Montana Tribal Histories: Educators Resource Guide Companion DVD

Developed by Julie Cajune

Indian Education for All
Montana Office of Public Instruction
Elsie Arntzen, Superintendent

On cover: "Society"
Valentina LaPier (Blackfeet, Cree-Metis), Artist
The Society has an important part within the community of the tribe – keeping order, educating, training, and being a part of a specific community within the larger community that helps take care of the people. There are different ways Societies organized themselves based on social, political, religious reasons, as well as by gender and age.

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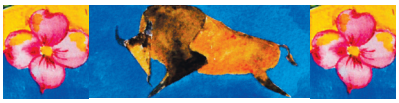

Montana Tribal Histories: Educators Resource Guide Companion DVD/Table of Contents

Montana Tribal History Timelines

Blackfeet Reservation History Timeline 2
Confederated Salish Kootenai Reservation History Timeline 5
Crow Reservation History Timeline 16
Fort Belknap Reservation History Timeline 20
Fort Peck Reservation History Timeline 24
Northern Cheyenne Reservation History Timeline 29
Rocky Boy's Reservation History Timeline 35

Primary Source Documents

The Proclamation of 1763 38
The Northwest Ordinance: July 13, 1787 42
Treaty with the Sioune and Ogalala Tribes "Friendship Treaty" July 12, 1825 47
Treaty with the Teton, Etc. Sioux June 22, 1825 51
1825 Treaty with the Crow Tribe "Friendship Treaty" 54
1855 Hellgate Treaty 57
Rules Governing the Court of Indian Offenses, March 30, 1883 63
General Allotment Act – Dawes Act of 1887 68
Homestead Act of 1862 72
Flathead Allotment Act Apr. 23, 1904 74
June 18, 1934, Indian Reorganization Act (Wheeler-Howard Act) 79
House Concurrent Resolution 108 August 1, 1953 84
President Lyndon B. Johnson Speech, "The Forgotten American," March 6, 1968 85
President Richard Nixon Speech, "Recommendations for Indian Policy," July 8, 1970 94
Remarks of Kevin Gover – 175th Anniversary of the BIA, Sept. 8, 2000 97
Statement of Steve Brady 99

Secondary Source Document

"Indian Relocation: Sending Roots Under Pavement." Daily Yonder. Dec. 8, 2008 101

Interview Film Files

Dan Decker, Legal Expert on Hellgate Treaty
Anna Whiting Sorrell, Former Director of the Montana DPHHS

Oral History

Minerva Allen Sunk Pa (23:00 total running time)
Nakota Creation Story (scrolling text, no audio - begins at 00:12)
Naming and Grandparents (film interview begins at 04:53)
Schooling, Language and Career (film interview begins at13:00)

Slide Show*

Archival Photos (for use with Chapter Five Tribal Histories Model Lesson - Boarding Schools: The Abduction of Children Model Lesson "The First Day of School")

* Page up and Page Down to scroll through screens.

Montana Tribal History Timelines

Blackfeet Reservation Timeline

2010

The Montana Tribal Histories Reservation Timelines are collections of significant events as referenced by tribal representatives, in existing texts, and in the Montana tribal colleges' history projects. While not all-encompassing, they serve as instructional tools that accompany the text of both the history projects and the Montana Tribal Histories: Educators Resource Guide. The largest and oldest histories of Montana Tribes are still very much oral histories and remain in the collective memories of individuals. Some of that history has been lost, but much remains vibrant within community stories and narratives that have yet to be documented.

Time Immemorial

Creation – "Napi," Old Man, created the Rocky Mountain Range, the Sweetgrass Hills and other geographic features in Montana and Canada.

1700 – The Blackfeet acquired the horse and rifle.

1700s – The Blackfeet traveled south along the Rocky Mountains.

1780 – A band of Blackfeet raided a Shoshone camp not knowing the Shoshone had small pox. The raid resulted in a smallpox epidemic among the Blackfeet band. One third of the band died.

1818 – The US and Canadian border was established. The 49th parallel would figure prominently in Blackfeet geography.

1837 – A second smallpox epidemic struck the Blackfeet.

1851 – The Fort Laramie Treaty of 1851. While an estimated 10,000 Indians attended this treaty negotiation, the Blackfeet did not. Though they were not present, Article 5 defined their territory, using the Musselshell, Missouri, Yellowstone Rivers and the Rocky Mountain Range as markers.

1855– Lame Bull Treaty / Judith River Treaty. This treaty took place at the mouth of the Judith River with the Blackfeet, Nez Perce and the Salish and Pend d'Oreille (language in treaty also refers to Flathead tribe) To make way for the railroad, Isaac Stevens was charged with negotiating a peace between the Blackfeet and the allied tribes - the Nez Perce, Salish and Pend d'Oreille. A common hunting ground was recognized and designated for a period of ninety-nine years. Lands reserved exclusively for the Blackfeet were identified and described. The treaty was ratified in 1856.

1865 – Unratified Treaty with Montana Governor Meagher and Blackfeet Indian Agent Gad Upson. Though this treaty that identified Blackfeet land cessions was not ratified, settlers began moving into the areas that would have been ceded had the treaty been ratified.

1870 – The Blackfoot Massacre, often called the Bear River Massacre, the Baker Massacre or the Marias Massacre. The Heavy Runner Band was camped on the Bear River during cold winter weather on January 23. A column of cavalry and infantry under the command of Major Eugene Baker attacked the sleeping camp early in the morning. The attack was purportedly to be in response to the killing of an influential rancher, Malcom Clark. Clark had been in several conflicts with Owl Child, a Piegan, who was not camped with Heavy Runner, but with Mountain Chief. At the end of the attack, 217 people were killed. The largest numbers of victims were women and children. The army gave the death count at 173. While some political leaders were outraged, no disciplinary actions were taken against Baker or any of the soldiers.

1873 and 1874 – President Grant issued Executive Orders diminishing reservation lands. The 1873 ExecutiveOrder diminished 1851 and 1855 treaty lands and established an undivided reservation for the Blackfeet, Gros Ventre, Assiniboine, and Sioux. This territory spanned land north of the Missouri and Sun River east to the Dakota border. The 1874 Executive Order moved the southern boundary north from the Sun River to the Marias River.

1875 – Under pressure, President Grant restored some of the lands taken by the 1873 and 1874 Executive Orders.

1880 – President Rutherford B. Hays issued an Executive Order taking back the land that President Grant had restored in 1875.

1887 – A Code of Laws was enforced by three tribally elected leaders, along with Indian Agent Wood.

1888 – Sweet Grass Hills Agreement

1883 – 84 – Starvation Winter – Over 500 Blackfeet people died.

1896 – 20 mile wide strip of Blackfeet Reservation ceded. This "ceded strip" is known today as Glacier Park. The Blackfeet claimed the land was only provided for a 99 -year lease.

1898 – Forty percent of the Blackfeet tribal cattle herd was lost.

1905 – Cut Bank Boarding School opened. Today it is still operating as a boarding dormitory. Children that live there do not attend school at the site; they are bussed to Browning Public Schools.

1907 – 1908 – The first allotments were made on the Blackfeet Reservation. Approximately 2,656 individual Blackfeet tribal members received allotments.

1911 –Surplus lands to be opened for sale were estimated at 156,000 acres.

1911 – Children born after the middle of the year were allotted 80 acres.

1934 – Of the 1,785 eligible voters, 994 voted in favor of tribal organization under the Wheeler- Howard Act, commonly known as the Indian Reorganization Act. Under this legislation, the Blackfeet Tribal Constitution and By-Laws were ratified in 1935, creating a representative form of government through elected tribal council representatives. Originally numbering 13, tribal council representatives now number nine.

1962 – Article II of the Constitution and By-Laws of the Blackfeet Tribe, defining tribal membership, was amended.

1974 – The Blackfeet Tribe chartered Blackfeet Community College.

1978 – Percy DeWolfe elected to State Senate.

1978 – Earl Old Person became Chief of the Blackfeet Tribe.

1983 – Piegan Institute established.

1987 – Blackfeet National Bank, first tribally-owned, federally chartered bank on an Indian Reservation established. The American Museum of Natural History returned Blackfeet human remains taken from Old Agency on Badger Creek.

1994 – Tribally controlled community colleges received Land Grant Status. Heart Butte High School completed.

2001 – 15,441 enrolled Blackfeet members.

2005 – Charging Home Park opened.

2006 – Glacier Peaks Casino opened.

2009 – New Browning High School opened.

Flathead Reservation Timeline

Confederated Salish and Kootenai Tribes

2010

The Montana Tribal Histories Reservation Timelines are collections of significant events as referenced by tribal representatives, in existing texts, and in the Montana tribal colleges' history projects. While not all-encompassing, they serve as instructional tools that accompany the text of both the history projects and the Montana Tribal Histories: Educators Resource Guide. The largest and oldest histories of Montana Tribes are still very much oral histories and remain in the collective memories of individuals. Some of that history has been lost, but much remains vibrant within community stories and narratives that have yet to be documented.

Time Immemorial – The Creation and time of the animal people.
Coyote and Fox traveled the earth preparing the world for human beings.

Traditional Life - The Salish, Pend d'Oreille, and Kootenai flourished in their aboriginal territory that included most of Montana, portions of Wyoming, Idaho, Washington and Canada.

The Salish Tribe grew, becoming so large that the people had to divide into smaller bands.

Pre-1700 - A Salish prophet, X̌alíqs, Shining Shirt foresaw the coming of the "Black Robes" (Catholic Jesuits).

1650 - 1700 - The Salish and Pend d'Oreille acquired horses from the Shoshone.

1775 – Blackfeet gained continued access to firearms through Hudson Bay Company in Canada, leading to an uneven power struggle with area tribes over a rapidly decreasing land base.

1780's - A smallpox outbreak reached a group of Salish camped in the Missoula area.

The camp divided, families with smallpox and those without. Onroup went to the Bitterroot Valley while the other moved to the Drummond area. Only one boy in the Bitterroot camp survived the epidemic.

1782 – First documented small pox outbreak killed an estimated ½ to ¾ of the Salish and Pend d' Oreille bands. The combination of the introduction of disease, firearms and horses led to massive changes in intertribal territories. Blackfeet expansion caused eastern bands of the Salish and Pend d' Oreille to move their winter camps west of the continental divide. The Salishian people called the Tuṅáxn, who occupied the Rocky Mountain front, were decimated. The survivors scattered to the west and merged with other tribes, bringing about the extinction of a native people.

1790's – The first French and British fur traders appeared in what is now western Montana and the Flathead Indian Reservation.

1803 – In the Louisiana Purchase the United States purchased from France the *right* to be the only purchaser of tribal lands when and if Indians ever chose to

sell any land, and, the sovereign and commercial rights to be the only government to trade and engage in diplomatic relationships with the tribal nations in the Louisiana Territory.

1805 – The Salish allowed Lewis and Clark to enter Salish territory in the Bitterroot Valley near Darby, opening the door to fur trade in Salish territory. Kʷtíɬ Pupx̌m̓ - Salish place name meaning "Great Clearing" located at Ross's Hole.

1809 – The Salish gained regular access to firearms through the establishment of fur trade in western Montana by David Thompson.

Saleesh House, at Sq̓eyłkʷm - Salish placename in reference to "the Sound of Falling Water" located at Thompson Falls along with Kullyspell House at Lake Pend Oreille in present day North Idaho established fur posts in Salish and Pend d' Oreille aboriginal territory.

1811 – 1830 – The peak years of the Fur Trade in the Northwest which had far-reaching impacts on ecology, economy, and culture of the people of this region.

Arrival of Iroquois people among the Salish people

1811 – Kullyspell House having been built off the main travel ways was abandoned.

1831, 1835, 1837, 1839 – Years that the Salish sent delegations to St. Louis to bring back the "Black Robes," The Catholic Jesuit Priests.

1841 – Father De Smet and the first Jesuit missionaries arrived in Montana, establishing a St. Mary's, a mission near present day Stevensville in the Bitterroot. The Salish placename for St. Mary's is Łq̓éɬmĺš meaning wide cottonwoods.

1846 – The Oregon Treaty between the United States and Great Britain divided aboriginal territory along the current Canadian border on the 49th parallel. Millions of acres of aboriginal lands in current Canada were lost. Kootenai bands along with tribes in the Salish language family were now placed in separate jurisdictions.

1848 – The United States organized Oregon Territory, exerting jurisdiction over Tribal aboriginal lands west of the continental divide.

1851 – The Fort Laramie Treaty impacted aboriginal territory east of the Rocky Mountains. The treaty failed to recognize Salish, Pend d'Oreille, and Kootenai

aboriginal lands east of the Continental Divided by assigning lands to tribes occupying their territory.

1853 – Isaac Stevens surveyed a route for Northern Pacific Railroad. He also assumed position as first Governor and Superintendent of Indian Affairs for Washington Territory (which includes today's Montana).

1855 – Tribal leaders and U.S. officials signed the Treaty of Hell Gate. Under terms of the treaty, tribal leaders ceded to the U.S. "title" to the vast majority of their lands west of the continental divide. Tribal leaders reserved 1.25 million acres for the Flathead Reservation, along with the "Conditional Bitterroot Reservation", for what the treaty said was to be for the tribes "exclusive use and benefit." In the treaty, the tribes also reserved rights on their ceded lands, including the right to hunt, fish, gather plants, and pasture livestock on "open and unclaimed lands." Tribal understanding of the boundaries of the Flathead Reservation was considerably different from what was actually written in the treaty, particularly, the east, west and northern boundaries.

1855 – Lame Bull/Judith River Treaty with the "Blackfoot Nation" (Piegan, Blood, Blackfoot and Gros Ventre) and the "Flathead Nation" (Flathead – Salish, Upper Pend d'Oreille, Kootenai) and Nez Perce.

In an effort to establish peace among warring tribes, the U.S. government convened treaty negotiations to establish a "Common Hunting Ground" that would be acknowledged and honored by all of the tribes. At these negotiations, Pend d'Oreille Chief Alexander told all the other Indian leaders present that the Sweetgrass Hills country "was an old road for our people. A long time ago our people belonged to this land." Alexander's statement documented tribal homelands east of the Rocky Mountains – as other tribes moved into Montana, the Salish, Pend d'Oreille and Kootenai were forced to concentrate their populations on the west side of the mountains.

1859 – Hell Gate Treaty of 1855 was ratified by U.S. Senate and signed by the President.

1864 – First major gold rush in Montana Territory brought thousands of non-Indian people with it.

1870 – Xʷeɬxx̌cin - Many Horses, Chief Victor, died out in buffalo country. His son, Sɬmx̣e Qʷoq̣eys – Claws of the Small Grizzly, or Chief Charlo, succeeded him as head chief of the Bitterroot Salish.

1870's - Six buffalo calves survived a journey west to the Flathead Reservation. Łataẗi, - Little Falcon Robe, brought the calves to the reservation.

These calves eventually became the Pablo-Allard herd. Remnants of this herd sold to Canada made their way back to the reservation when the National Bison Range was formed.

1871 – President Grant signed an Executive Order, requiring the Salish to leave the Bitterroot Valley and go the "Jocko" reservation.

The president's action was not based on any survey or examination of the Bitterroot for a suitable place (reservation) for the Salish, as required by the 1855 Treaty of Hell Gate. Representative James Garfield was appointed by President Grant to secure the Salish removal to the Jocko Reservation.

1872 – Representative Garfield met with the Salish near present-day Stevensville to secure their approval and signature on an agreement for their removal to the Jocko Reservation. Chief Charlo refused to sign.

Under the terms of the agreement, the Salish were to move from the Bitterroot Valley to the Jocko Reservation (Flathead Reservation) in exchange for $55,000, new log houses, a side of beef for every family, and plots of land designated specifically for the Salish. Salish sub-chiefs Arlee and Adolph sign the contract, but head chief Charlo, son of Victor, refused to sign, therefore making the contract invalid. When the agreement was officially presented upon Garfield's return, a signature mark appeared on the contract by Chief Charlo's typed name, which was a forgery. Chief Charlo was enraged when he found out about this deception. The senate approved the agreement for ratification. Eleven years later, in 1883 the original field copy of the agreement was unearthed at the direction of Senator G.G. Vest. It showed no mark by Charlo's name, vindicating the Chief's long outrage over the deception.

1873 – Chief Arlee and a few families moved to the reservation and settle near the Jocko Agency.

1875 – By fall of this year, 123 Salish had moved from the Bitterroot Valley to the reservation.

The North American bison population had dwindled to about one million, due to a deliberate campaign to exterminate them. "The elders say that in the second to last year of the traditional Pend d'Oreille buffalo hunts, the hunters were able to kill only 27. The following year they killed only seven." "Going to buffalo" was becoming only a memory.

1877 – Fort Missoula established in the Bitterroot in large part due to the Nez Perce war. The non-Indians in Montana Territory feared all Indians were going to rebel against the federal government and demanded protection.

1882 – Tribal leaders were pressured into signing an agreement to allow a railroad right-of-way through the reservation, relinquishing 1,430 acres of reservation lands.

1883 – Railroad tracks were laid across the Flathead Reservation.

Tribal leaders expressed their anger and resentment at the continuing loss of tribal homelands. "The country we gave the government is very valuable. Lots of white men made independent fortunes in my country…We don't want the railroad to go through the reservation…When we heard that you were coming, we made up our minds what to say to you. You seem to like your money, and we like our country; it is like our parents." Kootenai leader Eneas said, "I would like to get the Flathead Lake country back. There are things that the government promised me in that treaty that I have never seen…We had a big country, and under those conditions we signed the treaty. Seven years after that we learned that the line of the reservation ran across the middle of Flathead Lake…. I do not wish the road to pass through the reservation. This reservation is a small country and yet you want five depots upon it…My country was like a flower and I gave you its best part…"

1884 – Sisters of Providence boarding school was built in St. Ignatius.

1887 – The Dawes General Allotment Act was passed, mandating the breaking up of communal tribal homelands and setting a course for catastrophic land loss on reservations.

1888 – Boys boarding school was completed in St. Ignatius.

1890 – The Ursuline nuns arrived in St. Ignatius and began a kindergarten, which eventually expanded into a grade school and high school that operated until 1972.

1891 – Chief Charlo and the Salish were forcibly removed to the Jocko Reservation, after 36 years of resisting removal, in the conviction that the 1855 Treaty of Hell Gate had guaranteed the Bitterroot Valley for their reservation.

1893 – Flathead Reservation Indian Agent Peter Ronan died. Indian agents that succeeded Ronan were proponents of allotment and homesteading the Flathead Indian reservation.

1895 – Congress appointed "Crow, Flathead Commission" to negotiate cession of reservation lands. Tribal leaders refused to cede any lands at any price.

1898 - The first Arlee July celebration was held in spite of the protests from the priests and Indian Agents.

William Smead was appointed as the U.S. Indian agent for the Flathead Indian Reservation. Smead, as a state representative, had previously advocated for opening up the reservation to white settlement.

1901 – A small delegation of representatives of the U.S. Government, led by Commissioner of Indian Affairs Charles Hoyt, met with tribal leaders on the reservation to discuss an offer to buy part of the northern end of the reservation.

Tribal leaders refused to sell. Chief Charlo stated, "I will not sell a foot (of land)." Kootenai Chief Isaac responded, "My body is full of your people's lies. You told me I was poor and needed money, but I am not poor. What is valuable to a person is land, the earth, water, trees…and all these belong to us…We haven't any more land than we need, so you had better buy from somebody else."

1901 – 1904 – Agricultural production statistics of 1902 recorded there were 25,000 cultivated acres; 120,000 bushels of grain; 25,000 tons of hay; and 20, 900 bushels of vegetables produced by tribal members. There were 25,000 horses; 27,000 cattle; and 600 bison owned by tribal members.

1901 – Last documented small pox outbreak among the Salish. A quarantine camp was set up near Mission Creek.

1903 – Montana Congressman Joseph Dixon introduced a bill to Congress to impose the Allotment Act on the Indians of the Flathead Indian Reservation.

1904 – Congress passed the Flathead Allotment Act, setting the course for the loss of over 60% of the reservation land base.

Heads of household were assigned 160 acres, while single adults received 80 acres. Two rounds of allotments were held. An enrollment and census were done to assign allotments. At this time, many names were altered, as the census workers insisted on each individual having two names. Upon completion of the census, 2,390 tribal members were eligible to receive allotments. Of the 1,245,000 acres, only 245,000 were secured by allotments. The remaining grazing and agricultural lands were opened up to homesteading. Amendments to the act seized additional lands for town sites, the Indian agency, churches, reservoirs,

power sites, and 61,000 acres for Montana school lands. The 16th and 36th section of each township were set aside for school support.

Immediately following allotment, Indian owned cattle dropped to 5,000 head and the horse herd was reduced to 4,000.

1905 – Chief Charlo traveled to Washington D.C. to try to persuade the President to halt the allotment process on the Flathead Reservation.

1906 – Chief Charlo sent tribal leaders Antoine Moiese and Alicot to Washington D.C. to make another allotment protest to the President, Congress, or anyone that would listen.

Indian Agent Smead, forced Michel Pablo to sell buffalo. Between 1906 and 1913, buffalo were gradually rounded up and shipped to Canada, the sole purchaser.

1906 - Congress passed the Burke Act that allowed Indian allotments to be taken out of federal trust if the allottee was deemed "competent."

1908 – First round of allotment of lands to tribal members was completed. After 2,400 allotments were issued, covering 228,434 acres, the remaining land was declared "surplus."

The Salish, Pend d'Oreille and Kootenai Tribes suffered another loss of reservations lands as a Congressional Act passed in 1908 took 16,000 + acres for a National Bison Range.

Flathead Irrigation Project bill passed, justified as aiding Indians in transition to agriculture. The project actually benefited non-Indian farmers and ranchers, and harmed many native subsistence operations. Many Indians lacked the money to pay the irrigation charges leading to allotments being seized for settlement of debts.

State Game Warden killed four members of a Pend d'Oreille family hunting party in Swan Valley. The game warden was killed by one of the tribal women, who acted in self-defense.

1910 – Chief Charlo died on January 10.

In April the Flathead Reservation was officially opened up to non-Indian settlement. "Surplus" reservation lands were sold to homesteaders.

1911 – Public schools began to open to serve the non-Indian homesteaders.

1911 – 1934 – By 1930, most of the Indian allotments were now in non-Indian ownership.

1917 – 1919 – The United States participation in World War I included many American Indian soldiers, among them members of the Confederated Salish and Kootenai Tribes.

1920 – A second round of allotments transferred 124,795 acres from communal Tribal ownership to individual tribal member ownership.

1924 – Congress granted citizenship to American Indians.

1927 – After learning of plans to construct a massive hydroelectric power plant and dam on the lower Flathead River; a coalition of non-Indian reservation residents, the Rocky Mountain Power Company, the BIA, and other profiteers, attempted to take ownership of the proposed dam site.

1928 – Congress affirmed the Confederated Salish and Kootenai Tribes' ownership of the proposed dam site.

1930 – Rocky Mountain Power Company secured a license from the FPC to build the hydroelectric power plant on the proposed reservation site.

1933 – 60% of the original tribal allotments were lost. This land became fee land owned by non-Indians.

1933 –1942 – The Civilian Conservation Corps was funded during these years employing tribal members building trails and roads on the reservation.

1934 – Congress passed the Indian Reorganization Act. This Act repealed the Dawes Act and enabled tribes to voluntarily organize and adopt federally approved constitutions and by-laws.

1935 – The Confederated Salish and Kootenai Tribes organized under the 1934 Indian Reorganization Act, ratified a tribal constitution and created an elected government of 10 tribal council representatives and the last two federally recognized head chiefs, Chiefs Charlo and Koostahtah.

The first Tribal Council meeting was held at the Flathead Agency in Dixon. The Council representatives were Edwin Dupuis, Alexander Clairmont, Louis Tellier, Eneas Conko, Nicolai Lassaw, Duncan (Charlie) McDonald, William Gingras, Louis Adams Sr., Louis Couture and Joseph Blodgett. Chief Martin Charlo and Chief Koostahtah were life members and active members of all committees. The first committees established were Land, Finance, Law and Order, Health, Labor

and Education. The council made a recommendation to designate an area of the Mission Mountains for management similar to the National Parks, keeping it undeveloped and allowing only foot and horse trails.

1936 – The Confederated Salish and Kootenai Tribes adopted a corporate charter.

A first order of business was to address issues with Montana Power Company and their license at Kerr Dam. This included appropriate rental fees, preference hiring of tribal members in the construction work. The original annual rental fee was $140,000.

1936-1938 - Kerr Dam was built.

1941 – 1945 – Years of World War II, during which 25,000 American Indians served in the military, including many CS&KT tribal members.

Indian people also worked in defense-related industries. According to late tribal elder Margaret Finley, life changed very rapidly for Indian people, "…when we got in the war with the Japanese, Pearl Harbor, right after that. Everything changed very fast, very, very fast…how we do things together, happiness, all that. It all changed." American Indian people left their home communities – many for the first time – to serve in the war or work in defense projects. People who still held the collective memory of an old tribal world were exposed to a global world that would forever change the country their world was now situated in.

1951 – 1953 – Tribal members again enlisted in the military and served during the Korean War.

1953 – House Concurrent Resolution 108, the Termination Act, targeted the Confederated Salish and Kootenai Tribes.

Termination ended a tribe's sovereign status and relationship with the federal government as a political entity. The Confederated Salish and Kootenai Tribes were at the top of the list of tribes to be terminated. This was considered "voluntary" and required tribal member consent, although pressure and coercion were not uncommon.

1954 – The Confederated Salish and Kootenai Tribes successfully resisted the U.S. government's attempt to terminate their tribes and reservation.

1960 – The Tribal Constitution was amended to change the blood quantum requirement for membership to one-quarter degree Salish or Kootenai or both

combined. The change was not retroactive, and only applied to people born after the amendment was approved.

1961 – The tribes entered into a Public Law 83-280 agreement with the state of Montana. This allowed the state to assume criminal and civil jurisdiction on the reservation.

Five states were mandated to this jurisdiction change and Alaska became the sixth mandatory state in 1958. Montana was not one of the mandatory states, however, the remaining 44 states, including Montana, had the option to assume jurisdiction in Indian Country. PL83-280 was amended between 1953 and 1968, allowing states to assume jurisdiction unilaterally. Many tribes were opposed to this. In response, Congress amended PL 83-280 to include a requirement for tribal consent for the jurisdiction change, and also to allow acceptance of "retrocession" of the state's assumption of jurisdiction. In 1963 the state of Montana passed legislation to allow the state to assume jurisdiction on reservations. However, by this time the law had been amended to require tribal consent. The Confederated Salish and Kootenai Tribes were the only tribe in the state to agree to PL 83-280.

1965 – The Confederated Salish and Kootenai Tribes passed a Tribal Ordinance defining the terms under which they would come under PL 83-280.

1965 – The Indian Claims Commission determined that Confederated Salish and Kootenai Tribes had not been compensated for the lands ceded in the 1855 Treaty of Hell gate.

"…the Tribes had surrendered 12, 005,000 acres to the government which were worth $5,300,000. The total payment to the tribes, however, had only been $593,377.82." After fees were taken out, the tribes received $4,016,293.29 in 1967. The compensation was determined in 1855 land values neither was any interest paid on the 112 years the Tribes had been deprived of the money.

1971 – The U.S. Court of Claims found that the Flathead Allotment Act was a breach of the 1855 Treaty of Hell Gate. Compensation to the Tribes was determined in 1912 land values, totaling $7,410,000, of which only $1,783,549 had been paid. The balance of $5,626,451 was paid a few years later.

1974 – Tribal elders Christine Woodcock, Louise McDonald and Annie Pierre protested the Ashley timber sale in the Mission Mountains, successfully stopping it.

1975 – Two Eagle River School was founded, serving high school students with a dominant focus on cultural studies.

1975 - The Culture Committee was formed and then divided into the Salish-Pend d'Oreille Culture Committee and the Kootenai Culture Committee.

The Indian Self-Determination and Education Act passed, which recognized the right of Indian tribes to self-government "as domestic dependent nations, Indian tribes exercise inherent sovereign powers over their members and territory."

1976 – Salish Kootenai College was founded.

Prior to 1976, only 41 tribal members had college degrees, compared to 423 from 1976 to 1995.

1978 – The Supreme Court ruled that Tribal Courts do not have criminal jurisdiction over non-Indians, and that tribal courts DO have jurisdiction over non-Indians in matters such as permits, licensing, and environmental protection.

1981 – The CS&KT Natural Resources Department was established.

1982 – The Confederated Salish and Kootenai Tribal Council approved Tribal Ordinance 79A, setting aside approximately 91,778 acres of the Mission Range as the Mission Mountain Wilderness.

1984 – The Tribes negotiated re-licensing of Kerr Dam, which secured the option to take control of the dam in 2015, and raised the fee from $2.6 million to $9 million annually, along with annual adjustments for inflation.

1985 – The Tribes secured minimum stream flows to protect fisheries.

1997 – The National Trust for Historic Preservation named "the Flathead Indian Reservation one of 11 Most Endangered Places in the United States" due to the proposed radical expansion of U.S. Highway 93.

