UC Berkeley
UC Berkeley Electronic Theses and Dissertations

Title
Northern Plains Borders and the People In Between, 1860-1940

Permalink
https://escholarship.org/uc/item/0626r3kx

Author
Hagen, Delia Lee

Publication Date
2015

Peer reviewed|Thesis/dissertation

eScholarship.org Powered by the California Digital Library
University of California

Northern Plains Borders and the People in Between, 1860-1940

By Delia Lee Hagen

A dissertation submitted in partial satisfaction of the

requirements for the degree of

Doctor of Philosophy

in

History

in the

Graduate Division

of the

University of California, Berkeley

Committee in charge:

Professor Kerwin L. Klein, Co-chair
Professor Brian DeLay, Co-chair
Professor Margaret Chowning
Professor Michael J. Watts

Spring 2015

Abstract

Northern Plains Borders and the People in Between, 1860-1940

by

Delia Lee Hagen

Doctor of Philosophy in History

University of California, Berkeley

Professor Kerwin L. Klein, Co-chair
Professor Brian DeLay, Co-chair

Northern Plains Borders and the People in Between is a transnational history of colonialism and mixed, mobile indigenous people in the borderlands of the northern Great Plains from 1860 to 1940. Based on archival documents from Canada and the United States, it focuses on social, spatial, political and legal developments. It demonstrates that when American and Canadian militaries invaded, they relied on and targeted mixed indigenous communities. Members of these communities were affiliated with tribes across the region, and moved often and far. As they mixed and moved, they were involved in the many different conflicts that wracked the Northern Plains after 1860, and they physically linked period violence in Canada and the United States. Subsequently, both countries incorporated Plains inhabitants through Indian treaties and state status categories that created mutually-exclusive, spatialized legal classifications—American or Canadian, Sioux or Cree, Métis, Indian, citizen, or alien. These classifications conveyed different rights, and status and rights were tightly tied to particular places, like homesteads, or nations or specific Indian reservations. One's legal status thus had direct material implications, linking boundaries of race, place, tribe, and band to land.

On both sides of the international line, these social and spatial borders criminalized mixture and mobility. With the concurrent spread of allotment and tribal enrollment, many borderlands indigenes were left stateless—they were excluded from every legal category through which Canada and the U.S. allocated status and rights. This study shows how statelessness flowed through prior racial, tribal and spatial classifications—like enrolled member of the U.S. Turtle Mountain Chippewa Indians. It wasn't just the international boundary that created indigenous statelessness, but the multi-faceted and layered boundary-making of settler colonialism. For indigenous people, tribal membership boundaries, or enrollment, became the most significant aspect of allotment, both in terms of land loss and in terms of enduring community consequences.

This dissertation concludes that statelessness originated not in overseas imperialism but in the earlier colonization of the continent. It also finds that the most critical implications of statelessness were material: stateless indigenes were not just landless, or homeless, but worse—their mere presence was forbidden everywhere. Legally, they had the right to occupy no place, no space. In this context, people contested their statelessness, pursuing legal status, rights and property into the 20th century. This study maps that ongoing political activity and associated

mobility, revealing enduring indigenous geographies in a period when Indian people have been considered politically inactive, and reservation-bound. It shows how, into the 1940s, indigenous mixture and movement entwined Canadian and American histories, making them not just parallel but inseparable. Ultimately, it engages discussions of space, power, violence, law and the state as they relate to histories of borderlands, frontiers, and the West, Native Americans, First Nations, immigration and race.

Contents

Introduction 1

1 Entanglements: The Northern Plains in 1860 19

2 Armies, Indians & the People in Between: Occupying the Northern Plains After 1860 59

3 Indispensable Enemies: Needing and Hating the People in Between 89

4 Forging Nations and Natives I: Canada and the re-United States 115

5 Forging Nations and Natives II: Indian People and Indian Lands 137

6 Unresolved States and the North-West Conflict of 1885 171

7 "Foreigners in the Territory We Had Always Called 'Home'": Statelessness in the late 19th Century 190

8 Landscapes of Indigenous Statelessness 229

9 Enduring Indigenous Geographies: Imagined Communities 256

10 Enduring Indigenous Geographies: Lived Communities 282

Bibliography 302

Abbreviations

AANDC- Aboriginal Affairs and Northern Development Canada.
ARCIA- Annual Report of the Commissioner of Indian Affairs.
ARDIA- Annual Report of the Department of Indian Affairs.
CIA- Commissioner of Indian Affairs.
CPR- Central Plains Region.
LAC- Library and Archives Canada.
MHS- Montana Historical Society.
NARA- National Archives and Records Administration.
NWMP- North West Mounted Police.
OIA- Office Indian Affairs.
OR- The War of Rebellion: A Compilation of the Official Records of the Union and Confederate Armies.
RMR- Rocky Mountain Region.
SGIA- Secretary General of Indian Affairs.
SHSND- State Historical Society North Dakota.
SOI- Secretary of the Interior.
USBIA- United States Bureau of Indian Affairs.

Introduction

In hindsight, I can see that this dissertation began almost fifteen years ago, when I first learned about the Métis from a man aptly named Al Wiseman. The Métis, Al told me, were a group of mixed-race French-Chippewa Indian people who lived in the U.S.-Canadian borderlands of the Northern Plains. In the second half of the nineteenth century, they fought two major battles with Canadian forces, the first along the Red River of the North in 1869 and the second sixteen years later in present-day Saskatchewan. After the second conflict, Canada hung their leader, Louis Riel.

A francophile and a student of Indian history, I was fascinated by Al's dramatic and unfamiliar story. So I guess that is where this manuscript should start. Now, I grew up in Montana and my dad did a variety of things to make a living, including trading antique saddles and cowboy gear. He also liked to camp, so we spent many weeks of my childhood driving down backroads in our dark green '67 Cadillac convertible, hitting farm auctions and looking for old ranchers who might harbor treasures in their basements or in their barns. I was fascinated by the state's heritage from an early age, and I got into it more deeply as a history major at Dartmouth. After college I worked as a rural community organizer out of Billings, and I got to know the eastern half of the Montana as well as anyone. But in all my Montana adventures I'd never encountered the Métis.

By all means I should have. Montana is part of the heart of Métis territory, and Louis Riel, maybe the most famous person in Canadian history, was in many respects a Montanan. I knew my state intimately, I had a master's degree in American history, I specialized in borderlands and the West, in the Great Plains and in Indian history—why in the world didn't I know about Riel and the Métis? The answer, it turned out, has to do with names, and with categories. When Canada and the U.S. colonized the Northern Plains in the late nineteenth century, the Métis became labeled, and categorized as, Canadian. And since national boundaries often determine the histories we learn, I'd never even heard of one of the most important aspects of Montana history. It was a Canadian story, not an American one.

Then I met Al Wiseman. I had recently finished my master's and was back in Montana working for a historical consulting firm. We were in the midst of a fieldwork assignment, surveying cultural resources along a highway project on U.S. 89, which runs north-south along the Rocky Mountain front. The project corridor started just north of the Sun River Valley and St. Peter's Mission, where Riel taught school before being called to Canada, and to his death, in 1885. It ended at the southern edge of the current American Blackfeet reservation. Cultural resource surveys require writing a historical context to use for evaluating the significance of sites that could be impacted by the project. As a standard part of my research for these contexts, I'd ask around to try to find local old folks and history aficionados who could shed some light on regional development. At the café in Choteau, my Hutterrite waitress told me about Al, who was not only an elder, but also an historian, a curator, and a carpenter, who makes, among other things, Red River Métis carts. Al and his wife Celia live in the foothills of the Rocky Mountain front northwest of Choteau, near the South Fork of the Teton River. They are members of the Little Shell Chippewa tribe, which is based in Great Falls, and they both come from long-time front-range Métis families. They dedicate their time to preserving and sharing the history of their ancestral communities, and are the only caretakers of the cemetery at the old abandoned Métis settlement located at the head of Teton Canyon. They also look after an old log cabin that sits next to the cemetery. This cabin is where Joseph Kinsey Howard lived, and died, while

writing *Strange Empire*, his classic history of the Riel rebellions. On a sunny fall day, Al took me to this lovely site, and he told me about the Métis.

Primary Sources: The Language of Limits

Years later, I decided to do my first research on the topic, and my linguistic dilemmas began. In retrospect I can see that my subsequent struggles with language determined the trajectory of my research and, eventually, of this dissertation. I learned from Al that the Little Shell Chippewa and many Montana Métis communities trace their current landlessness and lack of tribal recognition to 1892, when their families were cut from the original membership roll of the Turtle Mountain Chippewa reservation in North Dakota. So for my first project I decided to explore how that roll-purging process played out. I knew already that the history of Métis communities along the Rocky Mountain front was linked to that of the Little Shell and Turtle Mountain Chippewa, and also to the Chippewa-Cree of Montana's Rocky Boy Reservation, which is located north of Fort Benton on the western slope of the Bear's Paw Mountains. I also knew that Métis people had lived in the region since at least the first half of the nineteenth century, and that at that time a lot of other Indian tribes, like the Cree, Blackfeet, Gros Ventre, Assiniboine, Sioux, Crow, Salish, and Kootenai, for starters, also used the area.

Al made clear, however, that although the local Métis community had been around Montana a long time, it maintained ties to Canada well into the twentieth century. He considered the 1885 events in Saskatchewan a turning point of his own history. After the Saskatchewan conflict and the hanging of Riel, as Al put it, "things fell apart" for the Montana Métis. Americans labeled the Métis Canadian, and the army harassed, hunted and deported them. They tried to get permission to live on American Indian lands like the Flathead Reservation, but these efforts foundered. Their endurance in places like Teton Canyon testified to the insecurity of their existence in the States after 1885—mountain canyons like that carved by the Teton River offered places to hide when deportation campaigns periodically brought soldiers looking to round up what they called "Canadian Cree."

So I started doing research with this basic context as my background—that is that the Métis were connected to the Little Shell Chippewa and to the Turtle Mountain Chippewa and to the Rocky Boy Chippewa-Cree, and that Montana communities were connected to North Dakota locales and American communities were connected to places across Canada, and all of this had been going on since at least the early nineteenth century and had lasted into the twentieth. In this context, I dove into an examination of Turtle Mountain tribal roll-making hoping to illuminate the understudied process and consequences of tribal enrollment. What criteria did government officials use to determine tribal membership, and how did these criteria differ from those used by the varied groups claiming Turtle Mountain affiliation? How did notions of national and cultural citizenship operate in the reduction of tribal rolls and opposition thereto? How were ideas of blood-mixture and racial status used by policy makers and others? How were these ideas, in turn, affected by the events at Turtle Mountain? What did the roll-making process reflect about the organization of Turtle Mountain communities, and how did the process change those communities? Why were the rolls reduced as they were, and what were the economic, social, and political implications of the reduction?

In trying to answer these questions, my initial research-keyword kit was quite extensive. I had to look for all the aforementioned group terms alone and in combination and also for their many possible period synonyms in primary sources, like "British Indians" or Red River

"halfbreeds." And I came up with a bunch of documents. But at some level, these abundant primary sources obscured, or actively erased, the social and spatial connections reflected in my expanding keyword kit. Documents from the Office of Indian Affairs referenced "British halfbreeds" and official correspondence called for their expulsion from American reservation communities. In 1896, Montana newspapers published story after story about "Canadian Cree," led by Little Bear, being sent "home." These groups were related and intermixed: the descriptions in primary sources seemed simplified and inaccurate. Like all nineteenth century Northern Plains Indian bands, Little Bear's band fluctuated in terms of membership, and it included people from Chippewa and Métis communities and people from Montana and North Dakota and sometimes people from Idaho and Minnesota and Wisconsin. It couldn't accurately be called Cree or Canadian. Why wasn't that in the newspaper? Why didn't Indian agents ponder these connections when considering whether people could live on reservations?

These questions are themselves a critical part of the Métis story. The primary sources in front of me weren't just describing contemporary events, they were actively shaping them through the use of language. Headlines about the "Canadian Cree," for instance, were part of the colonial process in which nation-states categorized the Cree as Canadian and tried to erase the enduring connections between Cree people and so-called American populations and places. Moreover, the headlines referred to groups that included not only Cree but also, at the very least, people of Chippewa, French, and British descent. The media used a misleading language of limits: it discursively displaced and confined indigenous communities—enclosing them in linguistic borders that implied discrete and separate nations, races, tribes, and bands and tied each one of them to exclusive geographies. Canadian Cree, Turtle Mountain Chippewa, British half-breeds: all these socially and spatially discrete categories ignored the mixture and mobility that characterized the integrated indigenous communities who inhabited the Northern Plains borderlands.

Secondary Sources: Fractured Narratives

While I grappled with my ever-growing pile of primary sources, I was also trying to read what historians had written on these topics. The literature you look at invariably depends on how you frame your research, and initially I thought to situate my work in literature on Northern Plains indigenous groups and the Métis.

Canadian historians, it turned out, had a lot to say about the Métis. But many Canadian studies focused primarily on the events surrounding the Métis rebellions of 1869/1870 and 1885, and most limited their focus to current Canadian territory. This historiography limits our understanding of the Métis temporally and spatially. It also limits it socially. Métis studies are grounded in the idea of ethnogenesis—that is that the Métis became a distinct nation or people around the late eighteenth and early nineteenth centuries. And while ethnogenesis is an important development, and is one of the things that makes the history of the Métis so interesting, scholarly emphasis on it has essentialized Métis communities in several ways. Ethnogenesis arguments tend to focus on endogamy, and disproportionate attention to endogamy marginalized the ongoing intertribal mixture and mobility of Métis groups. In a lot of the literature, the social and spatial mixture that made the Métis into Canada's third racial group seemed to disappear in the post-ethnogenesis period, and this erased enduring ties to tribal groups across the region. Works that examined the varied affiliations within Métis communities also ignored ongoing intertribal connection. Scholars of Métis history emphasized racial

mixture, not tribal mixture, and they tended to focus on differences in European ethnicity, ie. differences between the French Métis and the English Métis.[1]

On the other hand, until recently, American historians mostly ignored the history of Métis groups and their historical association with Indian peoples. There are still few histories of the U.S. Métis or of the Métis by U.S. scholars—they simply aren't a separate sub-field of American history. Although this is now changing rapidly, when I began my research the focus on métissage and the complications of borders, both spatial and metaphorical, that had been so fruitful for historians of other frontiers hadn't made much impact on studies of the Northern Plains border region. As Anne Hyde recently noted, even works that focused on the fur-trade era excised relationships across racial borders: in U.S. histories of the northern Great Plains and Rocky Mountain regions, métissage/mestizaje was almost non-existent.[2]

When they did acknowledge the tangled nature of Northern Plains indigenous populations, American academics tended to treat it as the product of a precise time and place. Authors who focused their work on Montana Métis, Chippewa and Cree people, for instance, inverted the erasures of Canadian Métis scholarship. Instead of implying that mixture faded in the early 1800s, with ethnogenesis and subsequent endogamy, they implied it began in the late 1800s: they usually cited some combination of the retreat south of the buffalo around 1880, the flight from persecution by Canadian authorities following the 1885 Riel Rebellion, or the 1892 enrollment purge at North Dakota's Turtle Mountain Reservation, as catalysts for migration that brought previously discrete populations together in late nineteenth century Montana. Academics narrated these migrations as singular episodes: they start and end in particular period, and they consist of separate groups moving en masse in a particular direction.[3] All of these oft-recounted episodes occurred in the 1880s and early 1890s. Historians' perpetual emphasis on them inhibits our understanding of enduring Métis movement across state, national, tribal, and racial lines. This movement was a persistent, continual component of indigenous use of a historic homeland:

---

[1] For overviews of the past work and existing gaps in the history of Métis peoples see Jacqueline Peterson, *The New Peoples : Being and Becoming Métis in North America* (Lincoln: University of Nebraska Press, 1985) and Dennis Madill, "Riel, Red River, and Beyond: New Developments in Métis History," in *New Directions in American Indian History*, ed. Colin G. Calloway, vol. 1 (Norman: University of Oklahoma Press, 1992), 49–78; Nicole St-Onge, Carolyn Podruchny, and Brenda Macdougall, eds., *Contours of a People: Métis Family, Mobility, and History* (Norman: University of Oklahoma Press, 2012).

[2] Anne Farrar Hyde, *Empires, Nations, and Families: A History of the North American West, 1800-1860* (New York: HarperCollins, 2012), 18. For notable exceptions to these twentieth century tendencies to ignore Métis populations (usually called Cree or Chippewa, or Chippewa-Cree) in the United States, see Melissa Meyer, *The White Earth Tragedy: Ethnicity and Dispossession at a Minnesota Anishinaabe Reservation, 1889-1920* (Lincoln: University of Nebraska Press, 1994); Tanis C. Thorne, *The Many Hands of My Relations: French and Indians on the Lower Missouri*, First Edition (Columbia: University of Missouri Press, 1996); Gerhard Ens, "The Reformulation of the Turtle Mountain Métis Community, 1879-1905," in *New Faces of the Fur Trade: Selected Papers of the Seventh North American Fur Trade Conference, Halifax, Nova Scotia, 1995*, ed. Jo-Anne Fiske, Susan Sleeper-Smith, and William Wicken (East Lansing: Michigan State University Press, 1998); Martha Foster, "'We Know Who We Are': Multiethnic Identity in a Montana Métis Community" (Ph.D., University of California, 2000); Gerhard Ens, "The Border, the Buffalo, and the Métis of Montana," in *The Borderlands of the American and Canadian Wests: Essays on Regional History of the Forty Ninth Parallel*, ed. Sterling Evans (Lincoln: University of Nebraska Press, 2006), 139–54; Martha Harroun Foster, *We Know Who We Are: Métis Identity in a Montana Community* (Norman: University of Oklahoma Press, 2006), 177; Michel Hogue, "The Montana Métis and the Shifting Boundaries of Belonging," in *Contours of a People: Métis Family, Mobility, and History*, ed. Nicole St-Onge, Carolyn Podruchny, and Brenda Macdougall (Norman: University of Oklahoma Press, 2012), 300–330; and the recent work of Michel Hogue. Gerhard Ens, Melissa Meyer and Martha Foster treat syncretism and the movement that produced it as a sustained characteristic of the communities they analyze, but their focus on a single community and its complex internal relations of conflict and cohesion de-emphasizes ongoing interaction between locales. Foster, for one, is expressly concerned with the Spring Creek Métis "band's long history as a separate people." Foster, *We Know Who We Are*, 2006, 177.

[3] Verne Dusenberry, "The Rocky Boy Indians," *The Montana Magazine of History* 4, no. 1 (1954): 3, 11–12; Thomas Wessel, "A History of the Rocky Boy's Indian Reservation" (Bozeman, Mont., 1975); Hans Peterson, *Imasees and His Band: Canadian Refugees After the North-West Rebellion* (Edmonton: Anthropology Club, University of Alberta, 1978); Larry W. Burt, "In a Crooked Piece of Time: The Dilemma of the Montana Cree and the Métis," *Journal of American Culture* 9, no. 1 (1986): 48, 50; Larry W. Burt, "Nowhere Left to Go: Montana's Crees, Métis, and Chippewas and the Creation of Rocky Boy's Reservation," *Great Plains Quarterly* 7, no. Summer (1987): 195–209; Celeste River, "A Mountain in His Memory: Frank Bird Linderman, His Role in Acquiring the Rocky Boy Indian Reservation for the Montana Chippewa and Cree, and the Importance of That Experience in the Development of His Literary Careers" (Master's Thesis, University of Montana, 1990); Luke Ryan, "Freedom, Fear, and the American Periphery: The Chippewa and Cree in Montana, 1885-1923" (Master of Arts, University of Montana, 1998); Verne Dusenberry, *The Montana Cree: A Study in Religious Persistence* (Norman: University of Oklahoma Press, 1998), 33–34, 43.

American historiographic traditions reduced it to an anomaly in which people move into a place to which they were foreign, and which was foreign to them.

The burgeoning body of literature that explicitly treats the Northern Great Plains as a borderlands was more attentive to connections between the region's indigenous communities across space and time. As I embarked on this project, this corpus was growing rapidly, but with regard to Northern Plains indigenous populations it suffered from several shortcomings. The most widely shared of these, and the most important from my perspective, was the suggestion that the sedentarization campaigns aimed at the region's indigenous people had succeeded in separating them from each other, and from non-Indians, by the end of the nineteenth century. This argument is made implicitly in some works, like those of Beth LaDow and Sheila MacManus: indigenous people figure in the early sections of their books but not in subsequent sections. By the last decades of the 1800s they are rhetorically relegated to reservations.[4] Other authors make the argument for successful sedentarization more forcefully. The title of David McCrady's 2006 monograph on the Sioux in the Canadian borderlands is *Living With Strangers*. As this title indicates, the author doesn't foreground the enduring connections that pulled the Sioux northward after conflicts with the American army in the 1860s and 1870s. He doesn't emphasize that they moved to communities that contained friends and relatives, as opposed to strangers. This encourages him to suggest in turn that connections between borderlands groups were successfully severed soon thereafter. He concludes his book with the unambiguous assertion that "by the early 1880s both the American and Canadian governments were taking steps to stop aboriginal peoples from crossing the boundary. Over the course of a single generation, the boundary was closed and the borderlands destroyed."[5]

These early historiographical gaps, and the concomitant implications of the linguistic limits of archival sources, forced me to grapple with the limits of my own conceptual framework. Although I initially dove into research with a general awareness that the Métis were connected across space and time to Chippewa and Cree communities throughout the Northern Plains border region, and although I consciously blurred the lines between these three groups, I thought of the combined Métis-Chippewa-Cree as a reasonably discrete entity about which I could write my dissertation. But the sources I located in research often ended up being in archival collections from other Indian groups. I found stuff in Flathead agency collections, in reports from the Crow Reservation, in memoirs of life among the Blackfeet and in documents relating to the Assiniboine and the Sioux. I began to understand how fundamentally and perpetually intertribal and polyethnic Métis communities were, that not just interracial marriage, but widespread social and spatial mixture, was their defining essence. And recognizing that the Métis were connected to all these different groups meant that tribes across the Northern Plains were deeply involved in this ubiquitous interaction. The Métis had no monopoly on mixture across geographic, national,

---

[4] Beth LaDow, *The Medicine Line: Life and Death on a North American Borderland* (New York: Routledge, 2001); Sheila McManus, *The Line Which Separates: Race, Gender, and the Making of the Alberta-Montana Borderlands* (Lincoln: University of Nebraska Press, 2005).

[5] David McCrady, *Living with Strangers: The Nineteenth-Century Sioux and the Canadian-American Borderlands* (Lincoln: University of Nebraska Press, 2006), 110. Although the bulk of her manuscript suggests ongoing ties across what became international space, Martha Foster also asserts an early closing of the border: "As trade competition between the countries increased, Métis movement across the border became more difficult and costly, and gradually, by the 1840s, they were forced to choose between U.S. or Canadian residency." Foster, *We Know Who We Are*, 2006, 16. Michel Hogue's work looks at ongoing cross-border movement to a certain degree, but his work ends with the nineteenth century, and he sees the movement of "Cree" as exceptional, the result of the fact that "unlike most other Natives in Canada and the United States, they were not confined to a reservation." His work is also focused mainly on crossing of national political borders, rather than a more complicated continued crossing of the many borders erected by colonial regimes. Michel Hogue, "Crossing the Line: Race, Nationality, and the Deportation of the Canadian Crees in the Canada-US Borderlands, 1890-1900," in *The Borderlands of the American and Canadian Wests: Essays on Regional History of the Forty Ninth Parallel*, ed. Sterling Evans (Lincoln: University of Nebraska Press, 2006), 167; Michel Hogue, "Disputing the Medicine Line: The Plains Crees and the Canadian-American Border, 1876-1885," *Montana: The Magazine of Western History* 52, no. 4 (2002): 2–17.

tribal, racial, and band lines: although we call tribes by different names and imagine them as spatially, ethnically, and culturally discrete, Northern Plains indigenous groups were interacting and intermarrying pretty much constantly throughout the nineteenth century and beyond. This realization pushed my research, and the narrative trajectory of my dissertation, into tribes and terrain that I had originally considered separate from my Métis story. I started out studying the Montana Métis and the Cree—both groups we now associate with Canada—and ended up telling a story that has almost as much to do with the Minnesota and Dakota Sioux—perhaps the quintessential American Indian tribe.

In my initial review of the different relevant literatures, then, it became abundantly clear that the narratives we tell about the Northern Plains in the nineteenth and twentieth centuries fracture along a host of dividing lines. It also became clear that the boundaries that structure our thinking about this period are a product of the colonial process we study. The history of the colonization of Indian land and Indian people had been studied according to the categories created by settler colonialism. It has been written in geographic pieces and national pieces and tribal pieces and racial pieces that obscure the connections between these categories. Taken together, all of these factors meant that my project changed quite a bit as it developed, and instead of trying to simply fill in some of the historiographical gaps I identified, I began to focus on why those gaps existed in the first place. That is, I began to explore how colonialism tried to define and separate, at both a conceptual and physical level, different populations on the Northern Plains. I wanted to know how that effort shaped borderlands societies, and how it shaped the way we think.

While I trudged along on this path of inquiry, I was—predictably—in step with my academic contemporaries. Recently, historians have published all sorts of wonderful work that speaks to many of the interpretive questions at the core of this study. So, too, have scholars studying subjects in which I hadn't explicitly situated my work at the outset but with which it is now deeply engaged. So abundant is this output that we are now said to have completed all sorts of related turns. Since the 1990s, the thoroughgoing transnational turn has transformed the fields of Western history, Borderlands history, Native American History, and the histories of race, ethnicity, immigration, citizenship and imperialism, among others. The global turn, which is associated but not necessarily the same, has done likewise. So, too, the spatial turn.[6] All of these interrelated developments overlap with the imperial turn, an intellectual corner we'd rounded, by some calculations, by the turn of the century.[7] Since then, the type of imperialism scrutinized in the chapters that follow has matured into its own scholarly field, with its own conferences and a journal, called settler colonial studies.[8] These developments beg the question of where all this recent pirouetting through the past has taken us.

The answer, by all counts, is a long way from where we were in that late '90s. Twenty years ago Western history was at an impasse. Influential new Western historians believed the concept of frontier to be irretrievably linked to celebratory and racist histories—Patricia Limerick vilified it as the "F-word"—and refashioned the field as one defined by region. Others protested against the wholesale substitution of place for process, and pushed back.[9] The debate over drawing or blurring boundaries became a debate over the very definition of the discipline.

---

[6] Cf. Sherene H. Razack, ed., *Race, Space, and the Law: Unmapping a White Settler Society* (Toronto: Between the Lines, 2005), Introduction.
[7] Antoinette M Burton, ed., *After the Imperial Turn: Thinking With and Through the Nation* (Durham: Duke University Press, 2006).
[8] See "Settler Colonial Studies Blog," *Settler Colonial Studies Blog*, http://settlercolonialstudies.org/.
[9] A pair of textbooks that bracketed the 1990s reflected these two positions. See Richard White, *"It's Your Misfortune and None of My Own": A History of the American West* (Norman: University of Oklahoma Press, 1991); Robert V. Hine and John Mack Faragher, *The American West: A New Interpretive History* (New Haven: Yale University Press, 2000).

As Kerwin Klein put it, prominent Western historians implied that we should "give up talking about western history in continental terms, and concentrate on the West as region." The idea of treating the West as a discrete region rather than a shifting frontier of intercultural contact hearkened back to the beginning of the field as a specialization, when "each new and self-consciously 'western' monograph, each hopeful stab at fixing the specialized boundaries of the West, carried the field further from its earlier position of dominance" and broader relevance to American history. Klein offered an alternative by musing over the possibility that being "postwestern might liberate historians of the West from the margin to which specialization threatens to consign us," and encouraging scholars to consider the synthesized and syncretic histories that emerge from a focus on "the imperial occupation of the West."[10] Doing otherwise threatened to create conceptual boundaries that ignored the global contexts of local stories and abstracted them from the larger stories in which they are embedded.[11]

We no longer need fear such threats. Since then, comparative and transnational approaches have permeated the field. Western historians energetically bring "the history of the West into conversation with the rest of the world," oft penning works that "take in the West . . . in overlapping subregional, regional, national, transnational, and international contexts."[12] Western histories are again threads "woven into the larger global fabric of frontiers, colonies, and empires," and have expanded our vision across space and time.[13] If the impulses of the 1990s "new western history" replaced a frontier-era focus with a twentieth century one, the new new western history has "remapped" the seventeenth and eighteenth centuries, not only by bringing western places into histories of those periods, but by bringing U.S. colonial history into the West. At the same time a dramatic expansion of borderlands approaches has pushed the term into intellectual terrain so distant from Herbert Bolton's Southwest that it appears not only in other places but in works about surfing and sex, a development that has some scholars warning about the perils of "such promiscuous usages."[14]

From the Northern Plains perspective of this dissertation, such warnings seem premature. Despite the impressive proliferation of borderlands, we have yet to firmly shake the Southwest's hold on the term. Especially with regard to Western history, the borderlands remain definitively Boltonian. For evidence of this one need look no farther than a recent essay reviewing treatments of "regionalism and sectionalism in American historical writing." Although the role of region in historiography is the author's very focus, he discusses the transnational turn of new work as a component of "the field of Southwest Borderlands history." In a testament to the Southwest's enduring grip on the borderlands, this disciplinary boundary is neither discussed nor qualified.[15] There remains a stark contrast between scholarship focusing on northern border regions and the institutionalization of Southwestern studies *as* borderlands history. The excellent body of recent work on the American Northwest as well as the publication of several collections

---

[10] Kerwin Klein, "Reclaiming the 'F' Word, or Being and Becoming Postwestern," *The Pacific Historical Review* 65, no. 2 (1996): 181, 213–214.
[11] These same debates animated the related field of western Historical Archaeology. There, the emphasis on discrete spatial boundaries and societies had also hindered scholars understandings of how local processes connected to larger ones, leading to a call "to consider frontiers, not as borders that largely inhibit and constrain intercultural relationships, but as interaction zones where encounters take place between peoples from diverse homelands." Kent G Lightfoot and Antoinette Martinez, "Frontiers and Boundaries in Archaeological Perspective," *Annual Review of Anthropology* 24 (1995): 473.
[12] Stephen Aron, "Frontiers, Borderlands, Wests," in *American History Now*, ed. Eric Foner and Lisa McGirr (Philadelphia: Temple University Press, 2011), 263, 276.
[13] David M. Wrobel, "Regionalism and Sectionalism in American Historical Writing," in *A Century of American Historiography*, ed. James M Banner, Jr. (Boston: Bedford/St. Martin's, 2010), 154.
[14] Aron, "Frontiers, Borderlands, Wests," 267–70; Ned Blackhawk, "American Indians and the Study of U.S. History," in *American History Now*, ed. Eric Foner and Lisa McGirr (Philadelphia: Temple University Press, 2011), 381.
[15] Wrobel, "Regionalism and Sectionalism in American Historical Writing," 146. This borderlands myopia is all the more startling given Wrobel's characterization of the field as "one of the most exciting and innovative subfields in the history of the Americas."

devoted in whole or in part to northern borders, has not yet dislodged the southwestern borders that contain borderlands.[16] This is especially true of later periods. If transformations in Western history have revolutionized the way we look at the seventeenth and eighteenth centuries, the nineteenth century, in the words of Ned Blackhawk, "remains less affected."[17] With regard to the northern border, this assessment is more accurate when we refine it: the freshly flourishing field of fur trade history—covering a period when contests over borders were harder to ignore—has of late produced some wonderful monographs that take us into the mid-1800s.[18] After that, borderlands scholarship situated in the Northwest is less abundant. Such inattention to the modern border between Canada and the United States erases the historical construction, and contestations, of that border, naturalizing and de-politicizing it.

One of the primary results of the emphases and approaches that have defined recent Western and borderlands historiography is a re-centering of indigenous people and polities. Partly due to a paucity of earlier Indian-centered narratives, changes in American Indian historiography in the last twenty years have been even more thoroughgoing than in the related Western and Borderlands fields. Wonderful new work on American Indian history has led to effusions about its "dramatic reversals of scholarly fortune" and declarations that the field has "come of age," or has "now arrived."[19] This work has not only "recast the history of the American West prior to the U.S.-Mexican War" but has pushed Indians back into U.S. history as a whole, especially in the colonial period, and even into transnational and global histories. In all of these developments one can discern the transnational, global, imperial, etc. turns and the way they have blurred the many of the boundaries and weakened many of the borders that long-structured much of our thinking about indigenous people and their place in the past.

But certain of these boundaries and borders have been more tenacious than others. Foremost among them are the borders we draw around reservations and tribes. These borders are multiple—spatial, social, temporal—and they endure, not only robust but powerfully influential.[20] Sometimes they seem to define the field itself. When Ned Blackhawk laments the relative historiographic exclusion of Indians histories of the late nineteenth and twentieth centuries, the problem stems from the fact that "reservation and tribal histories . . . remain

---

[16] Yale D. Belanger, *Cole Harris. Making Native Space: Colonialism, Resistance, and Reserves in British Columbia.(Book Review): An Article from: American Review of Canadian Studies* (Association for Canadian Studies in the United States, 2003).Cole Harris, *The Resettlement of British Columbia: Essays on Colonialism and Geographical Change* (Vancouver BC: UBC Press, 1997). Jennifer Seltz, "Epidemics, Indians, and Border-Making in the Nineteenth-Century Pacific Northwest," in *Bridging National Borders in North America: Transnational and Comparative Histories*, ed. Benjamin H. Johnson and Andrew R Graybill (Durham: Duke University Press, 2010), 91–115; Coll-Peter Thrush, *Native Seattle : Histories from the Crossing-over Place* (Seattle: University of Washington Press, 2007); Paige Sylvia Raibmon, *Authentic Indians: Episodes of Encounter from the Late-Nineteenth-Century Northwest Coast* (Durham: Duke University Press, 2005); Paige Raibmon, "Meanings of Mobility on the Northwest Coast," in *New Histories for Old* (Vancouver: University of British Columbia Press, 2007); Andrew H. Fisher, "Tangled Nets: Treaty Rights and Tribal Identities at Celilo Falls," *Oregon Historical Quarterly* 105, no. 2 (July 1, 2004): 178–211; Andrew Fisher, "They Mean To Be Indian Always: The Origins of Columbia River Indian Identity, 1860-1885," *The Western Historical Quarterly*. 32, no. 4 (Winter 2001): 468; Andrew Fisher, "The 1932 Handshake Agreement: Yakama Indian Treaty Rights and Forest Service Policy in the Pacific Northwest," *The Western Historical Quarterly*. 28, no. 2 (1997): 187; Alexandra Harmon, *Indians in the Making: Ethnic Relations and Indian Identities Around Puget Sound* (Berkeley: University of California Press, 2000).Benjamin H. Johnson and Andrew R. Graybill, eds., *Bridging National Borders in North America: Transnational and Comparitive Histories* (Durham: Duke University Press, 2010); Sterling Evans, ed., *The Borderlands of the American and Canadian Wests: Essays on Regional History of the Forty-Ninth Parallel* (Lincoln: University of Nebraska Press, 2006); Carol Higham and Robert Thacker, eds., *One West, Two Myths: A Comparative Reader* (Calgary: University of Calgary Press, 2004).

[17] Blackhawk, "American Indians and the Study of U.S. History," 383.

[18] Hyde, *Empires, Nations, and Families*; Michael J Witgen, *An Infinity of Nations: How the Native New World Shaped Early North America* (Philadelphia: University of Pennsylvania Press, 2012).

[19] Blackhawk, "American Indians and the Study of U.S. History," 376; Donald L. Fixico, "The Literature of American Indian History," in *A Century of American Historiography*, ed. James M Banner, Jr. (Boston: Bedford/St. Martin's, 2010), 182.

[20] In a testament to the layered nature of reservation and tribal borders, Ned Blackhawk uses tribal and reservation histories as synonyms, and describes them as "national histories of their own . . . geographically and temporally focused around the cultural and political boundaries of an identified community." I would modify this: they are not focused around but within those boundaries. Blackhawk, "American Indians and the Study of U.S. History," 388.

unincorporated into broader narratives of the United States." Donald Fixico equates reservations, or tribes, and the field more directly. In his summation of the opportunities awaiting "historians of the native people of the United States" those opportunities are synonymous, and coterminous, with the "more than five hundred Indian nations open to historical investigation."[21] We when look at Indian history, and at the role of Indian entities in history, categories of tribe and reservation, bounded in a multiplicity of interacting borders, continue to structure our inquiries. We look through these categories instead of looking at them, and in doing so have missed their very construction, their constructed-ness. Despite all the associated corners we have collectively rounded, these categories still govern our epistemologies. Despite repeated calls from prominent historians to pay "attention to how people in the past used categories," and apply "theories about categorization to American Indian studies," to think "historically about North American Indian identity" and historicize "racial and tribal names," spatialized categories of race and tribe persist, largely uninterrogated.[22] Their making remains underexplored, obscured, so much so that they are still invisible as an historical event. There is perhaps no better testament to this than Ned Blackhawk's recent survey of the field. In a great essay, Blackhawk reviews scholarship on the early national period before commenting on "studies of America's many Indian wars." He then turns, in the next sentence, to "the reservation era."[23] In between there is nothing. The reservation and tribe-making events that fundamentally shape our perspective on the past, that, this dissertation argues, constitute the enduring structures of settler colonial invasion, that are the foundation on which the modern North American West, and modern North American nations—Indian or otherwise—were built, are absent.[24]

This absence stems in part from boundaries between historical specializations as well as divisions within them. It is especially associated with one of the most impenetrable historiographical borders in existence, that which excludes Indians from the study of race, ethnicity and immigration. Immigration history has long been the home of ethnic history—the two terms are usually paired in naming the field—and also houses much of the work done on the history of race, especially that associated with whiteness studies. But Immigration history is no place for Indians. So entrenched is this understanding that it sounds odd to suggest it should be. Immigrants and indigenes are by definition opposites, are they not? This is why Mae Ngai can write, with unapologetic assurance, with calm confidence, that "immigration and ethnic history . . . does not, in the main, include Native American Indian" history.[25] The implication is that this is a natural fact. But, as this dissertation will show, it is actually an historical one.

---

[21] Ibid., 387; Fixico, "The Literature of American Indian History," 182.

[22] Nancy Shoemaker, "Categories," in *Clearing a Path: Theorizing the Past in Native American Studies*, ed. Nancy Shoemaker (New York: Routledge, 2002), 52, 68; Alexandra Harmon, "Wanted: More Histories of Indian Identity," in *A Companion to American Indian History*, ed. Philip J. Deloria and Neal Salisbury (Malden, MA: Blackwell Publishers, 2004), 249–250.

[23] Blackhawk, "American Indians and the Study of U.S. History," 387.

[24] This void contains a panapoly of more specific implications for Indian history. In it resides the process and policies of tribal enrollment, which are more enduring, and—as we'll see—more important than the land allotment that overshadows them. In it one can find as well indigenous activism in a period during which it is oft thought nonexistent. In it also are urban indigenes and Indian wage laborers, people living and making a living outside of reservations, in cities and towns, long before post-war termination and relocation supposedly propelled such developments. These developments, in conjunction with boarding school, are also sometimes said to have produced modern "Indianness at the supratribal level" and caused "native people [to] redefin[e] Indian communities to consist of more than one tribe." In the exploring reservation- and tribe-making and its aftermath we find that such consciously multi-tribal communities existed much earlier, and indeed never ceased to exist. So, too, do we see that it is not with the recent advent of gaming that "membership within many tribal communities has become an increasingly fraught process." Rather, that process is inherently fraught, vexed since the advent of tribal membership itself. Quotes are from Harmon, "Wanted," 255; Fixico, "The Literature of American Indian History," 181; Blackhawk, "American Indians and the Study of U.S. History," 391.

[25] Mae M Ngai, "Immigration and Ethnic History," in *American History Now*, ed. Eric Foner and Lisa McGirr (Philadelphia: Temple University Press, 2011), 358–359. This exclusion stems from many habits, some of which are discussed in the text, but also from immigration history's sense of self. In order to make a claim to relevance, immigration history has since its earliest years emphasized, à la Oscar Handlin, that America is a nation of immigrants, that "the immigrants *were* American history." A settler colonial erasure of indigenous people is thus embedded in the field's foundations.

The exclusion of Indians from the category of immigrant is rooted in conceptions of race, place, indigeneity, and nation that not only pre-date the field of immigration history, but pre-date the notion of immigration itself. This conceptual exclusion translated into legal prohibitions that forbid treating Indians as immigrants, and ultimately forbid legal Indian immigration, even as international immigration became identifiable as a definitive development in American history. Thus not only have Indians, and ideas about them, been fundamental to defining the category of immigrant, and by extension the study of immigration, they have also been central in the evolution of immigration policy itself, and they have an immigration history all their own. And it is a history that destabilizes the basic building blocks of the field, calling into question not only the primary definition of its subject matter but also its periodization. The latter revolves around policy developments like the Chinese Exclusion Act of 1882 and the Immigration Act of 1924, both of which mark and mold critical junctures in immigration history. They are held, respectively, to be the first real regulation of immigration (and a symbol of its race-based nature) and "the advent of illegal immigration as a mass phenomenon."[26] The history of the mixed, mobile indigenous people of the Northern Plains borderlands belies both those claims.

But the border between Indians and immigration history has been hermetically sealed, and thus the centrality of the one to the other is yet largely unrecognized. Our blind-spot here persists despite all the turns in immigration and ethnic history of late, turns that by all indications should have caused a conscious intersection with Indian history. Reviews of recent work in the field laud its movement in transnational and borderlands directions, its associated inclusion of Mexicans and Mexican Americans, its fresh focus on race and racialization, its exploration of how groups are incorporated into nations and how immigration policy served as a tool of nation-building, its related examination of "the racial perspectives that underlay American foreign policy, especially expansionism." As a result, the field "has been transformed. Central to these changes has been the substitution of the term migration for immigration." People have also taken to replacing "assimilation" with "incorporation," and to using the term "diaspora," along with its attendant analytical angles. [27]

These broader perspectives have in turn facilitated fruitful innovation, pushing migration studies to "the forefront of the so-called transnational turn." The field's blooming growth areas read like a list of the central subjects of this dissertation. Inclusion of the Southwest borderlands in immigration history is explicitly situated in processes of "conquest and annexation," and "Mexican nationals" are explicitly understood—and considered relevant—as "not 'migrants' . . . but subjects of conquest." Other recent work has focused on "heterogeneity within descent groups," on "the dynamism of transnational cultures," on "the racialization of foreignness," on "race and colonialism," on "the power of law and the state" and "how the boundaries of national belonging and citizenship have been drawn." "The multiple facets of nation-making" are now at the center of the field, as "alternate frameworks of analysis: transnationalism, diaspora, borderlands, colonialism, and postcolonialism, hybridity" inundate immigration and ethnic history. Under this intellectual deluge "the normative assumptions that previously underlay immigration history . . . have virtually collapsed." [28]All except one, that is. The essential one, the elemental and intrinsic one, the constitutive one. The one so normative it seems a natural fact: Indians are not a part of immigration and ethnic history. Indian history and immigration history are separate, even antipodal, stories.

---

[26] Ibid., 361.
[27] Alan M. Kraut, "A Century of Scholarship in American Immigration and Ethnic Writing," in *A Century of American Historiography*, ed. James M Banner, Jr. (Boston: Bedford/St. Martin's, 2010), 130–131.
[28] Ngai, "Immigration and Ethnic History," 363–370.

A central theme of settler colonial studies is that settler colonial regimes elide their own construction, naturalizing the displacement of indigenes from national narratives like those about immigration and ethnicity, naturalizing the way we think about tribes and reservations, naturalizing our definition of borderlands. This dissertation sheds light on some of the critical processes that have been so obscured. It is, or has become, a part of the new field of settler colonial studies and it shares many of the goals and orientations of that field. At a most basic level, it joins the chorus that rejects the foundational denial of North American settler colonialism, ie. that the expansion of North American nation-states constituted settlement, not colonialism. This project of naming North American colonialism is decades old, yet nonetheless incomplete. Naming Euro-North American expansion as colonialism, and specifically as settler colonialism, intentionally situates indigenous history at the center of Canadian and American national narratives. It also connects those narratives to imperial endeavors around the globe. At the same time it foregrounds the fact of conquest, of invasion, of force: settler colonialism the world over "dispossessed indigenous people . . . through mass migration backed by violence."[29] This dissertation aims to assist all of these related attempts to shape how we understand the past.

But it has more specific designs as well. A distinctive attribute of settler colonialism, as articulated by Patrick Wolfe, is that "invasion is a structure not an event."[30] Wolfe's insight is a critical one, although in the context of the Northern Plains invasion was very much an event, or a series of them, as well as a structure. But it is the structure that is here the focus, for the events of invasion on the Plains—the so-called Indian wars, however understood—are firmly entrenched in narratives of American expansion. The longer, more expansive violence of which those conflicts are a part is also relatively, if recently, visible to us. The field of settler colonial studies makes that violence its centerpiece, and scholars have emphatically called attention to "ethnic-cleansing" and "genocide," reminding us of the ubiquity, the depth, and the importance of violence against indigenous people in the history of the United States.[31] As the above discussion of Western, Borderlands, Indian and Immigration/Ethnicity historiographies suggests, the structures of settler colonialism are more opaque. We haven't yet fully exposed the building of those structures, a project that entailed fabricating national borders, racial borders, spatial borders, borders between and around tribes and bands. These structures were cobbled together from categories like citizen and alien, White and Indian, that determined people's rights to all sorts of places, legal categories that codified and perpetuated—perpetrated—conquest.

In doing so, the structures of invasion inflicted a violence of their own, and that is another piece this dissertation intends to add to the puzzle.[32] Although nation-making and settler colonialism are widely understood to proceed hand in hand, the violence and the legal structures of invasion sometimes seem like separate stories. Narratives, like those mentioned above, that foreground violence pay scant attention to legal structures, while those that focus on law tend to neglect conflict.[33] But on the Northern Plains, the legal structures themselves became a form of

---

[29] Walter L. Hixson, *American Settler Colonialism: A History* (New York: Palgrave Macmillan, 2013), 5. As we've seen, self-consciously settler colonial studies have no monopoly on these efforts. For such work on the Northern Plains in particular, see, Jeffrey Ostler, *The Plains Sioux and U.S. Colonialism from Lewis and Clark to Wounded Knee* (New York: Cambridge University Press, 2006).

[30] Patrick Wolfe, *Settler Colonialism and the Transformation of Anthropology: The Politics and Poetics of an Ethnographic Event* (New York: Cassell, 1999), 2.

[31] Cf. Gary Clayton Anderson, *Ethnic Cleansing and the Indian: The Crime That Should Haunt America* (University of Oklahoma Press, 2014); Hixson, *American Settler Colonialism*; Ned Blackhawk, *Violence Over the Land: Indians and Empires in the Early American West* (Cambridge: Harvard University Press, 2006); Karl Jacoby, *Shadows at Dawn: A Borderlands Massacre and the Violence of History* (New York: The Penguin Press, 2008).

[32] This orientation seems more common in geography, and is nicely limned in Nicholas Blomley, "Law, Property, and the Geography of Violence: The Frontier, the Survey, and the Grid," *Annals of the Association of American Geographers* 93, no. 1 (2003): 121.

[33] Cf. Stuart Banner, *How the Indians Lost Their Land: Law and Power on the Frontier* (Cambridge: The Belknap Press of Harvard University Press, 2005); John Weaver, *The Great Land Rush and the Making of the Modern World, 1650-1900* (Montreal: McGill-Queen's University Press,

violence, as mixed, mobile indigenous people across the borderlands were legally excluded from a host of state status categories and left stateless, with rights nowhere. They suffered mightily, materially, physically as a result. Much of their suffering stemmed from the "spatial and legal practices required in the making and maintaining of a white settler society."[34] Imperial occupation of indigenous territory occurred, in part, through a continual process of territorialization that was "about excluding or including people within particular geographic boundaries, and about controlling what people do and their access to natural resources within those boundaries."[35] The pages that follow probe the history and consequences of these processes on the Northern Great Plains.

Along the way, they speak to one more intellectual habit that bears mention. This is the continued influence of elements of American exceptionalism, or, more accurately, Canadian exceptionalism. As suggested above, the border between the United States and Canada, the Northwest borderlands, has not been scrutinized in the same way the border between the United States and Mexico, *the* borderlands, has been. And nowhere is this border more impervious than in the way we view the history of U.S. and Canadian relations with Indian people. This history is understood not only as two separate histories, but two opposite histories. So sturdy is this border that it stands, undisturbed, even in settler colonial studies. A central purpose of settler colonial studies is to illuminate the specificity of settler colonialism by exploring the similarities between settler colonial systems. But a recent overview of American settler colonialism contrasts it starkly to Canadian settler colonialism. "American history," writes Walter Hixson, "is the most sweeping, most violent, and most significant example of settler colonialism in world history." In Canada, however, "geographic and demographic distinctions constructed a different history with indigenous people," one that featured "little violence."[36]

The intellectual border, or chasm, between American and Canadian Indian histories is but one of a series of critical boundaries that endure in how we think about the North American past. Like national borders, borders of tribe and band, of race and space, of citizen and alien, immigrant and Indian, all shape the histories we write. These interacting borders date to the foundational period of settler colonialism on the Northern Plains, to the moment when nation-making coincided with place-taking and became one. They warrant our attention.

The Language of Limits and the Limits of Language

Language issues play into all of these narrative boundaries. We call the Métis a new discrete group, and a Canadian one, and study it accordingly. The ongoing connections between Métis communities and other Indian groups fade. We name the Sioux an American Indian tribe, and examine it as such even though Sioux territory extended into Canada long before colonization and even though thousands of Sioux people have lived there ever since. We decide to write the history of a single North Dakota reservation and our history, our thinking, gets limited by that reservation's geographic boundaries. We study a single migration event, and then reduce migration to that same event. In this way we help solidify the separation between people and places that was an integral part of the colonial project.

2003); Lisa Ford, *Settler Sovereignty: Jurisdiction and Indigenous People in America and Australia, 1788-1836* (Cambridge Mass.: Harvard University Press, 2010); James Belich, *Replenishing the Earth: The Settler Revolution and the Rise of the Angloworld.* (New York: Oxford University Press, 2011). This may be related to a parallel segregation between histories of Indian law and broader legal and constitutional histories, as well as to relative exclusion of Indians from histories of citizenship, naturalization, etc.

[34] Razack, *Race, Space, and the Law*, 1.

[35] Peter Vandergeest and Nancy Lee Peluso, "Territorialization and State Power in Thailand," *Theory and Society* 24, no. 3 (1995): 388.

[36] Hixson, *American Settler Colonialism*, 1, 7. Hixson quotes Roger Nichols for the phrase "little violence."

These deficiencies in our understanding of the history of borderlands indigenes and the processes in which they were involved mean that much of the history of indigenous people has been misinterpreted by historians who treat as discrete populations who were inextricably intertwined. Our own language choices mimic those in period documents. Scholars who unconsciously use the language of limits often do so because they didn't ask questions about the use of language in their primary sources. When you read these sources carefully, they make clear both the entangled, inseparable nature of the ancestries within métis groups and the confusion of observers about individual identities and group composition. But historians still adopt and repeat the names and labels used, names like "Canadian Cree" or "American Chippewa," as though they are accurate, as though these words described rather than named and framed the groups in question. By writing about intertwined populations as though they are discrete, we are seeing like a state: we replicate the inaccurate and destructive social simplifications employed by states as tools of colonialism.[37] And by ignoring or minimizing the ongoing connections between different populations, historians obscure one of the important ways in which indigenous populations resisted the order imposed upon them by colonial regimes. Ultimately, by refusing to recognize and respect the racial, spatial, and tribal complexity of integrated indigenous communities, scholars perpetuate the epistemes that underlay the subsequent persecution and impoverishment of the people who remained in between the conceptual borders of colonialism.

How do we avoid doing this? When trying to write the history of populations that were inextricably intertwined, linguistic dilemmas are manifold. At a basic conceptual level, I struggle with appropriate limits to place on my work—I can't very well tell the history of every demographic group on the Northern Plains from 1860-1940 in a single dissertation, even if I think their shared histories are part of a single, coherent story. I figured out how to keep my narrative manageable by making it about a colonial process of categorization that impacted all people while focusing it on the borderlands Métis, Sioux, and Cree communities that are the best case studies of that process. But how do I tell this story without using and perpetuating the very discursive categories and analytical framework that I want to interrogate and maybe even dislodge? In my first attempts to answer this question, I decided that I would just explain exactly how I was using the word métis. I'd say that I didn't mean to imply that all of the people I talked about were, individually, Métis, and I didn't mean to challenge other identities these people may have claimed, or that their descendents may now claim. In my usage, the word métis (lower case) was intended to suggest not only individuals of mixed ancestry but also a mixed and morphous group composed of people of a variety of backgrounds. These groups changed over time and space and took on different characters, and sometimes they were heavily Cree, other times heavily Chippewa, other times more Métis. They were rarely, if ever, exclusively any one of these during the late nineteenth and early twentieth centuries. While each group contained a particular mixture of people at any given moment, and every individual in any group might claim a different ancestry, all of these groups had mixture in common. Métis, I said, was therefore the best term I'd encountered because it is the most inclusive. Other terms implicitly asserted a tribal or racial discreteness that failed to capture the mixed, mobile nature and shared history of Great Plains indigenous groups.

This was a pretty easy solution—a sort of in-text glossary—but ultimately it left me uncomfortable. I couldn't just decide to call everyone métis and hope that it would be sufficient

[37] Professor James C. Scott, *Seeing Like a State: How Certain Schemes to Improve the Human Condition Have Failed* (New Haven: Yale University Press, 1998).

to explain that I meant it differently than it was usually understood. I thought briefly about using some awful hyphenated label like Métis-Chippewa-Cree, but as Sandra Koelle immediately point out, this was even more limiting than using just Métis because it delineated a specific tribal mixture instead of leaving it open to multiple possibilities. So I was stuck with an inadequate term that failed to capture the population and processes about which I wrote. One of my dissertation advisers, Brian DeLay, urged me to honor my linguistic dissatisfaction and to do something about the limits it placed on my analysis, even if this meant that I had to resort to some inelegant "social science-y" term. So I relegated Métis to the same status as the other tribal and racial labels in my narrative. But I still haven't figured out how to solve the larger problem. I try to enclose them in quotes to emphasize their naming work, but because I don't know what else to do, I'm still using words like Sioux and Cree and Métis even though they simplify and erase the complex affiliations and ancestries of these groups. Even as I foreground the historical violence of our linguistic and conceptual categories, I rely on those categories, and perpetuate them, in order to do so.

So if there is no right answer, why belabor the question? Why does it matter? It matters because the limits of language are not merely some issue of academic angst. It matters because questions about language and ideas are not just about accuracy and objectivity. In the case of indigenous groups on the Northern Plains, language and conceptual categories have historically had social, legal, moral, and material implications, and they continue to do so in contemporary situations. Colonization fixed and formalized categories of race, nation, tribe, and band. At the same time, states tied an increasing number of rights to the status they ascribed their inhabitants. Whether people were included in, or excluded from, colonial categories could determine their rights in, to, and through the nation-state. These rights involved some of the most fundamental aspects of human existence. They included not only social, civil, and political rights but also economic ones. Since other rights depend first and foremost on being able to survive, a large part of this dissertation focuses on these economic rights. It reflects my agreement with what Freidrich Engels said in 1883 at the graveside of Karl Marx: "mankind must first of all eat and drink, have shelter and clothing, before it can pursue politics, science, art, etc."[38]

The most important economic right that Canada and the United States linked to legal categories like American Indian or Canadian citizen was the right to land, to property. In both countries, the right to a place on which to live and make a living often depended on state ascribed status. In other words, the official names that Canada and the United States gave people could determine rights to the material resources that enabled physical survival. When groups like the Métis and Cree, in the U.S., or the Sioux, in Canada, were left out of the categories used to allocate rights and resources, they suffered, often to the point of having no place to live. In part because of the refusal of policymakers, contemporary observers, and historians to legitimate mobile, intertribal, interracial and international communities, many borderlands indigenous people were left landless. Throughout their own historic homeland, on both sides of the border, they had rights to no land, to no place, to no space. The descendants of these groups continue to live with, and to contest, these categories and their consequences. Recall Al Wiseman. He is a member of the Little Shell Tribe of Chippewa Indians, but for over 100 years the U.S. government has refused to recognize the Little Shell as an American Indian tribe, besmirched as they are by the taint of mobility, Canadianness, and métissage.

[38] Freidrich Engels, "Speech at the Graveside of Karl Marx," in *Reader in Marxist Philosophy, from the Writings of Marx, Engels, and Lenin.*, ed. Howard Selsam and Harry Martel (New York: International Publishers, 1963), 189.

In the real world and in my own writing, the central tensions of my dissertation remain unresolved. The language of limits rests secure on the firm foundation of the limits of our language, an enduring linguistic legacy of the colonial process that named, and tried to keep people within, discrete bounded categories. The chapters that follow attempt to analyze that layered process through a narrative about mixed, mobile indigenous people and U.S. and Canadian colonialisms on the northern Great Plains. Although the chapters overlap temporally, the narrative as a whole advances chronologically, with the first chapter emmersing us in the Northern Plains of the early to mid-twentieth century, and the final chapters bringing us into the 1940s.

Chapter One outlines the Northern Plains of the mid-nineteenth century, an indigenous world of remarkable diversity, characterized above all by spatial and social fluidity. It was a world of infinite inter-relations, thoroughly intertribal, interracial, international, a world shaped and made by expansive human mobility. These attributes defined Plains society as a whole, and particular communities exemplified them—geographic communities like trading posts and Christian missions, and social communities like the Métis, an indigenous group borne of and embodying multifaceted intermixture. Events in the early 1860s inaugurated dramatic change on the Northern Plains, and these events are the subject of Chapter Two. In 1862, members of Sioux communities in the young state of Minnesota launched a prolonged violent attack, killing hundreds of U.S. citizens and settlers in a several week period. The bloodshed in Minnesota provided the pretext for U.S. military invasion of the Northern Plains. Active war between Northern Plains indigenes and imperial nation-states followed, lasting over twenty years. Chapters Two and Three examine this conflict as an integrated process. Rather than narrating a series of discrete Indian wars between distinct tribes and the United States, and two separate violent clashes between Métis groups and Canada, these chapters excavate the connectedness of Northern Plains conflict, the entangled violence of American and Canadian colonial conquests. Rooted in the inter-relations that defined Northern Plains society, this connectedness stemmed as well from the fact that invading militaries relied on and targeted connections between communities, depended on and assailed social and spatial communities of connection.

Chapter Four turns to the state-making that attended military conquest. Invasion of the Northern Plains was a critical component of Canadian and American nation-building projects, projects which entailed constructions both territorial and social. During the 1860s and ‘70s, North American empires forged critical components of the legal infrastructure of invasion. Foremost among them were the official population categories that Canada and the United States developed, and through which they conveyed rights in and to the nation-state. Classifications like citizen, subject, Indian, and alien became ever more important as Canada and the United States took control of the Northern Plains, and these categories entwined with developing, and mutually constitutive, notions of race, space, and Indianness. The increasing importance of colonial classifications stemmed especially from the fact that official names had material implications: rights to land and property were everywhere linked to state-ascribed statuses. For indigenous people in particular, the complex relationship between race and citizenship, land and property, indigeneity and imperialism was profoundly consequential.

Indian treaties formed the legal foundation of colonial land and property regimes, and of governing conquered peoples, so Chapter Five focuses on the making and implication of Northern Plains Indian treaties. Rampant treaty-making layered additional categories over indigenous communities, formally defining Indian groups—fixing their names and relationships and territories—in a process of social and spatial simplification. Treaty contracts depended on

and created permanent legal categories of race, tribe, and band, and related those categories to rights in, to, and from nation-states. Through treaties, moreover, each of these categories and the rights they conveyed would be tightly tied to very particular places. As with violent conflict in the region, treaty-making has often been narrated along clean national and tribal lines—told as histories of Canada's seven Plains treaties or histories of U.S. treaties with Indians or particular tribes thereof—but, from the perspective of the Northern Plains indigenes, it was an integrated process. Moreover, it was part of a multi-pronged legal project of defining and spatializing separate tribes and bands, nations and races. Period policy and legislation worked in tandem with treaties to fix, formalize and police Plains population categories, and to link those categories to particular places and to land rights. Laws and treaties, code and contract—together they illustrated and codified the mutually constitutive nature of race, place, tribe, band and rights to land.

There was a deep disjuncture between these social and spatial simplification projects and the mixed and mobile indigenous Plains. That disjuncture, and what it portended, is the subject of Chapter Six. People in between the categories being layered over the region posed a problem both conceptual and logistical, a problem which multiplied with each new social classification, each related geographic boundary. The spread of overlapping social and spatial borders criminalized mixture and mobility, and it became dangerous to be perceived as out of place. Securing a state-ascribed status was increasingly critical. Confronted with this fact, mixed borderlands indigenes mounted a sustained campaign, using varied and creative means, to secure status and rights in the nations invading their homeland. This ongoing, everyday organizing linked indigenous efforts of the 1870s and 1880s, and is the essential context for understanding the armed violence that convulsed the Canadian Plains in 1885. The Northwest Conflict of 1885 was one episode in a series of diverse efforts by the mixed, mobile indigenous people of the borderlands to maintain some control over their collective destiny in the face of colonization. But it was the most spectacular, and it deeply impressed non-Indian contemporaries as an exceptional event. Historians, too, emphasized the singularity of 1885, and together these tendencies decontextualized the Northwest Conflict from the much broader—tactically, temporally, spatially, ethno-racially—struggle of which it was a part.

This emphasis on 1885 undermined borderlands indigenes' continuing efforts to gain status and rights in the decades that followed, and contributed to a solidifying statelessness that is explored in Chapter Seven. Contemporaries' focus on, and reaction to, the events of 1885 encouraged a tendency to ascribe outsider status to borderlands indigenes, to discursively displace them from their homeland. In both Canada and the United States, many indigenous people found themselves defined as foreigners, foreigners of an indigenous kind, foreigners who could neither formally immigrate to, nor be naturalized in, the nations that claimed the Plains. At the same time, many mixed, mobile indigenous people lost legal membership in Indian communities. In conjunction with policies designed to individualize Indian land holdings, both Canada and the United States formalized membership in Indian groups. Crucially, treaties had left tribal and band membership, and members, undefined, and indigenous individuals were able to continue relations with multiple communities even after treaties fixed, formalized and spatialized Indian group entities. But as Canadian and American allotment policies drove tribal enrollment across the region, many borderlands indigenes found themselves officially excluded from *all* of the communities of which they were a part, legally defined everywhere as non-Indians. This fact becomes apparent only when enrollment as an interactive whole—rather than enrollment at a single reserve or reservation—is examined. And it suggests that enrollment,

heretofore largely ignored by historians, was in fact the most significant aspect of allotment, both in terms of Indian land loss and in terms of its enduring consequences for indigenous communities.

In combination, the individualization of Indian status and the broader discursive displacement of borderlands indigenes consigned a significant portion of the region's population to a layered statelessness. These interacting exclusions cut a swath across the borderlands, leaving in their wake scores of stateless indigenes who lacked status in bands, tribes, races, or nations. Literature on statelessness tends to focus on national status, but excavating this process reveals how statelessness flowed from, and interacted with, layered racial, tribal, and spatial categories. Reconstructing the development of borderlands indigenes layered statelessness also foregrounds the material implications of being stateless. Chapter Eight examines the primary material consequence of statelessness in the Northern Plains borderlands, spacelessness. Each state status category from which borderlands indigenes were excluded conveyed rights, first and foremost the right to occupy assigned spaces. With the spread of formal statelessness in the late nineteenth century, the right to inhabit *any* Northern Plains space became elusive for many people. The allotment process that produced officially non-Indian indigenous people caused the simultaneous demise of the indigenous commons, and space for stateless indigenes shrank. At the same time, on both sides of the international border, the police power of the state grew, as regulatory infrastructure spread amidst an intensifying desire to suppress indigenous movement and mixture. Continual physical displacement and violent persecution of mixed, mobile indigenes followed. Only by looking at the many spaces and borders in the borderlands are the full implications of colonial boundary-making, the expansive violent landscapes of indigenous statelessness, revealed.

Ultimately, by refusing to ascribe to borderlands indigenes a secure national, tribal, or racial status, authorities perpetuated the very mobility and mixture they sought to minimize. The enduring indigenous geographies that this encouraged are the focus of the last two chapters. Chapter Nine explores the enduring political geographies, the imagined communities, that borderlands indigenes claimed and constructed into the twentieth century. The continual, ubiquitous physical expulsion of mixed, mobile indigenous people, and the discursive displacement that underwrote it, obscured the duration, variety of geographic extent of indigenous claims, but Chapter Nine demonstrates that they doggedly contested their statelessness and pursued rights, and land, by varied means. Collectively and individually, métis people sought status through all of the categories that linked people to the state, pressing for inclusion in recognized Indian and "half-breed" groups, for recognition as new indigenous groups, and for the right to be or become citizens. Few of these efforts succeeded. Instead, state status became more elusive over time, as initial exclusions from rights-bearing categories encouraged later exclusions, pursuit of one legal status undermined the case for inclusion in another, and persistent mobility and landlessness supported the notion that they came from, and belonged, somewhere else.

In the face of the frequent failure of formal attempts to gain status and associated rights, borderlands indigenes relied on more effective and dependable means of accessing land and maintaining their communities: in defiance of Canadian and American policies, they continued to move through and occupy locales across their historic homeland. Together, these actions, which are explored in Chapter 10, constituted massive persistent appropriation of space and resources, and massive non-compliance with the colonial order. As they had the enduring political geographies of borderlands communities, ongoing physical and discursive displacement

of mixed indigenes obscured their enduring occupancy of their Northern Plains territory and of particular places within it. Mapping their persistence in forbidden places, and reconstructing the recurrent flow of people between them, reveals an indigenous geography at odds with colonial projects and at odds with conclusions about their success. Instead of being confined to rural reservations, or being effectively exiled from their communities, mixed indigenes moved through the Northern Plains as they long had, incorporating familiar locales in their lifecycles and connecting people and places throughout their historic homeland. Their movement through this consistent geography linked indigenous communities across the region even as the Canadian and American empires tried to sunder and sedentarize them. It constituted a critical way of laying claim to territory, of resisting colonial control over borderlands space and society, of integrating indigenous histories across time and distance.

Chapter 1
Entanglements: The Northern Plains in 1860

Around 1845, a man named Osborne Russell started writing a book based on journals he'd kept while he worked as a trapper in the Rocky Mountains and Great Plains of what is now the northern United States. Fresh from his defeat in the race for governor of the Provisional Government of Oregon, Russell took to his desk after reading "an account of Rocky Mountain life" by James O. Pattie. Pattie's story, Russell claimed, was so riddled with inaccuracies that he felt compelled to pen "a true version." He worked for several years, his progress perhaps slowed by the 1843 loss of his right eye "while blasting rock in a millrace at Oregon City." In 1848, Russell mailed his completed manuscript to a New York agent, with instructions to forward a copy to his sister. The agent failed to find a publisher but sent it to Russell's family, and the journal, considered by some to be "the best account of the life of a fur trapper in the Rocky Mountains," languished in his sister's possession before ending up in the Connecticut archival collections of Yale University.[39]

Russell's journal was finally published in 1914, and the world it reveals was an indigenous place of dazzling human diversity. It was a world that Russell, like so many others, entered through his involvement in the fur trade, which, by the time Russell arrived, had remade the North American West. Born in 1814 to a Maine family of nine children, Russell left home in his teens. At first he took to sea, but seafaring must not have agreed with him, for he deserted his ship at the seething port city of New York City. From there he made his way west, working first in the fur trade in Wisconsin and Minnesota. By 1834 life found him outside St. Louis, an "exchange point" in the fur business and the "the center of a vast and cosmopolitan trade network."[40] There, at the age of twenty, Russell hired-on to an overland expedition contracted to deliver supplies to Milton Sublette and Thomas Fitzpatrick, of the Rocky Mountain Fur Company, who would receive them at the annual fur-trade rendezvous on Ham's Fork of the Green River. Upon the supply train's arrival, they "found the Rocky Mountain Fur Company dissolved" and its former agents unwilling to purchase the things they carried. Nathaniel Wyeth, leader of the supply expedition, decided to start a trading post with the unclaimed goods. The group built the post—Fort Hall—and Wyeth continued west to the mouth of the Columbia on the Pacific, leaving Fort Hall in the charge of twelve men, Russell among them.[41] For the next nine years, Russell worked in the West, primarily out of Fort Hall, in present-day southeastern Idaho. In the course of this work he ranged broadly, traveling mainly to the northeast.

As he roamed the southwestern edge of the Northern Plains, where Montana, Idaho and Wyoming now meet, Russell kept a journal. Contrary to what we might imagine, his diary was not the contemplative outlet of an isolated man, independently plying lonely mountain streams for soft pelts. Russell's story is instead a litany of cooperative endeavors and encounters with a remarkable assortment of people. Russell and his companions typically trapped in brigades of varying sizes. Sometimes he worked with a couple other people, sometimes with larger parties that might consist of "14 trappers and 10 Camp Keepers." Many more people passed through, and gathered at, the network of trading posts he and his companions frequented, as well as the camps they made while they worked. He counted among his colleagues people he described as an "English Shoemaker from Bristol," "a Mullattoe," a "Spaniard," and a "raw Son of Erin" as

[39] Osburne Russell, *Journal of a Trapper, 1834-1843*, ed. Aubrey L. Haines (Norman: University of Nebraska Press, 1955), i, ix–xiv.
[40] Hyde, *Empires, Nations, and Families*, 6–8.
[41] Russell, *Journal of a Trapper, 1834-1843*, v–vii. The supply party planned to proceed from there to the mouth of the Columbia River, on the Pacific Ocean, where it would meet "a vessel laden with trade goods" that was sailing from the east coast, via Cape Horn.

well as "Sandwich Islanders," Englishmen, Frenchmen, "Canadian French" and "Americans" (from states like Massachusetts, Missouri, Vermont and Virginia). In the course of his duties, he trapped, traded, camped, cooked, smoked and chatted with "Dutch, Scotch, Irish, [and] English," and with "halfbreed, and full blood Indians, of nearly every tribe in the Rocky Mountains." Among the "Indians" Russell encountered were not only people from regional groups like "Snake and Bonnack," "Shoshonies," "Flathead," "Pend Oreilles," "Nez Perce," "Crows," "Blackfeet," "Cree," "Bloods," and "Pagans," but also people he described as members of the "Iowa," "Delaware," and "Iroquois" tribes.[42]

Russell's milieu was profoundly international, interracial and intertribal. And it was mixed not only on a group level—as in a group from one background meeting a group from another—but at an individual level as well. Living, traveling, and trading groups were themselves mixed, composed of diverse people of varied backgrounds. In September, 1838, for instance, Russell left Fort Hall with a party of fifteen men, only four of whom were "Americans" like himself. The next fall he traveled with "a Frenchman" and his "Indian wife and two children" before fetching trade goods from Fort Hall and, "accompanied by a halfbreed," moving to a "Snake Indian" village in the Cache Valley for the winter. "On arriving at the village," Russell recalled, "I found several Frenchmen and half breed trappers encamped with the Snakes. One Frenchman having an Indian wife and child invited me to pass the winter in his lodge and as he had a small family and a large lodge I accepted the invitation. And had my baggage taken into his lodge and neatly arranged by his wife who was a flathead." Russell moved with the village in December when they decamped for the Salt Lake area, and became familiar with his neighbors, whom he described in some detail. "The inmates of the next lodge," he wrote, "was a half breed Iowa a Nez percey wife and two children his wifes brother and another half breed next lodge was a half breed Cree his wife a Nez percey 2 children and a Snake Indian The inmates of the 3d lodge was a half breed Snake his wife (a Nez percey and two children). The remainder was 15 lodges of Snake Indians." This diverse group communicated in a mix of languages—"three of the party spoke English but very broken therefore that language was made but little use of as I was familiar with the Canadian French and Indian tongue"—and spent much time pondering the state of regional groups. As Russell recounted,

> "the principal topic which was discussed was the political affairs of the Rocky Mountains. The state of governments among the different tribes, the personal characters of the most distinguished warriors Chiefs etc. One remarked that the Snake *Chief Pay da-hewak um da* was becoming very unpopular and it was the opinion of the Snakes in general that *Mok woom hah* his brother would be at the head of affairs before 12 mos as his village already amounted to more than 300 lodges and moreover he was supported by the bravest men in the Nation . . . at whose names the Blackfeet quaked with fear. In like manner were the characters of the principal Chiefs of the Bonnak Nez Percey Flathead and Crow Nations and the policy of their respective governments commented upon."[43]

[42] Ibid., 5, 9, 11, 13, 14, 23, 30–33, 39, 41, 47, 48, 50, 54, 57, 58, 87, 89, 109, 114. Russell described his general workplace milieu as being composed of "White, Half Breed and Indian Fur Trappers." In his journal, he rarely elaborated on the background of most of these people—he neglected to identify "Indians" especially—and the details given here only begin to capture the array of people living there at the time. During his time in the Rocky Mountain fur trade Russell also met "Caw or Kanzas Indians" (shortly after leaving Independence Missouri upon entering the trade), a "Sioux Indian" (when he was visiting Fort William which later became Fort Laramie), a "Portuguese" (when he was in the Laramie Range), and "Eutaw" (when he traveled to the south). Ibid., 2, 78, 81, 120.

[43] Ibid., 108-109, 113–115. Italics in original.

If Russell's journal was exceptional, his experiences were not.[44] Rather, they were unremarkable, even representative. Other primary sources from people moving in and through the Northern Rockies and the Northern Plains in the mid-nineteenth century, as well as regions to the north and south, reveal a world characterized above all by diversity, fluidity, and mixture.[45] The mid-nineteenth century Northern Great Plains was a heterogeneous indigenous society. Many different indigenous groups called the region home, and many other people from distant areas and innumerable backgrounds lived and sojourned in the region. People interacted constantly and in myriad ways: group boundaries were fluid, groups and individuals were highly mobile in both the short and long terms, relationships fluctuated frequently. People from what we think of as distinct tribes, races, nations and spaces moved and mixed, moved and mixed, in a continually shifting mix of mixtures. Particular communities reflected and reinforced these characteristics: certain places, like the trading posts and Christian missions that were built at established sites of indigenous interaction, were geographic communities of connection. These spaces overlapped with social communities, like the Métis, that embodied the interracial, intertribal, interspatial society of the mid-nineteenth century northern Great Plains. In these communities, as in the region as a whole, mixture characterized groups and individuals alike. [46]

An exhaustive inventory of individuals on the Northern Plains in this period would surely include representatives of most groups in the Northern Hemisphere and many from the Southern. Since historical documentation is always incomplete and research resources are limited, it is impossible to capture fully the variety of humanity that inhabited the Plains. But even a partial reconstruction reveals a profoundly heterogeneous and fluid milieu.

