion of Bottineau and John Burke was a premeditated move by Waugh and the McCumber Commission, there is still no conclusive evidence. However, it would seem a logical move, considering that in their absence Waugh and Rollette could have orchestrated the negotiating sessions with Little Shell and the rest of the Indians with impunity. The reason for this freedom was because apparently none of the full-bloods or mixed-bloods spoke English and none of the members of the McCumber Commission could speak French (Mitchif) or Chippewa - only Rollette had the capacity to understand all three.

Presumably, for the Commission, one council was as good as the other, and if one were to be empowered by them, it meant a quick and easy solution to their problems. The historian Dusenbury states that Flying Eagle and the other members of the

²² Ibid.

Committee of Thirty-two had “followers only numbering about one quarter of the population,” which meant that Flying Eagle did not enjoy a majority of support from the people.²³ Without this support, Waugh and the Commission knew full well the precarious position the replacement tribal council was in and took full advantage of the situation.

On October 19, 1892, Little Shell announced that the negotiations were over with the McCumber Commission citing irreconcilable differences. Little Shell then gathered together his people and left believing the talks were ended. The Commission however immediately appointed the Committee of Thirty-two led by Flying Eagle from among the American Chippewa that Brenner and Waugh had allegedly selected personally. Only three days later, on October 22nd, a settlement was struck between the two parties, in which the Turtle Mountain Chippewa would get one million dollars for approximately ten million acres of land. After years of waiting, the Turtle Mountain Chippewa and the American Mitchifs would receive ten cents an acre for their ceded lands and be able to keep just two townships, which they could call their own.¹

Of course, once the terms of the settlement became public, the Turtle Mountain people became outraged. To make matters worse, the listing of the census rolls cutting

²³ Dusenbury, “Waiting for a Day”, 133-134.

¹ Ibid., 144-145.

so many people from the rolls threw the tiny reservation into further turmoil. People scrambled to prove that they were American. Accusations flew wildly as people were kicked off of the reservation, while in some instances, members of their own families could stay. Soon, large groups of people left the reservation to places elsewhere, such as Montana and Canada.²

Those people who were cut from the rolls, or who refused to sign the settlement and sided with Little Shell would become known as the Landless Indians, with no affiliation to any reservation. These forgotten Chippewa and Mitchifs would be associated with names and places such as the Little Shell band of Montana, the Landless Indians of Montana, the Chippewa-Cree Tribe, the Rocky Boy Tribe, Hill 57, and others. Their difficult and confusing legacy would be the result of the negotiations during the month of October in 1892.³

The meager terms reached were a testament to the powerlessness of the Committee of Thirty-two to reach a favorable settlement with the federal representatives. Although it cannot be ascertained whether a full-blood contingent would have negotiated better terms, one can only speculate at a different outcome. Other North Dakota tribes close to the Turtle Mountain Chippewa, such as the Spirit Lake Sioux and the Three Affiliated (Mandan, Hidatsa, Arikara) tribes who had ceded their lands previously, had each

² Ibid., 145-146.

³ Murray, "Turtle Mountain Chippewa", 12-13.

received over a dollar an acre for their lands.⁴

The harsh settlement imposed by the representatives of the American government during the negotiations speaks to the ruthlessness with which Waugh, Brenner, and the McCumber Commission conducted the meetings with the Committee of Thirty-two in the fall of 1892. It was reported that Waugh was very unyielding during the negotiations with Flying Eagle's council and forced the replacement council to accept the settlement terms.⁵ Flying Eagle and the committee must have been quite unprepared for this, but they had no choice. Their plan of executing a quick and lucrative settlement for the Turtle Mountain people had gone terribly wrong. They had woefully underestimated the determination of the McCumber Commission. Instead of being heroes and taking charge of the new destiny of the Turtle Mountain Chippewa, the Committee of Thirty-two was faced with only two choices - accept the McCumber Commission's pitiful offer, or be exposed as meddling subversives.

Apparently Brenner and Waugh did not seem to be much interested in the Committee of Thirty-two after the settlement and disbanded it soon afterward. Flying Eagle became chairman of the new Turtle Mountain Chippewa Reservation and was its leader and spokesman from 1892 to 1904. For the remainder of his life, Flying Eagle would try to right the wrongs that he and his Committee of Thirty-two had done to their

⁴ Camp, *Plains Chippewa and Metis*, 151; Senate Document 154, 24.

⁵ Senate Document 444, 33-42; Murray, "Turtle Mountain Chippewa", 14.

beloved Turtle Mountain Chippewa people. As if to further spite him, Congress did not ratify the settlement made with him and his committee until twelve years later in 1904, and even then the Turtle Mountain Chippewa did not receive the money that had been promised. The final payments for the cession of ten million acres of land for ten cents an acre, negotiated and agreed by him, would not even begin until 1979.⁶

As for Little Shell, from 1892 on, he continued to fight for Turtle Mountain Chippewa rights. He also continued to denounce the actions of the McCumber Commission, the treaty settlement terms, and the census rolls as being invalid and ~~unfair. While some of his supporters either moved away or were stricken off the 1892~~ tribal rolls, Little Shell refused to leave, although he would take trips periodically to Saskatchewan and Montana, and was listed on every census roll until 1900. Little Shell continued to live in the Turtle Mountains, although off the reservation, in the full-blood Chippewa settlement just north of Dunseith. The Turtle Mountain Chippewa Reservation proper was now a reservation made up of almost Mitchif Chippewa.⁷

The year of 1898, was a sad year for Little Shell III, as three of his children died due to either diphtheria or smallpox; Mary, Genevieve, and Joseph. Little Shell himself would die in 1900, because of natural causes, at the age of sixty-four.⁸ Little Shell's

⁶ Commissioner of Indian Affairs, memorandum, Research Report in 1905 Pembina Chippewa award in Dockets 113, 246, 191 and 221 and Draft Proposal for Use and Distribution of Funds, (Tribal Government Services, August 19, 1980.) 1-3.

⁷ In the census records up to Little Shell's death in 1900, Little Shell is listed in every census taken after 1892. In 1898, the census began listing where the individual or family was located and Little Shell and his family were located at the Dunseith settlement. Census records, roll 94.

⁸ Ibid.

death would close out a complete century of Little Shell influence among the plains Chippewa.

From Ais-saince's (Little Shell I) dangerous journeys in 1800, to his violent death at the hands of the Dakota in 1807, to his band's survival in contested territory, the young band would lay the first foundations of becoming the Turtle Mountain Chippewa. From Weesh-e-damo's (Little Shell II) daring exploits as a warrior and rise to prominence as the head chief of the Pembina Chippewa, to finally, of Aya-be-way-weh-tung, (Little Shell III), who would try to hold together what his father and grandfather had accomplished in the face of a land hungry American people and divisions within his government.

Little Shell III's legacy upon the history of the Plains Chippewa cannot be measured. With the details of his political career becoming clearer, Little Shell must be given the credit for trying to hold his people together in the face of a deceitful federal government that was bent on taking away everything that a person holds dear. As the Turtle Mountain Chippewa story has proved yet again, for Native Americans in the last half of the nineteenth century, becoming a ward of the federal government meant peril for the very fabric of their lives. For the natives at Turtle Mountain, whether full-blood Chippewa or mixed-blood, a reservation was indeed no refuge. For the generations of

Turtle Mountain Chippewa who were affected by the events detailed in this history, perhaps this research can serve as a bridge to connect the present with the past and serve as a cautious reminder that there is still much more to learn about the people who became the Turtle Mountain Chippewa.

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