1998 – The Atlantic Richfield Company (ARCO) agreed as part of a legal settlement to pay the Confederated Salish and Kootenai Tribes $18.3 million to restore, replace, and/or acquire the equivalent of Tribal treaty-protected resources that were injured by the release of hazardous substances in the Clark Fork River through mining and smelting in Butte and Anaconda.

1999 – The "Squaw" word bill passed Montana State Legislation. The Salish and Pend d' Oreille Culture Committee begin work to rename over 20 "S" word sites with Salish place names. By 2009, 19 proposed Salish place names were approved by the US Board of Geographic Names to replace "S" word sites across Montana.

2002 – Nkwusm, the Salish Language Immersion School, opened in Arlee.

Crow Reservation Timeline

Crow Tribe

March 2010

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Time Immemorial

Creation Story – "First Maker" wandered the world that is covered with water. He sent the ducks down searching for what was below. The little duck returned first with a plant and then with mud. "First Maker and the ducks made the world. Then they divided the world into sections by placing water here and there. They made the sky, the plants, the trees and the animals. They made the stars, the sun and the moon." (Crow Tribal History, Little Big Horn College.)

"Long-ago Times" – The ancestral tribe of the Crow live in the "Land of Forests and Many Lakes," the upper Great Lakes area of Canada and the United States

1450 – The Crow Migration west. Fourteen groups of runners were sent out in different directions to search for food. One returned with buffalo meat. The Tribe set out in this direction. During this time, Crow Chiefs No Intestines (No Vitals), and Red Scout fasted and prayed to receive guidance for their journey. Both received instructions. Red Scout was given an ear of corn to plant, and advised to settle permanently, growing corn for sustenance. No Intestines was told to travel west toward the mountains and was given a pod of seeds to plant there – they were sacred and their use would be revealed to them. When they reached the Missouri River country, they settled with the Mandan for some time. However, heeding First Maker's instructions, No Intestines decided to continue the journey west. According to Crow oral history, this journey first led them to the region around Cardston, Alberta. Determining that the winters were too long, the band headed south, possibly going all the way to the Great Salt Lake. The journey then continued east and south through land that is now Wyoming, Colorado, Oklahoma, Arkansas and possibly Missouri. "Ancient lullabies and war songs mention an Arrow River (Red River of Oklahoma)." (Joe Medicine Crow. History: Crow. Ethnic Heritage Studies Program. Bozeman, MT: Center for Bilingual/Multicultural Education, College of Education, Montana State University, 1982. p. 2) Turning north and west again, they eventually came to the Big Horn country in southern Montana, which was to end up being their permanent homeland.

1700 – 1735 – The Crow acquired horses from Indians near Great Salt Lake.

1743 – French-Canadian traders, the La Verendrye brothers, met a group of Crow camped at the confluence of the Big Horn and Little Big Horn Rivers.

1805 – 1806 – Crow met Clark at Pompey's Pillar.

1825 – The first treaty, The Friendship Treaty, signed between the Crow and the U.S. Crow leader Long Hair was the tribal signatory, while Crow leader Sore Belly refused to sign.

1840-1850 – Smallpox epidemics found their way to Crow country. The tribe suffered a staggering population loss. The tribal population estimated at 10,000 in 1830, declined approximately 2,000.

1851 – The Fort Laramie Treaty with the Crow, Sioux, Cheyenne, Arapaho, Shoshone, Assiniboine, Mandan, Hidatsa and Arikara. The Crow boundaries identified 38 million acres as the tribe's territory:
"The territory of the Crow Nation, commencing at the mouth of Powder River on the Yellowstone; thence up Powder River to its source; thence along the main range of the Black Hills and Wind River Mountains to the head-waters of the Yellowstone River; thence down the Yellowstone River to the mouth of Twenty-five Yard Creek; thence to the head waters of the Muscle-shell River; thence down the Muscle-shell River to its mouth; thence to the head-waters of Big Dry Creek, and thence to its mouth." Article V, 1851 Treaty of Fort Laramie.

1864 – A battle with the Sioux, Cheyenne and Arapaho who outnumbered Crow warriors 10 to 1, but the Crow were successful in turning the enemy party back. The location of this battle was near present day Pryor.

1865 – The Bozeman Trail was named after John Bozeman who used the trail as a shorter route to the Montana gold fields. Other miners and settlers followed. The trail cut through the Powder River country that was important hunting territory for many tribes, including bands of the Sioux nation. The Crow assisted the U.S. military in protecting travelers on the trail. In 1868, the Sioux negotiated the closing of the trail.

1868 – The second Fort Laramie Treaty reduced Crow lands to eight million acres.

1869 – A government agency was established in Crow country, on Mission Creek (Hide Scraper Creek).

1870 – The Crow were expected to move to the reduced territory as defined by the 1868 Fort Laramie Treaty.

1872 – The agency was moved to the Rosebud River, near present day Absarokee, Montana.

1876 – The Crow continued to serve as scouts in the U.S. Military. Crow scouts were primarily responsible for preventing a more serious defeat of General Crook at the Rosebud Battle with the Lakota and Cheyenne.

1881 – 100 Crow tribal members selected allotments. Provisions for individual tribal member allotments were outlined in the 1868 Fort Laramie Treaty. Land assignments of 320 acres were to be recorded in the "Crow Land Book."

1882 – Tribal grazing leases began.

1882 – Congressional Act diminisheed Crow lands. The land cession brought $750,000 in compensation, to be paid out annually at $30,000 by the Secretary of Interior. Funds were to be used for homes and farming and ranching needs.

1882 – Congressional Act for the Northern Pacific Railroad right-of-way provided the railroad with 5,084 acres for which $25,000 was provided in compensation – to be spent for the Crow at the discretion of the Secretary of Interior.

1883 – The government boarding school was moved to present day Crow Agency. Parents were threatened to send their children to school or their rations would be withheld. The first three Crow children were sent to Carlisle Industrial School in Carlisle, Pennsylvania.

1884 – The agency is moved once again, this time to its present site at Crow Agency.

1885 – Chief Plenty Coups made his first trip to Washington DC with demands for his people.

1886 – Catholic Jesuits founded St. Xavier Mission in Crow country. The school received government support in the way of school supplies and 160-acre land grant.

1889 – Crow Agency boarding school was built.

1890 – 1900s – Allotment

1891 – Congressional Act for cession of land on the western portion of the reservation – nearly two million acres. $940,000 was provided in compensation. The Secretary of the Interior directed expenditures of the money. Crow tribal members could hold allotments in the ceded portion.

1891 – Tribal grazing leases changed to a bidding system.

1891 – St. Charles Mission was founded near present-day Pryor.

1900 – Chief Plenty Coups made a second trip to Washington DC, demanding just payment for the Burlington Railroad right-of-way across the reservation and employment for Crow men.

1903 – The Annual Crow Fair was established.

1903 – A Baptist Home Mission School was started at Lodge Grass. It became quite popular, as it was a day school.

1904 – Congressional Act diminished Crow lands again, in the northern part of the reservation. The reservation land base was now its present size, 2.3 million acres. No lump sum compensation was given, but funds provided for a variety of items: horses, cattle, sheep, irrigation, fending, school buildings, etc.

1914 – Crow men answered the call to military service during World War I.

1915 – Senate hearings produced evidence of incompetent administration of the Crow Reservation.

1920 – Crow Act passed, allotting remaining reservation lands, excluding mountainous and other specified areas.

> "Provisions of the Crow Act were the following: allotment of everything except the mountains, patents-in fee to competent Indians, conveyance to anyone could not exceed 640 acres of farming land or 1280 acres of grazing land, tribal roles, mineral rights are held by tribe, no more irrigation systems without Crow consent, no liquor, consolidation of the Crow Fund, enrollment and competency commission, land to State in return for admission of Crow children into public schools, revolving fund." (Government. Ethnic Heritage Studies Program: Plains Indians, Cheyenne-Cree-Crow-Lakota Sioux. Bozeman, MT: Center for Bilingual/ Multicultural Education, College of Education, Montana State University, 1982.)All reservation lands were to be allotted, except for the mountains.

1920 – 40s – The Tribal Council divided into committees when necessary to address multiple issues. Examples of committees were: Schools, Oil, Hospital, Budget, Leases, Law ad Order, etc.

1921 – Chief Plenty Coups died.

1927 – At this time there were 11 public schools, four Catholic schools, and one Protestant school operating on the reservation.

1934 – The Crow Tribe rejected the Indian Reorganization Act.

1935 – The Indian Reorganization Act provides $190,000 for 50 projects on the Crow Reservation.

1948 – The Crow adopted their own model of a tribal Constitution.

1958 – The Tribe sold Yellowtail Dam site and reservoir area for 2.5 million dollars.

1961 – Constitution amended.

1962 – Court of Indian Claims awarded the Crow Tribe $10,242,984.70 as just compensation for lands taken.

1987 – A Supreme Court decision awarded millions to the Crow Nation in the Crow Severance Tax Case against the State of Montana.

1987 – The Crow Tribe filed dereliction of duties and breach of trust responsibility suit against the U. S. Government in regard to Section 2 of the 1920 Crow Allotment Act.

2002 – The Crow Tribe passed a new Tribal Constitution.

Fort Belknap Reservation Timeline

Assiniboine and Gros Ventre Tribes

March 2010

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Time Immemorial

Creation – Iktomi and Earthmaker (The Keeper of the Flat Pipe) instructed the animals to dive for mud. Several animals were successful and the mud was used to make land on top of the water.

Traditional Life – The Assiniboine were part of the Yanktonai Sioux, living in the Lake Superior area. The Gros Ventre were linguistically affiliated with the Arapaho. Before their arrival in Montana, they were known to occupy lands in southern Saskatchewan and north to the Saskatchewan River.

1600 – The Assiniboine split off from the Sioux, and moved west toward the Lake of the Woods and Lake Winnipeg. Some Assiniboine bands moved farther west to the southern part of Saskatchewan.

1754 – The Gros Ventre had their first documented contact with whites between the north and south forks of the Saskatchewan River.

1780 – 1783 – Smallpox epidemics severely reduced the Gros Ventre population.

1793 – The Gros Ventre attacked the Hudson Bay Trading post, South Branch House. Most of the employees were killed.

1794 – The Gros Ventre attacked another Hudson Bay Trading Post, the Manchester House. The Gros Ventre suffered attacks from the Cree and Assiniboine who were being armed by the Hudson Bay trading posts.

1826 - The Gros Ventre met German explorer and naturalist Prince Maximilian, near the Missouri River in Montana. Artist Karl Bodmer accompanied Maximilian and they both painted portraits and recorded their meeting with the Gros Ventre.

1830 – 1832 – The Gros Ventre and Arapaho separated after a disagreement and killing on both sides. While the incident was resolved and peace restored, the groups held to the decision to separate.

1832 – The Gros Ventre engaged in a battle with trappers and Indians at Pierre's Hole in Wyoming.

1843 – Assiniboine and Cree at the Sweet Grass Hills killed four hundred Gros Ventre.

1837 –1838 – Smallpox epidemic devastated the Assiniboine.

1851 – The Fort Laramie Treaty included the Assiniboine and Gros Ventre, Cheyenne, Arapaho, Ogallala, Brule Sioux, Crow, Shoshone, Assiniboines, Gros Ventre, Mandans, Arikaras and Minnitarees - 10,000 Indians were in attendance. Article 5 described territories of the Gros Ventre and Assiniboine.

1853 –Treaty negotiations with the Gros Ventre at the Milk River.
The Milk River country was the primary location of the Gros Ventre at this time. The following year, the tribe received one thousand dollars of food and annuities, along with the Piegan.

1855 – Judith River Treaty / Lame Bull Treaty – Common hunting grounds were determined and the Assiniboine had hunting privileges in common with the Blackfeet.

1866 – A raiding party of Pend d'Oreille stole horses from the Gros Ventre. The Gros Ventre tracked the horses to a camp of Piegans. Not knowing that the Piegans were not the raiders, the Gros Ventre retaliated, killing three people. This incident fueled continuing conflicts between the two tribes until the late 1870s.

1867 – Fort Belknap was established on the south side of the Milk River. It served as both a fort and a trading post, and became the agency for the Gros Ventre and Assiniboine Indians in the area. The Fort was named after the Secretary of War at that time, William W. Belknap.

1873 and 1874 – President Grant issued Executive Orders. The 1873 Executive Order established and undivided territory for the Blackfeet, Gros Ventre, Assiniboine, and Sioux. The territory spanned lands north of the Missouri and Sun River. The 1874 Executive Order moved the southern boundary from the Sun River north to the Marias River.

1875 – President Grant issued an Executive Order restoring some of the lands diminished by his prior orders.

1880 – President Rutherford Hays took back the land that Grant had restored. This area included land around the Musselshell and Missouri River.

1884 – Gold was discovered in the Little Rockies on the reservation. Miners stake claims even though the gold is on Indian land.

1887 – St. Paul's Mission was established at the foot of the Little Rockies near Hays.

1888 – The Sweetgrass Hills Agreement established the Blackfeet, Fort Belknap and the Fort Peck Reservations.

1888 – Completion of the Great Northern Railroad, crossing reservation lands.

1895 – The Tribes were pressured to sell land in the Little Rockies where gold was discovered. A piece of land seven miles long by seven miles wide was sold. Payment was $360,000. George Bird Grinnell led the commission negotiating this deal. This agreement ratified in 1896 is sometimes referred to as the Grinnell Treaty.

1908 – Winters V. United States: This US Supreme Court case was a landmark case in determining reserved water rights for tribes. The case came about as non-Indian settlers began diverting and using water from the Milk River, which is the northern boundary of the reservation. The settlers' upstream diversion of the water interfered with the Fort Belknap Tribes' ability to effectively utilize the water.

1909 – The Gros Ventre engaged a group of Crow and Lakota warriors south of the reservation. The site was named after Gros Ventre warrior, Red Whip, who killed twelve Lakota in the battle.

1924 – The Washington DC Bureau of Indian Affairs Office approved the Fort Belknap allotment plan. The government allotted 539,065 acres of land to 1,171 Indians enrolled at Fort Belknap. Tribal members received 40 acres of irrigable land and 320 acres of non-irrigable land. Lands not allotted on the Fort Belknap Reservation were not opened up to homesteading.

1933 – As part of the New Deal program, the proposal to build Fort Peck Dam was authorized, resulting in tons of rock being hauled from Fort Belknap's Snake Butte to the dam site. Original payment to be provided was 5 cents a ton. The tribes were able to negotiate for twenty-five cents a ton.

1934 – A delegation of tribal members traveled to Rapid City, South Dakota for the regional Indian Congress.

1935 – The Fort Belknap Tribes organized under the Indian Reorganization Act and adopt a Constitution and By-Laws.

1937 – The tribes ratified a corporate charter August 25.

1941 – 1945 – Years of World War II, during which 25,000 American Indians served in the military, including Fort Belknap tribal members.

1974 – The Fort Belknap Tribal Constitution was amended to elect a council consisting of 12 representatives – six Gros Ventre and six Assiniboine.

1977 – The Zortman and Landusky mines began operation on the land that the tribes had been pressured to sell in 1895. The mines extracted gold from low-grade ore by cyanide heap-leach process.

1984 – Fort Belknap Community College was chartered.

1992 – Indian law Resource Center represented the Fort Belknap Tribes in case to shut the Zortman and Landusky mines down, citing degradation of the reservation's water and air quality.

1994 – The tribal constitution was amended. The Fort Belknap Community Council make up was changed to four representatives from three districts (two districts get one representative and one district gets two). These representatives serve two-year terms. The chair and vice-chair run for election as a team and must include one Assiniboine and one Gros Ventre. These positions are four-year terms. The council then appoints a secretary/ treasurer.

1998 – Pegasus Gold Inc., operators of the Zortman and Landusky mines, declared bankruptcy. Over 30 million dollars were spent on reclamation of the Zortman and Landusky open pit mines. The money fell short and the Bureau of Land Management spent around another 12 million to reclaim the area. Cyanide mining was banned in Montana.

2002 – Tribal enrollment changed, with tribal blood quantum lowered from one-fourth degree to one-eighth degree.

Fort Peck Reservation Timeline

Sioux & Assiniboine Tribes

March 2010

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Time Immemorial

Creation

Western Siouan-speaking tribal groups were located west of Lake Michigan, inhabiting a region including present-day southern Wisconsin, southeastern Minnesota, northeastern Iowa, and northern Illinois.

1600s – Assiniboines lived in northwest Ontario, Saskatchewan and eastern Alberta. (Northern and Southern Assiniboines). The Assiniboine established trade with the French and British. Assiniboine were pressured from both Chippewa and Cree. Cree had already secured weapons from traders. Assiniboine allied and intermarried with the Cree. Cree and Assiniboine pressed militarily against the Dakotas (Sioux).

1640 – References to Sioux Tribes depicted them as two groups the "Sioux of the East" and the "Sioux of the West," being separated by the upper Mississippi River in Minnesota. The four tribes of the Sioux of the East became known as the Dakota proper, or Santee Sioux. The four tribes were Mdewakanton, Wahpekute, Sisseton, and Wahpeton.
Twelve villages were identified as "Sioux of the West." Yanktons, Yanktonais and Ti'tu'wa.

1720 –1730 – Dakota secured trade with the French and moved aggressively against the Assiniboine and Cree.

1730 – Eastern Sioux abandoned their northern homelands in Minnesota and moved to the west side of the Mississippi.

1730s – Southern Assiniboine and Western Cree moved west for subsistence and in response to Dakota war pressures. The Northern Assiniboine continued their economy of fishing, waterfowl, moose and caribou. The Southern Assiniboine began to hunt buffalo. Southern Assiniboines traded with the Hidatsa and Mandan.

1750s – Southern Assiniboines acquired horses.

1777 – Founding of Hudson's House on the lower North Fork of the Saskatchewan River. Inter-tribal conflicts developed among the Assiniboine, Gros Ventre and Cree, as each tribe desired control of the tribal trade.

1781 – 1782 – Smallpox epidemic among the Assiniboines, Gros Ventres, Blackfeet and Western Cree. This epidemic was one of the most important events to influence two-thirds of the southern Assiniboine to move south. The second motivation was trade with the Europeans and the Mandan and Hidatsa.

1800 – By this time, the Assiniboine relied heavily upon horses and had evolved to a plains economy, with bison at the center. Assiniboine tipis used a three-pole base and required twelve or more bison hides to complete the cover.

1826 – Treaty of 1826 – Assiniboine

1837 – Second major smallpox epidemic.

1851 – Fort Laramie Treaty with the Cheyenne, Arapaho, Ogallala, Brule Sioux, Crow, Shoshone, Assiniboines, Gros Ventre, Mandans, Arikaras and Minnitarees – an estimated 10,000 Indians were present. The treaty recognized vast territories for the different tribal groups and secured the right to build roads and erect forts in the tribal territories. The right to build roads through tribal lands was to accommodate travel to Oregon and California. Gold had been discovered in California in 1848.

1852 – Fort Laramie Treaty was amended.

1855 – The Judith River/Lame Bull Treaty with the Blackfeet Nation defined and common hunting grounds, and identified Assiniboine hunting rights.

1855 – Fort Stewart was built on the Missouri River near present-day Blair, Montana.

1857 – Sioux & Assiniboine battle on the Poplar River. This incident referred to a battle in which Sitting Bull prevented warriors from killing an Assiniboine boy. Eastman knew Sitting Bull and reported these words on the event:

> "The second incident that made him well known was his taking of a boy captive in battle with the Assiniboines. He saved this boy's life and adopted him as his brother. Hóhay, as he was called, was devoted to Sitting Bull and helped much in later years to spread his fame." (Eastman, Charles. Indian Heroes and Great Chieftains. Boston: Little, Brown, & Co., 1918 and Lincoln: University of Nebraska Press, 1991, p. 114) Other primary sources on this incident were related in Robert M. Utley's book The Lance and the Shield: The Life and Times of Sitting Bull (Ballantine Books, 1994). These sources describe the incident as a battle in which people on both sides were killed.

1860 – Fort Kipp was built on the Missouri River above the mouth of the Big Muddy.

1861 – Fort Poplar was built on the Missouri River near the Poplar River.

1862 – The Sioux wars began with the Santee uprising in Minnesota. Two treaties, one in 1851 and 1858, brought settlers into the rich Minnesota agricultural lands ceded by the Dakota. Trying to exist in a diminished land base, surrounded by settlements, and cheated the annuities promised by the treaties, the Dakota made the decision to go to war. The violence lasted six weeks, ending with the hanging of 39 Dakota men. Their sentence was ordered in a letter written by President Lincoln in December 1862.

1865 – The United States negotiated a treaty with Sioux bands they deem "friendly."

1866 – The United States began negotiations with hostile Sioux over travel routes to Montana. Red Cloud declared war when the United States moves to fortify the Bozeman Trail. The campaign ended with the annihilation of Colonel Fetterman and his troops.

1868 – The Fort Buford military reserve was established from Assiniboine lands.

1868 & 1869 – Gros Ventre, Assiniboine, and River Crow were assigned to the Upper Milk River Agency.

1868 – The Fort Laramie Treaty of 1868 established the Great Sioux Reservation as the permanent homeland of the Sioux Nation and preserves the Powder River and Big Horn country as "unceded Indian territory."

1868 – A sub-agency was built to furnish rations to the lower Assiniboine, Sioux, Gros Ventre, and River Crows. The agency was built south of the Milk River and is called Fort Browning.

1870 – In keeping with President Grant's Peace Policy, the Fort Peck Tribes were awarded to the Methodist denomination.

1870 - President Grant's second annual message to Congress on December 5, 1870, outlined his policy on Indian Affairs:
"Reform in the management of Indian affairs has received the special attention of the Administration from its inauguration to the present day. The experiment of making it a missionary work was tried with a few agencies given to the denomination of Friends, and has been found to work most advantageously. All agencies and superintendencies not so disposed of were given to officers of the Army. The act of Congress reducing the Army renders army officers ineligible for civil positions. Indian agencies being civil offices, I determined to give all the agencies to such religious denominations as had heretofore established missionaries among the Indians, and perhaps to some other denominations who would undertake the work on the same terms--i.e., as a missionary work. The societies selected are allowed to name their own agents, subject to the approval of the Executive, and are expected to watch over them and aid them as missionaries, to Christianize and civilize the Indian, and to train him in the arts of peace. The Government watches over the official acts of these agents, and requires of them as strict an accountability as if they were appointed in any other manner. I entertain the confident hope that the policy now pursued will in a few years bring all the Indians upon reservations, where they will live in houses, and have schoolhouses and churches, and will be pursuing peaceful and self-sustaining avocations, and where they may be visited by the law-abiding white man with the same impunity that he now visits the civilized white settlements. I call your special attention to the report of the Commissioner of Indian Affairs for full information on this subject."

1871 – Fort Peck Agency was established at old Fort Peck to serve the lower Assiniboine and Sioux.

1871 – Indians attached themselves to the agency.

1872 – The United States provided aid to the Fort Peck agency.

1873 – Executive Order by President Grant established an undivided reservation for the Blackfeet, Gros Ventre, Assiniboine and Sioux. The territory covered lands north of the Missouri and Sun River. Fort Peck Agency was opened at the confluence of the Milk River and the Missouri Rivers.

1874 – President Grant's Executive Order diminished tribal territories, moving the southern boundary north of the Sun River to the Marias.

1876 – 1877 – Sioux campaign with Sitting Bull

1876 – The Sioux were given the date of January 31, to return to the reservation from their hunting expedition or they would be considered as hostiles.

1876 – The Battle of the Little Big Horn

1877 – The agency moved to a site on the Poplar River. General Miles was stationed at Fort Peck to maintain order.

1877 – Sitting Bull fled to Canada.

1879 – Presbyterians were granted permission from the Methodists to start a mission on the reservation.

1880 – A military post was established at a point just north of Poplar. It remained until around 1893.

1881 – Chief Gall surrendered.

1881 – Sitting Bull surrendered at Fort Buford.

1883 – Starvation on the Fort Peck Indian Reservation – in part due to the extermination of buffalo.

1885 – A proposal was put forth to divide the reservation.

1886 – A treaty, establishing the confines of the Fort Peck reservation, was entered into between the Indians and the government. This reservation was created from the existing one established for multiple tribes by Grant's Executive Order in 1874.

1887 – Railroads were built through northern Montana reservations.

1887 – An agreement was negotiated, ceding 17,500,000 acres of land to the US Government, and dividing the remaining 6,000,000 into three separate reservations – The Blackfeet, Fort Belknap and Fort Peck. This is often referred to as the Sweetgrass Hills Treaty/Agreement.

1888 – Congressional Act ratified the Sweetgrass Hills Agreement establishing the Fort Peck Reservation.

1889 – Beef rations to the Fort Peck Tribes were cut in half.

1889 – Congressional Act reduced the Fort Peck Reservation to its current size.

1896 – The federal government discontinued aid to Indian Missions.

1897 – The Catholics established a mission on Fort Peck Reservation.

1908 – Passing of the Allotment Act for Fort Peck Reservation lands.

1909 – Yankton and Assiniboine Council elected a business Committee and considered application for enrollment.

1913 – 1,348,408 acres of reservation lands were deemed "surplus," after tribal allotments were made. This land was opened up for homestead entry.

1927 – The Fort Peck Tribes developed a tribal Constitution.

1950s – Oil was discovered and there was - a subsequent oil boom.

1960 – Fort Peck Tribes revised their Constitution and By-Laws.

1978 – Fort Peck Community College was chartered.

1980s – The second oil boom on the Fort Peck Reservation

2008 – The Fort Peck Tribes held a constitutional convention.

Northern Cheyenne Reservation Timeline

Northern Cheyenne Tribe

March 2010

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Time Immemorial

Creation – How the Earth (HO'E) was Made.
"Long, long ago, before there were people, water was everywhere. Ma'heo'o, the Creator, was floating on the water. All of the water birds were swimming nearby – the ducks, geese, swans, and other birds that swim. Ma'heo'o called to them and asked them to bring him some earth…."
Traditional Life & Homelands – The Cheyenne had a fishing economy while they lived around Hudson Bay and the Great Lakes

1600s – Moving from Cheyenne homelands southwest to Minnesota, the Cheyenne developed permanent earth lodge villages and began an agricultural economy, planting corn and other crops.

1680 – The Cheyenne traveled 300 miles to La Salle's Fort to try and secure guns from French traders.

1700 – The Cheyenne moved northwest to the Sheyenne River in North Dakota, and continued to grow corn, beans, and squash, but also began hunting buffalo.

1750 – The Cheyenne acquired horses and began to use buffalo hide tipis.

1750 – 1790 – The Cheyenne migrated to the Missouri River country. The Tsitsistas met the So'taeo'o in the Missouri River country. Cheyenne developed a friendship with Arikaras and Mandans. Moved to the west side of the Missouri, and built another earth lodge village near Porcupine Creek (present-day Fort Yates. North Dakota.)

1780 – The Cheyenne moved to the game lands of the Black Hills. Here they allied with the Arapaho. This period marked the beginning of life on the Plains as hunters and followers of the buffalo.

1770-1790 – Conflict with the Chippewa. The Chippewa destroyed the Cheyenne village on the Sheyenne River. In 1799, the Chippewa Chief related this event to David Thompson.

1819 – Cheyenne united with the Oglala against the Crow.

1825 – Friendship Treaty. This treaty was a pledge of peace between the Cheyenne and the United States.

1849 – Cholera epidemic among the Cheyenne.

1851 – First Treaty at Fort Laramie. Cheyenne, Arapaho, Oglala, Brule Sioux, Crow, Shoshone, Assiniboines, Gros Ventre, Mandans, Arikaras and Minnitarees - 10,000 Indians were at the treaty negotiations. Cheyenne and Arapaho territory was established, spanning lands in Wyoming, Nebraska, Colorado and Kansas. Two years before the Fort Laramie Treaty, Commissioner of Indian Affairs William Medill suggested offering compensation to the Plains Tribes in recognition of the destruction of the buffalo. "Under these circumstances, whatever may be the nature and extent of their title to the lands, I think it would be sound policy to make them some annual compensation for the right of way through the county, and in consideration of the destruction of the buffalo therein." (Prucha, Francis Paul. American Indian Treaties: The History of a Political Anomaly. University of California Press, 1997. p. 237)

1856 – Platte Bridge Incident. After a false accusation of horse stealing was made against a party of Cheyennes, one of the Cheyenne was shot and killed, another captured and a third wounded. The horses in question actually belonged to Two Tails, who was later to become the famed Chief Little Wolf.

1861 – Treaty of Fort Wise. Six leaders of the Southern Cheyenne and four Arapaho bands signed the Fort Wise treaty, establishing a reservation in Colorado. Many Cheyenne opposed the treaty.