To begin with, an array of indigenous groups called the region home. Nineteenth century observers often remarked on the variety of indigenous peoples on and around the Northern Plains, on the "innumerable Indian nations," that occupied North America west of the United States.[47] In the mid-1800s, the Northern Plains encompassed the core territory of about a dozen indigenous "nations."[48] Among them were groups now commonly known as Cree, Assiniboine, Crow, Sioux/Dakota, Atsina (a.k.a. Gros Ventre or Big Bellies), Hidatsa (also sometimes called Gros Ventre), Mandan, Arikara, Sarcee, Chippewa and Blackfeet.[49] In addition to these primary Northern Plains groups, indigenous communities whose core territory lay in adjacent areas also regularly inhabited the region. These included Snake/Shoshone, Kutenai, Bannock, Arapaho, Cheyenne, Slavey, Beaver, Salish, Nez Perce, Coeur D'Alene, Pend d'Oreille, and Flathead,

---

[44] Recall the editor's description of his journal as "perhaps the best account of the life a fur trapper in the Rocky Mountains when the trade there was at its peak." Ibid., i.

[45] Cf. Charles Larpenteur, *Forty Years a Fur Trader on the Upper Missouri: The Personal Narrative of Charles Larpenteur, 1833-1872*, http://user.xmission.com/~drudy/mtman/html/larpenteur/; Edwin Thompson Denig, *Five Indian Tribes of the Upper Missouri: Sioux, Arickaras, Assiniboines, Crees, Crows*, ed. John C. Ewers (Norman: University of Oklahoma Press, 1989); Johnny Grant, *Very Close to Trouble: The Johnny Grant Memoir*, ed. Lyndel Meikle (Pullman: Washington State University Press, 1996); Isaac Cowie, *The Company of Adventurers: A Narrative of Seven Years in the Service of the Hudson's Bay Company During 1867-1874 on the Great Buffalo Plains* ... (Lincoln: University of Nebraska Press, 1993).

[46] Such mixture characterized as well the fluctuating and international commercial sector of the fur trade as a whole. Russell, *Journal of a Trapper, 1834-1843*, 41, 97.

[47] Thomas Jefferson's investigator John Sibley, quoted in Hyde, *Empires, Nations, and Families*, 241; This same idea is expressed in the title of Michael Witgen's book on the Great Lakes and Northern Great Plains, ie. Witgen, *An Infinity of Nations*.

[48] Quotes here denote the use of this term by both contemporaries and historians. Cf. Denig, *Five Indian Tribes of the Upper Missouri: Sioux, Arickaras, Assiniboines, Crees, Crows*. I am not sure that this is the best term, but I use it here because I am not sure what is.

[49] Robert Lowie, *Indians of the Plains* (New York: The Natural History Press, 1963), 3; Floyd W. Sharrock and Susan R. Sharrock, *A History of Cree Territorial Expansion from the Hudson Bay Area to the Interior Saskatchewan and Missouri Plains. Report Presented before the Indian Claims Commission, Docket 221b-191* (New York: Garland Publishing, 1974), 3. In some cases, only particular branches of these groups are considered Northern Plains groups, for example the Plains Cree or the Western Sioux. Denig, *Five Indian Tribes of the Upper Missouri: Sioux, Arickaras, Assiniboines, Crees, Crows*, xxix. Denig lists all these but Hidatsa but his editor, Ewers, interjects that his Gros Ventre are also known as Hidatsa. Most of these groups are also called by different names depending on time, place, and source.

among others.[50] For many of these neighboring nations, the importance of the Northern Plains exceeded the duration of their regular trips to the region. Although they spent more of their time elsewhere, their economies depended largely on buffalo they hunted on the Plains, which by the mid-twentieth century was not only a major source of subsistence but also "the biggest item in the American fur trade."[51]

People from innumerable other backgrounds also lived and sojourned on the Northern Plains. Inhabitants of assorted European ancestries came from natal lands throughout Europe and North America. People of African descent, people from distant Indian groups, people who hailed from islands in the Caribbean and the Pacific and from Central and South American places also resided in the region. Fur traders like Isaac Cowie, who sailed from the Shetland Islands to York Factory on the southwestern shore of Hudson's Bay, encountered Englishmen, Corsicans and Frenchmen, Scottish Highlanders, and people from the Hebrides and Orkney archipelagos as well as men born in North America—and that was just on the overseas voyage aboard the *Prince Rupert*. Once on land, Cowie met French-Canadians and Iroquois, Prussians and Bavarians, Irishmen and Americans as well as people of an array of regional indigenous ancestries.[52] Just to the south, people who frequented Fort Union included "Americans, Englishmen, Frenchmen, Germans, Russians, Spaniards, [and] Italians," as well as "Scotchmen," "Swiss," "Dutchmen," "Creoles," "Mexicans," "Negroes" and "Mulattoes" (among the latter was "James Beckwith, the great mulatto brave among the Crows").[53]

Infinite Interrelations: The Myth of Discrete Tribes

The mixed milieu of the Northern Plains becomes even more complex when one looks carefully at the composition of the indigenous groups who made up the majority of the region's population and who dominated regional affairs. In the early nineteenth century, the groups composing what we now call discrete tribes, and which we correlate with distinct territories, were anything but.[54] The groups that contemporaries and historians called Indians—in contradistinction to whites—and identified by distinct band and tribe names, were in fact fluid, multiracial, polyethnic communities that continually interacted with other Northern Plains communities. Moreover, as Osborne Russell's description of the "Snake Indian" village suggests, the individuals that composed these shifting indigenous amalgams were themselves frequently affiliated with multiple groups, were often of mixed ancestry, and were usually multilingual.

The composition of Northern Plains Indian groups was characterized by mixture and change. Much of this fluidity stemmed from tribal social organization. In the nineteenth century, the region's tribes were conglomerations of smaller "loosely organized" units composed of kin and friends "who kept together for mutual support."[55] The relationship between units, or

[50] Lowie, *Indians of the Plains*, 3; Sarah Carter, *Aboriginal Peoples and Colonizers of Western Canada to 1900* (Toronto: University of Toronto Press, 1999), 29. Many of these tribes, like the Shoshone and the Kutenai, formerly inhabited the Plains as their primary territory. In 1855, for example, the Judith Crossing Treaty identified the Nez Perce, Kootenai, Flathead, and Pend Oreille as important inhabitants of the Northern Plains area that was encompassed in the treaty provisions. Charles Joseph Kappler, *Indian Affairs: Laws and Treaties*, vol. II (Washington: GPO, 1904), 702–706.

[51] John E Sunder, *The Fur Trade on the Upper Missouri, 1840-1865* (Norman: University of Oklahoma Press, 1965), 16.

[52] Cowie, *The Company of Adventurers*, chap. 2–4.

[53] Barton H Barbour, *Fort Union and the Upper Missouri Fur Trade* (Norman: University of Oklahoma Press, 2001), 111–112; Larpenteur, *Forty Years a Fur Trader on the Upper Missouri: The Personal Narrative of Charles Larpenteur, 1833-1872*, 23–24, 38.

[54] Nuanced and sensitive ethnographic treatments, like that of Floyd and Susan Sharrock, foreground this fact, while in other works it is apparent upon closer examination. Sharrock and Sharrock, *A History of Cree Territorial Expansion from the Hudson Bay Area to the Interior Saskatchewan and Missouri Plains. Report Presented before the Indian Claims Commission, Docket 221b-191*.

[55] Ibid., 7– 8.

bands, of the same tribe varied over time and space. Bands often wintered separately but, in warmer seasons or for particular activities, might gather with other bands in joint encampments of varying duration.[56] Rarely did entire tribes gather. Edwin Denig, a Pennsylvania native who worked in the Upper Missouri fur trade for over twenty years, provided one example of these intratribal rhythms in his assessment of "Sioux" band dynamics. Writing in 1855, Denig described "Sioux" bands as "generally intermarried" groups that "occupied separate districts, though they could if they chose hunt unmolested by each other in any place through the entire country." These smaller groups sometimes gathered, but the length of such gatherings depended on all sorts of changing circumstances. Sometimes these circumstances were matters of subsistence, other times of politics, religion or economics. They could also, as in Denig's depiction, simply be interpersonal: "where two camps are joined, each having its own head, their opinions and interests clash, quarrel follows and separation follows with bad feelings towards each other as the result, often extending to the stealing of each other's horses."[57]

Intratribal relationships also fluctuated because bands themselves were unstable. In their study of social organization among the nineteenth century Cree and Assiniboine, Floyd and Susan Sharrock noted that "the composition of the bands varied greatly over a short period of time." This was true of Northern Plains tribes in general.[58] Across the region, individuals or families continually moved in and out of indigenous bands. They did so for a host of reasons. If people had grievances with their neighbors or were dissatisfied with band leadership, they simply moved to another band where they had kin. Others, like the "Snake" people discussed by Russell and his neighbors, switched bands because they were attracted to a particular leader. Sometimes people sampled life in different bands before settling with one for a while. Such was the case with "young men" among the Cree and Assiniboine who "traveled with various bands in search of a wife." Such men might then reside with their wife's band upon marriage, and might move on after its end.[59] Marriages occurred both within and across bands, and although kinship structured band organization it didn't determine it, and "all members of a band need not be kinsmen."[60] Changing one's band membership was easy, and membership was often situational, granted to "any person who lived in and traveled with" the group "for some time."[61]

Band composition was so dynamic that existing bands sometimes disappeared, and new bands formed. The smallpox epidemics that periodically swept over the Plains during the eighteenth and nineteenth centuries—the spread of the scourge abetted by the "wholesale adoption of the horse"—could leave most members of a given band dead.[62] When the few survivors moved into bands that remained intact, the old band as such ceased to exist. Such scenarios were hardly isolated incidents. Theodore Binnema concluded that in the smallpox

---

[56] Ewers identifies this pattern as common to tribes of the high plains "during the historic period and before the extermination of the buffalo." John Ewers and United States, *Ethnological Report on the Chippewa Cree Tribe of the Rocky Boy Reservation and the Little Shell Band of Indians* (New York: Garland Publishing, 1974), 9.

[57] Denig, *Five Indian Tribes of the Upper Missouri: Sioux, Arickaras, Assiniboines, Crees, Crows*, 15.

[58] It was also true, as Brian Delay helpfully reminded me, of indigenous groups across the Great Plains.

[59] Sharrock and Sharrock, *A History of Cree Territorial Expansion from the Hudson Bay Area to the Interior Saskatchewan and Missouri Plains. Report Presented before the Indian Claims Commission, Docket 221b-191*, 8–9; See Ewers and United States, *Ethnological Report on the Chippewa Cree Tribe of the Rocky Boy Reservation and the Little Shell Band of Indians*, 10–11, for a similar description of band fluidity, which he asserts for Northern Plains tribes in general "during the nineteenth century, at least." According to Ewers, "population growth and internal frictions caused the splitting up of bands. Loss of population due to devastating smallpox epidemics and disastrous enemy actions necessitated the regrouping of bands. Individuals and families who were dissatisfied with the leadership of their band could and did leave that band to join another. It was common for people to attach themselves to the band of a leader whom they believed would be most helpful to them."

[60] Ewers and United States, *Ethnological Report on the Chippewa Cree Tribe of the Rocky Boy Reservation and the Little Shell Band of Indians*, 10–11.

[61] Sharrock and Sharrock, *A History of Cree Territorial Expansion from the Hudson Bay Area to the Interior Saskatchewan and Missouri Plains. Report Presented before the Indian Claims Commission, Docket 221b-191*, 8–9.

[62] Elizabeth A Fenn, *Encounters at the Heart of the World: A History of the Mandan People* (New York: Hill and Wang, 2014), 155.

epidemic of 1781, "most, if not all, bands on the northwestern plains ceased to exist as autonomous units . . . in the weeks and months following the epidemic, decimated bands, many of whom lost their most prominent leaders, must have merged with other bands to form new communities."[63] Less devastating developments also led to the dissolution and creation of bands. The rise of new leaders caused a certain amount of reshuffling and sometimes produced a new band name. Changes in leadership might also portend more profound changes, shaping not only the name and composition of bands but their very existence. Around 1840, for example, after the death of a leader under whom they had for a time gathered—a man Edwin Denig called "the great chief Wah na Tah"—the "Yanctonnais" band of "Sioux" "separated into three distinct bands each having its own ruler."[64] Other new bands appeared due to demographic, rather than political, factors. As John Ewers observed long ago, population growth itself prompted bands to split up.[65] In this way not only the names, compositions, and sizes of bands changed, but so too did the number of bands in a tribe.

These morphous bands composed tribal groups that were also mixed and fluid. Marriage and kinship across tribal lines abounded. In researching her article on "interethnic social organization" among "Crees, Cree-Assiniboines, and Assiniboines," Susan Sharrock encountered "examples of intermarriage and/or polyethnic coresidence by the Cree and Assiniboine with the Blackfeet, Ojibwe, Saulteaux, Monsoni, Algonkin, Dakota, Athapaskan, 'Snakes,' 'Sonnants,' Sarcee, and Crow."[66] Contemporary observers came to similar conclusions about the extent of "Cree" intermarriage. After traveling through the Northern Plains in 1805 and 1806, Lewis and Clark believed the Cree to be allied "or united by marriage or intercourse with the Algonquins, Chipeways, Assiniboines, Mandans, Gros Ventre [Hidatsa], and Ah-nah-ha-ways or Shoe Indians."[67] Clearly, the "Cree" had no monopoly on intertribal marriage. Like the residents of the "Snake" village that hosted Osborne Russell, indigenous individuals across the region formed families with people of assorted ancestries.[68] This expansive intermarriage accompanied pervasive coresidency among Plains groups. In the first half of the nineteenth century and before, encampments invariably included people from numerous bands and tribes.[69]

Prevalent intermarriage, and the mixture and fluidity of indigenous groups, meant that a web of kinship and connection linked Northern Plains communities. Other common practices compounded the intertribal kinship ties fostered by intermarriage. Widespread polygamy or, more accurately, polygyny (often sororal) knit different people together into sprawling families, as did lifecycles that led to various iterations of serial marriage. These practices layered kinship relations over the Plains, and affinal lines reached in different directions. As in the American

---

[63] Theodore Binnema, *Common and Contested Ground: A Human and Environmental History of the Northern Plains* (Norman: University of Oklahoma Press, 2001), 124; See also Patricia C. Albers, "Symbiosis, Merger, and War: Contrasting Forms of Intertribal Relationship Among Historic Plains Indians," in *The Political Economy of North American Indians*, ed. John H. Moore (Norman: University of Oklahoma Press, 1993), 94–132.

[64] Denig, *Five Indian Tribes of the Upper Missouri: Sioux, Arickaras, Assiniboines, Crees, Crows*, 29–30.

[65] Ewers and United States, *Ethnological Report on the Chippewa Cree Tribe of the Rocky Boy Reservation and the Little Shell Band of Indians*, 10–11.

[66] Susan Sharrock, "Crees, Cree-Assiniboines, and Assiniboines: Interethnic Social Organization on the Far Northern Plains," *Ethnohistory* 21, no. 2 (1974): 115.

[67] Sharrock and Sharrock, *A History of Cree Territorial Expansion from the Hudson Bay Area to the Interior Saskatchewan and Missouri Plains. Report Presented before the Indian Claims Commission, Docket 221b-191*, 45.

[68] One source that recounts many and varied indigenous family formations is Jack Holterman, *King of the High Missouri* ([Nyack, Mont.]: J. Holterman, 1987).

[69] Binnema, *Common and Contested Ground: A Human and Environmental History of the Northern Plains*, 13. Henry and Thompson's 1806 journal noted the Cree "dispersed over a vast extent of country, and often mix with Assiniboines and *other natives with whom they are at peace*" Note their grammatical construction regarding allies: peace was not a permanent condition but a transient one. Quoted in Sharrock and Sharrock, *A History of Cree Territorial Expansion from the Hudson Bay Area to the Interior Saskatchewan and Missouri Plains. Report Presented before the Indian Claims Commission, Docket 221b-191*, 50.

Southwest, the taking and incorporating of captives, as well as the voluntary exchange of children, also entangled indigenous groups.[70] In his book on nineteenth century intertribal warfare on the Northern Plains, Anthony McGinnis concluded that it was "quite common" for tribes to incorporate captured women and children from "enemy" tribes: "it meant that the populations of all the plains tribes were made up in part with the blood of other peoples."[71] Sometimes intertribal ties were more salient than intratribal: in the case of the Cree, some "bands were better acquainted with neighboring bands of Blackfeet, for example, than they were with other bands of their own tribe."[72]

Even in the early nineteenth century, before the most profound regional displacements, Plains indigenous groups were so mixed and connected that at times these qualities appeared to define them. Such was the case with the "Cree-Assiniboine" band, who were sometimes described as part of the Assinboine tribe, sometimes as part of the Cree, and sometimes as a recognized amalgamation of the two.[73] Mixture was so thoroughgoing as to raise doubts, in the eyes of conscientious observers, about the accuracy and applicability of tribal categories. This was often true of the Cree and Chippewa. Numerous contemporaries noted that the two tribes "are so mingled . . . as with difficulty to be considered a distinct people."[74] Although this interaction is often invisible in primary documents—observers in many instances identified indigenous people only at a group level, like Chippewa, without regard to differences within the group—more nuanced descriptions suggest that intra-group variation was the norm. When one looks for it, documentation of mixture is extensive, and it becomes apparent that observers considered it ordinary: polyethnic groups elicited little discussion beyond passing notice.[75] Imagine how these morphous relationships multiplied and intertwined over generations and across the Plains. The interconnectedness of "discrete" tribes becomes readily apparent. This is perhaps what led Edwin Denig to opine, in his 1855 tome on "Five Indian Tribes of the Upper

---

[70] Iron Teeth, "Iron Teeth, a Cheyenne Old Woman," in *The Last Best Place: A Montana Anthology*, ed. William Kittredge and Annick Smith (Seattle: University of Washington Press, 1991), 238–41; James F. Brooks, *Captives and Cousins: Slavery, Kinship and Community in the Southwest Borderlands* (Chapel Hill: The University of North Carolina Press, 2002), 19. See also Albers, "Symbiosis, Merger, and War." The voluntary exchange of children permeates Northern Plains sources from this period, as children were sent to live, work, and learn with extended family members and associates of their natal families. Scholars' recent increased interest in connectedness has translated into some sustained attention to the practice. See, for example, the family flows narrated in Holterman, *King of the High Missouri*, 138, 150; and in Anne Hyde, *Empires, Nations, and Families*, 37, 97, 102–108. Hyde lists some of the ways of building relationships in the region in the early nineteenth century, including "marriage, adoption, bondage, partnership, apprenticeship, friendship." Our own ideas about parenthood sometimes make it difficult for us to see such exchange as a common, and commonly accepted, action—even a beneficial and desirous one—in the context of the mixed milieu of the Northern Plains. France Kartunnen seems taken aback by this idea in her assessment of Sacagawea's life, in which she writes distastefully of William Clark's desire to rear the son of Tousaint Charbonneau and Sacagawea. His ability to do so she grounds in Sacagawea's relative disempowerment, which by implication undermined her ability to act on her assumed desire to keep her child close: "How realistic is it to imagine that she could have refused to give her child up to Clark or insisted on remaining with him after he was weaned?" Frances E Karttunen, *Between Worlds: Interpreters, Guides, and Survivors* (New Brunswick: Rutgers University Press, 1994), 43.

[71] Anthony R. McGinnis, *Counting Coup and Cutting Horses: Intertribal Warfare on the Northern Plains, 1738-1889* (Lincoln: University of Nebraska Press, 1990), 42; See also Russell, *Journal of a Trapper, 1834-1843*, 148. In contrast, Edwin Denig claimed that "Crows" and their "brethren" "Gros Ventres" were the only Indian nations who took women and children prisoners instead of killing them in battle. "The women were made to work like their own wives . . . the children were adopted into their own families, have grown up, and are now as much Crow as those of their own producing. . . .The male children become Crow warriors, and carry the tomahawk and scalping knife against their relations, often murdering their own fathers or brothers without knowledge." These additions could be quite large: in one battle in around 1830, 230 women and children were reportedly taken prisoners. "The male children taken were brought up to be Crow warriors, and the females to be wives of their captors." Denig, *Five Indian Tribes of the Upper Missouri: Sioux, Arickaras, Assiniboines, Crees, Crows*, 163, 164.

[72] Sharrock and Sharrock, *A History of Cree Territorial Expansion from the Hudson Bay Area to the Interior Saskatchewan and Missouri Plains. Report Presented before the Indian Claims Commission, Docket 221b-191*, 9.

[73] Ewers and United States, *Ethnological Report on the Chippewa Cree Tribe of the Rocky Boy Reservation and the Little Shell Band of Indians*, 33. Despite his own evidence, Ewers is unrelenting in his desire to see discrete tribes. He qualifies Alexander Henry's 1808 use of this hyphenated term: due to the absence of the term elsewhere in Henry's journal, he says, "we must infer that these 'Cree Assiniboine' were predominately if not wholly Cree who associated with the Assiniboine."

[74] Denig, *Five Indian Tribes of the Upper Missouri: Sioux, Arickaras, Assiniboines, Crees, Crows*, 100.

[75] In 1808 Alexander Henry, for instance, described what he called "the lands of the Assiniboine," qualifying his description of territory with the casual comment that "a few straggling Crees occasionally mix among them." Quoted in Ewers and United States, *Ethnological Report on the Chippewa Cree Tribe of the Rocky Boy Reservation and the Little Shell Band of Indians*, 32.

Missouri," that "the history, governments, employments and opinions of all migratory tribes assimilate in many instances." By assimilate, did he mean that "migratory tribes" become merely similar, or that they meld? Denig died in 1858, so we can't ask him, but the latter meaning is most accurate.[76]

These mixed, fluid and connected tribes and bands were made up of individuals who enjoyed what we might think of as plural citizenship. Even recognized leaders held plural citizenship: contemporaries identified some leaders, like Broken Arm, as the "chief" of different tribes. Primary sources sometimes describe Broken Arm, who was killed by "Blackfeet" in the summer of 1869 at the age of about 70, as chief of the "Cree" and sometimes as a chief of the "Assiniboine."[77] In this capacity Broken Arm surely interacted with a man named Black Powder (or Mukatai), "an Ojibwa chief" "of a small mixed band of Cree and Ojibwa," who in 1825 had a son—called Big Bear—who would become a famous "Cree" leader.[78] People across the Plains shared Broken Arm and Big Bear's membership in multiple communities. A census taken in northcentral Montana in 1917 recorded information on fifty-one people born in the mid-nineteenth century. Most of them described themselves as being of more than one tribe.[79] Even in this small sample, the array of multi-tribal affiliations they claimed was impressive, and included Chippewa and Cree; Chippewa and Assiniboine; Assiniboine and Cree; Assiniboine, Cree and Chippewa; Chippewa and Blackfeet; Blackfeet and Cree; Cree and Gros Ventre, and Shoshone and Cree.

Prolific interaction and plural citizenship made for a profoundly multilingual society. Gatherings were often, even usually, polyglot—Isaac Cowie described sitting down to dinner at Wood Mountain "amid a torrent of tongues"—and individuals routinely spoke more than one language.[80] Such language skills were widespread: many,probably most, people could communicate in multiple tongues. As one American observer noted during a visit to settlements straddling the Red River of the North in 1861, "nearly everybody speaks two or three languages . . . Some children prattle innocently in five languages."[81] Of necessity, people spoke not only the languages of their relatives, but also languages unrelated to their ancestries. In the context of pervasive multilingualism, these skills multiplied communication possibilities. When people met, they needn't know one another's native tongues in order to talk. They only needed to know a language in common. Thus when Osborne Russell, who spoke no Crow, met a band of "Crow"

---

[76] Denig, *Five Indian Tribes of the Upper Missouri: Sioux, Arickaras, Assiniboines, Crees, Crows*, 99.

[77] Broken Arm was born between 1799 and 1807—I have used the earliest date for this age determination. His plural leadership is sometimes apparent in a single primary source, like the memoir of fur trader Charles Larpenteur. In some instances Larpenteur refers to Broken Arm as "the chief of the Crees," in others he is "the chief of the Canoe band of Assiniboines." Larpenteur, *Forty Years a Fur Trader on the Upper Missouri: The Personal Narrative of Charles Larpenteur, 1833-1872*, 44, 82. Edwin Denig describes him as a "Cree" "sub-chief." Denig, *Five Indian Tribes of the Upper Missouri: Sioux, Arickaras, Assiniboines, Crees, Crows*, 113–114. As Nicolas Vrooman makes clear, the different assertions about Broken Arm's leadership in primary sources reflect intertribal melding in more ways than one. Vrooman examines "the *Nehiyaw Pwat* Confederacy, essentially Cree, Assiniboine, Ojibwa, and Métis" and suggests that its component communities could be represented by a single leader. He identifies Broken Arm as the "head chief of the Nehiyaw Pwat" in the mid-1850s. Broken Arm's family also attests to the intertribal nature of the Northern Plains. He is reported to have been of "half Assiniboine and half Cree" parentage, and he married multiple women, including a "Métis" and a "Red River Plains Ojibwa." Nicholas Curchin Vrooman et al., *"The Whole Country Was ... 'One Robe'": The Little Shell Tribe's America* (Helena, Mont.: Little Shell Tribe of Chippewa Indians of Montana, Drumlummon Institute, 2012), 7. David McCrady says that Broken Arm "although Cree . . . was the influential leader of an Assiniboine band." McCrady, *Living with Strangers*, 107. See also John Ewers, "When the Light Shone in Washington," *Montana: The Magazine of Western History* 6, no. 4 (1956): 2; Paul Kane, "An Artist's Wanderings," in *The American Frontier: Readings and Documents*, ed. Robert V. Hine and Edwin R. Bingham (Boston: Little, Brown and Company, 1972), 471–74.

[78] Hugh Dempsey, *Big Bear: The End of Freedom* (Lincoln: University of Nebraska Press, 1984), 11. Dempsey writes that Big Bear's mother "was either Cree of Ojibwa—no one is quite sure which."

[79] Twenty-nine people identified themselves as being of more than one tribe.

[80] Cowie, *The Company of Adventurers*, 255.

[81] "Recollections of Manitoba from An American Point of View," Once a Week, New Series (London: Sweeting and Company), 13 (August 3, 1874), 701-703, quoted in Vrooman et al., *The Whole Country Was ... "One Robe,"* 3.

led by "Little Soldier," who spoke no English, they were able to converse quite effectively "in the Snake language."[82]

Plains multilingualism, and the social and spatial fluidity that underlay it, was apparent as well in regional naming practices. People commonly had numerous names, which reflected not only life stages but also varying situations, roles and companions. The aforementioned Broken Arm is a great example. He was known—and appears in historical records—not only by the English translation of his name and its variant, Crooked Arm, but first by the Cree word for Broken Arm, Maskepetoon (or Maskipiton, Maschkeption, Maski Pitonew, Mackipictoon, Muske-pe-toun). Many people knew him by French-derived renditions of Broken Arm, ie. Bras Casse (or Bras Croche, Bro-cas-sie). Broken Arm also had a second Cree name, Yetaweskezhick, and was known as well by its variants and translations (Eeh-tow-wées-ka-zeet, Ah áh to wish kin e síc, Istowerehan, Itawuskiji, Itawuskiyik, Eyes on Each Side, Eyes on Either Side, Either Eyes, Double Eyes, Two Eyes, Eyes in Front and Back, He Who Has Eyes Behind Him). He earned another name, the Peacemaker, through his efforts to mediate between Plains groups. Among those with whom he negotiated repeatedly were the "Blackfeet," who called him Mon-e-guh-ba-now (or Mani-kap-ina), meaning Young Chief or Young Man Chief. Scientists with the late 1850s British North America Exploring Expedition, led by John Palliser, knew him as Nichiwa, which means "friend." In 1865, the Reverend Thomas Woolsey baptized him Abraham.[83]

Through the first half of the nineteenth century, the infinite interrelations and the entangled, indiscrete nature of indigenous groups that underlay Broken Arm's many names defined Northern Plains society. As exemplified by Theodore Binnema's excellent *Common and Contested Ground*, historians are now quite sensitive to problems with the concept of "tribe." Binnema's book is explicitly and "most importantly . . . intended to dispel the mistaken impression sometimes engendered by tribal histories, which tend to suggest that cultural units or ethnic groups corresponded to social, political, and economic units."[84] But despite successful efforts by Binnema and others "to move beyond the traditional emphasis on cultural groups," "tribe" lingers as the primary organizational category in many histories of North American indigenous peoples.[85] Indeed, these histories are often histories of a single tribe.[86] While there is

---

[82] Russell, *Journal of a Trapper, 1834-1843*, 71–72.

[83] Vrooman et al., *The Whole Country Was ... "One Robe,"* 93n10 and index; Hugh Dempsey, "Maskepetoon," *Dictionary of Canadian Biography*, http://www.biographi.ca/en/bio/maskepetoon_9E.html.

[84] Binnema, *Common and Contested Ground: A Human and Environmental History of the Northern Plains*, 10–11. In an article on the polyethnic/polycultural nature of Cree- and Assiniboine-related groups in the pre-reservation nineteenth century, Susan Sharrock summarizes anthropologists' interrogation of the notion of tribe that flourished in the late 1960s. Sharrock, "Crees, Cree-Assiniboines, and Assiniboines," 115.

[85] Binnema, *Common and Contested Ground: A Human and Environmental History of the Northern Plains*, 11.

[86] Major works published in recent that focus on particular tribal groups in the United States include Jeffrey Ostler, *The Plains Sioux and U.s. Colonialism from Lewis and Clark to Wounded Knee* (New York: Cambridge University Press, 2006); Elliott West, *The Last Indian War: The Nez Perce Story*, 1 edition (Oxford: Oxford University Press, 2009); Fenn, *Encounters at the Heart of the World: A History of the Mandan People*; Witgen, *An Infinity of Nations*. A perusal of recent issues of the American Historical Review also indicates that tribally-focused monographs continue to flourish. Cf. Cary Miller, *Ogimaag: Anishinaabeg Leadership, 1760-1845* (Lincoln: University of Nebraska Press, 2010); Edwin R Sweeney, *From Cochise to Geronimo: The Chiricahua Apaches, 1874-1886* (Norman: University of Oklahoma Press, 2010); Blanca Tovías, *Colonialism on the Prairies: Blackfoot Settlement and Cultural Transformation, 1870-1920* (Brighton: Sussex Academic Press, 2011) etc. In Canada this tradition is likewise alive and well. See, for instance, R. Bruce Morrison and C. Roderick Wilson, eds., *Native Peoples: The Canadian Experience* (Oxford: Oxford University Press, 2004), 5. This is a book of essays about particular tribes, organized in "culture areas." The editors aver that "the concept of tribes is quite loose," and warn that "even with this flexible understanding, it is tempting to think of tribes too narrowly," that "we cannot forget . . . that we ourselves have created the mental boxes" that are our "organizing categories." But they nonetheless build their book of these tribal boxes, a decision they explain, in part, with the assertion that while "it is fairly clear that culture areas are mental constructs, not visible in the natural world," "it is less obvious for seemingly more concrete realities, such as 'tribe'." Although they note that "tribal boundaries often were permeable," this qualification is spatial, not social, and thus implicitly reinforces the tribal social and affinal discreteness suggested by the book's organization. John Milloy explicitly positions his 1988 manuscript on the Plains Cree in response to "scholars . . . active debate over the utility of the concept [of tribe] and whether a regional of ethnic approach might be more useful." "A tribe," he writes, 'is the most appropriate focus for study . . . Plains Indian life was tribal." Moreover, "there is an overriding consideration

much usefulness in tribally-bounded histories, this tradition has frustrated even its loyal practitioners. Scholars who attempt to clearly delineate individual tribes, and narrate their history accordingly, often bemoan the difficulty of their task. More importantly, the academic attempt to tell histories of discrete groups has encouraged related habits of thinking about these groups that, together, distort our understanding of the indigenous Northern Plains of the mid-nineteenth century. Even though good tribal histories examine intertribal relations, their focus on one distinct group and its distinctiveness necessarily implies that the tribe is analytically isolatable. Moreover, when we focus on indigenous groups as discrete, as historically and analytically separable, it warps our understanding of what we call tribes: the emphasis on discreteness can lead us to equate tribal labels with ethno-cultural homogeneity. Although published in 1940, David Mandlebaum's work on the "Plains Cree" of 1853-1936, in which he characterizes them as a "large, homogenous population," "remained the definitive work on this subject" through at least the late 1980s, and it continues to be cited as an accurate assessment of intra-Cree differentiation.[87] We sometimes still think about the Plains Cree as Mandlebuam implies, as though they were composed predominantly of people of unadulterated Cree ancestry. Take, for instance, the recent work of Michel Hogue. Hogue's several articles on "the Plains Cree" of "the Canada-U.S. Borderlands" examine the impact of the U.S.-Canadian border on "'Canadian' Crees." Hogue questions the construction of his protagonists as 'Canadian,' but doesn't interrogate or qualify the "Cree" label. As a result, when, in "the process of collecting the various Cree camps from across Montana" in the late nineteenth century, the U.S. Army in fact rounds up people of mixed, and different, tribal ancestries, the misstep seems to come out of nowhere, flowing not from the inherently mixed nature of the "Cree" population but from U.S. policies and practices, and from non-Indians' ignorance and confusion.[88]

From this conceptual foundation, scholars are sometimes tempted to believe that these discrete, homogenous groups related to one another in consistent and predictable ways. Nowhere is this more apparent than in the residual trope of "inveterate enemies" and its intellectual cousin, the idea that certain Indian groups—especially the Sioux and Blackfeet—were inherently "warlike."[89] In the inveterate enemies trope, tribal groups like, say, the Sioux and the Chippewa, are held to have been at odds since "time immemorial." Their animosity is inveterate—ancient, obstinate and settled.[90] Their relationship is, in a word, ahistorical. It

---

that justifies, and indeed demands, a tribal approach. It is as tribes, or as tribal nations in parlance, that contemporary native people see themselves and wish to understand their past." John S. Milloy, *Plains Cree: Trade, Diplomacy and War, 1790 to 1870*, First Edition (Winnipeg: University of Manitoba Press, 1988), xiii–xiv.

[87] David Mandelbaum, *Plains Cree: An Ethnographic, Historical, & Comparative Study (Canadian Plains Studie* (CPRC, 1979). Mandelbaum characterizes the Cree as such and then goes on to discuss intermarriage with the Assiniboine and the existence of a hybrid band. Milloy, *Plains Cree: Trade, Diplomacy and War, 1790 to 1870*, xviii. John Milloy's The Plains Cree came out in 1988. He maintained at that time that Mandlebaum's *The Plains Cree* "still stands as the major anthropological source" on the subject. The authors of the introduction to a recent compilation of essays on Métis history, cite Mandlebaum for statements about Cree differentiation along cultural/ecological lines. Brenda MacDougall, Nichole St-Onge, and Carolyn Podruchny, *Contours of a People: Métis Family, Mobility, and History* (University of Oklahoma Press, 2012), 11.

[88] Hogue, "Crossing the Line," 163; Michel Hogue, "Disputing the Medicine Line: The Plains Cree and the Canadian-American Border, 1876-85," in *One West, Two Myths: A Comparative Reader*, ed. Carol Higham and Robert Thacker (Calgary: University of Calgary Press, 2004), 85–108.

[89] This trope is residual in several senses. It is left over from 19th century thought in which "Americans and Europeans considered warfare endemic to the savage state of being, rather than strategic or political in nature" and, in some recent work, it is left over from earlier historiographical epochs. Quote from Witgen, *An Infinity of Nations*, 4.. A good example of the reliance on both of these ideas in older histories is Sunder, The Fur Trade on the Upper Missouri, 1840-1865. Part of the problem is that we've heard about inveterate enmities and alliances so much that even when historians are careful to qualify these statements, their qualifications fail to leave their intellectual imprint. Cf. Hyde, Empires, Nations, and Families, 266, in which she writes of an event in which the U.S. Army solicited "Sioux" help against "Arikaras": "The Sioux, traditionally allied against the Arikaras, agreed readily, but according to some of Pilcher's interpreters, many Sioux warriors discussed joining with the Arikaras."

[90] The idea of inveterate enemies powerfully shaped older histories of North American indigenous people, its ingrained nature evident in the fact that even histories that narrate events that conclusively *disprove* the notion of unchanging relations use the term, as in Sharrock and Sharrock, *A*

doesn't change over time. Characterizing indigenous groups as "warlike" likewise divests their actions of motives produced by historically specific situations. Although their power has waned in recent decades, these ideas still exert influence. They echo, for instance, in Andrew Graybill's recent summary of the "three groups" who composed the "reflexively hostile" Blackfoot Confederacy, who "spoke one language, shared common customs, and faced off against the same adversaries," especially their "chief rivals: the Shoshones to the southwest and the Crows to the southeast."[91] And the ghost of inveterate enemies haunts the epilogue of Binnema's aforementioned monograph *Common Ground*. After a narrative of continual, multifaceted flux in intertribal relations through the 1700s, Binnema suggests that this fluidity comes to a close with his story, and "the normal state of affairs from 1806 to 1870 would be a Cree and Assiniboine coalition against the Blackfoot, Gros Ventre, and Sarcee bands." The relationship between these coalitions he describes as one of "continual warfare."[92] In his *Policing the Great Plains,* Graybill paints a similar portrait of unchanging enmity between these two groups during these many decades. Suggestively, both authors cite John Milloy's adamantly tribe-bound narrative *The Plains Cree* for their assertions.[93]

"Inter"-tribal Interactions

Despite the allure of the idea of ancient and enduring enmity, intertribal interaction obeyed no stable boundaries. Abundant intermarriage and kinship linked friend and enemy tribes throughout the region. Even if we accept John Ewers' contention that only "friendly tribes exchanged visits and gifts, traded and intermarried" and that "hostile ones," in contrast, "rarely met save in combat or under strained conditions of suspended animosity while visiting the white men's trading posts," the ebb and flow of intertribal politics meant that these categories—friend and enemy—were ever in flux.[94] Much like the legendary frontier enmity between "Indians" and "whites," even the storied enmities between Northern Plains indigenous groups—like the Cree and Blackfeet or the Sioux and Chippewa—were embedded in long, complicated, intimate

---

History of Cree Territorial Expansion from the Hudson Bay Area to the Interior Saskatchewan and Missouri Plains. Report Presented before the Indian Claims Commission, Docket 221b-191, 9. The Sharrocks qualify their statement about "Cree" living with "Blackfeet" with the comment that the two groups were "usual inveterate enemies." The term itself comes from primary sources, like Edwin Denig's work. In writing of the Cree, for instance, Denig states that "the Crees""with the other tribes named [all their neighbors, the Sioux, Gros Ventres of the Prairies, Blackfeet] they have carried on an inveterate war beyond the recollection of any one now living." Denig's editor John Ewers affirms this warfare as being "continued with little interruption" from at least 1640-1870. This idea is belied by other aspects of Denig's work, like the fact that Broken Arm earned the moniker "The Peacemaker," for his success in that realm, or the biography of another "Cree Chief," She mau kaw or La Lance, who "distinguished himself in making several peaces with some bands of the Blackfoot nation at different times." Of the "Sioux" and the "Crow," Denig maintained that "these two nations have been at war beyond the recollection of anyone now living with them. So inveterate is their mutual animosity that this indefinite period has never been varied by even a transient peace." Of the Crow, he says—in language that is clearly rote—their "natural and eternal enemies are the Blackfeet on the west and the Sioux on the east, with both of whom war has continued from time immemorial without being varied by even a transient peace." Denig, *Five Indian Tribes of the Upper Missouri: Sioux, Arickaras, Assiniboines, Crees, Crows*, 21, 102, 112–114, 144–145. The phrase "hereditary enemies" is a variation on this theme, one which, interestingly, is also used to describe the relationship of "the two principal fur companies," between whom there was "inveterate hate," despite the fact that employees moved freely between them. Sunder, *The Fur Trade on the Upper Missouri, 1840-1865*, 119, 142.

[91] Andrew R. Graybill, *The Red and the White: A Family Saga of the American West*, 1st edition (New York: Liveright, 2013), 14–15, 25. Graybill writes as well of the "unwavering vigilance and pugnacity" of "the Blackfeet." These descriptions call to mind older histories, in which the inveterate enemies trope is linked to essentializing certain indigenous groups as "warlike" "fierce, treacherous" "hostile" etc. John Sunder, for instance, uses these words to describe some Sioux groups, then notes that they hunted "north into enemy Mandan territory." A few pages farther on he describes "the average Crow warrior" who, among other things, "was a bitter enemy of the Blackfeet and the Missouri River Sioux." Sunder, *The Fur Trade on the Upper Missouri, 1840-1865*, 37, 44, 215. This essentializing of indigenous people as "warlike" leads Sunder to neglect any attempt to examine their motivations for use of violence, or for pretty much anything else for that matter.

[92] Binnema, *Common and Contested Ground: A Human and Environmental History of the Northern Plains*, 196. Binnema here cites Milloy, *Plains Cree: Trade, Diplomacy and War, 1790 to 1870*.

[93] Andrew R. Graybill, *Policing the Great Plains: Rangers, Mounties, and the North American Frontier, 1875-1910* (Lincoln: University of Nebraska Press, 2007), 32.

[94] Ewers and United States, *Ethnological Report on the Chippewa Cree Tribe of the Rocky Boy Reservation and the Little Shell Band of Indians*, 12.

relationships that varied over space and time along a continuum from violent animosity to voluntary intermarriage.[95] This becomes apparent when one explores relations among Northern Plains residents at a smaller scale, which is often how they occurred.[96] Life in the nineteenth century was characterized not by monumental and predictable encounters between large, discrete tribes, but by frequent, messy, unstable and unclear interactions between smaller, indeterminate groups.

The inconstancy of political relationships fostered pervasive social integration, and pervasive social integration abetted political dynamism. In the introduction to his book on "intertribal warfare on the Northern Plains," Anthony McGinnis notes that intertribal conflict was "ambivalent; it was often stopped to establish a truce or for the nomadic bands to trade with sedentary tribes for agricultural produce." So common were truces among "enemy" tribes that McGinnis repeatedly noted them even though he emphasizes enmity. His first chapter—titled "from time immemorial . . . deadly enemies"—opens with a recapitulation of an Assiniboine foray into a Mandan village. These two tribes, "normally . . . at war," were at that moment visiting their "enemies" because "one of the warfare's periodic truces" "had ended the hostility between them." Periods of peace between "enemy" tribes were so commonplace that Plains newcomers, like Lewis and Clark, convinced themselves that they were able to end conflict merely by mediating between resident groups. "In retrospect," writes McGinnis, "it seems that the explorers simply encouraged the brief truces already common in intertribal relations." "The ambiguity between war and peace" that was "an integral part of Indian life" on the nineteenth century Plains has apparently confused, or eluded, some observers for centuries.[97]

Whether or not such luminaries as Lewis and Clark recognized it, peace-making regularly punctuated war-making. In reading primary sources from the nineteenth century Northern Plains, the remarkable thing is not some steadfast animosity between enemy tribes, but the opposite. Intertribal relationships changed quickly and often. Even the most famous of enemies frequently made peace with one another. Established and shared practices facilitated frequent peaces among tribes who had supposedly been at war since time immemorial. Tribes sometimes sent formal peace-making delegations, and specific ceremonies "cleared the air of disagreeable feelings" and solemnized peace agreements. Sooner or later that peace would be broken by some people affiliated with one or another of the involved parties. Then another period of hostility commenced between some group members until leaders negotiated another peace. None of the oft-cited enmities or alliances was static. The relationships between other tribes were even less so. Moreover, at any given moment, relationships between tribes might differ by band, with some but not all bands of a tribe in conflict with some but not all bands of another tribe.[98] It is no wonder that many encounters began with efforts to identify the intentions, not merely the identity, of involved parties. The first question to be answered was whether the approaching people were peaceful or hostile, at the moment.[99]

As the above discussion of politics suggests, life on the Northern Plains was profoundly intertribal not only because tribes and bands were mixed and fluid, but also because different

---

[95] See for instance, Robert E Bieder, *Native American Communities in Wisconsin, 1600-1960: A Study of Tradition and Change* (Madison: University of Wisconsin Press, 1995), 57, as well as Witgen, *An Infinity of Nations*.

[96] Denig, *Five Indian Tribes of the Upper Missouri: Sioux, Arickaras, Assiniboines, Crees, Crows*, 146. Denig claimed that between the Crow and Blackfeet "skirmishes and chases are of daily occurrence summer and winter."

[97] McGinnis, *Counting Coup and Cutting Horses*, x, 2, 18, 22.

[98] Ibid, 22. Moreover, according to McGinnis "most tribes observed a code of hospitality, according to which anyone on a friendly mission could not be harmed once he reached the physical confines of the village."

[99] For good examples of initial uncertainty about the identity and intentions of approaching parties, and about mistaken identities as a result, see Larpenteur, *Forty Years a Fur Trader on the Upper Missouri: The Personal Narrative of Charles Larpenteur, 1833-1872*, 10, 32, 35, 48, 90–91; Cowie, *The Company of Adventurers*, 291, 326–327,339, 420. See also Holterman, *King of the High Missouri*, 199.

groups interacted constantly. As Patricia Albers has noted, for much of the twentieth century scholarly exploration of intertribal interaction was limited to discussions of warfare between enemy groups.[100] But despite the inordinate amount of attention it has received, warfare was never the only, or even the preeminent, intertribal activity on the Plains. Many, if not most, aspects of life were at times intertribal. Peace negotiations between warring tribes were, of course, intertribal. But people from different tribes also camped and traveled together, socialized and celebrated together, hunted and trapped and traded together. Indeed, this pervasive interaction meant that warfare itself was intertribal in more ways than one, for war parties often included people from multiple tribes.[101]

Since fur traders penned many of the primary documents from the period, we can glean a good sense of how economics, for one, encouraged intertribal interaction. Mixed tribes and bands traded not only at the established posts and forts and regular rendezvous associated with the fur trade, but also with one another (and with trappers and traders) at their own villages and encampments.[102] A partial overview of Crow trading offers a good illustration of the spatial and social extent of intertribal economic exchange. According to Edwin Denig, "the whole nation" of the Crows had "a rendezvous every summer" after which "they move across the mountains to exchanges . . . with the Flat Heads in St. Mary's Valley [at the western edge of present-day Montana], or with the Snake and Nez Perce Indians." They also traveled far to the east to trade with the Hidatsas on the Missouri (in the middle of present-day North Dakota), and sometimes spent the winter "with the Assiniboines and trading at Fort Union, but more frequently selling the proceeds of their hunt to the traders in the upper part of their country."[103] This incomplete picture, painted by one primary source alone, shows see the Crow trading with tribes across the Northern Plains and the Northern Rockies.[104] Such expansive intertribal trading was common, and drew people far north and south as well as east and west.[105] This is why, when Lewis and Clark arrived among the "Nez Perce" in present-day Washington state, they discovered that an axe that one of their party made and traded at Fort Mandan on the Missouri (now in central North Dakota) had beat them to their destination.[106] There, the well-traveled axe surely joined other Fort Mandan goods, for the Mandan and Hidatsa villages functioned as distribution centers for trade that radiated out in every direction, and that overlapped with trade at exchange centers like St. Louis on the Missouri, York Factory on Hudson Bay, and the Dalles on the Columbia. Among those who traded at the Mandan villages during the single winter the Lewis and Clark expedition stayed there were a group of some 3,000 "Assiniboines" and "Crees," much smaller separate groups of "Cheyenne" and "Assiniboine," as well as traders, some of whom were

[100] Albers, "Symbiosis, Merger, and War," 94; Sunder, *The Fur Trade on the Upper Missouri, 1840-1865*, 122. A good example is Sunder's book, in which explicit discussion of intertribal interaction is invariably discussion of "intertribal warfare,"

[101] Ewers and United States, *Ethnological Report on the Chippewa Cree Tribe of the Rocky Boy Reservation and the Little Shell Band of Indians*, 12.

[102] Sharrock and Sharrock, *A History of Cree Territorial Expansion from the Hudson Bay Area to the Interior Saskatchewan and Missouri Plains. Report Presented before the Indian Claims Commission, Docket 221b-191*, 35–37.

[103] Denig, *Five Indian Tribes of the Upper Missouri: Sioux, Arickaras, Assiniboines, Crees, Crows*, 143–144.

[104] Cree groups (who were heavily Assiniboine/Chippewa etc.) were noted in the early nineteenth century as trading with the Flatheads on the west and the Mandan villages on the Missouri in the east. They were also trading with their relatives the Métis as far east as Red River. The Assiniboine were noted in 1846 as trading from Fort Hall (in what is now Idaho) to Red River (at least). See Sharrock and Sharrock, *A History of Cree Territorial Expansion from the Hudson Bay Area to the Interior Saskatchewan and Missouri Plains. Report Presented before the Indian Claims Commission, Docket 221b-191*, 50–51, 94. Other Assinniboine bands traveled to Red River itself to trade with the "half-breeds." Denig, *Five Indian Tribes of the Upper Missouri: Sioux, Arickaras, Assiniboines, Crees, Crows*, 82.

[105] Albers, "Symbiosis, Merger, and War," 104. According to Albers, the north-south trade was in fact the more important network: "By the end of the eighteenth century, a distinctive pattern of Plains regional integration had evolved, joining horse and gun suppliers . . .a series of competitive trade networks with dyadic (chain-like) properties that ran a parallel southwest to northwest course over the entire length of the plains."

[106] Stephen, *Undaunted Courage: Meriwether Lewis, Thomas Jefferson, and the Opening of the American West* (Simon & Schuster, 1997).

indigenous, who worked for the Hudson's Bay Company, the North West company, or themselves. The subsequent change of seasons brought visits from "Crows" as well as "Kiowas, Arapahos, Staitans and Kiowa Apaches."[107]

Given the time and distance Northern Plains trading entailed, it shouldn't surprise us that business trips sometimes turned into extended sojourns during which people lived with "other" tribes. When some "Crow" people were attacked by a party of "Cheyenne" in the 1830s, they had to "hunt up their chief, Rotten Belly," before retaliating. They found him staying with "the Flatheads." Other members of their tribe could be found among other indigenous communities, like the Snakes: at least one Crow man was probably on his second extended stay with his southern neighbors. He had originally "fled to the Snake Indians, with whom he resided for 12 years" after being threatened by the family of a man he killed. "Thinking the affair had blown over, he returned to his own people. But the old grudge was renewed, and he was obliged to leave the second time." Resident visitors like these Crow men were no anomaly, but rather an integral component of regional indigenous society. Bands were thus even more integrated than the earlier discussion of mixture and fluidity suggested. In addition to their own heterogeneous membership, they often included visitors. The "Gens des Canots" band of Assiniboine, for instance regularly hosted "the half-breeds of Red River who visit their camp during the winter with dog sleds loaded with merchandise."[108]

As social histories of the fur trade make abundantly clear, trappers and traders—many of whom were themselves of indigenous descent, like "the half-breeds of Red River"—often married into indigenous communities and sometimes ended up staying with their host bands for years.[109] When Jean Baptiste Trudeau traded at an Arikara community in 1795 he met "a Canadian, named Menard, who, for sixteen years has made his home with the Mandan." During that time Menard was also "several times among the nation of the Crows in company with the Gros Ventres (Hidatsas)."[110] This pattern of trappers and traders becoming part of Indian communities characterized the Northern Plains for decades before American companies officially entered the Upper Missouri and Rocky Mountain fur trade. As Floyd and Susan Sharrock put it, "the American mythology that has Lewis and Clark as the first white men in vast uncharted wilderness was not shared by the official who sent them to stem the British [fur trade] expansion into the area, and to lure Indian trade to America."[111] Lewis and Clark would themselves have understood the preposterousness of that mythology. In their travels, they regularly relied on and encountered people of European descent who had long resided in the region, and they returned to the United States with news of "the size, wealth, and sophistication of the fur trade" already established in the region.[112] When they wintered at the Knife River villages in 1805-1805, they met not only visitors on Mandan trading missions but also men like René Jusseaume, whom they described as a Frenchman who had "made the villages his home for fifteen years or more," living with his wife and child. Jusseaume was hardly alone: Elizabeth Fenn uses the term "residenters" to describe men of his ilk, and counted "at least fifteen other[s] .

---

[107] Fenn, *Encounters at the Heart of the World: A History of the Mandan People*, 229–243.
[108] Denig, *Five Indian Tribes of the Upper Missouri: Sioux, Arickaras, Assiniboines, Crees, Crows*, 81, 150, 165.
[109] Sylvia Van Kirk, *Many Tender Ties: Women in Fur-Trade Society, 1670-1870* (Norman: University of Oklahoma Press, 1990). When these men first lived in the region is a matter of debate, and definition. But even consciously conservative assessments, ie. those not prone to interrogating ideas of who qualified as a trapper or trader, maintain that they could be found there in the first half of the eighteenth century. Barton Barbour, for instance, says that "fur traders first appeared on the Upper Missouri in the 1730s." Barbour, *Fort Union and the Upper Missouri Fur Trade*, 7.
[110] Denig, *Five Indian Tribes of the Upper Missouri: Sioux, Arickaras, Assiniboines, Crees, Crows*, 138.
[111] Sharrock and Sharrock, *A History of Cree Territorial Expansion from the Hudson Bay Area to the Interior Saskatchewan and Missouri Plains. Report Presented before the Indian Claims Commission, Docket 221b-191*, 40.
[112] Hyde, *Empires, Nations, and Families*, 244.

. . [who] had lived among the Mandans and Hidatsa in the generation before 1804." Among them was our man Menard, whom Lewis and Clark would have met—he'd by then been "with the Indians for some twenty-five years"—if he hadn't "left on one of his regular trips to Brandon House" shortly before their arrival and been killed on his way home.[113]

Travel and Territory: Individual and Group Mobility

All this intertribal interaction becomes more visible if we resist projecting onto indigenous societies Western notions of national territory. Tribal territories were neither precisely delimited nor discrete. While they clearly had a core, they had no exact exterior boundaries, and different tribes' territories everywhere overlapped. Floyd and Susan Sharrock studied the territorial question in depth in their expert testimony for the Indian Claims Commission in 1974, and their conclusions are worth quoting at length. "The concept of territoriality among the northern Plains Indians," they point out, "does not coincide to the white concept. A group's territory included any land on which they could hunt and not be pushed out by members of another group. Since population density was so sparse, territorial boundaries were not at all definite, and it was not uncommon for bands belonging to different groups hunting in the fringe area—even enemies—to run into one another in what each considered their own territory."[114] Joshua Pilcher had to contend with this fact as Superintendent and Indian Agent for the vast Upper Missouri Agency in the 1830s and '40s. "The mobile Indians of the plains," he explained to his superiors, "acknowledge no regular territorial boundaries. A section of the country in which any tribe is commonly found, is called theirs, from the fact of their being able to sustain themselves in it against their enemies; but, at the same time, that country is not free from incursions of their enemies."[115] Issac Cowie understood this when he described a group "of a few Crees and Saulteaux" led by Mis-cow-pe-tung as being camped "within the rather indefinite limits of their own hunting grounds, where attack by the Blackfeet is *unlikely*."[116]

Areas that were particularly rich in resources might be used regularly by a remarkable array of tribes. When a man named Regis Loisel joined Lewis and Clark in 1804 he offered the "Corps of Discovery" information on the Upper Missouri River country, which he had been investigating. The hunting conditions "upon the east bank . . . more or less above the Yellowstone River" attracted "Assiniboines, Pieds Noirs [Blackfeet], the Chrystinaux [Cree], the Tete Plattes [Flathead], the Leaves (Gens des Filles—Assiniboines), the Panses [Pawnees], and

---

[113] Fenn, *Encounters at the Heart of the World: A History of the Mandan People*, 238. "Residenters" were themselves of mixed and varied backgrounds. In addition to people from other tribes, including métis groups, and Euro-North American fur traders, they included such people as James Beckwith (a.k.a. Jim), "the great mulatto brave among the Crows." Larpenteur, *Forty Years a Fur Trader on the Upper Missouri: The Personal Narrative of Charles Larpenteur, 1833-1872*, 24; See Holterman, *King of the High Missouri*, 119–120, regarding residenter Delaware Jim and his travels. In his history of "the Anishinaabe and Dakota People of the Great Lakes and Northern Great Plains" in the seventeenth, eighteenth, and early-nineteenth centuries, Michael Witgen calls these people "interlopers" in order to stress indigenous control of the society in which they lived, but that term distorts the depth and degree of their integration into that society, of which they were a common and integral, if proportionally small, component. Witgen, *An Infinity of Nations*, 15.

[114] Sharrock and Sharrock, *A History of Cree Territorial Expansion from the Hudson Bay Area to the Interior Saskatchewan and Missouri Plains. Report Presented before the Indian Claims Commission, Docket 221b-191*, 1–2. In contrast, Ewers insists "it is important to distinguish the area within which a tribe hunted, from the much wider area which would encompass the movements of the tribe's war parties, its visits to friendly tribes, or its trading expeditions to white men's trading posts." He likewise asserts that trading at Fort Union doesn't suggest ties to American claimed land: "Where a man went to trade . . . was not a clue to the country in which he lived." Emphasis in original. Ewers and United States, *Ethnological Report on the Chippewa Cree Tribe of the Rocky Boy Reservation and the Little Shell Band of Indians*, 12.

[115] Quoted in Sharrock and Sharrock, *A History of Cree Territorial Expansion from the Hudson Bay Area to the Interior Saskatchewan and Missouri Plains. Report Presented before the Indian Claims Commission, Docket 221b-191*, 46, 69.

[116] Cowie, *The Company of Adventurers*, 375, 379. Emphasis mine. Edwin Denig hinted at a similar understanding when he described the country claimed by the Crees "as their own, although they do not confine themselves to hunting within it." Denig, *Five Indian Tribes of the Upper Missouri: Sioux, Arickaras, Assiniboines, Crees, Crows*, 101–102.

an infinity of others." All these nations, Loisel claimed, were "friendly to the Mandones" and "visit them every year" to trade.[117]

In her essay on Indian territories in the early southwest, Juliana Barr writes that "the 'connection between people and territory lay in the deep and detailed knowledge of the environment' and found expression through the naming of, charted movement through, and residence in that land." By all of these measures, Northern Plains indigenous territories were vast. And although tribal territories had a core, at the edges they overlapped and faded into one another, and into the horizons.[118] Several maps drawn by indigenous people in the early nineteenth century suggest something of the vastness of tribal domains. Around 1801, a "Blackfeet" man named Old Swan drew several maps for Peter Fidler, a fur trader based at Chesterfield House, at the junction of the South Saskatchewan and Red Deer rivers. The territory he knew and named for Fidler stretched from what we now know as northern Alberta far southward into Wyoming, and from the Missouri River Mandan villages in North Dakota on the east to the Snake River drainage—whose waters flow into the Pacific—on the west. Within that territory, Old Swan pinpointed the location of thirty-two Indian groups. "An unidentified Gros Ventre man" undertook a similar cartographic chore around the same time, likely at the request of a non-Indian newcomer. This map depicted a territory stretching across "the western plains from the Bow River [in present-day Alberta] to New Mexico."[119] Textual sources corroborate the visual accounts of indigenous cartographers. While trading with the "Eutaws" Osburne Russell heard stories of "Blackfeet" on the shores of "the Salt Lake," and others say the tribe "traded with the Hudson's Bay in the north and with the Spanish of Santa Fe in the south."[120] Edwin Denig described a Crow range every bit as expansive: on annual trading forays they sometimes "pushed their way as far as the Kiowas and Comanches and occasionally near the Spanish settlements of Taos and Santa Fe." He offered as well an impressive assessment of the country "occupied by the Assiniboines, or hunted in exclusively by them," which he quantified at "20,000 square miles."[121] Clearly, however we define and measure tribal territories, domains or ranges, one thing is certain: Northern Plains indigenous groups moved through and used enormous expanses.[122]

Tribal territories on the nineteenth century Northern Plains were vast, unbounded, and overlapping. They also changed over time. It is by now well established that tribes moved into new Northern Plains territories, or intensified their presence in what had been marginal or

---

[117] Quoted in Sharrock and Sharrock, *A History of Cree Territorial Expansion from the Hudson Bay Area to the Interior Saskatchewan and Missouri Plains. Report Presented before the Indian Claims Commission, Docket 221b-191*, 47.

[118] Barr, Juliana, "Geographies of Power: Mapping Indian Borders in the 'Borderlands' of the Early Southwest," *William and Mary Quarterly* 68, no. 1 (2011): 34. Barr quotes here, in part, from Peter J. Usher, Frank J. Tough, and Robert M. Galois, "Reclaiming the Land: Aboriginal Title, Treaty Rights and Land Claims in Canada," *JAPG Applied Geography* 12, no. 2 (1992): 109–32. In her article, Barr emphasizes the existence of precise, recognized, and marked external borders around the territory of Indian nations. I'm not sure her insight on this point, derived from the Texas region, applies to the Northern Plains. I tend to think of indigenous territorial boundaries as less exact, and less "inviolate," but this may be because I have not intensively focused my research on that question per se.

[119] Mary Eggermont-Molenaar, *Montana 1911, a Professor and His Wife Among the Blackfeet: Wilhelmina Maria Uhlenbeck-Melchior's Diary and C. C. Uhlenbeck's Original Blackfoot Texts and a New Series of Blackfoot Texts* (Lincoln: University of Nebraska Press, 2005), 3; Theodore Binnema, "How Does a Map Mean?: Old Swan's Map of 1801 and the Blackfoot World," in *From Rupert's Land to Canada*, ed. Theodore Binnema, Gerhard J. Ens, and R. C Macleod (Edmonton: University of Alberta Press, 2001), 210, 217. As Juliana Barr suggests, Indian maps were often and "easily produced . . . when Europeans asked." These "outlines . . . were secondary—for the foreigner's benefit—to the true sense of geopolitical and geographic knowledge that lay in stored memory and oral instructions. Such maps were first and foremost navigational tools, and Indians simply did not need maps." Barr, "Geographies of Power," 27.

[120] Russell, *Journal of a Trapper, 1834-1843*, 121; Holterman, *King of the High Missouri*, 37.

[121] Denig, *Five Indian Tribes of the Upper Missouri: Sioux, Arickaras, Assiniboines, Crees, Crows*, 164.

[122] This clear fact requires that we recognize that tribal ranges overlapped in every direction, and that groups whose core territory lay in one region interacted with groups whose core territory comprised distant lands. The very vastness of their territory should alert us to its overlap with many other groups, and we have as well explicit references to this fact. See, for instance, Edwin Denig's comments regarding Crow trading-related journeys: " In these travels they encountered some tribes with whom they were at peace but always rendered themselves liable to be cut off by larger nations considered enemies." Ibid.

peripheral areas, during the eighteenth and nineteenth centuries. A host of push and pull factors combined to cause significant shifts in tribal locations. The acquisition of horses and guns, the advent and evolution of the fur trade, encroaching white settlement, violence, famine, the ravages of disease, ecological change, shifting political and economic priorities—all these things and others affected the extent and location of tribal territories. Some tribes who were Northern Plains dwellers in the eighteenth century—like the Kutenai and the Shoshone—subsequently moved south and west into more mountainous regions. Others, most famously the "Teton Sioux," expanded aggressively onto the Northern Plains from the east.[123]

These major changes in tribal territory are well-recognized in the scholarly literature. But our attention to shifting indigenous geographies has unintended, and maybe misleading, intellectual consequences. Even if scholars never explicitly claim as much, ad nauseum narration of tribal territorial shifts imply that this movement was en masse, linear, and irreversible in the face of a relentlessly advancing frontier or receding bison herds.[124] Territorial changes were, in fact, not so straightforward. Tribal migrations comprised groups of varying sizes moving at different times, along numerous routes, over an extended period. Take the Assiniboine, who in 1855 occupied lands on "the Missouri and contiguous territory." Edwin Denig, two of whose wives were Assiniboine, recalled that when they migrated to that region the tribe "did not all come at the same time, but by bands at different periods from 1800 to 1837."[125] And while core tribal territories shifted, population shifts were neither total nor unidirectional. Some people stayed in their former homes, and many continued to move back and forth between old and new homelands.[126] Such back and forth movement also occurred on a larger scale. The segmented, incomplete, and fluctuating nature of tribal migrations contributed to the incessant movement of groups and individuals throughout vast swaths of the West. This movement, in turn, continually created and re-created connections between ostensibly discrete tribal groups and tribal territories.[127]

Individual migrations on the Northern Plains surpassed even the vast territories within which tribal groups lived and moved.[128] People moved frequently and they moved far, and their travels compounded the mixture and interconnectedness inherent in tribal social and spatial organization. Such movement involved many indigenous people on the Northern Plains. Political elites from tribal groups might travel, in the course of their lifetimes, from the Atlantic to the Pacific. The aforementioned Broken Arm is a case in point. Broken Arm's adventures

---

[123] Many historians acknowledge major shifts in tribal territory over time—such as the westering of the Cree, Assiniboine, and Chippewa in the eighteenth century, as well as that of the Teton Sioux (often assumed to be a prototypical Plains group), all of whom were noted in areas east of Red River in the early 1700s. The Oglala Sioux, for instance, are said to be in Minnesota in 1700, with the Arikaras on the Missouri later that century, around the Teton River in 1825, and moving southwestward and trading at Fort Laramie with its establishment in 1834. Denig, *Five Indian Tribes of the Upper Missouri: Sioux, Arickaras, Assiniboines, Crees, Crows*, 14 n. 15, 19-20 n. 23, 29-30 n. 37. For Sioux westering see Richard White, *The Middle Ground: Indians, Empires, and Republics in the Great Lakes Region, 1650-1815* (New York: Cambridge University Press, 1997); For territorial shifts among the Cree, Chippewa, and Assiniboine see Mandelbaum, *Plains Cree*; Denig, *Five Indian Tribes of the Upper Missouri: Sioux, Arickaras, Assiniboines, Crees, Crows*; Sharrock, "Crees, Cree-Assiniboines, and Assiniboines"; Milloy, *Plains Cree: Trade, Diplomacy and War, 1790 to 1870*.

[124] Hyde, *Empires, Nations, and Families*, 162–163, 476. Our misunderstanding of this aspect of tribal spatial history is thus related to the lingering tendency to treat tribes as cohesive and discrete social units.

[125] Denig, *Five Indian Tribes of the Upper Missouri: Sioux, Arickaras, Assiniboines, Crees, Crows*, 68.

[126] In his footnotes to Denig's manuscript, Ewers noted the Arickaras "frequent tribal and fractional movement during the historic period," as well as the fact that they changed their village sites every 5-6 years for want of wood. Other sources suggested that the Arikara weren't sedentary at all. An 1835 expedition that "met some Arikaras" "noted that at that time the tribe had no fixed villages, lived in skin lodges, and subsisted entirely on buffalo, other wild game, and roots." The following year the Mandan sub-agent "reported that several Arikara families had not left the Missouri with the main body of the tribe, but resided among and intermarried with the Mandans." Ibid., 41 n. 2, 50 n. 16, 58 n. 27.

[127] Cf. the several subdivisions of Sioux in 1795 who "paid a friendly visit to the Arikaras in June, 1795" and "usually wander over the country North East of the Missouri, but not finding any wild oxen or cows thereabouts, are forced west of this river." Ibid., 36.

[128] Even sources that conceive of indigenous groups, and indigenous territories, as more tightly bounded recognized this fact, as when Isaac Cowie wrote of Ka-no-cees, "a brother of Poor Man," "he was of a roving nature and travelled about far outside the confines of his band." Cowie, *The Company of Adventurers*, 239.

illuminate not only the extent of people's movements, but also how individual migrations further integrated the region's diverse peoples and experiences. Born along the Rocky Mountain front in what became Alberta sometime around 1800, in manhood Broken Arm emerged as a leader. In 1831, the U.S. Indian Agent for the Upper Missouri tried to assemble a delegation of the region's Indians for a visit to Washington, D.C., where they were to meet President Andrew Jackson and, he hoped, be impressed by the might and multitudes of the United States.[129] The agent planned to send representatives of the "Arickaras, Mandans, Gros Ventres, Crows, Assinaboins, Knistineaux [Cree], and from the bands of Yanctonais between the Mandans and Arickaras," but he ended up with only four delegates. Among them were "one Assiniboine, one Plains Ojibwe . . . one Yanktonai Sioux" and Broken Arm, representing, according to the agent, the "Cree."[130]

With their interpreter, Toussaint Charbonneau (who had guided Lewis and Clark's expedition), the men moved from Ft. Union down the Missouri as far as St. Louis, where they would leave the river and travel overland to the east coast. While in St. Louis, Broken Arm met with George Catlin, who drew his portrait, and with William Clark, who knew the family of one of his wives. He probably also encountered Alexis De Toqueville, in town on the North American tour that was fieldwork for his famed 1835 text *Democracy in America*. At the same time, the Black Hawk War—named for a man who was himself a prodigious traveler—raged just across the river.[131] Broken Arm must have watched the conflict with keen interest: other leaders of his tribe had reportedly offered refuge to Black Hawk's Sac and Fox if they needed it. The potential consequences of losing the war lay before his eyes, for numbers of "Choctaws" were at that moment being "removed" from the southeast via ferries that crossed the Mississippi nearby. All this Broken Arm witnessed while in St. Louis. The delegation then continued eastward. After meeting with President Jackson, they toured the capital before exploring Baltimore, Philadelphia, and New York City. Heading back west, they returned to St. Louis and boarded a steamer—the *Yellowstone*—bound for Fort Union. They found among their shipmates their acquaintance George Catlin as well as two Nez Perce men who had been in St. Louis beseeching the Jesuits to establish a mission among their Bitterroot Valley Salish community.[132]

The trip to the east helped cement Broken Arm's status as an important leader, and he was thereafter mentioned by name in many surviving documents from the period. His continued peregrinations are thus especially recoverable.[133] The following summer, he greeted Prince Maximilian de Weid and his image-maker, Karl Bodmer, at Fort Union, where he still traded. During the same period, he traded as far north as Fort Edmonton. Traders and tourists also did business with Broken Arm where he camped, and they documented him living at locales hundreds of miles from one another. In 1844, Fort Union clerk Charles Larpenteur, a French immigrant married to several "Assiniboine" women, found Broken Arm (whom he'd known since at least 1833) at Woody Mountain in "a camp of Crees and Chippewas." When Paul Kane traveled over the Northern Plains four years later, he encountered Broken Arm as the chief of a camp on the North Saskatchewan River. Over boiled buffalo, Broken Arm talked to Kane about the preachings of the many missionaries he'd met. Each of them—Methodist, Anglican, and

[129] Denig, *Five Indian Tribes of the Upper Missouri: Sioux, Arickaras, Assiniboines, Crees, Crows*, 86–87.
[130] Sharrock and Sharrock, *A History of Cree Territorial Expansion from the Hudson Bay Area to the Interior Saskatchewan and Missouri Plains. Report Presented before the Indian Claims Commission, Docket 221b-191*, 65, 66, 75.
[131] Black Hawk, Sauk Chief, *Black Hawk: An Autobiography*, ed. Donald Jackson (Urbana: University of Illinois Press, 1955). In this conflict, Black Hawk led a mixed indigenous band composed of people of Sauk, Fox, Winnibago, Ho-Chunk, and Potawatomi ancestries, among others.
[132] Vrooman et al., *The Whole Country Was … "One Robe,"* 53–54, 92.
[133] Even in uncommon cases like Broken Arm's, where primary sources mention him many times, the record provides only a partial picture of his movements.

Catholic—maintained that their religion alone offered the one true road to heaven. This, Broken Arm averred, was inherently contradictory.[134]

Broken Arm must have needed the rest afforded by winter encampments, for arduous trips further afield punctuated his incessant travels across the Plains. At least twice in the 1840s he traveled to, or almost to, the Pacific Ocean. In 1841, a cart train of "Métis" migrants moving from Red River to the Oregon country, led by "Orkney Cree Métis" John Sinclair, hired Broken Arm to lead them from Fort Edmonton across the Rockies. Many Red River residents knew the Oregon Country through the fur trade, and migrants meant to capitalize on the Hudson Bay Company's offer of land, livestock, and implements to settlers it considered British subjects. By encouraging "British" settlement, the HBC hoped to populate its coastal territory and thereby thwart American expansion into the Pacific Northwest. Sources, as well as the simple fact of his employment as a guide, suggest Broken Arm knew the route to Oregon relatively well: upon reaching what is now known as Radium Hot Springs on the west side of the Rockies in present-day British Columbia he proclaimed that the site "was often visited by his and other tribes in order that the medicinal waters might relieve many of their maladies."[135] When they arrived at Fort Vancouver, the HBC Governor George Simpson happened to be there, and Broken Arm visited with him—speaking it seems, in English—onboard his new steamboat. His guidance of the 1841 wagon train reinforced, as well as reflected, his status in and knowledge of the region. On at least two other occasions, in 1850 and 1854, HBC-sponsored wagon trains again hired him to guide them to Oregon country. In that decade, Broken Arm also participated in many of the major events that prefaced Euro-American invasion of the Northern Plains. He was present at the 1851 Fort Laramie Treaty negotiations (in what is now Wyoming), was a "chief negotiator" at the Blackfeet-Cree peace council at Fort Edmonton (now Edmonton, Alberta) in 1854, and signed the Blackfeet-U.S. Treaty at Judith Crossing (Montana) in 1855 as a witness. Two years later found him visiting with John Palliser's British North America expedition, which employed "about 12" "English and French Red River half-breeds," a number of whom he knew, as it surveyed the Northern Plains border region.[136]

Indigenous elites like Broken Arm who traveled from coast to coast were admittedly unusual in some respects, but many of the region's people repeatedly traversed thousands of miles in the course of their lives. Recognizing the extent of this movement, both in terms of the distance and the number of people involved, is important for our understanding of the region as an integrated and entangled indigenous society. Observers rarely failed to record their astonishment at the range, and rapidity, of individual movement across the region. Isaac Cowie, for one, marveled at the fact that an "Indian" might have "supplies charged and furs and provisions credited him in the course of a year at places as far apart as Qu'Appelle, Wood Mountain, Milk River, Elbow of South Saskatchewan, and Last Mountain."[137] The travels he traced in that case were comparatively modest. Indigenous people moved across the region in all directions for both short and long periods. Many people also moved from the Northern Plains to other regions, including numerous individuals who emigrated to foreign countries, like the "States." Others moved through the eastern British Provinces in the course of their work. Edwin Denig noted that a few Crees, who were "employed as boatmen by the Hudson's Bay

[134] Vrooman et al., *The Whole Country Was ... "One Robe,"* 68.
[135] Lent, *West of the Mountains*, 140.
[136] Vrooman et al., *The Whole Country Was ... "One Robe,"* 91, 115.
[137] Cowie, *The Company of Adventurers*, 230.