1864 – Sand Creek Massacre. Colonel Chivington and 700 Colorado Volunteers attacked a camp of Southern Cheyennes and a small number of Arapahoes; two-thirds of the camp were women and children. 137 people, mostly Southern Cheyennes were brutally massacred. Major E. W. Wynkoop investigated the "incident," interviewing the Volunteer soldiers. This statement was part of his report:
"The affidavits which become a portion of this report will show more particularly than I can state the full particulars of that massacre. Every one of whom I have spoken to, either officers or soldier, agree in the relation that the most fearful atrocities were committed that ever was heard of. Women and children were killed and scalped, children shot at their mothers' breasts… Numerous eye-witnesses have described scenes to me coming under the eye of Colonel Chivington of the most disgusting and horrible character." (United States War Dept. The War of the Rebellion: A Compilation of the Official Records of the Union and Confederate Armies. Series I Volume XLI, Part I, pp. 959-962. U.S. Government Printing Office)

1865 – 1,000 Cheyenne warriors struck the town of Julesburg. The ensuing raids by the Cheyenne, Sioux, and Arapaho were in response to the Sand Creek Massacre.

1865 – Powder River Expedition - $40 million dollar failure. The Powder River Expedition was intended to crush the "hostile" Northern Plains tribes – in particular, the Cheyenne, Sioux and Arapaho. Inexperience, poor equipment, and little knowledge of the territory (one group got lost in the badlands) all contributed to a failed effort.

1865 – Treaty with the Southern Cheyenne and Southern Arapaho, made at the Little Arkansas River established a new reservation spanning the borders of Kansas and Oklahoma. Article 6 acknowledged the grievous violence committed against the Cheyenne at Sand Creek and made an attempt at reparations.

1868 – The Fort Laramie Treaty established the Great Sioux Reservation in South Dakota that includes the sacred Black Hills. Article 16 describes unceded Indian Territory: "The United States hereby agrees and stipulates that the country north of the North Platte River and east of the summits of the Big Horn Mountains shall beheld and considered to be unceded Indian territory, and also stipulates and agrees that no white person or persons shall be permitted to settle upon or occupy any portion of the same…"
This "unceded Indian territory" was land occupied by the Northern Cheyenne. Treaty stipulations included "undisturbed travel" for settlers and "withdrawal of opposition to the construction of the railroads now being built on the plains." (Article 11)

1875 – Gold discovered in Black Hills. An attempt was made to purchase the Black Hills and then later the mineral rights. Tribes had no intention of selling the land or the minerals.

1875 – Indian agents were directed to order off-reservation Indians to report to their agencies. This included many Northern Cheyenne. When only a few complied, the matter was turned over to the military and the course was set for violent conflict.

1876 – Where the Girl Saved Her Brother – Battle of the Rosebud. 1,300 soldiers under General Crook moved up the Bozeman Trail to Rosebud Creek, meeting about the same number of Cheyenne and Hunkpapa (a Lakota band.) The Cheyenne warrior, Comes in Sight, had his horse shot out from under him and was about to be killed when his sister, Buffalo Calf Road Woman, rode to him, under fire, and saved him. Eleven Warriors were killed in the battle and five wounded. The cavalry suffered 57 killed and wounded.

1876 - Battle of the Little Big Horn. The famed battle that took place nine days after the Battle of the Rosebud. Custer made the ill-fated decision to divide his regiment of 600 men into four battalions. Custer and 264 of his men were killed.

1876 – The Cheyenne were pursued by cavalry during the winter months.

1876 - Many Cheyenne were forced to move to Forts and agencies.

1877 – Nine hundred and seventy-two Cheyenne were moved from Red Cloud's Agency south to Oklahoma to live with Southern Cheyenne. After arrival, many people contracted malaria.

1878 – The poor conditions of the Cheyenne in Oklahoma resulted in Northern Cheyenne leaders Morning Star, Little Wolf, Wild Hog and Old Crow making the decision to move their people north. Two hundred and ninety-seven Cheyenne began the march north. The group split into two bands, one led by Little Wolf and the other by Morning Star. Morning Star's band got caught and sent to Fort Robinson in Nebraska.

1879 – Fort Robinson Outbreak. In an effort to force the Cheyenne to agree to move back to Oklahoma, the soldiers deprived them of food, water, and heat. People were scraping ice off of the windows to get moisture. In a desperate attempt to escape, 61 of the 149 imprisoned Cheyenne were killed. During their return to their Tongue River country, Little Wolf's band met with Cheyenne and Sioux scouts traveling with Lieutenant W. P. Clark, and agreed to go to Fort Keogh.

1880 – Due to overcrowding of Sioux and Cheyenne at Fort Keogh, Colonel Nelson Miles allowed Cheyenne families to settle along the Tongue River and encouraged the Cheyenne to homestead their lands.

1882 – Cheyenne families remaining at Fort Keogh moved south to the Rosebud and Muddy Creeks, building houses and planting crops.

1884 – Executive Order created the Northern Cheyenne Reservation in southeast Montana on the Tongue River.

1884 – Ursuline nuns arrived and set up a mission.

1889 – Bureau of Indian Affairs began a 30-year suppression of the Northern Cheyenne Sun Dance.

1890 – The Bureau of Indian Affairs opposed General Miles' recommendation to move the White River Cheyenne to the Northern Cheyenne Reservation in Montana. Despite the Bureau's opposition, the White River Cheyenne were united with their people on their own reservation. The Cheyenne reservation population totaled around 1200.

1890 – The last Northern Cheyenne engagement with the US Cavalry. After being accused of killing a white man, Head Chief and Young Mule faced their accusers in a traditional manner of bravery and were killed.

1904 – Boarding school at Busby was built.

1918 – Spanish influenza outbreak on the reservation

1919 – In order to increase a tribal cattle herd, the Bureau of Indian Affairs implemented a plan to reduce the Cheyenne horse herd, numbering 15,000. 100 horses a month were killed, giving the owner $6.55 per hide.

1924 – The Bureau of Indian Affairs discontinued the tribal cattle herd that was a dismal failure under its management.

1926 – Northern Cheyenne tribal members voted in favor of allotting their reservation lands.

1929 – After the Bureau's intentional slaughter, only 3,000 horses were left on the Northern Cheyenne Reservation.

1930-1932 – All 1,457 Northern Cheyenne enrolled tribal members received an allotment of 160 acres.

1936 – The Northern Cheyenne approved a tribal constitution under the Indian Reorganization Act.

1950 – During the winter, 50 children and older people died during an epidemic of German measles.

1963 – Northern Cheyenne received $4,200,000 settlement in the Court of Claims for lands taken from them by violation of the 1851 and 1868 Fort Laramie Treaties.

1966, 1969, 1971 – The Northern Cheyenne gave three coal permit sales. This action resulted in over 56 percent of the reservation being leased to energy companies and speculators.

1972 – The Northern Cheyenne were offered millions of dollars from Consolidation Coal to build four plants to gasify Cheyenne coal. The plants were said to be needed during the country's national "Energy Crisis." Included with the offer was a much needed $1.5 million health center. Cultural leader Ted Rising Sun responded "I think I would rather be poor in my own country, with my own people, with our way of life than be rich in a torn-up land where I am outnumbered 10 to one by strangers."

1973 – The Northern Cheyenne Tribal Council voted to cancel all the permits and leases.

1974 – Interior Secretary Morton refused to cancel the leases and instead placed them on indefinite hold.

1976 – Northern Cheyenne Tribe v. Hollowbreast et al. A provision in the 1926 Northern Cheyenne Allotment Act would have conveyed mineral rights to allottees and their heirs after 50 years. The Northern Cheyenne Tribe took the case to court to determine if the Act had indeed given the allottees vested rights in the mineral rights of their allotments. After a decision and a reversal, the case went to the Supreme Court. It was determined that the coal and mineral rights were "reserved for the benefit of the tribe."

1976 – The Northern Cheyenne opposed the expansion at Colstrip, based on recent regulations in the Clean Air Act. The courts agreed with the Northern Cheyenne and stated that the tribe's Class I Air Standards would be applied to the new generators at Colstrip. Engineers had designed generator 3 & 4 for Class II standards. The EPA shut down construction for three years. The company was forced to install better pollution control equipment. Air monitoring stations are set up on the reservation and monitored by tribal employees.

1979 – Chief Dull Knife College was established at Lame Deer, Montana.

1980 – A Congressional act canceled the coal leases and permits.

1990 – William Tall Bull, Northern Cheyenne elder, helped Senator Melcher write the Native American Graves and Repatriation Act.

1993 – The Northern Cheyenne Tribe repatriated the human remains of 26 relatives. Nineteen were returned for burial home from the Smithsonian Institution. Seven were men, women and children of Chief Morning Star's band that had been killed in the Fort Robinson massacre in 1879.

2000 – President Clinton signed the Sand Creek National Historic Site Establishment Act, setting aside 12,000 acres in Colorado.

2008 – The Northern Cheyenne successfully petitioned to have the Rosebud Battle Field site and the Wolf Mountain Battle site listed as National Historic Landmarks.

Rocky Boy's Reservation Timeline

Chippewa and Cree Tribes

March 2010

The Montana Tribal Histories Reservation Timelines are collections of significant events as referenced by tribal representatives, in existing texts, and in the Montana tribal colleges' history projects. While not all-encompassing, they serve as instructional tools that accompany the text of both the history projects and the Montana Tribal Histories: Educators Resource Guide. The largest and oldest histories of Montana Tribes are still very much oral histories and remain in the collective memories of individuals. Some of that history has been lost, but much remains vibrant within community stories and narratives that have yet to be documented.

Time Immemorial

"This is an old, old story about the Crees (Ne-I-yah-wahk). A long time ago the Indians came from far back east (Sah-kahs-te-nok)… The Indians came from the East not from the West (Pah-ki-si-mo-tahk). This wasn't very fast. I don't know how many years it took for the Indians to move West." (Joe Small, Government. Ethnic Heritage Studies Program: Plains Indians, Cheyenne-Cree-Crow-Lakota Sioux. Bozeman, MT: Center for Bilingual/ Multicultural Education, College of Education, Montana State University, 1982. P. 4)

1851 – Treaty with the Red Lake and Pembina Chippewa included a land session on both sides of the Red River.

1855 – Treaty negotiated with the Mississippi, Pillager, and Lake Winnibigoshish bands of Chippewa Indians. The Tribes ceded a portion of their aboriginal lands in the Territory of Minnesota, and reserved lands for each tribe. The treaty contained a provision for allotment and annuities.

1863 – Treaty with the Mississippi, Pillager, and Lake Winnibigoshish bands of Chippewa Indians ceded a significant portion of their lands as designated in the 1855 treaty.

1887 – The Montana Territorial Legislature appropriated $500 for relief for the Cree camped on the Sun River.

1893 – Crees camped at Silver Bow suffered an outbreak of Scarlet Fever.

1894 – Despite the policy criminalizing the spiritual traditions and ceremonies of tribes, the Cree held a Sundance.

1896 – $5,000 was appropriated by Congress to fund the deportation of the Cree from Montana.

1896 – Buffalo Coat filed a petition with the court, saying that he and the other Cree that were detained for deportation were not afforded due process of the law. Buffalo Coat claimed U.S. residency since 1885 and noted the number of children in their group that had been born in the U.S. A judge determined that the state court did not have authority to give a ruling as the deportation was through act of Congress. The deportation to Canada went ahead.

1909 – Rocky Boy's band ordered to the Blackfeet Reservation. 11,000 acres of 80-acre parcels were set-aside for them.

1912 – Fred Baker searched for a permanent settlement for Rocky Boy's band and other landless Indians. Fort Assiniboine by the Bear Paw Mountains was offered as a possibility.

1914 – Frank Bird Linderman wrote letters to influence addressing the landless Indian issue.

1915 – A survey was done of Fort Assiniboine to determine its suitability for a reservation.

1916 – Chief Rocky Boy died April 18.

1916 – September 7 - Congressional Act designated a tract of land as a refuge for the "homeless and wandering Indians." The land included part of the abandoned Fort Assiniboine Military Reserve. The original bill was to include four townships. Within this land base there were 21 tillable sections, 80 grazing sections and 12 timbered sections. Unfortunately the bill was approved with one amendment – the removal of one township. This land included the lower valley of Beaver Creek that contained the tillable acres. The refuge ended up totaling approximately 56,035 acres. More land was added later during 1934 – 1946 almost doubling the size of the reservation, now totaling 107,613 acres. The reservation was named after Chief Rocky Boy as an honor to their departed chief.

1916 – The first agency school was built.

1917 – 1920 – A drought ended reservation gardening and eliminates most reservation jobs.

1925 – A health survey revealed 23 of 65 children attending school had advanced trachoma; nine had evidence of TB; and all showed signs of malnutrition. Of the adult population, 20 percent had TB.

1928 – Sangrey Day School was constructed. Serves grades K-5.

1930 – Haystack Day School was established.

1931 – Parker Day School was constructed. These latter schools served the tribal member populations moving away from the agency out to the reservation districts. Sometimes the schools were empty as it was hard to keep teachers employed. Housing was scarce and conditions were challenging. Charles Gopher, born in 1933, remembered attending Parker Day School. In addition to formal schooling, one of his memories was that of the children being gathered together at a home to learn songs and cultural knowledge from elders such as Young boy, Chief Goes Out, and Well Off Man.

1931 – The Interior Department encouraged mining on the reservation as a twenty- year lease was granted to the Bear Paw Mining and Milling Company of Havre to mine gold, lead, silver, copper, and vermiculite. The Bureau of Indian Affairs limited tribal royalties to 7.5 percent. The Tribe derived no income from this arrangement and in fact, the company failed to pay rents and provide safe working conditions.

1933 – Through the "New Deal" programs, several government projects accomplished road building, construction of an irrigation ditch, Bonneau Dam, and some house construction. Houses were built on "assignments". At this time a house could be constructed for $500.

1934 – With a vote of 172 for and 7 against, the Rocky Boy Tribes voted to organize under the Indian Reorganization Act.

1935 – 35,000 acres of land adjacent to the Rocky Boy Reservation was purchased and put in trust for the Chippewa, Cree and other Indians. It became unclear just whom this land was purchased for. There were still landless Indians in the state at this time. Rather than set up two reservations, it was decided to make the 35,000 acres part of the Rocky Boy Reservations, with the tribes' adoption of 25 additional families.

1936 – Dr. Henry Roe Cloud conducted a census of landless Indians that totals 550 families representing 3,000 landless Indians eligible for adoption. Eligibility required an Indian blood quantum of one-half or more.

1936 – The worst drought in the history of the state forced the tribe to sell the 350 cattle they were able to save.

1938 – The adoption of non-ward Indians.

1944 – Trusting the promise of Havre, Hill County, and the state to help the Rocky Boy Tribes with their land acquisition program, the Chippewa-Cree Tribal council gave up their claim to Beaver Creek Park. The tribe never received the support promised.

1948 – 1949 – Record low temperatures required emergency airlifts of hay, food and clothing to keep people and cattle alive.

1949 – The Bureau of Indian Affairs and Rocky Boy Business Committee worked to get a bill introduced for economic support for the reservation. Funding was requested in the form of low interest loans. The bill died without any congressional action.

1970 – The Rocky Boy's Reservation's petition for their own school district was finally approved. Tribal members testified and gave evidence as to the need for a reservation school district. Citing a 12 percent Indian student graduation rate in Havre High School, as well as other incidents of discrimination, a strong case was made for a separate reservation school district.

1979 – Rocky Boy Alternative High School opened to meet the needs of 32 students who had dropped out of the public school system.

1984 – A Tribal Ordinance was passed, creating the Charter for Stone Child College.

1987 – The Rocky Boy Tribal High School was built, and the tribes petitioned to create a new public high school district. The tribes eventually appealed to State Superintendent Nancy Keenan and won, making their school a public school.

Proclamation of 1763

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(URL source: http://avalon.law.yale.edu/)

WHEREAS we have taken into Our Royal Consideration the extensive and valuable Acquisitions in America, secured to our Crown by the late Definitive Treaty of Peace, concluded at Paris the 10th Day of February last; and being desirous that all Our loving Subjects, as well of our Kingdom as of our Colonies in America, may avail themselves with all convenient Speed, of the great Benefits and Advantages which must accrue there from to their Commerce, Manufactures, and Navigation, We have thought fit, with the Advice of our Privy Council, to issue this our Royal Proclamation, hereby to publish and declare to all our loving Subjects, that we have, with the Advice of our Said Privy Council, granted our Letters Patent, under our Great Seal of Great Britain, to erect, within the Countries and Islands ceded and confirmed to Us by the said Treaty, Four distinct and separate Governments, styled and called by the names of Quebec, East Florida, West Florida and Grenada, and limited and bounded as follows, viz.

First — The Government of Quebec bounded on the Labrador Coast by the River St. John, and from thence by a Line drawn from the Head of that River through the Lake St. John, to the South end of the Lake Nipissing; from whence the said Line, crossing the River St. Lawrence, and the Lake Champlain, in 45 Degrees of North Latitude, passes along the High Lands which divide the Rivers that empty themselves into the said River St. Lawrence from those which fall into the Sea; and also along the North Coast of the Baye des Châleurs, and the Coast of the Gulph of St. Lawrence to Cape Rosières, and from thence crossing the Mouth of the River St. Lawrence by the West End of the Island of Anticosti, terminates at the aforesaid River of St. John.

Secondly — The Government of East Florida, bounded to the Westward by the Gulph of Mexico and the Apalachicola River; to the Northward by a Line drawn from that part of the said River where the Chatahouchee and Flint Rivers meet, to the source of St. Mary's River, and by the course of the said River to the Atlantic Ocean; and to the Eastward and Southward by the Atlantic Ocean and the Gulph of Florida, including all Islands within Six Leagues of the Sea Coast.

Thirdly — The Government of West Florida, bounded to the Southward by the Gulph of Mexico, including all Islands within Six Leagues of the Coast; from the River Apalachicola to Lake Pontchartrain; to the Westward by the said Lake, the Lake Maurepas, and the River Mississippi; to the Northward by a Line drawn due East from that part of the River Mississippi which lies in 31 Degrees North Latitude, to the River Apalachicola or Chatahouchee; and to the Eastward by the said River.

Fourthly — The Government of Grenada, comprehending the Island of that name, together with the Grenadines, and the Islands of Dominico, St. Vincent's and Tobago. And to the end that the open and free Fishery of our Subjects may be extended to and carried on upon the Coast of Labrador, and the adjacent Islands. We have thought fit, with the advice of our said Privy Council to put all that Coast, from the River St. John's to Hudson's Streights, together with the Islands of Anticosti and Madelaine, and all other smaller Islands lying upon the said Coast, under the care and Inspection of our Governor of Newfoundland.

We have also, with the advice of our Privy Council, thought fit to annex the Islands of St. John's [now known as Prince Edward Island] and Cape Breton, or Isle Royale, with the lesser Islands adjacent thereto, to our Government of Nova Scotia. We have also, with the advice of our ivy Council aforesaid, annexed to our Province of Georgia all the Lands Iying between the Rivers Alatamaha and St. Mary's.

And whereas it will greatly contribute to the speedy settling of our said new Governments, that our loving Subjects should be informed of our Paternal care, for the security of the Liberties and Properties of those who are and shall become Inhabitants thereof, We have thought fit to publish and declare, by this Our Proclamation, that We have, in the Letters Patent under our Great Seal of Great Britain, by which the said Governments are constituted, given express Power and Direction to our Governors of our Said Colonies respectively, that so soon as the state and circumstances of the said Colonies will admit thereof, they shall, with the Advice and Consent of the Members of our Council, summon and call General Assemblies within the said Governments respectively, in such Manner and Form as is used and directed in those Colonies and Provinces in America which are under our immediate Government:

And We have also given Power to the said Governors, with the consent of our Said Councils, and the Representatives of the People so to be summoned as aforesaid, to make, constitute, and ordain Laws, Statutes, and Ordinances for the Public Peace, Welfare, and good Government of our said Colonies, and of the People and Inhabitants thereof, as near as may be agreeable to the Laws of England, and under such Regulations and Restrictions as are used in other Colonies; and in the mean Time, and until such Assemblies can be called as aforesaid, all Persons Inhabiting in or resorting to our Said Colonies may confide in our Royal Protection for the Enjoyment of the Benefit of the Laws of our Realm of England; for which Purpose We have given Power under our Great Seal to the Governors of our said Colonies respectively to erect and constitute, with the Advice of our said Councils respectively, Courts of Judicature and public Justice within our Said Colonies for hearing and determining all Causes, as well Criminal as Civil, according to Law and Equity, and as near as may be agreeable to the Laws of England, with Liberty to all Persons who may think themselves aggrieved by the Sentences of such Courts, in all Civil Cases, to appeal, under the usual Limitations and Restrictions, to Us in our Privy Council.

We have also thought fit, with the advice of our Privy Council as aforesaid, to give unto the Governors and Councils of our said Three new Colonies upon the Continent, full Power and Authority to settle and agree with the Inhabitants of our said new Colonies or with any other Persons who shall resort thereto, for such Lands, Tenements and Hereditaments, as are now or hereafter shall be in our Power to dispose of; and them to grant to any such Person or Persons upon such Terms, and under such moderate Quit-Rents, Services and Acknowledgments, as have been appointed and settled in our other Colonies, and under such other Conditions as shall appear to us to be necessary and expedient for the Advantage of the Grantees, and the Improvement and settlement of our said Colonies.

And Whereas, We are desirous, upon all occasions, to testify our Royal Sense and Approbation of the Conduct and bravery of the Officers and Soldiers of our Armies, and to reward the same, We do hereby command and impower our Governors of our said Three new Colonies, and all other our Governors of our several Provinces on the Continent of North America, to grant without Fee or Reward, to such reduced Officers as have served in

North America during the late War, and to such Private Soldiers as have been or shall be disbanded in America, and are actually residing there, and shall personally apply for the same, the following Quantities of Lands, subject, at the Expiration of Ten Years, to the same Quit-Rents as other Lands are subject to in the Province within which they are granted, as also subject to the same Conditions of Cultivation and Improvement; viz.
To every Person having the Rank of a Field Officer—5,000 Acres.
To every Captain—3,000 Acres. To every Subaltern or Staff Officer—2,000 Acres. To every Non-Commission Officer—200 Acres. To every Private Man—50 Acres.

We do likewise authorize and require the Governors and Commanders in Chief of all our said Colonies upon the Continent of North America to grant the like Quantities of Land, and upon the same conditions, to such reduced Officers of our Navy of like Rank as served on board our Ships of War in North America at the times of the Reduction of Louisbourg and Quebec in the late War, and who shall personally apply to our respective Governors for such Grants.

And whereas it is just and reasonable, and essential to our Interest, and the Security of our Colonies, that the several Nations or Tribes of Indians with whom We are connected, and who live under our Protection, should not be molested or disturbed in the Possession of such Parts of Our Dominions and Territories as, not having been ceded to or purchased by Us, are reserved to them, or any of them, as their Hunting Grounds —We do therefore, with the Advice of our Privy Council, declare it to be our Royal Will and Pleasure, that no Governor or Commander in Chief in any of our Colonies of Quebec, East Florida, or West Florida, do presume, upon any Pretence whatever, to grant Warrants of Survey, or pass any Patents for Lands beyond the Bounds of their respective Governments, as described in their Commissions: as also that no Governor or Commander in Chief in any of our other Colonies or Plantations in America do presume for the present, and until our further Pleasure be known, to grant Warrants of Survey, or pass Patents for any Lands beyond the Heads or Sources of any of the Rivers which fall into the Atlantic Ocean from the West and North West, or upon any Lands whatever, which, not having been ceded to or purchased by Us as aforesaid, are reserved to the said Indians, or any of them.

And We do further declare it to be Our Royal Will and Pleasure, for the present as aforesaid, to reserve under our Sovereignty, Protection, and Dominion, for the use of the said Indians, all the Lands and Territories not included within the Limits of Our said Three new Governments, or within the Limits of the Territory granted to the Hudson's Bay Company, as also all the Lands and Territories lying to the Westward of the Sources of the Rivers which fall into the Sea from the West and North West as aforesaid.

And We do hereby strictly forbid, on Pain of our Displeasure, all our loving Subjects from making any Purchases or Settlements whatever, or taking Possession of any of the Lands above reserved, without our especial leave and Licence for that Purpose first obtained.

And We do further strictly enjoin and require all Persons whatever who have either willfully or inadvertently seated themselves upon any Lands within the Countries above described or upon any other Lands which, not having been ceded to or purchased by Us, are still reserved to the said Indians as aforesaid, forthwith to remove themselves from such Settlements.

And whereas great Frauds and Abuses have been committed in purchasing Lands of the Indians, to the great Prejudice of our Interests, and to the great Dissatisfaction of the said Indians: In order, therefore, to prevent such Irregularities for the future, and to the end that the Indians may be convinced of our Justice and determined Resolution to remove all reasonable Cause of Discontent, We do, with the Advice of our Privy Council strictly enjoin and require, that no private Person do presume to make any purchase from the said Indians of any Lands reserved to the said Indians, within those parts of our Colonies where We have thought proper to allow Settlement: but that, if at any Time any of the Said Indians should be inclined to dispose of the said Lands, the same shall be Purchased only for Us, in our Name, at some public Meeting or Assembly of the said Indians, to be held for that Purpose by the Governor or Commander in Chief of our Colony respectively within which they shall lie: and in case they shall lie within the limits of any Proprietary Government, they shall be purchased only for the Use and in the name of such Proprietaries, conformable to such Directions and Instructions as We or they shall think proper to give for that Purpose: And we do, by the Advice of our Privy Council, declare and enjoin, that the Trade with the said Indians shall be free and open to all our Subjects whatever, provided that every Person who may incline to Trade with the said Indians do take out a Licence for carrying on such Trade from the Governor or Commander in Chief of any of our Colonies respectively where such Person shall reside, and also give Security to observe such Regulations as We shall at any Time think fit, by ourselves or by our Commissaries to be appointed for this Purpose, to direct and appoint for the Benefit of the said Trade:

And we do hereby authorize, enjoin, and require the Governors and Commanders in Chief of all our Colonies respectively, as well those under Our immediate Government as those under the Government and Direction of Proprietaries, to grant such Licences without Fee or Reward, taking especial Care to insert therein a Condition, that such Licence shall be void, and the Security forfeited in case the Person to whom the same is granted shall refuse or neglect to observe such Regulations as We shall think proper to prescribe as aforesaid.

And we do further expressly conjoin and require all Officers whatever, as well Military as those Employed in the Management and Direction of Indian Affairs, within the Territories reserved as aforesaid for the use of the said Indians, to seize and apprehend all Persons whatever, who standing charged with Treason, Misprisions of Treason, Murders, or other Felonies or Misdemeanors, shall fly from Justice and take Refuge in the said Territory, and to send them under a proper guard to the Colony where the Crime was committed, of which they stand accused, in order to take their Trial for the same.

Given at our Court at St. James's the 7th Day of October 1763, in the Third Year of our Reign.

Northwest Ordinance; July 13, 1787

An Ordinance for the government of the Territory of the United States northwest of the River Ohio.

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(URL source: http://avalon.law.yale.edu/)

Section 1. Be it ordained by the United States in Congress assembled, That the said territory, for the purposes of temporary government, be one district, subject, however, to be divided into two districts, as future circumstances may, in the opinion of Congress, make it expedient.

Sec 2. Be it ordained by the authority aforesaid, That the estates, both of resident and nonresident proprietors in the said territory, dying intestate, shall descent to, and be distributed among their children, and the descendants of a deceased child, in equal parts; the descendants of a deceased child or grandchild to take the share of their deceased parent in equal parts among them: And where there shall be no children or descendants, then in equal parts to the next of kin in equal degree; and among collaterals, the children of a deceased brother or sister of the intestate shall have, in equal parts among them, their deceased parents' share; and there shall in no case be a distinction between kindred of the whole and half blood; saving, in all cases, to the widow of the intestate her third part of the real estate for life, and one third part of the personal estate; and this law relative to descents and dower, shall remain in full force until altered by the legislature of the district. And until the governor and judges shall adopt laws as hereinafter mentioned, estates in the said territory may be devised or bequeathed by wills in writing, signed and sealed by him or her in whom the estate may be (being of full age), and attested by three witnesses; and real estates may be conveyed by lease and release, or bargain and sale, signed, sealed and delivered by the person being of full age, in whom the estate may be, and attested by two witnesses, provided such wills be duly proved, and such conveyances be acknowledged, or the execution thereof duly proved, and be recorded within one year after proper magistrates, courts, and registers shall be appointed for that purpose; and personal property may be transferred by delivery; saving, however to the French and Canadian inhabitants, and other settlers of the Kaskaskies, St. Vincents and the neighboring villages who have heretofore professed themselves citizens of Virginia, their laws and customs now in force among them, relative to the descent and conveyance, of property.

Sec. 3. Be it ordained by the authority aforesaid, That there shall be appointed from time to time by Congress, a governor, whose commission shall continue in force for the term of three years, unless sooner revoked by Congress; he shall reside in the district, and have a freehold estate therein in 1,000 acres of land, while in the exercise of his office.