Company . . . [had] been as far as the Atlantic in the northern direction."[138] And while but a fraction of Northern Plains indigenous peoples may have made it as far as the Atlantic, those who made it far westward and eastward—to the Pacific, the British Provinces, the United States ——were numerous. Significant numbers of Northern Plains indigenes also made it farther afield. Various sources record individuals from northern groups voyaging overland into the Southwest and Mexico, while others crossed oceans and spent years in Scotland, France, England, Belgium and other European countries. This was especially true of younger people, many of whom were sent away by their parents for formal schooling or useful experience. Some—like "Pampi Charbonneau," the son of Sacagawea and Toussaint Charbonneau who spent much of his youth in the care of William Clark—made it to both North American coasts as well as to other continents.[139]

Traders, and traders' families, of Indian descent moved up and down the Missouri repeatedly. This is how Canadian-born "Blood Indian" Medicine Snake Woman, a.k.a. Mrs. Alexander Culbertson, came to preside over a manor called *Locust Grove* in Peoria, Illinois (where she "became chairperson of the Ladies Soldier Aid Society of the Second Presbytarian Church").[140] And it is how Deer Little Woman, an "Assiniboine" also known as Mrs. Edwin Denig, "spent two years considering and visiting St. Louis, Chicago, and Columbus, Ohio" before settling with her brood in 1856 in "the Métis communities along the Red River" in what would become Canada.[141] And it is how the first Mrs. Charles Lapenteur, an "Assiniboine" woman raised in the border region north of the mouth of the Yellowstone, became a settler on the Little Sioux River after having lived in St. Louis.[142] Mrs. Larpenteur was lonely in South Dakota, but she was not alone in her eastward emigration. At Kawsmouth, also known as Chouteau's, a post founded in 1821 "along the well-traveled highway of the Missouri" in what is now Kansas, an entire settlement of migrants like herself developed. Located between Fort Union and St. Louis, Kawsmouth "was frequented by French-Indians of many nations," including "Shoshone Sacajawea's son, Baptiste [or Pampi] Charbonneau, who was there in 1823." In its early years, Kawsmouth consisted of about 20 "mixed-blood" fur trade families, including people of "Kaw," "Shawnee," "Delaware," "Ioway, Osage, Otoe, and Pawnee" descent. This multicultural core attracted other such families, and "in the years after 1833, French, Anglo-American, and French-Indian men found the racially tolerant, multiethnic Kawsmouth a desirable locale in which to relocate their Indian wives and mixed-blood children after retiring from the fur trade. Church records reveal the presence of Flathead, Kutenau, Cree, Gros Ventre, as well as Sioux, Kickapoo, and Potawotomi." Among the families that settled there in this period was that of "the American Fur Company's Kenneth McKenzie "whose two mixed-blood daughters, educated at Red River, saw the Kawsmouth as preferable to the [Red River] Selkirk colony . . . because of its warmer climate."[143] Other towns in the region mirrored the complex composition of Kawsmouth (which would become Kansas City): "by the mid-fifties, the Lower Missouri Valley was speckled with tiny settlements, some predominantly

[138] "But this advantage has happened to few and the rest are not disposed to give implicit credit to the tales of travelers. They have in fact no knowledge or belief in the existence of greater districts than those known by them and contiguous to their own." Denig, *Five Indian Tribes of the Upper Missouri: Sioux, Arickaras, Assiniboines, Crees, Crows*, 133.
[139] Holterman, *King of the High Missouri*, 17, 78–79; Catherine McDonald and Winona Adams, *An Indian Girl's Story of a Trading Expedition to the Southwest About 1841,* (Missoula: State University of Montana, 1930); Karttunen, *Between Worlds: Interpreters, Guides, and Survivors*, 37–38. As in many fur trade era histories, examples of children being sent far away for schooling, formal or informal, abound in Hyde, *Empires, Nations, and Families*, 100–102.
[140] Sunder, *The Fur Trade on the Upper Missouri, 1840-1865*, 187; Holterman, *King of the High Missouri*, 153.
[141] Hyde, *Empires, Nations, and Families*, 322.
[142] Larpenteur, *Forty Years a Fur Trader on the Upper Missouri: The Personal Narrative of Charles Larpenteur, 1833-1872*, 71–75.
[143] Thorne, *The Many Hands of My Relations*, 151– 155.

halfblood" as "old traders" and "their Indian wives and grandchildren constituted the first families of many river communities between Council Bluffs and Fort Randall."[144]

Other indigenous people traveled to "the States" not as migrants but as messengers. Beginning in 1831, the first of several delegations from communities in what is now western Montana's Bitterroot Valley, for instance, arrived in the St. Louis in an effort to entice Jesuits to their homeland. The inspiration for their spiritual quest is itself testament to the remarkable individual mobility that linked groups across the Plains. They were encouraged to seek out, and embrace, Catholicism by several Iroquois trappers who had married, and settled, among them in the early nineteenth century. The Iroquois originally hailed from the northeastern United States-Canada border region, and were converts of Caughnawaga Mission, which Catholic missionaries had established in their natal homeland in 1676. Indigenous solicitation of resident missionaries made sense in their own terms: "behind their intense desire for the blackrobes lay a conviction that through such offices they could defeat their enemies and preserve themselves."[145] Undiscouraged by the Jesuits' initial refusal, "the Flatheads, Onaperse (Nez Perce, Pantheres (?)[Pendoreilles?], Cottonoais (Kutenai), Lespokans, Cajous (Cayuse) [and] Ochazeres (?)" jointly proceeded to send representatives to St. Louis every few years until, on their fifth attempt in 1840, they persuaded a group of missionaries led by Belgium-born Father Pierre Jean De Smet to settle in their territory.[146] De Smet's journey to the western Rockies exemplified the diverse, interconnected nature of the region's communities: guided by Salish, Iroquois, and Nez Perce emissaries as well as by Thomas Fitzpatrick (who had trapped for Rocky Mountain Fur Company from 1822 to1834—when he met Osborne Russell's ill-fated supply party— and was "a friend of the Flathead Indians and a blood brother to [Flathead] Chief Insula") "the caravan was composed of a curious collection of individuals, every country in Europe being represented. In my little band of 11," wrote De Smet, "were men of eight different nationalities."[147] At the June trading rendezvous at Green River, always—and by design—a motley affair, the group joined a delegation sent to meet them.[148] From there they proceeded to the headwaters of the Snake River, where the main body of the Salish encamped, and together they made their way to the Bitter Root Valley.[149] Word of their coming to the Bitter Root must have spread swiftly through the mountains: within a month "no less than twenty-four tribes arrived to welcome the newcomers."[150]

Missionaries like those recruited by the Bitter Root Valley tribes assimilated into regional travel patterns when they made it into the Northern Plains. De Smet himself would become legendary in this regard. Remaining in the North American west for much of his life, he moved

---

[144] Sunder, *The Fur Trade on the Upper Missouri, 1840-1865*, 160.

[145] Daniel K. Richter, *The Ordeal of the Longhouse: The Peoples of the Iroquois League in the Era of European Colonization* (Chapel Hill: The University of North Carolina Press, 1992), 120; Jean et al Clary, *First Roots: The Story of Stevensville, Montana's Oldest Community*, 1st ed. (Stevensville, Mont.: Stoneydale Press Publishing Co., 2005), 33, quoting De Smet.

[146] Quoted in Lucylle H Evans, *St. Mary's in the Rocky Mountains: A History of the Cradle of Montana's Culture* (Stevensville, Mont.: Montana Creative Consultants, 1976), 17.

[147] Clary, *First Roots*, 22–23, quoting De Smet's journal.

[148] Osborne Russell described the 1834 Green River Rendezvous as comprising "two companies of Trappers and Traders," ie. the American Fur Company and the Rocky Mountain Fur Company, consisting "of about six hundred men, including men engaged in the service, White, Half Breed and Indian Fur Trappers." Russell, *Journal of a Trapper, 1834-1843*, 3.

[149] Stevensville Historical Society, *Montana Genesis: A History of the Stevensville Area of the Bitterroot Valley* (Missoula, Mont.: Mountain Press Pub Co, 1971), 41. The year before De Smet had tried to reach the Bitterroot Valley but turned back as winter set in. On that trip he met "the main camp of the Salish and Pendoreille at Pierre's Hole" where he "was greeted by an estimated 1,600 tribal members, some of whom had traveled over 800 miles to meet the 'black robe.'" "An Introduction and History of Fr. Pierre Jean De Smet, S.J.," *Historic St. Mary's Mission & Museum*, June 7, 2013, http://www.saintmarysmission.org/FatherDeSmet.html.

[150] Clary, *First Roots*, 24; Russ Lawrence, *Montana's Bitterroot Valley: Just Short of Paradise* (Stevensville, Mont.: Stoneydale Press Publishing Co., 1999), 66; Chere Jiusto, *Montana Mainstreets, Vol. 4: A Guide to Historic Hamilton* (Helena: Montana Historical Society Press, 2000), 17–21; Fred E. Buck, "Water Resources Survey: Ravalli County, Montana 1958" (State Engineer's Office, 1958), 6–7.

incessantly among indigenous communities, Catholic institutions, and government agencies. By the time he died in 1873, at the age of 72, he is said to have traveled between 180,000 and 260,000 miles and made 19 transatlantic crossings.[151] Such impressive statistics reflected perennial peregrinations by all manner of conveyances. Robert Carriker, one of his many biographers, described a single year which was likely representative: "in one year alone De Smet logged sixty-five hundred miles by foot, horseback, canoe and steamboat as he snowshoed to the summit of the Rocky Mountains, floated the unrestrained Columbia and Missouri Rivers, and hiked across the Canadian prairies and the Yellowstone desert." A single De Smet journey, made in 1864, demonstrates how he amassed his dizzying travel tally: leaving from Fort Benton, De Smet made a wide western circuit, hitting "St. Ignatius, Cataldo Mission, Fort Vancouver, Portland, Vancouver Island, San Francisco and Santa Clara" before heading on to "Panama, New York, and St. Louis."[152] Much of his traveling he did in his capacity as Christian missionary, but De Smet also moved under the auspices of the United States as "an Indian commissioner, or special peace envoy" during Plains conflicts in 1851, 1859, 1864, 1867, and 1868.[153] In the course of his travels, he became intimate with an expansive region and its entangled peoples, and his sense of Indian space shaped critical developments in the mid-nineteenth century, not least the Fort Laramie Treaty of 1851, for which he "drew the official map of the newly established tribal boundaries."[154]

De Smet and his Christian colleagues moved between indigenous communities on the Northern Plains. They also moved with them, and this multiplied the mixture of their mobility. Histories of regional groups frequently mention missionaries like Father Georges-Antoine Belcourt and Father Albert Lacombe traveling through the prairies with groups ranging in size from a couple people to enormous cart caravans over 1,000 strong.[155] They did so in their capacity as priests and preachers, and in more secular roles as well. When De Smet traveled to the 1851 "Great Council" at Fort Laramie, he rode a steamer up the Missouri to Fort Union and from there was "accompanied by Alexander Culbertson and thirty indians in a small wagon and cart train overland." At Fort Laramie he met and mingled with thousands of people—"Sioux, Assiniboins, Crows, Mandans, Arikaras, Cheyennes, Arapahos, and Hidatsa" as well as "Shoshones" who had come to the treaty council. Thomas Fitzpatrick, by then the Upper Platte River Indian Agent, "had personally carried the invitation to many of the tribes" in attendance.[156] Both De Smet and Belcourt worked with Father Augustin Ravoux, who in 1847 made a second trip to the Upper Missouri country to "convert Sioux, Mandan, and Hidatsas and to baptize the children of Catholic families." On his overland journey "from Mendota, Minnesota, via Traverse des Sioux and Lac qui Parle, to Fort Pierre" Ravoux "was accompanied by a small Indian band." After celebrating several Masses and baptizing "dozens of halfblood children" at Fort Pierre and evangelizing "in nearby Indian camps," the Ravoux party proceeded downriver to nearby Fort Bouis, where the Jesuit preached "to forty Sioux families." He planned next to head to the

[151] "An Introduction and History of Fr. Pierre Jean De Smet, S.J.;" Dr. Jacqueline Peterson, PhD and Laura Peers, *Sacred Encounters: Father De Smet and the Indians of the Rocky Mountain West* (Norman: University of Oklahoma Press, 1993), 22–25.
[152] Holterman, *King of the High Missouri*, 157–159, 166.
[153] Robert C. Carriker, *Father Peter John de Smet: Jesuit in the West* (Norman: University of Oklahoma Press, 1995), xvi-xvii.
[154] Sunder, *The Fur Trade on the Upper Missouri, 1840-1865*. Traders, like missionaries, became impressive travelers when they resided in the region.
[155] Verne Dusenberry, "Waiting for a Day That Never Comes: The Dispossessed Métis of Montana," in *The New Peoples: Being and Becoming Métis in North America*, ed. Jacqueline Peterson and Jennifer S. H Brown (St. Paul: Minnesota Historical Society Press, 2001), 122; John E. Sunder, "William Lewis Sublette," in *Mountain Men and Fur Traders of the Far West: Eighteen Biographical Sketches*, ed. LeRoy R. Hafen (Norman: University of Oklahoma Press, 1982), 101. This was especially true of groups we call Métis, but was by no means limited to them. Cf. Instances of Lutherans traveling with Crow groups noted in Sunder, *The Fur Trade on the Upper Missouri, 1840-1865*, 198.
[156] Sunder, *The Fur Trade on the Upper Missouri, 1840-1865*, 141; LeRoy R. Hafen and Ann W. Hafen, "Thomas Fitzpatrick," in *Mountain Men and Fur Traders of the Far West: Eighteen Biographical Sketches*, ed. LeRoy R. Hafen (Norman: University of Oklahoma Press, 1982), 250.

Mandan-Hidatsa villages near Fort Berthold: he wanted to build on the work done there the previous year by Father Belcourt, who'd visited the area while moving with "the annual métis hunting caravan." A fire on the upriver steamboat waylaid Ravoux, but the Jesuits kept in contact with interested Fort Berthold indigenes through "a Chippewa halfblood interpreter" Belcourt dispatched to the fort the following year. In 1851, Father Lacombe accompanied another group of indigenes—including some "one hundred Métis"—as they hunted near Berthold. While there, he spread the Christian gospel in word and deed, lecturing the post population about living in sin with indigenous women and refusing "'to sleep in the same room' with a young Protestant trader."[157] Despite the intolerance of Christians like Father Lacombe, these moving, mixed communities attracted diverse individuals. In the summer of 1865, a "half-breed" buffalo hunting camp in the vicinity of Devil's Lake contained not only 1,500 carts and their drivers but "their women and children and even their priest. There was also traveling with them a French nobleman lately from Paris."[158]

Geographies of Connectivity: Routes and Corridors

Although the multitudinous movement on the nineteenth century Northern Plains was boundless and infinite, it had an identifiable pattern and shape. Travel within and through the region followed established indigenous routes that mapped and facilitated interrelations. The most significant corridors were water routes, especially the Missouri River—"three thousand miles of water [that] flowed between St. Louis" and the Northern Plains, "the main highway crossing the region"—and its many tributaries.[159] These rivers functioned, in the words of the seventeenth century philosopher-scientist Blaise Pascal, as "roads which move, and which carry us whither we desire to go," and they also offered food—in both plant and animal form—water and shelter, all of which reinforced their crucial transportation functions. In crowded creaking keelboats, in canoes laden with cargo, in bull boats brimming with trappers and peltries, in versatile mackinaws and capacious steamboats, people flowed up and down the region's drainages. Major streams shaped migration patterns both spatially and seasonally, "underlay the economy and society of the fur trade," and loomed large in the regional imaginary, inspiring creative comments that are impossible to resist quoting: George Fitch, for one, described the Missouri as a river "with a personality, a sense of humor, and a woman's caprice; a river that goes traveling sidewise, that interferes in politics, rearranges geography, and dabbles in real estate; a river that plays hide and seek with you today and tomorrow follows you around like a pet dog with a dynamite cracker tied to his tail."[160] Other rivers might inspire fewer fits of poetic extravagance, but they nonetheless continually conveyed the regions inhabitants. In reading period sources, their names themselves become a sort of incantation of movement, as people traveled up and down, back and forth, on the Red, the James, the Tongue, the Milk and the Musselshell, the Judith, the Bow, the Yellowstone and Assiniboine, the Marias, Big Horn, Saskatchewan and Frenchman, the Powder, Qu'Appelle, Souris and so on.

River routes were also crucial because trails followed their course. When climate, weather, or other conditions precluded water-borne travel, people moved on paths that paralleled streams. They traveled on foot and on horseback, by travois and two-wheeled cart, hauling goods

[157] Sunder, *The Fur Trade on the Upper Missouri, 1840-1865*, 100–102.
[158] Alf. Sully to Asst. Adjt. Gen, Department of the Northwest, Headquarters Northwest Indian Expedition, Camp No. 30, Devils Lake, Dak. Ter., July 31, 1965, in *OR*, vol. XLVIII, I, part II, ed. U. S. War Dept. (Washington: GPO, 1896), 1147.
[159] Sunder, *The Fur Trade on the Upper Missouri, 1840-1865*, 19.
[160] Ibid., 89; Hyde, *Empires, Nations, and Families*, 5.

and people in groups and caravans of all sizes, "presenting in the variety of their modes of motion an infinite and picturesque variety."[161] Their movement carved streamside paths that connected to other overland routes leading to destinations across the prairies and beyond.[162] Well-worn routes stretched like spokes from trading destinations like the Mandan villages, while cart-trails cut ruts across the land from places like Pembina to Wood Mountain and to the commercial center of St. Paul.[163] Long trails like the Ne-Mee-Poo—which crossed the continental divide— comprised numerous segments, some busier than others, that also served more local motion. These segments in turn connected to other through routes, like the Great North Trail, "America's route of the ages," which ran generally north-south along the east edge of the Rockies "from the Peace River country of Canada to New Mexico."[164]

These routes guided everyone's regional movement. Much as we like to celebrate non-Indian explorers as "pathfinders" or trailblazers in an untracked land, men like David Thompson, William Clark and Merriwhether Lewis followed indigenous guides over established trails.[165] When, on their return voyage in 1806, Clark and Lewis separated at Traveler's Rest in the Bitterroot Valley (now in western Montana) in order to explore additional areas before reuniting at the Great Falls of the Missouri, Lewis tried to retain the five "Nez Perce" men who had guided them to that point. The guides demurred, assuring Lewis "that as the road was a well beaten track we could not miss our way."[166] Those fur traders who came from distant lands also traveled Indian trails as they scuttled between scattered trading posts, tribal settlements and regional centers.[167] Isaac Cowie recalled "following the well-marked wheel ruts of the cart track which branched off the broader road which led the buffalo hunters to the Turtle and Moose Mountains," and, in winter, "an old trail hard enough to hold up a man without snowshoes."[168] The scientific expeditions that arrived at the tail end of the robe trade continued this tradition. Isaac Stevens' 1853 surveying party relied on local guides, among them "Alexander Culbertson and his Blackfoot wife," who accompanied "the expedition through the dangerous Indian country between Forts Union and Benton," and Pierre Bottineau, a "Red River Plains Ojibwe Métis."[169] Stevens' northern counterparts, one exploring under British auspices and the other under Canadian, did likewise.

Communities of Connection: The Trading Post, the Mission and the Métis

Certain communities exemplified, and reinforced, the complex and constant connections between the many groups who called the Northern Plains home. Particular sites—geographic communities—drew an especially motley crew, and led to extensive mingling. Foremost among

---

[161] Cowie, *The Company of Adventurers*, 323.
[162] Darris Flanagan, *Indian Trails of the Northern Rockies* (Stevensville, Mont.: Stoneydale Press Pub. Co., 2001).
[163] Fenn, *Encounters at the Heart of the World: A History of the Mandan People;* McCrady, *Living with Strangers*, 3.
[164] Dan Cushman, *The Great North Trail: America's Route of the Ages*, (New York: McGraw-Hill, 1966), 53.
[165] One article on David Thompson calls him a "pathfinder "who almost on his own . . . filled in the empty map of early Canada," and goes on to laud Thompson "almost single-handedly map[ing] the nation's vast, unknown interior . . . equipped only with a brass sectant and a courageous heart." "Almost" is the key word here for, as the author notes, "some 30 French and native workers normally accompanied Thompson on his trading treks," and even on journies of "pure exploration" two "Dene" showed him the way. Priit J. Vesilind, "David Thompson," *National Geographic*, May 1996, 112–116. John C. Fremont would acquire "the Pathfinder" as a nickname. Martin Hillman, *Encyclopedia of Discovery and Exploration: Bridging a Continent* (London: Aldus Books Ltd, 1971), 107.
[166] The guides promised that the party would find their way even though the "road to the buffalo" forked at the continental divide, as both "roads" eventually led to the Great Falls. Meriwether Lewis and William Clark, *The Journals of Lewis and Clark*, ed. Bernard DeVoto (Boston: Houghton Mifflin Harcourt, 1997), 419.
[167] Sunder, *The Fur Trade on the Upper Missouri, 1840-1865*, 19.
[168] Cowie took note of different routes throughout his time on the Northern Plains, including those he described as "a beautiful cart trail," and "the deep ruts of a well-travelled cart track leading from the south-west to the hills." Cowie, *The Company of Adventurers*, 181.
[169] Sunder, *The Fur Trade on the Upper Missouri, 1840-1865*, 157; Vrooman et al., *The Whole Country Was ... "One Robe,"* 124.

them were the trading posts associated with the fur trade, and the Christian missions bent on indigenous cultural conversion. Trading and mission settlements, which suggest a Euro-North American presence, overlaid, or were built contiguous with, and coexisted with native sites of connection. As Richard White reminds us, "missions and forts were not magnets that pulled Indians together. Missions did not attract Indians; Indians attracted missionaries who usually came to existing settlements." To argue otherwise, "is like arguing that people go to airports to be solicited by religious zealots and only incidentally to catch airplanes."[170] In terms of where they were located, missions and trading posts were intentionally designed as intertribal sites. They, in turn, reinforced these sites as locales of intertribal activity by serving numerous important functions for regional society. Particular groups—social communities—also exemplified and reinforced regional interconnectedness. Even in this deeply entangled world, some communities distinguished themselves as particularly mixed and particularly mobile, as embodying the entwining of the region's residents. Chief among these were people now known as Métis. These exemplars of complex interconnectedness, these two kinds of communities—geographic and social—overlapped.[171]

When traders set up shop on the Northern Plains, they put careful thought into selecting sites for their trading posts, or forts as they were commonly called. More often than not, these businessmen capitalized on existing indigenous geographies. Traders and the companies they worked for intentionally located posts at established intertribal gathering places.[172] Even before they moved into the field, traders planned their posts for strategic access to multiple groups. When Pierre Chouteau Jr. applied, as an agent of the American Fur Company, for a trading license in 1832 he specified the places he planned on putting posts. The locations, he hoped, would facilitate "trade with the Poncas, Yanctons, Cheyenne, Arickara, Mandan, Gens de Paix, Tete Coupe, Assiniboines, Knisteneaux, Sauteaux & Crow Nations or tribes of Indians."[173] So, too, did Christian missionaries intentionally locate their missions: trading and missionary settlements often neighbored one another, and both occupied known zones of intense inter- and multi-tribal activity. Sometimes these places were villages of indigenous groups who emphasized agriculture. The American Fur Company decided to locate its fort at the Arikara village along the Missouri in the 1850s because it was already an intertribal trading settlement. The Arikara grew corn and other crops not only for consumption but for trade, and tribes less invested in agriculture had long come to Arikara locales to swap produce for the meat and hides of their hunts.[174] More often the sites chosen by traders and Priests were common harvesting, hunting, fishing, political and/or ceremonial grounds like the Forks of the Red River, or Wood Mountain. At such sites, trading posts endured for decades—the geography of connection

---

[170] White, *The Middle Ground*, 23.

[171] What I have termed social and spatial communities of connection were also, not coincidentally, the most critical components of the fur trade. Ann Hyde encourages readers to "imagine the fur trade as a set of wheels, connected by cogs, linking very separate parts of the trade. Spatially, the most significant cogs were forts, but operationally, the most crucial links were [biracial] families." Hyde, *Empires, Nations, and Families*, 91.

[172] Permanent posts also required "reliable transportation routes," a fact which reinforced their orientation to existing intertribal hubs. Sunder, *The Fur Trade on the Upper Missouri, 1840-1865*, ix. Since fur trade companies were associated with either Canada or the United States, posts were also located so that they facilitated international mixture, ie. close to the 49th parallel. According to the Sharrocks, "The Hudson's Bay ports were thus strategically placed by design to keep the trade of the border Indians, to block physically American expansionism, and to deplete the border area of fur animals thus removing the reason for American expansion." Sharrock and Sharrock, *A History of Cree Territorial Expansion from the Hudson Bay Area to the Interior Saskatchewan and Missouri Plains. Report Presented before the Indian Claims Commission, Docket 221b-191*, 56–57.

[173] Quoted in Sharrock and Sharrock, *A History of Cree Territorial Expansion from the Hudson Bay Area to the Interior Saskatchewan and Missouri Plains. Report Presented before the Indian Claims Commission, Docket 221b-191*, 85–86.

[174] Denig, *Five Indian Tribes of the Upper Missouri: Sioux, Arickaras, Assiniboines, Crees, Crows*, 43. When these intertribal trades occurred "times were lively, feasting and dancing goes on constantly, both in the village and camp. . . Bucks and belles dressed in their best and tricked out in all the gaudy colors of cloths, paints, and porcupine quills may be seen mingled in the dance or exchanging their professions of love in more solitary places." In his footnote to this Ewers states "the Arickaras traded with the Teton Dakotas for more than half a century prior to 1850."

steadfast in the face of myriad dramatic changes on the Plains. Forts like Pitt, Carlton, and Qu'Appelle, Union, Benton, Hall, and Vancouver, Connah, Macleod, Owen, Garry and Edmonton, might last forty years or more. Other trading establishments proved more ephemeral, mushrooming along streams or at the base of hills or "wherever the buffalo were numerous" and lasting a year or two, or sometimes only a few winter months. A complete count of fur trading posts on the mid-nineteenth century Northern Plains would vary from month to month, but in the heyday of the buffalo robe trade from 1840-1865 posts could be found throughout the region. During that period, the American Fur Company alone maintained a "vast chain of forts" on the Upper Missouri, "including Pierre, Clark, Berthold, Union, Benton and dozens in between." In 1842, for instance, the company counted eighteen trading locations in its Missouri division.[175]

Once sited, trading post and missions reinforced the importance of their locations as regional centers. The more enduring settlements hosted a wide range of activities in which many regional groups were interested, and intensified the very interactive attributes which drew them in the first place. Important trading posts were regional economic, administrative, political and social centers. At more established forts people sold their muskrat and beaver and otter furs, deer hides and buffalo robes, buffalo meat and buffalo tongues, pemmican, and other regional manufactures like moccasins and other beaded items.[176] There they also purchased all manner of supplies. American guns and traps from Manchester and powder from France and rifle balls and lead and knives and hatchets and flints (for muskets, rifles, "horse-pistols"); files and fishhooks and awls; shirts of cotton and linen; "coats, greatcoats, [and] breeches" of English, French, or Flemish cloth; woolen caps; yards of fabric in calico, flannel, and plaid; blankets from England and France; blue beads and red beads and white beads "from Milan or Trieste"; tobacco and liquor and coffee and sugar and pemmican; mirrors, bells, feathers, vermilion, and novelties; women's garters and stockings, "children's bootees." At posts people might find employment, or the services of "carpenters, tinners, saddlers, and blacksmiths." Here, too, one might find "horses, mules, cattle, pigs [and] oxen" for sale or for stealing.[177]

Administrative, political and social purposes supplemented these economic functions. To trading posts came news from distant friends, relatives, markets and governments. Most mail addressed to people in the region passed through the trading posts. So, too, did Indian agents and annuities owed to tribes under treaties signed between tribal representatives and the United States government. Serving these many crucial functions meant that most people on the Northern Plains periodically spent time at trading posts. And they came to the posts en masse: an 1858 encampment of "1,500 Crows" at Fort Sarpy II was unsurprising, and unexceptional.[178]

---

[175] Donald C Miller and Stan B Cohen, *Military and Trading Posts of Montana* (Missoula, Mont.: Pictorial Histories Pub. Co., 1978); Peter Newman, *Caesars of the Wilderness: The Story of the Hudson's Bay Company* (New York: Penguin Books, 1987); Cowie, *The Company of Adventurers*, 191; Sunder, *The Fur Trade on the Upper Missouri, 1840-1865*, x, 16, 31, 38. These more ephemeral posts also shadowed indigenous geographies, for the buffalo robe trade "was an Indian trade," supplied in large part by indigenous hunters. Of the Dakota Sioux, for instance, John Sunder writes that, "since they were good hunters, wherever they gathered, traders would go." By the 1840s "robes had replaced beaver pelts as the biggest item in the American fur trade."

[176] Sunder, *The Fur Trade on the Upper Missouri, 1840-1865*, 17.

[177] Bernard DeVoto, *Across the Wide Missouri*, (Boston: Houghton Mifflin Co., 1947), 31– 33. The "Inventories of Forts Benton, Union and Alexander" included "mirrors and bells from Leipzip; clay pipes from Cologne; beads from Italy; cloth from France; guns and blankets from England; and tools, clothing, firearms, and a great variety of bric-a-brac from American manufacturers." Sunder, *The Fur Trade on the Upper Missouri, 1840-1865*, 41, 43, 133– 135. See also Cowie's wonderful recounting of the inventory at a temporary Wood Mountain post. Cowie, *The Company of Adventurers*, 257–258. At larger posts, permanent buildings formed the core of the settlement and housed official functions. In 1842, Fort Union was a 240 foot by 220 foot "cottonwood palisade" encompassing "a comfortable two-story agent's house, living quarters for the employees, a powder magazine, artisans' shops, storehouses and stables." Socially-stratified post employees included "Company bourgeois and chief clerks . . . post hunters . . . and workmen (or craftsmen), such as blacksmiths . . . boatmen and assistant workmen," with the lower echelons "usually in debt to the Company for items bought from the post store."

[178] Indian agents depended heavily on fur companies and their posts for performance of their duties, for shelter, for transportation of staff and supplies, company, protection, etc. Sunder, *The Fur Trade on the Upper Missouri, 1840-1865*, 27, 198.

The population around established posts included people from surrounding tribes, as well as an assortment of others. Posts employed resident workers of myriad backgrounds. Fort Ellice "require[d] the service of interpreters speaking seven different languages."[179] In 1851-52, Fort Union boasted a "crew of some fifty men" that "included workmen of a score of nationalities."[180] Traders accounted for but a few of the residents at any given post, but even their numbers were significant: in 1842, the American Fur Company employed a "trading force" of about 130 men.[181]

Forts also served as prairie salons, hosting not only elite businessmen and government functionaries but also intellectuals, scientists, missionaries, artists, and aristocratic tourists from urban areas and European countries. The steamboats that churned up and down the Missouri from St. Louis functioned as mass transit, carrying not only fur trade employees but also the general public, which could include French geologists, German botanists, Irish "baronet[s]," English sportsmen, Catholic, Lutheran and Presbytarian missionaries from Europe and North America, famed frontiersmen like Jim Bridger" (perhaps with "his first wife, Cora" and her father "the Flathead chief Insala," or his second wife, "a Ute Indian," or "his third and last wife, a Shoshone, daughter of Chief Washakie"), New York physicians, soldiers from several armies, Indian agents and indigenous men, women and children of all sorts.[182] Fur trade historian John Sunder described the 1843 "passenger register" of the steamer Omega, which carried a typically mixed human cargo when it left the St. Louis levee. "Truly a cosmopolitan document," it "listed at least one hundred trappers (all boisterous, many drunk), a party of Indians, and a small band of gentleman scientists, including the eminent, rather elderly, ornithologist John James Audobon; his young, wealthy New Jersey farmer friend, Edward Harris; Isaac Sprague, a New England landscape artist and botanical illustrator; a 'strong, active . . . and well to do' young traveler, Lewis M. Squires; and John G. Bell, a New York taxidermist" as well as the "negro pilot Jacques Désiré," who was hitching a ride up river to retrieve the *Trapper* steamboat from Fort Pierre.[183] Many of these people were bound for Fort Union, then the upper limit of steamboat travel on the Missouri.

Located at the confluence of the Missouri and the Yellowstone, Fort Union received such travelers for some thirty-seven years after its 1829 erection. Even a partial list of its visitors impresses. They included royalty like Duke Paul Wilhelm of Württemburg (who twice "traveled

---

[179] Cowie, *The Company of Adventurers*, 180.

[180] Denig, *Five Indian Tribes of the Upper Missouri: Sioux, Arickaras, Assiniboines, Crees, Crows*, xx.

[181] Sunder, *The Fur Trade on the Upper Missouri, 1840-1865*, 31; Hyde, *Empires, Nations, and Families*, Chap. 2 and pg. 19, 91, 161, 165. In her second chapter, Ann Hyde provides great detail about Fort Vancouver society, which "served as a microcosm of the social, familial, and economic systems that characterized the fur trade in the first half of the nineteenth century." See also her descriptions of Bent's Fort, etc.

[182] Details on these passengers flesh out the floating scene. The Irish baronet alone had an entourage of about "forty men." The "catholic missionaries [who] . . . regularly visited the Upper Missouri in the fifties," included Frenchmen Fr. Augustin Ravoux and Dutchmen like Fr. Christian Hoecken. Mrs. Culbertson traveled up and down the river repeatedly. A flat-bottomed barge in 1852 bound for Fort Benton carried 12 Indian women, and en route it took on "as passengers a group of nine young Indians." In 1857, the *Twilight* took on "Hidatsa Indian Chief Four Bears and his family," and the following year the *Spread Eagle* carried, among others, Alexander Culbertson (and perhaps his family), Kipp and Dawson (and perhaps their families), as well as "a half-dozen" Indian women and "a dozen 'large, bald and warlike' Yankton Sioux," returning from Washington D.C. The first steamer to reach Fort Benton, in 1860, returned with "a group of halfblood children to be enrolled in schools in St. Louis." Sunder, *The Fur Trade on the Upper Missouri, 1840-1865*, 24, 100-101,138, 147, 179-180, 182, 184, 188-189, 192, 213, 258, 262. For Bridger's wife and father-in-law sometimes traveling with him see Cornelius M. Ismert, "James Bridger," in *Mountain Men and Fur Traders of the Far West: Eighteen Biographical Sketches*, ed. LeRoy R. Hafen (Norman: University of Oklahoma Press, 1982), 258, 262. Bridger's second wife died during the birth of their first child, so is less likely to have done much traveling with him. An impressive assortment of animals also traveled the Missouri, usually moving downstream as the living or dead specimens of travelers to the region.

[183] Similar stories could be told of steamboats in each season. In 1844 the Nimrod, piloted by Joseph La Barge and his first mate, "formerly of the British navy," carried 120 "trappers" and not one, but two French aristocrats, who were traveling separately and didn't know one another before meeting aboard the steamboat. In 1846 the AFC's annual steamer carried Francis Parkman while that of a competitor, Harvey, Primeau and Co., carried company employees, tourists, and a budding politician who would later become mayor of St. Louis. Along the way it would stop and "to take on a group of Indians, including Primeau's Indian wife and his two children." Among the crew in 1862 was "Old Sam Johnson (Isaac Rea), combination bartender and 'Ethiopian minstrel.'" Sunder, *The Fur Trade on the Upper Missouri, 1840-1865*, 64.

to the upriver region" in the 1820s) and "Maximilian, prince of Wied-Neuwied"; artists like Maximilian's Swiss companion Karl Bodmer, George Catlin (of Pennsylvania), Rudolph Friedrich Kurz (who was "inspired to follow in Bodmer's footsteps" after meeting him "in their native Switzerland"), Carl Wimar (a German émigré), and two Williams—William Hays and William de la Montagne Cary—from New York; scholars like John James Audobon "the noted artist-naturalist," ethnologist Lewis Henry Morgan, "noted geologist" Ferdinand Hayden; Christian missionaries like Belgium-born Pierre Jean De Smet (who visited regularly), French Jesuit (and journalist-artist) Nicholas Point, and Johann Jakob Schmidt and Moritz Braueninger (both Lutherans from Germany); and people who performed crucial functions for North American empires—Indian agents, and army engineers, and men like Isaac Stevens (western governor/surveyor/Indian agent for the U.S.) and John Palliser (who was born in Ireland and led surveying expeditions across what is now Canada in the 1850s). Sportsmen, too, descended on Fort Union and its environs, among them the appropriately named Lord George Gore, of Britain, who, during a two-year trip in the mid-1850s, cut a bloody swath across the grasslands.[184]

These locales call our attention to another important element of the integrated indigenous society on the nineteenth century Northern Plains—the mingling, fostered by the fur trade, between groups commonly called Indian and White.[185] As fur trade histories make clear, most trappers, traders, and post employees married indigenous women. This fact defined "the sound and feel of post life," disparagingly described by one historian as "fleas and mosquitoes, squealing halfblood children, complaining Indian wives, dirt, smallpox, and cholera."[186] So numerous were indigenous women and children at trading centers that they often composed a majority of the post public: at Qu'Appelle in the late 1860s, there were "many mouths to feed," but the grown men present included "only the watchman, George Sandison, Robillard, the cartwright, Kennedy" and Isaac Cowie. The remainder was women and children, "the families of most of the voyageurs."[187] Our informant Edwin Denig was himself married to an indigenous woman ("perhaps . . . a Sioux") with whom he had a child in the mid-1830s. After they parted, Denig kept this son with him and subsequently had another "two Indian wives," "Deer Little Woman," "the sister of First to Fly, a prominent Assiniboine chief," and her younger sister.[188] Denig's second and third wives are described as "Assiniboine," one of the main tribes that did business at Fort Union (and in whose core territory the fort stood), but, critically, in fur trade marriages "the tribe of the Indian wife was not necessarily one in close proximity to the post"

---

[184] Denig, *Five Indian Tribes of the Upper Missouri: Sioux, Arickaras, Assiniboines, Crees, Crows*, xiv–xv, xxxiii, xxxiv; Barbour, *Fort Union and the Upper Missouri Fur Trade*, Chapter 2; Sunder, *The Fur Trade on the Upper Missouri, 1840-1865*, 118, 181-182; Holterman, *King of the High Missouri*, 127. "Maximilian published his Travels in the Interior of North America between 1839 and 1843 in German, French and English editions." Barbour, *Fort Union and the Upper Missouri Fur Trade*, 81.

[185] Indian-White interaction was of course not limited to trading posts, for trappers and traders often traveled to, lived with, and married into Indian communities, as social histories of the fur trade make abundantly clear. See for example Van Kirk, *Many Tender Ties*; Denig, *Five Indian Tribes of the Upper Missouri: Sioux, Arickaras, Assiniboines, Crees, Crows*, 24; Sharrock and Sharrock, *A History of Cree Territorial Expansion from the Hudson Bay Area to the Interior Saskatchewan and Missouri Plains. Report Presented before the Indian Claims Commission, Docket 221b-191,* 40. Denig refers to the many trappers "in their different camps in Sioux country." As Sharrock & Sharrock note "The American mythology that has Lewis and Clark as the first white men in vast uncharted wilderness was not shared by the official who sent them to stem the British [fur trade] expansion into the area, and to lure Indian trade to America."

[186] These marriages occurred in the context of the region's indigenous society, according to the "custom of the country" rather than the customs of other, Judeo-Christian, countries like Canada and the United States. A similar description of another Choteau family post, at La Saline, was penned in 1832 by Washington Irving. Ewers and United States, *Ethnological Report on the Chippewa Cree Tribe of the Rocky Boy Reservation and the Little Shell Band of Indians*, 12; Sunder, *The Fur Trade on the Upper Missouri, 1840-1865*, 134; Hyde, *Empires, Nations, and Families*, 52.

[187] The moment Cowie describes doesn't necessarily represent the usual circumstance, but elsewhere he lists the residents of Fort Qu'Appelle individually, and this list, too, shows indigenous people, especially women and children, to be the majority. Cowie, *The Company of Adventurers*, 214–215, 286–287.

[188] Denig, *Five Indian Tribes of the Upper Missouri: Sioux, Arickaras, Assiniboines, Crees, Crows*, xix, xx; Barbour, *Fort Union and the Upper Missouri Fur Trade*, 129; Rudolf Friedrich Kurz, "A Painter's Journal," in *The American Frontier: Readings and Documents*, ed. Robert V. Hine and Edwin R. Bingham (Boston: Little, Brown and Company, 1972), 468–471.

where husbands were employed.[189] As a result, these marriages integrated not only Indian and white populations but also helped integrate different and distant tribes: as noted above, women married to trappers and traders often traveled far from their natal lands.

Most of the men who penned the primary sources on which historians rely lacked intellectual (if not sexual) interest in indigenous women, and failed to pay careful attention to them.[190] This fact has obscured the diversity of tribes that were married into, and linked through, the fur trade, for the documents at our disposal rarely provide detail about the wives of trappers and traders. Descriptions of such women, more often than not, identify them only as "Indian" or its derogatory feminine counterpart, "squaw."[191] But when women are more fully identified, it is clear that the tribes mingled at trading posts included not only those that actively traded there but countless others as well.[192] At Fort Union, for instance, the primary clients are commonly identified as the "Assiniboines, Plains Crees, River Crows, and some Chippewa Indians."[193] But "one of the principal traders of the American Fur Company, Mr. La Chappelle" was married to a "Hunkpapa" woman, and Alexander Culbertson, the fort factor, married Medicine Snake Woman, "a member of a prominent Blood Indian family." Medicine Snake Woman was Culbertson's second, more famous, wife, sister of the well-traveled Seen-From-Afar.[194] He had two daughters from a previous marriage, which was probably to "the daughter of White Buffalo, a Piegan Blackfoot Chief."[195] The Choteau men who owned, and often visited, the fort had Osage wives and family members. Another key figure in the region's trade, Irish-born Andrew Drips, "married an Otoe woman name Macompemay" and then, after she died in 1846, he wed "a younger French and Sioux woman named Louise Geroux," who cared for his four children, bore five more, and "adopted several others." Henry Hastings Sibley, who after 1835 was "a partner for the American Fur Company in its Upper Missouri Division," married "a Dakota" named Red Blanket Woman.[196] A incomplete list of other women who were married to leading men in the upper Missouri trade—and who sometimes stayed at posts like Fort Union with their families as they commuted through the fur business network—include many described as "Mandan," "Arikara," "Sioux," "Teton Sioux," "Lakota," "Yankton," "Cree," "Cree Métis," "Crow," "Blackfeet," "Piegan," "Nez Perce," "Snake," and "Omaha."[197] This list of tribal labels

---

[189] Ewers and United States, *Ethnological Report on the Chippewa Cree Tribe of the Rocky Boy Reservation and the Little Shell Band of Indians*, 12. Some sources identify one of Denig's wives as Crow. Laurel E. Wilson, "Fashion," in *The Great Plains Region*, ed. Amanda Rees (Westport, Conn.: Greenwood Press, 2004), 139–72.

[190] The memoir of Dr. Thomas Kennard serves as a perfect illustration of this problem. Kennard wrote "a detailed account" of his 1858 trip "to the high Missouri" aboard the steamer Spread Eagle, on which he served as boat surgeon. Kennard offered evocative adjectives for many of the men on board, as well as names, occupations, and other details. Of the half-dozen women, likely indigenous and the wives of men on board or upstream, he said simply that they were "ugly, uninteresting." Sunder, *The Fur Trade on the Upper Missouri, 1840-1865*, 188.

[191] Some scholars have been more attentive to the tribal backgrounds of individual women. Among them is Ann Hyde, as well as Jack Holterman. Hyde, *Empires, Nations, and Families*; Holterman, *King of the High Missouri*.

[192] Fur traders regularly moved between posts and traveled to the States and Canada, and their wives often traveled with them. Sunder, *The Fur Trade on the Upper Missouri, 1840-1865*, 83, 95, 105, 110, 126, 132–133, 139, 145, 147, 150, 155.

[193] Denig, *Five Indian Tribes of the Upper Missouri: Sioux, Arickaras, Assiniboines, Crees, Crows*, xvii.

[194] Holterman, *King of the High Missouri*, 57.

[195] Denig, *Five Indian Tribes of the Upper Missouri: Sioux, Arickaras, Assiniboines, Crees, Crows*, 26; Ewers and United States, *Ethnological Report on the Chippewa Cree Tribe of the Rocky Boy Reservation and the Little Shell Band of Indians*, 13; Sunder, *The Fur Trade on the Upper Missouri, 1840-1865*, 62. "When [the Culbertsons] marriage dissolved many years later she returned to her people on the Blood Reserve in Alberta, many hundreds of miles northwest" of the Fort. Medicine Snake Woman, a.k.a. Na-ta-wis-ta-cha, was reportedly "Culbertson's second wife." Before marrying her, Culbertson was married to another Northern Plains indigenous woman, who may have been "the daughter of White Buffalo, a Piegan Blackfoot Chief." Ojibwa, "Alexander Culberson, Indian Trader," *Native American Netroots*, http://nativeamericannetroots.net/diary/1558.

[196] Hyde, *Empires, Nations, and Families*, 322, 489.

[197] Barbour, *Fort Union and the Upper Missouri Fur Trade*, 127–131; Denig, *Five Indian Tribes of the Upper Missouri: Sioux, Arickaras, Assiniboines, Crees, Crows*, 22; Sunder, *The Fur Trade on the Upper Missouri, 1840-1865*, 95, 105, 126, 133; Holterman, *King of the High Missouri*, 12, 31, 41, 59, 72, 85, 96, 124, 157, 197, 338. Alexander Harvey was "married into the Piegan band." Honore Picotte "married the daughter of a Teton Sioux chief." Robert Melmdrum "had intermarried with" "the Crows." Malcolm Clark "intermarried with the Blackfeet" and Charles Galpin "married into the Sioux Nation." Manuel Lisa's wife Mitian was "Omaha." Steamboat captain David Mitchell's wife was

includes only those that appear in relation to the wives of the trade's most prominent and powerful men. Most indigenous women who lived and traveled with the far more numerous low level workers remain, as individuals, largely invisible in historic documents. We know that they were many, and diverse, and mobile, but we don't know their total numbers, or who they were, where they'd been, and which communities they linked through their marriages and their motion. We can conclude, however, that the linkages reflected and repeatedly remade by their lives were myriad.[198] Even when post portraits leave out their identifying details, it doesn't take much vision to see this, not in 1833, when Prince Maximilian wrote of Fort Union that "people of all nations gathered here, Americans, Englishmen, Frenchmen, Germans, Russians, Spaniards, Italians, about a hundred in number, with their mostly Indian or half-breed wives and children." Nor in 1851, when Rudolph Kurz recognized "English, French, Spanish, and German" in addition to "Assiniboin, Crow, Herantsa, Cree, Mandan, and even Blackfoot" among the languages he heard whirling around him at the post, and identified his neighbors as "Canadians, Americans, Scotchmen, Germans, Swiss, Frenchman, Italians, Creoles, Spaniards, Mulattoes, Negroes, and half-Indians." That year, when De Smet visited the Fort Union, he baptized "twenty-five mixed-blood children" in a mass ceremony. Given that individual post families might contain a dozen kids, one wonders how many children watched, rather than endured, De Smet's dunking.[199]

The fur trade business also spawned distinctive populations in larger settlements that mirrored those around outlying forts, and these places, too, suggest something of the scale and complexity of interrelations created by the endless movement of mixed indigenous people. Some of these grew around an original trading post core—Kawsmouth was one of them—but others owed their existence and their integration to related business functions. In the first half of the nineteenth century, places ringing the region—like Michilimackinac and Green Bay, Peoria and Prairie du Chien, Fort Snelling and Fort Garry, Sault Ste. Marie and St. Louis—had polyglot populations "that were more than 80 percent mixed race."[200]

As we might surmise from De Smet's dramatic wholesale sanctification of Fort Union's youth, sites like those selected for fur trade posts became as well new centers for religiosity. In keeping with their capitalist counterparts, Christian missions meant to take advantage of geographies of indigenous interaction that offered access to diverse and numerous potential converts. And, like trading posts, missions compounded those qualities once established. Jesuits and other sects reinforced the importance of these intertribal community centers when they established missions in their midst. Take, for instance, St. Mary's, the mission established by De Smet and his colleagues upon their arrival in the Bitter Root Valley in 1841. After being greeted by a gathering of some 1,600 area indigenes, the Catholics and their hosts set about constructing a settlement and agricultural infrastructure to support it. They erected a chapel and cabins, a saw mill and grist mill. From Fort Colville (now in north-central Washington) packers hauled seeds, including oat and wheat, for mission fields while drovers brought cattle to graze the surrounding

---

"probably" the daughter of "Deschamps, a devil-may-care Cree Métis." Isidoro Sandoval's "blackfeet wife" was "catch for nothing." Malcolm Clarke married Sandoval's daughter. "The New Mexican engage Pablo" "had a blackfeet wife." Theophile Brughiere "married two or three daughters of the Yankton Chief War Eagle." Angus MacDonald's son was "half nez perce."

[198] The "Snake River brigade" led by Alexander Ross (out of Fort Vancouver) in 1823 is a great illustration of how families traveled with trappers and traders. That brigade included fifty-five men, twenty of whom would work as trappers and the balance as "laborers who processed the furs, took care of horses, and sometimes hunted for meat." Ross wrote that "we must not forget that twenty-five of the party [including himself] were married so that in our camp there were twenty-five women and sixty-four children." Hyde, *Empires, Nations, and Families*, 122.

[199] Quoted in Barbour, *Fort Union and the Upper Missouri Fur Trade*, 111–112, 127, 131.

[200] Jacqueline Peterson, "Many Roads to Red River: Métis Genesis in the Great Lakes Region, 1860- 1815," in *The New Peoples: Being and Becoming Métis in North America*, ed. Jacqueline Peterson and Jennifer S. H. Brown (St. Paul: Minnesota Historical Society Press, 2001), 37–72; Hyde, *Empires, Nations, and Families*, 5, 269, 477-478.

bottomlands. In the mission garden, people planted potatoes, turnips, corn, peas, and carrots. A series of irrigation ditches soon wove through the fields, carrying water to newly planted crops. After Italian-born Father Anthony Ravalli took charge of St. Mary's in 1845, a construction campaign expanded the settlement substantially. Within a year the mission boasted a new chapel, a new "priests house" and 11 other new houses, as well as enlarged gardens, a haystack, and fencing for livestock. This cluster attracted indigenous inhabitants as well. Native children attended school and played in a band with clarinet, flute, accordions, tambourine, piccolo, cymbals, and bass drum. The Jesuits, too, set themselves to studying. Their subject was indigenous languages and customs, and their long labors produced a Salish grammar and Salish-English dictionary published 1861. In its early years, "nearly a thousand Indians from a half-dozen nations attended the Christmas Masses" at St. Mary's.[201]

Like spatial communities of connection, particular social groups exemplified the region's pervasive interaction. Indeed, the Métis literally embodied it: through a process of ethnogenesis, interaction between indigenous people and non-Indian newcomers produced a new, distinct community—the Métis—that was a combination of different population groups. The complexity suggested by that simplistic description has, for the last several decades, provided fodder for many Canadian historians and a growing number of their American counterparts.[202] Métis history is a booming field these days, and the historiography becomes more nuanced with each new monograph, but the basic storyline of Métis ethnogenesis remains well-established. The Métis originated in the interracial interaction of the fur trade, in which men of European ancestry worked and lived in the indigenous communities that occupied fur-producing areas. As Jennifer Brown explains, by the mid-1700s "unknown numbers of children had been born to unions of French or *canadien* fur traders and Native women in the Great Lakes region and beyond. Farther north, in the Hudson's Bay Company territory, known as Rupert's Land (which at its largest extent stretched into four present-day American states and bordered on the Louisiana Territory), English and Scottish traders and their mainly Cree 'country wives' had produced, by the 1760s, at least several hundred offspring of mixed descent." [203] The Métis are thus commonly called the "children of the fur trade."[204] Before long, in both British and French-Canadian fur trade realms, these "new people" became a distinct, identifiable population. By the late eighteenth century, and possibly as early as the 1740s, "a prairie Métis population was definitely in existence." At the same time, a population of "mixed bloods in the vicinity of Hudson Bay," had grown to be point of being "noted as a separate group as well." These two "biracial" communities soon began to identify, and mix, with one another, especially in the settlement at Red River.[205] There, in the early decades of the nineteenth century, a new people—*La Nation Métisse*—achieved its ethnogenesis.

To borrow a phrase common in labor history, Métis ethnogenesis at Red River meant the transition from being a class in itself to being a class for itself. Nicole St. Onge describes "the birth of *La Nation*," as the moment when "being Métis moved from a statement of ancestry to an assumed corporate identity around which to mobilize and fight."[206] The development of an

---

[201] Clary, *First Roots*, 18, 24, 27-28; Stevensville Historical Society, *Montana Genesis*, 46.

[202] As Heather Devine noted in 2001, "the process of Métis ethnogenesis has become one of the central topics in the study of fur trade social history." Heather Devine, "Les Desjarlais: The Development and Dispersion of a Proto-Métis Hunting Band, 1785-1870," in *From Rupert's Land to Canada*, ed. Theodore Binnema, Gerhard J. Ens, and R. C Macleod (Edmonton: University of Alberta, 2001), 129.

[203] Jennifer Brown, "Métis, Halfbreeds, and Other Real People: Challenging Cultures and Categories," *History Teacher* 27, no. 1 (1993): 19.

[204] John C. Jackson, *Children of the Fur Trade: Forgotten Métis of the Pacific Northwest* (Oregon State University, 2007).

[205] Joe Sawchuk, *The Métis of Manitoba: Reformulation of an Ethnic Identity* (Toronto: P. Martin Associates, 1978); Brown, "Métis, Halfbreeds, and Other Real People." According to Brown, as numbers grew a distinct population arose by the late 1700s.

[206] Nicole St-Onge, "Uncertain Margins: Métis and Saulteaux Identities in St-Paul Des Saulteaux, Red River 1821-1870," *Manitoba History*, no. 53 (October 1, 2006): 2. The introduction to an important new collection of essays on the Métis puts it this way: "Having an Indian ancestor does

articulated group identity and interest—sometimes precisely pinpointed as culminating at the 1816 Battle of Seven Oaks or Frog Plain, a violent dispute over trade regulations and their enforcement—was a critical component of Métis ethnogenesis, but scholars identify other attributes as crucial to Métis formation as a "separate racial and national unit."[207] Broadly, these attributes constituted a distinctive culture whose boundaries were marked and maintained by endogamy. Métis people spoke their own "Metchif language," a mix of "the French, English, Cree and Ojibway languages," and lived in identifiably Métis settlements, characterized by distinctive spatial arrangements that drew on French traditions, and by particular architectural forms, especially several types of log houses.[208] Inside these houses, women bent over beadwork that was associated with Métis groups, so much so that they became known to other Northern Plains populations as "the flower beadwork people."[209] Characteristic clothing, for both men and women, also signaled a singular culture, as did, among other things, Métis fiddle music and the dance, called the Red River Jig, that often accompanied it. The Métis also invented, and traveled in, their own vehicle. The so-called "half-breed" or Red River Cart was an ingenious two-wheeled wagon, which could be converted to a sleigh and could float across streams like a boat. Originally constructed entirely of wood, it was beautifully adapted to building and repairing with available materials, and to moving and hauling over the prairies. As they rolled across the plains, the caravans of wood carts with their ungreased wheels announced the arrival of the Métis with a "hellish" noise that Joseph Kinsey Howard likened to "a thousand fingernails" being "drawn across a thousand panes of glass."[210]

The Red River Cart—like many aspects of Métis culture—was tied to the fur trade in both origin and function, and the continuing Métis association with the fur trade economy remained a foundation of community cohesion. When "the French Métis from the North West Company posts and later the plains were joined by the Scottish (and, to a lesser extent, English and Irish) Métis from Hudson's Bay Company posts" at Red River, they were forged into a new people not only by shared culture and the need "to defend common interests" vis a vis "the governing Hudson's Bay Company" but also by a shared economy comprising "the buffalo hunt, overland freighting, fur trade boat brigades, guiding, interpreting and farming."[211] To all these reasons for self-consciousness were added what one scholar as called "'racial' feelings," which encouraged intramarriage: "while half-breed men occasionally married Indians, the half-breed women almost invariably married within their own group, or more rarely, among the whites."[212] These marriage patterns in turn reinforced Métis distinctiveness, and "as the Métis became more concentrated and endogamous, group consciousness grew."[213] By practicing intramarriage, the Métis performed one of the primary markers of an ethnic group, thereby completing their

---

not make one Métis; rather, Métis people emerged in a descended from communities of dual heritage with common interests and goals." MacDougall, St-Onge, and Podruchny, *Contours of a People*, 4.

[207] Sawchuk, *The Métis of Manitoba*; "The Battle of Seven Oaks," *Métis Culture and Heritage Resource Centre, Inc.*, http://www.metisresourcecentre.mb.ca/index.php?option=com_content&view=article&id=14:the-battle-of-seven-oaks&catid=1:history&Itemid=2.

[208] Métis National Council, *The Métis Nation on the Move: Report on the Métis Nation's Constitutional Parallel Process* (Métis National Council, 1992), 4. Michif, the Métis language, draws predominantly on Cree verbs and French nouns, though as spoken in different times and places it also incorporates words from Chippewa, English, Gaelic, Assiniboine, and possibly other languages. Patline Laverdure, Ida Rose Allard, and John C. Crawford, eds., *The Michif Dictionary: Turtle Mountain Chippewa Cree* (Winnipeg: Pemmican publications, 1983), vii–ix. Michif is distinct from any of its parent languages and was spoken in many communities throughout the Canadian and American Great Plains.

[209] Patrick Young, "Traditional Métis Clothing" (Gabriel Dumont Institute, 2003).

[210] Joseph Kinsey Howard, *Strange Empire: A Narrative of the Northwest* (New York: Morrow, 1952), 55–56.

[211] Métis National Council, *The Métis Nation on the Move*, 5.

[212] Sawchuk, *The Métis of Manitoba*, 19.

[213] Métis National Council, *The Métis Nation on the Move*, 5.

ethnogenesis. Soon thereafter they became "the dominant native group of the entire Northwest."[214]

Ethnogenesis—the formation of a new ethnic group— is a fascinating and important historical development, and academic emphasis on the emergence of the Métis has produced an excellent body of work. That body of work has been burgeoning of late, and scholars are moving from questions about the origins of the Métis to questions about the qualities that subsequently identified and defined them. This shift is captured in the title of two edited collections that bookend modern Métis historiography: the field's focus has moved from *The New Peoples* to the *Contours of a People*.[215] In both these emblematic formulations, defining the Métis remains the paramount academic project. In that, as we shall see, academics are heirs to the Canadian and American empires. In various guises, the question of just who the Métis were has now dominated the field for decades. This impulse has encouraged several problematic historiographical habits that obscure important elements of Métis history and its place in the narrative of the nineteenth century Northern Plains. The desire to legitimate Métis ethnogenesis and to identify a subsequent Métis nation, has led in particular to two tendencies that inhibit our understanding of how Métis groups not only reflected social and spatial mixture, but how they also perpetuated them. Both tendencies result from the fact that the effort to demonstrate the advent and perpetuation of a new people as a result of mixture across racial boundaries has produced the paradoxical impulse to draw clear, relatively rigid boundaries around that group. Those boundaries get drawn especially through an emphasis on particular elements of Métis ancestry, which allow for a more easily contained delineation of a distinctive Métis culture, and on endogamy, perhaps the quintessential criterion for ethnic group status.[216]

As the above summary of Métis ethnogenesis attests, it is their inter- or bi-raciality that is said to distinguish the Métis, their position as a people between Indian and white worlds.[217] Specific ancestries are secondary to this defining dualism, but they are usually discussed at least in some generalized sense, and here historians and others have emphasized especially the Chippewa, Cree, French and Scottish ancestries of Métis people. Many scholars mention other Métis ancestries (especially Assiniboine), and some are actively engaged in "tracing Métis roots in all their complexity and diversity."[218] But the protagonists in the Métis creation story remain a French Adam and a Chippewa or Cree Eve whose Garden of Eden grew along the Red River.[219] Additional tribal ancestries are not only downplayed within, but often seen in

---

[214] St-Onge, "Uncertain Margins," 9.

[215] Peterson, *The New Peoples*; MacDougall, St-Onge, and Podruchny, *Contours of a People*.

[216] Like any field, Métis studies is changing, and both of these tendencies are waning, or at least being balanced by other emphases. But they nonetheless continue to define the field. If the balance is tipping, it hasn't yet tipped. The editors of a recent important collection on Métis history speak to the long-standing emphases on endogamy, and to recent changes therein, when they write that "although one could look at the Métis historically and see definite examples of endogamy taking precedence over exogamy, there was an inherent tension in those marital practices. The notion of building alliances through marriage was a mainstay of Métis social custom, which was then balanced against endogamous marital arrangements that supported the development of independent and distinct Métis communities." MacDougall, St-Onge, and Podruchny, *Contours of a People*.

[217] The terms scholars use for this vary, but all center on the blending of Indian and white. The editors of the new definitive collection on Métis history describe it as "dual heritage." Ibid., Introduction. For a good recent example of this emphasis as incorporated into broader stories, see Hyde, *Empires, Nations, and Families*, 39, 49, 277. This emphasis also reinforces a tendency to view Métis as a biological or racial category rather than the cultural one it largely was.

[218] Peterson, *The New Peoples*, 9. This complexity and diversity is often approached from class, occupational and especially geographic angles rather than ethnic or ancestral ones. Cf. The introduction to *Contours of a People*, which reminds us that "there were distinctions between Métis communities based on where they lived, the types of work in which they engaged, and the religion they practiced." MacDougall, St-Onge, and Podruchny, *Contours of a People*, 14.

[219] Michel Hogue describes the Métis as the "mixed-race children" of "European men and indigenous women (usually Cree or Ojibwe)" in Michel Hogue, "Between Race and Nation: The Creation of a Métis Borderland on the Northern Plains," in *Bridging National Borders in North America: Transnational and Comparative Histories* (Durham: Duke University Press, 2010), 61. Martha Foster describes them as "of predominantly Chippewa, Cree, French and Scottish descent." Foster, *We Know Who We Are*, 2006, Jacket. Vern Dusenberry says that "while in Canada it was the Cree with whom the Frenchman usually married, in the United States it was the Chippewa." Dusenberry, "Waiting for a Day

contradistinction to, the Métis. Joe Sawchuk, for instance, concluded that Métis group consciousness arose partly from "recurring conflicts with the Sioux, their traditional enemies."[220] Other scholars have cited a single 1851 battle with the Sioux as a defining moment of the Métis.[221] More generally, Nicole St. Onge has recently argued that when the Métis defined themselves as "*La Nation*," "boundaries had been drawn not only between these "Métis" and their French-Canadian or Scottish allies and kin, but also between them and other tribes like the Cree, the Saulteaux, the Assiniboine and the Sioux."[222] Other tribal affiliations are also minimized by the conventional way of discussing ethnic variation within the Métis, ie. as cleaving along lines of European ancestry: the primary division is narrated as that between French- and English-speaking Métis people.[223] The end result is a historiography that still mostly focuses on the Métis as a people who are a mixture of French, English, Chippewa and Cree.[224]

That Never Comes," 2001, 120. Sarah Carter speaks of "the diversity of people at the Forks [of the Red and Assiniboine Rivers][that] was reflected in the mixture of languages spoken at Red River—Cree, Ojibway, French, and English—and in the contact languages that emerged as a result of the meeting of peoples." These included "Bungee, or the Red River dialect, [which] was spoken by descendants of English, Scottish, and Orkney fur traders and their Cree or Ojibway wives." Carter, *Aboriginal Peoples and Colonizers of Western Canada to 1900*, 62–63. The Métis National Council begin its 1992 report with an introductory section on "the Métis People," who began when "the mixed offspring of French fur traders from the North West Company or Scottish Fur traders from the Hudson's Bay Company and Cree or Ojibway women formed an every increasing proportion of the fur trade population." Métis National Council, *The Métis Nation on the Move*, 4. In her study of "women in fur trade society" Sylvia Van Kirk notes that "the men of both companies [ie. Hudson's Bay Company and the North West Company] married most extensively into the Ojibwa, Cree and Chipewyan tribes who inhabited a large area, but as the Nor'Westers moved westward across the Rockies, they contracted unions with women of more remote tribes." Van Kirk, *Many Tender Ties*, 28. Larry Burt describes the Métis as the result of "countless unions between European fur post employees (usually French, sometimes Scots) and Indian wives (usually Cree, sometimes Chippewa)." Burt, "Nowhere Left to Go: Montana's Crees, Métis, and Chippewas and the Creation of Rocky Boy's Reservation," 196. Patrick Douaud describes the Métis as "mostly Indian and French Canadian, but Highland Scot, English and Yankees as well," born of "European fur traders" and their wives "mainly Cree and Ojibwa." Patrick Douaud, *Ethnolinguistic Profile of the Canadian Métis* (Ottawa: National Museums of Canada, 1985), 8. Irene Spry writes that the "Métis and mixed-bloods" "were the descendents of a rich diversity of ancestors. Their maternal forebears included Cree, Ojibwa and Chipewyan, as well as French Canadians and Scots; while their paternal ancestry included not only French and English, but also Orcadian, Scots, Irish, Shetland, and other European strains." Irene Spry, "The Métis and Mixed-Bloods of Rupert's Land before 1870," in *The New Peoples: Being and Becoming Métis in North America* (Winnipeg: University of Manitoba Press, 1985), 99. In Joe Sawchuk's work, the Métis were the offspring of "French, Scottish and English traders in the West . . .[who] began to marry among the native population of the area—the Cree, Saulteaux and Assiniboine." Sawchuk, *The Métis of Manitoba*, 19.

[220] Sawchuk, *The Métis of Manitoba*, 19.

[221] Cf. Paul R. Magocsi, *Encyclopedia of Canada's Peoples* (University of Toronto Press, 1999), 73.

[222] St-Onge, "Uncertain Margins," 2. Métis have also been portrayed as distinct from "mixed bloods" with other tribal ancestries: according to Jacqueline Peterson, "mixed bloods with Dakota, Lakota, Crow or Assiniboin kin never fully broke away to create a separate people but became Sioux, Crow, or Assiniboin halfbreeds." Peterson, Jacqueline, "Gathering at the River: The Métis Peopling of the Northern Plains," in *The Fur Trade in North Dakota*, ed. Heidenreich, Virginia (Bismarck: State Historical Society of North Dakota, 1990), 48.

[223] A classic examination of this famed cleavage, and a testament to its centrality in Métis historiography, is Spry, "The Métis and Mixed-Bloods of Rupert's Land before 1870." In that essay Spry aims to answer a question at the heart of Métis studies: "Were the English-speaking mixed-bloods and French-speaking Métis of what is now western Canada separate and mutually hostile groups? Or were they friendly and closely linked with each other?" She favors the latter interpretation, citing, among other things, intermarriage between the two groups. Issac Cowie would likely have concurred with her that kinship linked the two groups, noting as he did of "the Métis" at Red River that "the English halfbreeds were often related to them in native blood." Cowie, *The Company of Adventurers*, 394. See also Hyde, *Empires, Nations, and Families*, 101, 412: "the world of the North American frontier . . .this place where English and French men had married Native women," or, regarding Kawsmouth, "the mixture of cultures that had blended over generations as French Catholics, Native People, English Presbyterians, and fur trade employees." The enduring emphasis on European ancestry as the primary ethnic divide within the Métis community comes, like many of our current categories, in part from primary sources. For instance, in her discussion of "'English and Protestant' and 'French and Catholic' Métis," Sarah Carter cites "the population statistics of 1870 [which] showed 11,960 residences, including 5,720 'French Half-Breeds' and 4,080 'English Half-Breeds.'" Carter, *Aboriginal Peoples and Colonizers of Western Canada to 1900*, 69–70.

[224] Again, this historiographical situation is changing, but it is not yet changed, and some of the changes in fact reinforce the erasure of indigenous variety within Métis communities. The introduction to *Contours of a People*, for instance, assures us that the editors "recognize the patrilineal diversity of heritages beyond French Canadian to embrace Orcadian, Scottish, English, and so on." Of the matrilineal heritages nothing is said, although discussions of the mobility of "the maternal ancestors of the Métis" in a subsequent essay mention the mobility of Crow, Cree and even Creek people. MacDougall, St-Onge, and Podruchny, *Contours of a People*, 6. This is a more complex Adam and Eve narrative, in which we still have unions of a European man and an Indian woman, a formulation that itself minimizes mixture. Most Métis people were probably not born of such "pure" stock, but were instead a mixture of mixtures. Some of the essays that follow in the book are wonderful examples of the burgeoning interest in other indigenous ancestries among the Métis, among them Nicole St. Onge and Carolyn Pudrochny's essay, in which they explore people "identified as having French Canadian, Orcadian, Scottish, Cree, Ojibwe, Oji-Cree, Assiniboine, Blackfoot, Dene, Iroquoian, and Salish backgrounds." Nichole St-Onge and Carolyn Podruchny, "Scuttling along a Spider's Web: Mobility and Kinship in Métis Ethnogenesis," in *Contours of a People: Métis Family, Mobility, and History*, ed. Nichole St-Onge, Carolyn Podruchny, and Brenda Macdougall (Norman: University of Oklahoma Press, 2012), 61.

This is a different, much narrower thing than writing Métis history that emphasizes their origins in, and embodiment of, mixture per se.

A parallel emphasis on endogamy has also contributed to the historiographical construction of relatively rigid boundaries around the Métis. Since the 1970s, when the Métis became a hot topic among academics, endogamy has been an essential—perhaps the essential—element of the Métis creation story, and it remains "accepted wisdom" in the field: in a 2012 essay on Métis ethnogenesis Jacquline Peterson calls it "the most important criteria for building and sustaining a separate ethnic group and indentity."[225] As told by the Métis National Council, "frequent intermarriage" reinforced ties between "the Scottish Métis" and "the French Métis" at Red River. Through this process, "as the Métis became more concentrated and endogamous, group consciousness grew." Eventually, by marrying "among themselves, they developed a new Aboriginal culture."[226] Thereafter, wrote Nicole St. Onge in 2006, from the early years of the nineteenth century through at least its middle decades, "the dominant pattern . . . was Métis marrying Métis."[227] Thus they became a bona fide new people.

But the history of the Métis suggests that our eagerness to define and delimit a new "nation" through emphasis on several primary European and indigenous lineages—and a subsequent maintenance of group boundaries via prevailing endogamy—misleads us much in the same way the idea of discrete tribes does.[228] It obscures the ongoing mixture between groups that was a defining feature of the mid-nineteenth century Northern Plains, and of the Métis most of all. These days, scholars increasingly focus on difference within the Métis—often in the form of close studies of communities other than Red River—and together their work is complicating the entrenched narrative.[229] A great example is St. Onge's work on the "uncertain margins" separating the Métis and Saulteux at St. Paul des Saulteaux, Red River, in which she calls our attention to the fact that while endogamy was the "dominant pattern," it "was not the only pattern." Rather, "as the nineteenth century progressed" "converging histories, economic pursuits and kinship ties were blurring ethnic distinctions between the Métis and their close

[225] St-Onge, "Uncertain Margins," 3; Jacqueline Peterson, "Red River Redux: Métis Ethnogenesis and the Great Lakes Region," in *Contours of a People: Métis Family, Mobility, and History*, ed. Nichole St-Onge, Carolyn Podruchny, and Brenda Macdougall (Norman: University of Oklahoma Press, 2012), 30, 36.The sub-field of Métis history began its modern development in the 1970s, as part of the broader turn toward social history among academics. Several compilations published in the 1980s reflect the intellectual currents that prevailed in this period, foremost among them T*he New Peoples.* In their introduction to *The New Peoples*, Jacqueline Peterson and Jen Brown wrote that "their intersecting lineages and growing endogamy, their rapidly increasing numbers, their relative isolation from New France and their distinctive lifestyle all justify . .. description of them as a new people, and as a vivid example of ethnogenesis." Peterson, *The New Peoples*, 9. Over 25 years later, Peterson stated that ethnogenesis "required a turn toward a new ethnic self-consciousness and a preference for marital endogamy" and that endogamy is "the most important criteria for building and sustaining a separate ethnic group and identity."

[226] Métis National Council, *The Métis Nation on the Move*, 4.

[227] St-Onge, "Uncertain Margins," 3.

[228] I am by no means the first scholar to note this problematic aspect of Métis historiography. As Gerhard Ens argued in his "Métis Ethnicity, Personal Identity, and the Development of Capitalism in the Western Interior," "most historians who have studied the Métis . . . have tended to essentialize Métis ethnicity after having established their historical roots. Métis identity is usually seen as a fixed set of cultural attributes into which one is born. This tendency was reinforced by government policy that tended to define Métisness on racial lines." Gerhard J. Ens, "Métis Ethnicity, Personal Identity and the Development of Capitalism in the Western Interior," in *From Rupert's Land to Canada*, ed. Theodore Binnema, Gerhard J. Ens, and R. C Macleod (Edmonton: University of Alberta, 2001), 163. It is no coincidence that the emphasis on Métis endogamy misleads us much in the same way the emphasis on discrete tribes does, for they are in many ways one in the same thing, ie. emphasizing Métis tribal discreteness. These habits are also related to the ways we have thought about tribal warfare, enmity, and aggression. In her discussion of the Blackfoot, for instance, Ann Hyde emphasizes how, until the 1830s, "they protected their homelands fiercely, driving out anyone who dared to enter" and driving other groups over the mountains etc. One is left with the impression that there was no Blackfeet metissage, social, spatial or otherwise, before the 1830s. Hyde, *Empires, Nations, and Families*, 318–319.