Sec. 4. There shall be appointed from time to time by Congress, a secretary, whose commission shall continue in force for four years unless sooner revoked; he shall reside in the district, and have a freehold estate therein in 500 acres of land, while in the exercise of his office. It shall be his duty to keep and preserve the acts and laws passed by the legislature, and the public records of the district, and the proceedings of the governor in his executive

department, and transmit authentic copies of such acts and proceedings, every six months, to the Secretary of Congress: There shall also be appointed a court to consist of three judges, any two of whom to form a court, who shall have a common law jurisdiction, and reside in the district, and have each therein a freehold estate in 500 acres of land while in the exercise of their offices; and their commissions shall continue in force during good behavior.

Sec. 5. The governor and judges, or a majority of them, shall adopt and publish in the district such laws of the original States, criminal and civil, as may be necessary and best suited to the circumstances of the district, and report them to Congress from time to time: which laws shall be in force in the district until the organization of the General Assembly therein, unless disapproved of by Congress; but afterwards the Legislature shall have authority to alter them as they shall think fit.

Sec. 6. The governor, for the time being, shall be commander in chief of the militia, appoint and commission all officers in the same below the rank of general officers; all general officers shall be appointed and commissioned by Congress.

Sec. 7. Previous to the organization of the general assembly, the governor shall appoint such magistrates and other civil officers in each county or township, as he shall find necessary for the preservation of the peace and good order in the same: After the general assembly shall be organized, the powers and duties of the magistrates and other civil officers shall be regulated and defined by the said assembly; but all magistrates and other civil officers not herein otherwise directed, shall during the continuance of this temporary government, be appointed by the governor.

Sec. 8. For the prevention of crimes and injuries, the laws to be adopted or made shall have force in all parts of the district, and for the execution of process, criminal and civil, the governor shall make proper divisions thereof; and he shall proceed from time to time as circumstances may require, to lay out the parts of the district in which the Indian titles shall have been extinguished, into counties and townships, subject, however, to such alterations as may thereafter be made by the legislature.

Sec. 9. So soon as there shall be five thousand free male inhabitants of full age in the district, upon giving proof thereof to the governor, they shall receive authority, with time and place, to elect a representative from their counties or townships to represent them in the general assembly: Provided, That, for every five hundred free male inhabitants, there shall be one representative, and so on progressively with the number of free male inhabitants shall the right of representation increase, until the number of representatives shall amount to twenty five; after which, the number and proportion of representatives shall be regulated by the legislature: Provided, That no person be eligible or qualified to act as a representative unless he shall have been a citizen of one of the United States three years, and be a resident in the district, or unless he shall have resided in the district three years; and, in either case, shall likewise hold in his own right, in fee simple, two hundred acres of land within the same; Provided, also, That a freehold in fifty acres of land in the district, having been a citizen of one of the states, and being resident in the district, or the like freehold and two years residence in the district, shall be necessary to qualify a man as an elector of a representative.

Sec. 10. The representatives thus elected, shall serve for the term of two years; and, in case of the death of a representative, or removal from office, the governor shall issue a writ to the county or township for which he was a member, to elect another in his stead, to serve for the residue of the term.

Sec. 11. The general assembly or legislature shall consist of the governor, legislative council, and a house of representatives. The Legislative Council shall consist of five members, to continue in office five years, unless sooner removed by Congress; any three of whom to be a quorum: and the members of the Council shall be nominated and appointed in the following manner, to wit: As soon as representatives shall be elected, the Governor shall appoint a time and place for them to meet together; and, when met, they shall nominate ten persons, residents in the district, and each possessed of a freehold in five hundred acres of land, and return their names to Congress; five of whom Congress shall appoint and commission to serve as aforesaid; and, whenever a vacancy shall happen in the council, by death or removal from office, the house of representatives shall nominate two persons, qualified as aforesaid, for each vacancy, and return their names to Congress; one of whom congress shall appoint and commission for the residue of the term. And every five years, four months at least before the expiration of the time of service of the members of council, the said house shall nominate ten persons, qualified as aforesaid, and return their names to Congress; five of whom Congress shall appoint and commission to serve as members of the council five years, unless sooner removed. And the governor, legislative council, and house of representatives, shall have authority to make laws in all cases, for the good government of the district, not repugnant to the principles and articles in this ordinance established and declared. And all bills, having passed by a majority in the house, and by a majority in the council, shall be referred to the governor for his assent; but no bill, or legislative act whatever, shall be of any force without his assent. The governor shall have power to convene, prorogue, and dissolve the general assembly, when, in his opinion, it shall be expedient.
Sec. 12. The governor, judges, legislative council, secretary, and such other officers as Congress shall appoint in the district, shall take an oath or affirmation of fidelity and of office; the governor before the president of congress, and all other officers before the Governor. As soon as a legislature shall be formed in the district, the council and house assembled in one room, shall have authority, by joint ballot, to elect a delegate to Congress, who shall have a seat in Congress, with a right of debating but not voting during this temporary government.

Sec. 13. And, for extending the fundamental principles of civil and religious liberty, which form the basis whereon these republics, their laws and constitutions are erected; to fix and establish those principles as the basis of all laws, constitutions, and governments, which forever hereafter shall be formed in the said territory: to provide also for the establishment of States, and permanent government therein, and for their admission to a share in the federal councils on an equal footing with the original States, at as early periods as may be consistent with the general interest:

Sec. 14. It is hereby ordained and declared by the authority aforesaid, That the following articles shall be considered as articles of compact between the original States and the people and States in the said territory and forever remain unalterable, unless by common consent, to wit:
Art. 1. No person, demeaning himself in a peaceable and orderly manner, shall ever be molested on account of his mode of worship or religious sentiments, in the said territory.
Art. 2. The inhabitants of the said territory shall always be entitled to the benefits of the writ of habeas corpus,

and of the trial by jury; of a proportionate representation of the people in the legislature; and of judicial proceedings according to the course of the common law. All persons shall be bailable, unless for capital offenses, where the proof shall be evident or the presumption great. All fines shall be moderate; and no cruel or unusual punishments shall be inflicted. No man shall be deprived of his liberty or property, but by the judgment of his peers or the law of the land; and, should the public exigencies make it necessary, for the common preservation, to take any person's property, or to demand his particular services, full compensation shall be made for the same. And, in the just preservation of rights and property, it is understood and declared, that no law ought ever to be made, or have force in the said territory, that shall, in any manner whatever, interfere with or affect private contracts or engagements, bona fide, and without fraud, previously formed.

Art. 3. Religion, morality, and knowledge, being necessary to good government and the happiness of mankind, schools and the means of education shall forever be encouraged. The utmost good faith shall always be observed towards the Indians; their lands and property shall never be taken from them without their consent; and, in their property, rights, and liberty, they shall never be invaded or disturbed, unless in just and lawful wars authorized by Congress; but laws founded in justice and humanity, shall from time to time be made for preventing wrongs being done to them, and for preserving peace and friendship with them.

Art. 4. The said territory, and the States which may be formed therein, shall forever remain a part of this Confederacy of the United States of America, subject to the Articles of Confederation, and to such alterations therein as shall be constitutionally made; and to all the acts and ordinances of the United States in Congress assembled, conformable thereto. The inhabitants and settlers in the said territory shall be subject to pay a part of the federal debts contracted or to be contracted, and a proportional part of the expenses of government, to be apportioned on them by Congress according to the same common rule and measure by which apportionments thereof shall be made on the other States; and the taxes for paying their proportion shall be laid and levied by the authority and direction of the legislatures of the district or districts, or new States, as in the original States, within the time agreed upon by the United States in Congress assembled. The legislatures of those districts or new States, shall never interfere with the primary disposal of the soil by the United States in Congress assembled, nor with any regulations Congress may find necessary for securing the title in such soil to the bona fide purchasers. No tax shall be imposed on lands the property of the United States; and, in no case, shall nonresident proprietors be taxed higher than residents. The navigable waters leading into the Mississippi and St. Lawrence, and the carrying places between the same, shall be common highways and forever free, as well to the inhabitants of the said territory as to the citizens of the United States, and those of any other States that may be admitted into the confederacy, without any tax, impost, or duty therefor.

Art. 5. There shall be formed in the said territory, not less than three nor more than five States; and the boundaries of the States, as soon as Virginia shall alter her act of cession, and consent to the same, shall become fixed and established as follows, to wit: The western State in the said territory, shall be bounded by the Mississippi, the Ohio, and Wabash Rivers; a direct line drawn from the Wabash and Post Vincents, due North, to the territorial line between the United States and Canada; and, by the said territorial line, to the Lake of the Woods and Mississippi. The middle State shall be bounded by the said direct line, the Wabash from Post Vincents to the Ohio, by the Ohio, by a direct line, drawn due north from the mouth of the Great Miami, to the said territorial line, and by the said territorial line. The eastern State shall be bounded by the last mentioned direct line, the Ohio, Pennsylvania, and the said territorial line: Provided, however, and it is further understood and declared, that the boundaries of these three States shall be subject so far to be altered, that, if Congress shall

hereafter find it expedient, they shall have authority to form one or two States in that part of the said territory which lies north of an east and west line drawn through the southerly bend or extreme of Lake Michigan. And, whenever any of the said States shall have sixty thousand free inhabitants therein, such State shall be admitted, by its delegates, into the Congress of the United States, on an equal footing with the original States in all respects whatever, and shall be at liberty to form a permanent constitution and State government: Provided, the constitution and government so to be formed, shall be republican, and in conformity to the principles contained in these articles; and, so far as it can be consistent with the general interest of the confederacy, such admission shall be allowed at an earlier period, and when there may be a less number of free inhabitants in the State than sixty thousand.

Art. 6. There shall be neither slavery nor involuntary servitude in the said territory, otherwise than in the punishment of crimes whereof the party shall have been duly convicted: Provided, always, That any person escaping into the same, from whom labor or service is lawfully claimed in any one of the original States, such fugitive may be lawfully reclaimed and conveyed to the person claiming his or her labor or service as aforesaid.

Be it ordained by the authority aforesaid, That the resolutions of the 23rd of April, 1784, relative to the subject of this ordinance, be, and the same are hereby repealed and declared null and void.

Done by the United States, in Congress assembled, the 13th day of July, in the year of our Lord 1787, and of their soveriegnty and independence the twelfth.

God Save the King

Treaty With the Sioune and Ogalala Tribes

"Friendship Treaty"

July 12, 1825

Indian Affairs: Laws and Treaties, Vol. II, Compiled by Charles J. Kappler, Government Printing Office 1904

(URL source: http://digital.library.okstate.edu/kappler/)

Proclamation, Feb. 6, 1826
7 Stat., p. 252.

For the purpose of perpetuating the friendship which has heretofore existed, as also to remove all future cause of discussion or dissension, as it respects trade and friendship between the United States and their citizens, and the Sioune and Ogallala bands of the Sioux tribe of Indians, the President of the United States of America, by Brigadier-General Henry Atkinson, of the United States Army, and Major Benjamin O'Fallon, Indian Agent, with full powers and authority, specially appointed and commissioned for that purpose, of the one part, and the undersigned Chiefs, Head-men, and Warriors, of the said Sioune and Ogallala bands of Sioux Indians, on behalf of their bands, of the other part, have made and entered into the following articles and conditions, which, when ratified by the President of the United States, by and with the advice and consent of the Senate shall be binding on both parties,to wit:

ARTICLE 1.

It is admitted by the Sioune and Ogallala bands of Sioux Indians, that they reside within the territorial limits of the United States, acknowledge their supremacy, and claim their protection. The said bands also admit the right of the United States to regulate all trade and intercourse with them.

ARTICLE 2.

The United States agree to receive the Sioune and Ogallala bands of Sioux into their friendship, and under their protection, and to extend to them, from time to time, such benefits and acts of kindness as may be convenient, and seem just and proper to the President of the United States.

ARTICLE 3.

All trade and intercourse with the Sioune and Ogallala bands shall be transacted at such place or places as may be designated and pointed out by the President of the United States, through his agents; and none but American citizens, duly authorized by the United States, shall be admitted to trade or hold intercourse with said bands of Indians.

ARTICLE 4.

That the Sioune and Ogallala bands may be accommodated With such articles of merchandise, &c, as their necessities may demand, the United States agree to admit and license traders to hold intercourse with said bands, under mild and equitable regulations: in consideration of which, the Sioune and Ogallala bands bind themselves to extend protection to the persons and the property of the traders, and the persons legally employed under them, whilst they remain within the limits of their particular district of country. And the said Sioune and Ogallala bands further agree, that if any foreigner or other persons, not legally authorized by the United States, shall come into their district of country, for the purposes of trade or other views, they will apprehend such person or persons, and deliver him or them to some United States superintendent, or agent of Indian affairs, or to the commandant of the nearest military post, to be dealt with according to law.And they further agree to give safe conduct to all persons who may be legally authorized by the United States to pass through their country; and to protect, in their persons and property, all agents or other persons sent by the United States to reside temporarily among them; nor will they, whilst on their distant excursions, molest or interrupt any American citizen or citizens who may be passing from the United States to New Mexico or returning from thence to the United States.

ARTICLE 5.

That the friendship, which is now established between the United States and the Sioune and Ogallala bands should not be interrupted by the misconduct of individuals, it is hereby agreed, that for injuries done by individuals, no private revenge or retaliation shall take place, but instead thereof, complaints shall be made, by the injured party, to the superintendent or agent of Indian affairs, or other person appointed by the President; and it shall be the duty of said Chiefs, upon complaint being made as aforesaid, to deliver up the person or persons, against whom the complaint is made, to the end that he or they may be punished agreeably to the laws of the United States. And, in like manner, if any robbery, violence or murder, shall be committed on any Indian or Indians belonging to the said bands, the person or persons so offending shall be tried, and if found guilty shall be punished in like manner as if the injury had been done to a white man. And it is agreed, that the chiefs of said Sioune and Ogallala bands shall, to the utmost of their power, exert themselves to recover horses or other property, which may be stolen or taken from any citizen or citizens of the United States, by any individual or individuals of said bands; and the property so recovered shall be forthwith delivered to the agents or other person authorized to receive it, that it may be restored to the proper owner. And the United States hereby guaranty to any Indian or Indians of said bands, a full indemnification for any horses or other property which may be stolen from them by any of their citizens: Provided, The property stolen cannot be recovered, and that sufficient proof is produced that it was actually stolen by a citizen of the United States. And the said Sioune and Ogallala bands engage, on the requisition or demand of the President of the United States, or of the agents, to deliver up any white man resident among them.

ARTICLE 6.

And the Chiefs and Warriors, as aforesaid, promise and engage, that their bands will never, by sale, exchange, or as presents, supply any nation, tribe, or band of Indians, not in amity with the United States, with guns,

ammunition, or other implements of war. Done at the mouth of the Teton river, this 5th day of July, A. D. 1825, and of the independence of the United States the fiftieth.

In testimony whereof, the said commissioners, Henry Atkinson and Benjamin O'Fallon, and the chiefs, head men, and warriors, of the Sioune and Ogallala bands, have hereunto set their hands, and affixed their seals.

H. Atkinson, Brigadier-General, U. S. Army. [L. S.] Benj. O' Fallon, United States agent Indian Affairs. [L. S.] Siounes chiefs: Wah-e-ne-ta, the Rushing Man, his x mark, [L. S.] Cah-re-we-ca-ca, the Crow Feather, his x mark, [L. S.] Ma-ra-sea, the White Swan, his x mark, [L. S.] Chan-dee, theTobacco, his x mark, [L. S.] O-ke-ma, the Chief, his x mark, [L. S.] Tow-cow-sa'-no-pa, the Two Lance, his x mark, [L. S.] Warriors: Chan-ta-wah-nee-cha, the Notieart, his x mark, [L. S.] He-hum-pee, the one that has a voice in his neck, his x mark, [L. S.] Num-cah-pay, the one that knocks down two, his x mark, [L. S.] Ogallala chiefs: Ta-tun-ca-nash-sha, the Standing Buffalo, his x mark, [L. S.] He-a-long-ga, the Shoulder, his x mark, [L. S.] Ma-to-weet-co, the Full White Bear, his x mark, [L. S.] Wa-na-re-wag-she-go, the Ghost Boy, his x mark, [L. S.] Warriors: Ek-hah-ka-sap-pa, the Black Elk, his x mark, [L. S.] Tah-tong-ish-nan-na, the One Buffalo, his x mark, [L. S.] Mah-to-ta-tong-ca, the Buffalo White Bear, his x mark, [L. S.] Nah-ge-nish-ge-ah, the Mad Soul, his x mark, [L. S.]
Siounes of the Fire-hearts band who sign at Camp Hidden Creek, on the 12th July, 1825:
Chiefs:
Chan-ta-pa-ta, the Fire-heart, his x mark, [L. S.]
Wah-con-ta-mon-ee, the one that shoots as he walks, his x mark, [L. S.]
Ke-ah-ash-sha-pa, the one that makes a noise as he flies, his x mark, [L. S.]
Warriors:
Mato-co-kee-pa, the one that is afraid of the White Bear, his x mark. [L. S.]
Ho-ton-co-kee-pa, the one that is afraid of his voice, his x mark, [L. S.]
Wom-dish-ki-a-ta, the Spotted War Eagle, his x mark, [L. S.]
Cha-lon-we-eha-ea-ta, the one that kills the buffalo, his x mark, [L. S.]
Ca-re-no-pa, the Two Crows, his x mark, [L. S.]
Ca-re-a-tun-ca, the Crow that sits down, his x mark, [L. S.]
To-ke-a-we-cha-ca-ta, the one that kills first, his x mark, [L. S.]
In the presence of--
P. Wilson, U. S. S. Indian agent,
John Gale, surgeon, U. S. Army,
D. Ketchum, major, U. S. Army,
Levi Nute, lieutenant, U. S. Army,
G. C. Spencer, captain, First Infantry,
M. W. Batman, lieutenant, Sixth Infantry,
Wm. Armstrong, captain, Sixth Regiment Infantry,
Jas. W. Kingsbury, lieutenant, First Regiment Infantry,
R. Holmes, lieutenant, Sixth Infantry,
R. M. Coleman, U. S. Army,
W. L. Harris, lieutenant, First Infantry,

H. Leavenworth, colonel, U. S. Army,
B. Riley, captain, Sixth Infantry,
S. Wragg, adjutant, First Regiment Infantry,
Wm. Day, lieutenant, U. S. Army,
C. Pentland, captain, Sixth Infantry,
G. H. Kennerly, U. S. S. Indian agent,
Thos. P. Gwynn, lieutenant, First Infantry.

Witnesses to the signatures of the Fire-hearts band, as executed on the 12th July, 1825:
A. L. Langham, secretary to the Commission,
G. H. Kennerly, U. S. S. Indian agent,
H. Leavenworth, colonel, U. S. Army,
S. W. Kearny, brevet major, First Infantry,
P. Wilson, U. S. S. Indian agent,
R. M. Coleman, U. S. Army,
Wm. Armstrong, captain, Sixth Regiment Infantry,
J. Gantt, captain, Sixth Infantry.

Treaty with the Teton, Etc., Sioux

June 22, 1825
Proclamation, Feb. 6, 1826
7 Stat., p. 250

Indian Affairs: Laws and Treaties, Vol. II, Compiled by Charles Kappler Government Printing Office 1904

(URL source: http://digital.library.okstate.edu/kappler/)

Treaty with the Teton, Yancton, and Yanctonies bands of the Sioux tribe of Indians.
For the purposes of perpetuating the friendship which has heretofore existed, as also to remove all future cause of discussion or dissension, as it respects trade and friendship between the United States and their citizens, and the Teton, Yancton, and Yanctonies bands of the Sioux tribe of Indians, the President of the United States of America, by Brigadier-General Henry Atkinson, of the United States army, and Major Benjamin O'Fallon, Indian Agent, with full powers and authority, specially appointed and commissioned for that purpose of the one part, and the undersigned Chiefs, head men and Warriors of the Teton, Yancton, and Yanctonies bands of the Sioux tribe of Indians, on behalf of said bands or tribe of the other part, have made and entered into the following Articles and Conditions; which, when ratified by the President of the United States, by and with the advice and consent of the Senate; shall be binding on both parties--to wit:
ARTICLE 1.
It is admitted by the Teton, Yancton and Yanctonies bands of Sioux Indians, that they reside within the territorial limits of the United States, acknowledge their supremacy, and claim their protection. The said bands also admit the right of the United States to regulate all trade and intercourse with them.

ARTICLE 2.
The United States agree to receive the said Teton, Yancton, and Yanctonies band of Sioux Indians into their friendship, and under their protection, and to extend to them, from time to time, such benefits and acts of kindness as may be convenient, and seem just and proper to the President of the United States.

ARTICLE 3.
All trade and intercourse with the Teton, Yancton, and Yanctonies bands shall be transacted at such place or places as may be designated and pointed out by the President of the United States, through his agents; and none but American citizens, duly authorized by the United States, shall be admitted to trade or hold intercourse with said bands of Indians.

ARTICLE 4.
That the Teton, Yancton, and Yanctonies bands may be accommodated with such articles of merchandise, &c as their necessities may demand, the United States agree to admit and license traders to hold intercourse with said tribes or bands, under mild and equitable regulations: in consideration of which, the Teton, Yancton, and Yanctonies bands bind themselves to extend protection to the persons and the property of the traders, and the

persons legally employed under them, whilst they remain within the limits of their particular district of country. And the said Teton, Yancton, and Yanctonies bands further agree, that if any foreigner or other person, not legally authorized by the United States, shall come into their district of country, for the purposes of trade or other views, they will apprehend such person or persons, and deliver him or them to some United States superintendent, or agent of Indian Affairs, or to the nearest military post, to be dealt with according to law.And they further agree to give safe conduct to all persons who may be legally authorized by the United States to pass through their country: and to protect, in their persons and property, all agents or other persons sent by the United States to reside temporarily among them.

ARTICLE 5.

That the friendship which is now established between the United States and the Teton, Yancton, and Yanctonies bands should not be interrupted by the misconduct of individuals, it is hereby agreed, that for injuries done by individuals, no private revenge or retaliation shall take place, but instead thereof, complaints shall be made, by the party injured, to the superintendent or agent of Indian affairs, or other person appointed by the President; and it shall be the duty of the said Chiefs, upon complaint being made as aforesaid, to deliver up the person or persons against whom the complaint is made, to the end that he or they may be punished agreeably to the laws of the United States. And, in like manner, if any robbery, violence, or murder, shall be committed on any Indian or Indians belonging to said bands, the person or persons so offending shall be tried, and if found guilty, shall be punished in like manner as if the injury had been done to a white man. And it is agreed, that the chiefs of the said Teton, Yancton, and Yanctonies bands shall, to the utmost of their power, exert themselves to recover horses or other property, which may be stolen or taken from any citizen or citizens of the United States by any individual or individuals of said bands; and the property so recovered shall be forthwith delivered to the agents, or other person authorized to receive it, that it may be restored to the proper owner. And the United States hereby guaranty to any Indian or Indians of said bands, a full indemnification for any horses or other property which may be stolen from them by any of their citizens: Provided, That the property so stolen cannot be recovered, and that sufficient proof is produced that it was actually stolen by a citizen of the United States. And the said Teton, Yancton, and Yanctonies bands engage, on the requisition or demand of the President of the United States, or of the agents, to deliver up any white man resident among them.

ARTICLE 6.

And the Chiefs and Warriors, as aforesaid, promise and engage, their band or tribe will never, by sale, exchange, or as presents, supply any nation or tribe of Indians, not in amity with the United States, with guns, ammunition, or other implements of war.

Done at fort Look-out, near the three rivers of the Sioux pass, this 22d day of June, A. D. 1825, and of the independence of the United States the forty-ninth.

In testimony whereof the said commissioners, Henry Atkinson and Benjamin O'Fallon, and the chiefs, head men, and warriors, of the Teton, Yancton, and Yanctonies bands, of Sioux tribe, have hereunto set their hands, and affixed their seals.

H. Atkinson, brigadier general U. S. Army. [L. S.] Benj. O'Fallon, United States Agent Indian Affairs Yanctons, [L. S.]

Maw-too-an-be-kin, the black bear, his x mark, [L. S.] Wacan-o-hi-gnan, the flying medi-cine, his x mark, [L.

S.] Wah-ha-ginga, the little dish, his x mark, [L. S.] Cha-pon-ka, the musqueto, his x mark, [L. S.] Eta-ke-nus-ke-an, the mad face, his x mark, [L. S.] To-ka-oo, the one that kills, his x mark, [L. S.] O-ga-tee, the fork, his x mark, [L. S.] You-ia-san, the warrior, his x mark, [L. S.] Wah-ta-ken-do, the one who comes from war, his x mark, [L. S.] To-qui-in-too, the little soldier, his x mark, [L. S.] Ha-sas-hah, the Ioway, his x mark, [L. S.] Tetons: Ta-tan-ka-guenish-qui-gnan, the mad buffalo, his x mark, [L. S.] Mah-to-ken-do-ha-cha, the hollow bear, his x mark, [L. S.] E-gue-mon-wa-con-ta, the one that shoots at the tiger, his x mark, [L. S.] Jai-kan-kan-e, the child chief, his x mark, [L. S.] Shawa-non, or O-e-te-kah, the brave, his x mark, [L. S.] Man-to-dan-za, the running bear, his x mark, [L. S.] Wa-can-guela-sassa, the black lightning, his x mark,- [L. S.] Wa-be-la-wa-con, the medicine war eagle, his x mark, [L. S.] Cam-pes-cah-o-ran-co, the swift shell, his x mark, [L. S.] Eh-ra-ka-che-ka-la, the little elk, his x mark, [L. S.] Na-pe-a-mus-ka, the mad hand, his x mark, [L. S.] J-a-pee, the soldier, his x mark, [L. S.] Hoo-wa-gah-hak, the broken leg, his x mark, [L. S.] Ce-cha-he, or the burnt thigh, his x mark, [L. S.] O-caw-see-non-gea, or the spy, his x mark, [L. S.] Ta-tun-ca-see-ha-hue-ka, the buffalo with the long foot, his x mark [L. S.] Ah-kee-che-ha-che-ga-la, the little soldier, his x mark [L. S.]

In presence of--
A. L. Langham, secretary to the commission, H. Leavenworth, colonel, U. S. Army, S. W. Kearney, brevet major, First Infantry, G. H. Kennerly, U. S. S. Indian agent, P. Wilson, U. S. S. Indian agent, Wm. Armstrong, captain, Sixth Regiment Infantry, R. B. Mason, captain, First Infantry, J. Gantt, captain, Sixth Infantry, S. Mac Ree, lieutenant and aid de camp, Wm. S. Harney, lieutenant, First Infantry, Thomas Noel, lieutenant, Sixth Infantry. B. Riley, captain, Sixth Infantry, James W. Kingsbury, lieutenant, First Regiment, S. Wragg, adjutant, First Regiment, G. C. Spencer, captain, First Regiment, A. S. Miller, lieutenant, First Infantry, H. Swearingen, lieutenant, First Infantry, Thos. P. Gwynn, lieutenant, First Infantry, M. W. Batman, lieutenant, Sixth Infantry, George C. Hutter, lieutenant, Sixth Infantry, J. Rogers, lieutenant, Sixth Infantry, Wm. Day, lieutenant, First Infantry, John Gale, surgeon, U. S. Army, D. Ketchurn, major, U.S. Army, R. H. Stuart, lieutenant, First Infantry, Wm. Gordon, Jean Baptiste Dorion.

1825 Treaty with Crow Tribe

Indian Affairs: Laws and Treaties, Vol. II, Compiled by Charles J. Kappler, Government Printing Office 1904

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"Friendship Treaty"

For the purpose of perpetuating the friendship which has heretofore existed, as also to remove all future cause of discussion or dissension, as it respects trade and friendship between the United States and their citizens, and the Crow tribe of Indians, the President of the United States of America, by Brigadier-General Henry Atkinson, of the United States' army, and Major Benjamin O'Fallon, Indian agent, with full powers and authority, specially appointed and commissioned for that purpose, of the one part, and the undersigned Chiefs, Head men and Warriors, of the said Crow tribe of Indians, on behalf of their tribe, of the other part, have made and entered into the following Articles and Conditions; which, when ratified by the President of the United States, by and with the advice and consent of the Senate, shall be binding on both parties - to wit:

Article 1.

It is admitted by the Crow tribe of Indians, that they reside within the territorial limits of the United States, acknowledge their supremacy, and claim their protection. - The said tribe also admits the right of the United States to regulate all trade and intercourse with them.

Article 2.

The United States agree to receive the Crow tribe of Indians into their friendship, and under their protection, and to extend to them, from time to time, such benefits and acts of kindness as may be convenient, and seem just and proper to the President of the United States.

Article 3.

All trade and intercourse with the Crow tribe shall be transacted at such place or places as may be designated and pointed out by the President of the United States, through his agents; and none but American citizens, duly authorized by the United States, shall be admitted to trade or hold intercourse with said tribe of Indians.

Article 4.