[229] This focus on difference sometimes reinforces boundary-drawing, as when John Foster called for historians to examine "further subdivisions within the Métis populations," and "possible limits or boundaries of discrete populations among those mixed-bloods in the Hudson Bay tradition who eventually recognized their separateness from the Indian community." John E. Foster, "Some Questions and Perspectives on the Problem of Métis Roots," in *The New Peoples: Being and Becoming Métis in North America*, ed. Jacqueline Peterson and Jennifer S. H. Brown (St. Paul: Minnesota Historical Society Press, 1985), 78–79.

allies, the Ojibwa-Saulteaux, and perhaps others."[230] Ironically, by narrating this history as one in which the margins of the Métis as a distinct ethnic group get increasingly blurred through intermarriage with Indians, St. Onge attests to the unconscious endurance of the boundaries historians draw around the Métis after their genesis.[231] If we focus on the fact that the Métis embodied mixture itself, rather than being the product of a particular mixture and then perpetuating themselves through endogamy, the scope and duration of Métis connections to other groups moves to the foreground.

In both primary and secondary sources, evidence for the pervasive presence of Indian ancestries other than Chippewa and Cree in Métis communities abounds. Given the aforementioned diversity of tribal backgrounds among fur traders' wives—which included every tribe in the region and many from more distant homelands—this comes as no surprise. It is even less surprising when we remember that the ostensibly pure European father-Indian mother pairing only accounted for the first generation in any given lineage, if at all. The mixed sons of those couples composed most of the fur trade work force by the nineteenth century, and thus brought their own indigenous ancestries to unions with the diverse (and also mixed) indigenous women who married trappers, traders and varied business associates. Thus even small groups—like the "three couples of half-Indians and their full-blooded wives" that Rudolph Kurz bunked with, sleeping on buffalo robes, in the "translators' quarters" at Fort Union—could contain a wide variety of indigenous ancestries.[232] In this regard, it is also helpful to remember that, even among first generation "biracial" couples, many of the "Europeans" with whom "Indian" women married were themselves descended from Indians. In her seminal study of the Great Lakes Métis, Jacqueline Peterson noted that, by 1675, "there were few Acadian [New France] families with no Indian blood in their veins."[233] As a result, "the voyageurs who made the journey to Red River" were themselves often of indigenous ancestry.[234] For their part, the Indian women—usually labeled Cree or Chippewa—whom these early paterfamilias impregnated were likely descended from multiple tribes: the pervasive contact, and kinship ties, between different groups on the eighteenth century Northwestern Plains detailed in Theodore Binnema's *Common and Contested Ground* ensured the ubiquity of such blended backgrounds.

From these mixed beginnings, Métis communities kept right on a-mixing, so that, throughout their history, Métis groups and individuals boasted a dizzying array of ancestries that defied any easy ethnic description. Careful attention to almost any Métis story reveals that this was inevitably the case. In Peterson's study of the Great Lakes Métis, one "white" progenitor of a Métis line was John Lawe, who was "born to a Jewish mother and a Yorkshire father" in Briton. Lawe moved to La Baye [Wisconsin] in 1761 where there were already many French-speaking settlers who'd "had extensive kin ties with their neighbors, the Menomini and Ottawa" since the 1730s or '40s. Lawe married Therese Rankin, "daughter of a British trader and granddaughter of Ashawabemy, an Ottawa from the environs of Mackinac," and later took into

---

[230] St-Onge, "Uncertain Margins," 11; Nicole St-Onge and University of Regina, *Saint-Laurent, Manitoba: Evolving Métis Identities, 1850-1914* (Regina: Canadian Plains Research Center University of Regina, 2004), 56. Other historians offer different trajectories for endogamy. Anne Hyde, for instance, asserts that it increased as the nineteenth century neared its midpoint "and people of mixed race became marked with their race and began marrying each other because, though they were labeled as Indian, many tribal people did not recognize them as such." Hyde, *Empires, Nations, and Families*, 56.

[231] St. Onge is hardly alone in arguing that Métis groups increasingly intermarried with "Indians" in different periods. It is in fact common for scholars of mixed indigenous groups in the borderlands to be impressed by the intermarriage they see in the period they study—especially among scholars who look at people in Montana—and to conclude that such intermixture was especially active, even increasing, at that time. Cf. Hogue, "The Montana Métis and the Shifting Boundaries of Belonging," 304. In this case, Hogue writes that "more and more Ojibwas, Crees, and Assiniboines were incorporated into the ranks of the emergent Métis community on the Dakota plains in the mid-nineteenth century."

[232] Hyde, *Empires, Nations, and Families*, 413.

[233] Jacqueline Peterson, "Prelude to Red River: A Social Portrait of the Great Lakes Métis," *Ethnohistory* 25, no. 1 (1978): 47

[234] Sawchuk, *The Métis of Manitoba*, 20.

his household the "part-Ottawa wife . . . and several mixed-blood children" of a friend. In typical fashion, another family—the Grignons—married into Ottawa, Winnebago, Ojibway, and Menomini groups as well as into the "Red River Métis." Others included Potawatomie, Sioux, and Ottawa people. According to Peterson, "every Métis community had several such lineages" some of whom "migrated northwest to Minnesota and to Red River." The Grignons, for instance, "and their extended kin were wintering as far west as the headwaters of the Mississippi River and Pembina" "as early as 1800."[235] Descendants of distant west coast tribes also ended up at Red River. The indigenous ancestry of the famous Ross family, for instance, came from "Okanagon" people (whose core territory lay in what is now British Columbia).[236]

Thus even if we focus only the fabled birthplace of the Métis proper, when we imagine how these families multiply and combine across space and time before joining at Red River, the endless variety of ancestries that formed the foundation of "La Nation" becomes readily apparent. It is no wonder that the Reverend of a single Red River parish—St. Andrews—in the early 1830s, reported that among the ninety-two families of parishioners there were "thirty-nine European males and one female." The balance he described as "Orkney, English, Scotch, French, Welsh, Norwegian, Negro and Jewish half-breeds."[237] Other family stories help flesh out the extent of this variety. The woman who gave birth to Ben Kline on the shores of Devils Lake in 1845 was described by her son as "a Beauchemin, whose father, a French-Canadian from Montreal, had married a half-breed Crow." Kline described his father as "a half-breed German—German on his father's side Chippewa on his mother's." When Kline traveled to Montana in the late 1860s (on a trip funded by "a jew merchant at Fort Totten" whom Kline later bragged about cheating out of his grubstake), he shared a camp with "half-breeds from Red River," some of whom he described as being "of French-German-Cree-Chippewa and Assiniboine origin." Kline himself is alternately described in archival documents "as being from Red River" and "migrating to Devils Lake territory with the breeds in the early sixties." He eventually settled in Lewistown, a métis community in the Judith Basin of central Montana.[238]

The varied tribal ancestry apparent in Ben Kline's brief story was unexceptional. Throughout the nineteenth century, Métis communities remained not only "biracial"—as is invariably emphasized by historians—but multi-tribal.[239] Issac Cowie described them as being maternally descended "from every tribe of Indians found by the French fur traders and rovers of the woods and waters from the Atlantic to the Pacific and from Louisiana to the Arctic Ocean." While he may have been indulging in a little poetic license, we would do well to keep his expansive assessment in mind.[240] Consider, for instance, the picture painted by the ethnic descriptions in the brief family histories recorded for the 1917 census of the Rocky Boy band. The document contains explicit ethnic descriptions of 140 people aged forty and over. That is, of 140 people born in the mid-nineteenth century.[241] Of these, thirty reported being "fullblood." Even in the face of powerful pressures, and incentives, to admit only American Indian ancestries,

---

[235] Peterson, "Prelude to Red River," 42–43, 58-59.
[236] Hyde, *Empires, Nations, and Families*, Ch. 2. Alexander Ross looms large in the book's Fort Vancouver sections, but Hyde doesn't emphasize, or even really acknowledge, his historical connections to Red River; See also Mike Evans et al., "Métis Networks in British Columbia: Examples from the Central Interior," in *Contours of a People: Métis Family, Mobility, and History*, ed. Nicole St-Onge, Carolyn Podruchny, and Brenda Macdougall (Norman: University of Oklahoma Press, 2012), 331–67.
[237] Spry, "The Métis and Mixed-Bloods of Rupert's Land before 1870," 103.
[238] Ben Kline, "Ben Kline Reminiscence 1931," trans. Victor van den Broeck, *Montana Historical Society Special Collections* 942 (1925).
[239] See references to varied tribal backgrounds in Cowie, *The Company of Adventurers*, 337, where a man named Favel—"who spoke first-rate English, sometimes with an American accent, which he had acquired among the miners in the gold fields of Caribou"—repeatedly moves between the Blackfeet and Cree, "taking a couple of wives" among them on his visits.
[240] Ibid., 392.
[241] Ie. born between 1833-1880.

the remaining 110 people (78 percent) reported an array of mixtures that attest to enduring intertribal and interracial intimacies. Many of these people used a variety of terms and fractions to report combinations of "Chippewa," "Cree," "French," and "white."[242] Many others, however, reported combinations of these ancestries with "Assiniboine," "Blackfeet," "Piegan," "Gros Ventre," and/or "Shoshone." Reported tribal parentage in addition to Cree and Chippewa was no anomaly: over one-third of the people in this age cohort reported having "blood" of other tribes, with almost a quarter (thirty-four) reporting some Assiniboine ancestry.[243] Métis ancestries were so complex and entangled that almost every historian who studies them ends up resorting to charts and family trees to try to sort out their subjects. I know of no other academic specialization in which genealogy—oft derided as the exclusive domain of maiden aunts and the Mormon Church—is common, but in Métis history it is not only normal, but de riguer.

Foregrounding frequent kinship ties with an array of indigenous groups throughout the nineteenth century not only forces us to reconsider the nature of Métis mixture but also to recognize how Métis communities perpetuated connections across group boundaries in this period. No historian of the Métis claims that, once established, the Métis practiced intramarriage exclusively, but the emphasis on endogamy necessarily pushes enduring exogamy to the wings. If we are to understand continued connections between Plains population groups, we must pull intermarriage back to center stage. Despite being hindered by a lack of information about women's ancestries in all kinds of sources, this is a relatively simple task, for suggestions of pervasive, enduring exogamy abound. For numerous reasons, "a perpetual cycle of intermarriage" characterized Métis communities "even after miscegenation had so enlarged the Métis population as to facilitate Métis endogamy."[244] And this intermarriage obeyed no immutable rules. While certain unions may have been more common—like Métis men marrying Indian women and Métis women marrying European men—couples came in pretty much every imaginable combination of Plains population groups.[245]

This surely defined Métis communities as much as endogamy did. And it meant that these communities were not just communities of mixed people but were communities of a mixture of people. It is difficult to convey just how varied such communities were. As is so often the case in Métis history, it is perhaps easiest to comprehend through the sketch of single extended family, in this instance that of John Francis Grant, known to posterity as Johnny. Johnny Grant's father Richard Grant is described as being from Montreal, the son of a "Highland Scotchman" and "a native of France," and his mother Marie Anne Breland as Métis or a "*Nehiyaw Pwat* mixblood" from Red River.[246] Born in Edmonton in 1831 and raised in Quebec, Grant returned to the West as a teenager to work with his father, then posted to Fort Hall (in

---

[242] Two people in this group also specifically identified "Scotch" as a component of their ancestry.

[243] "Family History" (report originally accompanying tabulated census), *Geneva Stump Fonds*, M 7937, Glenbow, 29. Of course, these descriptions must be contextualized and taken with a grain of salt. They appear to be self-descriptions offered to the census takers, in many cases through an interpreter, but I have not been able to locate any discussion of census methodology so can't be sure. Furthermore, they likely represent the efforts of individuals to fit themselves into the clean categories favored by the census takers, and in many cases simplify or otherwise distort complex genealogies that evolved in a world insensitive to the numerical neuroses of colonial counting methods. Furthermore, most of the people reporting these ancestries were probably well aware that their ethnic descriptions might have consequences with regard to enrollment and attendant rights as Rocky Boy Indians. Circumstances strongly encouraged minimizing claims to Indian and non-Indian "blood" that might cast doubt on their rights to Rocky Boy enrollment. Given this, the frequency of reported tribal ancestries other than Chippewa and Cree is all the more noteworthy. Finally, one must consider the futility of trying to assign accurate fractional ancestries after centuries of intermixture involving many Northern Plains populations.

[244] Peterson, "Prelude to Red River," 55.

[245] For a study that touches on the variety of marriage patterns in one small community in the mid-nineteenth century see St-Onge, "Uncertain Margins."

[246] Nutt, "John Grant Fonds,"1; Ens, "Métis Ethnicity, Personal Identity and the Development of Capitalism in the Western Interior," 164;Vrooman et al., *The Whole Country Was ... "One Robe,"* 133.

present day Idaho).[247] In the ensuing years, Johnny's love life became the stuff of legend. It was said that during his time "on the Little Blackfoot River in Montana, he had wives among all of the seven different Indians groups that hunted in that vicinity."[248] Such lore reflected an impressive reality: before he died in 1907, Grant seems to have fathered 26 children with 7 different women, and he also adopted several others. The mothers of his children included women described as "Shoshone," "Bannock," "unknown," "Blackfoot Half-Breed," and "Métis." To this brood Grant added "an orphaned Bannock Indian boy" and "three Afro-American Métis children, a boy and two girls," who were "orphans of Phil Barnes and his Shoshone wife." He also raised Laura LaVatta and Edward LaVatta—children of "Thomas LaVatta [who] was known as the 'Red Headed Spaniard' . . . [and] his wife Angelique [who] was called Poor-Oh-Ge in Shoshone"—as well as Philip Vasquez-Grant, "son of Johnny's widowed sister-in-law" Emilie Langie Grant and Pike Vasquez, a man she married in California.[249]

During much of the 1860s, Grant's family formed the core of a settlement that grew around his ranch in the Deer Lodge Valley of Western Montana. The site Grant selected had long been an intertribal area frequented by numerous regional groups including "Snakes, Bannocks, Nez Perce, Pend d'Oreilles, Flatheads, Spokanes, Coeur d'Alenes, and Kootenais."[250] Other Métis families joined them there, some staying and some moving through periodically, and the settlement prospered through trade with Oregon Trail travelers, the U.S. military, Mormons, miners, merchants, and tribes like the Blackfoot, Shoshone, Bannock and Flathead.[251] The mélange of people drawn to its store, saloon, dance hall, gristmill, blacksmith shop, and fur trading and freighting services diversified the Deer Lodge community still further.[252]

Lots of these people traveled with Johnny when he moved to the Red River in 1867: he is said to have started out with a retinue of "sixty-two wagons and twelve carts . . . five hundred head of horses . . . [and] one hundred and six men besides the women and children."[253] Many of this group had kin in the Red River community, at the time about 10,000 strong.[254] Johnny himself was there surrounded by "his closest friends and relatives the Brelands, the Mckays, the Leveilles and Rowands," and he soon expanded his connections in and to the Red River people by marrying Clotilde Bruneau, "the Métis daughter of a former Judge" in the settlement. In 1891, Grant left Red River for Bittern Lake, Alberta, where he lived for 8 years before moving to Grand Prairie, Athabasca Landing and then Deep Creek and finally to Edmonton, where in 1907 he died "just a stones throw from the old [Hudson's Bay Company] Fort where he had been

---

[247] At Fort Hall Richard Grant married Helene McDonald, "the daughter of Finan McDonald," a "Scotsman" and "an Indian woman, Charlotte 'Pond d'Oreille.'" In the interim, Richard Grant had also married another time, to "an Indian woman . . . at Oxford House," by whom he had a son, James "Jimmy" Cuthbert Grant. Grant, *Very Close to Trouble*, Introduction and pp. 6, 10n1; See also McDonald and Adams, *An Indian Girl's Story of a Trading Expedition to the Southwest About 1841*.

[248] Ens, "Métis Ethnicity, Personal Identity and the Development of Capitalism in the Western Interior," 165.

[249] Lawrence Barkwell, "John 'Johnny' Francis Grant (1831-1907)," *Métis Museum*, http://www.metismuseum.ca/media/db/07414..

[250] Grant, *Very Close to Trouble*, 81n10.

[251] Among the Métis who settled long-term were those with surnames Descheneau, Quesnells, Demers, Contois, LeClair, Burr, Stuart, Cosgrove, Jackson, Mesk, Maillet, Prud'homme, Pambrun. Families that camped there short-term included groups from Missouri and Fort Union. Nutt, "John Grant Fonds," 7; Grant, *Very Close to Trouble*, chap. 18; Barkwell, "John 'Johnny' Francis Grant (1831-1907)." Holterman describes some of those who settled near Grant in the Deer Lodge Valley as Fort "Bentonites or other old engages of Mexican origin and Indian families (the brothers Lavatta, Joe Hill, Joe Pizanthy, Pete Martinez, and others)." Holterman, *King of the High Missouri*, 152.

[252] Ens, "Métis Ethnicity, Personal Identity and the Development of Capitalism in the Western Interior," 166–167.

[253] They carried with them "about thirty rifles, some shot guns and a rifle cannon." Nutt, "John Grant Fonds," 11. The *New Northwest* (8/17/1883) newspaper of Deer Lodge retrospectively described Grant's leaving "with a number of Indians for the Red River of the north in '67." Transcribed in Grant, *Very Close to Trouble*, 12n4.

[254] Among them were probably our informant Denig and his "Assiniboine wife, Deer Little Woman, and his mixed-blood children" who moved to "the Red River settlement in Canada" in 1856. Denig, *Five Indian Tribes of the Upper Missouri: Sioux, Arickaras, Assiniboines, Crees, Crows*, xxiv–xxv.

born" seventy-six years earlier. In each of these moves, a shifting amalgam of family and affiliates accompanied him.[255]

The plethora of inter-group connections indicated by this much-abridged version of Johnny Grant's associations multiplied across the region not only through Métis intermarriage and other kinship relations but through movement. Grant's biography in this regard was actually relatively unimpressive, not only compared with his reproductive history but also with the mobility of other Métis people and groups. So mobile were Métis in the nineteenth century that it distinguished them even among the famously mobile Northern Plains people as a whole. Mobility is considered "the key spatial expression of Métis life in the nineteenth and early twentieth centuries" and a "core denominator of Métis identity."[256] Métis people and Métis groups moved often and far, and groups broke apart, re-formed, and mixed with other Indian and Métis and Euro-North American groups at different times in their lifecycles and at different locations throughout the region, the continent, and beyond. They moved along new roads and along roads they knew well, traveling to places where they had stayed before and to new communities inhabited by old friends and family. As with Métis intermarriage, this mobility connected communities across what became the North American West. Thus, even as the degree of their mobility may have distinguished the Métis from other groups on the Northern Plains, it simultaneously refreshed and reinforced the ties that made them inextricable from those same groups.

[255] Ens, "Métis Ethnicity, Personal Identity and the Development of Capitalism in the Western Interior," 168-169, 170-171; Nutt, "John Grant Fonds," 12.

[256] Peterson, "Red River Redux: Métis Ethnogenesis and the Great Lakes Region," 55. Armando Jannetta finds that in Métis autobiography "the travel-trope or the (semi-) nomadic life-style of the Métis is a major factor in the constitution of difference and some kind of ethnic identity." Armando Jannetta, *"Travels Through Forbidden Geography": Métis Trappers and Traders Louis Goulet and Ted Trindell* (Calgary: University of Calgary, 1994), 60. Scholars are increasingly emphasizing the importance of mobility in understanding the Métis. Cf. many of the essays in *Contours of a People*, especially Philip Wolfart, "Against Spatialized Ethnicity," and St-Onge and Podruchny, "Scuttling along a Spider's Web: Mobility and Kinship in Métis Ethnogenesis."in *Contours of a People: Métis Family, Mobility, and History*, ed. Nicole St-Onge, Carolyn Podruchny, and Brenda MacDougall (Norman: University of Oklahoma Press, 2012).

Chapter 2
Armies, Indians and the People In Between: Occupying the Northern Plains After 1860

In the middle decades of the nineteenth century, as the U.S. moved toward civil war, in large part over the fate of sections of western North America it claimed but had not conquered, the Northern Plains remained an indigenous society. By the time the American Civil War ended in 1865, the region was in the midst of a massive transformation. The early 1860s brought the first large non-Indian population onto the northern Great Plains, and inaugurated an onslaught that would continue for at least the next 50 years. By the end of the decade, the militaries of both the United States and Canada invaded. Non-Indian miners, merchants and agriculturalists accompanied them. As the soldiers and civilians of these nation-states colonized the Plains, violent conflict spread. Historians often narrate the history of these American and Canadian conflicts along clean social and spatial lines. In such tellings, the principal protagonists are discrete Indian tribes of specified sub-regions and unified, easily delimited nation-states. The stories that result are necessarily separate: The Minnesota Sioux Uprising of 1862 involved particular Sioux bands in conflict with American settlers and the U.S. army in Minnesota. Immediately to the north, the Riel Rebellion of 1869-1870 pitted the Métis of Red River against troops from the new Dominion of Canada.

But the principal combatants in these and other Northern Plains "Indian" wars of the 1860s, '70s and '80s defied such easy social and spatial categorization. The following chapter explores this theme through an examination of the United States' invasion of the Northern Plains—and the associated violence that descended on the region—in the early 1860s. It reveals how the twined nature of regional society connected Plains "Indian" conflicts and the communities they affected. As in intertribal affairs, the categories of friend and foe were neither clear nor stable. People flowed back and forth between them and between ostensibly discrete conflicts. In so doing they integrated the numerous "Indian" wars and linked the American and Canadian invasions of the Northern Plains. Invading armies, and those who fought them, relied on this flow of people for the conduct of their campaigns even as they came to identify the socio-spatial connections between groups, and the people who embodied them, as a primary obstacle to conquest and colonization. Many of the participants—white as well as Indian—in the violent conflicts that engulfed the Northern Plains in the 1860s understood, and experienced these "American" and "Canadian," "Sioux" and "Métis" events as inter-related.

Invasion of indigenous territories in North America is typically conceived as moving from east to west, so much so that the "frontier" and the "West" are used as synonyms. On the Northern Plains, this was not so. At the dawn of the 1860s, non-Indian people surrounded the region on three sides. To the south, since the late 1840s, a steady stream of settlers from the United States had been flowing westward through the central plains. They intended to colonize Pacific coastal areas that they called Oregon and California, claim to which the U.S. had recently wrested from Mexico and Great Britain and control of which it was trying to wrest from the indigenous peoples who considered it their own. By the end of the 1850s, non-Indians flooded into, not just over, the central plains: in 1859, 100,000 miners and the U.S. army descended on the western part of Kansas Territory (now encompassed in the state of Colorado) in a frenzied search for gold around Pike's Peak.[257] From the west came more miners, settlers and soldiers, who moved eastward through what became California, Oregon, Washington, and British Columbia. At the same time, newcomers crowded the Northern Plains from the east. By 1857,

[257] Elliott West, *The Contested Plains: Indians, Goldseekers, and the Rush to Colorado* (Lawrence: University Press of Kansas, 1998), 145–170.

immigrants moving westward from British Canada formed an increasingly identifiable, and vocal, portion of indigenous communities along the Red River of the North. Settler colonists encroached on that drainage from the United States as well, as immigrant and native-born Euro-Americans rushed into the western reaches of what became, in 1858, the State of Minnesota.

In keeping with their citizens, in the mid-nineteenth century Euro-North American governments began to focus their imperial gaze more sharply on the Northern Plains, a process that involved a dramatic re-imagining of the region. The northern reaches of the Great Plains had long been considered the least desirable of North American lands. But surveying expeditions on both sides of the border in the 1850s hastened a reevaluation of the region's agricultural potential. Isaac Stevens led a U.S. surveying crew across the West "between the 47th and 49th parallels" in 1853-54, and a British expedition led by John Palliser explored the Canadian prairies three years later, to be quickly followed by a Canadian party under geologist H.Y. Hind.[258] Boosters soon envisioned fertile fields where before they saw only cold barren aridity. In his book *Virgin Land*, Henry Nash Smith traces how the "myth of the garden" supplanted the "myth of the Great American Desert." The intellectual ascendance of the idea of the "Great American Desert" gained traction in the early nineteenth century in the wake of Zebulon Pike's 1810 claim that the Great Plains "were a sterile waste like the sandy deserts of Africa" and subsequent similar pronouncements, like that of Henry Brackenridge, who, after taking "a trip up the Missouri River with a fur trading brigade," wrote that the notion "of these western regions being . . . susceptible of cultivation" was "certainly erroneous." As a result of these and other equally bleak assessments of the region, "the settled conviction that an uninhabitable desert stretched for hundreds of miles east of the Rockies was a matter of course in official circles until the eve of the Civil War." Thereafter, it was replaced by the myth of the garden and its attendant promises of rain following the plow.[259] This trajectory had its counterpart north of the 49th parallel, where "the concept of the American Desert was extended to include part of the western interior in British territory." While the "myth of the garden" slowly wetted the imagined American desert, "descriptions of the rough contours of the wilds" of the Canadian prairies "were softened, and in many writings the land took on the appearance of English or eastern Canadian countryside."[260] These reappraisals, or reimaginings, attended other government efforts to lay the groundwork for imperial incorporation of the Plains. Paving the way for future invasion of the region, both the U.S. and the British colonies worked to subjugate indigenous peoples in adjacent areas and to build physical and legal (in the form of Indian land-cession treaties) infrastructures to facilitate settler colonization.

These developments culminated in a series of events in the early 1860s that brought droves of people onto the northern Great Plains. With its citizens, as well as migrants from across the globe, pressing the plains from three sides, the U.S. military underwrote two major transportation projects that penetrated the region from both the east and the west. Together they effectively connected colonized areas along the continent's northern Atlantic and Pacific coasts. The eastern segment used the Missouri, extending the reach of mass transit on that waterway farther inland than ever before. In July of 1860, two steamers hired by the U.S. military, and aided by especially high water in the wake of an especially snowy winter, plied their way up the

[258] Richard White, *"It's Your Misfortune and None of My Own" : A History of the American West*, 1st ed. (Norman: University of Oklahoma Press, 1991), 125; Gerald Friesen, *The Canadian Prairies: A History* (Toronto: University of Toronto Press, 1993), 107–108; Auguste Henri de Tremaudan, *Hold High Your Heads: History of the Métis Nation in Western Canada*, trans. Elizabeth Maguet (Manitoba: Pemmican Publications, 1982), 55.
[259] Henry Nash Smith, *Virgin Land: The American West as Symbol and Myth* (Cambridge: Harvard University Press, 1978), 174–75, 178-179.
[260] Friesen, *The Canadian Prairies*, 107–109.

big, muddy river from St. Louis all the way to Fort Benton near the Rocky Mountain front. When they docked at Benton, 3,560 miles from the Gulf of Mexico, the *Chippewa* and the *Key West* made global navigational history: "they had reached a point farther from the sea by a continuous water course than any other [steam]boat had ever done."[261] Their arrival turned Fort Benton into the innermost port in the world, linking the heart of the Northern Plains with the western population centers of the aggressive, expansionist American empire.[262]

On board the Benton steamers were U.S. soldiers bound for new posts in the Pacific Northwest. They intended to cross the Rocky Mountains, and the continental divide, via a military wagon road being built between Benton and Fort Walla Walla on the Columbia. The road would connect the region's few American settlements to one another. More importantly, it would ease military access to the indigenous people that surrounded them. In the eyes of U.S. empire, the need for such access was acute—one historian has called the Benton-Walla Walla road "the most important result of the Indian war of 1858." With both the Columbia and Missouri Rivers served by steamboat, "by connecting the heads of navigation on these waterways troops could be transported to the scene of Indian hostilities with a minimum of expense and difficulty."[263] Under the direction of Captain John Mullan, "100 soldiers and 90 civilians" built the road eastward from Walla Walla.[264] Construction reached Benton on August 1, 1860.[265]

These improvements in transportation inspired other expansionists to establish roads onto the Plains from the east. Mullan's military road "lit a fire under . . . northern route boosters in Minnesota, who had long dreamed of an east-west route from St. Paul to Puget Sound."[266] In 1862 two different wagon trains set off for the Rocky Mountain gold mining region forging, in the eyes of non-Indians, a new overland route across the Northern Plains. The first of these, led by Thomas Holmes, followed an existing cart track from St. Paul to Fort Union and then traveled up the Milk River to Fort Benton. With the promise of federally-funded military protection, a second train, guided by Pierre Bottineau, started from Fort Abercromie on the Red River. This train was led by Captain James L. Fisk, and would be the first of four such trains he led under orders from the U.S. War Department. The northern overland route thus became known as the Fisk Trail.[267] That same year would-be miners forged an overland route farther north as well.[268]

---

[261] James McClellan Hamilton, *History of Montana: From Wilderness to Statehood* (Portland: Binfords & Mort, 1970), 146.

[262] Malone, Roeder, and Lang, *Montana*, 73; Joel Overholser, *Fort Benton: World's Innermost Port* (Fort Benton, Mont.: Falcon Press Publishing Co., 1987), v. Overholser justifies this description as follows: "St. Louis rivermen . . . reckon[ed] it about 3000 miles to within eyeshot of the Rockies, although government engineers later measured across the meanders and came up with 2385. Add over 1100 miles from salt water to St. Louis—the Amazon is navigable by powered craft somewhat further today, but those miles were unused during the period covered." Malone, Roeder, and Lang call Fort Benton "America's most remote port."

[263] Dexter S. Fee, "Government Policy Toward the Principal Indian Nations of Montana, 1851-1873" (Master's Thesis, University of Montana, 1934).

[264] Rick Graetz and Susie Beaulaurier Graetz, *This Is Montana: A Geography-Geographic History of Montana* (Helena, Mont.: Northern Rockies Publishing, 2003), 74; For an overview of federal involvement in subsidizing the Mullan road and the building of a fort at the Columbia headwaters wherein"the Indian disturbances of 1855 and 1856 had convinced the government of the necessity of establishing a military post in Walla Walla,"see Fee, "Government Policy Toward the Principal Indian Nations of Montana, 1851-1873," 54.

[265] Malone, Roeder, and Lang, *Montana*, 72.

[266] This chronology is standard fare in histories of Montana, including both published works and the voluminous gray literature produced by public historians. A good academic overview of the gold rush in the Northern Rockies of the United States is by Kent Curtis, who emphatically reminds us that the gold rush depended on the presence of transportation and legal infrastructure, as well as the U.S. military, as much as it depended on the presence of gold. As Curtis notes, most gold rush narratives—which usually begin with the "discovery" of gold—neglect to give this point proper weight. They thereby imply that "gold as an unproblematic natural fact caused the gold rushes and opened the mining frontier." By "reinforcing the idea that, in a significant way, nature is responsible for these crucial episodes in western history," they obfuscate how gold rushes "were produced by the far flung ambitions of an expansionist nation." Kent Curtis, "Producing a Gold Rush: National Ambitions and the Northern Rocky Mountains, 1853-1863," The Western Historical Quarterly 40, no. 3 (October 1, 2009): 293. For a broader treatment of the importance of transportation infrastructure in determining the timing and location of frontier settlement events see Oscar Osburn Winther, The Transportation Frontier: Trans-Mississippi West, 1865-1890. (New York: Holt, Rinehart and Winston, 1964).

[267] Winther, *The Transportation Frontier*, 18; Vrooman et al., *The Whole Country Was ... "One Robe,"* 134–135. One of the guides and interpreters on Fisk's summer 1863 expedition to Montana was Antoine Frenier, who had been involved in the 1862 events in Minnesota and

Bound for the goldfields of the British Columbia Rockies, they, too, relied on new transportation links underwritten by colonial governments. The eastern leg of their voyage entailed traveling from the Red River settlements near Fort Garry, first reached by steamboat from St. Paul in 1859.[269] From Red River they headed for Fort Edmonton, and then across the Rockies to the Cariboo diggings. At Cariboo they found frenzied development fueled by the construction, in 1862-1864, of a "highway eighteen feet wide" and almost 400 miles long that connected the Rocky Mountain mines to colonial settlements along British Columbia's Pacific coast. It took the combined efforts of "the government, the Royal Engineers, private contractors and the miners themselves," all working under the direction of British Columbia's Governor, James Douglas, to complete the engineering feat that was the Cariboo road.[270]

By the early 1860s, then, the Northern Plains of the non-Indian imagination was transformed from a trackless and unattractive wilderness to a region accessible from both coasts by a number of routes. These routes weren't really new. For the most part, road builders and surveyors followed indigenous guides along established travel corridors. But the improved and enlarged transportation infrastructure repositioned the land it traversed as open, accessible, and ripe for the taking. The completion of these infrastructure projects, and the protection afforded by the governments that underwrote them, laid the foundation for a sustained influx of non-Indians into Northern Plains locales during the subsequent decade.

The 300 soldiers who disembarked on the Benton wharves in 1860 were the first trickles of what soon became a flood of soldiers, gold-seekers, government agents and settlers of all stripes. Most immediately, the new infrastructure facilitated the Northern Rockies gold rush. Over the years, local residents like John Owen, who ran a trading post at the Bitter Root Valley site of St. Mary's mission with his "Shoshone" wife, and Beneetsee Finley, a Métis neighbor of Johnny Grant's, found gold in several drainages in the region, and now it could be reached with relative ease.[271] In 1861, prospectors who penetrated the Rockies from the west developed mining operations in the Salmon River country of present-day Idaho. Word spread to both coasts. Droves of hopeful miners from earlier rushes to the south, especially Colorado, and the west, first in the mountains near the coasts of California then in coastal British Columbia, hustled to the Salmon district, as did men from the east and elsewhere. On their way, miners swarmed through the mountain valleys that stretched in every direction. Gold encounters soon produced similar scenarios in innumerable nearby drainages. The next big strike came in the summer of 1862, when John White, a prospector traveling from Colorado to the Salmon River mines, spied "color" on Grasshopper Creek in what is now southwestern Montana. "Miners rushed to the new 'diggins,'" and within weeks the town of Bannock sprang up to serve them. By the following spring, Bannock's population exceeded 3,000.[272] Strike after strike followed, and by late 1863 "an estimated twelve thousand gold seekers" combed that part of the Northern Rockies claimed

---

subsequently served as a scout for the army against the Sioux as well as an interpreter during the associated trials. Gary Clayton Anderson and Alan R. Woolworth, eds., *Through Dakota Eyes: Narrative Accounts of the Minnesota Indian War of 1862* (St. Paul: Minnesota Historical Society Press, 1988), 267.

[268] James G. MacGregor, *A History of Alberta* (Edmonton: Hurtig Publishers, 1977), 79.

[269] Gregg Shilliday, ed., *A History of Manitoba 125: Gateway to the West* (Winnipeg: Great Plains Publ., 1994), 18. John Leonard Taylor notes a steamboat being run by the Hudson's Bay Company between St. Paul and Ft. Garry in 1859. The Fraser River and Cariboo goldfields, in particular, attracted many immigrants in this period. John L. Taylor, "An Historical Introduction to Métis Claims in Canada," *Canadian Journal of Native Studies* 3, no. 1 (1983): 154; Russell Fridley, "When Minnesota Coveted Canada," *Minnesota History* 41, no. 2 (July 1, 1968): 76–79.

[270] Douglas Hill, *The Opening of the Canadian West: Where Strong Men Gathered* (New York: The John Day Company, 1967), 104.

[271] For early gold discoveries in Montana see Hamilton, *History of Montana: From Wilderness to Statehood*, 108; Evans, *St. Mary's in the Rocky Mountains*, 40; Holterman, *King of the High Missouri*, 125–126. Owen's expedition is detailed in Curtis, "Producing a Gold Rush," 282.

[272] Kenneth Ross Toole, *Montana: An Uncommon Land* (Norman: University of Oklahoma Press, 1959), 69; Charles Stauffer, *History of Beaverhead County Montana: Volume 1 1800-1920* (Dillon, Mont.: Beaverhead County History Book Association, 1990), 18; Buck, "Water Resources Survey," 6–10.

by the United States. Thousands more scoured the Rockies in British-claimed territory, where a gold rush in the Kootenay region of eastern British Columbia began around the same time.[273]

Mining boomtowns, and the massive earth-moving melees that spawned them, transformed nearby hillsides, creek banks, and streams, but many of the settlements themselves—located in cold, high, inhospitable places astride easily exhausted ore deposits—lasted only a short while. From the perspective of enduring non-Indian settlement, the importance of the gold rush lay in its impact on associated commercial and agricultural development. Despite being located, for the most part, far from the mountain mining districts, some of the region's established settlements—those critical communities of connection—expanded dramatically. In 1860, Fort Benton was a small trading post far removed from any other similar settlement. It served people living many hundreds of miles in every direction, including far to the north in what the American government called the British Possessions. Although Benton housed a U.S. official assigned to represent America in its dealings with Blackfeet Indians, it was but a beachhead of American empire in a vast prairie populated by tens of thousands of indigenous people and the relatively few non-Indians who lived among them. The headlong rush into the area turned Fort Benton into a throbbing transportation hub and regional supply center. In 1862 a single boat discharged some 400 miners on its shores. These miners began a tradition that would endure for the next ten years: some 75% of the prospectors who panned for gold in Montana during the placer boom passed through Fort Benton.[274]

The influx of miners and soldiers also spawned agricultural growth. The settlement of Fort Owen in the Bitter Root Valley, originally established in the 1840s as St. Mary's mission, exemplified this agricultural expansion. "A horde of settlers" came to the Bitter Root with the mining boom. Most turned their energies to agriculture, earning a more dependable, if less romantic, income than they might by prospecting. Farmers sold meat, flour, and vegetables "almost entirely to the thousands of hungry miners in the gold camps."[275] Their products earned a handsome return: foodstuffs "were worth almost their weight in gold dust" at mining camps like that described by Granville Stuart, "where men were subsisting on wild meat . . . [until] the arrival of Bitterroot farmers freighting in wagonloads of produce, fresh meat, and dairy products."[276]

During these early phases of growth, the mining, mercantile, and agricultural settlements in the region remained heavily indigenous. Despite common claims to the contrary, neither Fort Owen nor Fort Benton nor their regional counterparts could credibly be called "the first white settlement" in their respective states or provinces.[277] At towns across the region, indigenous people clerked in the stores, taught in the schools, tended bar, traded and freighted goods. Based on the census of 1870, one author described Fort Benton as full of "French Canadian frontiersmen in their *capotes* and red floppy caps, families of mixed origin like Natawista [Culbertson]'s cousins the Chouquettes, those of Wren, Juneau, Gobert, Pablo, Racine, Joe Kipp, Jerry Potts, Benjamin de Roche, newcomers from the mines or the stock-drives like Jose of Baja

---

[273] "During the spring of 1862, 4,000 miners pushed up the Douglas Road and the Fraser River trail to Cariboo and 1,000 travelled the old brigade route through the Okanagan Valley to Alexandria," Margaret Anchoretta Ormsby, *British Columbia: A History* (Canada: MacMillan Pub Co, 1971), 186. The gold rush in the Kootenai Region in the years immediately following produced a similar influx. Curtis, "Producing a Gold Rush," 281.

[274] John G. Lepley, *Birthplace Of Montana: A History Of Fort Benton* (Missoula, Mont.: Pictorial Histories Publishing Co., 1999), 37.

[275] Jiusto, *Montana Mainstreets, Vol. 4*, 8.

[276] Stevensville Historical Society, *Montana Genesis*, 59–60; Clary, *First Roots*, 34.

[277] Both of these towns make this claim to fame, but both were actually heavily, even primarily, indigenous for decades after their founding. Sunder, *The Fur Trade on the Upper Missouri, 1840-1865*, 259–262; George F. Weisel, *Men and Trade on the Northwest Frontier, as Shown By the Fort Owen Ledger. Montana State University Studies. Volume 2.*, First Edition (Missoula: Montana State University Press, 1955); Vrooman et al., *The Whole Country Was ... "One Robe,"* 68, 132.

and Jose Carrasco of Alta California and their comrades from New Mexico and Texas, perhaps Felipe Lucero and Andrew Garcia. All of these men took wives from among 'the daughters of the country,'" ie. indigenous women.[278] But although indigenes constituted a substantial portion of the population in established community centers, they faced a demographic invasion obvious to anyone. By 1864, some 16,000 non-Indians lived in Montana Territory alone.[279] The non-Indian population was itself diverse—Chinese immigrants, mainly male, accounted for about 10% of it—but these newcomers, and others who followed in their wake, transformed the southwestern portion of the Northern Plains into a bona fide colony of the United States, albeit one not thoroughly controlled by the invading state.[280]

As its constituents physically colonized the edges of the region, the American and Canadian governments continued to construct the administrative apparatus of imperialist expansion. On U.S. maps, the area most affected by the Northern Rockies gold rush straddled the continental divide and comprised parts of two Territories. The divide formed the western edge of Washington Territory (created in 1853) and the eastern edge of Dakota Territory (created in 1861). American penetration of the region in the early 1860s led to the rapid creation of more manageable political boundaries around the new mining districts. Congress created Idaho Territory in 1863 and it endured undiminished for only a year before legislators carved Montana Territory off its eastern edge.[281] The British Empire also developed a Rocky Mountain administrative district with the advent of the gold rush, creating the "gold colony" of British Columbia in 1858.[282]

To this developing infrastructure for administrating colonized territories, Americans tied an embryonic infrastructure for regulating the indigenous people who inhabited them. Legal control over Indians was a primary concern of early administrative efforts. The act that created Dakota Territory in 1861 included provisions for a Superintendent of Indian Affairs for the Territory. As specified in the act, the Superintendent would represent the United States in its dealings with the tribes whose homeland it believed the Territory to encompass, ie."Blackfeet, Crows, Assiniboines, Arikaras, Crees and certain branches of the Sioux family."[283] When Idaho's first Territorial Legislature convened two years later, it immediately moved to develop a specific policy agenda for Indian affairs. That agenda urged "concentrating" Indian populations and extinguishing what Western jurisprudence called Indian land "titles." Montana's First Legislative Assembly pursued similar goals, memorializing the Secretary of the Interior to request "that the Indian Bureau authorize the making of a treaty which would extinguish Indian title to lands held by certain tribes and nations in Montana Territory." Referring in particular to lands held by the Crows and Snakes, Montana's legislators complained that just "a small

---

[278] Holterman, *King of the High Missouri*, 171. Lesley Wischman says the federal census of Fort Benton for 1870 showed "two hundred and seventy-two white males and some eighty individuals admitting to some Indian blood." Lesley Wischmann, *Frontier Diplomats: Alexander Culbertson and Natoyist-Siksina' Among the Blackfeet* (University of Oklahoma Press, 2004), 336. According to Annalies Corbin, Fort Benton at this time was the third largest settlement in Montana Territory, behind Helena and Butte. Corbin says it had "1,618 citizens" in 1870. Annalies Corbin, *The Life And Times of the Steamboat Red Cloud: Or How Merchants, Mounties, And the Missouri Transformed the West* (Texas A&M University Press, 2006), 79.

[279] The territorial census of 1864 listed 15,812 residents in the territory of Montana. West, *The Last Indian War*, 96.

[280] Robert R Swartout Jr., "From the Kwangtung to the Big Sky: The Chinese Experience in Frontier Montana," in *The Montana Heritage: An Anthology of Historical Essays*, ed. Robert R Swartout Jr. and Harry W. Fritz (Helena: Montana Historical Society Press, 1992), 65.

[281] Malone, Roeder, and Lang, *Montana*, 92–96.

[282] Ormsby, *British Columbia*, Chap. 6.

[283] Incorporating infrastructure for the administration of "Indian affairs" into the structure of territorial government was a standard part of creating new territories. For example, when Isaac Stevens was named Governor of Washington Territory in March of 1853 he was at the same time named Superintendent of Indian Affairs for the territory, and "at the same time he was granted a request by the War Department to explore and survey the northern route for a Pacific railroad. Thus upon assumption of his duties, Stevens was responsible to three Departments of the Federal government," When Montana Territory was created Sidney Edgerton served as both first Territorial Governor and as superintendent of Indian Affairs. Fee, "Government Policy Toward the Principal Indian Nations of Montana, 1851-1873," 15, 78, 93.

fragment of land embraced within the boundaries of this territory is open for settlement." They implied that "only by segregating all Montana Indians on smaller areas of land could Montana Territory" develop.[284]

Much of this early infrastructure represented the projection of a desire for control over the area and its inhabitants rather than the accomplishment of that goal. Although non-Indians moved into the region in unprecedented numbers, most areas of the Northern Plains in the early 1860s remained under indigenous control. As Fort Benton-based Blackfeet Indian Agent Henry Reed complained in January of 1863, the U.S. had "from Fort Randal to Fort Benton, a distance of some eighteen hundred miles . . . not a single military post, not a civil officer of the army, indeed no authority or government of any kind—except one or two Indian agents."[285] That was all about to change. Even as Reed wrote, conflict in the eastern Plains and the State of Minnesota hastened American military occupation of the Northern Plains.

"The1862 Sioux Uprising in Minnesota"

Events in Minnesota during the second half of 1862 inaugurated active war between Northern Plains indigenous groups and expansionist nation-states that lasted for more than twenty years. That summer, indigenous people attacked Euro-American settlements in Minnesota, cutting a bloody swath across the western section of the state. There is little consensus about the total number of "white" casualties—reports range from 350 to over 1,000—but some historians claim that, outside of the Civil War (and Sept. 11, 2001), these Minnesota events constitute the bloodiest attack on Euro-Americans in U.S. history.[286]

In brief, the standard version of the conflict in Minnesota goes like this. On August 17th, "four Indian hunters turned on a group of white settlers near Acton in Meeker County, killing several people." The hunters fled to Redwood Agency on the Lower Sioux reservation, and early the next morning leaders there debated their options. They knew that American authorities would arrive demanding the surrender of those involved. Some resolved that rather than comply they would instead wage war on settlers, U.S. government officials, and their perceived collaborators. At dawn they attacked Redwood Agency and killed almost two dozen traders, teamsters, and government employees. The attack on Redwood Agency precipitated a broader assault on settlements and army posts throughout western Minnesota. Over the next week, in major battles, Indians attacked Fort Ridgely and New Ulm. Hundreds of settlers, traders and U.S. soldiers died at the hands of Sioux men.[287] Thousands of people fled the region. Some hurried eastward to avoid Indian attacks. Others ran to the west to escape the expected

---

[284] Ibid., 82, 95. Control over Indians figured prominently in the early history of British Columbia as well, although I am unsure about the specifics of government administrative infrastructure in this regard. One of Governor Douglas' first acts, in order "to maintain peace," was to appoint "both English and Indian magistrates." Shortly thereafter, when "the Indians were attempted to expel the miners from the diggings," Douglas traveled to the mines with "marines and sappers" but upon arrival found that "order had been restored by the miners themselves, who had organized themselves into military units, taken some punitive action, and then entered into treaties with the Indians." Ormsby, *British Columbia*, 158, 160.

[285] House Exec. Doc. 1, 38th Cong., 1st Sess., vol. 3, 283 quoted in Fee, "Government Policy Toward the Principal Indian Nations of Montana, 1851-1873," 88. Fort Randal was on the Missouri in what is now southeastern South Dakota.

[286] Several years after the attack, Henry Hastings Sibley, then commanding General in charge of the District of Minnesota, H.H. Sibley described it as a "massacre of nearly 900 white men, women, and children." H. H. Sibley to Lieut. Col. W. L. Duff, Headquarters District of Minnesota, Department of the Northwest, Saint Paul, Minn., July 3, 1864, in *OR*, vol. XLI, I, part II, ed. U. S. War Dept. (Washington: GPO, 1893), 38-40; Dexter Fee asserts that "over 1,000" whites were killed. Fee, "Government Policy Toward the Principal Indian Nations of Montana, 1851-1873," 87. The low figure of 350 comes from D. Jerome. Tweton and Everett C. Albers, *The Way It Was: The North Dakota Frontier Experience* (Fessenden, N.Dak.: Grass Roots Press, 1996), 57. Gary Anderson concludes that "nearly 500" Euro-Americans, and some 125 Indians, lost their lives in the conflict. Anderson and Woolworth, *Through Dakota Eyes*, 1.

[287] Anderson and Woolworth, *Through Dakota Eyes*, 13-15.

retaliation of the United States Army. Together they left the western half of Minnesota largely depopulated.

In mid-September, Henry Hastings Sibley, a long-time fur-trader who had recently completed his term as Minnesota's first governor, accepted an emergency commission as a U.S. Army Colonel and marched up the Minnesota River valley with more than a thousand Union soldiers. Some Sioux voluntarily surrendered to Sibley's forces. Others fought them. At the Battle of Wood Lake, on September 23rd, the U.S. Army "defeated a much smaller Indian contingent," and those who didn't surrender fled west onto the Northern Plains. By September 26, major conflicts in Minnesota ended. The Army immediately created a military tribunal to try "nearly four hundred full-bloods and mixed-bloods" accused of participating in the attacks. It sentenced 303 men—over three-quarters of those brought before the tribunal——to death by hanging. President Lincoln intervened. He reviewed the trial transcripts and, guided by the belief that only those who had killed civilians should be put to death, commuted the sentences of 264 of the condemned, leaving the sentences of 39 intact. As they awaited their execution, Father Augustin Ravoux "counseled the condemned warriors." An eleventh hour decision spared one of the thirty-nine. The day after Christmas, on a single gallows in Mankato, Minnesota, the United States hanged all 38 men simultaneously. Some mothers and children, wives and sisters, of the hung watched. The hangings remain the largest execution in North American history.[288]

Why did the Sioux strike? The answer is, unsurprisingly, a matter of historical debate. But while interpretations vary in their details, there is broad agreement among historians on the general context that led to the attacks. In the 1850s, white settlers overran Minnesota Sioux lands.[289] The settler onslaught imperiled Sioux communities on the tribe's two Minnesota reservations.[290] Community members used a variety of strategies to cope with the changes and held an array of opinions about the best course of action. The onset of the Civil War aggravated the problems on Minnesota's Sioux reservations and, with Americans fighting one another, seemed to offer an opportunity for armed resistance. As Sioux leader Jerome Big Eagle recalled, "it began to be whispered about that now would be a good time to go to war with the whites and get back the lands."[291] Some among the Sioux who advocated such action seized that opportunity in August of 1862.

---

[288] Ibid., 13–15., 13-15, 267; Scott W. Berg, *38 Nooses: Lincoln, Little Crow, and the Beginning of the Frontier's End* (New York: Pantheon Books, 2012), 226, 232; Samuel J. Brown, "Samuel J. Brown's Recollections," in *Through Dakota Eyes: Narrative Accounts of the Minnesota Indian War of 1862*, ed. Gary Clayton Anderson and Alan R. Woolworth (St. Paul: Minnesota Historical Society Press, 1988), 227. "Seventeen Indian women, as cooks, laundresses, etc., four papooses, and four of the friendlies, as assistants in the care of the prisoners," traveled with the 392 condemned men to Mankato. One non-Indian witness of the executions described "one old squaw" acting "as if she were insane" while she watched her son die. Bachman, Walt, *The Filicide Enigma: Was Gen. Henry Sibley's Son Hanged in Mankato?*, 2013, 12, http://athrillingnarrative.files.wordpress.com/2013/10/the-filicide-enigma-was-gen-henry-sibleys-son-hanged-in-mankato.pdf.

[289] Robert Utley, *The Indian Frontier of the American West, 1846-1890* (Albuquerque: University of New Mexico Press, 1997), 76. In 1850, the census for the Territory of Minnesota "showed a population of six thousand whites and more than twice as many Indians. By 1858 [when Congress created the State of Minnesota] whites numbered more than 150,000."

[290] The two Dakota reservations in Minnesota were established in 1851 on the banks of the Minnesota River. In 1858, the boundaries were re-drawn to include only the southern bank. Elizabeth Ebbott and League of Women Voters of Minnesota, *Indians in Minnesota* (Minneapolis: University of Minnesota Press, 1985), 20–22. The general perils posed by the recent white onslaught included especially acculturation pressures, material impoverishment and related social discord. Specific policies enacted by the American government as a part of this process proved especially objectionable. In *Kinsmen of Another Kind*, Anderson identifies "the realization that the 1851 and 1858 accords fostered a policy of 'confinement' and would work against hunters and warriors" as a primary consideration in the decision to attack American government settlements. Gary Clayton Anderson, *Kinsmen of Another Kind: Dakota-White Relations in the Upper Mississippi Valley, 1650-1862* (St. Paul: Minnesota Historical Society Press, 1997), 255.

[291] Anderson and Woolworth, *Through Dakota Eyes*, 26.

The events so-narrated are commonly known as the Sioux (or Dakota) Uprising (or War or Conflict) of 1862 (or, less frequently, of 1862-1865).[292] They are usually discussed as an assault by Eastern or Santee Sioux groups on the State's white population (or on Americans).[293] But from the beginning it was a far messier affair than such clean dates and binaries suggest. On both sides, the conflict involved communities containing people of varied, and mixed, Indian and European ancestries and affiliations. And it embroiled a far broader geography. Depending on how you define it spatially, temporally and tribally, it lasted anywhere from a couple months to more than a quarter century. To understand the Minnesota Sioux uprising as a temporally delimited, spatially discrete, dichotomous conflict between Indians and Whites is to misunderstand it.

In many respects, the conflict that began in 1862 was a Sioux civil war.[294] Disagreement over the attacks, and what to do in the aftermath, divided "Sioux" communities in myriad ways. Groups and individuals adopted different stances and strategies during the 1862 events, and the years of fighting that followed found people shifting their alliances repeatedly, further complicating a messy situation. As Esther Wakeman, a "Sioux" woman who was seventeen at the time of the uprising, recalled, "like a destructive storm, the war struck suddenly and spread rapidly. Everything was confusion. It was difficult to know who was friend and who was foe."[295]

The details of the events of 1862 suggest the complexity that would characterize the many violent Northern Plains conflicts that followed. Firsthand accounts of the attacks illustrate why delineating a distinction between friend and foe was not only difficult, but sometimes impossible. The initial Acton killings involved parties who knew one another, and the group socialized some, conversing in mixed Dakota and English, before events turned violent. Upon the killers' return to Rice Creek, community leaders living at the Lower Sioux Agency met to discuss their options. The people living at the two Sioux agencies were groupings of fluid, interrelated residential bands characterized, like most communities, by cohesion and disunity between and within them. Unsurprisingly, participants disagreed vehemently about the best course of action. When some of those present concluded to attack Redwood Agency, others "talked for peace" and refused to accompany the "parties [that] formed and dashed away in the

---

[292] Kenneth Carley, *The Sioux Uprising of 1862* (St. Paul: Minnesota Historical Society, 1976); Kenneth Carley, *The Dakota War of 1862: Minnesota's Other Civil War*, Second (St. Paul, Minnesota: Minnesota Historical Society Press, 1976); C. M Oehler, *The Great Sioux Uprising.* (New York: Oxford University Press, 1959); Duane P Schultz, *Over the Earth I Come: The Great Sioux Uprising of 1862* (New York: St. Martin's Press, 1992); Anderson and Woolworth, *Through Dakota Eyes*; Hank H Cox, *Lincoln and the Sioux Uprising of 1862* (Nashville, Tenn.: Cumberland House, 2005); Curtis A Dahlin, *The Dakota Uprising: A Pictorial History* (Edina, MN: Beaver's Pond Press, 2009); Curtis A Dahlin, *A History of the Dakota Uprising* (Roseville, Minn.: [Curtis A. Dahlin], 2012); Jerry Keenan, *The Great Sioux Uprising: Rebellion on the Plains, August-September, 1862* (Cambridge, MA: Da Capo Press, 2003); John J Koblas, *Let Them Eat Grass, the 1862 Sioux Uprising in Minnesota. Volume One* (St. Cloud, Minn.: North Star Press of St. Cloud, 2006); Charles S Bryant and Abel B Murch, *Indian Massacre in Minnesota a History of the Great Massacre by the Sioux* (Scituate, Mass.: Digital Scanning, 2001), http://site.ebrary.com/id/5003692; Micheal Clodfelter, *The Dakota War: The United States Army versus the Sioux, 1862-1865* (Jefferson, N.C.: McFarland, 1998); Edmund Danziger, "The Crow Creek Experiment: An Aftermath of the Sioux War of 1862," *North Dakota History.*, 1970 .
Historians are more likely to situate the 1862 uprising in a somewhat broader context when they write surveys of related topics. A good example is Robert M Utley and Wilcomb E. Washburn, *The Indian Wars* (Boston: Houghton Mifflin Co., 1987), 204, which expands the temporal parameters, at least: "The Santee outbreak was the beginning of a Sioux war that kept the plains in turmoil for eight years."

[293] Some scholars who focus on sub-divisions with Sioux groups say that the Eastern or Santee Sioux comprise four of seven Sioux subdivisions, including the Mdewakanton, the Wahpekute, the Wahpeton, and the Sisseton. Jonathan Smith and Michael Johnson, *The Tribes of the Sioux Nation*, vol. 344 (Oxford: Osprey Publishing, 2000), 5–7.

[294] Divisions within Sioux communities prior to the conflict have been described in a variety of suggestive ways: "There was a white man's party and an Indian party. We had politics among us and there was much feeling." Those associated with the "white man's party" were also called "farmers," "cut-hairs," "breeches men" ["because they wore pantaloons"], and "Dutchmen" ["because so many of the settlers" in the area "were Germans"]. See Anderson and Woolworth, *Through Dakota Eyes*, 24–27.

[295] Esther Wakeman was also known as Mahpiyatowan or Blue Sky Woman. Anderson describes her as a "Mdewakanton" woman married to Little Crow's half-brother White Spider. Mr. and Mrs. Harry Lawrence, "Esther Wakeman's Reminiscences," in *Through Dakota Eyes: Narrative Accounts of the Minnesota Indian War of 1862*, ed. Gary Clayton Anderson and Alan R. Woolworth (St. Paul: Minnesota Historical Society Press, 1988), 55.

darkness" to "kill the whites and kill all these cut-hairs who will not join us."[296] Historians usually identify Little Crow as the leader of the war, but his sister-in-law, among others, recalled that Little Crow "wanted to make peace" and only assisted the assailants reluctantly, after being threatened.[297]

The attack on Redwood Agency that followed "was as much as surprise to many Dakota people, especially farmer Indians and mixed-bloods, as it was to whites at the agency."[298] The chaos and confusion of the initial attacks set the tone for the entire conflict. Among those who participated in the August attacks were, among others, not only those whose animosity to American influx might be expected—"warrior" Indians—but also those who appeared to embrace white society—"Christian" Indians and "farmer" Indians (including a former "Indian head farmer").[299] People who took an active part in the attacks came from a spectrum of Sioux society. Among them were indigenous people who habitually spoke English and those who spoke only Dakota; "half-breeds," and "full blood" and "mixed blood" "Mdewakantons," "Wakpetons," "Yanktonnais," "Yanktons," and "Sissetons"; men who "had accepted some of the white man's ways but refused to adopt anything that would compromise . . . Dakota religious beliefs" and men who "reluctantly joined the warriors" and men who described themselves as "half white man and half Indian."[300] Attackers apparently even included those who claimed no Sioux ancestry whatsoever. At the Fort Ridgely and New Ulm battles, "Winnebagoes, under the Little Priest" fought alongside Sioux forces.[301] One of the men sentenced to hang at Mankato, Joseph Godfrey, has been described as the son of "a French Canadian voyageur and a black woman" who "grew up in the family" of a "fur trader" of unspecified "mixed blood." Despite his seeming lack of Sioux ancestry, Godfrey "was a Dakota speaker who spoke only broken English."[302]

The people these attackers killed or captured were similarly diverse. Their victims included, predictably, individuals described as "white" or associated ethnic terms like "German" or "Swedish" or "Irish."[303] But attackers also targeted "farmer Indians" and people whose parents were identified as members of the different Dakota bands (eg. "Sissetons"); people whose parents historians describe as "Franco-Dakota" or "Anglo-Dakota" or "mixed-blood Dakota"; and people of unspecified "mixed-blood" or "half breed" parentage.[304] Attackers targeted as well traders who "had been there many years and could speak Sioux fluently"; traders with "Indian" or "Dakota" wives and children; "Sisseton" women who had married Indian Agents; "Mdewakanton" women who had married non-Indians and "Dakota" men who had married "white" women.[305]

---

[296] Big Eagle, "Big Eagle's Account," in *Through Dakota Eyes: Narrative Accounts of the Minnesota Indian War of 1862*, ed. Gary Clayton Anderson and Alan R. Woolworth (St. Paul: Minnesota Historical Society Press, 1988), 35–36.
[297] Mr. and Mrs. Harry Lawrence, "Esther Wakeman's Reminiscences," 53.
[298] Anderson and Woolworth, *Through Dakota Eyes*, 15.
[299] "White Dog was the Indian head farmer who had been replaced by Taopi and who was hanged at Mankato." Big Eagle, "Big Eagle's Account," 21, 93.
[300] Anderson and Woolworth, *Through Dakota Eyes*, 21, 31, 39, 73, 94, 121-122, 147.
[301] Big Eagle, "Big Eagle's Account," 148–149; George Quinn, "George Quinn's Account," in *Through Dakota Eyes: Narrative Accounts of the Minnesota Indian War of 1862*, ed. Gary Clayton Anderson and Alan R. Woolworth (St. Paul: Minnesota Historical Society Press, 1988), 165n3. The editors place "Little Priest of Hoonkhoonoka . . .and a dozen Winnebagos . . . at the ambush at Redrood Ferry and at the first battle of New Ulm." Later "Little Priest led a company of Omaha scouts against the Teton Sioux," and was mortally wounded near the Powder River, MT in March 1866.
[302] Anderson and Woolworth, *Through Dakota Eyes*, 85.
[303] A partial list of European ethnic descriptors of victims includes also "Dutch," "Scandinavian," French Canadian," "Scottish," French and Canadian and Quebecois. People described as American came from an array of places, including Kentucky, New York and Ohio. Ibid., 14, 49–50, 82, 87, 95n5, 96n9, 97n20–21, 109, 126n7, 248.
[304] Ibid., 4-7, 30, 44, 49, 51, 56–57, 70, 74, 83, 144n2, 172.
[305] Ibid., 33n11, 52, 56, 70, 74–75, 217n17, 225, 265n3.

The diversity of people among the attackers and their victims bespoke the lack of a clear dividing line between Indian and white sides. Some Sioux people, like Passing Hail, unambiguously "took side with the white people."[306] Others worked in the midst of the chaotic violence to save those under attack. According to Jerome Big Eagle (Wamditanka), at one point chief of a Mdewakanton bands, "nearly every Indian had a friend that he did not want killed."[307] Some who sought to protect their friends were able to warn them ahead of time. Such was the case with Joseph Coursolle (a.k.a. Joe Gabbro or Hinhankaga or The Owl), "a teamster and fur trader" who lived at Redwood Agency.[308] In the pre-dawn darkness a woman slipped into his bedroom and warned him, in whispered "Sioux," of the impending attack. Despite Coursolle's feeling that he was "as much Indian as white," and doubting he would be killed by "Indians [who] . . . have been my friends for years," he and his "white" wife, Jane Killkool, fled to Fort Ridgely "where the white soldiers live[d]."[309] For his part, once the bloodshed began Jerome Big Eagle went to Redwood Agency in order "to save the lives of two particular friends if I could."[310] Similar scenarios played out in countless subsequent confrontations. In addition to protecting friends, Sioux people tried to save complete strangers. Sometimes this could be done by incorporating "white people" into their households or families in the midst of the conflicts, effectively Indianizing and protecting them. One old "Sioux" woman welcomed an imperiled "white man" into her teepee in hopes of gaining a housemate capable of carrying the wood and water she could no longer lift. Another Sioux family adopted a "German" girl as their own.[311]

In many instances people escaped death when relatives among the assailants intervened on their behalf. The experiences of Antoine Joseph Campbell, a "mixed-blood" teamster, offer but one example. When "an Indian leveled his gun" at Campbell during the attack on Redwood Agency, eight men who were "related by blood" to his father stepped in.[312] Indeed, the role of families—especially those with active, intimate, and identifiable ties to both "Indian" and "white" groups—throws the internecine nature of the entire conflict into sharp relief.[313] Take, for instance, George Quinn. Described by historians as a "mixed-blood" whose mother was a member of the Mdewekanton Band, Quinn described himself as "half white man and half Indian" but considered himself Indian: as he put it, "I never learned to speak English and I was

---

[306] In Cecelia Campbell's account Passing Hail is described as being "related by blood to Grandfather Scott Campbell," Cecelia Campbell Stay, "Cecelia Campbell Stay's Account," in *Through Dakota Eyes: Narrative Accounts of the Minnesota Indian War of 1862*, ed. Gary Clayton Anderson and Alan R. Woolworth (St. Paul: Minnesota Historical Society Press, 1988), 49.

[307] Mr. and Mrs. Harry Lawrence, "Esther Wakeman's Reminiscences," 56.

[308] Coursolle was the son of Pierre Coursolle, "a French-Canadian fur trader" and Base-deche-xmiou, a "Sisseton Dakota" woman. His parents died when he was a child, and he "was reared and educated by Henry H. Sibley at Mendota." Sibley, who had worked in the Minnesota fur trade since 1835, would soon command the Union forces in the field against the "Sioux," a task he continued into 1866. Anderson and Woolworth, *Through Dakota Eyes*, 57, 67.

[309] Clem Felix, "Joseph Coursolle's Story," in *Through Dakota Eyes: Narrative Accounts of the Minnesota Indian War of 1862*, ed. Gary Clayton Anderson and Alan R. Woolworth, trans. F. J. Patten (St. Paul: Minnesota Historical Society Press, 1988), 58.

[310] Big Eagle, "Big Eagle's Account," 56.

[311] Anderson and Woolworth, *Through Dakota Eyes*, 129.

[312] Ibid.; Stay, "Cecelia Campbell Stay's Account," 49–50; Anderson and Woolworth, *Through Dakota Eyes*, 66 n. 6. "Account;" Among Campbell's protective kinsmen was "Iron Elk or Hahakamaza . . . a leader in Cloud Man's band of Mdewakantons."

[313] The conflict was internecine when viewed from the perspective of U.S. Army participants as well. William H. Forbes, who led forces against the Sioux in 1862, "had fathered children with mixed-blood or full-blood Dakota wives." Major Joseph Brown, who also led forces against the Sioux, had a wife and children in the community, and was "known for his lifelong pursuit of Indian women." Some alleged he had "many children in the Dakota tribe." During the 1862 events, "The Soldiers' Lodge" "decreed . . . that anyone bringing in the scalp of Sibley [or] [Joseph R.] Brown, [William] Forbes . . . or the American flag . . . would receive as a present from the tribe all the waupum beads in camp and be showered with all the honors within the gift of the people, and be thereafter looked up to as the hero and chief warrior of the tribe." At the Mankato execution, Brown separated the condemned men from the pardoned in preparation for their walk to the gallows. Among those who were then hung may have been Henry Sibley's son. As noted elsewhere, Sibley had a daughter by a Sioux woman and raised another child—Joseph Coursolle—of Sioux ancestry. Rumor had it "that Sibley had 'two or three regular Dakota wives and had several children besides.'" According to historian Walt Bachman, "the best historical evidence" indicates that Sibley fathered at least one child by Wanske, "full-blood Dakota woman of the Mdewakanton band." This child, a son named Henry Milord, was executed at Mankato. Anderson and Woolworth, *Through Dakota Eyes*, 57, 70, 222; Berg, *38 Nooses*, 227, 254.Bachman, Walt, *The Filicide Enigma: Was Gen. Henry Sibley's Son Hanged in Mankato?*, 2, 9.

raised by the Indians as one of them. So when the outbreak came I went with my people against the whites."[314] Quinn participated in an assault on U.S. troops in "Captain (John S.) Marsh's company at Redwood Ferry, the first day of the outbreak at the agency, and helped to destroy that command." Among those George Quinn helped kill in that action was Peter Quinn, a "mixed-blood" government interpreter who may have been his father.[315] Meanwhile, Peter Quinn's son William L. Quinn, "whose mother was a half-breed Chippewa," assisted Sibley's troops as an army scout against the Sioux.[316] William's wife, "a half-blood Dakota woman of the Medwakanton band" named Angelique Jeffries Quinn, and three children, Ellen, William and Thomas, were taken captive by the "Indians" but escaped during the "fighting at Wood Lake" and fled to Fort Ridgely.[317] Thomas Trueman Quinn, "born by the Red River of the North of Irish and Sioux half-breed parents," was clerking at a trading post when the Yellow Medicine Agency was attacked. He is said to have survived "when a Sioux relative hid him under a pile of blankets" (or, alternatively, by "crawl[ing] into a barrel under his store counter").[318]

A close look at Antoine Campbell's family reveals similar tensions and complexities in community loyalties. Campbell describes being targeted in the attacks, and was taken captive along with his wife and children, but two of his younger brothers fought for the Sioux that year. In the aftermath, Hypolite (Paul) Campbell fled northward across the international boundary. His brother Baptiste Campbell was tried by the U.S. Army tribunal, convicted for participation in the war, and hanged at Mankato in the mass December execution. Antoine Campbell subsequently served the American army as a scout against the Sioux.[319] Another brother, John L. Campbell, was away at the time of the 1862 conflict: he had enlisted in the Union Army in 1861 and was fighting in the Civil War.[320]

In the midst of battle, groups of Sioux confronted one another. Some Indian men reportedly killed two of the Sioux men responsible for the Acton debacle, alleging they were "the cause of all this suffering."[321] Others plotted to rescue captives "and try and have them sent back to the whites . . . [or] take them on with them to Pembina and send them to their friends from the

---

[314] Anderson and Woolworth, *Through Dakota Eyes*, 93-94. Quinn was also known as George Ortley, Wakandayamani, or The Spirit that Rattles as It Walks.

[315] It is unclear from existing documentation whether Peter Quinn was George's father. Peter is known to have had children of Indian ancestry in the community, including William L. Quinn. William L. Quinn interpreted (his half-brother?) George Quinn's account of the 1862 conflict when George was interviewed, in 1898, by a "St Paul newspaperman," Ibid., 84, 94, 266. Anderson, *Kinsmen of Another Kind: Dakota-White Relations in the Upper Mississippi Valley, 1650-1862*, 153, 262.

[316] Anderson and Woolworth, *Through Dakota Eyes*, 94, 249, 274; Dan L. Thrapp, *Encyclopedia of Frontier Biography: P-Z* (U of Nebraska Press, 1991), 1183. Some sources say that Peter Quinn was "an Irish immigrant who married a mixed-blood Christenaux (Cree) Indian woman, making William one-quarter Cree by blood." During his youth, William Quinn spent "three years' boarding and studying at a school in Fort Garry, British North America (now Canada). Bachman, Walt, *The Filicide Enigma: Was Gen. Henry Sibley's Son Hanged in Mankato?*, 16.

[317] Mary Butler Renville, Carrie R Zeman, and Derounian-Stodola, *A Thrilling Narrative of Indian Captivity Dispatches from the Dakota War* (Lincoln: University of Nebraska Press, 2012), 291; Anderson and Woolworth, *Through Dakota Eyes*, 118, 127, 248; Bachman, Walt, *The Filicide Enigma: Was Gen. Henry Sibley's Son Hanged in Mankato?*, 16. Charles Crawford identified Angelique's mother, who was captured with her daughter and grandchildren, as "Wi-no-na-gi-na." She was also known as Elizabeth Jeffries. I have been unable to find further information about Angelique's background.

[318] Vic Parsons, *Lesser Expectations: Charles Dickens' Son in North America* (Friesen Press, 2013), 147; Myrna Kostash, "A Tale of Two Massacres," *Literary Review of Canada*, n.d., 1, http://reviewcanada.ca/magazine/2012/12/a-tale-of-two-massacres/.

[319] Anderson and Woolworth, *Through Dakota Eyes*, 65.

[320] Ibid., 215n2. John L. Campbell later "deserted the army and returned to Minnesota in March 1864." He must have then been captured by the army and arrested for desertion, for he subsequently "broke out of the Fort Snelling guardhouse and joined the Dakotas who were living near Fort Garry, Manitoba." In April of 1865 he was again in Minnesota, and was "captured and lynched at Mankato on May 3, 1865," after reportedly leading "a raiding party" that killed "the Jewett family." Other families with members in conflict included that of Simon Anawangmani. At the battle at Wood Lake "Simon's son was there on the hostile side, and he brought his father out to the hostile line and they surrounded him and was consulting whether to kill him or not, and it happened that some of his own men were there with his son and protected him." in Solomon Two Star, "Solomon Two Star's Testimony," in *Through Dakota Eyes: Narrative Accounts of the Minnesota Indian War of 1862*, ed. Gary Clayton Anderson (St. Paul: Minnesota Historical Society Press, 1988), 244.

[321] Francis Densmore, "Good Star Woman's Recollections," in *Through Dakota Eyes: Narrative Accounts of the Minnesota Indian War of 1862*, ed. Gary Clayton Anderson and Alan R. Woolworth (St. Paul: Minnesota Historical Society Press, 1988), 53.

British side."[322] Taopi (Wounded Man), a Christian convert who had for several years been head chief of "the farmer band at Redwood Agency," recalled that "the hostile Indians" "came to our village and commanded us to take off our citizen's clothing and put on blankets and leggings. They said they would kill all of us 'bad talkers.' We took our guns and were prepared to defend ourselves."[323] These confrontations, as Taopi's story suggests, revolved around visible markers of ethno-cultural allegiance. In a milieu as mixed as that associated with Minnesota's Sioux reservations, classic (mis)conceptions of biological race or ancestry had little to do with such loyalties. Instead of focusing exclusively on ancestry, and what might be considered visible indications thereof, like skin tone, combatants assessed one another and signaled to others via clothing, hairstyle, language, and geographic indicators (like the direction in which one moved, or whom one camped near).[324]

With no clear "racial" divide between the two sides combatants relied on markers of allegiance that were easily altered. This mutability flowed from the inter-group fluidity that had long characterized the region's communities. It also facilitated the continuation of that fluidity during the Dakota conflict and beyond. Recall Taopi's would-be attacker. He offered immunity to those who agreed to abandon the trappings of Americans or American allegiance –"citizens clothing" and "bad talk"—and don those of Sioux allegiance—in this case "blankets and leggings." Clothing was sometimes used merely as a disguise—as when Joseph LaFramboise saved two "white traders" by providing them blankets and "trying to get them to wear them the same as an Indian wears a blanket"—but it also played a more meaningful role. Throughout the conflict, one enacted one's politics and position via clothing and other outwardly visible markers.[325]

Tangled Lines of Conflict and the "American" Side

The lines of conflict were only somewhat clearer from the perspective of American officials who, in offices far removed from the messy realities on the ground in western Minnesota, tried to sort out what was happening and how to respond. Even to people intimately familiar with the Minnesota frontier, it was far from self-evident who was attacking whom, and why. When Minnesota Governor Alexander Ramsey first got word of the violence, he alerted United States Secretary of War E. M. Stanton that "the Sioux Indians on our western border have risen, and are murdering men, women, and children."[326] Other communications with Secretary Stanton linked the attacks to a broader offensive across the entire Northern Plains in which "Indians, from Minnesota to Pike's Peak, and from Salt Lake to near Fort Kearny, [were] committing many depredations." They had ostensibly been incited by "rebel agents . . . from border slave States" who were passing through on their way to the Idaho mines.[327] Alternatively, some alleged "the British Government, through the Hudson Bay Company" was "instigating all

[322] Charles R. Crawford, "Charles's R. Crawford Testimony," in *Through Dakota Eyes: Narrative Accounts of the Minnesota Indian War of 1862*, ed. Gary Clayton Anderson (St. Paul: Minnesota Historical Society Press, 1988), 202.
[323] Taopi testified before the military commission at the trials of his tribesmen, and in 1863 served as a scout for General Sibley. He also signed an 1865 "treaty with the Sioux—Lower Brule Band, 1865" as a Chief, as well as an 1882 Agreement as chief or headman of those receiving rations at Standing Rock, Anderson and Woolworth, *Through Dakota Eyes*, 65.
[324] In this they resembled other armies, like the Union and Confederate forces then fighting in the east.
[325] These enactions related to the social cleavages in Sioux society before the uprising, which are summarized in Anderson, *Kinsmen of Another Kind: Dakota-White Relations in the Upper Mississippi Valley, 1650-1862*, 257–258.
[326] Alex Ramsey to Hon. E.M. Stanton Secretary of War, Saint Paul, Minn., August 21, 1862, in *OR*, vol. XIII, I, ed. U. S. War Dept. (Washington: GPO, 1885), 590.
[327] James S. Craig to Hon. E.M. Stanton, Fort Laramie, Wyo., August 23, 1862, in *OR*, vol. XIII, I, ed. U. S. War Dept. (Washington: GPO, 1885), 592; Jas. Craig to Major-General Halleck, Fort Laramie, Wyo., August 25, 1862, in *OR*, Vol. XIII, I, ed. U. S. War Dept. (Washington: GPO, 1885), 596. Fort Kearney was in what is now south-central Nebraska, and Pike's Peak is in central Colorado.

these Indians to attack the whites [and] . . .the whole western frontier from Saint Paul to New Mexico will be attacked" unless the U.S. sent a force to "punish these Minnesota Indians."[328]

Reports to Washington specifically identified "Chippewas" and "Winnebagoes" as ready to join "the Sioux." President Lincoln's personal secretary, John Nicolay, was in Minnesota at the time of the first attacks, having arrived in July to join the U.S. Commissioner of Indian Affairs, William Dole, in negotiating "a land-cession treaty with the Pembina and Red Lake bands of Chippewa Indians . . . to acquire for the United States full rights to the rich Red River Valley." When news of the Redwood Agency attacks reached the two men, who were traveling westward, they retreated to St. Paul, from where they personally updated President Lincoln.[329] On August 27th, Nicolay warned that with "wild panic prevail[ing] in nearly one-half of the State," the "Indian war grows more extensive . . . The Sioux, numbering perhaps 2,000 warriors, are striking along a line of scattered frontier settlements of 200 miles . . . The Chippewas, a thousand warriors strong, are turbulent and threatening, and the Winnebagoes are suspected of hostile intent."[330] Some reports even intimated that these simultaneous threats were no coincidence, but worse—the product of careful coordination. The very day of the attack on Redwood Agency, an agent to the Chippewa reported Chippewa "fighters" led by a chief named Hole-in-the-Day assembling at Minnesota's Gull Lake. The agent immediately sent for soldiers from Fort Ripley.[331] By mid-September, the region's military commander Major-General Pope declared that "the Chippewas" had "also begun to rob and murder" and "the whole of the Indian tribes as far as the mountains [were] in motion."[332]

U.S. officials sought to clarify not only who was doing the attacking but also who was being attacked. By early September the "Minnesota" uprising embroiled three large states and two huge territories. An attack on the settlement of Sioux Falls in Dakota Territory created, in the words of the Territorial Governor W. Jayne, a state of chaos in which "a general alarm pervades . . . Family after family are leaving our territory and whole settlements are about to be broken up." Jayne requested "immediate aid and assistance" from the U.S. Military to protect "a few thousand people at the mercy of 50,000 Indians should they see proper to fall upon us."[333] In a terse missive to the U.S. Secretary of War, the Acting Governor of Nebraska Territory described a similar scene in his domain: "Powerful band of Indians returning from Minnesota into northern settlements. Nebraska settlers by hundreds fleeing. Instant action demanded."[334] Nebraska officials from the federal Department of Interior reported that "Sioux Indians" had also "commenced hostilities upon" the state's "Pawnees."[335] In neighboring Iowa State, Governor Samuel Kirkwood was no more sanguine. "Yankton Indians on our western border, north of the Missouri River, have joined with the hostile Indians in Minnesota, and threaten our whole

---

[328] H. C. Nutt to Hon. Samuel J. Kirkwood, State of Iowa, Adjutant-General's Office, Council Bluffs, Iowa, September 15, 1862, in *OR*, vol. XIII, I, ed. U. S. War Dept. (Washington: GPO, 1885), 640.

[329] Theodore C. Blegen, ed., *Lincoln's Secretary Goes West: Two Reports by John G. Nicolay on Frontier Indian Troubles 1862* (La Crosse, Wis.: Sumac Press, 1965), 9.

[330] M. S. Wilkinson, W. P. Dole, and Jno. G. Nicolay, to President of the United States, Saint Paul, Minn., August 27, 1862, in *OR*, vol. XIII, I, ed. U. S. War Dept. (Washington: GPO, 1885), 599; Jno. G. Nicolay to Hon. E. M. Stanton, Saint Paul, Minn., August 27, 1862, *OR*, Vol. XIII, I, ed. U. S. War Dept. (Washington: GPO, 1885), 600.

[331] Blegen, *Lincoln's Secretary Goes West*, 11.

[332] Jno. G. Pope to Major-General Halleck, Saint Paul, Minn., September 16, 1862, in *OR*, vol. XIII, I, ed. U. S. War Dept. (Washington: GPO, 1885), 642; Jno. Pope to Major-General Halleck, Headquarters Department of the Northwest, Saint Paul, Minn., September 23, 1862, in *OR*, vol. XIII, I, ed. U. S. War Dept. (Washington: GPO, 1885), 664.

[333] W. Jayne to General James G. Blunt, Yankton, Dak., Executive Office, September 3, 1862, in *OR*, vol. XIII, I, ed. U. S. War Dept. (Washington: GPO, 1885), 613.

[334] A. S. Paddock to Hon. E.M. Stanton, Omaha, Nebr., September 9, 1862, in *OR*, vol. XIII, I, ed. U. S. War Dept. (Washington: GPO, 1885), 621.

[335] Caleb B. Smith to Hon. E.M. Stanton, Department of the Interior, September 16, 1862, in *OR*, vol. XIII, I, ed. U. S. War Dept. (Washington: GPO, 1885), 644.

northwestern frontier," he wrote Secretary of War Stanton, "the settlers are flying by hundreds . . . The danger is imminent, and nothing but prompt action can stop the terrible massacre."[336] Wisconsin, too, was in "panic everywhere."[337]

Meanwhile, Minnesota's Governor Ramsey implored President Lincoln to consider the attacks on the region's settlers an assault against the Union itself. "This is not our war," he wrote, "it is a national war. . . . Answer me at once. More than 500 whites have been murdered by the Indians."[338] The President had apparently already come to the same conclusion. That same day—September 6—Secretary of War Stanton created a new military division, the boundaries of which were defined by the perceived Sioux threat. The Department of the Northwest encompassed "the States of Wisconsin, Iowa, Minnesota, [and] the Territories of Nebraska and Dakota"—the five jurisdictions directly affected by the 1862 events. Stanton ordered Maj. Gen. John Pope to command it with "such prompt and vigorous measures as shall quell the hostilities." Pope was to proceed at once to St. Paul to establish department headquarters and from there initiate military operations.[339]

One of his first orders of business would be to identify who, in fact, was the enemy. To this end Col. Sibley, commanding the military expedition in the field, tried to conceptually and physically separate "friendly" from "hostile" "Sioux." Sibley first issued instructions intended for "those of the Half-Breeds and Sioux Indians who have not been concerned in the murder and outrages upon the white settlers." Such "innocent persons," were to make themselves visible to the approaching army by "withdraw[ing] from these guilty people . . . tak[ing] up a separate position and hoist[ing] and flag of truce."[340]

Sibley was a man well-prepared for his position, for he had known the Minnesota Sioux intimately for decades. Like most men in the fur business, Sibley had married an Indian woman—a "Sioux" named Red Blanket—during his time as a trader, and their marriage produced a daughter, Helen Hastings Sibley, also known as Wahkiyee (Bird).[341] He also had an adopted son of Sioux ancestry, Joseph Coursolle, whom he raised from childhood.[342] Rumor had it "that Sibley had 'two or three regular Dakota wives and had several children besides.'" According to historian Walt Bachman, "the best historical evidence" indicates that among them was a child Sibley fathered by Wanske, "full-blood Dakota woman of the Mdewakanton band." This child, a son named Henry Milord, was executed at Mankato.[343]

On September 23, about five weeks after the first attacks, Sibley's forces engaged some 300 Sioux fighters in the final 1862 battle of the conflict, at Wood Lake. After Wood Lake, "Sioux" people basically had two options: they could flee or surrender. Some "Indians and

---

[336] Samuel J. Kirkwook to Hon. E.M. Stanton, Des Moines, September 8, 1862, in *OR*, vol. XIII, I, ed. U. S. War Dept. (Washington: GPO, 1885), 620.
[337] John Pope to Major-General Henry Halleck, Saint Paul, Minn., September 16, 1862. *OR*, vol. XIII, I, ed. U. S. War Dept. (Washington: GPO, 1885), 642.
[338] Alex Ramsey to The President, Saint Paul, Minn., September 6, 1862, in *OR*, vol. XIII, I, ed. U. S. War Dept. (Washington: GPO, 1885), 617.
[339] Edwin M. Stanton to Maj. Gen John Pope, War Department, Washington, D.C., September 6, 1862, in *OR*, Vol. XIII, I, (Washington: GPO, 1885), 617; Edwin M. Stanton by order of the Secretary of War: L. Thomas to War Department, Washington, D.C., September 6, 1862, in *OR*, Vol. XIII, I, ed. U. S. War Dept. (Washington: GPO, 1885), 618; Edwin M. Stanton by order of the Secretary of War: L. Thomas to War Department, Washington, D.C., September 7, 1862, "General Orders 128", in *OR*, Vol. XIII, I, ed. U. S. War Dept. (Washington: GPO, 1885), 618.
[340] H. H. Sibley to "those of the Half-Breeds and Sioux Indians who have not been concerned in the murder and outrages upon the white settlers, Headquarters in Camp," September 13, 1862, in *OR*, vol. XIII, I, ed. U. S. War Dept. (Washington: GPO, 1885), 632.
[341] Both Helen and Red Blanket died before the events of the early 1860s. Rhoda R Gilman, *Henry Hastings Sibley: Divided Heart* (St. Paul: Minnesota Historical Society Press, 2004), 76, 165.
[342] As noted above, Coursolle was the son of "a French-Canadian fur trader" and a "Sisseton Dakota" woman. Sibley adopted him after his parents died when he was a child. Felix, "Joseph Coursolle's Story," 57.
[343] Anderson and Woolworth, *Through Dakota Eyes*, 57, 70, 222; Berg, *38 Nooses*, 227, 254; Bachman, Walt, *The Filicide Enigma: Was Gen. Henry Sibley's Son Hanged in Mankato?*, 2, 9.

halfbreeds," whom the army identified as "friendly," exchanged avowals of non-aggression with Col. Sibley. They then encamped "nine miles below Lac-qui-Parle," where they were joined by the U.S. Army, which established "Camp Release" nearby. At Camp Release Sibley continued his efforts to spatialize his conceptual categories of "good" and "bad" "Sioux" so that he could readily identify otherwise indistinguishable groups. In letters addressed to certain individuals "at Red Irons Village," Sibley urged bands that were "friends of the Great American Father" "not to mix yourselves up with the bands that have been guilty of these outrages. . . Those who are my friends must raise a white flag when they see me approaching, that I may be able to know my friends from my enemies."[344] More importantly, they needed to "have a white flag displayed so that my men will not fire on you."[345] Sibley also worked to establish geographic separation by "race." Those in the "friendly" Sioux camp managed to keep with them most—200 or so—of the captives taken in the attacks, both "pure whites" and "halfbreeds," whom they formally released to Sibley's care. Sibley installed the 91 "pure white women and children" in his own camp, where he had "prepared tents for their accommodation."[346] The "half-breed captive" group, whose exact composition and number eluded Sibley, he left in the camp with the "friendly Indians and half-breeds."[347]

Sibley assured leaders within the "friendly" camp that he would punish only those participants who had "murdered people in cold blood."[348] As new arrivals trickled in, he sent soldiers among them "for the examination of all the men, half-breeds as well as Indians . . . with instructions to sift the antecedents of each" so that he could "purge . . . suspected characters."[349] By October 9th some 1,500 Sioux encamped near the army. In the mind of Major-General Pope, they were Union "prisoners," although some Sibley described as "friendly Indians (scouts)." Many of those "Sioux" who returned soon found themselves being "tried" by a hastily assembled military tribunal, as did "a number of Winnebagoes." Pope promised his superiors that the people being tried would "be executed."[350] With these efforts underway, Pope opined, "the Sioux war may be considered at an end." But, he added, "an expedition must be made to Red Lake as soon as possible," for the "hostile" Chippewa there had "plundered the traders of large quantities of goods."[351]

1862 and After

Despite his conclusion that "the Sioux war" itself was over, Pope felt that related conflicts loomed, especially in the face of "strong testimony that white men led the Indians in [the] late outrages." Eliminating the "Sioux" threat was but a first step in establishing U.S. military control over the region. As it sought to make, enforce and spatialize distinctions

[344] H. H. Sibley to Tatankanazin, Headquarters Wood Lake, September 24, 1862, in *OR*, vol. XIII, I, ed. U. S. War Dept. (Washington: GPO, 1885), 667.
[345] H. H. Sibley to Mazakatame, Toopee, and Wakenannante, At Red Irons Village, Headquarters Wood Lake Camp, September 24, 1862, in *OR*, vol. XIII, I, ed. U. S. War Dept. (Washington: GPO, 1885), 666-667.
[346] H. H. Sibley to General Pope, Camp Release, Opposite Mouth of Chippewa River, September 27, 1862, in *OR*, vol. XIII, I, ed. U. S. War Dept. (Washington: GPO, 1885), 680.
[347] Big Eagle, "Big Eagle's Account," 235.
[348] Ibid.
[349] H. H. Sibley to General Pope, Camp Release, Opposite Mouth of Chippewa River, September 27, 1862, in *OR*, vol. XIII, I, ed. U. S. War Dept. (Washington: GPO, 1885), 679-680; H. H. Sibley to Col. Charles E. Flandreau, Camp Release, Nine Miles Below Lac Qui Parle, September 28, 1862, in *OR*, vol. XIII, I, ed. U. S. War Dept. (Washington: GPO, 1885), 687-688.
[350] Major General John Pope to Major General Henry W. Halleck, Saint Paul, Minn., October 9, 1862, in *OR*, vol. XIII, I, ed. U. S. War Dept. (Washington: GPO, 1885), 722.
[351] Jno. Pope to Maj. Gen. H. W. Halleck, Saint Paul Minn., October 7, 1862, in *OR*, vol. XIII, I, ed. U. S. War Dept. (Washington: GPO, 1885), 716; Jno Pope to Maj. Gen. Halleck, Saint Paul, Minn., October 9, 1862, in *OR*, vol. XIII, I, ed. U. S. War Dept. (Washington: GPO, 1885), 722.

between Sioux groups, the Union Army also hoped to keep "Sioux" separate from those it perceived as their potential allies. Upon assuming command of the new Department of the Northwest, Major-General Pope deployed 1,000 soldiers, "500 mounted and 500 infantry," to Crystal Lake, where they would stand "between the Winnebago and the Sioux."[352] In the campaigns that followed, efforts to identify and separate potential participants by race, tribe, band, and beliefs became the Union Army's primary focus, as military fears about "combinations of Indians," and the influence of "outsiders" thereupon, mounted.

There is some evidence that the actions of the "Chippewa," and the involvement of the "Winnebagoes," were part of a coordinated plan, or at least the contemplation of one, among some of the region's indigenous people. According to Jerome Big Eagle, when "it began to be whispered that now would be a good time to go to war with the whites and get back the lands" it was also understood that "the Winnebagoes, and even the Chippewas, would assist the Sioux."[353] Joseph Godfrey also testified that that "Sioux" expected assistance from other indigenes in the region: "the war parties . . . thought that the Winnebagoes would commence at Mankato and attack the lower settlements."[354] Several years after the Minnesota attacks, "Indian" army informant Rev. James Tanner recalled that he "heard Mr. Hole-in-the-Day . . . say to me in his own house four years ago that he could clear out one-half of Minnesota, while the Sioux would the other half."[355] An Episcopalian deacon at the Gull Lake (Chippewa) Reserve in mid-August 1862 made a similar claim, sounding the alarm that "Hole-in-the-Day was going to clean out the country and drive on to St. Paul."[356] Other informants suggested the existence of a broader, more detailed plan of coordination. Samuel Brown, son of "Joseph R. Brown, the noted frontiersman and Indian agent for the Dakotas" and "Susan Frenier Brown, a mixed-blood Dakota," claimed to have overheard Little Crow say that "the plan was for the Winnebago Indians to sweep down the Minnesota river from Mankato to St. Paul, the Chippewa Indians down the Mississippi from Crow Wing to St. Paul, and the lower Sioux down between the two rivers from lower agency through the big woods at St. Paul; that all would meet in the neighborhood of the confluence of the two rivers and make a grand charge on Fort Snelling."[357]

Whether or not such specific plans existed remains uncertain.[358] Few, if any, histories of the Minnesota conflict explore the possibility of "intertribal" coalitions.[359] Most existing histories of Indian communities in the region focus on a single reservation (and its complex internal relations of conflict and cohesion) or tribe rather than ongoing interaction between

---

[352] Jno. Pope, to Col. H. H. Sibley, Headquarters Department of the Northwest, September 17, 1862, in *OR*, vol. XIII, I, ed. U. S. War Dept. (Washington: GPO, 1885), 649.
[353] Big Eagle, "Big Eagle's Account," 235.
[354] Anderson and Woolworth, *Through Dakota Eyes*, 92.
[355] James Tanner to General H. Z. Mitchell, Whitewater, Wis., August 16, 1864, in *OR*, vol. XLI, I, part III, ed. U. S. War Dept. (Washington: GPO, 1893), 127. Tanner, who spent much of his life in the Pembina/Winnipeg area, was the son of John Tanner and a Saulteux (?) woman. His father had helped Selkirk establish the Red River settlement that bore his name. James Tanner himself married a Saulteaux woman. He died during the 1869 Red River conflict.
[356] Mark Diedrich, "Chief Hole-in-the-Day and the 1862 Chippewa Disturbance: A Reappraisal," *Minnesota History*, 1987, 193.
[357] Brown, "Samuel J. Brown's Recollections," 131. Official Minnesota State reports from the period say simply that "there was a quasi-understanding between the Sioux and the Chippewa Indians that they should make common war upon the whites." Minnesota and Board of Commissioners on Publication of History of Minnesota in Civil and Indian Wars, *Minnesota in the Civil and Indian Wars 1861-1865*, 1890, 257.
[358] Peter Douglas Elias, *The Dakota of the Canadian Northwest: Lessons for Survival* (Regina: Canadian Plains Research Center, University of Regina, 2002), 27, 29, 131.
[359] A notable exception is an article by Mark Diedrich that explicitly examines what the author calls "the conspiracy theory," ie. the idea of a "conspiracy between the two leading chiefs of the tribes, Little Crow and Hole-in-the-Day." Diedrich dismisses this theory on the grounds that "most informed historians have failed to see any ground to substantiate it" and that only "one link . . . connects the two events," ie. the Indian Department. "The real cause of the Chippewa disturbance" was not some broader plan in response to a larger context, but was "rather the greed of [Chippewa Agent Lucius] Walker." Diedrich, "Chief Hole-in-the-Day and the 1862 Chippewa Disturbance," 194-195.

groups.[360] As a result, beyond occasional references to the involvement of a few individual Winnebagoes, suggestions of significant intertribal cooperation in the 1862 conflict remain unexamined in secondary sources. In Melissa Meyer's wonderful history of Minnesota's White Earth reservation, for instance, Anishinaabe chief Hole-in-the-Day's "carefully coordinated attacks on symbols of American domination," like the U.S. land office and St. Columba Mission, "coincided" with the Sioux attacks. The question of whether this coincidence was in fact a product of planning is left unasked, and unanswered.[361] But the degree to which the Sioux and Chippewa plans did in fact coincide—Hole-in-the-Day reportedly sent out messengers urging an attack "on about August 17" and planned "to kill the whites, massacre the agency people, and attack Fort Ripley"—is suggestive.[362]

Primary documents do make clear, however, extensive intertribal involvement in the conflict *after* the Battle of Wood Lake. At the end of the conflict in 1862, U.S. authorities could account for less than a third "of the approximately 6,300 Eastern Sioux" who had lived in the region before the uprising. [363] When the thousands of "Sioux" who refused to surrender rushed out of Minnesota, their escape relied on and reflected extensive interrelationships throughout the region. The "Sioux" refugees are commonly understood to have retreated to adjacent areas that were neither effectively controlled nor occupied by the United States, namely Dakota Territory and the "British Possessions" immediately to the north. But their destinations within that region were more particular than the undifferentiated expanses known by such names, and were likely chosen as much for who *did* occupy these areas as for who didn't.

Within the many thousands of square miles encompassed in Dakota Territory and the "British Possessions," refugees went especially to, and moved between, three specific places: Devil's Lake (in what is now the northeastern section of North Dakota), the Turtle Mountains (which straddled the border between U.S.-claimed and British-claimed territory to the northwest of Devil's Lake), and the established settlements along the Red River of the North in "British" territory (nominally governed by the Hudson's Bay Company under British royal charter).[364] These areas all boasted water and wood, but so too did countless other places near lakes and streams across the plains.[365] The refugees fled to these locales—which cluster together in a triangle covering what we now consider the intersection of Minnesota, North Dakota and Manitoba—because there they would find people from other indigenous communities who might help them.[366]

And of course all of these places, these communities of connection, housed not only members of local tribal groups but also individuals with ties to tribes across the Northern Plains.

---

[360] Melissa Meyer, *The White Earth Tragedy*; Roy W Meyer, *History of the Santee Sioux: United States Indian Policy* (Lincoln: Univ. of Nebraska Press, 1993); Anderson, *Kinsmen of Another Kind: Dakota-White Relations in the Upper Mississippi Valley, 1650-1862*.

[361] Meyer, *The White Earth Tragedy*, 44.

[362] Diedrich, "Chief Hole-in-the-Day and the 1862 Chippewa Disturbance," 201.

[363] According to James Howard, "of the approximately 6,300 Eastern Sioux who had lived in Minnesota and adjacent portions of North and South Dakota, Iowa, and Wisconsin prior to the Uprising of 1862, fewer than 2,000 were accounted for at the end of the hostilities. Some eight hundred Mdewakantons and Wahpekutes and nearly all the Sissetons and Wahpetons had fled to the prairies of Dakota Territory . . .In addition to those who later surrendered or died in the campaign of 1863-1864, some 3,000 eventually settled on the Sisseton and Devil's Lake reservations in Dakota Territory or on the Fort Peck Reservation in Montana. The remainder, after drifting back and forth across the border, finally settled in British Territory." James Howard, *The Canadian Sioux* (Lincoln: University of Nebraska Press, 1984), 25.

[364] "Eastern Sioux" had traded furs and pemmican in the Red River settlement since at least 1821. Ibid., 26. For movement between these locales see Howard, *The Canadian Sioux*; Peter Elias, *The Dakota of the Canadian Northwest*; and Anderson and Woolworth, *Through Dakota Eyes*.

[365] Edward Thompson Denig maintained that in Sioux-claimed country "comfortable camps can usually be found by anyone a little acquainted with the geography of the country through the entire length and breadth of the interior," Denig, *Five Indian Tribes of the Upper Missouri: Sioux, Arickaras, Assiniboines, Crees, Crows*, 8.

[366] For example, "after the battle of Wood Lake," Little Crow "and a few loyal followers fled to the Dakota plains where they spent the winter and spring attempting to form alliances with other Sioux bands or other Indian tribal groups or with the British in Canada," Anderson and Woolworth, *Through Dakota Eyes*, 40.

Especially important as potential allies were members of the explicitly-mixed indigenous communities called Métis. The mixed communities at Devil's Lake, the Turtle Mountains, and Red River contained people of many ancestries and affiliations, people we call Indian and people we call white and people we call Métis, as well as people we call French, British, German, Jewish, Chippewa, and Cree and Sioux and Crow and Snake and Blackfeet and Assiniboine etc. Such mixture meant that people of Sioux descent—whether considered Indian or Métis—composed a part of the population of each of the places to which the Sioux fled.[367] It also meant that destinations of the Sioux refugees offered opportunities for broader intertribal, as well as interracial, alliance-making. Moreover, since many of the "half-breeds" in these locales could move more freely between different national, racial, and tribal communities, they could help the hunted Sioux gain access to sorely-needed supplies and information. So, too, could the Jesuits who had built their missions in the midst of these communities of connection.

The Sioux refugees needed not only obvious things like guns and ammunition but all sorts of assistance.[368] Some, like Frank Jetty's mother, feared for their children's well-being and wanted help keeping them safe. Jetty's father, "a French-Canadian hunter and trapper," had gone to Fort Ridgely when the fighting began. Jetty described his mother, "a Dakota Indian," as "peaceful," a descriptor often associated with remaining in western Minnesota or moving eastward. But after the Minnesota battles she took her children westward into Dakota Territory. They wintered at Devil's Lake in 1862-1863 and then in the Turtle Mountains in 1863-1864. From there they traveled, along with other "Sioux," to Pleasant Lake, where they met "the half-breeds who came from Walhalla [St. Joe] and Pembina to hunt." As Jetty recalled, "the good Indians who had children with white blood feared that they would be killed by the wicked Indians. In the group were ten boys and four girls with white blood. Their parents asked the half-breeds if they would take these children and care for them so that the bad Indians would not kill them. They always had fear of the Sioux or of the soldiers." Moses Azure and his wife Leocadie Martelle adopted Jetty, then six years old, and Azure's brother adopted Jetty's sister, nine year-old Josephine.[369]

The Sioux or the soldiers. Both scared a Sioux mother so much that she gave away her children in order to protect them. Despite the fact that histories often portray the Sioux and the Métis (along with their close relatives the Chippewa) as inveterate enemies, Sioux people entrusted their children to the "half-breeds" of the Red River area. Their actions attest to the complex relationship between neighboring "enemy" tribes. Such intimate relations with Chippewa -related "half-breed" communities were by no means limited to those Sioux whose children had "white blood." In the spring of 1864, many of the "about six hundred Sioux" who had spent the previous winter in the vicinity of Fort Garry, "joined the Métis, the Plains Ojibwa mixed bloods with whom they had completed a treaty in 1862, on their annual buffalo hunt."

---

[367] This is true even of those places we now identify by the names of tribes that historians represent as steadfast Sioux enemies, like the Turtle Mountain home of the Chippewa reservation.

[368] In addition to immediate material assistance and supplies "Sioux Indians" who came to the "British settlements near Fort Garry" reportedly "ask[ed] for the establishment by the Hudson Bay Company of a trading post at Turtle Mountain, on or very near the boundary line." H. H. Sibley to Maj. Gen. John Pope, HDQRS. Dist. of Minn., Dept. of the Northwest, Saint Paul, Minn., September 9, 1864, in *OR*, vol. XLI, I, part III, ed. U. S. War Dept. (Washington: GPO 1893), 129.

[369] Martelle had "been educated by Rev. Father Belcourt." Azure is also spelled Asure. Frank Jetty's dad was Francis Shetais or Stay or Jetty. Jetty's father later remarried, to Cecelia Campbell. Jetty's mother is further identified as a cousin of White Dog, a "cut-hair" and farming instructor who "led Marsh and his men into ambush" during the conflict and was hanged at Mankato. Josephine ran away the next year and returned to her mother among the refugee Sioux. She later married M. Augustin LaFreniere. Jetty himself was thereafter raised at Walhalla/St. Joe, ND, where he married Julienne Dubois. They raised 11 children "in the vicinity of St. Michael, North Dakota." At Devil's Lake in 1863-63 the Jettys stayed at a spot that became the grounds of St. Michael's Mission. At the Turtle Mountains they were in the vicinity of what became Bottineau, ND, near good hunting and "the Fort of the Hudson Bay Co." Anderson and Woolworth, *Through Dakota Eyes*, 269–271; Kenneth Carley, *The Dakota War of 1862: Minnesota's Other Civil War* (St. Paul: Minnesota Historical Society Press, 1976), 16.

They returned in late August, "together with kinsmen they had met along the way, and now nearly 3,000 Sioux descended on the Red River settlement."[370]

Some Sioux sought not material assistance but counsel from well-connected "half-breeds." In January of 1864, after discussing his situation with "the Blackrobe" (probably Father Alexis Andre, who transcribed the letter), and "all the half-breeds [Jean Baptiste] Wilkie at the head," Little Wheat, "a Sisseton who had married Standing Buffalo's sister," wrote a letter to Sibley, whom he called Wasothiyapa. In his letter, Little Wheat proclaimed his allegiance to the many groups involved in the conflict. He had "the same affection for the Americans as for the English. I like them both. When I meet with Wilkie and the half-breeds I approve [sic] as much pleasure as I do when I meet my near relations." He signed off with the wish that his letter would be reported to his mother, his nephews, and his "cousin, Joseph Desmarais," a "French and Chippewa half-breed," who was then working as a scout for the U.S. Army.[371]

Conferring with the likes of Wilkie extended the discussion to many of the region's indigenous communities. Wilkie was the son of a Scottish immigrant and a "fullblood" Chippewa named Meshekamkijkok, and husband to Amable Azure, of Ojibwe and Assiniboine ancestry.[372] He settled in St. Joseph, Dakota Territory, in "about 1847" and his house was well known as "a meeting place for both Sioux and Ojibway Indians."[373] Throughout his life, Wilkie played important leadership roles in a variety of indigenous groups. He served as an elected chief of Red River "Métis" buffalo hunts in the 1830s, 40s, and 50s (at least); participated in treaty negotiations between the U.S. and the "Pembina, Red Lake and Pillager Chippewas" in 1851, the U.S. and the "Lake Superior and Mississippi Chippewas" in 1854, and the U.S. and "Red Lake and Pembina Chippewas" in 1863; and served on governing councils of the Turtle Mountain Chippewa reservation, where he was ultimately enrolled, into at least the 1880s.[374]

Meetings in the mixed communities of the Turtle Mountains and Red River also integrated these discussions into broader socio-spatial networks of which these communities were a part. One need only recall the lives of Broken Arm and Johnny Grant (then living at Red River), Wilkie's contemporaries and affiliates, to envision how expansive and consistent were the connections between the mixed communities that were the destinations of the Sioux retreat. People in the Turtle Mountain and Red River communities were connected not only through kinship and co-mingling but also through formal political alliances to Indian groups across the Plains. Given the extreme mobility and remarkable expansiveness of Northern Plains native groups in this period, such connections functioned not merely at a conceptual level, but were enacted in day to day interactions. In his capacity as a leader of different "half-breed" and Chippewa communities since at least the 1830s, Jean Baptiste Wilkie was formally affiliated with, at a minimum, groups we call Cree and Assiniboine, some of whom allied with Chippewa and Métis groups around 1820 in the Nehiyaw Pwat Confederacy. By the time the Sioux met

---

[370] Howard, *The Canadian Sioux*, 28, 31. Eastern Sioux led by White Cap and the son of Standing Buffalo, who were contacted by Canadian treaty commissioners in 1875, "informed them that his people had been in the region for thirteen years and that they wished to be left as they were, with the privilege of hunting with the Métis."

[371] Little Wheat, "Little Wheat's Letter," in *Through Dakota Eyes: Narrative Accounts of the Minnesota Indian War of 1862*, ed. Gary Clayton Anderson and Alan R. Woolworth (St. Paul: Minnesota Historical Society Press, 1988), 289–290. Sibley was also known as Wapetonhonska, ie. The Long Trader, Big Eagle, "Big Eagle's Account," 149; or Wo Pa Tun Han Ska, The Long Merchant, Stay, "Cecelia Campbell Stay's Account," 253. This description of Desmarais comes from an 1876 text by John Williams. Desmarais was "born in the Red River settlement. He came to Fort Snelling as guide and interpreter." John Fletcher Williams, *A History of the City of Saint Paul to 1875* (Minnesota Historical Society Press, 1876), 137.

[372] Lawrence Barkwell, "Jean Baptiste Wilkie," *Métis Museum*, http://www.metismuseum.ca/media/document.php/07258.Jean%20Baptiste%20Wilkie.pdf.

[373] Anderson and Woolworth, *Through Dakota Eyes*, 296.

[374] Foster, *We Know Who We Are*, 2006, 37, 43–46, 172; Gerhard Ens, *Homeland to Hinterland: The Changing Worlds of the Red River Métis in the Nineteenth Century* (Toronto: University of Toronto Press, 1996), 40.

with Wilkie, the many connections between the four primary Nehiyaw Pwat groups were so thoroughgoing that they were, to observers, "virtually indistinguishable" from one another. Other groups—like the Kootenai peoples who then lived on both sides of the continental divide in what is now British Columbia and Montana—also formally affiliated with Nehiyaw Pwat constituents.[375] Through the communities of connection to which the Sioux fled, discussion of the uprising and its aftermath would have traveled across the Northern Plains and beyond. Thus, the Sioux flight to communities of connection helped link the Minnesota conflict with tribal communities throughout the region while simultaneously heightening the inter-tribal character of those communities. It also ensured that such communities would remain critical to the conflicts that followed the brutal events of 1862.

After the 1862 events in Minnesota, the Union Army, too, went west onto the Northern Plains. In June of 1863, as the weather warmed and rivers rose with melting snows, infantry and cavalry under the command of Generals Henry H. Sibley and Alfred Sully, moved into Dakota. The soldiers traveled in two contingents, one going overland to Devil's Lake and one moving via steamboat up the Missouri River. Their immediate goals explicitly linked developments in the gold fields, on the western edge of the Plains, with the influx of Indians into the eastern reaches of the region: the military planned to protect the emigrants crossing the Plains to get to the mines of Idaho and Montana and, at the same time, it intended to "chastise," to "punish," even to "exterminate" the Sioux.[376] That first summer soldiers built a base north of Fort Pierre. This new stronghold, Fort Sully, was the northernmost military post yet constructed on the Great Plains. The next year, soldiers built Fort Rice on the upper Missouri in northern Dakota Territory.[377] The United States military had arrived in the heart of the Northern Plains.

The "Minnesota Sioux War" of 1862 is often credited with delaying settler colonization of the northern Great Plains.[378] But when placed in a broader regional and temporal context, the Sioux conflict provided the immediate rationale for the United States to establish a permanent military presence in the region. Moreover, from the moment of its arrival, the ranks of the Union Army far outnumbered the few non-Indian settlers who had lived there before.[379] By the summer of 1863, almost 6,000 soldiers scoured what is now North Dakota in search of the Sioux.[380] In comparison, the 1861 memorial urging creation of Dakota Territory, an enormous area encompassing what is now North and South Dakota as well as large parts of present-day Wyoming and Montana, bore the signatures of only "478 pioneers." This number, according to George Kingsbury, an early historian of Dakota, "probably included the entire [non-Indian] population of the territory and possibly some of ["half-breed" Charles F.] Picotte's kindred."[381] In reality it may well have included more than "some" people whom Kingsbury called Picotte's "kindred." In 1861, "half-breeds" were far more plentiful in Dakota than Kingsbury's non-

[375] Vrooman et al., *The Whole Country Was ... "One Robe,"* 69.
[376] H. H. Sibley to Maj. Gen. John Pope, HDQRS. Dist. of Minn., Dept. of the Northwest, Saint Paul, Minn., January 25, 1864, in *OR*, vol. XXXIV, I, part II, ed. U. S. War Dept. (Washington: GPO, 1891), 152-156; H. H. Sibley to Editors of Pioneer and Editors of Press, Saint Paul, HDQRS. Dist. of Minn., Dept. of the Northwest, Saint Paul, Minn., March 9 , 1864, in *OR*, vol. XXXIV, I, part II, ed. U. S. War Dept. (Washington: GPO, 1891), 540-541.
[377] Jno. Pope to Maj. Gen. H. W. Halleck, Headquarters Department of the Northwest, Milwaukee, Wis., December 4, 1863, in *OR*, vol. XXII, I, part II, ed. U. S. War Dept. (Washington: GPO, 1888), 729-730.
[378] Cf. Norman K. Risjord, *Dakota: The Story of the Northern Plains* (U of Nebraska Press, 2013), 113; Micheal Clodfelter, *The Dakota War: The United States Army versus the Sioux, 1862-1865* (Jefferson, N.C.: McFarland, 1998), 80.
[379] Many of these few early arrivals left the region in the months following the initial Minnesota attacks.
[380] Henry H. Sibley, "Report No. 1, Report of Brig General Henry H. Sibley, U.S. Army Commanding Expedition," Headquarters District of Minnesota, Camp Carter, Bank of James River, August 7, 1863, in *OR*, vol. XXII, I, ed. U. S. War Dept. (Washington: GPO, 1888), 353-359.
[381] Herbert S Schell, *History of South Dakota* (Lincoln: University of Nebraska Press, 1975), 70, 77.

Indian "pioneers." Three years earlier, a similar petition for the organization of Dakota Territory sent from the "St. Joseph [N.D.] Métis" contained twelve hundred signatures.[382]

Army officers understood, if sometimes we forget, that non-Indian settler colonization of the Northern Plains required prior military conquest. Major-General John Pope, commander of the Department of the Northwest, reminded his superiors of the direct relationship between armed occupation and settler colonization as he outlined his plans for invading the Great Plains. He promised that the posts he intended to build would "soon become permanent settlements along the emigrant route. The stay of the troops will only be temporary, as the country behind and around the posts will soon be settled."[383] Army officers were no less explicit about the fact that emigration to Idaho, and the gold rush itself, depended on military support.[384] This was the necessary precondition for American settler colonialism. As consummate military man Theodore Roosevelt later put it "before the west could be settled in had to be won."[385]

The Union Army was, not, however, particularly enthusiastic about providing the military support settlement of the Northern Plains required. Changing perceptions of the regions' potential notwithstanding, the land itself seemed an enemy. "If the devil were permitted to select a residence upon the earth," wrote Sibley in a fit of poetic extravagance, "he would probably choose this particular district for his abode, with the redskins' murdering and plundering bands as his ready ministers, to verify by their ruthless deeds his diabolical hate to all who belong to a Christian race. Through this vast desert lakes fair to the eye abound, but generally their waters are strongly alkaline and brackish. The valleys between them frequently reek with sulphurous and other disagreeable vapors. The heat was so intolerable that the earth was like a heated furnace, and the breezes that swept along its surface were as scorching and suffocating as the famed sirocco."[386]

His colleague Alfred Sully was more succinct. Averring that he lacked "sufficient power of language to describe" the "grand, dismal, and majestic" country, he offered instead a straightforward summary of the obstacles the Army faced: "want of water, want of grass, and want of everything to eat."[387]

In this climate, the Army struggled with a multitude of miseries. Scurvy weakened ill-fed troops, and the sick lacked even the comfort of sufficient clothes "as the clothing for the posts on the Missouri was detained by low water."[388] The animals that hauled them and their gear "were almost starved" after they crossed the Little Missouri and "found the country covered with myriads of grasshoppers, who had eaten everything." Supply boats sent to relieve their want,

---

[382] Foster, *We Know Who We Are*, 2006, 41.

[383] Jno. Pope to Col. C. J. Kelton, Headquarters Department of the Northwest, Milwaukee, Wis., February 6, 1864, in *OR*, vol. XXXIV, I, part II, ed. U. S. War Dept. (Washington: GPO, 1891), 256-259.

[384] John Pope, "Notice to Emigrants by way of the Missouri River and the Upper Plains to the Idaho Mines," Hdqrs. Department of the Northwest, March 14, 1864, in *OR*, vol. XXIV, I, part II, ed. U. S. War Dept. (Washington: GPO, 1891), 608-609; H. H. Sibley to G. S. Benson, Esq., HDQRS. Dist. of Minn., Dept. of the Northwest, Saint Paul, Minn., May 10, 1864, in *OR*, vol. XXXIV, I, part III, ed. U. S. War Dept. (Washington: GPO, 1891), 541-542.

[385] Quoted in John C. Ewers, "The Indian Wars of the West," in *Great Western Indian Fights*, ed. B.W. Allred et al. (Lincoln: University of Nebraska, 1966), 19.

[386] H.H. Sibley to Major J. F. Meline, HDQRS. Dist. of Minn., Dept. of the Northwest, in the Field Sixty Miles West of Fort Abercrombie, August 16, 1863, in *OR*, vol. XXII, I, part I, ed. U. S. War Dept. (Washington: GPO, 1888), 907-908.

[387] Alfred Sully, "Report no. 2, Reports of Brig. General Alfred Sully, U.S. Army Commanding Northwestern Indian Expedition," Headquarters Northwestern Indian Expedition, Camp on Heart River, Dak. Ter., July 31, 1864, in *OR*, vol. XLI, I, part I, ed. U. S. War Dept. (Washington: GPO, 1893), 145; Alf. Sully to Major-General Pope, Headquarters Northwestern Indian Expedition, Fort Union, August 18, 1865, in *OR*, vol. XLI, 1, part II, ed. U. S. War Dept. (Washington: GPO, 1893), 768.

[388] Sully to Brig. Gen. H. H. Sibley, Headquarters Department of the Northwest, April 22, 1864, in *OR*, vol. XXXIV, I, part III, ed. U. S. War Dept. (Washington: GPO, 1891), 264-265; Col. M. T. Thomas to Capt. R. C. Olin, Headquarters Second Minnesota Brigade, Camp, Fort Wadsworth, Dak. Ter., September 28, 1864, in *OR*, vol. XLI, I, part III, ed. U. S. War Dept. (Washington: GPO, 1893), 465-466.

like "the steamer Island City . . . struck a snag near Fort Union and sunk."[389] Supply trains, too, faced a range of obstacles. In such circumstances, replenishing the ranks of soldiers willing to serve presented its own difficulties. The Army planned to send a recruiter "direct to the Idaho mines (Bannock and Virginia Cities)" to enlist fresh troops. It hoped to capitalize on "the disappointment about mining and the interruption of supply trains for that region by the Indians in General Curtis' department," which promised to "produce something very near starvation among the emigrants." The spectre of starvation in the mining camps, Pope declared "will I think make it practicable to enlist several regiments."[390]

If the hardships endured by the Union Army were unremitting, those suffered by "Sioux" communities were more so. Generals Sully and Sibley and their thousands of soldiers conducted a hellish campaign against the indigenous people of this "diabolical" land. They framed their ultimate goal in monumental terms—"a final solution of the entire Indian question on the northern plains"—and maintained that the first step toward achieving it "must be a war of extermination" "against the Sioux."[391] Treat the Sioux "as maniacs and wild beasts," Pope instructed his officers in the field, "and by no means as people with whom treaties or compromises can be made."[392] His radical directives gave the Dakota command pause: "if a war of extermination is called for," worried Sully, "it will be necessary to shoot everything that wears a blanket; but it would be very expensive."[393]

Despite such misgivings, the Union Army undertook its mission with a thoroughness, and tactics, that could have inspired their colleague William Tecumseh Sherman's infamous 1864 "March to the Sea." Commanders meant to make the Sioux "feel that there is no safety for themselves or their families." After a pair of major engagements that first summer, the Army terrorized Sioux soldiers and civilians alike.[394] Many of those killed in the third major engagement, what Union officers called the "Battle of Stoney Lake," were women and children who drowned as they tried to flee, under fire, across the wide Missouri.[395] Subsequent attacks also targeted civilians directly. Private Frank Myers, who published an account of his soldiering in Dakota from 1863-1865, described one particularly memorable assault in 1864. On July 28th, wrote Myers, before "the Battle of Tah-kah-o-kee-ta," at the Killdeer Mountains, "as we commenced preparations for today's battle, we noticed a couple of miles to the front, a large butte standing on the prairie, perhaps 150 feet high. As we drew nearer we saw it was covered with Indian squaws and those not engaged in the battle, watching the progress of the fight. When about one mile from the butte, a cannon was turned on it. The first shell exploded before

[389] Alf. Sully, "Expedition against the Sioux Indians in Dakota Territory, Report no. 2, Reports of Brig. General Alfred Sully, U.S. Army Commanding Northwestern Indian Expedition," Headquarters Department of the Northwest, Camp of the Yellowstone River, Dak. Ter., August 13, 1864, in *OR*, vol. XLI, I, part I, ed. U. S. War Dept. (Washington: GPO, 1893), 147.
[390] Jno. Pope to Maj. Gen. H. W. Halleck, Headquarters Department of the Northwest, Milwaukee, Wis., August 29, 1864, in *OR*, vol. XLI, I, part II, ed. U. S. War Dept. (Washington: GPO, 1893), 928.
[391] Jno. Pope to Maj. Gen. H. W. Halleck, Headquarters Department of the Northwest, Milwaukee, Wis., March 28, 1864, in *OR*, vol. XXXIV, I, part I, ed. U. S. War Dept. (Washington: GPO, 1891), 766; Jno. G. Nicolay to Hon E. M. Stanton, Saint Paul, Minn., August 27, 1862, in *OR*, vol. XIII, I, ed. U. S. War Dept. (Washington: GPO, 1902), 599-600.
[392] Jno. Pope to Col. H. H. Sibley, Headquarters Department of the Northwest, September 28, 1862, in *OR*, vol. XIII, I, ed. U. S. War Dept. (Washington: GPO, 1885), 685-686. Pope further elaborated on the end, and means, of his campaign: "It is my purpose utterly to exterminate the Sioux if I have the power to do so and even if it requires a campaign lasting the whole of next year. Destroy everything belonging to them and force them out onto the plains, unless, as I suggest, you can capture them."
[393] Brig. Gen. Alf. Sully to the Assistant Adjutant General, Headquarters Northwest Indian Expedition, October 7, 1864, in *OR*, vol. XLI, I, part III, ed. U. S. War Dept. (Washington: GPO, 1893), 699-701.
[394] H.H. Sibley to Maj. Gen. John Pope, HDQRS. Dist. of Minn. Dept. of the Northwest, Saint Paul, Minn., January 25, 1864, in *OR*, vol. XXXIV, I, part II, ed. U. S. War Dept. (Washington: GPO, 1891), 153.
[395] Crooks to Olin, Camp Williston, Dakota, August 5, 1863 in *OR*, vol. XXII, I, part I, ed. U. S. War Dept. (Washington: GPO, 1888), 363.

reaching the butte, but the second one exploded on top of it. In a very short time the Indians were scattered in all directions."[396]

Indeed, due to the Army's persistent inability to find and fight masses of Sioux soldiers, attacking civilians could be considered the campaign's primary tactic. Usually this meant "destroying crops and everything else belonging to them" so that community members of all stripes would be compelled to surrender or to die of exposure or starvation.[397] As Sibley trumpeted to his superiors when summarizing the results of his 1863 campaign, the Union Army could in this way inflict much more damage than in engagements with actual Sioux soldiers. While he reported having killed in action 150 of the "best and bravest warriors," he deemed his destruction "of vast quantities of subsistence, clothing, and means of transportation" more promising for success because it meant that "many, perhaps most of them, [would] perish miserably in their utter destitution during the coming fall and winter."[398] Such scorched earth campaigns inflicted astounding damage. When Sully found and attacked the "Sioux" village in the Killdeer Mountains in 1864, the surprised survivors fled. The Union Army proceeded to burn their homes and their food supplies, incinerating some 1,600 tepees and 200 tons of stores.[399]

The "Sioux" Campaign of 1863-65/68: A study in Social and Spatial Complexity

For all its viciousness and its essentializing of an implacable and supposedly obvious enemy, the Dakota campaign defied easy distinctions between warring parties, and even between participants and non-participants. This had been true in 1862 in Minnesota and it became more so as those involved pushed onto the Plains. Throughout the "Sioux" Campaign of the 1860s, even the most basic and critical of distinctions—friend or foe—proved elusive.

The difficulty in defining and identifying the Army's enemies stemmed in part from the structure of the military campaign in the field. On the Plains, in the course of the 1863-1865 campaigns, the Union Army became a shifting amalgam of groups and individuals. The core of this amalgam was those formally in the employ of the army and organized into military companies. This sector included not only volunteers and draftees from the states and territories of the United States of America, but also their deadly enemies from the Confederate States of America. Early in the Civil War, the U.S. War Department began sending paroled Confederate prisoners "for service against the Indians." Some 9,000 Confederate prisoners were serving in that capacity as early as September 25, 1862.[400] Men who had recently been captured by this army now wore its uniform. In that they were joined by immigrants from around the world. Natives of Europe served alongside Americans of the Union and of the Confederacy, as did men

---

[396] Frank Myers, *Soldiering in Dakota Among the Indians in 1863-4-5* (Freeport, N.Y.: Books for Libraries Press, 1971), 15. I could find no reference to this event in official army correspondence about the 1864 Dakota campaign.

[397] Jno. Pope to Col. H. H. Sibley, Headquarters Department of the Northwest, September 17, 1862 in *OR*, vol. XIII, I, ed. U. S. War Dept. (Washington: GPO, 1885), 648-649.

[398] Henry H. Sibley, "Report no. 1, Report of Brig General Henry H. Sibley, U.S. Army Commanding Expedition," Headquarters District of Minnesota, Camp Carter, Bank of the James River, August 7, 1863, in *OR*, vol. XXII, I, part II, ed. U. S. War Dept. (Washington: GPO, 1888), 357.

[399] D. Jerome Tweton and Theodore B. Jelliff, *North Dakota: The Heritage of a People*, First Edition (Fargo: North Dakota Institute for Regional Studies, 1976), 54. This massive destruction of homes and food occurred throughout the campaign. Cf. Alfred Sully devoting his company to "destroying all this property" which took two days: "I burned up over 400,000 to 500,000 pounds of dried buffalo meat as one item, besides 300 lodges and a very large quantity of property of great value to the Indians." Alfred Sully, "Report no. 1, Brig. Gen. Alfred Sully, U.S. Army Commanding Expedition", Headquarters Northwestern Expedition, September 11, 1863, in *OR*, vol. XXII, I, part I, ed. U. S. War Dept. (Washington: GPO, 1888), 559.

[400] H. W. Halleck to Hon. E. M. Stanton, Washington, September 25, 1862, in *OR*, vol. XIII, I, ed. U. S. War Dept. (Washington: GPO, 1902), 669.

from Canada. Unsurprisingly, as in militaries the world over, some of these men weren't exactly devoted to the task at hand. Even careful surveillance and severe punishment couldn't deter determined deserters like a private "by the name of Baldwin." Army officers who intercepted Baldwin during his first desertion attempt confined him to the guardhouse. Uncowed, Baldwin got himself transferred to the hospital "after taking quite sick." From there he tried again to desert. This time he succeeded. In explaining Baldwin's persistence, his commanding officer offered only that "he was a British subject, and resided at or near Fort Garry prior to enlisting."[401]

To this motley crew of officers and enlisted men were added contingents of civilians attached to the Army. Some of these were individuals who traveled with the troops under formal contracts as traders. Others were groups of migrants that included families with children. For most of the decade, in perhaps the most obvious example of settlement depending on military might, the Army urged wagon trains crossing the Plains to use military escorts. Many of them did so by locating and then shadowing the bodies of troops scouring the region for "Sioux hostiles." Such was the case with an "emigrant train for Idaho, which had accompanied the Minnesota troops from that State." During the summer of 1864, the entire train "followed the movement of Sully's force."[402]

The many indigenous people associated with the Army compounded this military heterogeneity. Their presence ensured that no self-evident or clear color line distinguished the Army from its adversaries. Some soldiers married indigenous women they met on the Plains, and the families they formed were a visible presence at military posts. Among them were people like Lt. Col. John Pattee, who married a "Sioux" woman while serving under Sully at Ft. Randall, as well as Alfred Sully himself, who also married into the Sioux. Sully's wife Pehandutawin, of "French and Yankton" descent, was the daughter of Francois Deloria (Saswe), "chief of the 'Half-Breed Band.'"[403] A second significant contingent of indigenous people in the Army camp worked as scouts. Military units large and small relied on indigenous scouts. In larger divisions like that commanded by Captain Burton in 1864, scouts composed distinct companies. The 165 men under Burton comprised a company of cavalry (the Sixth Cavalry of Company M, Second Minnesota), a Mountain Howitzer manned by ten soldiers (under one Lieutenant Western), eighty infantry, and ten scouts led by Pierre Bottineau, "chief of scouts."[404] Scouts also accompanied smaller detachments. And since most scouts were of Indian ancestry, this meant that a substantial part of the Indian-hunting Army was itself Indian.[405]

---

[401] C. Powell Adams to Capt. R. C. Olin, Headquarters Fort Abercrombie, August 12, 1864, in *OR*, vol. XLI, 1, part II, ed. U. S. War Dept. (Washington: GPO, 1893) 678-679. Even the U.S. Army's ponies were Canadian: "The horses I send you are Canadian ponies." John Pope to Brig. Gen. H. H. Sibley, Headquarters Department of the Northwest, April 22, 1864, in *OR*, vol. XXXIV, I, part III, ed. U. S. War Dept. (Washington: GPO, 1891), 263.

[402] John Pope, "Report no. 1, Reports of Maj. Gen. John Pope, U.S. Army Commanding Department of the Northwest," Headquarters Department of the Northwest, Milwaukee, Wis., November 3, 1864, in *OR*, vol. XLI, I, part I, ed. U. S. War Dept. (Washington: GPO, 1893), 135. Sully called the emigrant train "very large." Alfred Sully, "Report no. 2, Reports of Brig. Gen. Alfred Sully, U.S. Army Commanding, Northwestern Indian Expedition," Headquarters Northwestern Indian Expedition, Camp on Heart River, Dak. Ter., July 31, 1864, in *OR*, vol. XLI, I, part I, ed. U. S. War Dept. (Washington: GPO, 1888), 141.

[403] Castle McLaughlin, *A Lakota War Book from the Little Big Horn: The Pictographic "Autobiography of Half Moon"* (Harvard University Press, 2013), 29–30; Brian T. McCormack, "Conjugal Violence, Sex, Sin, and Murder in the Mission Communities of Alta California," *Journal of the History of Sexuality* 16, no. 3 (2007): 16. Sully and Pehandutawin soon had a daughter, Mary (a.k.a. Akicita win or Soldier Woman). Mary married the Rev. Philip Joseph Deloria, and bore a daughter, Ella Deloria, who eventually gave them a grandson, the noted scholar Vine Deloria, Jr..

[404] John Clowney to Capt. R.C. Olin, Headquarters, Fort Wadsworth, August 1, 1864, in *OR*, vol. XLI, I, part II, ed. U. S. War Dept. (Washington: GPO, 1893), 514; Alfred Sully, "Report no. 2, Reports of Brig. Gen. Alfred Sully, U.S. Army Commanding, Northwestern Indian Expedition," Headquarters Northwestern Indian Expedition, July 31, 1864, in *OR*, vol. XLI, I, part I, ed. U. S. War Dept. (Washington: GPO, 1888), 142.

[405] A July 28th, 1864 battle indicates a little about the size of indigenous "scout" contingents in the U.S. Army. On that day, against "Unkpapas, Sans Arcs, Blackfeet, Minneconjous, Yanktonais, and Santee Sioux," Sully commanded 2,200 soldiers including "about 70 scouts." Since the

Indigenous people working for the U.S. Army came from a variety of backgrounds. In many narratives of Northern Plains Indian wars, the prototypical Army scout hails from a tribe hostile to that being hunted. The most famous, or infamous (if you are in Indian country), example of this may be the "Crow" who accompanied Custer in 1876 when he made the colossal mistake of attacking "Sioux and Cheyenne" encamped on the Little Big Horn River, or Greasy Grass.[406] Such supposedly inveterate Indian enemies definitely played a part in the Dakota Sioux campaign, and so did individuals from tribes not known as especially hostile to the Sioux. Their employment was a matter of policy: "Do not hesitate," General Pope instructed his underlings, "to employ (not enlist)" "friendly Indians." "Secure the services of as many as you can use with profit," he wrote to Sully in March of 1864,

"employ as many Shawnees and Delawares, as well as other Indians who are available, giving them the blankets, &c., as you suggest, as also what rations they absolutely need, and promising them all the spoils of the campaign. I think in this way you can get for little or nothing some of the very best fighting Indian material on the frontier. . .We must by all means make a clean sweep of hostile Indians this summer, as far at least as the 'Crow country,' and you must employ all the friendly Indians who may be useful for this purpose. I have no doubt you can get many of the Rees and Mandans simply for the privilege of accompanying you in this war and sharing the spoils."[407] But Indians from hostile or distant tribes were relatively rare in the Dakota campaign. More common were people usually described in Army documents only as "half-breeds." Such men were ubiquitous in the Army's Northern Plains endeavors. The only other group that one may have been more likely to encounter in Army camps was "Sioux" Indians that the Army considered "friendly." Given that many of the people whom officers called "half-breeds" were

indigenous people working for the United States Army served crucial roles, their impact and visibility surpassed their numbers. Alfred Sully, "Report no. 2, Reports of Brig. Gen. Alfred Sully, U.S. Army Commanding, Northwestern Indian Expedition," Headquarters Northwestern Indian Expedition, July 31, 1864, in *OR*, vol. XLI, I, part I, ed. U. S. War Dept. (Washington: GPO, 1888), 142.

[406] Colin G. Calloway, "Army Allies or Tribal Survival? The 'Other Indians' in the 1876 Campaign," in *Legacy: New Perspectives on the Battle of the Little Bighorn. Proceedings of the Little Bighorn*, ed. Charles E. Rankin (Helena: Montana Historical Society Press, 1996), 63–83.

[407] Jno. Pope to Brig. Gen. A. Sully, Headquarters Department of the Northwest, Milwaukee, Wis., March 25, 1864, in *OR*, vol. XXXIV, I, part II, ed. U. S. War Dept. (Washington: GPO, 1891), 735; Jno. Pope to Brig. Gen. A. Sully, Headquarters Department of the Northwest, Milwaukee, Wis., March 23, 1864, in *OR*, vol. XXXIV, I, part II, ed. U. S. War Dept. (Washington: GPO, 1891), 713.

of Sioux descent, the majority of the Army's indigenous members in the campaign against the Sioux were probably Sioux themselves.[408]

This proved problematic. Soldiers who had been reared on notions of distinct and antagonistic white and Indian races, and who listened repeatedly to calls for the extermination of "the Sioux," were not necessarily sensitive to subtle distinctions among those they considered Indian. Many of the soldiers in the Union Army shared beliefs about Indians like those held by Sergeant Hobbs. Hobbs, who was stationed at Fort Rice in 1865, was cited by one of his colleagues to "show the opinion of the soldier in regard to the treacherous reds":
"They are devoid of every embling emotion of the human heart, instinctively brutal, preternaturally degraded, essentially heartless, vindictive and remorseless. Their stately pride and nobility of character exists only in the ideal fancies of imaginative flash novel writers. The chivalrous knight errant and romantic Hebs of the Indian race are Myths of the past."[409] Schooled in such ideas about Indians, soldiers from the States were ill-equipped ideologically to consider the complexity of Indian identity in the field. As scouts came and went they stood a very real risk of being mistaken for enemies by American troops. The officers' frequent admonishments in this regard attest to the constancy of confusion. Over and over they reminded their subordinates "to prevent any interference by the officers and men at the posts . . . with Indians who are acting as scouts under the instructions from these headquarters, or half-breeds acting in the same capacity. . . too much care cannot be taken in this respect."[410] As in Minnesota, people used clothing as a tool with which to establish their wartime associations. As Private Frank Meyers recollected about the "Battle of Tah-kah-o-kee-ta "the scouts, as usual before a battle,

---

[408] For a variety of reasons—having to do with the availability of both historical sources and with current resources—it is impossible to count how many people of Sioux ancestry worked with the U.S. Army in these campaigns. In their written reports, Army officers rarely identified the tribal affiliations of their "half-breed" scouts. Instructive exceptions did occur, such as when Donaldson wrote to Olin regarding one of his "men by the name of Thomas Le Blanc, a Sioux half-breed." H.S. Donaldson to Capt. R.C. Olin, Fort Abercrombie, Dak. Terr., July 31 1864, in *OR*, vol. XLI, I, part II, ed. U. S. War Dept. (Washington: GPO, 1893), 493. Other sources demonstrate that many people of Sioux descent worked for the army, among them important Sioux leaders like Gabriel Renville. A very partial list—gleaned from only one compilation of primary sources—of other Sioux community members who served as scouts for the U.S. Army includes A-chay-tu-ke-yah, Ah-kee-pa, Ah-wee-pah, Ah-we-tan-a-nah, Anawag-ma-ne (a.k.a. Simon Anawangmani or He Who Goes Galloping Along), Samuel J. Brown, Antoine J. Campbell, Joseph Campbell, Chay-tah-shoon, Joseph Coursall (a.k.a Joseph Coursoole, Joe Gabbro, or Hinhankaga), Charles Crawford, Thomas Crawford, Ecetukiya (a.k.a. E-chay-tu-ke-ya, He Who Brings What He wants or Big Amos), E-ne-han (a.k.a. E-nee-hah), David Faribault Sr., Jack Frazer, Antoine Frenier, Augustin Frenier (a.k.a. Mazakoyaginape or Appears Clothed In Iron), Narcisse Frenier, Good Thunder, Han-yo-ke-yan (a.k.a. Hanyokinyan), Hayokisna (a.k.a. Heyoka Along or Sweaty Clown), Inihan (a.k.a. Inihau or Excited), Kah-tah-tay, Kay-wan-kay, Alexis La Framboise, Joseph La Framboise Jr., Joseph Le Blanc, Little Paul (a.k.a. Paul Mazakutemani or He Who Shoots as He Walks), Mah-pe-yah-wah-koon-zay, John Moore (a.k.a. John Moores or Mooers), John Otherday (a.k.a. Ampatutokacha), Henry Ortley, William L. Quinn, Red Iron (a.k.a. Mazasa or Sounding Iron), Antoine Renville, Daniel Renville, Isaac Renville, J.B. Renville, Joseph Renville, Michael Renville (a.k.a. Michalle Renville), Thomas A. Robertson, Thomas Robinson, Joe Roulliard, "the half-breed" Scott, Sets-Fire-to-Hail (a.k.a. Wa-su-e-de-ya), Stands-Firmly (a.k.a. E-kan-a-gin-ka or E-sha-na-ji-ka), Supehiye, Taopi, Tukonwechaste (a.k.a. Sacred Stone Man), Two Stars (a.k.a. Soloman Two Stars or Wicanrpinonpa), Wah-hah-chan-kah, Wah-ke-yah-tah-wah (a.k.a. Wakinyantawa, Chaska, or His Thunder), Wah-kon-bo-e-day, Wamdisuntanka (a.k.a. Great Tailed Eagle), Wamdiupiduta (who "signed the Treaties of 1858, 1867, 1872, and 1873."), Wa-su-ho-was-tay (a.ka. Wah-su-ho-was-tay, Wasuhowaste or Enos Good Voiced Hail), Waxicanmaza, and We-yon-ske, Anderson and Woolworth, *Through Dakota Eyes*, 57, 70, 96, 98, 108, 119-120, 126-128, 144, 177, 194, 199, 216, 218n27-28, 241, 261, 267, 273–277, 287. Rare quantitative sources also suggest an abundance of Sioux-descended people in the service of the U.S. Army. In 1892, for instance, the United States approved "the claim of fifty-one Yankton Sioux Indians, who were employed as scouts by General Alf. Sully, in 1864, for additional compensation." This total reflects only people enrolled in one Sioux band, working for one military officer, in one year, who filed a formal claim for additional compensation almost thirty years later. Even if we consider only people who became enrolled in that one band, and who worked for Sully in that one year, we can assume that many, probably most, of them did not file such a claim, either by choice or because they had died. Agreement with the Yankton Sioux or Dakota Indians, in South Dakota, in Charles Joseph Kappler, *Indian Affairs: Laws and Treaties*, vol. I (Washington: GPO, 1904), 523–528. Other sources from the 1890s indicate that many people who were enrolled in the "Sisseton, Wahpeton, Medawakanton, and Wapakoota bands of Sioux Indians . . . entered into the military service of the United States" in the wake of "the Sioux outbreak" of 1862. An act making appropriations for current and contingent expenses of the Indian Department and fulfilling treaty stipulations with various Indian tribes for the fiscal year ending June thirtieth, eighteen hundred and ninety-six, and for other purposes and An act making appropriations for current and contingent expenses, and fulfilling treaty stipulations with Indian tribes, for fiscal year ending June thirtieth, eighteen hundred and ninety-four see Ibid., I:559–567; 484–500. Victor Renville described the scout force under Sibley in 1865 as "number[ing] two hundred." Anderson and Woolworth, *Through Dakota Eyes*, 278.

[409] Quoted in J. H. Drips, *Three Years Among the Indians in Dakota* (Kimball, S. Dak.: Brule Index, 1894), 122.

[410] R. C. Olin to Maj. E. A. C. Hatch, HDQRS. Dist. of Minn. Dept. of the Northwest, Saint Paul, Minn., May 5, 1864, in *OR*, vol. XXXIV, I, part III, ed. U. S. War Dept. (Washington: GPO, 1891), 469-470.

proceeded to a headquarters wagon and changed their Indian costume for soldier's uniforms. This," he averred, "was a necessary precaution, so that they would not be confused with the hostiles."[411]

Military officials also struggled to clarify the lines of combat at a group level. These efforts frequently foundered on variation in "Sioux" band sentiments. In the Spring of 1864 Sully thought that "the friendly disposed Sissetons, together with a part of the Cutheads of the same category," were ready "to surrender" but "a large proportion of them are deterred from joining those who have already submitted by the threats of the hostile Sissetons and the Yanktonais."[412] Several months later Sully wrote from Fort Rice that "about 300 or 400 lodges of Indians of all bands, those who gave themselves up this year and I allowed to go and hunt, are here. Seven of the Yanktonais are with them who report that all the Yanktonais and some Santees are on their way here to see me and make peace."[413] As Sully struggled to make sense of the divided and shifting allegiances of the Sissetons, Cutheads, Yanktonais and Santees, he wondered which other bands should be considered hostile or friendly. When he arrived at Fort Pierre that June, he "found a camp of about 200 or 300 lodges of Sioux; they were a mixture of all the upper bands of Upper Sioux, Yanktonais, Two Kettles, Blackfeet, Minneconjous, Sans Arcs, and Brules, also the warlike Uncpapas. They tell me that have come in agreeably to my treaty. . . the rest of their bands . . . are willing to make peace with me, provided I will quit the country and pay for the buffalo that have been killed by whites and for the wood consumed by steamboats."[414]

Despite efforts to categorize Sioux bands as friend or enemy, it is clear that battles involved a rich mixture of Sioux fighters. According to Sully himself, at the White Stone Hills conflict, "Most of the bands of Dakota or Sioux Indians were represented . . . even the Blackfeet of the mountains."[415] In his biography of Sitting Bull, Robert Utley identifies those directly involved in the Dakota Campaign battles as "Dakota," "Lakota," "Sisseton," "Yanktonais," "Sans Arc," "Miniconjous," "Brule," "Blackfeet," and "Hunkpapa" Sioux, as well as "Cheyenne," and, indirectly, "Ree" (Arikaree).[416]

As Utley reminds us, individuals of other tribes also joined the Sioux mélange. The many multitribal or polyethnic individuals subsumed in tribal labels, of course, also contributed to the complex mix of participants. To make matters worse, that most critical of military categories—friend or foe—was not only difficult to distinguish in terms of membership, but was in constant flux. On the Plains, individuals and entire bands went back and forth in their alliances, with their status shifting from hostile to friendly. Indeed, the Army often employed the people it had just hunted.[417] Confusion about the status of "Sioux" groups endangered camps of "Sioux" who had not only surrendered but who were actively working for the U.S. Army. When

---

[411] Myers, *Soldiering in Dakota Among the Indians in 1863-4-5*, 14.
[412] H.H. Sibley to Maj. Gen. John Pope, HDQRS. Dist. of Minn., Dept. of the Northwest, May 23, 1864, in *OR*, vol. XXXIV, I, part IV, ed. U. S. War Dept. (Washington: GPO, 1891), 14-15; H.H. Sibley to Maj. Gen. John Pope, HDQRS. Dist. of Minn., Dept. of the Northwest, June 9, 1864, in *OR*, vol. XXXIV, I, part IV, ed. U. S. War Dept. (Washington: GPO, 1891), 288-289.
[413] Alf. Sully, "Report No. 2, Reports of Brig. Gen. Alfred Sully, U.S. Army Commanding, Northwestern Indian Expedition," Headquarters Northwestern Indian Expedition, Camp Fort Rice, September 9, 1864, in *OR*, vol. XLI, I, part I, ed. U. S. War Dept. (Washington: GPO, 1888), 152.
[414] Alfred Sully to [R.C. Olin] Assistant Adjutant-General, Headquarters Northwestern Indian Expedition, June 21, 1864, in *OR*, vol. XXXIV, I, part IV, ed. U. S. War Dept. (Washington: GPO, 1891), 497.
[415] Jno. Pope to Col. J.C. Kelton, Headquarters Department of the Northwest, October 12, 1863, in *OR*, vol. XXII, I, part II, ed. U. S. War Dept. (Washington, GPO, 1888), 642.
[416] Robert Utley, *The Lance and the Shield: The Life and Times of Sitting Bull* (New York: Ballantine Books, 1993), Chap. 5.
[417] Paul Mazakutemani, "Paul Mazakutemani's Statement," in *Through Dakota Eyes: Narrative Accounts of the Minnesota Indian War of 1862*, ed. Gary Clayton Anderson and Alan R. Woolworth (St. Paul: Minnesota Historical Society Press, 1988), 278–279. When participants in the conflicts of 1862 in Minnesota moved onto the Plains, it didn't necessarily simplify, and certainly didn't fix or stabilize, categories of friend and foe, but it did formalize them, eg. friends are on payroll and they wore uniform and their families stayed with them at Army camps, etc.

a contingent of troops led by "Chief of Scouts" J. R. Brown (himself of Sioux descent) fired on a camp of about 425 lodges in July of 1864, they discovered that "they were Yanktons, and the friends of the whites. That many of them were in the employ of General Sully, and they had some troops and interpreters in their camp by order of General Sully." In the absence of visible distinctions between this ally group and an enemy one, Brown questioned "an interpreter named Louis Agar . . . He satisfied me as to the character of the Indians." Brown's satisfaction was further confirmed when "twenty-five or thirty of them came forward with a flag of truce and exhibited their credentials from General Sully."[418] Other "friendly" bands weren't so lucky. In the summer of 1863, for instance, soldiers destroyed the camps of several Yanktonais leaders whom Sibley "knew very well as having always been strong friends to the whites." These leaders had earlier "tried to surrender at Fort Pierre but the commanding officer there could not help them."[419]

The fact that band composition, along with band allegiance, changed further hampered efforts to identify the enemy. Members of those bands identified as targets— those who fought in Minnesota—mixed constantly with "uninvolved" Sioux bands and with those who had opposed the conflict from its inception. The refugees who fled to the Plains also maintained relations with many of those Sioux who had surrendered to the United States in Minnesota in the wake of the Battle of Wood Lake. Like their hunted brethren, these prisoners moved onto the Plains as well, albeit involuntarily and via a different route. Shortly after the Minnesota attacks the U.S. resolved to expel all Sioux and Winnebago from Minnesota, and designated a new "Sioux and Winnebago Reservation . . . on the Missouri River 75 miles above Fort Randall."[420] Some "Sioux" were forcibly removed from Minnesota to the Missouri right away, while others "were first sent to a camp in Nebraska, where many died from lack of food."[421] Although the Army forbade them to leave the upper Missouri reservation, some of the confined Sioux soon snuck away and joined their "hostile" relatives to the north. As early as the summer of 1863, Sibley's "half-breed scouts" recognized individual Indians they captured as "fugitives from the reservation."[422] Those who left the reservation were part of a back-and-forth flow between people living on the reservation (and theoretically under the control of the U.S. military) and those who remained at large on the plains of northern Dakota and the British Possessions, as well as the 1,000 or so people who managed to remain in Minnesota.[423] When "Sioux" people were headed in the direction of the reservation, the U.S. Army even abetted this flow. Such was the case for two women "and some children" who "a small scouting party" sent out by General Sully captured in September of 1863. The women told Sully that "they were on their way to the agency at Crow Creek, but were lost, and were alone."[424] Subsequent "indian stragglers" also

[418] J.R. Brown to Maj. J. Clowney, Camp Wadsworth, July 29, 1864, in *The War of the Rebellion: A Compilation of the Records of the Union and Confederate Armies*, vol. XLI, I, part II, ed. U. S. War Dept. (Washington: GPO, 1893), 514-518.
[419] Alf. Sully to [R.C. Olin,] Assistant Adjutant General, Department of the Northwest, Headquarters Northwest Indian Expedition, October 7, 1864, in *The War of the Rebellion: A Compilation of the Records of the Union and Confederate Armies*, vol. XLI, I, III, ed. United States War Department, (Washington: GPO, 1893), 698.
[420] Jno. Pope to Col. J.C. Kelton, Headquarters Department of the Northwest, Milwaukee, Wis., October 21, 1863, in *OR*, vol. XXII, I, part II, ed. U. S. War Dept. (Washington: GPO, 1888), 671-672.
[421] Ebbott and League of Women Voters of Minnesota, *Indians in Minnesota*, 22.
[422] H. H. Sibley, "Report no. 1, Report of Brig General Henry H. Sibley, U.S. Army Commanding Expedition," Hdqrs. Dist. Of Minnesota, Dept. of the Northwest, In the Field Camp Hackett, Fort Abercrombie, August 23, 1863, in *OR*, vol. XXII, I, part I, ed. U. S. War Dept. (Washington: GPO, 1888), 909. The "fugitives" "had spent the previous winter at Fort Snelling."
[423] For people escaping deportation see, Jno. Pope to Maj. Gen. H. W. Halleck, Headquarters Department of the Northwest, Milwaukee, July 27, 1863, in *OR*, vol. XXII, I, ed. U. S. War Dept. (Washington: GPO, 1888), 403-406.
[424] Alfred Sully, "Report No. 1, Report of Brig. Gen. Alfred Sully, U.S. Army Commanding Expedition," Headquarters Northwestern Expedition, Camp at mouth of Little Cheyenne River, September 11, 1863, in *OR*, vol. XXII, I, part I, ed. U. S. War Dept. (Washington: GPO, 1888), 556.

acquired a military escort to help "return the stragglers to their own reservation."[425] People who had been placed on the reservation moved, too, between Dakota and their Minnesota territory. This caused much irritation within the U.S. military, which complained "if these people are not restrained from wandering back from the Missouri, where the Government has transported them at great expense, the military authorities of this district will continue to be embarrassed."[426]

In light of such pervasive, multifaceted fluctuation, "enemies" were often intimates. A clash between "Sioux" and the Union Army at Big Mound in July of 1863 was preceded by a discussion between parties representing both sides. Speaking for the Sioux was Red Plume, "a Sisseton chief," and for the Army one of Sibley's "half-breed scouts, a relative of Red Plume."[427]

[425] R.C. Olin to Lieutenant Colonel William Pfaender, HDQRS. Dist. of Minnesota Dept. of the Northwest, October 11, 1864, in *OR*, vol. XLI, I, part III, ed. U. S. War Dept. (Washington: GPO, 1893), 799-800.
[426] H.H. Sibley to Maj. Gen. John Pope, Saint Paul, Minn., April 6, 1864, in *OR*, vol. XXXIV, I, part III, ed. U. S. War Dept. (Washington: GPO, 1891), 70.
[427] Henry H. Sibley, "Report No. 1, Report of Brig General Henry H. Sibley, U.S. Army Commanding Expedition," Headquarters District of Minnesota, Camp Carter, Bank of the James River, August 7, 1863, in *OR*, vol. XXII, I, part I, ed. U. S. War Dept. (Washington: GPO, 1888), 353.