That the Crow tribe may be accommodated with such articles of merchandise, . as their necessities may demand, the United States agree to admit and license traders to hold intercourse with said tribe, under mild and equitable regulations: in consideration of which, the Crow tribe bind themselves to extend protection to the persons and the property of the traders, and the persons legally employed under them, whilst they remain within the limits of their district of country. And the said Crow tribe further agree, that if any foreigner or other person, not legally authorized by the United States, shall come into their district of country, for the purposes of trade or other views, they will apprehend such person or persons, and deliver him or them to some United States' Superintendent or Agent of Indian Affairs, or to the commandant of the nearest military post, to be dealt with according to law. And they further agree to give safe conduct to all persons who may be legally authorized by the United States to pass through their country, and to protect in their persons and property all agents or other persons sent by the United States to reside temporarily among them; and that they will not, whilst on their distant excursions, molest or interrupt any American citizen or citizens, who may be passing from the United States to New Mexico, or returning from thence to the United States.

Article 5.

That the friendship which is now established between the United States and the Crow tribe, should not be interrupted by the misconduct of individuals, it is hereby agreed, that for injuries done by individuals, no private revenge or retaliation shall take place, but instead thereof, complaints shall be made, by the party injured, to the superintendent or agent of Indian affairs, or other person appointed by the President; and it shall be the duty of said Chiefs, upon complaint being made as aforesaid, to deliver up the person or persons against whom the complaint is made, to the end that he or they may be punished, agreeably to the laws of the United States. And, in like manner, if any robbery, violence, or murder, shall be committed on any Indian or Indians belonging to the said tribe, the person or persons so offending shall be tried, and, if found guilty, shall be punished in like manner as if the injury had been done to a white man. And it is agreed, that the Chiefs of said Crow tribe shall, to the utmost of their power, exert themselves to recover horses or other property, which may be stolen or taken from any citizen or citizens of the United States, by any individual or individuals of said tribe; and the property so recovered shall be forthwith delivered to the agents or other person authorized to receive it, that it may be restored to the proper owner. And the United States hereby guarranty to any Indian or Indians of said tribe, a full indemnification for any horses or other property which may be stolen from them by any of their citizens: Provided, That the property stolen cannot be recovered, and that sufficient proof is produced that it was actually stolen by a citizen of the United States. And the said tribe engage, on the requisition or demand of the President of the United States, or of the agents, to deliver up any white man resident among them.

Article 6.

And the Chiefs and Warriors, as aforesaid, promise and engage that their tribe will never, by sale, exchange, or as presents, supply any nation, tribe, or band of Indians, not in amity with the United States, with guns, ammunition, or other implements of war.

Done at the Mandan Village, this fourth day of August, A. D. 1825, and of the independence of the United States the fiftieth.

In testimony whereof, the said commissioners, Henry Atkinson and Benjamin O'Fallon, and the chiefs and warriors of the said tribe, have hereunto set their hands and affixed their seals.

H. Atkinson, brigadier-general U. S. Army, [L. S.]

Benj. O'Fallon, U. S. agent Indian Affairs, [L. S.]

Chiefs:

E-she-huns-ka, or the long hair, his x mark, [L. S.]

She-wo-cub-bish, one that sings bad, his x mark, [L. S.]

Har-rar-shash, one that rains, his x mark, [L. S.]

Chay-ta-pah-ha, wolf's paunch, his x mark, [L. S.]

Huch-che-rach, little black dog, his x mark, [L. S.]

Mah-pitch, bare shoulder, his x mark, [L. S.]

Esh-ca-ca-mah-hoo, the standing lance, his x mark, [L. S.]

Che-rep-con-nes-ta-chea, the little white bull, his x mark, [L. S.]

Ah-mah-shay-she-ra, the yellow big belly, his x mark, [L. S.]

Co-tah-bah-sah, the one that runs, his x mark, [L. S.]

Bah-cha-na-mach, the one that sits in the pine, his x mark, [L. S.]

He-ran-dah-pah, the one that ties his hair before, his x mark, [L. S.]

Bes-ca-bar-ru-sha, the dog that eats, his x mark, [L. S.]
Nah-puch-kia, the little one that holds the stick in his mouth, his x mark, [L. S.]
Bah-da-ah-chan-dah, the one that jumps over every person, his x mark, [L. S.]
Mash-pah-hash, the one that is not right, [L. S.]
In presence of -
A. L. Langham, secretary to the commission,
H. Leavenworth, colonel U. S. Army,
S. W. Kearny, brevet major First Infantry,
D. Ketchum, major U. S. Army,
R. B. Mason, captain First Infantry,
G. C. Spencer, captain First Infantry,
John Gantt, captain Sixth Infantry,
Thos. P. Gwynne, lieutenant First Infantry,
S. MacRee, lieutenant and aid-de-camp,
Thomas Noel, lieutenant Sixth Infantry,
William L. Harris, First Infantry,
John Gale, surgeon U. S. Army,
J. V. Swearingen, lieutenant First Infantry,
R. Holmes, lieutenant Sixth Infantry,
M. W. Batman, lieutenant Sixth Infantry,
R. M. Coleman, U. S. Army,
J. Rogers, lieutenant Sixth Infantry,
Wm. Day, lieutenant First Infantry,
G. H. Kennerly, U. S. Indian agent,
B. Riley, captain Sixth Infantry,
Wm. S. Harney, lieutenant First Infantry,
James W. Kingsbury, lieutenant First Regiment Infantry,
George C. Hutter, lieutenant Sixth Infantry,
Wm. Armstrong, captain Sixth Regiment Infantry.

1855 Hellgate Treaty

(1855 Treaty with the Flatheads)

From the Montana Indian Law Portal: http://indianlaw.mt.gov/about.mcpx

Access scan of original document: http://indianlaw.mt.gov/content/salishkootenai/treaties/treaty_with_flatheads_1855

Treaty of Hellgate
July 16, 1855

Treaty of Hellgate
Treaty of July 16, 1855, 12 Stat. 975
Ratified March 8, 1859.

JAMES BUCHANAN,
PRESIDENT OF THE UNITED STATES OF AMERICA.

TO ALL AND SINGULAR TO WHOM THESE PRESENTS SHALL COME,
GREETING:

Articles of agreement and convention made and concluded at the treaty ground at Hell Gate, in the Bitter Root Valley, this sixteenth day of July, in the year on thousand eight hundred and fifty-five, by and between Isaac I. Stevens, governor and superintendent of Indian affairs for the Territory of Washington, on the part of United States, and the undersigned chiefs, headmen, and delegates of the confederated tribes of the Flathead, Kootenay, and Upper Pend d'Oreilles Indians, on behalf of and acting for said confederated tribes, and being duly authorized thereto by them. It being understood and agreed that the said confederated tribes do hereby constitute a nation, under the name of the Flathead Nation, with Victor, the head chief of the Flathead tribe, as the head chief of the said nation, and that the several chiefs, headmen, and delegates, whose names are signed to this treaty, do hereby, in behalf of their respective tribes, recognize Victor as
said head chief.

ARTICLE I. The said confederated tribes of Indians hereby cede, relinquish, and convey to the United States all their right, title, and interest in and to the country occupied or claimed by them, bounded and described as follows, to wit:

Commencing on the main ridge of the Rocky Mountains at the forty-ninth (49th) parallel of latitude, thence westwardly on that parallel to the divide between the Flat-bow or Kootenay River and Clarke's Fork; thence southerly and southeasterly along said divide to the one hundred and fifteenth degree of longitude, (115, degree) thence in a southwesterly direction to the divide between the sources of the St. Regis Borgia and the Coeur d'Alene Rivers, thence southeasterly and southerly along the main ridge of the Bitter Root Mountains to the divide between the headwaters
of the Koos-koos-kee River and of the southwestern fork of the Bitter Root River, thence easterly along the divide separating the waters of the several tributaries of the Bitter Root River from the waters flowing into the Salmon and Snake Rivers to the main ridge of the Rocky Mountains, and thence northerly along said main ridge to the place of beginning.

ARTICLE II. There is, however, reserved from the lands above ceded, for the use and occupation of the said confederated tribes, and as a general
Indian reservation upon which may be placed other friendly tribes and bands of Indians of the Territory of Washington who may agree to be consolidated with the tribes parties to this treaty, under the common designation of
the Flathead Nation, with Victor, head of the Flathead tribe, as the head chief of the nation, the Treaty of Hellgate July 16, 1855 tract of land include within the following boundaries, to wit:

Commencing at the source of the main branch of the Jocko River; thence along the divided separating the water lowing into the Bitter root River from those f owing into the Jocko to a point on Clarke's Fork between the Camas and Horse Prairies; thence northerly to, and along the divide bounding on the west Flathead River, to a point due west from the point halfway in latitude between the northern and souther extremities of the Flathead Lake; thence on a due east course to the divide whence the Crow, the Prune, and So-ni-el-em and the Jocko rivers take their rise, and thence southerly along said divide to the place of beginning.

All which tract shall be set apart, and, so far as necessary, surveyed and marked out for the exclusive use and benefit of said confederated tribes as an Indian reservation. Nor shall any white man, excepting those in the employment of the Indian department, be permitted to reside upon the said reservation without permission of the confederated tribes, and the superintendent and agent. And the said confederated tribes agree to remove to and settle upon the same within one year after the ratification of this treaty. In the meantime it shall be lawful for them to reside upon any ground not in the actual claim and occupation of citizens of the United States, and upon any ground claimed or occupied, if with the permission of the owner or claimant.

Guaranteeing however the right to all citizens of the United States to enter upon and occupy as settlers any lands not actually occupied and cultivated by said Indians at this time, and not including in the reservation above named. And provided, That any substantial improvements heretofore made by any Indian, such as fields enclosed and cultivated and houses
erected upon the lands hereby ceded, and which he may be compelled to
abandon in consequence of this treaty, shall be valued under the direction of the President of the United States, and payment made therefor in money, or improvements of an equal value be made for said Indian upon the reservation; and no Indian will be required to abandon the improvements aforesaid, now occupied by him until their value in money or improvements of an equal value shall be furnished him as aforesaid.

ARTICLE III. And provided, That if necessary for the public convenience roads may be run through the said reservation; and, on the other hand, the right of way with free access from the same to the nearest public highway is secured to them, as also the right in common with citizens of the United States to travel upon all public highways.

The exclusive right of taking fish in all the streams running through or bordering said reservation is further secured to said Indians; as also the right of taking fish at all usual and accustomed places, in common with citizens of the Territory, and of erecting temporary buildings for curing; together with the privilege of hunting, gathering roots and berries, and pasturing their horses and cattle upon open and unclaimed land.

ARTICLE IV. In consideration of the above cession, the United States agree to pay to the said Confederated tribes of Indians, in addition to the goods and provisions distributed to them at the time of signing this treaty the sum of one hundred and twenty thousand dollars in the following manner--that is to say: For the first year after the ratification hereof, thirty-six thousand dollars, to be expended under the direction of the President, in providing for their removal to the reservation, breaking up and fencing farms, building houses for them, and for such other objects as he may deem necessary. For the next four years, six thousand dollars each year; for the next five years, five thousand dollars each year; for the next five years, four thousand dollars each year; and for the next five years, three thousand dollars each year.

All which said sums of money shall be applied to the use and benefit of the said Indians, under the direction of the President of the United States, who may from time to time determine, at his discretion, upon what beneficial objects to expend the same for them, and the superintendent of Indian affairs, or other proper officer, shall each year inform the President of the wishes of the Indians in relation thereto.

ARTICLE V. The United States further agree to establish at suitable points within said reservation within one year after the ratification hereof, and agriculture and industrial school, erecting the necessary building, keeping the same in repair, and providing it with furniture, books and stationary, to be located the agency, and to be free to the children of the said tribes, and to employ a suitable instructor or instructors. To furnish one black-smith shop; to which shall be attached a tin and gun shop; one carpenter's shop; one wagon and ploughmaker's shop; and to keep the same in repair, and furnish with the necessary tool. To employ two farmer, one blacksmith, one tanner, one gunsmith, one carpenter, one wagon and plough maker, for the instruction of the Indians in trades, and to assist them in the same. To erect one saw- mill and one flouring-mill, keeping the same in repair and furnished with the necessary tool and fixtures, medicines and furniture, and to employ a physician; and to erect, keep in repair, and provide the necessary establishments to be maintained and kept in repair as aforesaid, and the employees to be kept in service for the period of twenty years.

And in view of the fact that the head chiefs of the said confederated tribes of Indians are expected and will be called upon to perform many services of a public character, occupying much of their time, the United States further agree to pay to each of the Flathead, Kootenay, and Upper Pend d'Oreilles tribes five hundred dollars per year, for the term of twenty years after the ratification hereof, as a salary for such persons as the said confederated tribes may select to be their head chiefs, and to build for them at suitable points on the reservation a comfortable house, and properly furnish the same, and to plough and fence for each of them ten acres of land. The salary to be paid to, and the said houses said to be occupied by, such head chiefs so long as they may be elected to that position by their tribes, and no longer.

And all the expenditures and expenses contemplated in this article of this treaty shall be defrayed by the United States, and shall not be deducted from the annuities agreed to be paid to Said tribes. Nor shall the cost of transporting the goods for the annuity payments be a charge upon the annuities, but shall be defrayed by the United States.

ARTICLE VI. The President may from time to time, at his discretion, cause the whole, or said portion of such reservation as he may think proper, to be surveyed into lots, and assign the same as such individuals of families of the said confederated tribes as are willing to avail themselves of the privilege, and will locate on the same as a permanent home, on the same terms
and subject to the same regulations as are provided in the sixth article of the treaty with the Omahas, so far as the same may be applicable.

ARTICLE VII. The annuities of the aforesaid confederated tribes of Indians shall not be taken to pay the debts of individuals.

ARTICLE VIII. The aforesaid confederated tribes of Indians acknowledge their dependence upon the Government of the United States, and promise to be friendly with all citizens thereof, and pledge themselves to commit no depredations upon the property of such citizens. And should anyone or more of them violate this pledge, and the fact be satisfactorily proved before the agent, the property take shall be returned, or in default thereof, or is injured or destroyed, compensation may be made by the Government out of the annuities. Nor will they make war on any other tribe except in self-defense, but will submit all matters of difference between them and other Indians to the Government of the United States, or its agent, for decision, and abide thereby. And if any of the said Indians commit any depredations on any other Indians within the jurisdiction of the United States, the same rule shall prevail as that prescribed in this article, in case of depredations against citizens. And the said tribes agree not to shelter or conceal offenders against the lows of the United States, but to deliver them up to the authorities
for trial.

ARTICLE IX. The said confederated tribes desire to exclude from their reservation the use of ardent spirits, and to prevent their people from drinking the same; and therefore it is provided that any Indian belonging to said confederated tribes of Indians who is guilty of bringing liquor into said reservation, or who drinks liquor, may have his or her proportions of the
annuities withheld from him or her for such time as the President may determine.

ARTICLE X. The United States further agree to guaranty the exclusive use of the reservation provided for in this treaty, as against any claims which maybe urged by the Hudson Bay Company under the provisions of the treaty between the United States and Great Britain on the fifteenth of June, eighteen hundred and forty-six, in consequence of the occupations of a
trading post on the Pru-in River by the servants of that company.

ARTICLE XI. It is, moreover, provided that the Bitter Root Valley, above the Loo-lo Fork, shall be carefully surveyed and examined, and if it shall prove, in the judgement of the President, to be better adapted to the wants of the Flathead tribe than the general reservation provided for in this treaty, then such portions of it as may be necessary shall be set apart as a separate reservation for the said tribe. No portion of the Bitter Root Valley, above the Loo-lo fork, shall be opened to the settlement until such examination is had and the decision of the President made known.

ARTICLE XII. This treaty shall be obligatory upon the contracting parties as soon as the same shall be ratified by the President and Senate of the United States.

In testimony whereof, the said Isaac I. Stevens, governor and superintendent of Indian affairs of the Territory of Washington, and the undersigned head chiefs, chiefs and principal men of the Flathead Kootenay, and Upper Pend d'Oreilles tribes of Indians, have hereunto set their Hands and seals, at the place and on the day and year hereinbefore written.

ISAAC I. STEVENS, Governor and Superintendent Indian Affairs W.T. (L.S.)
VICTOR, Head chief of the Flathead Nation, his x mark. (L.S.)
ALEXANDER, Chief of the Upper Pend d'Oreilles his x mark. (L.S.)
MICHELLE, Chief of the Kootenays, his x mark. (L.S.)
AMBROSE, his x mark. (L.S.)
PAH-SOH, his x mark. (L.S.)
BEAR TRACK, his x mark. (L.S.)
ADOLPHE, his x mark. (L.S.)
THUNDER his x mark. (L.S.)
BIG CANOE, his x mark. (L.S.)
KOOTEL CHAH, his x mark. (L.S.)
PAUL, his x mark. (L.S.)
ANDREW, his x mark. (L.S.)
MICHELLE, his x mark. (L.S.)
BATTISTE, his x mark. (L.S.)
KOOTENAYS
GUNFLINT, his x mark. (L.S.)
LITTLE MICHELLE, his x mark. (L.S.)
PAUL SEE, his x mark. (L.S.)
MOSES, his x mark. (L.S.)

James Doty, Secretary.
R.H. Landsdale, Indian Agent.
W.H. Tappan, Sub Indian Agent.
Henry R. Crosire.
Gustavus Sobon, Flathead Interpreter.
A.J. Hoecken, Sp. Mis.
William Craig.

And, whereas, the said treaty having been submitted to the Senate of the United States for their constitutional action thereon, the Senate did, on the eighth day of March, eighteen hundred and fifty-nine, advise and consent to the ratification of the same, by a resolution in the words and figures following, to wit:

*In Executive Session,
*Senate of the United States, March 8, 1859.

***Resolved,** (two third of the senators present concurring,) That the Senate advise and consent to the ratification of treaty between the United States and Chiefs, Headmen and Delegates of the confederated tribes of the Flathead, Kootenay, and Upper Pend d'Oreille Indians, who are constituted a nation under the name of the Flathead Nation, signed 16th day of July, 1855.

*Attest: *ASBURY DICKINS, Secretary.*

Now, therefore, be it known that I, JAMES BUCHANAN, President of the United States of America, do, in pursuance of the advice and consent of the Senate, as expressed in their resolution of the eighth of March, one thousand eight hundred and fifty-nine, accept, ratify and confirm the said treaty.

In testimony where of, I have hereunto caused the seal of the United States to be affixed, and have signed the same with my hand.

Done at the city of Washington, this eighteenth day of April, in the year of our Lord one thousand eight hundred and fifty-nine, and of the Independence of the United States, the eighty-third.

JAMES BUCHANAN.

By the President:
LEWIS CASS, Secretary of State

R U L E S GOVERNING
THE COURT OF INDIAN OFFENSES
DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS

National Archives, Records of the Bureau of Indian Affairs (BIA), Record Group 75
(URL source: http://www.archives.gov/research/guide-fed-records/groups/075.html)

Washington, March 30, 1883.

SIR: Your special attention is directed to the following copy of Department letter, viz:
DEPARTMENT OF THE INTERIOR,
Washington, December 2, 1882

SIR: I desire to call your attention to what I regard as a great hindrance to the civilization of the Indians, viz, the continuance of the old heathenish dances, such as the sun-dance, scalp-dance, & c. These dances, or feasts, as they are sometimes called, ought, in my judgment, to be discontinued, and if the Indians now supported by the Government are not willing to discontinue them, the agents should be instructed to compel such discontinuance. These feasts or dances are not social gatherings for the amusement of these people, but, on the contrary, are intended and calculated to stimulate the warlike passions of the young warriors of the tribe. At such feasts the warrior recounts his deeds of daring, boasts of his inhumanity in the destruction of his enemies, and his treatment of the female captives, in language that ought to shock even a savage ear. The audience assents approvingly to his boasts of falsehood, deceit, theft, murder, and rape, and the young listener is informed that this and this only is the road to fame and renown. The result is the demoralization of the young, who are incited to emulate the wicked conduct of their elders, without a thought that in so doing they violate any law, but, on the contrary, with the conviction that in so doing they are securing for themselves an enduring and deserved fame among their people. Active measures should be taken to discourage all feasts and dances of the character I have mentioned. The marriage relation is also one requiring the immediate attention of the agents. While the Indians remain in a state of at least semi-independence, there did not seem to be any great necessity for interference, even if such interference was practicable (which it doubtless was not). While dependent on the chase the Indian did not take many wives, and the great mass found themselves too poor to support more than one; but since the Government supports them, this objection no longer exists, and the more numerous the family the greater the number of rations allowed. I would not advise any interference with plural marriages now existing; but I would by all possible methods discourage future marriages of that character. The marriage relation, if it may be said to exist at all among the Indians, is exceedingly lax in its character, and it will be found impossible, for some time yet, to impress them with our idea of this important relation. The marriage state, existing only by the consent of both parties, is easily and readily dissolved, the man not recognizing any obligation on his part to care for his offspring. As far as practicable, the Indian, having taken to himself a wife, should be compelled to continue that relation with her, unless dissolved by some recognized tribunal on the reservation or by the courts. Some system

of marriage should be adopted, and the Indian compelled to conform to it. The Indian should also be instructed that he is under obligations to care for and support, not only his wife, but his children, and on his failure, without proper cause, to continue as the head of such family, he ought in some manner to be punished, which should be either by confinement in the guardhouse or agency prison, or by a reduction of his rations.

Another great hindrance to the civilization of the Indians is the influence of the medicine men, who are always found with the anti-progressive party. The medicine men resort to various artifices and devices to keep the people under their influence, and are especially active in preventing the attendance of the children at the public schools, using their conjurers' arts to prevent the people from abandoning their heathenish rites and customs. While they profess to cure diseases by the administering of a few simple remedies, still they rely mainly on their art of conjuring. Their services are not required even for the administration of the few simple remedies they are competent to recommend, for the Government supplies the several agencies with skillful physicians, who practice among the Indians without charge to them. Steps should be taken to compel these imposters to abandon this deception and discontinue their practice, which are not only without benefit to the Indians but positively injurious to them. The value of property as an agent of civilization ought not to be overlooked. When an Indian acquires property, with a disposition to retain the same, free from tribal or individual interference, he has made a step forward in the road to civilization. One great obstacle to the acquirement of property by the Indian is the very general custom of destroying or distributing his property on the death of a member of his family. Frequently on the death of an important member of the family all the property accumulated by its head is destroyed or carried off by the "mourners," and his family left in desolation and want. While in their independent state but little inconvenience was felt in such a case, on account of the general community of interest and property, in their present condition not only real inconvenience is felt, but disastrous consequences follow. I am informed by reliable authority that frequently the head of a family, finding himself thus stripped of his property, becomes discouraged, and makes no further attempt to become a property owner. Fear of being considered mean and attachment to the dead frequently prevents the owner from interfering to save his property while it is being destroyed in his presence and contrary to his wishes. It will be extremely difficult to accomplish much towards the civilization of the Indians while these adverse influences are allowed to exist. The Government having attempted to support the Indians until such time as they shall become self- supporting, the interest of the Government as well as that of the Indians demands that every possible effort should be made to induce them to become self-supporting at as early a day as possible. I therefore suggest whether it is not practicable to formulate certain rules for the government of the Indians on the reservations that shall restrict and ultimately abolish the practices I have mentioned. I am not ignorant of the difficulties that will be encountered in this effort; yet I believe in all the tribes there will be found many Indians who will aid the Government in its efforts to abolish rites and customs so injurious to the Indians and so contrary to the civilization that they earnestly desire.

Very respectfully,

1. M. TELLER
Secretary.
Hon. HIRAM PRICE,
Commissioner of Indian Affairs.

In compliance with the suggestions contained in the foregoing letter, the following rules are promulgated for the guidance and direction of the several United States Indian agents, and each agent will see to it that the requirements thereof are strictly enforced, with the view of having the evil practices mentioned by the honorable Secretary ultimately abolished.

RULES

1st. There shall be established at each Indian agency, except the agency for the five civilized tribes in the Indian Territory, a tribunal, consisting of three Indians, to be known as "the Court of Indian Offenses," and the three members of said court shall each be styled "Judge of the Court of Indian Offenses."

The first three officers in rank of the police force at each agency shall serve as judges of said court, when practicable, and when in the opinion of the agent said police officers are fit and competent persons to satisfactorily perform the duties thereof. The police officer highest in rank shall be the presiding judge. If, however, any of the said police officers are considered by the agent to be improper persons to be so appointed, or in the event of there being no police officers, then the agent may select from among the members of the tribe persons of intelligence and good moral character and integrity, and recommend the same to this office for appointment as judges in lieu of the officers of the police force aforesaid. Each judge shall be appointed by this office for a term of one year, subject to removal at any time, at the discretion of the Commissioner of Indian Affairs; provided, however, that no person shall be eligible to appointment as a member of said court who is a polygamist; and provided further, that the judges herein provided for shall receive no money consideration on account of their services in connection with said court.

2d. The Court of Indian Offenses shall hold at least two regular sessions in each and every month, the time and place for holding said sessions to be agreed upon by the judges, or a majority of them, and approved by the agent; and special sessions of the court may be held when requested by three reputable members of the tribe, and approved by the agent.

3d. The court as above organized shall hear and pass judgment upon all such questions as may be presented to it for consideration by the agent, or by his approval, and shall have original jurisdiction over all "Indian offenses" designated as such in Rules 4, 5, 6, 7, and 8 of these rules. The judgment of the court may be by two judges; and that the several orders of the court may be carried into full effect, the United States Indian agent is hereby authorized and empowered to compel the attendance of witnesses at any session of the court, and enforce, with the aid of the police, if necessary, all orders that may be passed by the court or a majority thereof; but all orders, decrees, or judgments of the court shall be subject to approval or disapproval of the agent, and an appeal to and final revision by this office; provided that when an appeal is taken to this office, the appellant shall furnish security satisfactory to the court, and approved by the agent, for good and peaceful behavior pending the final decision of this office.

4th. The "sun-dance," the "scalp-dance," the "war-dance," and all other so-called feasts assimilating thereto, shall be considered "Indian offenses," and any Indian found guilty of being a participant in any one or more of these

"offenses" shall, for the first offense committed, be punished by withholding from the person or persons so found guilty by the court his or their rations for a period not exceeding ten days; and if found guilty of any subsequent offense under this rule, shall by punished by withholding his or their rations for a period not less than fifteen days, nor more than thirty days, or by incarceration in the agency prison for a period not exceeding thirty days.

5th. Any plural marriage hereafter contracted or entered into by any member of an Indian tribe under the supervision of a United States Indian agent shall be considered an "Indian offense," cognizable by the Court of Indian Offenses; and upon trial and conviction thereof by said court the offender shall pay a fine of not less than twenty dollars, or work at hard labor for a period of twenty days, or both, at the discretion of the court, the proceeds thereof to be devoted to the benefit of the tribe to which the offender may at the time belong; and so long as the Indian shall continue in this unlawful relation he shall forfeit all right to receive ration s from the Government. And whenever it shall be proven to the satisfaction of the court that any member of the tribe fails, without proper cause, to support his wife and children, no rations shall be issued to him until such time as satisfactory assurance is given to the court, approved by the agent, that the offender will provide for his family to the best of his ability.

6th. The usual practices of so-called "medicine-men" shall be considered "Indian offenses" cognizable by the Court of Indian Offenses, and whenever it shall be proven to the satisfaction of the court that the influence or practice of a so-called "medicine-man" operates as a hinderance to the civilization of a tribe, or that said "medicine-man" resorts to any artifice or device to keep the Indians under his influence, or shall adopt any means to prevent the attendance of children at the agency schools, or shall use any of the arts of a conjurer to prevent the Indians from abandoning their heathenish rites and customs, he shall be adjudged guilty of an Indian offense, and upon conviction of any one or more of these specified practices, or, any other, in the opinion of the court, of an equally anti-progressive nature, shall be confined in the agency prison for a term not less than ten days, or until such time as he shall produce evidence satisfactory to the court, and approved by the agent, that he will forever abandon all practices styled Indian offenses under this rule.

7th. Any Indian under the charge of a United States Indian agent who shall willfully destroy, or with intent to steal or destroy, shall take and carry away any property of any value or description, being the property free from tribal interference, of any other Indian or Indians, shall, without reference to the value thereof, be deemed guilty of an "Indian offense," and, upon trial and conviction thereof by the Court of Indian Offenses, shall be compelled to return the stolen property to the proper owner, or, in case the property shall have been lost or destroyed, the estimated full value thereof, and in any event the party or parties so found guilty shall be confined in the agency prison for a term not exceeding thirty days; and it shall not be considered a sufficient or satisfactory answer to any of the offenses set forth in this rule that the party charged was at the time a "mourner," and thereby justified in taking or destroying the property in accordance with the customs or rites of the tribe.

8th. Any Indian or mixed-blood who shall pay or offer to pay any money or other valuable consideration to the friends or relatives of any Indian girl or woman, for the purpose of living or cohabiting with said girl or woman, shall be deemed guilty of an Indian offense, and upon conviction thereof shall forfeit all right to Government rations for a period at the discretion of the agent, or be imprisoned in the agency prison for a period not

exceeding sixty days; and any Indian or mixed-blood who shall receive or offer to receive any consideration for the purpose herein before specified shall be punished in a similar manner as provided for the party paying or offering to pay the said consideration; and if any white man shall be found guilty of any of the offenses herein mentioned he shall be immediately removed from the reservation and not allowed to return thereto.