Chapter 3
Indispensable Enemies: Needing and Hating the People in Between

As the chaos that was the Dakota campaign suggests, when the United States Army moved to occupy the Plains, it relied heavily on mixed, mobile indigenous individuals to conduct its affairs. If this was so during the 1862 events in the State of Minnesota it only became more so once the Army moved into Indian territory on the Northern Plains. The Minnesota/Dakota conflicts of 1862-64 marked the advent of an era of large-scale violent conflicts between Northern Plains indigenous groups and U.S. and Canadian armies that lasted until at least 1885. Ultimately, the Dakota Conflict embroiled many individuals, on both the "Indian" and "white" sides, who would participate in subsequent "Indian" wars across the Northern Plains in the decades to come. Their participation in these temporally and spatially dispersed events integrated the political and military efforts in which different Northern Plains communities engaged. The mixed, mobile nature of Northern Plains indigenous groups in this period bound these conflicts, usually recounted as distinct battles between different national armies and specific tribal groups, together across space and time. It thus bound together many moments, and forms, of indigenous resistance across the American and Canadian Great Plains.[428]

Histories of Northern Plains Indian wars commonly focus on specific battles or particular tribes. Those works that tell these stories together tell them as an unintegrated whole: they are part of the same story simply because they are in the same area and because they pit "Indians" against the United States, the same race against the same nation. But they were in fact connected much more literally. It is, admittedly, pretty obvious that the Dakota wars and other Sioux conflicts involved mixed Sioux people. And it is also somewhat obvious that these conflicts involved Métis people more broadly. Since historians usually emphasize métis connections to Chippewa and Cree groups, it requires little vision to see how these communities were linked to Sioux conflicts as well. Yet such connections get slighted. And their corollary—the involvement of Sioux and other Indian groups in "Métis" conflicts—often gets ignored altogether. Foregrounding links between the indigenous conflicts on the 1860s Northern Plains raises several important points. For one, when we connect U.S. and Canadian Indian wars it complicates conclusions—long a staple of histories of the Dominion—about the absence of conflict with Indians in Canada. In Canadian historiography, the 1869-1870 Red River "rebellion" literally acts as a gateway to Indian histories of the period but, at the same time, it gets decontextualized from them: despite the event's protagonists—the Métis—being inextricably tied to indigenous groups in both Canada and the U.S., the history of the Red River conflict has not been much linked to tribal histories in either nation.[429] A focus on the connections between "American" and "Canadian" conflicts also illuminates how, for Northern Plains communities, invasion—and resistance thereto—came from both Canada and the United States. Connecting indigenous conflicts across the region reveals powerful links between Canadian and American histories, Indian and Métis histories, Sioux and Chippewa and Cree and

[428] As we know from Chapter 1, these intertribal connections were not new, nor was their military expression. But since our focus is on the Northern Plains, we will here emphasize the 1860s, when the armies of non-Indian nation-states invaded the region en masse. For suggestions of earlier conflict-related connections see Fee, "Government Policy Toward the Principal Indian Nations of Montana, 1851-1873," 44. Fee notes that "terrible Indian hostilities in Washington and Oregon broke out in October, 1855 and lasted until June, 1856. The signatory tribes of the Blackfeet Treaty refused all participation in these wars." Whether or not his summary is accurate, it reflects the fact that the distant Blackfeet were connected to these conflicts/populations and were perhaps invited to join, or considered joining. In 1858, during hostilities between the United States and "Spokanes, Palouses, Cayuses, Coeur D' Alenes, and Yakimas," John Owen, then the Flathead Agent, reported on July 6, 1858 that "messengers have already been sent, requesting them to join in the common cause of exterminating the white tribes."

[429] This point pertains to academic histories of these events. Tribal histories, like those included on tribal webpages, are more likely to consider these events as part of their history. This fact helps throw academic habits into sharp relief.

Assiniboine and Blackfeet and Gros Ventre and Crow histories. And it embraids events we often consider distinct, placing the Minnesota Sioux War, Red Cloud's War, the Red River conflict, etc., in a continuum, which is how they were experienced by the indigenous communities involved.

Chief among the participants who integrated violent conflicts in the region were scouts like the aforementioned relative of Red Plume. The crucial role played by "Indian" scouts in Northern Plains' military campaigns is no news. Invading militaries are often by definition pretty ignorant of the land they plan to conquer, so they need locals to guide them. Plains indigenes provided critical information, guidance, and language skills to "both" sides. And much of the Army's reliance on métis people followed this model. Sibley summarized this aspect of his reliance on indigenous scouts like Pierre Bottineau when he praised them for having "been of the greatest service, by their experience and knowledge of the country."[430] Sully, too, depended on scouts as he decided which way to proceed. In reference to preparations for an expedition in August of 1863, for instance, he recounted "I assembled together all the Indians and half-breed guides I had to consult about my course."[431] Indigenous scouts not only helped officials plan paths to intended destinations, but also to identify them in the first place. As Captain H.S. Donaldson, at Fort Abercrombie, wrote to Captain Rollin Olin, in St. Paul, "I am not able to give you better information as to the whereabouts of the Sioux because none of my half-breed hunters have come back yet from the plains."[432] Their knowledge of the land also meant that indigenous scouts served critical courier roles, moving mail, supplies, and information across the Plains. Army officials at posts like Fort Wadsworth used scouts for "weekly communication with Fort Abercrombie."[433] Others used scout couriers as need and opportunity arose. When Sully "found three Assinniboine Indians in the Arickaree camp," he "hired them to carry a letter from me to Fort Union."[434] Military reliance on people associated with both Indian and non-Indian groups wasn't limited to those directly employed by the army. Rather, army officials viewed "half-breeds" in general as a source of information and means of communication due to their intimacy with the indigenous groups targeted in military campaigns.

The role of indigenous people in the Dakota campaign transcended this typical scout-as-guide story. For one thing, many of those indigenous people who assisted the U.S. provided an actual physical buffer between the Army and its targets. Scouts—in their camps and their positions—were literally, bodily, in between, occupying what often became a precarious middle ground. Most obviously, Army officers sent guides well ahead of the main body of troops.[435] Geographical distance from the means of mass violence sometimes provided space for guides to interact with the indigenous communities they helped hunt. Guides could then re-cross the distance between the U.S. and indigenous forces and function as the lines of communication.

---

[430] Henry H. Sibley, "Report No. 1, Report of Brig General Henry H. Sibley, U.S. Army Commanding Expedition," Headquarters District of Minnesota, Camp Carter, Bank of James River, August 7, 1863, in *OR*, vol. XXII, I, ed. United States War Dept. (Washington: GPO, 1888), 353-359.

[431] Henry H. Sibley, "Report No. 2, Report of Brig General Henry H. Sibley, U.S. Army Commanding Expedition," Headquarters Northwest Indian Expedition, August 13, 1864, in *OR*, vol. XLI, I, part I, ed. United States War Dept. (Washington: GPO, 1893), 144.

[432] H. S. Donaldson to Capt. R. C. Olin, Fort Abercrombie, Dak. Ter., July 31, 1864, in *OR*, vol. XLI, I, part II, ed. United States War Dept. (Washington: GPO, 1898), 493.

[433] R. C. Olin to Maj. John Clowney, Hdqrs. Dist. Of Minnesota, Dept. of the Northwest, Saint Paul, Minn., August 8, 1864, in *OR*, vol. XLI, I, part II, ed. United States War Dept. (Washington: GPO, 1898), 617-618.

[434] Alf. Sully to Asst. Adjt. Gen. Department of the Missouri, Headquarters Northwest Indian Expedition, Fort Berthold, August 13, 1865, in *OR*, vol. XLVIII, I, part II, ed. United States War Dept. (Washington: GPO, 1896),1179-1180.

[435] H. H. Sibley to Maj. Gen. John Pope, Hdqrs. Dist. Of Minn., Dept. of the Northwest, Saint Paul, Minn., May 13, 1864 in *OR*, vol. XXXIV, I, part III, ed. United States War Dept. (Washington: GPO, 1891), 578-579; James H. Baker, "Report No. 5, Report of Col. James H. Baker, Tenth Minnesota Infantry," Hdqrs. Tenth Regiment Minnesota Infantry, Camp Williston, August 5, 1863 in *OR*, vol. XXII, I, part I, ed. United States War Dept. (Washington: GPO, 1888), 370.

Scouts and their families also moved through the space between the Army and Indian groups by virtue of travel privileges denied other Indians. When Captain Olin issued instructions for preventing "the visits of the lower bands of Sioux, whose homes are on the Missouri Reservation, to the east side of the James River" he excepted therefrom those that "pertain[ed] properly to the families of the scouts."[436] Other mixed indigenous people who assisted the army occupied the middle ground in more enduring ways. Scout camps were invariably placed between Army positions and Indians groups. Sometimes this held at a micro-level, with scout camps located on the perimeter of Army posts. Other times a larger spatial scale applied, as when Sibley warned Major John Clowney that "upon approaching the head of the Coteau you will probably be communicated with by Gabriel Renville, my chief of scouts, who is encamped with other half-breed scouts and friendly Indians at Skunk Lake."[437]

Maintaining distance between scout camps and soldiers seemed prudent. For reasons Sibley called "sufficiently obvious," occupying the middle ground placed indigenous people in a precarious position. In order to make it less so, when Sibley urged his underlings to use Renville's "scouts whenever their services are needed," he reminded them that "it is not desirable that they encamp with the Indians in the vicinity of your command." He also required them to get a list of those "Indians . . . under the direct protection of the Government . . . to be furnished you by Gabriel Renville, chief of the upper scouts."[438] As a "friendly" beachhead in "hostile" places, scout camps stood at serious risk of "friendly" fire. For this reason Sibley also took the precaution to remind to Renville that he "must be careful not to allow any of the friendly Indians to stray away from your camp, or they may be killed by the soldiers. As soon as you see my soldiers you must hoist a white flag and let them know who you are, so that no mistake may occur."[439] Through both space and signal, Renville and his scouts could offer evidence of their identity as they occupied the dangerous areas in between the Army and its enemies.

This use of "friendly" indigenous groups as a buffer between the military and its targets extended to bands not directly in the army's employ.[440] Indeed, camping with scouts located between the Army and "hostile" bands was one of the ways "friendly" bands performed their allegiance. This in turn encouraged others of the same disposition to approach, so that the spatial middle ground fostered social mixture, not only inter-racial but inter-tribal as well. In 1865, when Sioux who had "acceded to the terms of peace offered them by the Government" subsequently "encamped with the scouts" "near the Big Bend of the Cheyenne," "the Chippewa Indians from Leech Lake and from other bands . . . manifested a desire to open communication with the Sioux camp." Although "their professed desire [was] peace," such mixture alarmed the military. "It would be contrary to the plainest dictates of public policy to encourage any intercourse between the Sioux and Chippewas in any form whatever," Captain Olin declared. "You will, therefore," he continued, "kindly but firmly intimate to any Chippewas who may be

[436] R. C. Olin to Maj. John Clowney, Hdqtrs. Dist. Of Minnesota, Dept. of the Northwest, Saint Paul, Minn., August 8, 1864, in *OR*, vol. XLI, I, part II, ed. United States War Dept. (Washington: GPO, 1898), 618.
[437] R. C. Olin to Maj. John Clowney, Hdqrs. Dist. Of Minn., Dept. of the Northwest, Saint Paul, Minn., June 14, 1864, in *OR*, vol. XXXIV, I, part IV, ed. United States War Dept. (Washington: GPO, 1896), 383.
[438] Ibid.
[439] Sibley also admonished Renville to act the part he imagined for Army allies: "Should you kill any more Indians who are trying to do mischief do not allow your men to scalp or cut them up, for that is not like white men or Christians." H. H. Sibley to Mr. G. Renville, Hdqrs. Dist. Of Minn., Dept. of the Northwest, Saint Paul, Minn., May 18, 1864, in *OR*, vol. XXXIV, I, part III, ed. United States War Dept. (Washington: GPO, 1891), 664.
[440] Sometimes the military used friendly band emplacement as a more offensive tactic. In one such instance, upon the surrender of "200 lodges (about 600 warriors) of the Sissetons and other bands of Minnesota Sioux to the U.S. forces," Pope instructed Sibley "to locate the Indians at Devil's Lake" on lands "claimed by the hostile Yanktonais." Jno. Pope to General H. W. Halleck, Headquarters Department of the Northwest, Milwaukee, Wis., May 4, 1864, in *OR*, vol. XXXIV, I, part III, ed. United States War Dept. (Washington: GPO, 1891), 447-448.

known as endeavoring to reach the Sioux camps that they will not be permitted to do so, but that they must confine themselves to the country in which they have hitherto lived and hunted."[441]

The fact that scout camps located in between the Army and its "Indian" targets hosted different indigenous groups was, of course, a product of scouts' affiliations as well as their location, and these affiliations underlay scouts' effectiveness. The word "scout" conjures images of stealthy reconnaissance. The U.S. certainly relied on its scouts for learning about the land, and the people, that lay ahead. Scouts, individually or in groups, sometimes tried to obtain information without being observed or found out. But given the complicated relationships between combatants, perhaps more often than not scouts secured information simply by talking with target communities. At what he labeled "the battle of 'Dead Buffalo Lake,'" Sibley prepared to face "an enormous camp" of "the combined Dakota bands" whose composition he learned "from information received from various sources, including that obtained from the savages themselves, in their conversations with our half-breed scouts."[442] Scouts for Sully, too, gleaned much of the information they relayed to him through the decidedly prosaic medium of conversation.[443] Clearly, scouts' ability relied on their intimacy with not only the land but with the people. Such intimacy meant that scouts even sometimes functioned as undercover spies. When the Blackfoot Agent stationed at Fort Benton feared that the Sioux who were "on the Powder River" "threaten[ed] to clear out all the whites, besides Fort Union and Fort Berthold." He placed "scouts amongst them" and promised to send "all the information that can be got about their movements" to troop commanders.[444] Although Army commanders capitalized regularly on the opportunities afforded by scouts' intimacy with target communities, they didn't always recognize the important role those relationships played. When Sully's guide Frank La Framboise, who had been instructed to "keep ahead of [Sully] 5 miles," encountered a large Sioux camp of 400-600 lodges, he returned to Sully and conveyed information gathered in conversations with the Sioux. Sully believed the guide's success was the product of physical prowess rather than interpersonal relations, reporting that although "he was surrounded by about 200 of them . . . Mr. La Framboise succeeded in getting away from them after some difficulty, and ran his horse a distance of more than ten miles to give me information."[445]

Cycles of Dependency

[441] Olin's discrete, spatialized tribal categories blinded him from seeing Chippewa connections to the area in question. He also warned that "there is an evident intention also on the part of the Chippewas to trespass upon the region of the upper Minnesota and its tributaries, from which the Sioux have lately been expelled." See R. C. Olin to C. P. Adams, Hdqrs. Dist. Of Minn., Dept. of the Northwest, Saint Paul, Minn., July 20, 1864, in *OR*, vol. XLI, I, part II, ed. United States War Dept. (Washington: GPO, 1893), 303-305.

[442] Henry H. Sibley, "Report No. 1, Report of Brig. Gen. Henry H. Sibley, U. S. Army, Commanding Expedition," Headquarters District of Minnesota, Camp Carter, Bank of James River, August 7, 1863, in *OR*, vol. XXII, I, part I, ed. United States War Dept. (Washington: GPO, 1888), 356-359. The "Indian scouts" in Sibley's Summer 1863 campaign included "the chiefs, McLeod and Duley." The Rev. Mr. Riggs served as an interpreter, rendering "much assistance in the management of the Indian scouts."

[443] Alf. Sully, "Report No. 1, Report of Brig Gen. Alfred Sully, U.S. Army, Commanding Expedition," Headquarters Northwestern Expedition, Camp at Mouth of Little Cheyenne River, September 11, 1863, in *OR*, vol. XXII, I, part I, ed. United States War Dept. (Washington: GPO, 1888), 555-561. See also H. H. Sibley to Brig. Gen. A. Sully, Hdqrs. Dist. Of Minn., Dept. of the Northwest, Saint Paul, Minn., April 30, 1864, in *OR*, vol. XXIV, I, part III, ed. United States War Dept. (Washington: GPO, 1891), 368; H. H. Sibley to Maj. Gen. John Pope, Hdqrs. Dist. Of Minn., Dept. of the Northwest, Saint Paul, Minn., May 24, 1864, in *OR*, vol. XXXIV, I, part IV, ed. United States War Dept. (Washington: GPO, 1891), 25-26; Scouts notes enclosed in H. H. Sibley to Lieutenant-Colonel Pfaender, Hdqrs. Dist. Of Minn., Dept. of the Northwest, Saint Paul, Minn., August 15, 1864, in *OR*, vol. XLI, I, part II, ed. United States War Dept. (Washington: GPO, 1893), 724.

[444] Blackfoot agent at Fort Benton, quoted in Maj. Gen. H. W. Halleck to P. Chouteau & Co. Saint Louis, March 26, 1864, in *OR*, vol. XXXIV, I, part II, ed. United States War Dept. (Washington: GPO, 1891),743-744.

[445] Alfred Sully, "Report No. 1, Report of Brig General Alfred Sully, U.S. Army Commanding Expedition," Headquarters Northwestern Expedition, Camp on the Mouth of the Little Cheyenne River, September 11, 1863, in *OR*, vol. XXII, I, part I, ed. United States War Dept. (Washington: GPO, 1888), 558.

Universal reliance on mixed, mobile indigenes to conduct the Dakota campaign further encouraged their movement and bolstered their multicultural credentials. It also, at times, exposed them to valuable information. The Army's use of such individuals and groups thus made them ever more useful, and more indispensable. In certain circumstances, reliance on "half-breed" reports invested individuals with considerable power.[446] Officers decided whether or not (and if so, when and how) to attack Indian groups based on "half-breed" information. If that information was not forthcoming, they might avoid violent confrontations all together, as did Sibley in August of 1863. When he "could not learn from the Red River half-breeds that any of the Red Lake Chippewas were on the Red River" Sibley "deemed it improper to move in that direction." He decided instead that "a demonstration of force toward Otter Tail Lake, and other localities where the Chippewa Indians are usually found," made on his way back to Fort Abercrombie, would suffice.[447]

The fact that the Army acted on information from "half-breeds" also created ample opportunity for intentionally delaying or diverting U.S. movements, and sending Army forces on unproductive, expensive, and time-consuming wild-goose chases. Since they were meant to be hidden from the Army officers who created much of the documentary record, such tactics are difficult to identify in primary sources. Hints, however, abound, like when Sibley sent "two companies of infantry and one of cavalry" to scour the country around Devil's Lake after being informed by some "half-breed hunters from Red River" that "15 or 20 lodges" of "hostile" Sioux "would be found on its shores." After eight days, the companies returned "without discovering any Indians or fresh traces of them."[448] Exposed as they were to Army plans and activities, indigenous assistants to the army also could thwart American efforts in other ways, and officials struggled to prevent them from doing so. Even though he planned to send "two or three trusty men from among the scouts, one of whom at least should be able to converse in both English and Sioux" with a military "escort" assigned to forcibly return "indian stragglers" "to their own reservation," Captain Rollin Olin advised his subordinates that "it would be well to keep the scouts and those at their camp ignorant of the intended transfer of the stragglers to the Indian Department officials, lest they take alarm and secrete themselves."[449] Suspicion of indigenous assistants ran so high that the Army sometimes spied on its own scouts.[450] The possibility that scouts would relay critical information to targeted groups could be literally paralyzing, as when Sully confessed that he "fear[ed] it is impossible for me to move without its being known."[451] Their control over information made indigenous assistants seem so powerful that, in what was perhaps a particularly paranoid moment, Sully concluded that, in the realm of Indian affairs, "the half breed interpreter of the post is, in fact, the commanding officer."[452]

The United States army was acutely aware of its reliance on the people in between and of the way this reliance heightened the importance of communities of connection. And it viewed

---

[446] This suggests multiple meanings when we think of "connected" individuals.

[447] H. H. Sibley to J. F. Meline, Hdqrs. Dist. Of Minn., Dept. of the Northwest, In the Field, 60 miles West of Fort Abercrombie, Camp Stevens, August 16, 1863, in *OR*, vol. XXII, I, part I, ed. United States War Dept. (Washington: GPO, 1888), 907-908.

[448] H. H. Sibley to J. F. Meline, Hdqrs. Dist. Of Minn., Dept. of the Northwest, In the Field, Camp Hackett, Fort Abercrombie, August 23, 1863, in *OR*, vol. XXII, I, part I, ed. United States War Dept. (Washington: GPO, 1888), 908-909.

[449] R. C. Olin to Lieut. Col. William Pfaender, Hdqrs. Dist. Of Minn., Dept. of the Northwest, Saint Paul, Minn., October 11, 1864, in *OR*, vol. XLI, I, part III, ed. United States War Dept. (Washington: GPO, 1893), 799-800.

[450] William Pfaender to Capt. R. C. Olin, Headquarters Second Sub-District of Minnesota, Fort Ridgely, Minn., July 20, 1864, in *OR*, vol. XLI, I, part II, ed. United States War Dept. (Washington: GPO, 1893), 303. Pfaender wrote regarding recently received instructions: "I had already dispatched Scout D. R. Kennedy, with instructions, to the scouts' camp, on the Redwood, and shall closely watch their movements in the future."

[451] Alf. Sully to Asst. Adjt. Gen., Department of Missouri, Headquarters Northwest Indian Expedition, Fort Berthold, August 13, 1865, in *OR*, vol. XLVII, I, part II, ed. United States War Dept. (Washington: GPO, 1896), 1180-1181.

[452] Alf. Sully to Asst. Adjt. Gen., Department of the Northwest, Headquarters Northwest Indian Expedition, Camp No. 30, Dak. Ter., Devils Lake, July 30, 1865, in *OR*, vol. XLVIII, I, part II, ed. United States War Dept. (Washington: GPO, 1896), 1136-1137.

the connections between indigenous groups as a potent threat to American efforts to control the Great Plains. Thus, even as the U.S. relied heavily on the people in between it sought to sever the connections that they reflected and refreshed. In doing so, authorities focused especially on the same populations so crucial to colonizing the Northern Plains, the people who seemed to embody the spatial and social interaction between Great Plains groups, whom American authorities referred to as "half-breeds." As with the fleeing Sioux, the army identified control of intertribal, interracial, international "half-breed" communities as crucial to the outcome of the conflict. As soon as army officers established Great Plains garrisons, they made "half-breeds" a primary focus of their efforts to control indigenous populations. Métis groups became the enemy, albeit an indispensable one.

In army eyes, the "evil effect of these half-breeds" on "Northwestern Indians" was enormous. Colonel C. A. R. Dimon, the commander of Fort Rice, believed that the U.S. had "more to fear from the influence of these traders than any natural disposition of the Indians" and projected dire consequences in the coming 1865 spring "if their influence is allowed to have sway with the Indians this winter." His superior Sully deemed it "impossible to restore quiet among the Northwestern Indians unless some steps were taken to prevent interference" by "half-breeds."[453] Sibley, with typical rhetorical flourish, concurred: "half-breeds" "are as truly inimical to our Government as the Indians themselves, if not more so." He proposed "to do what is in the power of the military authorities of this district to embarrass and prevent, so far as practicable, all communication between them" and enemy Indians. If this could be accomplished, Sibley assured his audience, it would "be a comparatively easy task to bring the upper bands of Sioux to terms."[454] In Army eyes, control of the region depended, first and foremost, on control over "half-breeds." Hence as Pope contemplated the project in front of him, he was careful to let his commanders in the field know that "whatever measures are necessary to control the half-breeds . . . you are authorized to put in force." [455]

Army officials deemed "half-breeds" guilty of an impressive array of crimes. By virtue of their association with communities in Canadian-claimed territory, they could provide a "safe place of refuge" to Indians fighting the United States.[456] By virtue of their association with non-Indian communities, not least the U.S. Army, they could pass on strategically valuable information.[457] Intimacy with the Army also offered opportunities for other types of "halfbreed'

---

[453] Lieut. Col. Edward P. Ten Broeck to C. A. R. Dimon, Headquarters Post Command, Fort Rice, Dak. Ter., January 24, 1865, in *OR*, vol. XLVIII, I, part I, ed. United States War Dept. (Washington: GPO, 1896), 636-638; Alf Sully, "First Indorsement to C. A. R. Dimon to Lieut. Col. Edward P. Ten Broeck, January 24, 1865," Headquarters District of Iowa, Davenport, February 22, 1865, in *OR*, vol. XLVIII, I, part I, ed. United States War Dept. (Washington: GPO, 1896), 638; Jno. Pope, "Third Indorsement to C. A. R. Dimon to Lieut. Col. Edward P. Ten Broeck, January 24, 1865," Hdqrs. Military Division of the Missouri, Saint Louis, Mo., March 4, 1865, in *OR*, vol. XLVIII, I, part I, ed. United States War Dept. (Washington: GPO, 1896), 638; C. A. R. Dimon to Lieut. Col. Edward P. Ten Broeck, Headquarters Post Command, Fort Rice, Dak. Ter., February 8, 1865, in *OR*, vol. XLVIII, I, part I, ed. United States War Dept. (Washington: GPO, 1896), 784-785.

[454] H. H. Sibley to Maj. Gen. John Pope, Hdqrs. Dist. Of Minn., Dept. of the Northwest, Saint Paul, Minn., May 24, 1864, in *OR*, vol. XXXIV, I, part IV, ed. United States War Dept. (Washington: GPO, 1891), 25-26; Pope responds see John Pope to Brig. Gen. H. H. Sibley, Headquarters of the Northwest, Milwaukee, Wis., May 28, 1864, in *OR*, vol. XXXIV, I, part IV, ed. United States War Dept. (Washington: GPO, 1891), 102.

[455] Jno. Pope, " Report 1, Reports of Maj. Gen. John Pope, U. S. Army, Commanding Department of the Northwest," Headquarters Department of the Northwest, Milwaukee, Wis., October 6, 1864, in *OR*, vol. XLI, I, part I, ed. United States War Dept. (Washington: GPO, 1893), 132.

[456] Ibid.

[457] Brg. Gen. Sibley to J. F. Meline, Hdqrs. Dist. Of Minn., Dept. of the Northwest, Saint Paul, Minn., September 12, 1863, in *OR*, vol. XXII, I, part II, ed. United States War Dept. (Washington: GPO, 1888), 911. Sibley reported that "the Upper Sioux are desirous to have re-established their former amicable relations with the Government . . .but they are in constant intercourse with the Red River half-breeds, and would promptly be informed of the reduction of forces in this district through them, and, if impressed with the idea that the dimunition was so great as to prevent the Government from further chastising them in case it became necessary, they might be emboldened to continue the war, and thereby necessitate another expedition for their complete subjugation." See also, H. H. Sibley to Maj. Gen. Pope, Hdqrs. District of Minn., Dept. of the Northwest, Saint Paul Minn., February 11, 1864, in *OR*, vol. XXXIV, I, part II, ed. United States War Dept. (Washington: GPO, 1891), 304, which argued against abandoning a post at Pembina and promised that the "British half-breeds" would "promptly inform" the "powerful bands of savages who inhabit the prairies" of any "dimunition of the military strength of the district." And Maj. Gen Pope to H. H. Sibley, Hdqrs. Dist. Of Minn., Dept. of the Northwest, Saint Paul, Minn., June 9, 1864, in *OR*, vol. XXXIV, I, part IV, ed. United States War Dept. (Washington: GPO, 1891), 288-

subterfuge, like that afforded to the interpreter "who frequently may be a scoundrel, who will interpret anything he is paid to interpret."[458] More broadly, in light of limits placed on the sale of supplies to Indians, "half-breeds'" association with whiteness itself gave them access to guns, ammunition, and other supplies needed to sustain indigenous struggle. These goods they then purveyed to America's "Indian" enemies, often through other Métis people.[459] It is the threat "half-breeds" posed as arms suppliers that gets perhaps the most attention from historians in the United States.[460] And allegations that they were supplying arms to Indians certainly attended some of the more dramatic attacks on mixed indigenous groups and individuals. But the economic, or trade, violation of supplying arms was neither the most common nor the most serious of alleged half-breed crimes.[461] More pervasive and sinister were a cluster of political crimes that stemmed from the very nature of people in between, ie. their role as instigators, organizers and leaders of opposition to American occupation.

Even as the initial Minnesota conflicts unfolded in September of 1862, Army correspondence implicated "British traders" from "Red River," a descriptor used interchangeably with "halfbreed," in causing the conflict. These traders were allegedly the vehicles through which the "British Government . . [was] instigating all these ["Sioux"] Indian attacks on the whites."[462] When the Army, and the Sioux, moved onto the Plains, allegations that métis people not only gave Indians "constant encouragement to commit hostilities" but also organized specific actions, continued.[463] In one such instance, in January 1865, some "parties . . . from the Red River of the North" allegedly "incited to unlawful acts" "hostile Indians in the vicinity of Fort Berthold, under Medicine Bear and Man Who Strikes the Ree." These "half-breed traders" encouraged conflict with the U.S. "by presents and munitions of war," including "five kegs of powder and some bullets" and by reportedly threatening to hurt "those who join the Americans." They promised to "return the last of the month with more powder, ball, and arms, and some Santees, and . . . take Fort Berthold and then Fort Rice."[464] Subsequent reports provided additional details of the rumored attacked plans, describing "a scheme one of these traders had tried to induce the Indians to join in viz, to seize the garrison of Fort Berthold by treachery,

---

289, which notes that "the numerical force of the hostile savages is very great; . . .they are in constant communication with the Red River half-breeds, and obtain from them intelligence of any dimunition of force on the border; and . . .the distance of 200 or 300 miles to be traversed to bring them in contact with the settlements in Minnesota and Iowa is no barrier to this Indians, whose movements are so rapid."

[458] Brig. Gen. Alf. Sully to the Assistant Adjutant General, Headquarters Northwest Indian Expedition, October 7, 1864, in *OR*, vol. XLI, I, part III, ed. United States War Dept. (Washington: GPO, 1893), 699-701. Sully proposed teaching men Indian languages in order to eradicate reliance on Métis interpreters.

[459] Jno. Pope to Major-General Halleck, Headquarters Department of the Northwest, Milwaukee, Wis., May 12, 1864, in *OR*, vol. XXXIV, I, part III, ed. United States War Dept. (Washington: GPO, 1891), 566; Jno. Pope, "Report No. 1, Reports of Maj. Gen. John Pope, U. S. Army, Commanding Department of the Northwest", Headquarters Department of the Northwest, Milwaukee, Wis., October 6, 1864, in *OR*, vol. XLI, I, part I, ed. United States War Dept. (Washington: GPO, 1893), 131-133; Enos Stutsman to N. Sargent, Esq., Dakota Territory, Yankton, March 12, 1866, Enos Stutsman Papers, MSS 10412.

[460] Foster, *We Know Who We Are*, 2006, 66; Hogue, "Between Race and Nation: The Creation of a Métis Borderland on the Northern Plains," 67–68; McCrady, *Living with Strangers*, 65–80.

[461] Another allegation commonly leveled at Métis people was that they supplied alcohol to Indians in violation of the law. Renisa Mawani has studied this phenomenon in late nineteenth century British Columbia, where "liquor prohibitions at both the federal and provincial levels were integral to maintaining racial and spatial boundaries and to keeping mixed-race people in their place . . . Mixed-race people, then, became the targets of governmental regulatory strategies, particularly the enforcement of liquor prohibitions." Renisa Mawani, "In Between and Out of Place: Mixed-Race Identity, Liquor, and the Law in British Columbia, 1850-1913," in Sherene Razack, ed., *Race, Space and the Law: Unmapping a White Settler Society* (Toronto: Between the Lines, 2002), 51.

[462] H. C. Nutt to Hon. Samuel J. Kirkwood, State of Iowa, Adjutant-General's Office, Council Bluffs, Iowa, September 15, 1862, in *OR*, vol. XXIII, I, part I, ed. United States War Dept. (Washington: GPO, 1895), 640.

[463] Lieut. Col. Edward P. Ten Broeck to C. A. R. Dimon, Headquarters Post Command, Fort Rice, Dak. Ter., January 24, 1865, in *OR*, vol. XLVIII, I, part I, ed. United States War Dept. (Washington: GPO, 1896), 636-638; Jno. Pope, "Report No. 1, Reports of Maj. Gen. John Pope, U. S. Army, Commanding Department of the Northwest", Headquarters Department of the Northwest, Milwaukee, Wis., October 6, 1864, in *OR*, vol. XLI, I, part I, ed. United States War Dept. (Washington: GPO, 1893), 132.

[464] Lieut. Col. Edward P. Ten Broeck to C. A. R. Dimon, Headquarters Post Command, Fort Rice, Dak. Ter., January 24, 1865, in *OR*, vol. XLVIII, I, part I, ed. United States War Dept. (Washington: GPO, 1896), 637.

drawing the garrison outside for peace purposes unarmed, and surprising them."[465] In other instances the nefarious half-breeds were said to deter hoped-for developments, like "the upper bands" of Sioux "submitting to the Government" or the "Red Lake Chippewa" accepting annuity payments in paper money "instead of specie."[466] Whether working to prevent progress or to promote conflict, the danger posed by Métis political activities was profound. In General Sibley's estimation, it precluded success on the Plains, period. "Until the evil influences which these half-breeds exert upon the Sioux and Chippewas along our entire northern boundary can be effectually destroyed by cutting off communications with them and forbidding subjects of a foreign power to hunt and trade within our Territories," Sibley promised, "there will be no permanent peace with these savages."[467]

Between Race, Nation, Tribe and Band: Layered Mobilities as the Source of the "Half-breed" Threat

As Sibley's comment suggests, these roles flowed from multiple métis mobilities. Geographic mobility, or movement across space, played a part, but so, too, did social mobilities stemming from their relationships to multiple "Indian" and non-Indian groups in both Canada and the United States. Although the derogatory label "half-breed" foregrounded racial mixture, it denoted a population defined by a much more complex, layered batch of connections between different bands, tribes, races, spaces, and nations. The intersection of all of these in the mixed indigenous communities of the borderlands, and the practical and ideological implications thereof, constituted the "half-breed" spectre of the American imagination.

Critical to the construction of halfbreeds as a peril was a developing ascription of foreignness. As we can conclude from General Sibley's personal history, many of the army officers and civilian officials involved in the Dakota conflict were familiar with of the region's "half-breed" communities in U.S.-claimed territory. Indeed, many of these men were integral parts of these communities.[468] As early as 1849, Minnesota's Governor Alexander Ramsey, then Governor of the Territory of Minnesota, brought the concerns of "half-breeds on the Red River of the North" to the attention of the Minnesota legislature and to the United States Secretary of State. Ramsey requested official assistance for what he called "this remote body of our people."[469] He considered their claims not only valid but also directed to the proper authorities—these were American people petitioning an American governing body. By the time of the Dakota conflict Ramsey, like Sibley and scores of other American officials, had lived and worked with "half-breed" persons and communities for decades.

Despite their familiarity with the long American history of "half breed" communities, in their campaigns on the Northern Plains Army officials labeled "half-breeds" as being from the "Red River of the North," "traders from the British lines" who swore allegiance to England or,

---

[465] C. A. R. Dimon, Lieut. Col. Edward P. Ten Broeck, Headquarters Post Command, Fort Rice, Dak. Ter., February 8, 1865, in *OR*, vol. XLVIII, I, part I, ed. United States War Dept. (Washington: GPO, 1896), 785.

[466] H. H. Sibley to Maj. Gen. John Pope, HDQRS. Dist. of Minn., Dept. of the Northwest, Saint Paul, Minn., January 25, 1864, in *OR*, vol. XXXIV, I, part II, ed. United States War Dept. (Washington: GPO, 1891), 152-156.

[467] H. H. Sibley to Maj. Gen. John Pope, Hdqrs. Dist. Of Minnesota, Dept. of the Northwest, Saint Paul, Minn., October 4, 1864, in *OR*, vol. XLI, I, part III, ed. United States War Dept. (Washington: GPO, 1893), 626.

[468] A good example is Sibley's long-time associate Joe Rolette, Jr. After living at Fort Snelling and then working in the fur trade in the Pembina area with Sibley, Rolette served in the Minnesota Legislature during the 1850s, and was later the postmaster at Pembina before becoming the U.S. Customs officer there. In 1845 he married Angelique Jerome, a "French-chippewa" woman, at St. Boniface. They had 11 children. See Bruce White, "The Power of Whiteness, Or, the Life and Times of Joseph Rolette Jr.," *Minnesota History*, 1999, 197.

[469] Alexander Ramsey to Hon. Jno. M. Clayton, October 8, 1849 and enclosed "memorial" "signed by one hundred" "half-breed residents of Pembina on the Red River" from Gus. Belcourt to Alexander Ramsey, *James Wickes Taylor Papers*, MSS 20187, SHSND.

even worse, were "governed by no law whatever."[470] Although they cloaked ascriptions of "half-breed" nationality in allegations of "British" residence, it is clear that geography was beside the point. As Sibley put it, he was "decidedly of the opinion that the half-breeds of Red River *on both sides of the line* should be prohibited from hunting buffalo within our territory and trading with the Indians within it, under penalty of having their horses, carts, and other property seized and confiscated."[471] Emphasizing métis associations with British territory delegitimized all "half-breed" activities south of the border, be they fighting, fornicating, hunting, trading, or simply moving, living, being. And it rendered any associations with Canada themselves suspect. In Army eyes, affiliation with communities north of the border meant enemy access to goods, services, and sanctuary. As "Her Majesty's subjects," "half-breeds" "require[d] the prompt interposition of the Government in insisting that a professedly friendly power shall no longer permit its soil to be a convenient refuge for these Ishmaelites of the prairies."[472] Failing that, the U.S. would have to resort to the "employment of large forces at great expense along our whole northern frontier."[473]

By emphasizing "half-breeds'" Canadian associations, Americans added geographic mobility and relationships across the international boundary to the rationale for targeting métis communities. But the problem posed by the people in between had other components. Geographic and social mobility meant that not only Canadian communities, but other tribes, and their territories, could offer refuge to American enemies.[474] With different Northern Plains areas still in control of different tribal entities, there was more than one medicine line complicating Army efforts. As a result, alleged association with the "British Possessions" wasn't necessary to attract the Army's suspicion: such actions as "speaking both the Sioux and Chippewa languages" while traveling with the Chippewa, and camping in company with "the halfbreeds" were sometimes sufficient.[475] So, too, was simply being physically in between Indian and white spaces. Part of the halfbreed menace stemmed from simple geography, as when Pope had to qualify his triumphant report that "no Indians of the Sioux Nation are now believed to be within 250 miles of any settlement in Minnesota, except the half-breed settlement at Pembina."[476] Problematic in and of itself, being socially and spatially in between could also facilitate more nefarious activities, allowing, we are told, "half-breed robbers" to lead groups of Indians who "prowl within the forests" near Mankato almost three years after the mass executions in that Minnesota town.[477]

---

[470] Lieut. Col. Edward P. Ten Broeck to C. A. R. Dimon, Headquarters Post Command, Fort Rice, Dak. Ter., January 24, 1865, in *OR*, vol. XLVIII, I, part I, ed. United States War Dept. (Washington: GPO, 1896), 637.

[471] H. H. Sibley to Maj. Gen. John Pope, Hdqrs. Dist. Of Minn., Dept. of the Northwest, Saint Paul, Minn., May 24, 1864, in *OR*, vol. XXXIV, I, part IV, ed. United States War Dept. (Washington: GPO, 1891), 26.

[472] H. H. Sibley to Maj. Gen. John Pope, Hdqrs. Dist. Of Minn., Dept. of the Northwest, Saint Paul, Minn., January 25, 1864, in *OR*, vol. XLI, I, part II, ed. United States War Dept. (Washington: GPO, 1893), 153; H. H. Sibley to Maj. Gen. John Pope, Hdqrs. Dist. Of Minnesota., Dept. of the Northwest, Saint Paul, Minn., October 4, 1864, in *OR*, vol. XLI, I, part III, ed. United States War Dept. (Washington: GPO, 1893), 626; H. H. Sibley to Maj. John Pope, Hdqrs. Dist. Of Minn., Dept. of the Northwest, Saint Paul, Minn., August 8, 1864, in *OR*, vol. XLI, I, part II, ed. United States War Dept. (Washington: GPO, 1893), 616; C. Powell Adams to Capt. R. C. Olin, Headquarters Fort Abercrombie, Dak. Ter., September 27, 1864, in *OR*, vol. XLI, I, part III, ed. United States War Dept. (Washington: GPO, 1893), 433.

[473] Jno. Pope, "Report No. 1, Reports of Maj. Gen. John Pope, U. S. Army, Commanding Department of the Northwest", Headquarters Department of the Northwest, Milwaukee, Wis., October 6, 1864, in *OR*, vol. XLI, I, part I, ed. United States War Dept. (Washington: GPO, 1893), 132.

[474] Alf. Sully to Asst. Adjt. Gen. Department of the Missouri, Headquarters Northwest Indian Expedition, Fort Berthold, August 13, 1865, in *OR*, vol. XLVIII, I, part II, ed. United States War Dept. (Washington: GPO, 1896), 1181.

[475] R. C. Olin to Maj. C. P. Adams, Hdqrs. Dist. Of Minn., Dept. of the Northwest, Saint Paul, Minn., July 20, 1864, in *OR*, vol. XLI, I, part II, ed. United States War Dept. (Washington: GPO, 1893), 303.

[476] Jno. Pope to Maj. Gen. Halleck, Headquarters Department of the Northwest, Milwaukee, Wis., September 23, 1863, in *OR*, vol. XXII, I, part II, ed. United States War Dept. (Washington: GPO, 1888), 570.

[477] S. R. Curtis to Hon. S. Finch, Headquarters Department of the Northwest, Milwaukee, Wis., May 16, 1865, in *OR*, vol. XLVIII, I, part II, ed. United States War Dept. (Washington: GPO, 1896), 474.

Targetting Connections and Connecting Targets: The Geography of Connectivity becomes the Geography of Conflict

The epithet "halfbreed" functioned as shorthand for a host of problems the Army saw in mixture. Targeting the mixed, mobile indigenes of the borderlands was only one component of a region-wide campaign against the inter-community connections that impeded colonial control. Army officials believed that conquering the Plains depended on severing connections between its indigenous occupants and separating Northern Plains indigenous communities on both a local and regional level. They located their military bases accordingly, building in the center of critical locales and astride the routes and corridors that linked them. And they deployed social simplifications that facilitated these more tangible tactics. American segregationist simplifications disregarded the depth and complexity of regional relationships while at the same time identifying them as primary obstacle to American expansion.

In official reports from this period, it was not so much Indians, or particular tribes Indians, that most threatened U.S. forces and American citizens. Far worse, in Army eyes, were Indian-white alliances or "combinations" of Indians. The prevention of such combinations became the crux of Army efforts on the plains. While officers were directed to "cut off and destroy any small bands of raiding Indians which may be near the frontier," General Pope did not want to be bothered about them. "It is not necessary to telegraph of these small raids," he remonstrated his underlings. In his eyes, such insignificant thrusts were "to be expected for a time."[478] His concern was with more organized, mixed groups. The fear of combinations flowed, of course, from the spectre of large numbers of Indians brought together. But perhaps more ominous were the opportunities for intellectual intercourse such combinations offered. Officials construed contact with other tribes as posing an important political threat, for "enemy" tribes could contaminate the minds of friendly tribes.

Intertribal contact happened all over, but it was especially associated with particular places. The American army focused on controlling these spaces of connection. From the moment soldiers marched onto the Plains, that goal guided decisions about where to locate military posts. In 1863, as Army officials contemplated sites for establishing posts, they targeted the same areas of intertribal interaction that drew the fleeing Sioux, namely Devil's Lake and the northernmost (U.S.) reaches of the valley of the Red River of the North.[479] The Red River post was intended to keep the "Sioux Indians" from the lands east of the valley. According to Major-General Pope, on the lands to the east there were "only Chippewa Indians, who have always been peaceful, and, thus separated from other Indian tribes, are likely to remain so always."[480] Similar concerns underlay the decision to locate a post at Devil's Lake, where it "would have a good effect in breaking up the intercourse between the British half-breeds and the prairie bands of

[478] John Pope to Brig. Gen. H. H. Sibley, Headquarters Department of the Northwest, Milwaukee, Wis., May 21, 1864, in *OR*, vol. XXXIV, I, part III, ed. United States War Dept. (Washington: GPO, 1891), 712.
[479] Jno. Pope to Maj. Gen. H.W. Halleck, Headquarters Department of the Northwest, Milwaukee, Wis., December, 4, 1863, in *OR*, Vol. XXII, I, part II (Washington: GPO, 1891), 729; Another post was located to "separate the Indians tribes, so that another concentration will be impracticable." Jno. Pope, "Report No. 1, Reports of Maj. Gen. John Pope, U. S. Army, Commanding Department of the Northwest," Headquarters Department of the Northwest, Milwaukee, Wis., November 3, 1864, in *OR*, vol. XLI, I, part I, ed. United States War Dept. (Washington: GPO, 1893), 136.
[480] Jno. Pope to Maj. Gen. H.W. Halleck, Headquarters Department of the Northwest, Milwaukee, Wis., December 4, 1863, in *OR*, vol. XXII, I, II, (Washington: GPO, 1888), 730; Robt. H. Rose to Capt. R. C. Olin, Headquarters Fort Wadsworth, Dak. Ter., May 14, 1865, in *OR*, vol. XLVIII, I, part II, ed. United States War Dept. (Washington: GPO, 1896), 443.

Sioux."[481] At the same time, Army officers contemplated putting a post on the Missouri River, "near old Fort Clarke," because the location "interposes between the Uncpapas, Teton Sioux, west of the Missouri River, and the Minnesota and Dakota Sioux, and renders combined hostilities very difficult."[482]

Spaces of connection were targeted because they promoted meeting and mingling and, therefore, cooperative action against the U.S. military. But their strategic importance transcended this obvious attribute. In addition to the active military role mixed communities played, places like St. Joseph facilitated negotiation and served as conduits for information. News quite literally traveled to and through these communities. This fact inspired Sibley to suggest that the U.S. "garrison a post at Saint Joseph or Pembina" after hearing that Standing Buffalo, "a leading chief of the Sisseton Sioux . . . who has been consistent in his opposition to the hostilities," had visited St. Joseph for a conference.[483] "Deputies represent[ing] all those powerful bands not directly implicated in the murders and outrages" in Minnesota accompanied Standing Buffalo, and these men met "with Father Andre, a Catholic priest, who is held in high estimation alike by the half-breed hunters and by the Sioux Indians." After his guests left, Father Andre hastily relayed the gist of their discussion to Sibley. As Sibley's superior, Major General John Pope, explained the following year, "all information received both from your region [Dakota Territory] of the country and through Minnesota," came "by way of Pembina and the head of the Coteau Des Prairies."[484]

Controlling intertribal spaces paid off in multiple ways. Interaction hubs are almost always also important resource sites, so targeting them had the added benefit of limiting enemy access to critical supplies.[485] By 1864, Pope could crow that the three large Dakota posts flanked the "buffalo region."[486] These same places often bore the brunt of the civilian influx as well: "The great gold discoveries of 1862 and 1863," that drew crowds from all directions "were made in the heart of the common hunting ground reserved for the signatory tribes of the Blackfeet treaty."[487] Communities of connection also hosted civilian officials who, under different auspices, targeted mixture and pursued segregationist policies that paralleled those of the Army. In borderlands locales, customs agents especially played this role. Some, like James A. Murray, worked undercover. Murray arrived in Red River in March of 1867 with instructions to report on shipments bound for Charles Bottineau or A. Gingras—both well-known Métis traders—or anyone else in St. Joseph. What he accomplished before his cover was blown later that year is unclear.[488]

Murray's overt counterpart was Enos Stutsman, who worked as a Pembina-based U.S. customs agent in the late 1860s. An influential man in Dakota politics of the period (among

---

[481] H. Sibley to Maj. Gen. John Pope, HDQRS. Dist. of Minn., Dept. of the Northwest, Saint Paul, Minn., January 25, 1864, in *OR*, vol. XXXIV, I, part II, ed. United States War Dept. (Washington: GPO, 1891), 154; Jno. Pope to Major-General Curtis Headquarters Military Division of the Missouri, May 10, 1865, in *OR*, vol. XLVIII, I, part II, ed. United States War Dept. (Washington: GPO, 1896), 391; S. R. Curtis to Capt. Joseph McC. Bell, Headquarters Department of the Northwest, Saint Paul, in *OR*, May 11, 1865, vol. XLVIII, I, part II, ed. United States War Dept. (Washington: GPO, 1896), 413. where

[482] Jno. Pope to Col. J. C. Kelton, Headquarters Department of the Northwest, Milwaukee, Wis., February 6, 1864, in *OR*, vol. XXXIV, I, part II, ed. United States War Dept. (Washington: GPO, 1891), 257.

[483] H. H. Sibley to J. F. Meline, September 12, 1863, in *OR*, I, vol. XXII, ed. U. S. War Dept. (Washington: GPO, 1888) 912-913.

[484] Jno. Pope to Hon. Newton Edwards, Headquarters Department of the Northwest, Milwaukee, Wis., June 30, 1864, in *OR*, vol. XXXIV, I, part IV, ed. United States War Dept. (Washington: GPO, 1891), 605.

[485] Jno. Pope to Col. J. C. Kelton, Headquarters Department of the Northwest, Milwaukee, Wis., February 6, 1864, in *OR*, vol. XXXIV, I, part II, ed. United States War Dept. (Washington: GPO, 1891), 257.

[486] Jno. Pope to Brig. Gen. H. H. Sibley, Headquarters Department of the Northwest, Milwaukee, Wis., April 25, 1864, in *OR*, vol. XXXIV, I, part III, ed. United States War Dept. (Washington: GPO, 1891), 292.

[487] Fee, "Government Policy Toward the Principal Indian Nations of Montana, 1851-1873," 93.

[488] Enos Stutsman to James A. Murray, Esq., Port of Pembina, March 1, 1867; Enos Stutsman to James A. Murray, Esq., Yankton, D. T., December 10, 1867, *Enos Stutsman Papers*, MSS 10412, SHSND.

other things, he was a long-time member of the territorial legislature), Stutsman used his post to advocate removing the "Chippewa" who lived west of Pembina area on the grounds that their removal would inhibit smuggling since they enjoyed a particularly intimate and mutually beneficial relationship with smugglers.[489] The Chippewa problem bespoke broader dangers inherent in indigenous intercourse across national and racial lines. Across the region, as Stutsman saw it, "hostile Indians regard[ed] smugglers as their friends and will at all times make common cause with them against offices of the Government."[490] Stutsman's assessments surely gained authority from his first-hand knowledge of frontier communities, but they also benefitted from the experience of J. B. Couillard, his deputy collector of customs at St. Joe. Among Couillard's qualifications was the fact that he was "a Canadian, having been in the U.S. only a short period of time."[491]

Stutsman's suggestion that the Chippewa be removed from the border vicinity would have seemed like a good idea to Army officials: limiting access to intertribal places was another way the military worked to control indigenous interaction. Sometimes this meant confining groups like "the Chippewa from Leech Lake" "to the country in which they" had, in the Army's eyes, "hitherto lived and hunted." Soldiers were instructed to "firmly intimate" to any of these "Chippewas who may be known as endeavoring to reach the Sioux camps that they will not be permitted to do so" and to "discourage all attempts of the Chippewas . . . in inaugurating new associations either with the whites or with the Sioux."[492] More often, the military tried to limit interaction and access to intertribal areas by targeting travel corridors themselves. If geographic communities of connection were the knots in the ties that bind, routes were the ropes, and preventing indigenous intercourse meant controlling both. Established routes were also critical to the success of colonialism because non-Indian immigrants relied on them. Corridors facilitated non-Indian access to land and provided colonizers the means of moving through, and moving into, the region. With each passing day, this consideration became more significant, as "the continued rush of emigration to the mines, [made] highways through the entire Indian country." By 1865, the Northern Plains appeared "penetrated in every direction," and the U.S. Army zeroed in on the rivers and roads that coursed through the region.[493] Pope summarized this strategy in his succinct instructions for locating posts "to command the hunting grounds of the Indians so that they would be constantly under the supervision and in the power of the military forces . . . to command the Indian trails . . . and to protect the emigrant route from the Upper Missouri River to the Territories of Idaho and Montana."[494]

---

[489] Enos Stutsman to Hon. N. Sargent, Pembina, D. T., August 10, 1866, *Enos Stutsman Papers,* MSS 10412, SHSND. Stutsman elsewhere suggested placing posts at communities of connection to sever connections between "Indians . . . hostile and semi-hostile Sioux" and "smugglers" from the British possessions. Enos Stutsman to Hon. N. Sargent, Pembina, March 18, 1867, E*nos Stutsman Papers,* MSS 10412, SHSND.
[490] Enos Stutsman to Hon. N. Sargent, Yankton, Dakota Territory, May 18, 1867, *Enos Stutsman Papers,* MSS 10412, SHSND.
[491] Enos Stutsman to Hon. N. Sargent, Pembina, D. T., February 19, 1868, *Enos Stutsman Papers,* MSS 10412, SHSND.
[492] R. C. Olin to Maj. C. P. Adams, Hdqrs. Dist. Of Minn., Dept. of the Northwest, Saint Paul, Minn., July 20, 1864, in *OR,* vol. XLI, I, part II, ed. United States War Dept. (Washington: GPO, 1893), 304. Sibley suggested that "the same general plan of concentration and military surveillance of the several bands of Chippewas" would also "be productive of like good effects." H. H. Sibley to Maj. Gen. John Pope, Hdqrs. Dist. Of Minn., Dept. of the Northwest, Saint Paul, Minn., August 12, 1864, in *OR,* vol. XLI, I, part II, ed. United States War Dept. (Washington: GPO, 1893), 678.
[493] Col. T. S. Bowers to Jno. Pope Headquarters Military Division of the Missouri, Saint Louis, Mo., June 3, 1865, in *OR,* vol. XLVIII, I, part II, ed. United States War Dept. (Washington: GPO, 1896), 752.
[494] Jno. Pope, "Report No. 1, Reports of Maj. Gen. John Pope, U. S. Army, Commanding Department of the Northwest," Headquarters Department of the Northwest, Milwaukee, Wis., November 3, 1864, in *OR,* vol. XLI, I, part I, ed. United States War Dept. (Washington: GPO, 1893), 132, 134; Patrols, like posts, also targeted connective indigenous corridors. See R. C. Olin to Maj. E. A. C. Hatch, Hdqrs. Dist. Of Minn., Dept. of the Northwest, Saint Paul, Minn., April 15, 1863, in *OR,* vol. XXXIV, I, part III, ed. United States War Dept. (Washington: GPO, 1891), 168. These purposes also guided the construction of other military infrastructure like roads, eg. Jno. Pope to Maj. Gen H. W. Halleck, Headquarters Department of the Northwest, Milwaukee, Wis., October 6, 1863, in *OR,* vol. XXII, I, part II, ed. United States War Dept. (Washington: GPO, 1888), 612. Pope advised that "a trail should be opened, as soon as possible after the establishment of the new posts, between the post on the James River and the post on the Missouri near Fort Clarke. This trail will be nearly on the direct route from Minnesota to the

More precise orders for locating posts to achieve these purposes accompanied this general mandate. In January of 1864, for instance, Sibley directed the erection of a fort at the crossing of the Missouri River near the head of Burnt Boat Island [north of present-day Bismark] because "it has evidently been a favorite passage-way of the Indians for generations."[495] A month later Pope requested a post near Fort Clarke for the same reason.[496] The following year he praised a post on Powder River as "well located . . . The Indians' trails all cross at or near it, and it will have a good effect hereafter in holding in check Indians."[497] Military installations built on Indian trails served multiple purposes. As much as non-Indians liked to boast of blazing trails or building new roads, most immigrant routes followed well-established Indian paths. With each new roadside post—posts like Forts Kearney and C.F. Smith, built beside the Bozeman Trail in 1866, or like Fort Shaw, located along the Mullan Road in 1867—both the military and civilian prongs of colonialism pushed deeper into the Plains.[498] Red Cloud made this point more poetically when he remonstrated American officials in 1866: "You are the white eagle who has come to steal the road. The Great Father sends us presents and wants us to sell him the road, but the white chief comes with soldiers to steal it."[499]

Since many roads followed rivers, establishing a military presence along roads helped further American control of important riparian resources as well as of critical water routes. Army posts along the Missouri promised to "render secure the navigation of the . . . River and the overland line of travel by the valley of that river."[500] So, too, did posts along rivers like the James, the Tongue, the Big Horn, the Yellowstone, the Milk, and the Musselshell.[501] Critical as they were to regional life before the 1860s, rivers became even more crucial in the context of conquest. In a testament to the Missouri's importance, when the U.S. organized a new military department to administer its activities on the Northern Plains, the headquarters—counterintuitively—moved south and east, from St. Paul, Minnesota, to St. Louis, which was far removed from the region but straddled the banks of the mighty river.[502] Many sectors of Plains society depended on the Missouri in this period. Like the fur trade that preceded it, the invading military was utterly dependent on the river, and indigenous groups like the Blackfeet looked to the Missouri to bring the tribal annuities that became more critical as the 1860s progressed.[503] The regions' many indigenes and immigrants who traveled on its waters turned the Missouri into a flowing highway of human bodies. As it connected with other quickening regional corridors,

---

Dakota mines." See Jno Pope to Brig. Gen. H. H. Sibley, Headquarters Department of the Northwest, Milwaukee, Wis., January 18, 1864, in *OR*, vol. XXXIV, I, part II, ed. United States War Dept. (Washington: GPO, 1891), 110.

[495] H. H. Sibley to Maj. Gen. John Pope, HDQRS. Dist. of Minn., Dept. of the Northwest, Saint Paul, Minn., January 25, 1864, in *OR*, vol. XXXIV, I, part II, ed. United States War Dept. (Washington: GPO, 1891), 155.

[496] Jno. Pope to Col. J. C. Kelton, Headquarters Department of the Northwest, Milwaukee, Wis., February 6, 1864, in *OR*, vol. XXXIV, I, part II, ed. United States War Dept. (Washington: GPO, 1891), 257.

[497] Maj. Gen John Pope to G. M. Dodge, Horse Shoe, September 15, 1865, in *OR*, vol. XLVII, I, part II, ed. United States War Dept. (Washington: GPO, 1896), 1229.

[498] Fee, "Government Policy Toward the Principal Indian Nations of Montana, 1851-1873," 113, 117; Robert Wooster, *The Military and United States Indian Policy, 1865-1903* (Norman: University of Nebraska Press, 1995), 114; R. C. Olin to Maj. E. A. C. Hatch, Hdqrs. Dist. of Minn., Dept. of the Northwest, Saint Paul, Minn., March 9, 1864, in *OR*, vol. XXXIV, I, part II, ed. United States War Dept. (Washington: GPO, 1891), 540.

[499] Quoted in Fee, "Government Policy Toward the Principal Indian Nations of Montana, 1851-1873," 113.

[500] Jno. Pope, "Report no. 1, Reports of Maj. Gen. John Pope, U. S. Army, Commanding Department of the Northwest," Headquarters Department of the Northwest, Milwaukee, Wis., October 6, 1864, in *OR*, vol. XLI, I, part I, ed. United States War Dept. (Washington: GPO, 1893), 133.

[501] H. W. Halleck to Major- General Pope, Headquarters of the Army, Washington, March 14, 1864, in *OR*, vol. XXXIV, I, part II, ed. United States War Dept. (Washington: GPO, 1891), 607-608; Jno. Pope, Headquarters of the Northwest, Milwaukee, Wis., March 15, 1864, in *OR*, vol. XXIV, I, part II, ed. United States War Dept. (Washington: GPO, 1891), 622-625.

[502] Jos. McBell for Gen G. M. Dodge, "General Orders No. 2," Headquarters of the Missouri, Saint Louis, Mo., July 21, 1865, in *OR*, vol. XLVIII, I, part II, ed. United States War Dept. (Washington: GPO, 1896), 1112.

[503] H. H. Sibley to Brig. Gen. A. Sully, HDQRS. Dist. of Minn., Dept. of the Northwest, Saint Paul, April 3, 1864, in *OR*, vol. XXXIV, I, part III, ed. United States War Dept. (Washington: GPO, 1891), 34.

the Big Muddy became the trunk in a tree of travel routes that linked unlikely places throughout the teeming Plains. This American Northern Plains network even linked the eastern sections of British Canada with the western.[504]

Indians of course concurred with the military about the strategic importance of travel corridors, and they actively contested American occupation of this critical geography. In 1864, when Pope instructed Sibley on plans for the coming year's Northern Plains campaign, he warned of the "existence of a formidable combination of the several bands of Sioux on both sides of that [Missouri] river, to hermetically seal their country against further intrusion by emigrants to the gold mines, and that the intention is to attack steamers or land expeditions wherever they are to be found."[505] These plans followed success with similar strategies the season before. In 1863, government agents accompanying annuities bound for Fort Benton had been forced to leave them far downriver, at Fort Union, "due to the fact that the hostile Sioux 'were all through the country.'"[506] Indians focused on American use of the regions routes in both their diplomatic and military efforts. When some "Yanktonais" made peace overtures that spring, they predicated their offer "on condition that emigrants abstain from traversing the upper Missouri region in steamers or overland," adding as well the provision that "the whites keep away from their country" in general. This the U.S. didn't intend to do, as the Yanktonais likely knew, and they were at the same time "reported to have invited the murderers of the lower bands of Isantis, and the disaffected generally, to join and make common cause with them."[507]

As all sides struggled over roads and rivers, the region's travel corridors became sites of recurrent conflict. Some of these fights are famous, like the 1866 Fetterman "massacre" on the Bozeman trail or the Hayfield and Wagon Box fights along the Tongue River the year after.[508] Most were less spectacular but more insistent, like the "Red Lake and Pembina bands of Chippewas," who in conjunction with some "refugee Sioux," repeatedly "annoy[ed]" wagon "trains passing along the Red River."[509] So constant was conflict over corridors that some participants reduced regional struggle to travel alone. As Sully petulantly put it in 1865, "all the Government demanded was that our citizens moving peaceably through their country should not be molested."[510]

Connected Conflicts: Inseparate 1860s "Indian" Wars

From the moment it arrived in the region, the military targeted mixed places and people in between the spatialized categories of race, nation, tribe and band through which it viewed the

[504] Edgar Dewdney's Journal, "Trip Through the Northwest, 1879," *Edgar Dewdney Fonds*, Glenbow, 1039-1091.
[505] Jno Pope to Brig. Gen. H. H. Sibley, Headquarters Department of the Northwest, Milwaukee, Wis., January 18, 1864, in *OR*, vol. XXXIV, I, part II, ed. United States War Dept. (Washington: GPO, 1891), 110; H. H. Sibley to Editors of Pioneer and Editors of Press, Saint Paul, Hdqrs. Dist. Of Minn., Dept. of the Northwest, Saint Paul, Minn., March 9, 1864, in *OR*, vol. XXXIV, I, part II, ed. United States War Dept. (Washington: GPO, 1891), 541; Jno Pope to Maj. Gen. H. W. Halleck, Headquarters Department of the Northwest, Milwaukee, Wis., March 20, 1864, in *OR*, vol. XXXIV, I, part II, ed. United States War Dept. (Washington: GPO, 1891), 677-678.
[506] Fee, "Government Policy Toward the Principal Indian Nations of Montana, 1851-1873," 90.
[507] H. H. Sibley to Brig. Gen. A. Sully, Hdqrs. Dist. Of Minn., Dept. of the Northwest, Saint Paul, Minn., March 28, 1864, in *OR*, vol. XXXIV, I, part II, ed. United States War Dept. (Washington: GPO, 1891), 768.
[508] Fee, "Government Policy Toward the Principal Indian Nations of Montana, 1851-1873," 113; Utley, *The Indian Frontier of the American West, 1846-1890*.
[509] R. C. Olin to Maj. E. A. C. Hatch, HDQRS. Dist. of Minn. Dept. of the Northwest, Saint Paul, Minn., May 5, 1864, in *OR*, vol. XXXIV, I, part III, ed. United States War Dept. (Washington: GPO, 1891), 470; H. H. Sibley to Maj. Gen John Pope, Hdqrs. Dist. Of Minn., Dept. of the Northwest, Saint Paul, Minn., May 13, 1864, in *OR*, vol. XXXIV, I, part III, ed. United States War Dept. (Washington: GPO, 1891), 579; Jno. Pope, "Report no. 1, Reports of Maj. Gen. John Pope, U. S. Army, Commanding Department of the Northwest," Headquarters Department of the Northwest, Milwaukee, Wis., October 6, 1864, in *OR*, vol. XLI, I, part I, ed. United States War Dept. (Washington: GPO, 1893), 132.
[510] Alf. Sully to Maj. Gen. J. Pope, Fort Rice, Dak. Ter., July 17, 1865, in *OR*, vol. XLVII, I, part II, ed. United States War Dept. (Washington: GPO, 1896), 1091.

Northern Plains. In doing so it limned the entwined themes that would dominate colonial ideas, and decisions, about mixed, mobile Northern Plains indigenes for the next hundred years. American tactics developed in response to very real links between groups. The irony is that by targeting social and spatial communities of connection, the U.S. army explicitly embroiled such communities in the Sioux campaign. When we consider the fact they were also immersed in the conflict as members of the Sioux community, and as assistants to the United States, the scope of métis involvement becomes substantial. During the Sioux wars mixed, mobile groups became harassed and militarized in multiple, layered ways. By the time Canada joined the military invasion of the region in 1869, communities of connection were deeply involved in violent conflict with a colonial state.

The involvement of other tribes in the effort against the Sioux was by design. This was true not only because the Army employed an array of indigenes and targeted communities of connection, but also because demonstrations of military force were calculated to have a "decided moral effect" on all who questioned American authority. When his troops "pushed the Sioux Indians far beyond the Red River Valley," Pope deemed this strategy a success, crowing that "all of the tribes north and east of the Missouri River, after their severe punishment, are suing for peace."[511] He proved premature in declaring his mission accomplished, but the Sioux conflict continued to portend profound consequences. In 1864 Sully still professed that success in "giving these Indians a severe punishment" meant success "in breaking the spirit of all the Indians now disposed to be hostile to the whites."[512] The ire of the Army in this period obeyed few tribal boundaries. Lest "punishment" of the Sioux fail to dissuade others who planned to oppose the army, Pope instructed Sully to "to visit the entire Indian Nation east of the Rocky Mountains" and "make a clean sweep of hostile Indians . . . as far at least as the 'Crow country.'"[513] Army officials contemplated as well sending expeditions against other regional tribes, like those in Idaho, where "hostilities" followed close on the heels of the gold mining invasion.[514] And it anticipated that it would need to further expand operations after these "movements of the troops," which would "have the tendency to drive the hostile Indians to the vicinity of friendly tribes" such as the Blackfeet. Beyond the logistical problem posed by enemy targets mixing with "friendly" groups, such proximity also threatened to turn "friendlies" into "hostiles." In retrospect, that worry seems well-founded, for even as Sully wrote relations with the Blackfeet were growing increasingly violent.[515] So expanded was the list of tribal targets in the region that the army enjoyed significant flexibility in its 1860s campaigns. Tribes from one end of the region to the other were interchangeable fair game for field commanders like Sully, who operated under liberal instructions that allowed him, if he found "it more desirable, to go against the Indians at Devil's Lake than to go west to Powder River," as planned.[516]

---

[511] Jno. Pope to Maj. Gen. H.W. Halleck, Headquarters Department of the Northwest, Milwaukee, Wis., December 4, 1863, in *OR*, vol. XXII, I, part II, (Washington: GPO, 1888), 730.
[512] Alfred Sully to [R.C. Olin] Assistant Adjutant-General, Headquarters Northwestern Indian Expedition, June 21, 1864, in *OR*, vol. XXXIV, I, part IV, ed. United States War Dept. (Washington: GPO, 1891), 497.
[513] Jno Pope to Hon. E. M. Stanton, Headquarters Department of the Northwest, Milwaukee, Wis., August 29, 1863, in *OR*, vol. XXII, I, part II, ed. United States War Dept. (Washington: GPO, 1888), 493; Jno. Pope to Brig. Gen. A. Sully, Headquarters Department of the Northwest, Milwaukee, Wis., March 25, 1864, in *OR*, vol. XXXIV, I, part II, ed. United States War Dept. (Washington: GPO, 1891), 734-735.
[514] Henry W. Halleck, "Report of Maj. Gen Henry W. Halleck, U. S. Army, General-in-Chief, of operations in the Departments of the Missouri and of the Northwest, November 25, 1862-November 15, 1863," Headquarters of the Army, Washington, D.C., November 25, 1863, in *OR*, vol. XXII, I, part I, ed. United States War Dept. (Washington: GPO, 1888), 12.
[515] Alf. Sully to Asst. Adjt. Gen., Military Division of the Missouri, Headquarters Northwest Indian Expedition, Sioux City, Iowa, June 8, 1865, in *OR*, vol. XLVII, I, part II, ed. United States War Dept. (Washington: GPO, 1896), 626.
[516] Jno. Pope to Bvt. Maj. Gen. A. Sully, Headquarters Military Division of the Missouri, Saint Louis, Mo., May 22, 1865, in *OR*, vol. XLVIII, I, part II, ed. United States War Dept. (Washington: GPO, 1896), 558.

We have already noted intertribal involvement in the 1862 Minnesota Sioux Conflict and the Plains battles in the year or two that followed. When we integrate these events with subsequent 1860s struggles, enduring patterns of intertribal participation emerge. Recall Army informant James Tanner, himself deeply connected to mixed indigenous communities across the borderlands, who claimed that the Chippewa Chief Hole-in-the-Day confided in him, in 1860, the joint plans of the Sioux and Chippewa in Minnesota.[517] Four years later Tanner offered his thoughts on intertribal cooperation to Army officers increasingly concerned about concentrations of Indians. "This combination of Western tribes is no new thing," Tanner opined, "it is only the carrying out of the long-cherished and talked-of plans . . .the present course of our government toward removing our Minnesota Chippewas farther west is only helping the Indian to carry out his long-thought-of plan or plot, for the farther west they are removed the nearer we ourselves bring them with their allies, the Western tribes, and the easier to be reached by rebels with munitions of war by the way of the plains and Canada, and safer will their families be by being taken by our armies. True," Tanner continued, "we have plenty of Chippewa half-breeds who are citizens, but in a Chippewa outbreak you cannot depend on one of them." According to Tanner, this was why "Hole-in-the Day . . . urges the removal of his band on to the eastern tributaries of the Red River . . . He only desires to be removed to the Red River, so that he can be so much nearer his western allies, and where he can get munitions of war easier, and where he can make his escape safer, either in the woods of plains . . . if 2,000 or 3,000 of Sioux has for nearly three years given us so much trouble and expense, what will 100,000 give us?"[518]

Other reports seemed to corroborate Tanner's assertion that numerous Northern Plains tribes were contemplating joining the fight against the United States. According to historian Dexter Fee, "by the summer of 1863, the various tribes of the Sioux under the jurisdiction of the Upper Missouri agency had been inspired by their kinsmen from Minnesota to declare war against the government and against all whites passing through their country." Meanwhile, the Indian Agent for the Upper Missouri maintained that the Mandans, Arickaras, Gros Ventres and Crows "could easily be induced to join the Sioux."[519] The following year, army officers in the field reported that the Teton Sioux had "sent tobacco to the Assiniboines, Blackfeet, Crows, and other tribes" with whom they had "hitherto waged war from time immemorial, inviting them to form a general combination against the Americans."[520] Other correspondents claimed that although "a large portion of the Sissetons will submit to the Government. The Yanktonais . . . are reported to have invited the murderers of the lower bands of Isantis, and the disaffected generally, to join and make common cause with them."[521] That summer, Sully heard further details of this intertribal, international organizing at Fort Berthold, where he

> "met all the Indians of the Ree, Gros Ventres, and Mandan Nations. They were busy collecting their corn, of which they have a very large amount . . . The Sioux tried hard to get them to join them. . . . The day after I arrived a Yanktonais Indian arrived, who had married a Ree squaw; he came to see me; I knew him as the brother of Big Head. He reported that he had just come from the camp of the

[517] This is the son of John Tanner, a.k.a the Falcon, who Anne Hyde states "disappeared from the historical record" after 1846. Hyde, *Empires, Nations, and Families*, 275–276.
[518] James Tanner to General H. Z. Mitchell, Whitewater, Wis., August 16, 1864, in *OR*, vol. XLI, I, part III, ed. United States War Dept. (Washington: GPO, 1893), 129.
[519] Fee, "Government Policy Toward the Principal Indian Nations of Montana, 1851-1873," 87.
[520] H. H. Sibley to Maj. Gen. John Pope, Hdqrs. Dist. Of Minn., Dept. of the Northwest, Saint Paul, Minn., January 25, 1864, in *OR*, vol. XXXIV, I, part II, ed. United States War Dept. (Washington: GPO, 1891), 154.
[521] H. H. Sibley to Brig. Gen. A. Sully, Hdqrs. Dist. Of Minn., Dept. of the Northwest, Saint Paul, Minn., March 28, 1864, in *OR*, vol. XXXIV, I, part II, ed. United States War Dept. (Washington: GPO, 1891), 768.

> Yanktonais, at a lake, the head of the Little Knife River; that there they had met a party of half-breeds of the North, who had furnished them with seven kegs of powder and balls, and that by their invitation they were then on their way to the British line."[522]

By 1865 these invitations seemed to be bearing fruit in the form of more formal negotiations for intertribal cooperation against the United States. Early that year, in the aftermath of the Nov. 29, 1864, Sand Creek Massacre in southeastern Colorado Territory, runners from southern "Cheyenne camps" "bore war pipes to all the Sioux, Cheyenne, and Arapaho bands of the central Plains . . . On the northern Plains, Teton Sioux, Northern Cheyennes, and Northern Arapahos had not been as directly provoked as the kinsmen who came among them with stories of Sand Creek. But some had fought General Sully on the upper Missouri the previous summer, and all were distressed by the growing traffic of whites to the Montana mines."[523] By May, Army personnel reported intercourse between northern Sioux bands, those bands at Ft Rice, and Cheyennes from the Platte.[524] At the same time, Sibley informed Maj. Gen. S. R. Curtis that "some of the upper bands of Chippewas are in direct communication with the hostile Sioux at Devil's Lake . . . a great meeting of the Sioux bands, including all the divisions of the Missouri Indians, is to take place on the Mouse River beyond Devil's Lake and near the British line . . . the co-operation of the Assiniboines and other tribes is anticipated."[525] Sully's sources were soon able to provide more specifics about these cooperative efforts. In June it was said that "the 3,000 Sioux Indians on Heart River have been joined by the Indians from the Platte River."[526] July reports informed him that "the Cheyennes and Arapahoes left" some of the "hostile Sioux" on the Knife River "a short time ago and moved south to the Little Missouri River with the understanding that they would write as soon as they heard of the movement of any troops toward them," while "several small bands of Santees," were "camped with bands of half-breeds of the north, hunting near the Maison du Chien Butte."[527] These negotiations coincided with a surge in intertribal treaty-making in this period, a fact that further reinforces the impression that tribes across the Plains were considering coalitions.

They also seemed to be bearing fruit in the form of cooperative armed struggle. In May, 1865, a coalition described as "northern Sioux bands, Sioux bands camped at Ft. Rice, and Cheyennes from the Platte" attacked Fort Rice.[528] Two weeks later, Sully reported that "the Cheyennes, Arapahoes" were with "part of the Brule and Blackfeet Sioux . . . at Bear Butte, north of the Black Hills, in a very strong position, waiting there to give me battle."[529] By mid-June, Army officers concluded "there is no doubt but that all, or nearly all, the tribes of Indians east of the Rocky Mountains from the British Possessions on the north to the Red River [of the

---

[522] Alf. Sully, "Report No. 2, Reports of Brig. Gen. Alfred Sully, U. S. Army, Commanding Northwestern Indian Expedition", Headquarters Northwest Indian Expedition, Fort Berthold, August 29, 1864, in *OR*, vol. XLI, I, part I, ed. United States War Dept. (Washington: GPO, 1893), 150.

[523] Utley, *The Indian Frontier of the American West, 1846-1890*, 93.

[524] Alf. Sully to Asst. Adjt. Gen., Military Division of the Missouri, Headquarters District of Iowa, Dubuque, Iowa, May 13, 1865, in *OR*, vol. XLVIII, I, part II, ed. United States War Dept. (Washington: GPO, 1896), 434-435.

[525] H. H. Sibley to Maj. Gen S. R. Curtis, Headquarters District of Minnesota, Department of the Northwest, Saint Paul, Minn., May 15, 1865, in *OR*, vol. XLVIII, I, part II, ed. United States War Dept. (Washington: GPO, 1896), 456.

[526] Sully to Major-General Pope, Sioux City, June 8, 1865, in *OR*, vol. XLVIII, I, part II, ed. United States War Dept. (Washington: GPO, 1896), 826.

[527] Alf. Sully to Asst. Adjt. Gen., Department of the Northwest, Headquarters Northwest Indian Expedition, Camp No. 22, Fort Rice, Dak. Ter., July 15, 1865, in *OR*, vol. XLVII, I, part II, ed. United States War Dept. (Washington: GPO, 1896), 1084.

[528] This description comes from the Fort's commander. See Alf. Sully to Asst. Adjt. Gen., Military Division of the Missouri, Headquarters District of Iowa, Dubuque, Iowa, May 13, 1865, in *OR*, vol. XLVIII, I, part II, ed. United States War Dept. (Washington: GPO, 1896), 434-435.

[529] Alf. Sully to Major-General Pope, Headquarters Department of the Northwest, Milwaukee, Wis., May 26, 1865, in *OR*, vol. XLVIII, I, part II, ed. United States War Dept. (Washington: GPO, 1896), 618.

South] on the south are engaged in open hostilities against the Government."[530] Within a few days the conflict seemed to have spread still further: "we now have every Indian tribe capable of mischief, from the British Possessions on the north to the Red River on the south, at war with us, while the whites are backing them up, and, in my opinion, the Mormons are encouraging them."[531] Although "the Crows and Snakes" still "appear[ed] to be friendly . . . everything indicates that they too are ready to join in the hostilities, and the latter (the Snakes) are accused of being concerned in the depredations west of the mountains."[532] The fear that additional groups would shortly take up arms with the fighting tribes prompted Brigadier-General Benjamin Alvord to advise that "Montana Territory should in terms be attached to some [military] department . . . they are needed to protect the settlements from Blackfeet on the north and Crows on the Lower Yellowstone."[533] That year Congress created a "Committee on the Condition of Indian Tribes," to address the "general unrest prevalent among most of the plains tribes."[534]

Such procedural maneuvers did little to stanch the surge of intertribal struggle on the Northern Plains. As 1865 gave way to 1866, efforts led by Red Cloud took center stage. Contemporaries wrote that Red Cloud sought "a confederation of all tribes east of the Rockies and north of the Arkansas River . . . His emissaries were to be found wherever there were Indians. They were in the camps of the Chippeways; with the Crows and Blackfeet; south among the Cheyennes and Arapahoes; west with the Shoshones. There was no tribe of Indians too small or too weak or too insignificant to escape the attention of this wily chief."[535] These efforts produced recruits who fought with him during the next two years, until the end, in 1868, of what has since been known as Red Cloud's War. They included, at least, "Teton Sioux . . . mainly Oglala, Miniconjou and Sans Arc" and "their Northern Cheyenne and Arapaho friends," who together "ranged the plains rolling westward from the Black Hills to the Bighorn Mountains."[536] They likely also included Blackfeet people, whom some claim "were easily induced to lend aid to Red Cloud's policy of extermination." As Red Cloud's supporters urged groups across the region to take up arms, conflict between Americans and Blackfeet groups escalated and "from December 1, 1864 to July 25, 1866, the Bloods, Blackfeet proper, and Northern Piegans were in a state of open warfare against the whites." Violent clashes between Montana territory's indigenes and colonizers seemed suddenly ubiquitous. Although federal forces fortified the Bozeman trail in 1866, territorial governor Thomas Meagher "decided to organize his own army . . . calling for five hundred mounted volunteers to act as a sort of vigilance committee for protection against Indian depredations." He followed up with a call for still more men in 1867.[537] As the battles raged on, American peace commissioners, like their military counterparts, had to contend with indigenous coalitions that transcended clear band and tribe boundaries. When Red Cloud rejected U. S. peace overtures in 1868—on the grounds that there could be no peace until the Army and non-Indian immigrants abandoned the Bozeman Trail—"other Sioux proved equally obdurate. These were mainly Hunkpapa and Blackfoot

[530] G. M. Dodge to Maj. Gen. John Pope, Headquarters Military Division of the Missouri, Saint Louis, Mo., June 17, 1865, in *OR*, vol. XLVIII, I, part II, ed. United States War Dept. (Washington: GPO, 1896), 911-912.
[531] G. M. Dodge to Hon. James Harlan, Headquarters Department of the Missouri, Saint Louis, Mo., June 22, 1865, in *OR*, vol. XLVII, I, part II, ed. United States War Dept. (Washington: GPO, 1896), 972.
[532] G. M. Dodge to Maj. Gen. John Pope, Headquarters Military Division of the Missouri, Saint Louis, Mo., June 17, 1865, in *OR*, vol. XLVIII, I, part II, ed. United States War Dept. (Washington: GPO, 1896), 911-912.
[533] Benj. Alvord to Bvt. Maj. Gen. J. A. Rawlins, Rutland, Vt., June 14, 1865, in *OR*, vol. XLVIII, I, part II, ed. United States War Dept. (Washington: GPO, 1896), 888.
[534] Fee, "Government Policy Toward the Principal Indian Nations of Montana, 1851-1873," 116–117.
[535] Granville Stuart and Paul C Phillips, *Forty Years on the Frontier as Seen in the Journals and Reminiscences of Granville Stuart, Gold-Miner, Trader, Merchant, Rancher and Politician* (Cleveland, Ohio: Arthur H. Clark Co., 1925), 60.
[536] Utley, *The Indian Frontier of the American West, 1846-1890*, 99, 109.
[537] Fee, "Government Policy Toward the Principal Indian Nations of Montana, 1851-1873," 112-115; Graybill, *The Red and the White*, 109.

Sioux who lived north and east of the Powder River Sioux, on the upper Missouri and lower Yellowstone rivers . . . their chiefs . . . rejected white overtures with all the firmness of Red Cloud."[538]

Given the nature of Northern Plains society in the 1860s, these conflicts involved people who were not only intertribal but international as well. With open conflict against only the United States to date, the British Possessions offered supplies and sanctuary. As James Tanner reminded army officials in 1864—and as these same officials oft lamented in their own reports—many "munitions of war" came by "way of the plains and Canada."[539] Canadian-claimed territory, and its inhabitants, factored into American conflicts in other ways important as well. The following year, a Minnesota Chippewa man confided in the commander at Chengwatona, MN, that "several bands" of the Lower and Upper Chippewas . . . were in favor of commencing hostilities, and of joining for that purpose the hostile Sioux. They were to move their families across the line to the British Possessions . . . where the warriors would be supplied with arms and ammunition." Upon hearing this, the commander "dispatched J. Gervais, U.S. Scout . . . Gervais had a conversation with an Indian and some half-breeds" who confirmed the report, as did "a half-breed" living there who was "by marriage connected with and a relative of several Chippewas."[540] The Sioux, too, used border territory to their advantage, as in 1865 when "Minnesota Sioux" were reported "west of the Little Muddy . . . moving toward Union, but north of it."[541]

So central a role did Canadian territory play in the conflict that Sibley deemed it the deciding factor, warning that same year that "this warfare on the part of the hostile Sioux will continue until the British government is induced either to station troops along the boundary line to prevent the passage of these bands into her Majesty's dominion."[542] Despite Sibley's dire pronouncements, sanctuary north of the international boundary was hardly inviolate. In 1865 "American troops"—reportedly using "alcohol and chloroform"— "kidnapped while in Canada" two men described as "Minnesota Sioux," Shakopee (Little Six) and Medicine Bottle, Big Eagle's brother. The soldiers took them to Minnesota for trial, and, on November 11th, the United States hanged them.[543] Shakopee may have been affiliated with the region's Chippewa as well—a man by the same name ("Sha-go-Bai, or the Little Six"), perhaps his father (who was a recognized leader in that period), signed an 1837 treaty with the United States as a "Chippewa" "warrior from Snake River"—but this fact failed to save him.[544]

Shakopee and Medicine Bottle's forced final return from the British Possessions was unusual, but their ongoing internationalism during the violence of the 1860s was not. As in the years immediately after the bloodshed in Minnesota, hundreds, even thousands, of Sioux people subsequently continued to use lands north of the border. They crossed and re-crossed the colonial boundary, continually linking conflict with, and in, the United States to Canada. As they moved, "Sioux" people repeatedly used specific places. People described as "Santees"

---

[538] Utley, *The Indian Frontier of the American West, 1846-1890*, 120.
[539] James Tanner to General H. Z. Mitchell, Whitewater, Wis., August 16, 1864, in *OR*, vol. XLI, I, part III, ed. United States War Dept. (Washington: GPO, 1893), 129.
[540] Robt. H. Rose to Capt. R. C. Olin, Headquarters Fort Wadsworth, Dak. Ter., May 14, 1865, in *OR*, vol. XLVIII, I, part II, ed. United States War Dept. (Washington: GPO, 1896), 443.
[541] Alf. Sully to Asst. Adjt. Gen., Department of the Missouri, Headquarters Northwest Indian Expedition, Camp No. 43, Fort Rice, Dak. Ter., August 26, 1865, in *OR*, vol. XLVIII, I, part II, ed. United States War Dept. (Washington: GPO, 1896), 1215.
[542] H. H. Sibley to Maj. Gen S. R. Curtis, Hdqrs. Dist. Of Minn., Dept. of the Northwest, Saint Paul, Minn., May 5, 1865, in *OR*, vol. XLVIII, I, part II, ed. United States War Dept. (Washington: GPO, 1896), 327.
[543] Anderson and Woolworth, *Through Dakota Eyes*, 25, 33.; Howard, *The Canadian Sioux*, 28.
[544] Treaty with Chippewa, 1837: Kappler, *Indian Affairs*, 1904, II:491–493. "treaty made and concluded at St. Peters (the confluence of the St. Peters and Mississippi rivers) in the Territory of Wisconsin."

"Mdewakanton," "Wahpeton" "Wahpekute" "Sisseton""Yanktonais" "Yankton" "Tetons" "Hunkpapa Tetons" and "Brule Lakota" flowed through locales on the Assiniboine, South Saskatchewan, Souris (Mouse) and Red rivers; through trading post sites like Fort Ellice, Fort Qu'Apelle, and Fort Garry; through Wood Mountain, the Cypress Hills, and the Turtle Mountains; through Portage La Prairie, Willow Bunch, Prince Albert and Batoche.[545] Like people associated with métis communities in Rupert's Land (many of which were located at or near the aforementioned "Sioux" locations), and like other borderlands indigenes, they constituted the connective tissue between so-called American and Canadian Indian conflicts.

The fact that U.S. armed forces continued to target métis communities through the 1860s also tied American Indian violence to Canada. As the decade progressed, and the military expanded its list of tribal targets, métis groups endured repeated attacks at the hands of U.S. agents. If these attacks stopped short of large-scale bloodshed, they were nonetheless instances of impressive state violence. Take the 1866 attack by U.S. Marshals on a métis group living on the Milk River. On the grounds that the settlement contained a trading party returning from Canada, the Marshals confiscated inhabitants' goods (valued at $15,000) and ammunition and burned their cabins. They then forced some residents—"traders"—into Canada.[546] We know settlements like that on the Milk River in 1866 included an array of people of varied ethnic and racial backgrounds: by definition attacks on métis communities blurred the tribal, racial, and spatial lines of violent conflict. Given that targeted communities were often actively hosting trade activities, this was even more the case than usual, for trading partners from regional tribes were caught in the proverbial crossfire when they associated with métis traders.[547] Intentional attacks on people who described themselves as knowing "no line or frontier," who said that whether "on the north and on the south of the line were all one family; they were intermarried, and that in their camp were many who live in the United States, while they lived in the British Possessions" necessarily enmeshed people throughout the Northern Plains in the violence that defined life on the American side of the line during the 1860s.[548]

The Canadian Military Invasion of 1869

At a fundamental level, then, for the indigenous inhabitants of the region, the conflict that came to the Canadian end of the Red River Valley in 1869 must have seemed like more of the same. Looking west from Canada, the violence at Red River appeared to be a watershed historical moment, a profound break from a past of peaceful expansion and relatively amiable aboriginal relations. From a Plains perspective, the problems at Red River looked all too familiar. Although it featured a new actor in the role of invading nation-state and a slight downstream shift in venue, 1869 was but the next chapter in the unfolding story—perhaps approaching narrative climax—of colonial conquest of the indigenous Northern Great Plains. That chapter opened in Canada as a conflict between the agents of the new Canadian government

[545] Howard, *The Canadian Sioux*, chap. 2–3; McCrady, *Living with Strangers*, 4, 13, 18, 21, 29-32; Ronald J Papandrea, *They Never Surrendered: The Lakota Sioux Band That Stayed in Canada*, 3rd Edition Revised (La Vergne: Lightning Source, 2009), 3. Specific Sioux locations on the Assiniboine River noted in sources were White Horse Plain (about 25 miles from Fort Garry), at the mouth of the Oak River and at the Junction of Birdtail Creek. On the South Saskatchewan River a favored location was the Moose Woods/Round Prairie area (about 18 miles south of Saskatoon). Other named places Sioux people frequented included Poplar Point, High Bluff, Lake Manitoba, Oak Lake, and Moose Jaw as well as the Qu'Appelle River (in present-day Saskatchewan) and the Souris.
[546] Foster, *We Know Who We Are*, 2006, 193-194.
[547] Enos Stutsman to Hon. N. Sargent, Dakota Territory, Yankton, December 6, 1867, *Enos Stutsman Papers*, MSS 10412, SHSND.
[548] Alf Sully to Asst. Adjt. Gen., Department of the Northwest, Headquarters Northwest Indian Expedition, Camp No. 30, Devil's Lake, Dak. Ter., July 31, 1865 in *OR*, vol. XLVIII, I, part II, ed. United States War Dept. (Washington: GPO, 1896), 1146.

and Métis people at Red River. But it soon became clear that the conflict at its center wouldn't long be confined to that country, or to that tribal community.

In August of 1869, federal surveyors for the newly independent Canadian government arrived in the Red River Valley. They intended to divide lands in that long-established Métis community according to colonial conceptions of space. This division would facilitate commodification, and pave the way for Dominion-directed disbursal of the Northern Plains upon its formal political incorporation. But when the surveyors tried to plot their lines near the fields of Andre Nault—variously described in sources as "French-Canadian" and as a "half-breed"—a group of Red River residents stood on their survey chains and forbid further work.[549] Louis Riel, a young man of part Chippewa, and possibly Dene, descent who had recently returned to his natal community after spending years in eastern Canada and the United States, soon emerged as a leader of the local resistance. Those opposing the survey held that "the Canadian Government had no right to make surveys of the Territory without the express permission of the people of the Settlement."[550] While the surveyors argued with local residents, out east in Ottawa Canadian Prime Minister John MacDonald appointed officials to govern the western lands, including a Governor-Designate, a Provincial Secretary, an Attorney General, a Collector of Customs, and a Chief of Police. The appointees traveled to Canada's Red River via the northern United States. Upon their arrival at Pembina, Dakota Territory, on the northern edge of American-claimed territory, they, too, found themselves forbidden to move forward. Representatives of the Red River dissidents, who had organized themselves into "Le Comité National des Métis de la Riviere Rouge," ordered them to stop at the international border.[551]

In the context of the extensive regional relationships embodied at Red River, in combination with the violence that had plagued the borderlands for most of the previous decade, it was clear that the situation at Red River might quickly escalate.[552] Even before the stand-off with surveyors on Nault's fields, the U.S. consulate in Winnipeg received reports that Sioux people living near Red River, Portage La Prairie and Mouse River planned to attack Red River settlements on the U.S. side of the line. In the ensuing months, American officials came to believe that the Sioux had been incited to do so by parties who favored Canadian colonization. These Canadian adherents urged raids "on Pembina and St. Joseph in retaliation, as it is claimed, for the aid and countenance claimed to have been given to the Red River rebellions by certain American Citizens residing on this side of the line." In the depths of December, the threat of renewed Sioux violence spawned by the Red River conflict loomed large, and it seemed "that with the opening of spring if not earlier the entire settlement on the American side of the line will be 'wiped out' by these Sioux murderers."[553]

---

[549] Three of Andre Nault's sons would participate in the second famous Métis conflict in 1885.

[550] Riel quoted in George F. G. Stanley, *The Birth of Western Canada: A History of the Riel Rebellions* (Toronto: University of Toronto Press, 1975), 69.

[551] Ibid., 43. Like the community that produced it, this council committee a mix of people. Legislative Assembly Chamber, "The Sessional Journal of the Legislative Assembly of Assiniboia" (Archives of Manitoba, March 1870), A of M, Red River Disturbance Collection MG3 A1-15.

[552] While many historians narrate the Red River conflict as being between Métis people and Euro-North American interests, or sometimes between French-speaking and English speaking Métis, some historians have linked it more explicitly to additional indigenous groups. Nicholas Vrooman, for instance, writes that it was "the Plains Ojibwa mixed-descent peoples of the Red River Settlement Zone who, along with their Nehiyaw Pwat cousins . . . organized and wrote the 'Declaration of the People of Rupert's Land and the North West.'" The essential context of the Canadian response was that "Nehiyaw Pwat forces at the time were far superior" so Canadian officials "had to negotiate with the Métis as representatives of the Nehiyaw Pwat." Vrooman et al., *The Whole Country Was ... "One Robe,"* 155; Frits Pannekoek, "Métis Studies: The Development of a Field and New Directions," in *From Rupert's Land to Canada*, ed. Theodore Binnema, Gerhard J. Ens, and R. C Macleod (Edmonton: University of Alberta Press, 2001), 111–28.

[553] Oscar Malmros to Hon. J. C. B. Davis, Consulate of the U. S. of America at Winnipeg, September 12, 1869; Oscar Malmros to Hon. J. C. B. Davis, Consulate of the U. S. of America at Winnipeg, October 9, 1869; N. E. Nelson to Oscar Malmros, Customs House Pembina, December 19, 1869, *James Wickes Taylor Papers*, MSS 20187, SHSND. Other indigenous groups, like some "Salteaux . . . under Chief Henry Prince (Mis-kou-kee-new, "Red Eagle," son of Peguis) . . . announced they were prepared to fight for the Queen." Olive Patricia Dickason, *Canada's First*

Canadian officials, for their part, believed that the "armed half-breeds" were "encouraged . . . by some of the French priests," as well as perhaps a "Fenian Priest," and that "American citizens had come into the country to create dissatisfaction, and . . . to alarm the fears of the half-breeds and excite their hostility against the Canadian Government."[554] They suspected that the "farmers on the American side of the line . . . [were] friendly to the Insurgents and inimical to us," and obtained "written evidence that residents of the American village of Pembina [especially Enos Stutsman] are in constant communication with the leaders of what they call the 'Patriot Army.'"[555] Worse yet, it looked as though the "Insurgents" might be joined by groups gathering in St. Paul, "St. Cloud, and other of those villages," where Canadian agents "found a great many rough men collecting and preparing for the Prairies, just the class who would only be too ready to filibuster."[556] Worrisome reports about further organizing poured in: first came communiques that "it is almost certain the aid of the Indians would be invoked, and perhaps obtained by" "the French party" if the conflict escalated."[557] Then word arrived that the "Insurgents" had summoned chiefs of nearby indigenous bands to the Red River settlement in an "attempt . . . to rally the Indians to their side."[558] Among those who subsequently arrived was "the Chief 'Gros Oreille' . . . with ten of his men."[559]

While Canadian officials doubted the desire of "the Indians" to join the immediate conflict, they considered "the unsettled relation of the land tenure as regarded the half-breeds and Indians" to be its essential context, and welcomed the assistance of "parties having influence with Indians and half-breeds."[560] They also met with local leaders to assess their dispositions and likely course of action, and to cultivate good feeling toward the Canadian government by bestowing gifts like "a new blanket, some provisions, and some other trifling articles."[561] "The Chippewa Chief, Kewetaosh" and his companions traveled to Pembina to meet McDougall, and assured him "that neither he nor his band had anything to do with the movements or designs of

---

Nations: A History of Founding Peoples from Earliest Times (Norman: University of Oklahoma Press, 1992), 270; Laura Peers, *Ojibwa of Western Canada: 1780 to 1870* (Minnesota Historical Society Press, 1994), 203. According to Douglas Hill, when the "Canadians" under Schultz gathered at Portage La Prairie "to assault the fort and free the prisoners" they were "joined by a few hundred settlers who objected to Riel's high-handed imprisonments, and by a few Indians whom Schultz had induced to come along." Hill, *The Opening of the Canadian West*, 82.

[554] Despatch from Gov. the Rt. Hon. Sir J. Young, Bart. G.C.B., G.C.M.G., to the Earl Granville, K.G., Nov. 25, 1869, reprinted in Great Britain. Parliament. House of Commons, *Accounts and Papers of the House of Commons* (Ordered to be Printed, 1863). Officials tried to identify who composed insurgents: "The English and Scotch half-breeds have taken no part in this movement. . . even the French Half-Breeds themselves are stated to be divided in opinion. There are no Indians near the place, and their opposition, in any case, to the French half-breeds may, I am informed, be entirely relied upon." Telegram to Sir John A. MacDonald, November 24, 1869**;** William McDougall to the Hon. The Secretary of State for the Provinces, November 5, 1869, reprinted in Great Britain. Parliament. House of Commons, *Accounts and Papers of the House of Commons* (Ordered to be Printed, 1863).

[555] William McDougall to the Hon. The Secretary of State for the Provinces, November 5, 1869, reprinted in Great Britain. Parliament. House of Commons, *Accounts and Papers of the House of Commons* (Ordered to be Printed, 1863).

[556] W.E. Sanford to Mr. J. Howe, Secretary of State for the Provinces, November 18, 1869, reprinted in Great Britain. Parliament. House of Commons, *Accounts and Papers of the House of Commons* (Ordered to be Printed, 1863).

[557] Despatch from Colonel J.S. Dennis, Oct. 27, 1869, reprinted in Great Britain. Parliament. House of Commons, *Accounts and Papers of the House of Commons* (Ordered to be Printed, 1863).

[558] While William MacDougall waited at the Hudson's Bay post at Pembina he heard that he "was to have a visit tomorrow from the Chief of a band of Chippewa Indians who claim title to a large tract of country, extending from the boundary line at Pembina towards Fort Garry." See William MacDougall to the Honourable the Secretary of State for the Provinces, October 31, 1869, reprinted in Great Britain. Parliament. House of Commons, *Accounts and Papers of the House of Commons* (Ordered to be Printed, 1863). In a postscript penned the next day, McDougall reported that "the attempt of the Insurgents to rally the Indians to their side has failed. Two of the Chiefs who obeyed the summons returned home, refusing to take part in the movement when they had ascertained its nature." Moreover, after "a long talk with the Chief of the tribe who claim the country in this neighborhood" McDougall concluded that "they repudiate all sympathy with the half-breeds who are in arms."

[559] J.S. Dennis, October 29, 1869, reprinted in Great Britain. Parliament. House of Commons, *Accounts and Papers of the House of Commons* (Ordered to be Printed, 1863).

[560] Despatch from Gov. the Rt. Hon. Sir J. Young, Bart. G.C.B., G.C.M.G., to the Earl Granville, K.G., November 27, 1869 reprinted in Great Britain. Parliament. House of Commons, *Accounts and Papers of the House of Commons* (Ordered to be Printed, 1863). Canada. Delegates on Acquisition of Rupert's Land, and the North-West Territory, *Report of Delegates, Laid Before Parliament*, 1869, 7, 139.

[561] J.S. Dennis, October 30, 1869, reprinted in Great Britain. Parliament. House of Commons, *Accounts and Papers of the House of Commons* (Ordered to be Printed, 1863).

the French half-breeds." Kewetaosh was more concerned with making sure McDougall was clear about their "claim to the country from Pembina to the Assiniboine, and from the high lands on the West to the Lake of the Woods." Had McDougall, Kewetaosh wanted to know, "bought their (his) land from the Hudson Bay Company?" If so, their title was no good, for "they had only *lent* as much as a man could see under a horse's belly on both sides of the River to the company." The land, Kewetaosh maintained, belonged to his band, which he said "numbered about 600 souls." McDougall took pains to correct this count—in his estimation the band, "excluding half-breeds, did not probably exceed half the number he stated"—and requested that Kewetaosh make a list "of the number of families, and their names and places of residence who acknowledged him as their Chief, excluding American Indians and half-breeds."[562] McDougall's colleague Col. J.S. Dennis also worked to ascertain the sentiments of area Indian leaders, and to enlist their assistance if possible. From the Parish of St. Peters, "civilized and Christianized Indians . . . who acknowledge Henry Prince as their Chief, were prompt in responding" to Col. Dennis's summons, and joined supporters of the Canadian government as they prepared to defend possible targets.[563] Other local Indian leaders became involved as mediators between Canadian officials and "the disaffected." After meeting with "the Cree Chief Fox," Col. Dennis provided him and William Hallett "with conveyance" so that they could go "up to have an interview with the Insurgents" "and see what they could do to bring them to reason."[564]

Meanwhile, under the leadership of Riel, "Le Comité" and its supporters seized Upper Fort Garry, "the strongest bastion in the settlement . . . and thereby established . . . military dominance."[565] The Committee issued a declaration that asserted that the transfer of the Northern Plains, in which the Hudson Bay Company's (HBC) former Rupert's Land domain became Canada's "Northwest," without the consent of the region's inhabitants abandoned them to a ""foreign power" and thereby violated the "rights of man" to "give or refuse allegiance" to the "form of Government" "which is proposed." In light of this, the "law of nations" allowed for the inhabitants to create a provisional government, which they did in December of 1869.[566] The language of the declaration, like the points of contention that produced it (including the survey specifically) and the organized actions that preceded it, demonstrated a detailed and sophisticated understanding of the means and ends of imperial expansion, and of the place of indigenous peoples and land in colonial nation-states. In this mixed borderland milieu, this knowledge came a variety of sources, but perhaps most immediately from experience with the United States during the preceding decade.

These actions convinced Canada to retreat from its premature assertion of authority. Canadian officials commenced negotiation with leaders of the Provisional Government. They also began preparations for military invasion. Prime Minister Macdonald "wired London in late November to postpone the transfer on the grounds that Canada was entitled to peaceable

---

[562] William McDougall to the Hon. The Secretary of State for the Provinces, Nov. 5, 1869 reprinted in Great Britain. Parliament. House of Commons, *Accounts and Papers of the House of Commons* (Ordered to be Printed, 1863). Kewetaosh's sister was married to "Mr. Peter Hayden, an old Irish settler, who had been 40 years in the territory," and lived on a farm "on the American side of the boundary line," where they permitted McDougall and his entourage to camp. McDougall's men had to share their quarters "with a numerous family of half-breed children."
[563] Record of Proceedings Under Commission from Lieutenant-Governor McDougall, December 1, 1869, reprinted in Canada. Delegates on Acquisition of Rupert's Land, and the North-West Territory, *Report of Delegates, Laid Before Parliament*.
[564] J.S. Dennis, October 29, 1869, reprinted in reprinted in Great Britain. Parliament. House of Commons, *Accounts and Papers of the House of Commons* (Ordered to be Printed, 1863).
[565] Friesen, *The Canadian Prairies*, 120.
[566] Ibid., 122; Stanley, *The Birth of Western Canada*, 84; Witgen, *An Infinity of Nations*, Epilogue. I'm not making an argument about the significance of the rebellion per se, except to say that it was embedded in a much longer more diverse resistance than the prevalent focus on the singularity of the rebellion implies.

possession" and began "to prepare for a military expedition in the summer of 1870."[567] He also appointed several commissioners to negotiate with the inhabitants of the Red River settlement. These negotiations revolved around a series of demands made by the provisional government. Negotiation seemed prudent. The social and spatial connections of the Red River community suggested that the conflict might quickly spread. In the parlance of the Canadian Cabinet, "if anything like hostilities should commence, the temptation to the wild Indian tribes, and to the restless adventurers, who abound in the United States (many of them with military experience gained in the late Civil War) to join the Insurgents, would be almost irresistible."[568] Although the Cabinet downplayed the political underpinnings of this "temptation," it was clear that Red River inhabitants appeared able to access support from both Indian and non-Indian populations on either side of the boundary separating American- and Canadian-claimed territory.[569] In this way, some feared, violent conflict at Red River "like a prairie fire, would have spread throughout the length and breadth of Rupert's Land, and involved the Indian tribes as well . . . every post and Christian mission station from Red River to the Rocky Mountains and from the boundary line to the Arctic Ocean might have been swept out of existence." In the estimation of fur trader Isaac Cowie, who spent time in Red River and associated communities in the late 1860s/early 1870s, "it was that consideration . . . which dictated the 'peace at any price' policy" of HBC Governor William McTavish.[570]

After 1869, and the beginning of the first major Northern Plains conflict involving the Canadian military, battles between indigenous inhabitants and the nations colonizing their homeland raged on. These events, large and small, continued to involve mixed, mobile, morphous groups in a dense web of regional struggle. On January 23, 1870, the notorious Marias (a.k.a. Baker) massacre inaugurated an especially violent decade.[571] The circumstances surrounding the massacre exemplified the entangled nature of period upheaval. When Colonel Eugene Baker mistakenly attacked the Piegan band of Heavy Runner, sick with smallpox and asleep in their teepees on the banks of the Marias River amidst the deep snows of a frigid winter, he did so under orders to punish Mountain Chief's Piegan band for harboring the killer of Malcolm Clarke. Clarke, who had worked in the fur trade with Alexander Culbertson, was by then a prominent Montana rancher who lived with his Piegan wife and children in the Prickly

[567] Friesen, *The Canadian Prairies*, 121–123.

[568] Report of the Privy Council, Canada, Dec. 16, 1869, quoted in Stanley, *The Birth of Western Canada*, 79. Employees at the Hudson's Bay trading post at Qu'Appelle shared the Privy Council's concern: they "feared that the local Métis would try to emulate Riel's seizure of Fort Garry by capturing their own fort . . . and in their alarm they sent presents of tobacco to the friendly Cree chiefs of the region, who came with their braves and camped near the post during the period of greatest tension." George Woodcock, *Gabriel Dumont: The Métis Chief and His Lost World* (Edmonton: Hurtig Publishers, 1975), 80.

[569] The narrow spatial and social foci of most studies of the Red River Conflict of 1869-1870 preclude any quick conclusions about the scope of support for the Riel-led efforts among other Plains indigenous populations, even if the complex and pervasive affiliations of the Red River community assure us that the events there were connected to groups across the region. Some information about broader organizing efforts can be gleaned from a few sources. Most obviously, we know that Métis communities south of the international line were directly involved in the conflict. Laura Peers notes that "when troops arrived from Ontario in Red River to assert Canadian rights in the Territories, the Ojibwa were pressed by Métis kin to join forces with them." She also notes that "Ojibwa far away from Red River were disturbed by the events of 1869-70," citing Isaac Cowie's observation that "Ojibwa from Egg and Nut Lakes refused to trade their furs because they were upset by rumours from Red River." Peers, *Ojibwa of Western Canada*, 203, 263n80; George Woodcock briefly discusses how "the news of events on the Red River caused great perturbation among the hunters of the western plains," inciting heated debates about support or non-support among the Qu'Appelle community as well as, according to Isaac Cowie, discussions of whether "to participate in any action taken in sympathy with, or in imitation of their fellows at Red River." Woodcock adds that, with regard to "Métis settlements on the South Branch, it is certain that their inhabitants were no less stirred by the news from Red River." In the South Branch communities "there is a strong oral tradition" that holds that Gabriel Dumont and others "rushed down to Fort Garry" and that Dumont offered to bring with him 500 mounted fighters. Other sources corroborate this offer. Dumont "doubtless" envisioned this armed support coming from "three directions: the Métis of the settlements around Fort Edmonton who followed his uncle Gabriel; the Métis of the Qu'Appelle country . . . [and] the Indians." Woodcock, *Gabriel Dumont*, 80–81.

[570] Cowie, *The Company of Adventurers*, 161.

[571] According to Anthony McGinnis, intertribal warfare on the Northern Plains contributed to the violence of the 1870s. Such warfare intensified through the first half of the nineteenth century and climaxed in the 1860s and 1870s. McGinnis, *Counting Coup and Cutting Horses*.

Pear Valley outside of Helena. The previous August, some relations of Clarke's wife Coth-co-co-na (Cut Off Head Woman) shot both Clarke and his son Horace after dining with the family. Clarke's killing is believed to have been the culmination of problems between Clarke and Owl Child, his wife's cousin. These problems began at least two years earlier, after the men fought over lost and stolen horses and, according to some sources, Clarke's rape of Owl Child's wife.

When Baker found Heavy Runner's camp on the banks of the Marias River that fateful morning, he had come from Fort Ellice on the Bozeman Trail, along the Gallatin River, via Fort Shaw on the Sun River. Since leaving Fort Shaw, Baker had been guided by two scouts who were married into Peigan bands, Joe Kipp, of mixed Mandan parentage, and Italian-born Joseph Cobell. The scouts were needed to distinguish "friendly" camps from "hostile" camps. On January 22nd, Baker's expedition encountered a small group of Blackfeet that it arrested and interrogated. Despite his orders to find and fight people encamped with Mountain Chief, when Baker heard that the "hostile" camps of Big Horn and Red Horn were just downstream, he marched his troops through the icy night to attack at dawn.[572] When, at the last moment, scout Joe Kipp cried out as he recognized the surrounded camp to be that of the "friendly" Heavy Runner, Colonel Baker, possibly drunk, had Kipp arrested. Heavy Runner was shot as he ran from his teepee, reportedly waving a U.S. Indian Bureau document attesting to his American allegiance. Joseph Cobell, the second scout, later claimed to have fired the shot that killed Heavy Runner and initiated the massacre that left over 200 indigenous people dead. Cobell was married to Mountain Chief's sister (or daughter), and is said to have been trying to divert attention from his in-laws' camp, which he knew was just 10 miles downstream. If, in fact, Cobell killed Heavy Runner to save his own family, his strategy succeeded: upon learning of the violence, Mountain Chief's band fled to Canada.

Baker and his soldiers returned to Fort Ellice, which the colonel continued to command until October 1872. During that time he survived an attack on his forces "at the mouth of Prices River by a war party of four or five hundred (500) Sioux, Arrappahoes and Cheyennes."[573] Baker subsequently moved around the West, serving in Nebraska, Wyoming, Montana and Washington before dying at the age of 47. In that capacity, he would have witnessed many different clashes between the Army and the region's indigenes. These included relatively minor events like the 1871 attacks on a "halfbreed" settlement on Frenchman's Creek (a tributary of the Milk River) or the opposition to Sioux "harassment" of Northern Pacific Railway surveying parties that began the same year. Sioux opposition to the railroad—which had ostensibly been encouraged by "halfbreeds" in the aforementioned Milk River community—led the Army to provide ""large escorts" for the surveyors. In 1873, "the Sioux" "opposed the escort in force" and that winter "Sioux" "wreaked havoc at the Red Cloud and Spotted Tail agencies." Then, in 1874, violence escalated after Americans rushed into Sioux territory in the Black Hills upon learning of gold deposits there.[574] Two years later violence between Northern Plains indigenes and the United States Army climaxed on the banks of the Little Big Horn River, where a mixed

[572] Such surprise attacks were a favored Army tactic in this period. See Jacoby, *Shadows at Dawn: A Borderlands Massacre and the Violence of History*.

[573] Major General Hancock to Col. T. L. Crittenden, St. Paul, Minn., August 18, 1872, *Frank J. Hutchinson Papers*, MSS 10078, folder 5, military correspondence, SHSND.

[574] Wooster, *The Military and United States Indian Policy, 1865-1903*, 160-162; Captain J. M. J. Sanno to Captain H. B. Freeman, Headquarters District of Montana, Fort Shaw, M. T., October 19, 1871, vol. 228, RG 15, LAC. Sanno alleged that a "halfbreed" camp of 75-100 people "supplied the Uncapapa and Teton Sioux under Sitting Bull" with ammunition, and encouraged them "to make war upon the govt of the U.S. and its citizens and particularly to opposed the construction of the Northern Pacific Railroad."

mass of Sioux and Cheyenne routed the U.S. 7th Cavalry under Lt. Col. George Armstrong Custer.[575]

Many among the victors moved northward across the international border, where they joined friends, relatives, and associates in familiar locales. The following year some of them welcomed the Nez Perce survivors of the Battle of the Bear's Paw. Guided by Nez Perce Métis Poker Joe, or Lean Elk, almost 1,000 Nez Perce had been trying to reach the Lakota camps in Canada after having been refused refuge by the Crow during their famous flight from the U.S. Army. Most surrendered with one of their leaders, Chief Joseph, after being attacked on September 30th by troops (and their Crow, Bannock and Nez Perce scouts) commanded by General Howard (who knew Chief Joseph personally) and Colonel Nelson Miles (whose command included 30 Indian scouts, mostly Cheyenne and Lakota, some of whom had fought against the U.S. just 15 months earlier at the Battle of the Little Big Horn). Among those who surrendered may have been Daytime Smoke, the elderly Nez Perce son of William Clark.[576]

The Nez Perce were unprepared for the assault—their lookouts had seen people approaching but thought they were Gros Ventre and Assiniboine who were hunting nearby—and many of them died at the hands of the soldiers. After the initial attack, while both sides wondered if Sitting Bull's Lakota would come down from Canada to assist the besieged Nez Perce, Cheyenne scouts encouraged negotiation. Among the Nez Perce negotiators was Tom Hill, of mixed Nez Perce/Delaware ancestry, who acted as interpreter. Those Nez Perce who didn't surrender fled. Some were soon killed by Assiniboine and Gros Ventre who'd been encouraged by Col. Miles. Others who survived the conflict at the base of the Bear's Paw Mountains were helped by Cree and Métis groups they encountered.[577] Fleeing Nez Perce found refuge throughout the borderlands, some in Canada with mixed indigenous groups there and some in the United States. In Montana, on the banks of the Musselshell River, one Nez Perce refugee, In-who-lise, entered the annals of history by marrying Andrew Garcia, a man from way down south on the Rio Grande. Their union, solemnized in a mixed "Cree-Métis" hunting camp was later recounted in Garcia's memoir, *Tough Trip Through Paradise: Montana 1878*, which became a classic of western literature.[578]

[575] Calloway, "Army Allies or Tribal Survival? The 'Other Indians' in the 1876 Campaign."
[576] Daytime Smoke died several years later, while a captive of the U.S. government. West, *The Last Indian War*, 27, 302.
[577] Ron Rivard and Catherine Littlejohn, *The History of the Métis of Willow Bunch* (R. Rivard, 2003), 131.
[578] Andrew Garcia, *Tough Trip Through Paradise, 1878-1879.*, ed. Bennettt Stein (Sausalito, Calif.: Comstock Editions, Inc., 1986), chap. 20–21.

Chapter 4
Forging Nations and Natives I: Canada and the re-United States

As they expanded militarily onto the Great Plains, one of the ways the Canadian and U.S. empires asserted control over the territory they claimed was by delineating discrete population categories for classifying the region's inhabitants. During the 1860s, '70s and '80s both countries elaborated policies regarding citizenship, immigration, and Indian people that shaped population classification practices. Questions of classification proved pivotal in negotiations between colonial authorities and indigenous peoples of the Great Plains. Treaty agreements and national policies increasingly tied a host of basic rights, especially the right to land, to state-ascribed tribal, racial or national status. Classification affected not only one status but one's literal place in the nation. It was a crucial legal component of the colonization process.

While soldiers and civilians moved onto the Northern Plains, political elites in Canada and the United States built, or re-built, their countries. Doing so entailed two different construction projects, the territorial and the social. The territorial question first needed to be resolved vis a vis other imperial nation-states: What land would each nation claim the right to colonize? After other interested nation-states sanctioned one's territorial claims, the territory so-claimed had to be conquered from the indigenous people who occupied it as their own. Then it could be formally incorporated into the nation and re-allocated. In addition to establishing geographical boundaries in and around the nation, political elites had to make decisions about who within its external borders would be a member of the body politic. Which inhabitants of its national territory would belong to the national community? Who would be recognized by the state as a component of it, as a person with, in Hannah Arendt's famed phrase, "the right to have rights"? Who would be a citizen? And what did that mean? Who would have a right to land, to places, to property? Who would be property?

The Last West Place: Territory, Nation-Building and the "Unclaimed" Northern Plains

In the second half of the 1860s, North American elites vehemently debated these questions. On April 9, 1865, the commander in chief of the Army of the Confederate States of America, Robert E. Lee, surrendered to Ulysses Grant, commander of the Army of the United States of America, ending what we call, in re-united retrospect, the Civil War. In the weeks that followed, these two nations officially became one again. The end of the Civil War settled the question of chattel slavery but raised a host of others. The newly United States of America emerged from the Civil War with an enlarged and rationalized federal government that turned to the task of shaping the spatial and social character of the nation. By removing southern legislators from Congress, the Civil War also produced broad programmatic agreement, which facilitated aggressive nation building. Critical questions about how conquered lands would be incorporated into the United States, and about the status of populations within its boundaries, caused the war. Now the victors could legislate their answers. Their cause consecrated by the blood of multitudes, they undertook their task with a zeal that, for the period's pre-eminent historian, portended nothing less than another American revolution.[579]

In the "British" provinces north of American-claimed territory, the Civil War and especially the Union victory produced a similar energetic and conscious consideration of nation-

[579] As the title of his book suggests, Eric Foner characterized this period as a moment of unrealized revolutionary potential. Eric Foner, *Reconstruction: America's Unfinished Revolution, 1863-1877* (New York: Harper & Row, 1988).

making. For provincial political elites, the first order of business was establishing a Canadian state that could contend with U.S. actions. Fears about U.S. imperialist agendas spurred Canada's ruling class to pursue more avidly the independent confederation it had long considered. At that point, the area that became Canada consisted of a handful of British colonies in the east and west portions of the continent—including Canada (divided into Upper/West and Lower/East sections), Nova Scotia, New Brunswick, Prince Edward Island, and Newfoundland in the east, and British Columbia and Vancouver Island (which in 1866 merged into British Columbia) on the west coast—and two huge Hudson's Bay Company domains (the North West Territory and Rupert's Land) which covered the vast western interior. In the watchful eyes of the British colonies, the Civil War "unleashed in its most formidable form the threat that the triumphant American Union would take over" British North America. Some historians argue that the perceived threat of America's pursuit of a continental empire was "the firmest prod in making the British colonies consider closer union." It was a threat so potent, says Desmond Morton, as to be apparent to "all British North Americans" "however parochial they might be."[580] Other scholars have been even more emphatic: a century later, historian J. Bartlet Brebner opened his "modern history" of Canada with the claim that "perhaps the most striking thing about Canada is that it is not part of the United States."[581]

In the face of the foreboding American threat, political elites maintained that "the only way in which British North America could survive as a separate, autonomous power in North America was through the union of all its territories in a single transcontinental state."[582] As the Civil War progressed and a Union victory appeared inevitable, leaders from the various British North American provinces fervently debated the merits of confederation. From these 1864 debates came a series of resolutions, known as the Quebec Resolutions, supporting confederation and specifying the form it should take. The "basic fundamentals" of the Quebec Resolutions became the Constitution of the Dominion of Canada, formally established after the British Parliament passed, and the Queen signed, the British North America Act in the spring of 1867.[583] The new Dominion encompassed the former colonies of Canada, Nova Scotia and New Brunswick, which became, under confederation, the provinces of Ontario, Quebec, Nova Scotia and New Brunswick. Several years later, Prince Edward Island and British Columbia also entered into confederation.

The fear of U.S. imperial intent that propelled Canada's confederation was well founded. Americans, in the words of Michigan's governor "had an awful swaller for territory."[584] Long before it split into two countries, many people in the United States believed it was the nation's "manifest destiny" to take over the entire continent.[585] This belief rested on a variety of

---

[580] Desmond Morton, *A Short History of Canada* (Toronto: McClelland & Stewart Inc., 1994), 84–85.
[581] John Brebner, *Canada: A Modern History* (Ann Arbor: University of Michigan Press, 1960), IX.
[582] Newman, *Caesars of the Wilderness: The Story of the Hudson's Bay Company*, 365.
[583] Brebner, *Canada: A Modern History*, 149–152, 277–289; J.M. Bumsted, *A History of the Canadian Peoples* (Toronto: Oxford University Press, 1998), 176–184.
[584] Quoted in Brebner, *Canada: A Modern History*, 149.
[585] The idea of manifest destiny is so ingrained in the American psyche that even among professional historians it continues to shape how we conceive of our national past. This is evident in the ongoing, though diminishing, reluctance among some U.S. academics to call continental expansion colonial. It is still often considered something else. Even smart works on the subject—like that of Christina Duffy Burnett—draw a distinction between America's conquest of the continent and "'formal' empire," which supposedly began in 1898. Christina Duffy Burnett, "'They Say I Am Not an American...': The Noncitizen National and the Law of American Empire," *Virginia Journal of International Law* 48, no. 4 (2008): 662. Although many historians explicitly, intentionally name continental expansion colonialism, this periodization of U.S. imperialism is still common in historical literature. It is inaccurate even at a technical level, since the U.S. was contemplating overseas empires at the same time as it was attempting to manifest its destiny for a continental empire. See, for example, conversations surrounding the 1859 Senate bill for the purchase of Cuba, discussed in John Sanborn, "Some Political Aspects of Homestead Legislation," *The American Historical Review* 6, no. 1 (1900): 33. For a good example of such conscious naming on the Northern Plains, see Ostler, *The Plains Sioux and U.S. Colonialism from Lewis and Clark to Wounded Knee*.

commitments—intellectual, religious, financial, political—and especially central to American notions of "manifest destiny" were ideas about race.[586] In his monograph on the subject, Reginald Horseman concluded that "racial ideology . . . accompanied and permeated" "expansion" in this period.[587] Moreover, ideas about race led Americans to believe that continental conquest was not only manifestly destined but laudable: many were convinced that "Providence . . . had provided that inferior peoples should yield their 'unused' domain to those who through its use could benefit themselves and the world."[588] Ideas about Indians, those "inferior peoples" on whose dispossession America's destiny depended, figured prominently in this rationale. "Indian-hating," in particular, was inseparable from "empire building" in the United States, "a key component of . . . Manifest Destiny." It was, Richard Drinnon argues, "in a real sense the enabling experience of the rising American empire."[589] But American imperialism also succored on ideas about Indians shared by their foes and friends alike. As Walter Hixon emphasizes in *American Settler Colonialism*, although "masses of Americans empathized with Indians . . . almost none of these people perceived Indians as having legitimate claims to occupy colonial space." Regardless of whether individual Americans liked or loathed Indians, valorized or vilified them, "Eurocentric notions of racial superiority, progress, and providential destiny [that] propelled settler colonialism" linked to ideas about Indian people.[590]

From a Canadian perspective, regardless of what drove Americans' sense of manifest destiny, it was quite clear that the U.S. not only meant to colonize the continent, but that it was willing to use military violence to expand its empire. It seized almost half of Mexican territory about fifteen years before, and Americans had just finished killing each other to retain control of national territory and its occupants.[591] Many inhabitants of British North America likely viewed these actions in light of their own experiences with American ambitions to conquer neighboring British colonies in the War of 1812.[592] Moreover, U.S. militaries were at that very moment swarming across the Northern Plains in a bloody campaign against the Sioux and others just to the south of the "British possessions." Instead of calming the country's colonial fervor, argued Canadian confederationists like D'Arcy McGee, American "war was an appetite that grew with feeding."[593] Alarmingly, the Civil War seemed to augment not only the desire but the ability of the United States to conquer all of North America. Over the course of the conflict the militarizing, industrializing North grew ever more powerful.

Canadians knew that the northern Great Plains figured prominently in American dreams of continental empire. While some American expansionists included the entire British Possessions in the area they intended to absorb, most felt it more important, and realistic, to acquire rights to the Northern Plains territory of the Hudson's Bay Company. According to the geo-political perspective of Euro-North American nations, with Russia controlling the far north

---

[586] Ramon Ruiz summarizes some of the conceptual threads interwoven in the idea of Manifest Destiny in his essay "Manifest Desting and the Mexican American War. Ramon Ruiz, "Manifest Destiny and the Mexican American War," in *Taking Sides: Clashing Views on Controversial Issues in American History, Volume 1: The Colonial Period to Reconstruction*, ed. Larry Madaras and James M. SoRelle (Guilford, Conn.: Dushkin Pub. Group, 1993), 269–276.

[587] Reginald Horsman, *Race and Manifest Destiny: The Origins of American Racial Anglo-Saxonism* (Cambridge: Harvard University Press, 1981), 6.

[588] Clyde A. Milner II, ed., *Major Problems in the History of the American West: Documents and Essays* (Lexington: D.C. Heath and Co., 1988), 235.

[589] Richard Drinnon, *Facing West: The Metaphysics of Indian Hating and Empire-Building* (New York: Schoken, 1990), xxvii.

[590] Hixson, *American Settler Colonialism*, 3–4, 6.

[591] The preceding decades brought "unprecedented growth in the territorial possessions" of the United States. In the early 1840s, the U.S. "national domain" stood at 1,788,000 square miles. In the second half of the 1840s it grew by almost 1,204,000 square miles. Frederick Merk and Lois Bannister Merk, *Manifest Destiny and Mission in American History: A Reinterpretation* (New York: Vintage Books, 1966), Preface.

[592] Robert O'Neill and Carl Benn, *The War of 1812: The Fight for American Trade Rights* (The Rosen Publishing Group, 2011), 28.

[593] Quoted in Morton, *A Short History of Canada*, 84; For McGee's ardent promotion of confederation, see Norah Story, *The Oxford Companion to Canadian History and Literature* (Toronto: Oxford University Press, 1968).

and the U.S. having recently wrested the northern half of Mexican-claimed territory from that young country, only the Hudson Bay Company's enormous domain remained up for grabs on the continent.[594] The company's monopoly trading license to the territory expired in 1859, and survey expeditions through the Northern Plains in the 1850s had improved the region's image from barren wasteland to a land ripe for agriculture.[595] Rupert's Land also lay between the incorporated areas along both coasts—control of the northern middle was crucial to connect already colonized regions. Expansionist Minnesota elites, notably Alexander Ramsey and James Wickes Taylor, clamored and connived most vocally for annexation of the region, but a chorus that spanned the continent joined their voices.[596] The *New York Herald*, for example, was militant about the issue, demanding the annexation of HBC lands "peaceably if possible, forcibly if necessary." The U.S. government shared this interest in incorporating the HBC's holdings, and dispatched Taylor, as special agent of the U.S. treasury department, to the British Red River settlements to promote American annexationist interests.[597]

U.S. activity on the far western front also fed Canadian fears.[598] In the wake of the Civil War, American ambassadors renewed negotiations for the purchase of Alaska, then a part of the Russian empire. The United States' intention to acquire Alaska was no secret. American politicians openly pondered its colonization as early as the 1840s. They viewed it as a strategic location for commerce with Asia and for defensive naval posts as well as a land ripe for economic exploitation in its own right. They also saw Alaska as a critical component of the continental imperial contest. Advocates of acquiring Alaska believed that American control there could "block any advance by Asian or European powers, especially Great Britain, in North America," and "it would also facilitate U.S. designs on British Columbia."[599] In the spring of 1867, America's Alaska aspirations bore fruit in the form of a purchase treaty with Russia.[600] Canada now had to contend with United States encroachment from both the northwest and the south. The fact that American officials were actively exploring the possibility of purchasing the HBC's vast Rupert's Land made this situation ominous. So, too, did America's territorial dreams: as he negotiated the purchase of Alaska, Secretary of State Seward fantasized about the nation's future. "I know," he said "that Nature designs that this whole continent, not merely these thirty-six states, shall be, sooner or later, within the magic circle of the American union."[601]

The fear that the United States coveted British Columbia, the Red River Valley, and the plains between led Canada's political leaders to begin negotiations for acquiring claim to Rupert's Land even before they accomplished formal confederation.[602] As they planned a trip to England in 1865 to negotiate independence, British America's confederationists decided to raise the question of "the Northwest" at the same time. They considered these two issues inseparable.

---

[594] According to this rationale, the indigenous polities inhabiting Rupert's Land were not seen as legitimate claimants. For a careful legal articulation of this view see Philip P. Frickey, "Marshalling Past and Present: Colonialism, Constitutionalism, and Interpretation in Federal Indian Law," *Harvard Law Review* 107, no. 2 (1993): 381–440.

[595] James Belich argues that this reimagining of spaces preceded, and facilitated, settlement booms or "explosive colonization "across the "Anglo-world" during the "settler revolution" of 1783-1939. Belich, *Replenishing the Earth*, 184.

[596] Some attribute Ramsey's fervor to the influence of Henry Hastings Sibley, a long-time advocate of annexing Rupert's Land. Father Anthony Belcourt also supported annexation. See Fridley, "When Minnesota Coveted Canada."

[597] Newman, *Caesars of the Wilderness: The Story of the Hudson's Bay Company*, 364; *Annexation Bill of 1866*, July 2, 1866, 39th Cong., 1st Sess., H.R. 754; James W. Taylor to Hon. Edward Cooper, Washington D.C., November 23, 1867, *James Wickes Taylor Papers*, MSS 20187, SHSND; James W. Taylor to Mr. McCulloch, St. Paul, November 13, 1868, *James Wickes Taylor Papers*, MSS 20187, SHSND.

[598] See Stanley, *The Birth of Western Canada*, 57–59.

[599] John Mack Faragher, ed., *The American Heritage Encyclopedia of American History*, 1st edition (New York: Henry Holt and Co., 1998), 840; Clyde A Milner, Carol A O'Connor, and Martha A Sandweiss, *The Oxford History of the American West* (New York: Oxford University Press, 1994), 581.

[600] Tremaudan, *Hold High Your Heads*, 56.

[601] Quoted in Brebner, *Canada: A Modern History*, 279.

[602] Tremaudan, *Hold High Your Heads*, 55.

As John MacDonald, the Dominion's first prime minister, explained, "if Canada is to remain a country separate from the United States, it is of great importance that they should not get behind us by right or by force, and intercept the route to the Pacific."[603] Confederationists' conviction that an independent Canada depended on control of the HBC's Northern Plains holdings prompted them to include clauses providing for the admission of Rupert's Land and the Northwest Territories in the same 1867 legislation—the British North America Act—that created the Dominion of Canada. The following year a Canadian delegation sailed to London to negotiate for HBC's land holdings. While they did so, the U.S. Senate "passed a resolution offering $6 million for the HBC's territorial rights." There proved to be little resolve behind the Senate's resolution: the next year the HBC surrendered its holdings to the British Crown, and thus to Canada, for a much smaller sum. The move elated Canadian imperialists like MacDonald, who crowed "we have quietly and almost without observation annexed all the country between here and the Rocky Mountains."[604]

After Canada's purchase of Rupert's Land, the allocation of the continent, in the eyes of empires, was pretty well settled. Canada and the U.S. began planning a joint boundary survey charged with marking their claims on the ground. The boundary had to be marked because it was not apparent. Where it crossed the Great Plains, the international boundary followed the 49th parallel, a latitudinal line, developed by astronomers, that accorded with no natural divides like rivers, mountains, valleys, or lakes. As a physical boundary, it was entirely man-made. Thus, before the international boundary survey, "there was no telling where the precise line lay." In the words of western author and borderlands resident Wallace Stegner, "wolfers and traders did not carry astronomical instruments." Prior to the survey, even colonizing governments couldn't pinpoint the limits of the territory they claimed: when surveyors reached the Red River in September of 1872, they discovered that the Canadian custom house stood south of the line.[605] The boundary survey itself may have performed the limits of territorial claims more than it actually marked them. Even after the field crews completed their work in 1874, the border between the U.S. and Canada could be identified only by piles of rocks or dirt placed three miles apart. The region's famed winds, as well as its irreverent inhabitants, quickly diminished many of these.[606]

Constituent Concepts: Citizens, Subjects, Indians and Aliens

As Canada and the United States marked the territories in which they claimed exclusive right of conquest, they also enacted policies about who within those borders would be members of the nation. Both countries refined official population categories, like citizen and alien, and began to elaborate which rights—political, social, civil and economic—such statuses conveyed. The most well-endowed of these categories was citizen. During the eighteenth century "civil and human rights were reconceptualized," and, as Linda Kerber points out, democratic revolutions—like those in France and the United States—"situated the practice of those rights in the context of the new national sovereignty."[607] The origins of national citizenship thus contained a

[603] Quoted in Kenneth McNaught, *The Penguin History of Canada*, New ed. (London: Penguin Books, 1988), 124.
[604] Newman, *Caesars of the Wilderness: The Story of the Hudson's Bay Company*, 364, 371–374, 387.
[605] Wallace Stegner, *Wolf Willow a History, a Story, and a Memory of the Last Plains Frontier* (New York: Penguin Group, 1990), 85, 88.
[606] The Convention of 1818 first suggested the northern limits of the Louisiana Purchase, which it located at the 49th parallel, wherever that proved to be on the ground. For the early history of the international boundary see Sharrock and Sharrock, *A History of Cree Territorial Expansion from the Hudson Bay Area to the Interior Saskatchewan and Missouri Plains. Report Presented before the Indian Claims Commission, Docket 221b-191*, 52–55.
[607] Linda K. Kerber, "Toward a History of Statelessness in America," *American Quarterly* 57, no. 3 (2005): 731.

fundamental paradox. This paradox is beautifully illustrated in the U.S. Declaration of Independence: while it might be self-evident that "all men" were "endowed by their Creator with certain unalienable rights," "governments" were nonetheless necessary "to secure these rights."[608] It was apparently self-evident that, without governments, rights were all too alienable.

Securing rights through government meant that nation-states became the arbiter, in areas they controlled, of who had which rights where. As the countries produced by eighteenth century revolutions refined membership categories, they developed different kinds of, and paths to, national citizenship and non-citizenship. National citizenship became the essential condition for claiming "unalienable" rights. Thus, as rights increasingly depended on one's state-ascribed status, in areas controlled by nation-states "the space between those who belonged to a state and those who lacked one expanded."[609] Despite its growing importance, however, citizenship remained unstable and vaguely defined. The question of who was a citizen, and what that status meant in terms of rights, perpetually occupied courts and legislatures. In North America, the answer to those questions usually related to issues of race and gender. It also depended on space, varying with attributes like birthplace and property ownership and place of residence.[610]

The issue of American national membership emerged with the country itself. Among the grievances listed by drafters of the Declaration of Independence was a complaint about the British Empire's attempts to limit colonial population by "obstructing the laws for the naturalization of foreigners." Yet early American citizenship and naturalization laws left much undefined, both in terms of who qualified for which status and what rights each status conveyed. The constitution never defined "foreigners." Nor did it define citizenship or eligibility criteria therefore. Until the late 1860s, formal determinations regarding eligibility for, and rights conveyed by, citizenship remained the purview of individual states. Citizenship thus varied widely. But it did so within rough identifiable limits—for the most part only people deemed free and "white" could be citizens.[611] So ambiguous and unstable were early concepts of citizenship that laws were not even clear about whether citizenship conveyed rights or rights conveyed citizenship. In several legal cases from the 1790s, for instance, judges cited the fact of their enfranchisement when they concluded that the free "negroes" in question were citizens.[612] Conversely, in debates that raged over the admission of Missouri to the union several decades later, opponents of "black citizenship" argued that infringements on black suffrage and other "legal discriminations" against "free blacks" negated their official citizenship.[613]

As these legal debates suggest, early concepts of American citizenship developed in conjunction with ideas about race. Indeed, many historians have argued that emerging categories of race, and especially the institution of racialized slavery, propelled the democratic idea of equality between—and the extension of citizenship to—those males deemed white.[614] In American history, race and citizenship are so entwined that for many people it is impossible to imagine a citizenship that was not race-related. Hence, in his 1906 essay "Emancipation and

---

[608] Thomas Jefferson, *Declaration of Independence*, 1776.
[609] Kerber, "Toward a History of Statelessness in America," 732.
[610] Other more detailed criteria played into citizenship status and its meaning as well, including the obvious issues of age, literacy, etc.
[611] According to Glenn Phelps, "every state and locality had some sort of 'freehold' requirement for suffrage in the revolutionary and immediate post-revolutionary eras." Glenn Phelps, "Representation without Taxation: Citizenship and Suffrage in Indian Country," *American Indian Quarterly* 9, no. 2 (1985): 139.
[612] Gordon Sherman, "Emancipation and Citizenship," *Yale Law Journal* 15, no. 6 (1906): 270–272. As demonstrated by these debates regarding the citizenship of "black" people, the terms "free" and "white" were mutually constitutive.
[613] Ibid.; James Kettner, *The Development of American Citizenship, 1608-1870* (Chapel Hill: University of North Carolina Press, 1978), 312–313; Rogers M Smith, *Civic Ideals: Conflicting Visions of Citizenship in U.S. History* (New Haven: Yale University Press, 1997), 175–177.
[614] The classic articulation of this idea is Edmund S Morgan, *American Slavery, American Freedom: The Ordeal of Colonial Virginia* (New York: Norton, 1975).

Citizenship," Gordon Sherman could write with confidence that "the presence of the native Indian, together with the enslaved and the freed African, gave rise at the very outset to necessity of definition" of the word citizen.[615] Embedded in Sherman's assertion is the assumption that citizenship is inherently related to race.

From the outset, the racial category of Indian was fundamental in defining American citizenship. In theory, if not always in practice, "Indians" were the one constant and definitive exception to citizenship eligibility. As such, they constituted the "disenfranchised 'Other'" that scholars like David Gutierrez argue "is a necessary component of the idea of a bounded citizenry." [616] Of the human groups we now designate races, Indians alone were named in the U.S. Constitution.[617] The provisions naming Indians did not explicitly exclude them from citizenship eligibility. The context in which the document was drafted made such exclusion self-evident. In 1776, most Indians in North America lived outside the territorial boundaries of the United States. They were, categorically, not a component of "we the people of the United States" or "all persons born" therein.[618] As legal historian Philip Frickey put it, America's "foundational document established a government for the colonizers and treated Indians and tribes as outsiders."[619] Where it was explicit about Indian status, the constitution suggested that Indians were excluded from citizenship eligibility by being excluded from its pre-requisite, American personhood: "Indians not taxed" were not to be counted as part of the population of individual states nor of the new nation they composed.[620] On the nation's preliminary membership rolls—population censuses upon which political representation was based—Indians did not count as American people. Developing notions of race underlay this exclusion, but it stemmed most directly from the unique position of Indian polities in Western thought. Indian tribes, as they were termed, were held to be foreign entities akin, but not identical, to foreign nation-states.[621] Hence the wording of Section 8 of the Constitution, in which Congress is given the power "to regulate commerce with foreign nations, and among the several States, and with the Indian tribes." In both its terms and its implications, then, the Constitution juxtaposed Indians to the other categories it articulated, including citizens, subjects, aliens, and foreign nations.[622]

---

[615] Sherman, "Emancipation and Citizenship," 265.

[616] David Gutiérrez, "The Politics of the Interstices: Reflections on Citizenship and Non-Citizenship at the Turn of the Twentieth Century," *Race/Ethnicity: Multidisciplinary Global Perspectives* 1, no. 1 (Autumn 2007): 90.

[617] The other primary axis of differential rights in the constitution was racially coded but not racially delimited, ie. rights accrued or failed to accrue to people based on their free or unfree status. Freedom was made a prerequisite for citizenship, a provision which effectively excluded most black people because they were enslaved.

[618] The power of this automatic excluding of Indians from consideration for citizenship is attested to by the absence of any discussion of Indians in many modern examinations of race and citizenship. Gordon Sherman illustrates this thoroughgoing contradistinction between Indians and citizens when he explains his lack of exploration of their exclusion: "the Indian, segregated in his tribe and not responsible for the support of government, was easily laid aside as one 'not paying taxes'." Sherman, "Emancipation and Citizenship," 265. The tendency to slight Indians in modern examinations of race and citizenship may also stem from the fact that Indians are less politically visible than they were in the nineteenth century, and, outside of specializations in Native American subjects, we are thus less likely to see their enormous historical importance.

[619] Frickey, "Marshalling Past and Present," 383. Frickey cites for this conclusion the fact that "the Constitution itself mentions Indians only three times," which suggests that he feels it is the Constitution's negligence of Indians that excludes them. I would argue that the fact that it names Indians and Indians alone among modern racial groups—ie. that it assumes them separate from provisions for citizens etc.—is more demonstrative of their exclusion from the imagined American community at the time.

[620] In the Articles of Union drafted by the Continental Congress a similar apportionment provision allocated to states the costs of war "in proportion to the number of inhabitants of every age, sex, and quality, except Indians not paying taxes." Quoted in Sherman, "Emancipation and Citizenship," 265.

[621] Ideas about race, of course, undergirded the epistemologies that held Indian polities apart or distinct from "foreign nations."

[622] Race is implied in the Constitution in provisions regarding free status, but, as many people have shown, the relationship between race, slavery, and citizenship, while direct, was never complete. The constitution didn't define citizenship, and states developed different policies regarding the citizenship of "free people of color," both in terms of formal status and what rights status conveyed (in many cases "free people of color" were called citizens but were simultaneously subjected to special limitations on civil and political rights).

The anomalous status of Indians vis a vis the U.S. endured through the first half of the nineteenth century as different branches of government grappled with the ambiguities of American citizenship. Even its most careful articulations only identified the anomaly without resolving it: when Supreme Court Chief Justice John Marshall was called upon to clarify Indian tribal status when the Cherokee Nation sued the state of Georgia in 1831, he concluded that the tribe was indeed a nation (or "sovereign")—"a distinct political society, separated from others, capable of managing its own affairs and governing itself"—but that it was not foreign because it occupied territory claimed by the United States. His decision thus enshrined in case law the implications of the Constitution's commerce clause, which he cited.[623] It also suggested something of the implications such anomalous sovereign status held for individual Indian citizenship in the United States. Indian tribes were nations whose territory could be absorbed by and assimilated into the American nation, but whose people could not be. When it came to the U.S. body politic, "Indians" would remain distinct, separated.

If Indian tribes were "domestic dependent nations," as Marshall labeled them, then Indian people were neither "natural born" American citizens nor foreign aliens eligible for citizenship via naturalization. As Dudley McGovney noted over 100 years ago, Marshall's decision may have brought more clarity to the status of "Indian nations . . . [but] settled nothing as to the status of an individual Indian." The "domestic dependent nations" designation left indigenous individuals in a liminal space of non-specific noncitizens, in which they might be aliens but were not "subjects of a foreign state."[624] As such, individual naturalization—the normal path to citizenship for aliens—was unavailable to most Indian people.[625] With regard to naturalization, Marshall's decision layered a space-based rationale for Indian exclusion onto an existing race-based one: since the nation's founding, U.S. naturalization was open only to "free white persons."[626]

In the aftermath of the Civil War, the United States undertook a more careful consideration of the ascription, and content, of American citizenship. At a fundamental, if grossly simplified, level, the war itself was fought over the rights of governments (namely states) to determine the legal status of their inhabitants (namely enslaved "black" people). With the end of the war the victorious North moved quickly to make its answers to these questions law. In 1866, the northern-controlled U.S. Congress passed a Civil Rights bill that made "all persons born in the United States . . . citizens of the United States."[627] Two years later Congress ratified a 14th Amendment to the constitution. Section 1 of that amendment bestowed citizenship on "all persons born or naturalized in the United States, and subject to the jurisdiction thereof."[628] In doing so it established an entirely new basis for citizenship in the United States. This citizenship was for the first time directly national. States could no longer limit citizenship through local law and U.S. citizenship no longer flowed from state citizenship but from the federal government

[623] Frickey, "Marshalling Past and Present," 390–392. Marshall gave a name to the anomalous status of Indian tribes—"domestic dependent nations"—that endures in American jurisprudence to this day.
[624] Dudley O. McGovney, "American Citizenship. Part II. Unincorporated Peoples and Peoples Incorporated with Less than Full Privileges," *Columbia Law Review* 11, no. 4 (1911): 327–328.
[625] Quoted in Ibid., 330. In the 1856 Dred Scott decision, Chief Justice Taney wrote that Indians "may, without doubt, like the subjects of any other foreign Government, be naturalized by the authority of Congress, and become citizens of a State, and of the United States." But his confidence in this regard seems misplaced: some two decades earlier, Marshall's enduringly influential decision held that Indian tribes were *not* like "other foreign Government[s]." As a result, indigenous individuals did not automatically enjoy the same naturalization opportunities that foreign aliens did.
[626] *Naturalization Act of 1790,* 1st Cong., 2nd Sess., Ch 3: 1 Stat. 103; *Naturalization Act of 1795,* 3rd Cong., 2nd Sess., Ch. 19, 20: 1 Stat. 414; *Naturalization Act of 1798,* 5th Cong., 2nd Sess., Ch. 54: 1 Stat. 566; *Naturalization Act of 1802,* 7th Cong., 1st Sess., Ch. 26, 28: 2 Stat. 153.
[627] *Civil Rights Act of 1866,* 39th Cong., 1st Sess., Ch. 31: 14 Stat. 27-30.
[628] *US Constitution,* Amend XIV.

itself. It was also, for the first time, avowedly universal, accruing to anyone born under the jurisdiction of the United States regardless of gender, property ownership, or race.