9th. In addition to the offenses herein before enumerated, the Court of Indian Offenses shall also have jurisdiction (subject to the provisions of Rule 3) of misdemeanors committed by Indians belonging to the reservation, and of civil suits where Indians are parties thereto; and any Indian who shall be found intoxicated, or who shall sell, exchange, give, barter, or dispose of any spirituous, vinous, or fermented liquors to any other Indian, or who shall introduce or attempt to introduce, under any pretense whatever, any spirituous, vinous, or fermented liquors on the reservation, shall be punishable by imprisonment for not less than thirty day nor more than ninety days, or by the withholding of Government rations there from, at the discretion of the court and approval of the agent. The civil jurisdiction of such court shall be the same as that of a justice of the peace in the State or Territory where such court is located, and the practice in such civil cases shall conform as nearly as practicable to the rules governing the practice of justices of the peace in such State or Territory; and it shall also be the duty of the court to instruct, advise, and inform either or both parties to any suit in regard to the requirements of these rules.

General Allotment Act – Dawes Act of 1887

Yale Law School Lillian Goldman Law Library, The Avalon Project.

(URL source: http://avalon.law.yale.edu/19th_century/dawes.asp)

An Act to Provide for the Allotment of Lands in Severalty to Indians on the Various Reservations, and to Extend the Protection of the Laws of the United States and the Territories over the Indians, and for Other Purposes.

(Statutes at Large 24, 388-91)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in all cases where any tribe or band of Indians has been, or shall hereafter be, located upon any reservation created for their use, either by treaty stipulation or by virtue of an act of Congress or executive order setting apart the same for their use, the President of the United States be, and he hereby is, authorized, whenever in his opinion any reservation or any part thereof of such Indians is advantageous for agricultural and grazing purposes, to cause said reservation, or any part thereof, to be surveyed, or resurveyed if necessary, and to allot the lands in said reservation in severalty to any Indian located thereon in quantities as follows: To each head of a family, one-quarter of a section; To each single person over eighteen years of age, one-eighth of a section; To each orphan child under eighteen years of age, one-eighth of a section; and To each other single person under eighteen years now living, or who may be born prior to the date of the order of the President directing an allotment of the lands embraced in any reservation, one-sixteenth of a section: Provided, That in case there is not sufficient land in any of said reservations to allot lands to each individual of the classes above named in quantities as above provided, the lands embraced in such reservation or reservations shall be allotted to each individual of each of said classes pro rata in accordance with the provisions of this act: And provided further, That where the treaty or act of Congress setting apart such reservation provides the allotment of lands in severalty in quantities in excess of those herein provided, the President, in making allotments upon such reservation, shall allot the lands to each individual Indian belonging thereon in quantity as specified in such treaty or act: And provided further, That when the lands allotted are only valuable for grazing purposes, an additional allotment of such grazng lands, in quantities as above provided, shall be made to each individual.

SEC. 2. That all allotments set apart under the provisions of this act shall be selected by the Indians, heads of families selecting for their minor children, and the agents shall select for each orphan child, and in such manner as to embrace the improvements of the Indians making the selection. where the improvements of two or more Indians have been made on the same legal subdivision of land, unless they shall otherwise agree, a provisional line may be run dividing said lands between them, and the amount to which each is entitled shall be equalized in the assignment of the remainder of the land to which they are entitled under his act: Provided, That if any one entitled to an allotment shall fail to make a selection within four years after the President shall direct that allotments may be made on a particular reservation, the Secretary of the Interior may direct the agent of such tribe or band, if such there be, and if there be no agent, then a special agent appointed for that purpose, to make a selection for such Indian, which selection shall be allotted as in cases where selections are made by the Indians, and patents shall issue in like manner.

SEC. 3. That the allotments provided for in this act shall be made by special agents appointed by the President for such purpose, and the agents in charge of the respective reservations on which the allotments are directed to be

made, under such rules and regulations as the Secretary of the Interior may from time to time prescribe, and shall be certified by such agents to the Commissioner of Indian Affairs, in duplicate, one copy to be retained in the Indian Office and the other to be transmitted to the Secretary of the Interior for his action, and to be deposited in the General Land Office.

SEC. 4. That where any Indian not residing upon a reservation, or for whose tribe no reservation has been provided by treaty, act of Congress, or executive order, shall make settlement upon any surveyed or unsurveyed lands of the United States not otherwise appropriated, he or she shall be entitled, upon application to the local land-office for the district in which the lands arc located, to have the same allotted to him or her, and to his or her children, in quantities and manner as provided in this act for Indians residing upon reservations; and when such settlement is made upon unsurveyed lands, the grant to such Indians shall be adjusted upon the survey of the lands so as to conform thereto; and patents shall be issued to them for such lands in the manner and with the restrictions as herein provided. And the fees to which the officers of such local land-office would have been entitled had such lands been entered under the general laws for the disposition of the public lands shall be paid to them, from any moneys in the Treasury of the United States not otherwise appropriated, upon a statement of an account in their behalf for such fees by the Commissioner of the General Land Office, and a certification of such account to the Secretary of the Treasury by the Secretary of the Interior.

SEC. 5. That upon the approval of the allotments provided for in this act by the Secretary of the Interior, he shall cause patents to issue therefor in the name of the allottees, which patents shall be of the legal effect, and declare that the United States does and will hold the land thus allotted, for the period of twenty-five years, in trust for the sole use and benefit of the Indian to whom such allotment shall have been made, or, in case of his decease, of his heirs according to the laws of the State or Territory where such land is located, and that at the expiration of said period the United States will convey the same by patent to said Indian, or his heirs as aforesaid, in fee, discharged of said trust and free of all charge or incumbrance whatsoever: Provided, That the President of the United States may in any case in his discretion extend the period. And if any conveyance shall be made of the lands set apart and allotted as herein provided, or any contract made touching the same, before the expiration of the time above mentioned, such conveyance or contract shall be absolutely null and void: Provided, That the law of descent and partition in force in the State or Territory where such lands are situate shall apply thereto after patents therefor have been executed and delivered, except as herein otherwise provided; and the laws of the State of Kansas regulating the descent and partition of real estate shall, so far as practicable, apply to all lands in the Indian Territory which may be allotted in severalty under the provisions of this act: And provided further, That at any time after lands have been allotted to all the Indians of any tribe as herein provided, or sooner if in the opinion of the President it shall be for the best interests of said tribe, it shall be lawful for the Secretary of the Interior to negotiate with such Indian tribe for the purchase and release by said tribe, in conformity with the treaty or statute under which such reservation is held, of such portions of its reservation not allotted as such tribe shall, from time to time, consent to sell, on such terms and conditions as shall be considered just and equitable between the United States and said tribe of Indians, which purchase shall not be complete until ratified by Congress, and the form and manner of executing such release prescribed by Congress: Provided however, That all lands adapted to agriculture, with or without irrigation so sold or released to the United States by any Indian tribe shall be held by the United States for the sale purpose of securing homes to actual settlers and shall be disposed of by the United States to actual and bona fide settlers only tracts not exceeding one hundred and sixty acres to any one person, on such terms as Congress shall prescribe, subject to grants which Congress may make in aid of education: And

provided further, That no patents shall issue therefor except to the person so taking the same as and homestead, or his heirs, and after the expiration of five years occupancy therof as such homestead; and any conveyance of said lands taken as a homestead, or any contract touching the same, or lieu thereon, created prior to the date of such patent, shall be null and void. And the sums agreed to be paid by the United States as purchase money for any portion of any such reservation shall be held in the Treasury of the United States for the sole use of the tribe or tribes Indians; to whom such reservations belonged; and the same, with interest thereon at three per cent per annum, shall be at all times subject to appropriation by Congress for the education and civilization of such tribe or tribes of Indians or the members thereof. The patents aforesaid shall be recorded in the General Land Office, and afterward delivered, free of charge, to the allottee entitled thereto. And if any religious society or other organization is now occupying any of the public lands to which this act is applicable, for religious or educational work among the Indians, the Secretary of the Interior is hereby authorized to confirm such occupation to such society or organization, in quantity not exceeding one hundred and sixty acres in any one tract, so long as the same shall be so occupied, on such terms as he shall deem just; but nothing herein contained shall change or alter any claim of such society for religious or educational purposes heretofore granted by law. And hereafter in the employment of Indian police, or any other employees in the public service among any of the Indian tribes or bands affected by this act, and where Indians can perform the duties required, those Indians who have availed themselves of the provisions of this act and become citizens of the United States shall be preferred.

SEC. 6. That upon the completion ef said allotments and the patenting of the lands to said allottees, each and every number of the respective bands or tribes of Indians to whom allotments have been made shall have the benefit of and be subject to the laws, both civil and criminal, of the State or Territory in which they may reside; and no Territory shall pass or enforce any law denying any such Indian within its jurisdiction the equal protection of the law. And every Indian born within the territorial limits of the United States to whom allotments shall have been made under the provisions of this act, or under any law or treaty, and every Indian born within the territorial limits of the United States who has voluntarily taken up, within said limits, his residence separate and apart from any tribe of Indians therein, and has adopted the habits of civilized life, is hereby declared to be a citizen of the United States, and is entitled to all the rights, privileges, and immunities of such citizens, whether said Indian has been or not, by birth or otherwise, a member of any tribe of Indians within the territorial limits of the United States without in any manner affecting the right of any such Indian to tribal or other property.

SEC. 7. That in cases where the use of water for irrigation is necessary to render the lands within any Indian reservation available for agricultural purposes, the Secretary of the Interior be, and he is hereby, authorized to prescribe such rules and regulations as he may deem necessary to secure a just and equal distribution thereof among the Indians residing upon any such reservation; and no other appropriation or grant of water by any riparian proprietor shall permitted to the damage of any other riparian proprietor.

SEC. 8. That the provisions of this act shall not extend to the territory occupied by the Cherokees, Creeks, Choctaws, Chickasaws, Seminoles, and Osage, Miamies and Peorias, and Sacs and Foxes, in the Indian Territory, nor to any of the reservations of the Seneca Nation of New York Indians in the State of New York, nor to that strip of territory in the State of Nebraska adjoining the Sioux Nation on the south added by executive order.

SEC. 9. That for the purpose of making the surveys and resurveys mentioned in section two of this act, there be, and hereby is, appropriated, out of any moneys in the Treasury not otherwise appropriated, the sum of one hundred thousand dollars, to be repaid proportionately out of the proceeds of the sales of such land as may be acquired from the Indians under the provisions of this act. SEC. 10. That nothing in this act contained shall be

so construed to affect the right and power of Congress to grant the right of way through any lands granted to an Indian, or a tribe of Indians, for railroads or other highways, or telegraph lines, for the public use, or condemn such lands to public uses, upon making just compensation. SEC. 11. That nothing in this act shall be so construed as to prevent the removal of the Southern Ute Indians from their present reservation in Southwestern Colorado to a new reservation by and with consent of a majority of the adult male members of said tribe. Approved, February, 8, 1887.

Source:

United States Statutes at Large

Transcript of Homestead Act (1862)

CHAP. LXXV. —An Act to secure Homesteads to actual Settlers on the Public Domain.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That any person who is the head of a family, or who has arrived at the age of twenty-one years, and is a citizen of the United States, or who shall have filed his declaration of intention to become such, as required by the naturalization laws of the United States, and who has never borne arms against the United States Government or given aid and comfort to its enemies, shall, from and after the first January, eighteen hundred and. sixty-three, be entitled to enter one quarter section or a less quantity of unappropriated public lands, upon which said person may have filed a preemption claim, or which may, at the time the application is made, be subject to preemption at one dollar and twenty-five cents, or less, per acre; or eighty acres or less of such unappropriated lands, at two dollars and fifty cents per acre, to be located in a body, in conformity to the legal subdivisions of the public lands, and after the same shall have been surveyed: Provided, That any person owning and residing on land may, under the provisions of this act, enter other land lying contiguous to his or her said land, which shall not, with the land so already owned and occupied, exceed in the aggregate one hundred and sixty acres.

SEC. 2. And be it further enacted, That the person applying for the benefit of this act shall, upon application to the register of the land office in which he or she is about to make such entry, make affidavit before the said register or receiver that he or she is the head of a family, or is twenty-one years or more of age, or shall have performed service in the army or navy of the United States, and that he has never borne arms against the Government of the United States or given aid and comfort to its enemies, and that such application is made for his or her exclusive use and benefit, and that said entry is made for the purpose of actual settlement and cultivation, and not either directly or indirectly for the use or benefit of any other person or persons whomsoever; and upon filing the said affidavit with the register or receiver, and on payment of ten dollars, he or she shall thereupon be permitted to enter the quantity of land specified: Provided, however, That no certificate shall be given or patent issued therefor until the expiration of five years from the date of such entry ; and if, at the expiration of such time, or at any time within two years thereafter, the person making such entry ; or, if he be dead, his widow; or in case of her death, his heirs or devisee; or in case of a widow making such entry, her heirs or devisee, in case of her death ; shall. prove by two credible witnesses that he, she, or they have resided upon or cultivated the same for the term of five years immediately succeeding the time of filing the affidavit aforesaid, and shall make affidavit that no part of said land has been alienated, and that he has borne rue allegiance to the Government of the United States ; then, in such case, he, she, or they, if at that time a citizen of the United States, shall be entitled to a patent, as in other cases provided for by law: And provided, further, That in case of the death of both father and mother, leaving an Infant child, or children, under twenty-one years of age, the right and fee shall ensure to the benefit of said infant child or children ; and the executor, administrator, or guardian may, at any time within two years after the death of the surviving parent, and in accordance with the laws of the State in which such children for the time being have their domicil, sell said land for the benefit of said infants, but for no other purpose; and the purchaser shall acquire the absolute title by the purchase, and be en- titled to a patent from the United States, on payment of the office fees and sum of money herein specified.

SEC. 3. And be it further enacted, That the register of the land office shall note all such applications on the tract books and plats of, his office, and keep a register of all such entries, and make return thereof to the General Land Office, together with the proof upon which they have been founded.

SEC. 4. And be it further enacted, That no lands acquired under the provisions of this act shall in any event be-

come liable to the satisfaction of any debt or debts contracted prior to the issuing of the patent therefor.
SEC. 5. And be it further enacted, That if, at any time after the filing of the affidavit, as required in the second section of this act, and before the expiration of the five years aforesaid, it shall be proven, after due notice to the settler, to the satisfaction of the register of the land office, that the person having filed such affidavit shall have actually changed his or her residence, or abandoned the said land for more than six months at any time, then and in that event the land so entered shall revert to the government.
SEC. 6. And be it further enacted, That no individual shall be permit- ted to acquire title to more than one quarter section under the provisions of this act; and that the Commissioner of the General Land Office is hereby required to prepare and issue such rules and regulations, consis- tent with this act, as shall be necessary and proper to carry its provisions into effect; and that the registers and receivers of the several land offices shall be entitled to receive the same compensation for any lands entered under the provisions of this act that they are now entitled to receive when the same quantity of land is entered with money, one half to be paid by the person making the application at the time of so doing, and the other half on the issue of the certificate by the person to whom it may be issued; but this shall not be construed to enlarge the maximum of compensation now prescribed by law for any register or receiver: Pro- vided, That nothing contained in this act shall be so construed as to im- pair or interfere in any manner whatever with existing preemption rights : And provided, further, That all persons who may have filed their applications for a preemption right prior to the passage of this act, shall be entitled to all privileges of this act: Provided, further, That no person who has served, or may hereafter serve, for a period of not less than fourteen days in the army or navy of the United States, either regular or volun- teer, under the laws thereof, dur- ing the existence of an actual war, do- mestic or foreign, shall be deprived of the benefits of this act on account of not having attained the age of twenty-one years.
SEC. 7. And be it further enacted, That the fifth section of the act en- titled" An act in addition to an act more effectually to provide for the punishment of certain crimes against the United States, and for other purposes," approved the third of March, in the year eighteen hundred and fifty-seven, shall extend to all oaths, affirmations, and affidavits, re- quired or authorized by this act.
SEC. 8. And be it further enacted, That nothing in this act shall be 80 construed as to prevent any person who has availed him or herself of the benefits of the fir8t section of this act, from paying the minimum price, or the price to which the same may have graduated, for the quantity of land so entered at any time before the expiration of the five years, and obtain- ing a patent therefor from the government, as in other cases provided by law, on making proof of settlement and cultivation as provided by exist- ing laws granting preemption rights.
APPROVED, May 20, 1862.

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Flathead Allotment Act Apr. 23, 1904

Indian Affairs: Laws and Treaties, Vol. I, Compiled by Charles J. Kappler, Government Printing Office 1904

(URL source: http://digital.library.okstate.edu/kappler/Vol3/HTML_files/SES0079.html#p79A)

Chapter 1495
Apr. 23, 1904. [H. R. 12231.] | [Public, No. 159.] 33 Stat., 302.

An act for the survey and allotment of lands now embraced within the limits of the Flathead Indian Reservation, in the State of Montana, and the sale and disposal of all surplus lands after allotment.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, directed to immediately cause to be surveyed all of the Flathead Indian Reservation, situated within the State of Montana, the same being particularly described and set forth in article two of a certain treaty entered into by and between Isaac H. Stevens, governor and superintendent of Indian affairs for the Territory of Washington, on the part of the United States, and the chiefs, headmen, and delegates of the confederated tribes of the Flathead, Kootenai, and Upper Pend d'Oreille Indians, on the sixteenth day of July, eighteen hundred and fifty-five.

SEC. 2

That so soon as all of the lands embraced within said Flathead Indian Reservation shall have been surveyed, the Commissioner of Indian Affairs shall cause allotments of the same to be made to all persons having tribal rights with said confederated tribes of Flatheads, Kootenais, Upper Pend d'Oreille, and such other Indians and persons holding tribal relations as may rightfully belong on said Flathead Indian Reservation, including the Lower Pend d'Oreille or Kalispel Indians now on the reservation, under the provisions of the allotment laws of the United States.

SEC. 3

That upon the final completion of said allotments to said Indians, the President of the United States shall appoint a commission consisting of five persons to inspect, appraise, and value all of the said lands that shall not have been allotted in severalty to said Indians, the said persons so constituting said commission to be as follows: Two of said commissioners so named by the President shall be two persons now holding tribal relations with said Indians—the same may be designated to the President by the chiefs and headmen of said confederated tribes of Indians, two of said commissioners shall be resident citizens of the State of Montana, and one of said commissioners shall be a United States special Indian agent or Indian inspector of the Interior Department.

SEC. 4

That within thirty days after their appointment said commission shall meet at some point within

the boundaries of said Flathead Indian Reservation and organize by the election of one of their number as chairman. Said commission is hereby empowered to select a clerk at a salary not to exceed seven dollars per day.

SEC. 5

That said commissioners shall then proceed to personally inspect and classify and appraise, by the smallest legal subdivisions of forty acres each, all of the remaining lands embraced within said reservation. In making such classification and appraisement said lands

shall be divided into the following classes: First, agricultural land of the first class; second, agricultural land of the second class; third, timber lands, the same to be lands more valuable for their timber than for any other purpose; fourth, mineral lands; and fifth, grazing lands.

SEC. 6

That said commission shall in their report of lands of the third class determine as nearly as possible the amount of standing saw timber on legal subdivisions thereof and fix a minimum price for the value thereof, and in determining the amount of merchantable timber growing thereon they shall be empowered to employ a timber cruiser, at a salary of not more than eight dollars per day while so actually employed, with such assistants as may be necessary, at a salary not to exceed six dollars per day while so actually employed. Mineral lands shall not be appraised as to value.

SEC. 7

That said commissioners, excepting said special agent and inspector of the Interior Department, shall be paid a salary of not to exceed ten dollars per day each while actually employed in the inspection and classification of said lands; such inspection and classification to be fully completed within one year from date of the organization of said commission.

SEC. 8

That when said commission shall have completed the classification and appraisement of all of said lands and the same shall have been approved by the Secretary of the Interior, the land shall be disposed of under the general provisions of the homestead, mineral, and town-site laws of the United States, except such of said lands as shall have been classified as timber lands, and excepting sections sixteen and thirty-six of each township, which are hereby granted to the State of Montana for school purposes. And in case either of said sections or parts thereof is lost to the said State of Montana by reason of allotments thereof to any Indian or Indians now holding the same, or otherwise, the governor of said State, with the approval of the Secretary of the Interior, is hereby authorized, in the tract under consideration, to locate other lands not occupied, not exceeding two sections in any one township, and such selections shall be made prior to the opening of such lands to settlement: Provided, That the United States shall pay to said Indians for the lands in said sections sixteen and thirty-six, or the lands selected in lieu thereof, the sum of one dollar and twenty-five cents per acre.

SEC. 9

That said lands shall be opened to settlement and entry by proclamation of the President, which

proclamation shall prescribe the time when and the manner in which these lands may be settled upon, occupied, and entered by persons entitled to make entry thereof, and no person shall be permitted to settle upon, occupy, or enter any of said lands, except as prescribed in such proclamation: Provided, That the rights of honorably discharged Union soldiers and sailors of the late Civil and the Spanish Wars, as defined and described in sections twenty-three hundred and four and twenty-three hundred and five of the Revised Statutes, as amended by the act of March first, ninteen hundred and one, shall not be abridged: Provided further, That the price of said lands shall be the appraised value thereof, as fixed by the said commission, but settlers under the homestead law who shall reside upon and cultivate the land entered in good faith for the period required by existing law shall pay one-third of the appraised value in cash at the time of entry, and the remainder in five equal annual installments to be paid one, two, three, four, and five years, respectively, from and after the date of entry, and shall be entitled to a patent for the lands so entered upon the payment to the local land officers of said five annual payments, and in addition thereto the same fees and commissions at the time of commutation or final entry as now provided by law where the price of the land is one dollar and twenty-five cents per acre, and no other and further charge of any kind

whatsoever shall be required of such settler to entitle him to a patent for the land covered by his entry: Provided, That if any entryman fails to make such payments, or any of them, within the time stated, all rights in and to the land covered by his or her entry shall at once cease, and any payments theretofore made shall be forfeited, and the entry shall be forfeited and canceled: And provided, That nothing in this act shall prevent homestead settlers from commuting their entries under section twenty-three hundred and one, Revised Statutes, by paying for the land entered the price fixed by said commission, receiving credit for payments previously made.[1]

[1] 41 L. D., 521

SEC. 10

That only mineral entry may be made on such of said lands as said commission shall designate and classify as mineral under the general provisions of the mining laws of the United States, and mineral entry may also be made on any of said lands whether designated by said commission as mineral lands or otherwise, such classification by said commission being only prima facie evidence of the mineral or nonmineral character of the same: Provided, That no such mineral locations shall be permitted upon any lands allotted in severalty to an Indian.

SEC. 11

That all of said lands returned and classified by said commission as timber lands shall be sold and disposed of by the Secretary of the Interior under sealed bids to the highest bidder for cash or at public auction, as the Secretary of the Interior may determine, under such rules and regulations as he may prescribe.

SEC. 12[2]

That the President may reserve and except from said lands not to exceed nine hundred and sixty acres for Catholic mission schools, church, and hospital and such other eleemosynary institutions as may now be maintained by the Catholic Church on said reservation, which lands are hereby granted to those religious organizations of the Catholic Church now occupying the same, known as the Society of Jesus, the Sisters of Charity of Providence, and the Ursuline Nuns, the said lands to be granted in the following amounts, namely, to the Society of Jesus, six hundred and forty acres, to the Sisters of Charity of Providence, one hundred and sixty acres, and to the Ursuline Nuns, one hundred and sixty acres, such lands to be reserved and granted for the uses indicated only so long as the same are maintained and occupied by said organizations for the purposes indicated. The President is also authorized to reserve lands upon the same conditions and for similar purposes for any other missionary or religious societies that may make application therefor within one year after the passage of this act, in such quantity as he may deem proper. The President may also reserve such of said lands as may be convenient or necessary for the occupation and maintenance of any and all agency buildings, substations, mills, and other governmental institutions now in use on said reservation or which may be used or occupied by the Government of the United States.

[2] A substitute for sec. 12 was enacted in sec. 9 of the act of 1905, ch. 1479, 33 Stat., 1080, post, p. 157.

SEC. 13

That all of said lands classified as agricultural lands of the first class and agricultural lands of the second class and grazing lands that shall be opened to settlement under this act remaining undisposed of at the expiration of five years from the taking effect of this act shall be sold and disposed of to the highest bidder for cash, under rules and regulations to be prescribed by the Secretary of the Interior, at not less than their appraised value, and in tracts not to exceed six hundred and forty acres to any one person.

SEC. 14

That the proceeds received from the sale of said lands in conformity with this act shall be paid into the Treasury of the United States, and after deducting the expenses of the commission, of classi–

fication and sale of lands, and such other incidental expenses as shall have been necessarily incurred, and expenses of the survey of the lands, shall be expended or paid, as follows: One-half shall be expended from time to time by the Secretary of the Interior as he may deem advisable for the benefit of the said Indians and such persons having tribal rights on the reservation, including the Lower Pend d'Oreille or Kalispel thereon at the time that this act shall take effect, in the construction of irrigation ditches, the purchase of stock cattle, farming implements, or other necessary articles to aid the Indians in farming and stock raising, and in the education and civilization of said Indians, and the remaining half to be paid to the said Indians and such persons having tribal rights on the reservation, including the Lower Pend d'Oreille or Kalispel thereon at the date of the proclamation provided for in section nine hereof, or expended on their account, as they may elect.

SEC. 15

That there is hereby appropriated out of any money in the Treasury not otherwise appropriated, the sum of one hundred thousand dollars, or so much thereof as may be necessary, to pay for the lands granted to the State of Montana and for lands reserved for agency, school, and mission purposes, as provided in sections eight and twelve of this act, at the rate of one dollar and twenty-five cents per acre; also the sum of seventy-five thousand dollars, or so much thereof as may be necessary, the same to be reimbursable out of the funds arising from the sale of said lands to enable the Secretary of the Interior to survey the lands of said reservation as provided in section one of this act.

SEC. 16

That nothing in this act contained shall in any manner bind the United States to purchase any portion of the land herein described, except sections sixteen and thirty-six, or the equivalent, in each township, and the reserved tracts mentioned in section twelve, or to dispose of said land except as provided herein, or to guarantee to find purchasers for said lands or any portion thereof, it being the intention of this act that the United States shall act as trustee for said Indians to dispose of said lands and to expend and pay over the proceeds received from the sale thereof only as received.

Approved, April 23, 1904.

June 18, 1934, Indian Reorganization Act
(Wheeler-Howard Act)

Indian Affairs: Laws and Treaties, Vol. V, Laws, Compiled by Charles Kappler, Government Printing Office, 1941

(URL source: http://digital.library.okstate.edu/kappler/Vol5/html_files/v5indexW.html)

Chapter 576 – An Act To conserve and develop Indian lands and resources; to extend to Indians the right to form business and other organizations; to establish a credit system for Indians; to grant certain rights of home rule to Indians; to provide for vocational education for Indians; and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of American in Congress assembled, That hereafter no land of any Indian reservation, created or set apart by treaty or agreement with the Indians, Act of Congress, Executive order, purchase, or otherwise, shall be allotted in severalty to any Indian.

Sec. 2. The existing periods of trust placed upon any Indian lands and any restriction on alienation thereof are hereby extended and continued until otherwise directed by Congress.

Sec. 3. The Secretary of the Interior, if he shall find it to be in the public interest, is hereby authorized to restore to tribal ownership the remaining surplus lands of any Indian reservation heretofore opened, or authorized to be opened, to sale, or any other form of disposal by Presidential proclamation, or by any of the public-land laws of the United States: Provided, however, That valid rights or claims of any persons to any lands so withdrawn existing on the date of the withdrawal shall not be affected by this Act: Provided further, That this section shall not apply to lands within any reclamation project heretofore authorized in any Indian reservation: Provided further, that the order of the Department of the Interior signed, dated, and approved by honorable Ray Lyman Wilbur, as Secretary of the Interior, on October 28, 1932, temporarily withdrawing lands of the Papago Indian Reservation in Arizona from all forms of mineral entry or claim under the public land mining laws, is hereby revoked and rescinded, and the lands of the said Papago Indian Reservation are hereby restored to exploration and location, under the existing mining laws of the United States, in accordance with the express terms and provisions declared and set forth in the Executive orders establishing said Papago Indian Reservation: Provided further, That damages shall be paid to the Papago Tribe for loss of any improvements on any land located for mining in such a sum as may be determined by the Secretary of the Interior but not to exceed the cost of said improvements: Provided further, That a yearly rental not to exceed five cents per acre shall be paid to the Papago Tribe for loss of the use or occupancy of any land withdrawn by the requirements of mining operations, and payments derived from damages or rentals shall be deposited in the Treasury of the United States to the credit of the Papago Tribe: Provided further, That in the event any person or persons, partnership, corporation, or association, desires a mineral patent, according to the mining laws of the untied States, he or they shall first deposit in the Treasury of the United States to the credit of the Papago Tribe the sum of $1.00 per acre in lieu of annual rental, as hereinbefore provided, to compensate for the loss or occupancy of the lands withdrawn by the requirements of mining operations: Provided further, that patentee shall also pay into the Treasury of the United

States to the credit of the Papago tribe damages for the loss of improvements not heretofore paid in such a sum as may be determined by the Secretary of the Interior, but not to exceed the cost thereof; the payment of $1.00 per acre for surface use to be refunded to patentee in the event that patent is not acquired.
Nothing herein contained shall restrict the granting or use of permits for easements or rights-of-way; or ingress or egress over the lands for all proper and lawful purposes; and nothing contained herein, except as expressly provided, shall be construed as authority for the Secretary of the Interior, or any other person, to issue or promulgate a rule or regulation in conflict with the Executive order of February 1, 1917, creating the Papago Indian reservation in Arizona or the Act of February 21, 1931 (46 Stat. 1202).

Sec. 4. Except as herein provided, no sale, devise, gift, exchange or other transfer of restricted Indian lands or of shares in the assets of any Indian tribe or corporation hereunder, shall be made or approved; Provided, however, That such lands or interests may, with the approval of the Secretary of the interior, be sold, devised, or otherwise transferred to the Indian tribe in which the lands or shares are located or from which the shares were derived or to a successor corporation; and in all instances such lands or interests shall descend or be devised, in accordance with the then existing laws of the State, or Federal laws where applicable, in which said lands are located or in which the subject matter of the corporation is located, to any member of such tribe or of such corporation or any heirs of such member: Provided further, That the Secretary of the Interior may authorize voluntary exchanges of lands of equal value and the voluntary exchange of shares of equal value whenever such exchange, I hi judgment, is expedient and beneficial for or compatible with the proper consolidation of Indian lands and for the benefit of cooperative organizations.

Sec. 5. The Secretary of the Interior is hereby authorized, in his discretion, to acquire through purchase, relinquishment, gift, exchange, or assignment, any interest in lands, water rights or surface rights to lands, within or without existing reservation, including trust or otherwise restricted allotments whether the allottee be living or deceased, for the purpose of providing land for Indians.
For the acquisition of such lands, interests in lands, water rights, and surface rights, and for expenses incident to such acquisition, there is hereby authorized to be appropriated, out of any funds in the Treasury not otherwise appropriated, a sum not to exceed $2,000,000 in any one fiscal year: Provided, That no part of such funds shall be used to acquire additional land outside of the exterior boundaries of Navajo Indian Reservation for the Navajo Indians in Arizona and New Mexico, in the event that the proposed Navajo boundary extension measures now pending in congress and embodied in the bills (S. 2531 and H.R. 8982) to define the exterior boundaries of the Navajo Indian Reservation in new Mexico and for other purposes, or similar legislation, become law.
The unexpended balances of any appropriations made pursuant to this section shall remain available until expended.
Title to any lands or rights acquired pursuant to this Act shall be taken in the name of the United States in trust for the Indian tribe or individual Indian for which the land is acquired, and such lands or rights shall be exempt from State and local taxation.

Sec. 6. The Secretary of the Interior is directed to make rules and regulations for the operation and management of Indian forestry units on the principle of sustained-yield management, to restrict the number of livestock grazed on Indian range units to the estimated carrying capacity of such ranges, and to promulgate such other rules and

regulations as may be necessary to protect the range from deterioration, to prevent soil erosion, to assure full utilization of the range, and like purposes.

Sec. 7. The Secretary of the interior is hereby authorized to proclaim new Indian reservations on lands acquired pursuant to any authority conferred by this Act, or to add such lands to existing reservations: Provided, That lands added to existing reservation shall be designated for the exclusive use of Indians entitled by enrollment or by tribal membership to residence at such reservations.

Sec. 8. Nothing contained in this Act shall be construed to relate to Indian holdings of allotments or homesteads upon the public domain outside of the geographic boundaries of any Indian reservation now existing or established hereafter.

Sec. 9. There is hereby authorized to be appropriated, out of any funds in the Treasury not otherwise appropriated, such sums as may be necessary, but not to exceed $250,000 in any fiscal year, to be expended at the order of the Secretary of the interior, in defraying the expenses of organizing Indian chartered corporations or other organizations created under this Act.
Sec. 10. There is hereby authorized to be appropriated, out of any funds in the Treasury not otherwise appropriated, the sum of $10,000,000 to be established as a revolving fund from which the Secretary of the Interior, under such rules and regulations as he may prescribe, may make loans to Indian chartered corporations for the purpose of promoting the economic development of such tribes and of their members, and may defray the expenses of administering such loans. Repayment of amounts loaned under this authorization shall be credited to the revolving fund and shall be available for the purposes for which the fund is established. A report shall be made annually to Congress of transactions under this authorization.

Sec. 11. There is hereby authorized to be appropriated, out of any funds in the United States Treasury not otherwise appropriated, a sum not to exceed $250,000 annually, together with any unexpended balances of previous appropriations made pursuant to this section, for loans to Indians for the payment of tuition and other expenses in recognized vocational and trade schools: Provided, that not more than $50,000 of such sum shall be available for loans to Indian students in high schools and colleges. Such loans shall be reimbursable under rules established by the Commissioner of Indian Affairs.

Sec. 12. The Secretary of the interior is directed to establish standards of health, age, character, experience, knowledge, and ability for Indians who may be appointed, without regard to civil-service laws, to the various positions maintained, now or hereafter, by the Indian Office, in the administration of functions or services affecting any Indian tribe. Such qualified Indians shall hereafter have the preference to appointment to vacancies in any such positions.

Sec. 13. The provisions of this Act shall not apply to any of the Territories, colonies, or insular possession of the United States, except that sections 9, 10, 11, 12, and 16, shall apply to the Territory of Alaska: Provided, That Sections 2, 4, 7, 16, 17, and 18 of this Act shall to apply to the following-named Indian tribes, the members of such Indian tribes, together with members of other tribes affiliated with such named tribes located in the sate of

Oklahoma, as follows: Cheyenne, Arapaho, Apache, Comanche, Kiowa, Caddo, Delaware, Wichita, Osage, Kaw, Otoe, Tonkawa, Pawnee, Ponca, Shawnee, Ottawa, Quapaw, Seneca, Wyandotte, Iowa, Sac and Fox, Kickapoo, Pottawatomi, Chereokee, Chickasaw, Choctaw, Creek, and Seminole. Section 4 of this Act shall not apply to the Indians of the Klamath Reservation in Oregon.

Sec. 14. The Secretary of the Interior is hereby directed to continue the allowance of the articles enumerated in section 17 of the Act of March 2, 1889 (23 Stat. L. 894), or their commuted cash value under the Act of June 10, 1896 (29 Stat. L. 894), to all Sioux Indians who would be eligible, but for the provisions of this Act, to receive allotments of lands in severalty under section 19 of the Act of May 29, 1908 (25 (35) Stat. L. 451), or under any prior Act, and who have the prescribed status of the head of a family or single person over the age of eighteen years, and his approval shall be final and conclusive, claims therefor to be paid as formerly from the permanent appropriation made by said section 17 and carried on the books of the Treasury for this purpose. No person shall receive in his own right more than one allowance of the benefits, and application must be made and approved during the lifetime of the allottee or the right shall lapse. Such benefits shall continue to be paid upon such reservation until such time as the lands available therein for allotment at the time of the passage of this Act would have been exhausted by the award to each person receiving such benefits of an allotment of eighty acres of such lands.

Sec. 15. Nothing in this Act shall be construed to impair or prejudice any claim or suit of any Indian tribe against the united States. It is hereby declared to be in the intent of Congress that no expenditures for the benefit of Indians made out of appropriations authorized by this Act shall e considered as offsets in any suit brought to recover upon any claim of such Indians against the United States.

Sec. 16. Any Indian tribe, or tribes, residing on the same reservation, shall have the right to organize for its common welfare, and may adopt an appropriate constitution and bylaws, which shall become effective when ratified by a majority vote of the adult members of the tribe, or of the adult Indians residing on such reservation, as the case may be, at a special election authorized and called by the Secretary of the Interior under such rules and regulations as he may prescribe. Such constitution and bylaws when ratified as aforesaid and approved by the Secretary of the Interior shall be revocable by an election open to the same voters and conducted in the same manner as hereinabove provided. Amendments to the constitution and bylaws may be ratified and approved by the Secretary in the same manner as the original constitution and bylaws.
In addition to all powers vested in any Indian tribe or tribal council by existing law, the constitution adopted by said tribe shall also vest in such tribe or its tribal council the following rights and powers: To employ legal counsel, the choice of counsel and fixing of fees to be subject to the approval of the Secretary of the Interior; to prevent the sale, disposition, lease, or encumbrance of tribal lands, interests in lands, or other tribal assets without the consent of the tribe; and to negotiate with the Federal, State, and local Governments. The Secretary of the Interior shall advise such tribe or its tribal counsel of all appropriation estimates or Federal projects for the benefit of the tribe prior to the submission of such estimates to the Bureau of the Budget and Congress.

Sec. 17. The Secretary of the Interior may, upon petition by at least one-third of the adult Indians, issue a charter of incorporation to such tribe: Provided, that such charter shall not become operative until ratified at a

special election by a majority vote of the adult Indians living on the reservation. Such charter may convey to the incorporated tribe the power to purchase, take by gift, or bequest, or otherwise, own, hold, manage, operate, and dispose of property of every description, real and personal, including the power to purchase restricted Indian lands and to issue in exchange therefore interests in corporate property, and such further powers as may be incidental to the conduct of corporate business, not inconsistent with law, but no authority shall be granted to sell, mortgage, or lease for a period exceeding ten years any of the land included in the limits of the reservation. Any charter so issued shall not be revoked or surrendered except by Act of Congress.

Sec. 18. This Act shall not apply to any reservation wherein a majority of the adult Indians, voting at a special election duly called by the Secretary of the Interior, shall vote against its application. It shall be the duty of the Secretary of the Interior, within one year after the passage and approval of this Act, to call such an election, which election shall be held by secret ballot upon thirty days' notice.

Sec. 19. The term "Indian" as used in this Act shall include all persons of Indian descent who are members of any recognized Indian tribe now under Federal jurisdiction, and all persons who are descendants of such members who were, on June 1, 1934, residing within the present boundaries of any Indian reservation, and shall further include all other persons of one-half or more Indian blood. For the purposes of this Act, Eskimos and other aboriginal peoples of Alaska shall be considered Indians. The term "tribe" wherever used in this Act shall be construed to refer to any Indian tribe, organized band, pueblo, or the Indians residing on one reservation. The words "adult Indians" wherever used in this Act shall be construed to refer to Indians who have attained the age of twenty-one years.
Approved, June 18, 1934

House Concurrent Resolution 108

August 1, 1953

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Whereas it is the policy of Congress, as rapidly as possible, to make the Indians within the territorial limits of the United States subject to the same laws and entitled to the same privileges and responsibilities as are applicable to other citizens of the United States, to end their status as wards of the united States, and to grant them all of the rights and prerogatives pertaining to American citizenship; and

Whereas the Indians within the territorial limits of the United States should assume their full responsibilities as American citizens: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring),

That it is declared to be the sense of Congress that, at the earliest possible time, all of the Indian tribes and the individual members thereof located within the states of California, Florida, new York, and Texas, and all of the following named Indian tribes and individual members thereof, should be freed from Federal supervision and control and from all disabilities and limitations specially applicable to Indians: The Flathead Tribe of Montana, the Klamath Tribe of Oregon, the Menominee Tribe of Wisconsin, the Potowatamie Tribe of Kansas and Nebraska, and those members of the
Chippewa Tribe who are on the Turtle Mountain Reservation, North Dakota. It is further declared to be the sense of Congress that, upon the release of such tribes and individual members thereof from such disabilities and limitations, all offices of the Bureau of Indian Affairs in the States of California, Florida, New York, and Texas and all other offices of the Bureau of Indian Affairs whose primary purpose was to serve any Indian tribe or individual Indian freed from Federal supervision should be abolished. It is further declared to be the sense of Congress that the existing legislation dealing with such Indians, and treaties between the Government of the United States and each such tribe, and report to Congress at the earliest practicable date, but not later than January 1, 1954, his recommendations for such legislation as, in his judgment, may be necessary to accomplish the purposes of this resolution. [U.S. Statutes at large, 67:B132.]

President Lyndon B. Johnson

"The Forgotten American "

The President's Message to the Congress on Goals and Programs for the American Indian. March 6, 1968

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To the Congress of the United States:

Mississippi and Utah--the Potomac and the Chattahoochee--Appalachia and Shenandoah . . . The words of the Indian have become our words--the names of our states and streams and landmarks. His myths and his heroes enrich our literature. His lore colors our art and our language. For two centuries, the American Indian has been a symbol of the drama and excitement of the earliest America. But for two centuries, he has been an alien in his own land.

Relations between the United States Government and the tribes were originally in the hands of the War Department. Until 1871, the United States treated the Indian tribes as foreign nations.
It has been only 44 years since the United States affirmed the Indian's citizenship: the full political equality essential for human dignity in a democratic society.

It has been only 22 years since Congress enacted the Indian Claims Act, to acknowledge the Nation's debt to the first Americans for their land. But political equality and compensation for ancestral lands are not enough. The American Indian deserves a chance to develop his talents and share fully in the future of our Nation.

There are about 600,000 Indians in America today. Some 400,000 live on or near reservations in 25 States. The remaining 200,000 have moved to our cities and towns. The most striking fact about the American Indians today is their tragic plight:
--Fifty thousand Indian families live in unsanitary, dilapidated dwellings: many in huts, shanties, even abandoned automobiles.
--The unemployment rate among Indians is nearly 40 percent--more than ten times the national average.
--Fifty percent of Indian schoolchildren-- double the national average-drop out before completing high school.
--Indian literacy rates are among the lowest in the Nation; the rates of sickness and poverty are among the highest.
--Thousands of Indians who have migrated into the cities find themselves untrained for jobs and unprepared for urban life.
--The average age of death of an American Indian today is 44 years; for all other Americans, it is 65.

The American Indian, once proud and free, is torn now between white and tribal values; between the politics and language of the white man and his own historic culture. His problems, sharpened by years of defeat and

exploitation, neglect and inadequate effort, will take many years to overcome.
But recent landmark laws--the Economic Opportunity Act, the Elementary and Secondary Education Act, the Manpower Development and Training Act--have given us an opportunity to deal with the persistent problems of the American Indian. The time has come to focus our efforts on the plight of the American Indian through these and the other laws passed in the last few years.

No enlightened Nation, no responsible government, no progressive people can sit idly by and permit this shocking situation to continue.
I propose a new goal for our Indian programs: A goal that ends the old debate about "termination" of Indian programs and stresses self-determination; a goal that erases old attitudes of paternalism and promotes partnership self-help.

Our goal must be:
--A standard of living for the Indians equal to that of the country as a whole.
--Freedom of Choice: An opportunity to remain in their homelands, if they choose, without surrendering their dignity; an opportunity to move to the towns and cities of America, if they choose, equipped with the skills to live in equality and dignity.
--Full participation in the life of modern America, with a full share of economic opportunity and social justice.
I propose, in short, a policy of maximum choice for the American Indian: a policy expressed in programs of self-help, self-development, self-determination.
To start toward our goal in Fiscal 1969, I recommend that the Congress appropriate one-half a billion dollars for programs targeted at the American Indian--about 10 percent more than Fiscal 1968.

STRENGTHENED FEDERAL LEADERSHIP
In the past four years, with the advent of major new programs, several agencies have undertaken independent efforts to help the American Indian. Too often, there has been too little coordination between agencies; and no clear, unified policy which applied to all.
To launch an undivided, Government-wide effort in this area, I am today issuing an Executive Order to establish a National Council on Indian Opportunity.1
The Chairman of the Council will be the Vice President who will bring the problems of the Indians to the highest levels of Government. The Council will include a cross section of Indian leaders, and high government officials who have programs in this field:
--The Secretary of the Interior, who has primary responsibility for Indian Affairs.
--The Secretary of Agriculture, whose programs affect thousands of Indians.
--The Secretary of Commerce, who can help promote economic development of Indian lands.
--The Secretary of Labor, whose manpower programs can train more Indians for more useful employment.
--The Secretary of Health, Education, and Welfare, who can help Indian communities with two of their most pressing needs--health and education.
--The Secretary of Housing and Urban Development, who can bring better housing to Indian lands.
--The Director of the Office of Economic Opportunity, whose programs are already operating in several Indian communities.

The Council will review Federal programs for Indians, make broad policy recommendations, and ensure that programs reflect the needs and desires of the Indian people. Most important, I have asked the Vice President, as Chairman of the Council, to make certain that the American Indian shares fully in all our federal programs.

SELF-HELP AND SELF-DETERMINATION

The greatest hope for Indian progress lies in the emergence of Indian leadership and initiative in solving Indian problems. Indians must have a voice in making the plans and decisions in programs which are important to their daily life.

Within the last few months we have seen a new concept of community development-a concept based on self-help--work successfully among Indians. Many tribes have begun to administer activities which Federal agencies had long performed in their behalf:

--On the Crow Creek, Lower Brule, and Fort Berthold reservations in the Dakotas and on reservations in several other states, imaginative new work-experience programs, operated by Indians themselves, provide jobs for Indians once totally dependent on welfare.

--The Warm Springs Tribes of Oregon ran an extensive program to repair flood damage on their reservation.

--The Oglala Sioux of South Dakota and the Zunis of New Mexico are now contracting to provide law enforcement services for their communities.

--The Navajos--who this year celebrate the 100th anniversary of their peace treaty with the United States--furnish many community services normally provided by the Federal government, either through contract or with funds from their own Treasury.

Passive acceptance of Federal service is giving way to Indian involvement. More than ever before, Indian needs are being identified from the Indian viewpoint--as they should be.

This principle is the key to progress for Indians--just as it has been for other Americans. If we base our programs upon it, the day will come when the relationship between Indians and the Government will be one of full partnership--not dependency.

EDUCATION

The problems of Indian education are legion:

--Ten percent of American Indians over age 14 have had no schooling at all.

--Nearly 60 percent have less than an eighth grade education.

--Half of our Indian children do not finish high school today.

--Even those Indians attending school are plagued by language barriers, by isolation in remote areas, by lack of a tradition of academic achievement.

Standard schooling and vocational training will not be enough to overcome the educational difficulties of the Indians. More intensive and imaginative approaches are needed.

The legislation enacted in the past four years gives us the means to make the special effort now needed in Indian education: The Elementary and Secondary Education Act, the Education Professions Development Act, the Vocational Education Act, and the Higher Education Act.

The challenge is to use this legislation creatively.

I have directed the Secretary of the Interior and the Secretary of Health, Education, and

Welfare:
--To work together to make these programs responsive to the needs of Indians.
--To develop a concentrated effort in Indian education with State and local agencies. This is critical if the two-thirds of Indian schoolchildren in non-Indian public schools are to get the special help they sorely need.
Pre-School Programs
In the past few years we as a Nation have come to recognize the irreplaceable importance of the earliest years in a child's life. Preschool education and care--valuable for all children--are urgently needed for Indian children.
We must set a goal to enroll every four and five-year-old Indian child in a pre-school program by 1971.
For 1969, I am requesting funds to:
--Make the Head Start Program available to 10,000 Indian children.
--Establish, for the first time, kindergartens for 4,500 Indian youngsters next September.
To encourage Indian involvement in this educational process, I am asking the Secretary of the Interior to assure that each of these kindergartens employ local Indian teacher aides as well as trained teachers.
Federal Indian Schools
Since 1961, we have undertaken a substantial program to improve the 245 Federal Indian schools, which are attended by over 50,000 children. That effort is now half completed. It will continue.

But good facilities are not enough.
I am asking the Secretary of the Interior, in cooperation with the Secretary of Health, Education, and Welfare, to establish a model community school system for Indians. These schools will:
--Have the finest teachers, familiar with Indian history, culture and language.
--Feature an enriched curriculum, special guidance and counseling programs, modern instruction materials, and a sound program to teach English as a second language.
--Serve the local Indian population as a community center for activities ranging from adult education classes to social gatherings.
To reach this goal, I propose that the Congress appropriate $5.5 million to attract and hold talented and dedicated teachers at Indian schools and to provide 200 additional teachers and other professionals to enrich instruction, counseling and other programs.
To help make the Indian school a vital part of the Indian community, I am directing the Secretary of the Interior to establish Indian school boards for Federal Indian Schools. School board members--selected by their communities--will receive whatever training is necessary to enable them to carry out their responsibilities.
Higher Education
Indian youth must be given more opportunities to develop their talents fully and to pursue their ambitions free of arbitrary barriers to learning and employment. They must have a chance to become professionals: doctors, nurses, engineers, managers and teachers.
For the young Indian of today will eventually become the bridge between two cultures, two languages, and two ways of life.
Therefore, we must open wide the doors of career training and higher education to all Indian students who qualify.
To reach this goal:
--I am requesting $3 million in Fiscal 1969 for college scholarship grants, to include for the first time living

allowances for Indian students and their families to help capable young Indians meet the costs of higher education.
--I am asking the Secretary of Health, Education, and Welfare to make a special and sustained effort to assure that our regular scholarship and loan programs are available to Indian high school graduates.
--I am asking the Director of the Office of Economic Opportunity to establish a special Upward Bound program for Indian high school students.

HEALTH AND MEDICAL CARE
The health level of the American Indian is the lowest of any major population group in the United States:
--The infant mortality rate among Indians is 34.5 per 1,000 births--12 points above the National average,
--The incidence of tuberculosis among Indians and Alaska natives is about five times the National average.
--More than half of the Indians obtain water from contaminated or potentially dangerous sources, and use waste disposal facilities that are grossly inadequate.
--Viral infections, pneumonia, and malnutrition-all of which contribute to chronic ill health and mental retardation-are common among Indian children.
We have made progress. Since 1963:
--The infant death rate has declined 21 percent.
--Deaths from tuberculosis are down 29 percent.
--The number of outpatient visits to clinics and health centers rose 16 percent. But much more remains to be done.
I propose that the Congress increase health programs for Indians by about ten percent, to $112 million in Fiscal 1969, with special emphasis on child health programs.
But if we are to solve Indian health problems, the Indian people themselves must improve their public health and family health practices. This will require a new effort to involve Indian families in a crusade for better health.
Recent experience demonstrates that Indians have been successful in working side by side with health professionals:
--They have organized tribal health committees to review Indian health problems and design programs for solving them.
--They have launched new programs in sanitation, mental health, alcoholism, and accident control.
--A cooperative Indian-government project to provide safe water and disposal systems for 44,000 Indians and Alaska native families has proved successful. For every Federal dollar spent, Indian Americans have contributed another 40 cents in labor, materials and actual funds.
I am directing the Secretary of Health, Education, and Welfare to build a "community participation" component into every Federal health program for Indians which lends itself to this approach.

Essential to this effort will be a large, well-trained corps of community health aides drawn from the Indian population: nursing assistants, health record clerks, medical-social aides and nutrition workers. These community health aides can greatly assist professional health workers in bringing health services to Indian communities.
I recommend that the Congress appropriate funds to train and employ more than 600 new community Indian health aides in the Public Health Service.
These aides will serve nearly 200,000 Indians and Alaska natives in their home communities, teaching sound

health practices to the Indian people in several critical fields: pre-natal health, child care, home sanitation and personal hygiene.
Our goal is first to narrow, then to close the wide breach between the health standards of Indians and other Americans. But before large investments in Federally-sponsored health services can pay lasting dividends, we must build a solid base of Indian community action for better health.

JOBS AND ECONOMIC DEVELOPMENT
The plight of the Indians gives grim testimony to the devastating effects of unemployment on the individual, the family, and the community:
--Nearly 40 percent of the labor force on Indian lands is chronically unemployed, compared with a national unemployment rate of 3.5 percent.
--Of the Indians who do work, a third are underemployed in temporary or seasonal jobs.
--Fifty percent of Indian families have cash incomes below $2,000 a year; 75 percent have incomes below $3,000.
With rare exception, Indian communities are so underdeveloped that there is little, if any, opportunity for significant social or economic progress.
Two percent of all the land in the United States is Indian land. Indian lands are about the size of all the New England States and a small slice of New York. But many of their resources--oil, gas, coal, uranium, timber, water--await development.
The economic ills of Indian areas can have a major impact upon neighboring regions as well. It is not only in the best interests of the Indians, but of the entire Nation, to expand Indian economic opportunity.

Jobs
Special employment programs have been established to help meet the needs of Indians. In 1967 alone, more than 10,000 men and women received training and other help to get jobs under the Indian Bureau's programs--double the number served four years ago. These programs:
--Provide all-expenses-paid training and placement for Indian adults.
--Develop projects in cooperation with private industry, in which families prepare together for the transition from welfare dependency to useful, productive work.

To meet the increasing demand, I propose that the Indian Vocational Training Program be expanded to the full authorization of $25 million in Fiscal 1969--nearly double the funds appropriated last year.
In the State of the Union message, I proposed a 25 percent increase--to $2.1 billion-in our manpower training programs for Fiscal 1969.
As a part of this effort, I have asked the Secretary of Labor to expand the Concentrated Employment Program to include Indian reservations.

Area Development
The economic development of potentially productive Indian areas suffers from a lack of base capital to permit Indians to take advantage of sound investment opportunities and to attract private capital.
The Indian Resources Development Act, now pending before Congress, contains provisions to spark this kind of investment.

The central feature of this Act is an authorization of $500 million for an Indian loan guaranty and insurance fund and for a direct loan revolving fund. These funds would:
--Provide the foundation for the economic development of Indian lands.
--Encourage light industry to locate on or near Indian reservations.
--Permit better development of natural resources.
--Encourage development of the tourist potential on many reservations.
The Indian Resources Development Act would also permit the issuance of Federal corporate charters to Indian tribes or groups of Indians. This charter gives them the means to compete with other communities in attracting outside investment.
I urge the Congress to enact this program for the economic development of Indian resources.

Roads for Economic Development
Without an adequate system of roads to link Indian areas with the rest of our Nation, community and economic development, Indian self-help programs, and even education cannot go forward as rapidly as they should.
Large areas inhabited by Indians are virtually inaccessible. For example, on the vast Navajo-Hopi area there are only 30 percent as many miles of surfaced roads per 1,000 square miles as in rural areas of Arizona and New Mexico.
The woefully inadequate road systems in Indian areas must be improved. Good roads are desperately needed for economic development. And good roads may someday enable the Indian people to keep their young children at home, instead of having to send them to far-away boarding schools.
I propose an amendment to the Federal Highway Act increasing the authorization for Indian road construction to $30 million annually beginning in Fiscal 1970.

ESSENTIAL COMMUNITY SERVICES
Housing
Most Indian housing is far worse than the housing in many slums of our large cities.
To begin our attack on the backlog of substandard housing:
--I have asked the Secretary of Housing and Urban Development to increase Indian home construction by an additional 1,000 units this coming year, for a total of 2,500 annually.
--I propose that the Congress double the Fiscal 1968 appropriations--to $6 million in 1969--for a broad home improvement program.
These steps are a strong start toward improving living conditions among Indians, while we deal with the underlying causes of inadequate housing. But the present housing law is too rigid to meet the special needs and conditions of our Indian population.
I am therefore submitting legislation to open the door for more Indians to receive low-cost housing aid, and to extend the loan programs of the Farmers Home Administration to tribal lands. In addition:
--The Secretary of Housing and Urban Development will review construction standards for Indian homes to ensure flexibility in design and construction of Indian housing.
--The Secretaries of the Interior and Housing and Urban Development will explore new low-cost techniques of construction suitable to a stepped-up Indian housing program.

Community Action

Programs under the Economic Opportunity Act have improved morale in Indian communities. They have given tribes new opportunities to plan and carry out social and economic projects. Community action programs, particularly Head Start, deserve strong support.

I am asking the Congress to provide $22.7 million in Fiscal 1969 for these important efforts.

Water and Sewer Projects

Shorter life expectancy and higher infant mortality among Indians are caused in large part by unsanitary water supplies and contamination from unsafe waste disposal.

The Federal Government has authority to join with individual Indians to construct these facilities on Indian lands. The government contributes the capital. The Indian contributes the labor.

To step up this program, I recommend that the Congress increase appropriations for sale water and sanitary waste disposal facilities by 30 percent--from $10 million in Fiscal 1968 to $13 million in Fiscal 1969.

CIVIL RIGHTS

A Bill of Rights for Indians

In 1934, Congress passed the Indian Reorganization Act, which laid the groundwork for democratic self-government on Indian reservations. This Act was the forerunner of the tribal constitutions--the charters of democratic practice among the Indians.

Yet few tribal constitutions include a bill of rights for individual Indians. The basic individual rights which most Americans enjoy in relation to their government-enshrined in the Bill of Rights of the Constitution of the United States--are not safeguarded for Indians in relation to their tribes.

A new Indian Rights Bill is pending in the Congress. It would protect the individual rights of Indians in such matters as freedom of speech and religion, unreasonable search and seizure, a speedy and fair trial, and the right to habeas corpus. The Senate passed an Indian Bill of Rights last year. I urge the Congress to complete action on that Bill of Rights in the current session.

In addition to providing new protection for members of tribes, this bill would remedy another matter of grave concern to the American Indian.

Fifteen years ago, the Congress gave to the States authority to extend their criminal and civil jurisdictions to include Indian reservations-where jurisdiction previously was in the hands of the Indians themselves.

Fairness and basic democratic principles require that Indians on the affected lands have a voice in deciding whether a State will assume legal jurisdiction on their land.

I urge the Congress to enact legislation that would provide for tribal consent before such extensions of jurisdiction take place.

OFF-RESERVATION INDIANS

Most of us think of Indians as living in their own communities--geographically, socially and psychologically remote from the main current of American life.

Until World War II, this was an accurate picture of most Indian people. Since that time, however, the number of Indians living in towns and urban centers has increased to 200,000.

Indians in the towns and cities of our country have urgent needs for education, health, welfare, and rehabilitation

services, which are far greater than that of the general population.
These needs can be met through Federal, State and local programs. I am asking the new Council on Indian Opportunity to study this problem and report to me promptly on actions to meet the needs of Indians in our cities and towns.

ALASKAN NATIVE CLAIMS

The land rights of the native people of Alaska--the Aleuts, Eskimos and Indians-have never been fully or fairly defined.
Eighty-four years ago, Congress protected the Alaska natives in the use and occupancy of their lands. But then, and again when Alaska was given statehood, Congress reserved to itself the power of final decision on ultimate title.
It remains our unfinished task to state in law the terms and conditions of settlement, so that uncertainty can be ended for the native people of Alaska.
Legislation is now pending to resolve this issue. I recommend prompt action on legislation to:
--Give the native people of Alaska title to the lands they occupy and need to sustain their villages.
--Give them rights to use additional lands and water for hunting, trapping and fishing to maintain their traditional way of life, if they so choose.
--Award them compensation commensurate with the value of any lands taken from them.

THE FIRST AMERICANS

The program I propose seeks to promote Indian development by improving health and education, encouraging long-term economic growth, and strengthening community institutions.
Underlying this program is the assumption that the Federal government can best be a responsible partner in Indian progress by treating the Indian himself as a full citizen, responsible for the pace and direction of his development.
But there can be no question that the government and the people of the United States have a responsibility to the Indians.
In our efforts to meet that responsibility, we must pledge to respect fully the dignity and the uniqueness of the Indian citizen.
That means partnership--not paternalism.
We must affirm the right of the first Americans to remain Indians while exercising their rights as Americans.
We must affirm their right to freedom of choice and self-determination.
We must seek new ways to provide Federal assistance to Indians--with new emphasis on Indian self-help and with respect for Indian culture.
And we must assure the Indian people that it is our desire and intention that the special relationship between the Indian and his government grow and flourish. For, the first among us must not be last.
I urge the Congress to affirm this policy and to enact this program.

LYNDON B. JOHNSON
The White House
March 6, 1968

Recommendations for Indian Policy
Special Message from President Richard Nixon to the Congress, July 8, 1970

American Presidency Project at UC Santa Barbara
(URL source: http://www.presidency.ucsb.edu/ws/index.php?pid=2573)

To the Congress of the United States:

The first Americans - the Indians - are the most deprived and most isolated minority group in our nation. On virtually every scale of measurement employment, income, education, health - the condition of the Indian people ranks at the bottom.
This condition is the heritage of centuries of injustice. From the time of their first contact with European settlers, the American Indians have been oppressed and brutalized, deprived of their ancestral lands and denied the opportunity to control their own destiny. Even the Federal programs which are intended to meet their needs have frequently proved to be ineffective and demeaning.

But the story of the Indian in America is something more than the record of the white man's frequent aggression, broken agreements, intermittent remorse and prolonged failure. It is a record also of endurance, of survival, of adaptation and creativity in the face of overwhelming obstacles. It is a record of enormous contributions to this country – to its art and culture, to its strength and spirit, to its sense of history and its sense of purpose.
It is long past time that the Indian policies of the Federal government began to recognize and build upon the capacities and insights of the Indian people. Both as a matter of justice and as a matter of enlightened social policy, we must begin to act on the basis of what the Indians themselves have long been telling us. The time has come to break decisively with the past and to create the conditions for a new era in which the Indian future is determined by Indian acts and Indian decisions.

SELF-DETERMINATION WITHOUT TERMINATION
The first and most basic question that must be answered with respect to Indian policy concerns the history and legal relationship between the Federal government and Indian communities. In the past, this relationship has oscillated between two equally harsh and unacceptable extremes.
On the other hand, it has – at various times during previous Administrations – been the stated policy objective of both the Executive and Legislative branches of the Federal government eventually to terminate the trusteeship relationship between the Federal government and the Indian people. As recently as August of 1953, in House Concurrent Resolution 108, the Congress declared that termination was the long-range goal of its Indian policies. This would mean that Indian tribes would eventually lose any special standing they had under Federal law: the tax exempt status of their lands would be discontinued; Federal responsibility for their economic and social well-being would be repudiated; and the tribes themselves would be effectively dismantled. Tribal property would be divided among individual members who would then be assimilated into the society at large.
This policy of forced termination is wrong, in my judgment, for a number of reasons. First, the premises on which it rests are wrong. Termination implies that the Federal government has taken on a trusteeship responsibility for Indian communities as an act of generosity toward a disadvantaged people and that it can

therefore discontinue this responsibility on a unilateral basis whenever it sees fit. But the unique status of Indian tribes does not rest on any premise such as this. The special relationship between Indians and the Federal government is the result instead of solemn obligations which have been entered into by the United States Government. Down through the years through written treaties and through formal and informal agreements, our government has made specific commitments to the Indian people. For their part, the Indians have often surrendered claims to vast tracts of land and have accepted life on government reservations. In exchange, the government has agreed to provide community services such as health, education and public safety, services which would presumably allow Indian communities to enjoy a standard of living comparable to that of other Americans.

This goals, of course, has never been achieved. But the special relationship between the Indian tribes and the Federal government which arises from these agreements continues to carry immense moral and legal force. To terminate this relationship would be no more appropriate than to terminate the citizenship rights of any other American.
The second reason for rejecting forced termination is that the practical results have been clearly harmful in the few instances in which termination actually has been tried. The removal of Federal trusteeship responsibility has produced considerable disorientation among the affected Indians and has left them unable to relate to a myriad of Federal, State an local assistance efforts. Their economic and social condition has often been worse after termination than it was before.

The third argument I would make against forced termination concerns the effect it has had upon the overwhelming majority of tribes which still enjoy a special relationship with the Federal government. The very threat that this relationship may someday be ended has created a great deal of apprehension among Indian groups and this apprehension, in turn, has had a blighting effect on tribal progress. Any step that might result in greater social, economic or political autonomy is regarded with suspicion by many Indians who fear that it will only bring them closer to the day when the Federal government will disavow its responsibility and cut them adrift.

In short, the fear of one extreme policy, forced termination, has often worked to produce the opposite extreme: excessive dependence on the Federal government. In many cases this dependence is so great that the Indian community is almost entirely run by outsiders who are responsible and responsive to Federal officials in Washington, D.C., rather than to the communities they are supposed to be serving. This is the second of the two harsh approaches which have long plagued our Indian policies. Of the Department of Interior/s programs directly serving Indians, for example, only 1.5 percent are presently under Indian control. Only 2.4 percent of HEW's Indian health programs are run by Indians. The result is a burgeoning Federal bureaucracy, programs which are far less effective than they ought to be, and an erosion of Indian initiative and morale.

I believe that both of these policy extremes are wrong. Federal termination errs in one direction, Federal paternalism errs in the other. Only by clearly rejecting both of these extremes can we achieve a policy which truly serves the best interests of the Indian people. Self-determination among the Indian people can and must be encouraged without the threat of eventual termination. In my view, in fact, that is the only way that self-determination can effectively be fostered.

This, then, must be the goal of any new national policy toward the Indian people to strengthen the Indian's sense of autonomy without threatening this sense of community. We must assure the Indian that he can assume control of his own life without being separated involuntary from the tribal group. And we must make it clear that Indians can become independent of Federal control without being cut off from Federal concern and Federal support. My specific recommendations to the Congress are designed to carry out this policy....
The recommendations of this administration represent an historic step forward in Indian policy. We are proposing to break sharply with past approaches to Indian problems. In place of a long series of piecemeal reforms, we suggest a new and coherent strategy. In place of policies which simply call for more spending, we suggest policies which call for wiser spending. In place of policies which oscillate between the deadly extremes of forced termination and constant paternalism, we suggest a policy in which the Federal government and the Indian community play complementary roles.

But most importantly, we have turned from the question of whether the Federal government has a responsibility to Indians to the question of how that responsibility can best be furthered. We have concluded that the Indians will get better programs and that public monies will be more effectively expended if the people who are most affected by these programs are responsible for operating them.

The Indians of America need Federal assistance – this much has long been clear. What has not always been clear, however, is that the Federal government needs Indian energies and Indian leadership if its assistance is to be effective in improving the conditions of Indian life. It is a new and balanced relationship between the Unites States government and the first Americans that is at the heart of our approach to Indian problems. And that is why we now approach these problems with new confidence that they will successfully be overcome.

[Public Papers of the Presidents of the United States: Richard Nixon, 1970, pp. 564-567, 576-76.]

Remarks of Kevin Gover at the Ceremony Acknowledging the 175th Anniversary of the BIA September 8, 2000

Kevin Gover is the current Director of the National Museum of the American Indian. The text of this speech was provided by his office staff at the Smithsonian. The speech was made when he was Assistant Secretary Bureau of Indian Affiars (BIA), 2000.
(URL source: http://newsdesk.si.edu/about/bios/kevin-gover)

In March of 1824, President James Monroe established the Office of Indian Affairs in the Department of War. Its mission was to conduct the nation's business with regard to Indian affairs. We have come together today to mark the first 175 years of the institution now known as the Bureau of Indian Affairs.

It is appropriate that we do so in the first year of a new century and a new millennium, a time when our leaders are reflecting on what lies ahead and preparing for those challenges. Before looking ahead, though, this institution must first look back and reflect on what it has wrought and, by doing so, come to know that this is no occasion for celebration; rather it is time for reflection and contemplation, a time for sorrowful truths to be spoken, a time for contrition.
We must first reconcile ourselves to the fact that the works of this agency have at various times profoundly harmed the communities it was meant to serve. From the very beginning, the Office of Indian Affairs was an instrument by which the United States enforced its ambition against the Indian nations and Indian people who stood in its path. And so, the first mission of this institution was to execute the removal of the southeastern tribal nations. By threat, deceit, and force, these great tribal nations were made to march 1,000 miles to the west, leaving thousands of their old, their young and their infirm in hasty graves along the Trail of Tears.

As the nation looked to the West for more land, this agency participated in the ethnic cleansing that befell the western tribes. War necessarily begets tragedy; the war for the West was no exception. Yet in these more enlightened times, it must be acknowledged that the deliberate spread of disease, the decimation of the mighty bison herds, the use of the poison alcohol to destroy mind and body, and the cowardly killing of women and children made for tragedy on a scale so ghastly that it cannot be dismissed as merely the inevitable consequence of the clash of competing ways of life. This agency and the good people in it failed in the mission to prevent the devastation. And so great nations of patriot warriors fell. We will never push aside the memory of unnecessary and violent death at places such as Sand Creek, the banks of the Washita River, and Wounded Knee.
Nor did the consequences of war have to include the futile and destructive efforts to annihilate Indian cultures. After the devastation of tribal economies and the deliberate creation of tribal dependence on the services provided by this agency, this agency set out to destroy all things Indian.

This agency forbade the speaking of Indian languages, prohibited the conduct of traditional religious activities, outlawed traditional government, and made Indian people ashamed of who they were. Worst of all, the Bureau of Indian Affairs committed these acts against the children entrusted to its boarding schools, brutalizing them emotionally, psychologically, physically, and spiritually. Even in this era of self -determination, when the Bureau of Indian Affairs is at long last serving as an advocate for Indian people in an atmosphere of mutual respect, the legacy

of these misdeeds haunts us. The trauma of shame, fear and anger has passed from one generation to the next, and manifests itself in the rampant alcoholism, drug abuse, and domestic violence that plague Indian country .Many of our people live lives of unrelenting tragedy as Indian families suffer the ruin of lives by alcoholism, suicides made of shame and despair, and violent death at the hands of one another. So many of the maladies suffered today in Indian country result from the failures of this agency. Poverty, ignorance, and disease have been the product of this agency's work.

And so today I stand before you as the leader of an institution that in the past has committed acts so terrible that they infect, diminish, and destroy the lives of Indian people decades later, generations later. These things occurred despite the efforts of many good people with good hearts who sought to prevent them. These wrongs must be acknowledged if the healing is to begin.

I do not speak today for the United States. That is the province of the nation's elected leaders, and I would not presume to speak on their behalf. I am empowered, however, to speak on behalf of this agency, the Bureau of Indian Affairs, and I am quite certain that the words that follow reflect the hearts of its 10,000 employees.

Let us begin by expressing our profound sorrow for what this agency has done in the past. Just like you, when we think of these misdeeds and their tragic consequences, our hearts break and our grief is as pure and complete as yours. We desperately wish that we could change this history, but of course we cannot. On behalf of the Bureau of Indian Affairs, I extend this formal apology to Indian people for the historical conduct of this agency.

And while the BIA employees of today did not commit these wrongs, we acknowledge that the institution we serve did. We accept this inheritance, this legacy of racism and inhumanity. And by accepting this legacy, we accept also the moral responsibility of putting things right.
We therefore begin this important work anew, and make a new commitment to the people and communities that we serve, a commitment born of the dedication we share with you to the cause of renewed hope and prosperity for Indian country. Never again will this agency stand silent when hate and violence are committed against Indians. Never again will we allow policy to proceed from the assumption that Indians possess less human genius than the other races. Never again will we be complicit in the theft of Indian property. Never again will we appoint false leaders who serve purposes other than those of the tribes. Never again will we allow unflattering and stereotypical images of Indian people to deface the halls of government or lead the American people to shallow and ignorant beliefs about Indians. Never again will we attack your religions, your languages, your rituals, or any of your tribal ways. Never again will we seize your children, nor teach them to be ashamed of who they are. Never again.

We cannot yet ask your forgiveness, not while the burdens of this agency's history weigh so heavily on tribal communities. What we do ask is that, together, we allow the healing to begin: As you return to your homes, and as you talk with your people, please tell them that time of dying is at its end. Tell your children that the time of shame and fear is over. Tell your young men and women to replace their anger with hope and love for their people. Together, we must wipe the tears of seven generations. Together, we must allow our broken hearts to mend. Together, we will face a challenging world with confidence and trust. Together, let us resolve that when our future leaders gather to discuss the history of this institution, it will be time to celebrate the rebirth of joy, freedom, and progress for the Indian Nations. The Bureau of Indian Affairs was born in 1824 in a time of war on Indian people. May it live in the year 2000 and beyond as an instrument of their prosperity.

Statement of Steve Brady, Sr.
Co-chair Rosebud and Wolf Mountain Battlefields Committee
Northern Cheyenne Tribe
Before the Advisory Committee for the National Park Service

July 21-22, 2008
Washington D.C.

Statement submitted by Steve Brady, Co-chair of the Rosebud and Wolf Mountain Battlefields Committee of the Northern Cheyenne Tribe, a federally recognized tribe regarding the proposed nomination of the Rosebud Battlefield for National Historic Landmark designation before the Advisory Committee for the National Park Service.

While the actual battle site is extensive, much of the battle site is under the management of the Montana Fish, Wildlife and Parks. Some of the battle site is currently on privately owned land and the western part of the battle site is on the Crow Reservation. The only access to the battle site is through private land. The battle site does not have public access. The Rosebud Battlefield remains in its pristine state, much the same as it was the day of the battle. There appears to be an existing memorial for U.S. Cavalry near the existing entrance of the Rosebud Battlefield.

The Rosebud Battle occurred on the south end of the Wolf Mountain Range at the headwaters of the Rosebud Creek on June 17, 1876, several days after Sitting Bull held his Sundance on lower Rosebud Creek and eight days before the "Battle of the Greasy Grass" against Lt. Col. Custer and the 7th Cavalry on the Little Bighorn River.

The Cheyenne and Lakota wolves (scouts) had been scouring the hills back and forth in what is traditionally known to the Cheyenne as Elk River Country (now often referred to as the Powder River Basin), monitoring the northward movement of troops of the Wyoming Column under the command of General Crook, known to the Cheyenne as "Three Stars," along with Crow and Shoshoni scouts.

The primary purpose of General Crook was to be the southern prong in a coordinated assault with General Terry of the Dakota Column coming upstream along the Elk River (Yellowstone) from North Dakota and Colonel Gibbon of the Montana Column coming from the west downstream along the Elk River to force the Cheyenne and Lakota to end their free way of life and submit to the confines of the reservation way of life, so that the region could be opened up for settlement. This military effort against the Cheyenne and Lakota is often referred to as the "Great Sioux War of 1876-77," by western historians.

The Cheyenne and Lakota warriors moved south both along the east and west side of the Wolf Mountains, confronting General Crook's troops and his scouts encamped at the headwaters of the Rosebud Creek. The fighting lasted all day, until warriors and their horses were exhausted. A number of soldiers were killed and hastily

buried along Rosebud Creek. The specific location of the burial site of the soldiers is unknown at this time. A number of Lakota warriors were killed as well. Horses were apparently the heaviest casualty of the battle.

Through oral history, the Northern Cheyenne know the battle as the fight "Where the Girl Saved Her Brother," in reference to Buffalo Calf Road Woman's daring rescue on horseback to save her brother Chief Comes In Sight whose horse was shot out underneath him. Buffalo Calf Road Woman was successful in the extraction of her brother Chief Comes In Sight, while under heavy fire from the soldiers. Even today, the Northern Cheyenne people still have a great respect and honor for the Cheyenne woman warrior Buffalo Calf Road Woman.

Many Cheyenne warriors were present at the fight "Where the Girl Saved Her Brother," including Wooden Leg, Limpy, Black Bird, Little Hawk, Young Two Moon, among many others, while Crazy Horse and Gall were among some of the leaders for the Lakota. Many of the Northern Cheyenne people today have direct lineal ties, even as close as third or fourth generation to the Cheyenne warriors who fought against General Crook on June 17,1876.

Moreover, there is a buffalo-kill site located on the Rosebud Battlefield that is thousands of years old that apparently had been used on more than one occasion. Presently, the buffalo (Esevone) remains an integral part of Cheyenne culture and spirituality.

Just a few miles south from the present day Northern Cheyenne Reservation, the Rosebud Battlefield is intrinsic to the culture, history and spirituality of the Northern Cheyenne people. Given this scenario and backdrop of the Rosebud Battlefield, I urge the Advisory Committee of the National Park Service for the passage of National Historic Landmark nomination of the Rosebud Battlefield.

Thanks and appreciation goes to the many individuals, organizations, tribal governments and the state of Montana who have supported the NHL nomination of the Rosebud Battlefield, especially the private landowners and the Fish, Wildlife, and Parks at the Rosebud Battlefield. Our thanks to Jerome Greene, Christine Whitacre of the National Park Service and Michael Olsen, intern at FWP/MT for their work on the application and nomination of the NHL process of the Rosebud Battlefield. And special thanks for their support to the Honorable Brian Schweitzer, Governor of Montana, the Honorable Max Baucus, United States Senate and the Honorable Jon Tester United States Senate.

My statement is dedicated to the Cheyenne and Lakota warriors who fought at what is now known as the Rosebud Battlefield, especially, those whose lives were lost; there is currently no memorial for them. A special mention of the late Slim Kolbold who had the vision and foresight for the preservation of the Rosebud Battlefield.

Secondary Source Document

Indian Relocation: Sending Roots under Pavement

By Mary Annette Pember From Daily Yonder Dec. 8, 2008 (Used with permission)

(Source URL: http://www.dailyyonder.com/indian-relocation-sending-roots-under-pavement)

The majority of Native Americans are now urbanites. Mary Annette Pember looks back at the federal Relocation Program that moved Indians off their tribal lands and two cultural centers where native traditions have rooted in Chicago.

Neal Warrington, Menominee, participates in an exercise program at the Chicago Indian Center. He rode a bus to Chicago from the reservation in Wisconsin in the 1960's, arriving with no contacts, money or information. "It was very exciting," Warrington recalls.

Photo: Mary Annette Pember

When most people in the U.S. think of Native Americans, they envision people living in rural settings, on remote reservations. In reality, 66 percent of Native Americans in this country live in cities. Behind this surprise is one of many misguided policies the United States has taken towards its native peoples.

The U.S. federal government, determined to sever treaty responsibilities with tribes and gain access to their lands, devised a bloodless method to end the "Indian problem." In the 1940s the federal government created the polices of Termination and Relocation with the express purpose of terminating tribal rights to reservation lands and assimilating the native population into mainstream America. The well-intentioned premise of these policies was that "old Indian ways" had hindered the social and economic advancement of Indian people. Relocation, proponents said, offered Indians an escape from poverty-stricken reservations and a chance to live the American dream. Critics of these policies maintain that those "old ways" are actually priceless culture, language and heritage, essential to self- esteem and identity; these treasures were very nearly lost.

From 1950 to the 1970's, the federal Relocation Program recruited native peoples from reservations to move to cities. The Bureau of Indian Affairs, which oversaw the plan, offered participants modest transportation and initial living expenses as well as leads on jobs. For some Indian people, the difficult transition from reservation to city was successful. But many Indians simply exchanged rural poverty for urban poverty in city ghettos. Without the traditional cultural support of their communities, life in the city was often alienating and lonely. For many, it was a demoralizing experience.

Marilyn Miller, Lac du Flambeau Ojibwe, recalls her first night in Chicago after leaving the reservation in northern Wisconsin in 1967. She and her family -- two parents and 10 children -- took the long train ride into the city.

"Our apartment was not in the shining skyscraper I had in mind when we moved to the city," Miller says. "We didn't have a doorman like Buffy and Jody in the TV show Family Affair. Everything was dirty, so dirty that on that first night my mother covered everything with sheets before she even let us lie on the floor. Our first apartment was a third floor walk-up. Everything was noisy and dirty. What a disappointment!"

Chicago was one of the main relocation cities and still has an Indian neighborhood in the Uptown area on the city's north side. The Chicago Indian Center in Uptown is the oldest continuously running American Indian community center in the country. The annual powwow continues to draw hundreds of people. Today, the Center offers job training, health care, children's programs and social services.

Native peoples began moving to Chicago, however, before the Relocation Program. Returning World War II veterans, who had been exposed to the outside world and its economic opportunities, found little in the way of jobs and housing when they returned to their reservations. Instead, many vets chose to move to cities where they secured jobs. As they returned to their reservations for visits, dressed in new clothes with money in their pockets, they inspired many to follow in their paths. The Relocation Program took advantage of this trend, sending BIA agents to reservations to recruit participants for the program. The agents carried recruiting materials showing chamber of commerce style photographs of parks, schools and affordable homes. The pamphlets also showed pictures of successful relocatees in their new city homes seated in living rooms with television sets, their children wearing clean clothes and new shoes.

It's estimated that around 60,000 Indians moved to cities between 1950-1980, many as part of the Relocation Program. Overwhelmingly, people were driven by a desire for "better." In those days on the reservation, "better" translates to what would be defined today as "decent."

Irene Big Eagle gets an acupunture treatment at the Chicago Indian Center for help with diabetes. The center provides health, education, employment assistance and food to the Chicago Indian Community.
Photo: Mary Annette Pember

Some of those who moved to Chicago before the Relocation program, helped establish the Chicago Indian Center, an independent organization, free of BIA oversight. The Center offered a place for diverse tribes to come together and "be Indian," contrary to the Relocation goal of keeping urban Indians dispersed to speed assimilation. The realities of city life for Indians fell far short of the glossy BIA pamphlets. Many became victims of crime or succumbed to alcoholism and other misfortunes and fell through the cracks. In the end, they simply joined the sea of other low-income brown folks struggling to survive in an unfamiliar big city.

Marilyn Big Bear, Odawa, remembers the old days when the Uptown "Indian bars" served as the unofficial community centers.

"Let's see, there was Dago Mary's', the B-29, Club Erin, Dead Man's Bar, the Wooden Nickel, My Place and others. They were all on Clark St. (in Uptown)," Big Bear recalls. "You could cash your checks there. Of course, a lot of people ended up spending a lot of money in the bars. Those bars owed a lot to Indians."

After losing the often- seasonal jobs secured by the BIA, many relocatees sought work at daily pay services. After cashing their checks at Indian bars each day, some fell prey to an awful cycle and never gained more than a bare subsistence life. Many people returned to their reservations, overwhelmed and demoralized by the city's challenges. Some tried the adventure of relocation several times, often choosing different cities. The desire for community and culture, so tied to place in native tradition, ultimately brought many people back to their reservations.

Christine Red Cloud, White Earth Ojibwe, recalls that her parents always considered their home in Chicago as temporary, despite living there for over 40 years.

"Their intention was always to go home to the reservation in Minnesota," she says. Although she was born and raised in Chicago, the thought of moving to the reservation is always in the back of her head.

People from various tribes gather for an intertribal Christian prayer meeting at the Chicago Anawim Center. Attendees fan themselves with sage, sacred to most tribes, it purifies and cleanses.

Photo: Mary Annette Pember

Ancestral land is home for native peoples, deeply tied to culture, tradition and language. Because of this strong tie many native people make concerted efforts to maintain their culture even though they are far from home. The Anawim Center in Chicago offers a place for native peoples to gather for traditional ceremonies and prayer. Founded by Dominican nuns, the center "maintains a vision of integrating the Christian and native traditional way of prayer and life." The name Anawim is a Hebrew word deliberately chosen so that it would not be allied with one tribe alone. It refers to "people who are humble, have suffered loss, have been taken from their land and are close to the creator," according to the Center.

For executive director, Georgina Roy, M'Chigeeng Ojibwe, from Ontario, the Center offers a way to stay in touch with her culture and traditional spirituality. Born and raised on the reserve, her first language is Ojibwe. "The Center offers me a place to sing and pray in my language," she says. Roy moved to the city in 1973 and now considers it her home.

Georgina Roy, M'Chigeeng Ojibway tribe from Ontario, is the matriarch of the Anawim Center. She prepares meals for the twice weekly prayer circle meetings.
Photo: Mary Annette Pember

"I've had my fill of the woods, cutting firewood and hauling water," she laughs. She wistfully recalls, however, the tears in her father's eyes when she told him she would remain in the "fast life" of the city.

Although she admits that it is a challenge to maintain language and culture, she is not worried. "Native spirituality is strong; Anawim will always be here."

Marilyn Miller and her daughters describe their current life as often being caught between two worlds. Miller's family moved back to the reservation for a time in the 1970s, and she recalls missing the freedom of the city. She also found herself impatient with the racial intolerance of rural whites and increasingly aware of a "glass ceiling" on the reservation for Indians.

She moved back to Chicago where she raised her two daughters and earned her B.A. and Masters degrees. She is currently pursuing a Ph.D. in education.

Ultimately, she feels that the Relocation Program was a failure. Forty percent of urban Native Americans currently live in very low-income households; their unemployment rate is 2.4 times greater than the rate for urban whites, according to the Center for Urban Research and Learning at Loyola University. The gentrification of the Uptown neighborhood has pushed many native people to cheaper, less safe areas of the city. Miller lives with her two daughters and granddaughter in a three-bedroom apartment outside of Uptown. Daughter Alicia, who has a B.A., was downsized from her teaching job with Chicago Public Schools and is looking for work.

"Like many Native Americans in the city, we are just a smidge above poverty line. Despite all our efforts, our children are only a tiny bit better off than we were," Miller says.

She adds, "Relocation proved that the American myth of pulling yourself up by your bootstraps is just that, a myth."

Marilyn Miller (at left), Lac du Flambeau Ojibwe, came to Chicago on the BIA's relocation program with her family in 1957. She is still in Chicago with her daughters Kelli and Alicia Soto and granddaughter Anjeni Del Real, 9. Their father is Hispanic and Anjeni's father is half Hispanic.

Photo: Mary Annete Pember

Ethnically her family is a classic example of the Relocation experience; her daughters are half Hispanic and half Ojibwe. Alicia's daughter, Anjeni, 9, has heritage from the Ojibwe, Blackfeet and Santee Sioux tribes in addition to her Hispanic background. In a perverse trend among the recent generation of native peoples, Anjeni is not eligible for enrollment in any of these tribes because she doesn't meet their blood quantum requirements. "We feel like outsiders when we go back to the reservation. It makes us feel a bit sad, but Chicago is our home," says Alicia.

Marilyn Miller has worked hard, though, to ensure that her daughters have knowledge of their Ojibwe heritage, frequently traveling to powwows and sewing dance regalia.

"They know the culture; they know who they are," Miller says proudly. For Miller, culture is identity and closely tied to self-esteem.

"Our culture makes us feel rich. It is a beauty that can't be sullied. They took everything from us, but when we get together we can still celebrate our existence and survival."

The majority of Native Americans are now urbanites. Mary Annette Pember looks back at the federal Relocation Program that moved Indians off their tribal lands and two cultural centers where native traditions have rooted in Chicago.

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