The Civil Rights bill and the 14th Constitutional Amendment of 1868 expanded formal citizenship to include most people born in the territorial United States.[629] In doing so, they also explicitly limited citizenship in new ways. Clarifying the boundaries around those eligible for citizenship simultaneously marked more sharply those ineligible for citizenship. Chief among the latter were "Indians." In the Civil Rights Act of 1866 "Indians not taxed" were specifically excluded from birthplace citizenship.[630] The 14th Amendment was less specific. As in the constitution, Amendment number 14 did not explicitly exclude Indians from citizenship eligibility. It instead suggested that Indians were excluded from its sole pre-requisite, American personhood. According to the provisions of both documents, "Indians not taxed" were not to be counted as part of the population of individual states nor of the nation they composed.[631] They were not American people. Two years after passage of the 14th Amendment, U.S. lawmakers explicitly extended the opportunity for citizenship via naturalization to "aliens of African nativity and to persons of African descent."[632] The expanded eligibility in the American Naturalization Act of 1870 operated like the expanded birthplace citizenship laws. By articulating its extension to one group of non-white migrants, it pointedly, if silently, proclaimed the continued prohibition on naturalization for people categorized as Indian.

The implicit exclusion of Indians from the expanded citizenship opportunities of the post-Civil War period was readily apparent to contemporaries. As political scientist Irving Richman opined in 1890, "so far as the negro was concerned . . . the great question of citizenship was relieved of doubt. Concerning the Indian, however, as much could not properly be said." Indeed, this implicit exclusion was made explicit in Congressional debates about the 14th Amendment. During those debates, Wisconsin Senator Doolittle moved to insert the words "excluding Indians not taxed" in the section that bestowed citizenship on "all persons born or naturalized in the United States and subject to the jurisdiction thereof." Other senators opposed, and ultimately defeated, his motion on the grounds that such an insertion would be redundant. The clause "subject to the jurisdiction thereof," they maintained, already excluded Indians, who were, as Senator Lyman Trumball of Illinois put it, not among those "that we think of making citizens."[633]

Several court cases in the wake of the 14th Amendment tried to sort out the relationship of Indianness and citizenship, but they, too, left much unresolved. In 1884, the Supreme Court shared Trumball's analysis. That year's Elk vs. Wilkins decision held that the 14th Amendment failed to make Indians citizens because members of Indian tribes were not born "subject to the jurisdiction of the United States." This decision left intact, however, the idea that the 14th Amendment could apply to indigenous individuals "where the tribe was one which had ceased to maintain its tribal integrity." In making its decision, the court rationalized that Indian tribes were "an alien, though dependent power," thereby mimicking the logic of Marshall's more famous decision by considering tribes dependent sovereigns but diverging from his conclusion that they were "domestic." The status of Indians with regard to citizenship continued to be unclear into the

[629] This is not to say that this formal expansion translated into full citizenship for previously excluded groups. In subsequent decades, African-American citizenship remained ambiguous, incomplete, and insecure. Cf. Phyliss Craig-Taylor, "To Be Free: Liberty, Citizenship, Property and Race," *Harvard BlackLetter Law Journal* 14, no. Spring (1998): 45–90.
[630] *Civil Rights Act of 1866*, 39th Cong., 1st Sess., Ch. 31: 14 Stat. 27-30.
[631] *US Const.*, Amend XIV, § 2., regarding apportionment of representatives "among the several States according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed."
[632] *Naturalization Act of 1870*, 41st Cong., 2nd Sess., Ch. 252-254: 16 Stat. 254.
[633] Irving Richman, "Citizenship of the United States," *Political Science Quarterly* 5, no. 1 (March 1890): 114, 133–144.

twentieth century.[634] In this context, when U.S. and Russian representatives negotiated the Alaska purchase treaty, in which Russia sold its claims to Alaska to the United States, they made sure to explicitly exclude Indians from citizenship. Under the terms of the 1867 treaty, inhabitants of the ceded territory who wished to remain Russian subjects had three years to remove to Russia. All people who remained in the ceded territory after three years would be "admitted to the enjoyment of all the rights, advantages, and immunities of citizens of the United States." The only exception to this wholesale automatic citizenship ascription? "Uncivilized native tribes."

Eligibility for national citizenship evolved differently in Canada, but it, too, left Indians in an ambiguous position that usually translated into de facto exclusion. Until 1947, when a global surge of nationalism followed World War II, most Canadians remained subjects of the British Empire.[635] After confederation in 1867, Canada remained formally affiliated with the Great Britain, and imperial subjecthood co-existed with a subordinate Canadian citizenship. Non-Indians born in Canada were Canadian citizens as well as British subjects. Canadian residents who had been born elsewhere in Great Britain's empire didn't necessarily have Canadian citizenship, but as British subjects they generally "had legal standing akin to citizenship." Legal alienship in Canada, on the other hand, applied only to people born outside of the British Empire. Aliens could be naturalized, and their naturalization legally conveyed rights equal to native-born British citizens, but those rights were exclusive to Canada (the colony of naturalization), and did not extend to other parts of the British Empire.[636]

All of these categories, and their prescribed paths to official status, excluded indigenous Canadians. Prior to confederation, imperial statutes delineated a distinction between "Indian tribes . . . and Her Majesty's other Canadian subjects."[637] This distinction solidified with confederation. In the British North America Act that created the Dominion of Canada, the Queen of England retained "executive government and authority of and over Canada" and over Canadian British subjects. Several population groups were conspicuously absent from that category, namely "aliens" and "Indians." In Section 91 of the British North America Act, the Queen gave Canada's parliament "exclusive legislative authority" over 29 enumerated items. Item Number 24 was "Indians, and Lands reserved to Indians." The next item was "Naturalization and aliens." In Canada's constitution, as in the United States, Indians and aliens were linked, but distinct. Composed of individuals who were not British subjects, but not exactly aliens, Indian polities, and Indian lands, like Indian people, occupied an ambiguous place in the Dominion's founding document. They weren't Canada's, and they weren't the Queen of England's, but nor were they "foreign countries." Relations with "foreign countries" were addressed mainly under the heading "Treaty Obligations," a section separate from that relating to

---

[634] See "Citizenship by Birth," *Harvard Law Review* 41, no. 5 (March 1928): 644; Richman, "Citizenship of the United States," 116. All American Indians were granted citizenship in 1924, but, as we shall see, this still left many indigenous people in the Northern Plains vulnerable to exclusion from citizenship.

[635] George Woodcock, *A Social History of Canada* (Toronto: Penguin Group, 1989), 298.

[636] Irene Bloemraad, *Becoming a Citizen: Incorporating Immigrants and Refugees in the United States and Canada* (Berkeley: University of California Press, 2006), 23-26. Bloemraad's discussion of immigrant citizenship does not address Indians. They remain excluded from the conceptual category of immigrants in either country even though the allegation that they were foreign, ie. had immigrated from elsewhere, proved central to the exclusion of borderlands indigenes from citizenship and state status.

[637] *Act to Encourage the Gradual Civilization of Indian Tribes in This Province, and to Amend the Laws Relating to Indians*, 1857, 3rd Session of the 5th Parliament of the Province of Canada. Darlene Johnston calls attention to this distinction in her essay "First Nations and Canadian Citizenship." Johnston's piece focuses primarily on a single aspect or marker of citizenship—enfranchisement—but includes some discussion of broader and vaguer notions of national membership, and state-ascribed status, as they apply to Indian communities. Darlene Johnston, "First Nations and Canadian Citizenship," in *Belonging: The Meaning and Future of Canadian Citizenship*, ed. William Kaplan (Montreal: McGill-Queen's University Press, 1993), 349–57.

"Indians."[638] In both countries, the common legal heritage of the United States and Canada left Indian people in a similar position vis a vis the nation-state.

To make matters even more confusing, despite the categorical exclusions of Indians from citizenship eligibility, both Canada and the United States sometimes granted citizenship and/or some of the rights associated with it to Indian people.[639] This inconsistency stemmed not only from the lack of clarity regarding Indian citizenship ascription but also from the unclear relationship between citizen status and civil or political rights, like enfranchisement. It resulted as well from structural contradictions between Indian policies and citizenship concepts. In both countries, through the first half of the nineteenth century, proponents of assimilating "Indians" into "white" society promoted their political agendas, which they usually couched in terms of "civilization." As their empires pushed across the continent, permanent Indian segregation seemed less and less likely, and assimilation gained ground in Indian policy circles. By the post-Civil War period the goal of eventual assimilation of Indian people was an integral component of Canadian and American Indian policies.[640] And in both countries, the attainment of citizen status by Indians functioned as a synonym for, and the ultimate symbol of, successful assimilation or "civilization." Indian political enfranchisement, in turn, came to symbolize, and be equated with, citizenship. In this way, enfranchisement became a goal of Canadian and American Indian policies just as the conceptual space between Indians and citizens widened, and the line between them hardened, with the growing number of formal citizens and the expanding content of citizenship.

In this context, even as citizenship continued to be defined in contradistinction to Indianness, Canada and the United States bestowed citizenship or associated rights on some "Indian" people. The processes through which Indians obtained citizenship reflected their ambiguous relationship to that status. In the British Provinces, an 1857 Act to Encourage the Gradual Civilization of Indian Tribes promoted "the gradual removal of all legal distinctions between them and Her Majesty's other subjects." As Darlene Johnston points out, the act "assumes that the Indian tribes are included among Her Majesty's subjects" while at the same time acknowledging that legal distinctions mark a "special constitutional relationship between the British Crown and First Nations." The act contained "an element of respect for the autonomy of the Tribes, since the provisions applied only to those individuals" who elected to avail themselves of the Act. What the act offered such individuals was enfranchisement, which many people, including Johnston, understood as synonymous with "British colonial citizenship."[641] Upon Confederation, Canada enacted legislation that mirrored the 1857 Act. In the United States, some "Indians" acquired American citizenship en masse, and not necessarily with their individual consent. Treaties in the 1830s, for example, made certain "Choctaw" and "Cherokee" "Indians" citizens while an 1855 treaty with the "Wyandot" "abolished the tribe and proclaimed the Indians citizens of the United States."[642] In a reflection of conceptual link

---

[638] *The Constitution Act, 1867*, (UK), 30 & 31 Victoria, c 3, section 132: Treaty Obligations.

[639] It is these citizen Indians who underlay the particular phrasing of the Constitution and the Civil Rights Act of 1866. Both documents excluded "Indians not taxed," a category which implied the possibility of its opposite, taxed Indians, a.k.a. citizen Indians. As we shall see, this citizenship was understood to both detribalize and deracinate Indians, who, by becoming citizens, lost legal standing as members of Indian tribes and hence as Indians. *US Constitution*; *Civil Rights Act of 1866*, 39th Cong., 1st Sess., Ch. 31: 14 Stat. 27-30.

[640] Frederick Hoxie, *A Final Promise: The Campaign to Assimilate the Indians, 1880-1920* (Lincoln: University of Nebraska Press, 1985), ix–xi; Bruce Miller, "Who Are Indigenes? A Comparative Study of Canadian and American Practices," *American Behavioral Scientist* 50, no. 4 (December 1, 2006): 462–77; Johnston, "First Nations and Canadian Citizenship."

[641] Johnston, "First Nations and Canadian Citizenship," 354. Johnston treats enfranchisement as synonymous with citizenship and doesn't further explore the relationship between suffrage and citizen status.

[642] Richman, "Citizenship of the United States," 112; David Wrone, "Indian Treaties and the Democratic Idea," *The Wisconsin Magazine of History* 70, no. 2 (1987): 90. Richman also notes that "every member of the Stockbridge tribe of Indians was made a citizen by an act of

between Indians and aliens, American legal scholars describe these citizenship-by-treaty events as "collective naturalization."[643]

Indian citizenship ascriptions underscored not only the ambiguities of Indian status, but also the racialized nature of Canadian and American citizenships. To become a citizen, Indians underwent a racial naturalization as much as a political one.[644] Under the 1857 Act in the British Provinces, for instance, "any Indian so declared to be enfranchised . . . shall no longer be deemed an Indian."[645] The same held true in the United States. When the state of Massachusetts enfranchised all Indians within its boundaries in 1869, it made them not Indian citizens but citizens *instead* of Indians.[646] This was hardly incidental, for enfranchisement was about much more than mere suffrage. It intended to do no less than eradicate Indian communities in order to assimilate "Indians" into "civilized" "white" American or Canadian society.

Almost all "Indian" people ignored or rejected such suffrage offers. In Canada, repeated attempts to entice "Indians" into voluntary enfranchisement failed spectacularly. Just "one Indian was enfranchised" under Britain's 1857 Act. Subsequent legislation fared about the same. In the more than 50 years "between Confederation and 1920, only 102 individuals became enfranchised."[647] In the U.S., the overall extent of Indian citizenship (voluntary or otherwise), or even enfranchisement, is less clear.[648] This is due in large part to the enormous variation in citizenship and associated rights from state to state. Even in individual American states, the extent of Indian enfranchisement and/or citizenship was, and is, hard to determine. When Massachusetts established commissions in the mid-nineteenth century to explore "when and how the Indians could be made full citizens of the Commonwealth," commissioners first had to figure out the existing legal status of the state's "Indian" inhabitants. They found doing so difficult, for citizenship "varied tremendously from town to town, based as much on their economic status as their race."[649] We do know that as a result of treaty provisions and individual circumstance, limited "Indian" enfranchisement and/or citizenship, some of it voluntary, occurred in many

---

Congress, March 3, 1843. How this naturalization occurred is unclear, given that citizenship in this era could be granted only by states not by the federal government.

[643] Richman, "Citizenship of the United States," 112; See also McGovney, "American Citizenship. Part II. Unincorporated Peoples and Peoples Incorporated with Less than Full Privileges," 331.

[644] This is, I think, what Patrick Wolfe had in mind when he wrote that "for Indians, citizenship and racialization converged." This he contrasts to citizenship for "black Americans" "which theoretically proclaimed their equality with whites, [and] produced a crisis that opponents sought to resolve by dramatically intensifying racial boundaries." Patrick Wolfe, "Race and Citizenship," *OAH Magazine of History* 18, no. 5 (2004): 67–68.

[645] Government of Canada; Aboriginal Affairs and Northern Development Canada; Communications Branch, "Chap. 18: An Act to Amend and Consolidate the Laws Respecting Indians.," *Aboriginal Affairs and Northern Development Canada*, August 10, 2009, https://www.aadnc-aandc.gc.ca/eng/1100100010252/1100100010254; *Act to Encourage the Gradual Civilization of Indian Tribes in This Province, and to Amend the Laws Relating to Indians*, 1857, 3rd Session of the 5th Parliament of the Province of Canada. Subsequent legislation softened but did not eradicate this correlation between political naturalization and racial naturalization. The 1876 Indian Act, in the words of Darlene Johnston, "created the legal category of Indian, [and] added the subcategories probationary Indian and enfranchised Indians, as rungs on the ladder to becoming Non-Indian." She also notes, in the 1876 Indian Act, the fact that the definition section provided that "the term 'person' means an individual other than an Indian, unless the context clearly requires another construction." See Johnston, "First Nations and Canadian Citizenship," 36.

[646] *An Act for the gradual enfranchisement of Indians, the better management of Indian affairs, and to extend the provisions of the Act 31st Victoria, Assented to June 22, 1869* Chapter 42, quoted in Ann Plane and Gregory Button, "The Massachusetts Indian Enfranchisement Act: Ethnic Contest in Historical Context, 1849-1869," *Ethnohistory* 40, no. 4 (1993): 587–588.

[647] Johnston, "First Nations and Canadian Citizenship," 361. Canada implemented compulsory enfranchisement in 1920, then repealed it in 1922, finally reinstating it in 1933. I do not share Johnston's confidence that this figure represents the limits of Indian enfranchisement. It may be true that 102 people with formal Indian status became enfranchised under the auspices of this act, but many indigenous people lacked official status as such, and their ambiguous racial status meant that, in some times and places, they could vote etc.

[648] With regard to the franchise, Deborah Rosen reports that "several jurisdictions that eliminated the whiteness requirement for voting" in the wake of the Civil War and reconstruction amendments "explicitly excluded from the elective franchise all "Indians not taxed." Many other jurisdictions that didn't explicitly limit Indian suffrage used a variety of devices that "prevented most . . . Native American men from voting," including those "Indians who were U.S. citizens." Deborah Rosen, *American Indians and State Law: Sovereignty, Race, and Citizenship, 1790-1880* (Lincoln: University of Nebraska Press, 2007), 124, 126.

[649] Plane and Button, "The Massachusetts Indian Enfranchisement Act," 590.

areas of the antebellum United States.[650] This would have involved a small but significant minority of Indian people who became voters and/or citizens, but exactly how many remains unclear.[651]

The automatic link between enfranchisement and citizenship assumed in Indian policy was by no means absolute. Even after the passage of the 15th Amendment, which established the "right of citizens to vote" without regard to "race, color or previous condition of servitude," the right of citizens to vote remained incomplete, most obviously but not only because women citizens couldn't vote. And while, as in earlier periods, there was a link between suffrage and citizenship, it remained unclear whether enfranchisement made one citizen (as envisioned in Indian policy) or citizenship conveyed suffrage (probably a more common construction in nineteenth century governance).[652] Such instability, ambiguity and variation characterized the relationship between citizenship and a host of other rights. Throughout the nineteenth century, the content of citizenship was continually debated.[653] The laws and practices that accompanied those debates delineated not only distinctions between citizens and non-citizens but also distinctions among citizens. These distinctions in turn produced different kinds of official citizenships: the rights conveyed by citizenship varied by citizen.

As the United States elaborated eligibility for citizenship and naturalization, the conspicuous exclusion of indigenous people occasioned much discussion, but in more recent examinations of those developments Indian people are often absent. One could argue that their constructed status as internal aliens has been naturalized in this literature.[654] In some instances the exclusion of Indians from citizenship histories is as fundamental to the historical narrative as the exclusion of Indians was to citizenship itself. In his comparative essay on "Citizenship and Nationality in Democratic Systems," William Safran's argument depends on his decision to displace Indians from the discussion: in developing its categories of citizenship, Safran writes, "American society . . . was characterized by openness to outsiders and a relative absence of historical constraints: newcomers, once having displaced Native Americans (Amerindians), did not have to worry about antecedent community traditions and rights." And since "most American ethnic communities had no history on the territory of the United States, and therefore no distinct political claim to any part of it... the approach to the American nation has been less emotional and more intellectualized than that of most European countries."[655]

---

[650] In her study of American Indians and state law, Deborah Rosen concludes that, before 1880, states "integrated many Indians into the political structure by granting them the right of suffrage and citizenship status," but she does not quantify this process more precisely. Her work implies that most Indian people remained outside of state jurisdiction, and of citizenship status. Rosen, *American Indians and State Law: Sovereignty, Race, and Citizenship, 1790-1880*, 202.

[651] In part, of course, because racial categories and racial identities, and the implications thereof, varied across space and time.

[652] Once all Indians in the United States became citizens in 1924, the link between citizenship and enfranchisement came under sustained attack, as various entities tried to impede Indian voting. See Phelps, "Representation without Taxation," and Orlan Svingen, "Jim Crow, Indian Style," *American Indian Quarterly* 11, no. 4 (1987): 275. As Deborah Rosen demonstrates, efforts to undermine Indian suffrage even in the face of Indian citizenship had historical precedents, especially in the reconstruction era. Rosen, *American Indians and State Law: Sovereignty, Race, and Citizenship, 1790-1880*, 124–127.

[653] These debates have long provided rich fodder for historians, including nineteenth century scholars whose work became part of period discourse about citizenship. Kettner, *The Development of American Citizenship, 1608-1870*; Smith, *Civic Ideals: Conflicting Visions of Citizenship in U.S. History*; Rosen, *American Indians and State Law: Sovereignty, Race, and Citizenship, 1790-1880*; Sherman, "Emancipation and Citizenship"; William Scruggs, "Ambiguous Citizenship," 1886; Richman, "Citizenship of the United States"; Gaillard Hunt, "The New Citizenship Law," *The North American Review* 185, no. 618 (1907): 530–39.

[654] Cf. Gutiérrez, "The Politics of the Interstices"; Craig-Taylor, "To Be Free: Liberty, Citizenship, Property and Race." There are significant exceptions to this tendency. One is the work of Rogers Smith, which analyzes how "through most of U.S. history, lawmakers pervasively and unapologetically structured U.S. citizenship in terms of illiberal and undemocratic racial, ethnic and gender hierarchies," and pays some attention to ideas about Indians with regard to citizenship, and the laws and practices of ascribing citizenship to Indians. Smith, *Civic Ideals: Conflicting Visions of Citizenship in U.S. History*; introduction, 1.

[655] William Safran, "Citizenship and Nationality in Democratic Systems: Approaches to Defining and Acquiring Membership in the Political Community," *International Political Science Review: IPSR= Revue Internationale De Science Politique: RISP*. 18, no. 3 (1997): 317–318.

Indians are even less likely to be seriously considered in works on naturalization, which are tightly linked to immigration studies. Naturalization and "immigration and ethnic history," Mae Ngai explains, "does not, in the main, include Native American Indian or African-American history, which are not centrally about immigration."[656]

The Material Meaning of Names: Property Rights by Status

In the middle of the nineteenth century, states tied an increasing number of rights to the status they ascribed their inhabitants. These rights involved some of the most fundamental aspects of human existence. They included not only social, civil, and political rights but also economic rights. It is these economic rights to which we will now turn, for the other rights that could accompany citizenship depended first and foremost on being able to survive. To quote Freidrich Engels, speaking at the graveside of Karl Marx in 1883, "mankind must first of all eat and drink, have shelter and clothing, before it can pursue politics, science, art."[657] The most important economic right that Canada and the United States linked to citizenship was the right to land, to property.[658] In both countries, the right to a place to live, and on which to make a living, could depend on state ascribed status. In other words, the official names the Canada and the United States gave their inhabitants determined rights to the material resources that enabled physical survival.[659] Indeed, doing so is "one of the most important purposes of the American political system."[660]

In both Canada and the United States, developing socio-political status schemes were closely linked to emergent property-rights regimes. At their most basic, these property rights regimes functioned to incorporate Indian lands, however obtained, into Canadian or American public domains and then to convey them into private "white" ownership. In both countries, from the outset, private property, race, gender and citizenship mutually constituted one another. As discussed above, citizenship and its meaning—like whether it conveyed the right to vote—depended on assessments about one's race and gender. And, especially for Indians, legal racial status depended, in turn, on citizen status.[661] Legal racial status and citizenship were also tied to the ownership of private property. This link was strongest in the case of Indians.

Throughout the nineteenth century, Indian enfranchisement was invariably connected to property ownership. The preamble to the 1857 Act to Encourage the Gradual Civilization of Indian Tribes (of British North America) identified "facilitat[ing] the acquisition of property and of the rights accompanying it" as one of the three primary goals of the Act, the other two being encouraging "civilization" and "the gradual removal of all legal distinctions" between Indians and others, ie. citizenship. It further promised that any Indian who became enfranchised would

---

[656] Ngai, "Immigration and Ethnic History," 358–359; Bloemraad, *Becoming a Citizen*.
[657] Engels, "Speech at the Graveside of Karl Marx," 189.
[658] In his 1857-58 writings published as *Foundations of the Critique of Political Economy*, Karl Marx wrote that "all production is an appropriation of nature . . . in this sense it is a tautology to say that property (appropriation) is a precondition of production. . . . that there can be no production and hence no society where some form of property does not exist is a tautology." Re-printed in K. Marx, "Foundations of the Political Economy," in *The Marx-Engels Reader*, ed. Robert Tucker (New York: W. W. Norton, 1978), 226. I am here focusing on real property, ie. land, which is the most important form of property for human survival.
[659] Rights that are less obviously or clearly economic, like voting, can of course have economic results, but rights to material resources are nonetheless primary, as exercising all other rights depends first on simple survival.
[660] This phrasing is David Wrone's, whose full quote is "one of the most important purposes of the American political system is to protect the rights of the individual citizen in private property." I agree with Wrone that one of the most important purposes of the American political systems is to govern rights to property, but conceive of this basic task as deciding, through allocating rights to its own population categories like citizen, who gets rights to property. This is not Wrone's "protecting the rights of the individual citizen." Wrone, "Indian Treaties and the Democratic Idea," 92.
[661] It would later be linked tightly to sex as well, for women in both countries often took on, legally, their husband's racial categorization.

be entitled to a piece of land, carved out of lands reserved for his tribe, as his private property. Subsequent Canadian legislation followed this precedent, always attaching individual ownership of land to the conversion of Indians into citizens.[662] This coupling was likewise consistent in U.S. Indian policy. In 1862, Commissioner of Indian Affairs William Dole, Lincoln's reporter on the Sioux uprising, called Indian ownership of private property "the most important step" "in their progress toward civilization."[663] American Indian policy provisions tied property to racial status and citizenship in law as well as thought. In treaties like that signed by assorted Sioux bands at Fort Laramie in 1868, for instance, "any Indian or Indians receiving a patent for land" automatically became "a citizen of the United States."[664] Conversely, the right to own private property often depended on one's legal racial and/or citizen status. If land ownership was a prerequisite for full citizen status, citizenship in turn facilitated owning land.[665]

As they had the evolution of citizenship practices, ideas about Indians guided the development of property-rights regimes. It is difficult to overstate the relationship of land policies and ideas about those categorized as Indians. As noted earlier, the ideological underpinnings of settler colonialism hinged on the perceived right, even duty, to conquer Indian lands. Ideas about Indian lands accounted for the arrival of Europeans on North American soil, and the very existence of both Canada and the United States depended on occupying Indian land.[666] Once they became independent nations, Canada and the United States developed land policies that always contemplated seizing more. Take, for instance, what is often cited as the first formal expression of American land policy, the Northwest Ordinance of 1787. The NW Ordinance is usually discussed in terms of how it divided land in order to facilitate its distribution and commodification. But the Ordinance also addressed where this land would come from, ie. Indians. Despite language promising that Indians' "land and property shall never be taken from them without their consent," the Ordinance explicitly envisioned taking Indian land in the absence of consent. Indians, it held "in their property, rights and liberty . . . shall never be invaded or disturbed, *unless in just and lawful wars authorized by Congress*." The first American Secretary of War, Henry Knox, reiterated this stance in a 1789 report on "the question of Indian rights and the United States." "The Indians," wrote Knox, "being the prior occupants, possess the right of the soil. It cannot be taken from them unless by their free consent, *or by the right of conquest in case of a just war*."[667] From the beginning of U.S. land policy, then, the seizure of Indian lands was both envisioned and legally provided for. Demand for Indian land drove the imperialism that brought nation-states into Northern Plains indigenes' territories, and the success of that imperialism depended on incorporating Indian land and re-distributing it to individual non-Indians as private property.

The complex relationships between citizenship, race, indigeneity and private property were continually re-worked in specific nineteenth century ideologies and political campaigns that shaped land policy. Many American policymakers of the period believed in a set of ideas that historians have labeled agrarian republicanism. Agrarian republicanism tied beliefs about land

---

[662] Johnston, "First Nations and Canadian Citizenship," 354–359.
[663] United States Bureau of Indian Affairs, *Annual Report of the Commissioner of Indian Affairs ...* (Washington: GPO, 1863), 24.
[664] See Treaty with the Sioux—Brulé, Oglala, Miniconjou, Yanktonai, Hunkpapa, Blackfeet, Cuthead, Two Kettle, Sans Arcs, and Santee—and Arapaho, 1868: Kappler, *Indian Affairs*, 1904, II:998–1007.
[665] During the first half of the nineteenth century at least, republicanism "assumed that the sine qua non of citizenship was the independent control of property." Linda Kerber, "The Revolutionary Generation: Ideology, Politics, and Culture in the Early Republic," in *The New American History*, ed. Eric Foner (Washington D.C.: American Historical Association, 1990), 36.
[666] This is true in a basic physical sense and also in a political sense, eg. the role that the Proclamation Line of 1763 played in helping to propel Americans independence from Britain.
[667] Quoted in Wrone, "Indian Treaties and the Democratic Idea," 88. Emphasis mine. Wrone uses these primary sources to argue a very different point, ie. that American officials established a "humane, democratic policy" regarding Indians, of which the treaty was the primary tool.

use and land ownership to beliefs about politics. Among republicanism's central tenets was that liberty and democracy required independence, and that independence depended on individual ownership of private property. Agrarian, or Jeffersonian, republicans believed that not just property owners but people who farmed their own property were the best citizens of the nation.[668] Thomas Jefferson preached that "small landholders are the most precious part of the state" and farmers, or "those who labor the earth are the chosen people of God."[669] These ideas about private property and agriculture informed American thinking about Indian land use and land ownership. American claims about how Indians owned and used land were an important part of the rationale for conquering the continent: Indians owned land improperly—ie. not as exclusive private property—and they used land incorrectly. That is, they allegedly didn't practice agriculture, understood as the basis not only of liberty and democracy but of "civilization" writ large. Nineteenth century Americans construed a supposed pre-agricultural Indianness based on communal land tenure as the definitive opposite of the white citizenship based on privately-held agricultural property they so revered.[670] This construction necessarily imbued American colonization of the continent with what Robert Berkhofer has called a moral dimension.[671] Colonizing supposedly untilled Indian lands became not only a right but a religious duty. As one U.S. representative put it in the 1840s, "no nation has the right to hold soil, virgin and rich, yet unproducing." His contemporary Caleb Cushing agreed, and thought that God did too: "Is not the occupation of any portion of the earth by those competent to hold and till it, a providential law of national life?"[672]

Racialized agrarian republicanism influenced important political developments in the first half of the nineteenth century.[673] Related views eventually led many Americans to conclude that slavery and slaves threatened the ability of most whites to "rise to [the] property owning independence" they deemed critical to democracy and to America and to themselves. This belief in turn collided with a commitment, among other "white" Americans, to slavery and its expansion, and helped propel the nation into a Civil War over slavery in the Indian territories that America colonized.[674] But before beliefs about the relationship of slavery, land, and liberty sundered the country, beliefs about the relationship of Indians, land, and liberty united it. Early land policies of the United States, which took Indian lands and made them American public domain and then the private property of non-Indian citizens, found few serious critics.

---

[668] The ideas encompassed in this term are those also suggested by its (sort of) synonyms, Jeffersonian Republicanism or Jeffersonian Agrarianism, and are more often discussed separately as republicanism or agrarianism. Its many different historians have emphasized different aspects of republicanism, but all of them argue that, during the first half of the nineteenth century at least, republicanism "assumed that the sine qua non of citizenship was the independent control of property." Kerber, "The Revolutionary Generation: Ideology, Politics, and Culture in the Early Republic," 36.

[669] "Small landholders . . ." Quoted in Zeynep Hansen and Gary D. Libecap, "The Allocation of Property Rights to Land: Us Land Policy and Farm Failure in the Northern Great Plains," *Explorations in Economic History*. 41, no. 2 (2004): 103; "those who labor" quoted in David B. Danbom, *Born in the Country: A History of Rural America (Revisiting Rural America) 2nd Edition*, 2nd ed. (The Johns Hopkins University Press, 2006), 65; As Danbom notes, "virtually all policy makers, whether they subscribed to the tenets of Jeffersonian agrarianism or not, recognized agriculture as the key component of the American economy," or, indeed, as the key to survival of sedentary societies.

[670] Enslaved black people were also imagined as the opposite of the agrarian republican ideal. An extensive literature treats this aspect of republicanism's racialization. A classic text on the subject is Eric Foner, *Free Soil, Free Labor, Free Men: The Ideology of the Republican Party Before the Civil War with a New Introductory Essay* (New York: Oxford University Press, 1995).

[671] Robert Berkhofer, *The White Man's Indian: Images of the American Indian from Columbus to the Present*, 1st ed. (New York: Alfred A. Knopf, 1978), 138.

[672] Both quoted in Ruiz, "Manifest Destiny and the Mexican American War," 266. In this instance, these ideas were espoused in debates about Mexican territory, but, as Ruiz notes, "The Indian . . . was the initial victim of this concept of soil use." See also Berkhofer, *The White Man's Indian*, 138. Berkhofer reminds us that this "doctrine of uses" had perhaps the most "direct implications for Native American occupancy" of North America.

[673] As Daniel Rodgers makes clear, republicanism, like many –isms, is a concept fraught with problems, contradictions, and ambiguities, but at present it is the phrase most historians use to capture the set of ideas herein described. See Daniel Rodgers, "Republicanism: The Career of a Concept," *The Journal of American History* 79, no. 1 (1992): 11.

[674] Foner, *Free Soil, Free Labor, Free Men*, ix.

Disagreement over the Northwest Ordinance, for instance, centered on provisions for achieving statehood, not on provisions for selling the American public domain to private parties.[675] Only when land policy began to try to influence land *use* on privatized public domain plots did it become controversial enough to help push the nation into Civil War.

Early American land allocation policies enacted the assumption that Indian lands would be conquered then privatized, and they established mechanisms for doing so.[676] Beyond this basic purpose, their primary goal was revenue generation, for the young United States was deeply in debt.[677] But as the nineteenth century progressed, considerations of how this land would be occupied and used become more salient. After about 1820 there was "a constantly increasing tendency" to encourage non-Indians to actually live on and cultivate, as opposed to simply purchase, "public lands."[678] Policy first began favoring settler colonization around 1830 when new laws gave squatters—non-Indian people who occupied the public domain before it was privatized—"limited preemptive rights." Ten years later, Congress expanded squatters' preemptive rights to include all surveyed public land. But despite these concessions to squatters, preference for actual settlers as a matter of official policy was "feeble up to 1848."[679] In his history of "Some Political Aspects of Homestead Legislation," John Sanborn attributed the lack of a "fixed and definite land policy" in this period to America's active imperialism: "The question before the people was not how to dispose of land which we already had but how to acquire more. Texas and Oregon, not distribution and homesteads, were the issues of the [1844] campaign."[680]

In the second half of the 1840s, America acquired claim to massive new lands. How it would allocate them became an increasingly important question. In 1845, the Republic of Texas—which had been a part of Mexico until 1836, when slave-holding American immigrants rebelled against their adopted country in the wake of Mexico's abolition of slavery—became an American state. A treaty with Great Britain the following year gave the U.S. exclusive "rights" to claim the west coast south of the 49th parallel. While it negotiated with the British for the Pacific Northwest, the U.S. went to war with Mexico and wrested from that nation its vast northern territories. All this newly "American" territory pushed to the fore questions about how the nation would allocate its "public" lands. And as consideration of these questions intensified, so, too, did the relationship of land policy to issues of race and citizenship. Those who wished to discourage the expansion of slavery, slave holders and enslaved black people wanted to erect a barrier of free farmers.[681] At its first convention, the anti-slavery Free Soil party, formed in

---

[675] Other debates about early land policy revolved around questions of which states would benefit from land disposal. No significant disagreement arose regarding the basic goal of privatization, or "disposal," of public lands. Paul W. Gates, "American Land Policy," in *Major Problems in History of the American West History*, ed. Clyde A. Milner (Lexington: D.C. Heath and Co., 1988), 150–151.

[676] Malcolm J. Rohrbough, *The Land Office Business: The Settlement and Administration of American Public Lands, 1789-1837* (London: Oxford University Press, 1971), 25. As Rohrbough put it, the land system that emerged in the U.S. by 1800 was the product of several recurrent themes, including "the eternal movement west, the constant search for new lands, squatting and illegal settlement, and demands for a good title." White, *It's Your Misfortune and None of My Own*, 1991, 137–138. According to John Weaver, "large-scale taking and reallocation of land became *the* leading activity" across the British Empire, and U.S. policy developed from this foundation. Weaver, *The Great Land Rush and the Making of the Modern World, 1650-1900*, 24.

[677] Robert V. Hine and John Mack Faragher, *The American West: A New Interpretive History* (New Haven: Yale University Press, 2000), 109; Gates, "American Land Policy," 152. In John Sanborn's telling, policy for revenue generation and slow growth was changed only when "the growth of the West had forced upon the East the necessity for change." Put another way, the growth of the West caused homesteading, not vice versa. This he attributes to lobbying by western territories: "any policy which would tend to rapid settlement would have been welcomed by the new states, as the lands would then be both occupied and under the jurisdiction of their laws." Sanborn, "Some Political Aspects of Homestead Legislation," 20.

[678] Sanborn, "Some Political Aspects of Homestead Legislation," 26.

[679] White, *It's Your Misfortune and None of My Own*, 1991, 139; Sanborn, "Some Political Aspects of Homestead Legislation," 36.

[680] Sanborn, "Some Political Aspects of Homestead Legislation," 26–27; As Paul Gates put it, period "representatives . . .demanded the reduction of all barriers and the elimination of the Indians from any area attractive to whites." Gates, "American Land Policy," 153.

[681] Foner, *Free Soil, Free Labor, Free Men*, 28.

1848, proposed that the federal government give public land free of charge to people who were willing to actually settle on their parcels. Two years later, the U.S. passed its first legislation granting lands to railroad companies, and "during the next Congress the public land question was most prominent of all."[682]

Initially, the primary conflict in these free land debates was "between the advocates of homesteads and the railroad land-grants." Advocates of both these positions argued their proposal would most speed settlement of the "public" lands regions. But differing ideas about who should be doing this "settlement" quickly became the primary bone of contention. The bill that homestead advocates introduced into the House in 1851-52 "would have granted lands to all citizens of the United States who should comply with its provisions." Such open eligibility didn't sit well with representatives who feared it would encourage foreign immigration. They offered an amendment "which restricted its benefits to native-born citizens or to those who had declared their intention of becoming citizens prior to the first of January, 1852."[683] The 1851 bill failed to pass. Free land advocates tried again in the subsequent Congress. The next bill, too, foundered on debates over which citizens, or would-be citizens, could homestead the public domain.[684]

In these debates, questions about racial qualifications became more explicit. Some politicians voiced fears that "free negroes might take advantage of the homestead act, but on this the opinion was quite generally expressed that the limitation as to citizens was sufficient, as negroes could not possibly be included under that designation. But to make the matter perfectly sure the word white was inserted into the bill; not, however, so that it would read 'white citizens,' a redundant expression in the ears of the Southerners, but 'white persons.'"[685]

These measures failed to secure passage of the 1853-54 bills, or of similar acts submitted in subsequent years, for homesteading's racial implications were about more than the race of "settlers." Many Senators and Representatives believed that homesteading per se threatened the entire institution of slavery, and "the homestead issue became increasingly sectional in the 1850's."[686] These men suspected that "it was the Northern farmer, rather than the Southern slaveholder, who would be induced to go into the territories by such a law." The territories settled through homesteading would then outlaw slavery, and would push the entire nation in that direction. As Arkansas Senator Johnson explained, pro-slavery legislators would not vote for it homesteading because "it is tinctured . . . from its inevitable effects . . . so strongly with abolitionism." In the eyes of Southern congressmen, homesteading was worse than no westward expansion at all: "Better for us that these territories should remain a waste, a howling wilderness, trod only by red hunter than be so settled."[687]

At a fundamental level, then, these 1850s homesteading debates were about the nature of American imperialism. If this seems like an odd way of putting it, it is only because historians still sometimes define American imperialism as overseas expansion. In this they are the

---

[682] Sanborn, "Some Political Aspects of Homestead Legislation," 28–29.
[683] Ibid., 29–30.
[684] Homesteading debates continued to cleave over this question in 1860, with a House bill allowing aliens to secure homesteads and a Senate bill "limiting benefits to citizens." When "an emasculated homestead bill was passed by Congress" that year, President Buchanan vetoed it on behalf of "proslavery southerners." Foner, *Free Soil, Free Labor, Free Men*, 236, 256; Sanborn, "Some Political Aspects of Homestead Legislation," 31; Howard Roberts Lamar, ed., *The Reader's Encyclopedia of the American West* (New York: Harper & Row, 1977), Homestead Act.
[685] Sanborn, "Some Political Aspects of Homestead Legislation," 31; Foner, *Free Soil, Free Labor, Free Men*, 288, 296. Foner reports that "in 1854, an amendment barring blacks from participating in homestead benefits passed the House and Senate" although several Representatives and Senators opposed the amendment.
[686] Foner, *Free Soil, Free Labor, Free Men*, 28.
[687] Sanborn, "Some Political Aspects of Homestead Legislation," 31; "A Mississippian," quoted in White, *It's Your Misfortune and None of My Own*, 1991, 140.

intellectual heirs of manifest destiny and its particular racialized view of Indian polities. But congressmen of the 1850s suffered no such illusions. In discussing homesteading they linked it directly to questions about the form and results of American colonial expansion. In 1859, while it debated the latest proposed homesteading bill, Congress also considered a bill for the purchase of Cuba. As Ohio Senator Edward Wade saw it, the two bills offered diametrically opposed visions of American expansion. "Shall we give niggers to the niggerless," he asked, "or lands to the landless?" His New York colleague William Seward framed the issue less offensively, but made the same point. "The homestead bill is a question of homes, of homes for the landless freemen of the United States," said Seward. "The Cuba bill is a question of slaves for the slaveholders of the United States."[688] Debates about homesteading connected it to the racial nature of American imperialism, and in doing so highlight the fact that homesteading was itself a policy meant to promote empire.[689]

Linked as it was to issues of race, nation, and the nature of American imperialism, homestead legislation foundered while the U.S. remained, in Abe Lincoln's phrase, half slave and half free. When southern states seceded from the union and formed a separate country, the remaining U.S. congressmen moved to pass homestead legislation. On May 20, 1862, they approved "An Act to Secure Homesteads to Actual Settlers on the Public Domain." The Act allowed "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" to apply for up to 160 acres of public domain lands. Applicants had to pay ten dollars and swear they intended "actual settlement and cultivation." They then had to "reside upon or cultivate" their homestead for five years. Upon their proving they had done so, the U.S. would issue them a patent for the claim and it became their private property.[690] The Homestead Act thus undergirded non-Indian colonization of a particular kind—agricultural—while simultaneously encouraging it in quantity. When legislators considered enlarging the size of homesteads in 1879, Colorado Representative Thomas Patterson vigorously defended the 160 acre limit. Modest farms of this size, Patterson protested, were necessary to make the number of settlers "as great as possible, to swell it to its maximum."[691]

The Homestead Act established a legal mechanism for non-Indian settler colonization of western lands. At the time of the Act's passage, the "public domain" of the West was itself an imaginary: the interior may have been divided into U.S. "territories" on American maps, but much of it was overwhelmingly inhabited, and controlled, by indigenous groups. With regard to the Great Plains and Northern Rockies, in May of 1862 the Homestead Act was an expression of American imperial ambitions rather than a reflection of territorial realities. As such, it aimed not only to foster yeoman farming but also to enlist farmers and agriculture in the effort to displace Indians.[692] Other land legislation that followed the Homestead Act also facilitated private

---

[688] Quoted in Sanborn, "Some Political Aspects of Homestead Legislation," 33.

[689] Despite this fact, historians of settler colonialism in the United States have paid little attention to homesteading legislation. For instance, John Weaver makes no mention of this aspect of homestead policy development in his monograph (Weaver, *The Great Land Rush and the Making of the Modern World, 1650-1900).* In his history of American settler colonialism, Walter Hixson doesn't discuss homesteading policy although he makes the point that "the American Civil War was a crisis provoked by settler colonialism . . . the expansion of settler colonialism into the new western territories in the wake of the Mexican War ignited the internecine conflict." Hixson, *American Settler Colonialism*, 106.

[690] *Homestead Act of 1862*, May 20, 1862, 37th Cong., 2nd Sess., Ch. 75: 12 Stat 392, Public Law 37-64.

[691] Quoted in Hansen and Libecap, "The Allocation of Property Rights to Land," 6.

[692] This aim was explicated in the debates that preceded passage of the Homestead Act. "By the settlement of the public lands," proponents argued, "the frontiers will be obliterated, Indian wars will be abolished, and a large standing Army rendered unnecessary." Stephen C. Foster,

property and non-Indian colonization of the West. Through acts like the Federal Lode Law of 1866 and the 1872 General Mining Act, "citizens of the United States and those who have declared their intention to become such" could claim, and own, "public" lands that might be mined.[693] Historians of the General Mining Act call this "homesteading rock," a phrase the highlights the parallels of mineral land policy to its more famous agricultural cousin.[694] We should think of the Timber Culture Act of 1873 and the Timber and Stone Act of 1878, among others, in the same way, for they, too, enabled citizens to claim "public" lands as private property, in this case for lumbering and quarrying.

When Canada confederated, the U.S. had already passed its Homestead Act. Canadian political elites believed that in order to compete with the United States, and secure the seemingly all-important Rupert's Land, it needed to do the same. They passed the Dominion Lands Act in 1872. Its terms were nearly identical to the Homestead Act, to which it was supposed to be a direct counterbalance. If it had a different specific context, its general context and its intent were the same: to encourage Euro-North Americans to colonize indigenous lands claimed by Canada. The use of homesteading to as a tactic of conquest is even more explicit in Canada, where homestead law, upon its passage, applied only in areas that the nation had not yet acquired from Indians, ie. the Northern Plains. In order to speed colonization via homestead legislation, upon confederation the Dominion retained control over prairie lands. This move broke with established "British constitutional practice" in which "the administration of public lands 'uniformly devolved upon'" the provinces. Only in the area that became Manitoba, Saskatchewan, and Alberta did the Dominion of Canada control the public domain.[695]

Land and property. Race and citizenship. Indigeneity and Imperialism. One might expect that the interplay of these deeply entwined subjects would have a pronounced place in the historical literature on Canada and the United States. But the confluence of these concepts occurs at the borders of several distinct historiographies, and remains largely in the shadows. We have already noted the relative inattention to the indigenous people, and racialized ideas about them, in histories of citizenship and naturalization, and this in part explains the difficulty in finding sustained scholarly explorations of the intersection of these histories with those of land and land policy, legal regimes, and imperialism. As David Chang notes, so, too, does the fact that "historians and theorists writing on American nationalism and the making and remaking of American races . . . have dedicated much attention to immigration, slavery, law, labor and other issues but surprisingly little to land."[696] For their part, these last subjects have been the subject of a blooming literature of late, much of it situating itself in fresh conversations about settler colonialism. But in much of the historical literature about settler colonialism, there remains an odd disconnect in explorations of how property regimes related to imperialism and Indian peoples: here again, the interplay of these complex subjects seems to have fallen through the cracks marking the junction of different authors' emphases.

Historians who focus on land and legal regimes, and attendant cultural convictions, often slight the role of race and racialization in settler colonial systems. Lisa Ford's *Settler*

"Republican Land Policy: Homes for the Million, April 24, 1860," in *Landmark Debates in Congress: From the Declaration of Independence to the War in Iraq.*, ed. Stephen W. Stathis (Washington D.C.: CQ Press, 2009), 159.

[693] *An Act granting the Right of Way to Ditch and Canal owners over Public Lands, and for Other Purposes, July 26, 1866,* 39th Cong., 1st Sess., Ch 262; *General Mining Act 1872*, May 10, 1872, 42nd Cong., 2nd Sess., Ch. 149-152: 17 Stat 91-96.

[694] Andrew Morriss, Roger Meiners, and Andrew Dorchak, "Homesteading Rock: A Defense of Free Access Under the General Mining Law of 1872," *Environmental Law* 34, no. 3 (2004): 745.

[695] Friesen, *The Canadian Prairies*, 181.

[696] David A Chang, *The Color of the Land: Race, Nation, and the Politics of Landownership in Oklahoma, 1832-1929* (Chapel Hill: University of North Carolina Press, 2010), 7.

Sovereignty analyzes the extension of settler law over Indians and Indian lands, but the racialized laws and ideas that undergirded the extension of settlers over Indians and Indian lands remain obscure.[697] Recent works that are more specifically focused on the spread of settlers, and settler property regimes, over the land, like John Weaver's *The Great Land Rush* and James Belich's *Replenishing the Earth* are just that: they narrate a spread rather than an invasion, a settlement not a resettlement, not an occupation. While earlier discussions of the racial dimensions of land policy focused on its relationship to conflicts over the extension of slavery into western territories, these more recent studies foreground the fact that such policies were a critical component of westward expansion but disregard the people who occupied those spaces. Weaver repeatedly notes that under the crucial doctrines of land apportionment and improvement Indian "usages were denigrated," but beyond that race, and indigenous people, play little role in his largely economic narrative—in which native people are reduced to "native interests"— even in his chapter on land acquisition. Racialized violence is even less present—Weaver's frontier conflict is between squatters and authorities, not settlers and Indians. *Replenishing the Earth* is likewise impaired by a remarkable distinterest in the highly relevant role of ideas about indigenes, and of indigenous people, in the "settler revolution and the rise of the Anglo-world." Inattention to these aspects of the history Belich narrates is in part a product of how he formulates his question: he asks why "Anglos" moved en masse into "newlands," not why they took for themselves lands occupied by others. This inattention in turn shapes his analysis, which relys heavily on statistics but fails to see statisticians' categories and conclusions as subjects in need of historicizing, as themselves components of settler colonialism. Indeed, in Belich's rendering, the "settler revolution" is not an imperial process. Perhaps John Weaver's comment that "frontiers in their closing days were places where colonizers acting in haste grabbed at property rights and marginalized indigenous people when doing so" might be modified to describe historians of frontier lands as well.[698]

This marginalization of Indians, and of race, in histories of land and law under settler colonialism has several obvious consequences. First, the racialization and racialized violence underlying the "acquisition" of land is minimized, even almost erased. In this way, the violence that is so integral to settler colonialism in narratives like Walter Hixson's *American Settler Colonialism* or Ned Blackhawk's *Violence Over the Land*, or in explicitly theoretical analyses of settler colonial situations, like that of Patrick Wolfe, seems to belong to a different history entirely.[699] And since studies of that violence include little on land policy, we are left with an incomplete, unintegrated understanding of the critical interplay of land, land policy, property regimes, race, Indians, and imperialism. Stuart Banner characterizes his monograph, *How the Indians Lost Their Land*, subtitled "law and power on the frontier"—as a conscious integration of these histories. But his promised excavation of the "large middle ground between conquest and contract" is in fact an analysis of the development of British and American law and policy regarding Indian land. Race and racialization are largely absent—"Anglo-Americans . . . believed they were buying land from the Indians in the same way they bought land from each other"—and the racialized violence so central to the conquest side of Banner's spectrum is

[697] Lisa Ford, *Settler Sovereignty: Jurisdiction and Indigenous People in America and Australia, 1788-1836* (Cambridge Mass.: Harvard University Press, 2010).
[698] Weaver, *The Great Land Rush and the Making of the Modern World, 1650-1900*, 27, 125, 206; Belich, *Replenishing the Earth.* The word resettlement comes from Harris, *The Resettlement of British Columbia*.
[699] The same can be said for property rights in stories of racialization and racialized violence, which are not really focused in a sustained way on law and policy with regard to land and property. Cf. Hixson, *American Settler Colonialism*; Blackhawk, *Violence Over the Land: Indians and Empires in the Early American West*; Wolfe, *Settler Colonialism and the Transformation of Anthropology*.

mostly ignored.[700] It doesn't seem important to the author, a professor of law, that law was a primary component of the structure of invasion, that law itself can constitute violence: in this way Banner's work is embedded in the process whereby "settler colonialism obscures the conditions of its own production."[701]

If the relationship of land acquisition, race, imperialism, and Indians is underexamined, the relationship of land allocation to these histories is more so.[702] Although Weaver writes in his introduction that the middle section of his book covers "the acquisition of land from indigenous peoples and its redistribution mainly to white occupants," he offers little sustained analysis of the role of race in land allocation in the pages that follow.[703] There is "allocation by rank," "allocation by market," and "allocation by initiative," but that most fundamental act in the history of settler colonialism, allocation by race, is absent. My forays into literature on land policy, race, and citizenship suggest that Weaver is no exception.[704] From what I have seen, historians who focus on property rights—like those who focus on the citizenship to which such rights have been linked—often ignore race, and almost always ignore Indians. Historians of law and of economics tend to pay the most attention to property rights. Those few who foreground the relationship of concepts of race and citizenship to property sometimes pay lip service to the fact that land became both *American* and *property* through its acquisition from Indians. But after noting this original transfer, histories of property rights ignore individual Indians. In this way, they hide how official policies converted communal lands claimed by indigenous people into private property owned by whites. Although politicians who drafted public lands policies considered them a tool in continental conquest, few historians explicitly link land allocation regimes to imperialism. Douglas Allen is one exception—in his formulation homestead laws "were efforts to 'hire' settlers to reduce costs" of enforcing American territorial claims, they were a "substitute for direct military force." Allen's approach is problematic: his oddly detached language—in which "hostile Indians . . . did not recognize the claims of white settlers" to lands on which "Indians [had] a simultaneous claim"—divests conquest of political content. His attempt to call attention to the relationship between public lands laws and colonialism is, nonetheless, much needed.[705]

---

[700] Banner, *How the Indians Lost Their Land: Law and Power on the Frontier*, 6.

[701] Wolfe, *Settler Colonialism and the Transformation of Anthropology*, 2; Lorenzo Veracini, *Settler Colonialism: A Theoretical Overview* (New York: Palgrave Macmillan, 2010), 14. Patrick Wolfe writes that, in settler colonialism, "invasion is a structure not an event." For a good exploration of "the violences at the core of property" and law see Blomley, "Law, Property, and the Geography of Violence."

[702] The critical interrelationship of race and Indianness, citizenship, property rights and imperialism remains understudied in part because it lies at the confluence of so many specializations, each of which has its own emphases and underdeveloped areas. Histories of citizenship, when they do talk about race, are rarely explicitly about Indians and also tend to focus on eligibility for, rather than the implications (material and otherwise) of, citizenship. Those that do explore the content of citizenship are overwhelming concerned with suffrage. Histories of Indians that focus on citizenship or on individual property rights tend to limit themselves to explorations of allotment and/or the Indian Citizenship law of 1924 (understood as imposing unilateral citizenship), while those that focus explicitly on property rights emphasize Indian reservation lands, ie. tribal property rights vs. individual. Historians of imperialism rarely look at property rights, and historians of property rights rarely look at imperialism. In literature on "American racial categories," as Alexandra Harmon notes, "Indians are largely absent." Alexandra Harmon, "Tribal Enrollment Councils: Lessons on Law and Indian Identity," *The Western Historical Quarterly* 32, no. 2 (2001): 175.

[703] Weaver, *The Great Land Rush and the Making of the Modern World, 1650-1900*, 6.

[704] NYU Law professor Sylvia Law encountered this same problem from a slightly different angle when she looked for material "in the legal literature on the racial dynamic of the settlement of the United States" while trying to answer the question "Why were all the homesteaders white?" Sylvia A. Law, "White Privilege and Affirmative Action," *Akron Law Review* 32, no. 3 (1999). I looked for material on the racial dynamic in the laws that directed settlement and allocated the land conquered from Indians.

[705] Douglas Allen, "Homesteading and Property Rights Or, 'How the West Was Really Won,'" *Journal of Law and Economics* 34, no. 1 (1991): 1. This language issue seems to be prevalent in economic history. Cf. Gary D. Libecap, "The Assignment of Property Rights on the Western Frontier: Lessons for Contemporary Environmental and Resource Policy," *Journal of Economic History* 67 (2007): 257–291. Libecap salivates over the supposed benefits of "innovators and entrepreneurs" like squatters, who in his telling are those in "first-possession" who might be assigned ownership if allocation is "on a first-come, first-served basis or first-in-time, first-in-right." These "have experience in exploiting the resource and hence, may be the low-cost, high-valued users. Incumbents also have a direct stake in access to the resource and will be important constituents in a property rights distribution. These parties are concerned about any past investments" etc. For Libecap, the allocation of the Northern Plains was "the allocation of ownership to new resources with no pre-existing claimants." With regard to mining lands, he contends

Chapter 5
Forging Nations and Natives II: Indian People and Indian Lands

The ideas and policies that North American nation-states developed through the late 1860s about territory, people, and property rights were incongruous with the lived experiences of many of the inhabitants of the Northern Plains. Because large swaths of the region remained outside of non-Indian control, American and Canadian claims to this territory remained a colonial fiction. Over the next 15 years this fiction became reality. Federal armed forces invaded heretofore unconquered portions of the plains and railroads and farmers followed. Indigenous people responded with a variety of strategies, ranging from violent resistance to negotiation and accommodation, but the scale of the invasion, and the severity of related ecological changes, rapidly limited their options.

During the 1870s, the military invasion of the Plains changed. Both Canadian and American armed forces became a significant permanent presence—a visible manifestation of, and testament to, the states' ability and willingness to use violence. In Canada, the immediate means of violence was the North West Mounted Police (NWMP), the Mounties. Created in 1873, the Mounties, well-armed, well-mounted and clothed in scarlet, soon cantered across the prairies. Although initially small, in the wake of a deadly, alcohol-fueled attack on an Indian encampment at a trading post in the Cypress Hills—and amidst reports "that 1,000 Sioux had crossed the Missouri River and were heading north toward the border"—the NWMP force doubled during its first year of existence.[706] It built fortified posts, replete with canons, in strategic locations—those critical spatial communities of connection—that enhanced its overall visibility and impact. After traveling west via St. Paul and being stationed at Lower Fort Garry in 1873, the Mounties established their first post, Fort Macleod, on the Old Man River, the following year.[707] In his "Blackfeet Winter Count," Manistokos would record 1874 as the year "When the Police Came to Many Houses."[708] Fort Saskatchewan, on the North Saskatchewan River, Fort Calgary, on the Bow River, and Fort Walsh, in the Cypress Hills, followed.[709] Over the next ten years, the NWMP force on the Plains grew to 1,000 men.[710]

A few years after Canada's paramilitary police built its first permanent posts, the American armed forces undertook a Northern Plains troop surge. Despite the fact that the U.S. Army had occupied parts of North Dakota and Montana since following Sioux onto the Plains in 1863, the 1870s increase in the permanent military presence south of the international border was even more marked than it was to the north. After losing five companies of cavalry when they attacked coalition of indigenous forces at the Battle of the Greasy Grass or Little Big Horn in 1876, the United States sent a stream of soldiers into the region. In Montana alone, troop numbers skyrocketed from 700 to 3,300.[711] Forts spread across the country like a contagion. First came Fort Keogh in 1876, then, in 1877, forts Custer, Missoula, Assiniboine and Fizzle.

---

that, besides miners, there "were no competing constituencies for federal mining land." See especially Libecap's language in his footnote 65. Both Allen and Libecap have an utterly white perspective in which property rights of whites are "enforced" against others, instead of viewing that process as one in which property is seized and allocated to whites, ie. that white property rights are *created* vs. enforced.

[706] Marian C. McKenna, "Above the Blue Line: Policing the Frontier in the Canadian and American West, 1870- 1900," in *The Borderlands of the American and Canadian Wests: Essays on Regional History of the Forty-Ninth Parallel*, ed. Sterling Evans (Lincoln: University of Nebraska Press, 2006), 92–94; Hill, *The Opening of the Canadian West*, 133.

[707] The choice of sites proved wise, for even "while the fort was building" "hundreds of Blackfeet, Bloods and Piegans visited." The force's "horses were sent south in charge of Inspector Walsh to winter at Sun River, Montana, as it was too late to put up a supply of hay near Fort Macleod." Cecil E Denny, *The Law Marches West*, ed. W.B. Cameron (Gloucestershire: Denny Publishing, 2000), 13–18.

[708] Holterman, *King of the High Missouri*, 42, 188.

[709] Denny, *The Law Marches West*, 75–80.

[710] Royal Canadian Mounted Police, "History of the RCMP," http://www.rcmp-grc.gc.ca/hist/index-eng.htm.

[711] Foster, "We Know Who We Are," 2000, 212.

Fort Maginnis followed in 1880. These forts testified to the decisive shift in power on the Plains that the troop surge marked, and made real. In 1877, when masons built the largest of the new posts, "the brick stronghold" Fort Assiniboine, at the base of the Bear's Paw Mountains, they erected no stockade.[712] Assiniboine would be an offensive rather than a defensive fort, a base of operations in a conquered territory rather than a safe haven in an enemy one. Unprotected by a perimeter wall, it stood as a physical metaphor for the successful conquest of the Northern Plains.

This new scale and permanence of military occupation constituted a critical context for treaty-making. It couldn't be ignored—the troops and fortifications were not only strategically located and highly visible, but they quickly became a part of Plains peoples' lived experiences. There were, of course, many large and small clashes and conflicts between indigenous groups and the armed forces occupying their homelands. But the military presence pervaded the region in more prosaic ways. Hundreds of the region's mixed, mobile indigenes found wage work at the new posts.[713] Indeed, in the case of Montana's Fort Assiniboine they played an important role in constructing the massive masonry installation of the occupying American army. When Col. Broadwater got the contract to supply building materials for Assiniboine, "he hired 500 Métis Indians from the Red River Valley of the North to perform jobs such as burning lime and feeding his brick-making machine, a contraption which turned out as many as 25,000 bricks a day." With indigenous people composing the majority of the work force, laborers rapidly erected 104 buildings, making Assiniboine "one of the largest forts in the United States."[714] Other indigenes frequented the spreading posts and interacted with soldiers for economic, social, or diplomatic reasons. The presence of armed forces defined daily life and also marked more noteworthy moments, as in 1877 when, after fleeing in the wake of the Battle of the Little Big Horn, Sitting Bull met formally with Mounties near Wood Mountain, conversing with them through interpreters "Louis and Pierre Leveille, both Cree Métis, Joseph Morin, Sioux Métis and Antoine Ouillette and Andre Larivee who spoke Lakota."[715] In this context, the impact of the permanent military presence on regional populations far exceeded that achieved by the actual application of direct force: the availability of the means of violence pervaded Plains consciousness. In the United States, the advent in 1878 of a separate Indian Police made state power all the more apparent. Lest that lesson be lost on any of the region's inhabitants, it became a visible part of treaty-making itself, with uniformed Canadian and American armed forces—accompanied by canons—commonly present at treaty negotiations.[716]

Intensifying settler colonization accompanied the increased permanent military presence. Although wholesale immigration was not yet under way, signs of its imminent arrival abounded.

---

[712] Nicholas Hardeman, "Brick Strong Hold of the Border: Fort Assinniboine, 1879-1911," *Montana: The Magazine of Western History* 29, no. 2 (1979): 56. Fort Fizzle didn't last. This list is partial, and includes only forts in Montana.

[713] This suggests the ways the built environment was part of métis environmental history, a theme visible in other developments as well, such as the way changes in freighting methods undercut historical hauling jobs—with the arrival of railroads bullwhackers disappeared—and the fact that many indigenous people earned money by selling wood to the military and to steamships, or by working for the NWMP. Rivard and Littlejohn, *The History of the Métis of Willow Bunch*, 203; Delia Hagen, Patrick Rennie, and Rachel Manley, "Eagle Butte School: Montana on the National Register of Historic Places" (United States Dept. of the Interior, National Park Service, December 2008), http://cdm103401.cdmhost.com/cdm/compoundobject/collection/p103401coll12/id/894/rec/1.

[714] Hardeman, "Brick Strong Hold of the Border," 57.

[715] Rivard and Littlejohn, *The History of the Métis of Willow Bunch*, 131. This was just one of many diplomatic meetings between the Sioux and the NWMP. Cf. Library and Archives Canada, "Indian Affairs Annual Report, 1880: Part Ii North-West Mounted Police Force Commissioner's Report 1880," *Library and Archives Canada*, 26–27. Which discusses an instance in which "Sioux Chiefs 'Broad Tail' and 'Little Knife," with 40 lodges, arrived at this [WoodMountain NWMP] post: "They informed me that 125 lodges of Sioux Indians had surrendered at Poplar Creek and were drawing rations. The remainder of the tribe, including [Sitting] Bull, were scattered in hunting camps along the Frenchman Creek and Milk River." By April 1st "the Sioux camp at this post had increased to 150 lodges, with [Sitting] Bull at its head."

[716] Cf. J. R. Miller, *Compact, Contract, Covenant: Aboriginal Treaty-Making in Canada* (Toronto: University of Toronto Press, 2009), 150, 153, 159; Graybill, *Policing the Great Plains: Rangers, Mounties, and the North American Frontier, 1875-1910*, 41.

The first American transcontinental railroad enclosed the southern edge of the region in 1869, and the Northern Pacific Railway pushed into North Dakota in the early 1870s, its intended path through the heart of the Northern Plains apparent to all. By the later part of the decade, railroads penetrated the Plains on the Canadian was well as the American side, and by the early 1880s track-laying crews worked through the borderlands on both sides of the boundary.[717] The implications of these impending developments were equally undeniable: the arrival of the railroad in eastern North Dakota set off an agricultural land rush in the Red River Valley, where huge bonanza farms began growing wheat on an astounding scale, employing hundreds of men and enormous herds of horses and mules.[718] Although much of the Plains remained, demographically, overwhelmingly indigenous, native leaders like Ahtahkoop began to conclude that Indians could not "stop the power of the white man from spreading over the land like grasshoppers that cloud the sky and then fall to consume every blade of grass and every leaf on the trees in their path."[719]

Indeed, even if "the white man" had not yet spread "over the land like grasshoppers" the impacts of coming change had already arrived. Disease coursed savagely through Plains populations in this period, killing huge portions of afflicted groups.[720] During a smallpox epidemic that befell the Blackfeet in 1870, their agent estimated that 1,400 people died on the U.S. side alone.[721] At the same time, the buffalo herds dwindled. It was clear that this critical food source would soon vanish, and with it would go the fur trade. Northern Plains indigenous groups were familiar with agriculture as a subsistence option.[722] Some Plains people had long cultivated corn and other crops for trade and consumption, and seeded fields also clustered around communities of connection, supplying missionaries and traders and their indigenous associates with crops like "potatoes, onions, carrots and turnips, small peas, and large rhubarb and cabbage."[723] Individual mobility among the regions indigenes also ensured extensive exposure to the Euro-American style agricultural operations associated with towns and villages on the edges of the Plains and elsewhere. Moreover, a Blackfeet demonstration farm designed to encourage indigenous peoples' wholesale adoption of agriculture had been proselytizing from the banks of the Sun River since 1859.[724]

All of these considerations played into decisions to negotiate treaties with Canada and the United States. Large scale armed resistance seemed less and less likely to accomplish much. Euro-American and Euro-Canadian agricultural settlers clamored for ever-more land, and government policy makers sought to secure land cessions from the groups who had occupied and used the region for generations. Most indigenous groups entered into treaties with one or both of the nation-states penetrating the Northern Plains. They did so in the face of the dire context that underlay Mistawasis' query to fellow leaders during treaty discussions in Canada in 1876: "I

---

[717] Rail service reached St. Boniface, on the Red River, in 1878. Tremaudan, *Hold High Your Heads*, 162. The St. Paul, Minneapolis & Manitoba Railway reached Devil's Lake, ND in 1883. Clippings from "Pioneer's Association, Devils Lake Region," Henry Hale, ed., Devil's Lake, ND in Newspaper Clippings, Frontier Life, 1909-1944 file, *A.C.J. Farrell Papers*, MS 10066, NDHS.

[718] Delia Hagen et al., "Frederick A. and Sophia Bagg Bonanza Farm National Historic Landmark Nomination," ed. Patty Henry (United States Dept. of the Interior, National Park Service, September 2002), http://www.nps.gov/nhl/find/statelists/nd/BaggBonanza.pdf.

[719] Miller, *Compact, Contract, Covenant: Aboriginal Treaty-Making in Canada*, 176–177.

[720] These diseases included the notorious smallpox, but also others. With regard to the Blackfeet, for instance, Jean L'Heureux noted in 1871 that "Father Lacombe was in the epidemic of scarlet fever which killed fifteen hundred and Father Imoda in the terrible scourge of smallpox which destroyed two thousand." [Title unknown,] 1871, *Jean L'Heureux Fonds,* Rocky Mountain House, Glenbow, 19.

[721] ARCIA 1870, 190. In a reflection of the interconnectedness of the Northern Plains world, this was a regional manifestation of the global smallpox pandemic that spread from 1870-75.

[722] Everett Sterling, "Temporizing, Transitional Compromise: The Indian Reservation System on the North Central Plains," *Montana: The Magazine of Western History* 14, no. 2 (1964): 94; See also D McQuillan, "Creation of Indian Reserves on the Canadian Prairies 1870-1885," *Geographical Review* 70, no. 4 (1980): 379.

[723] Cowie, *The Company of Adventurers*, 108. This is a partial list of produce raised in the garden at York Factory in 1867.

[724] Clark Wissler and Alice Beck Kehoe, *Amskapi Pikuni: The Blackfeet People* (SUNY Press, 2012), 48.

speak directly to Poundmaker and the Badger and those others who object to signing this treaty. Have you anything better to offer our people?"[725]

Fixing Fluid Relations: Social and Spatial Simplification of Indigenous Communities

The Indian treaty-making that pervaded the Northern Plains in the second-half of the nineteenth century grew out of well-established colonial practice. Across the globe, treaties had long been used to establish and formalize the terms of conquest, of incorporation of conquered people and territory. They formed the legal underpinnings for territorializing claimed lands and governing conquered peoples. They were especially critical as the legal foundation of colonial private property regimes. As such, treaties constituted a crucial tool of North American imperialism. This was true in a general sense as the United States expanded, and sought to define places and races, with the conquest of Mexican territory in the 1840s and then after the Civil War and the end of slavery. And in Western thought it was especially true in the case of North American Indians, whose conquest was singularly linked to treaties. "The treaty, like a constitution, provided the structural framework and linkages between the United States and the tribe."[726] In the eyes of nation-states, treaties legalized and legitimated land cessions and provided the legal infrastructure for governing Indians as conquered or subject peoples. Crucially, treaties also developed formal definitions of Northern Plains indigenous communities, fixing their names and territory, the same two tasks so critical to the broader nation-making projects discussed above. Indian treaties functioned as practical tools of conquest as well, orchestrating the concentration and segregation of indigenous groups, so that conquered land was physically cleared for privatization and non-Indian agricultural re-settlement.

Treaty history is usually told from a nation-state perspective. Or, more accurately, treaty narratives are nation-bound: general histories of Indian treaties are likely to be, in fact, histories of Indian treaties with Canada or of Indian treaties with the United States. In this manner, the story of Northern Plains treaty-making could be summed-up as follows: from 1850 to 1871, when the U.S. officially ended formal treaty-making with indigenous North Americans, there were five or six main Northern Plains treaty events that resulted in contracts ratified by Congress. These were the Fort Laramie Treaty of 1851, the 1855 Judith Crossing Treaty, the 1858 Treaty with the Sioux (signed in Washington, D.C.), the 1865 Sioux Treaty at Fort Sully in Dakota Territory (and the 1867 treaty with a few "friendly" Sioux bands that supplemented it), and the Fort Laramie Treaty of 1868. After that, the U.S. neither negotiated nor ratified treaties.[727] That twenty-one-year period and those half-dozen treaty events constitute the history of American Indian treaties on the Northern Plains. Canada's Plains treaty-making history is even more succinct. In seven years (1871 to 1877), Canada negotiated seven treaties with the tribes of the Great Plains.[728]

But a simple shift in perspective, and in writing habits, helps integrate these different national treaty-making histories into a single historical epoch, which is how they were experienced by indigenous participants. If instead of writing Canadian and American treaty

[725] Miller, *Compact, Contract, Covenant: Aboriginal Treaty-Making in Canada*, 176–177. Recognition of the direness of the situation is embedded in Treaty 6, which is the only Plains numbered treaty to contain famine and health care clauses.
[726] Frickey, "Marshalling Past and Present," 385.
[727] Francis Paul Prucha, *The Great Father: The United States Government and the American Indians* (Norman: University of Nebraska Press, 1995), 531.
[728] Miller, *Compact, Contract, Covenant: Aboriginal Treaty-Making in Canada*, Chap. 6. Like the geography of conflict, the geography of treaty-making shifted after 1869, as Canada penetrated the plains and entered its intense treaty-making phase the same year the U.S. supposedly ended its own.

histories we write about treaty-making by the region's indigenous groups, Northern Plains treaty history spans decades and includes dozens of documents and hundreds of events. When we adopt the perspective of Northern Plains indigenes, Canadian and American treaty-making becomes a single process, involving two imperial nation-states, spanning from at least 1850 into the twentieth century. This is true not only because this perspective integrates two national histories that are usually told separately, but also because it helps us see that the treaty counts narrated in those histories obscure much of Plains treaty-making. For one thing, official counts include only ratified treaties, and thereby overlook treaties concluded on the Plains only to be rejected by Congress in Washington D.C. There were many of these. And official tallies ignore as well the fact that the formal end of U.S. treaty-making—in 1871—didn't really end U.S. treaty-making. Beginning the following year, in 1872, the U.S. began to negotiate formal treaty agreements with tribes but stopped calling them "treaties," calling them instead "agreements," a term which it had used intermittently before. These often differed from treaties in name alone, and sometimes not even in name.[729] A document originally titled an "agreement"—like that "made and concluded at Fort Berthold in the Territory of Dakota" in 1866—could be referred to in subsequent official documents as a "treaty," and tribal histories often refer to agreements as treaties.[730] Although the name change was, and is, important for several reasons, not least the implied denial of Indian political sovereignty inherent in it, documents produced under the rubric of agreements mirrored those produced as treaties. These agreements performed many of the same functions as treaties and, crucially, contributed to the expansion and elaboration of state status categories and their import.

It is easier to understand Northern Plains treaty-making as an integrated process once we realize how prolific treaty-making was in the second half of the nineteenth century. During the 1850s, '60s and '70s, representatives of tribes whose core territory included parts of the Northern Plains signed many treaties with the nation-states colonizing their homeland. Some of these treaties were ratified by the Canadian and American governments. Many were not. If one counts only ratified treaties, in these decades representatives of the primary Northern Plains Indian groups—the Sioux, Chippewa, Cree, Assiniboine, Mandan, Arikara, Gros Ventre, Blackfeet, Sarcee, Crow, and "halfbreeds"—signed some 40 different treaties with the Dominion of Canada and the United States.[731] Native groups for whom the Northern Plains was an

[729] For this reason they are included in Kappler's compendium of United States Indian Treaties as well as other works on American Indian treaties, like those of Francis Paul Prucha and Vine Deloria Jr. et al. See Kappler, *Indian Affairs*, 1904; Francis Paul Prucha, *American Indian Treaties: The History of a Political Anomaly* (Berkeley: University of California Press, 1997); Vine Deloria Jr. and David E. Wilkins, *Tribes, Treaties, & Constitutional Tribulations* (Austin: University of Texas Press, 2005). Histories of particular tribal groups also include agreements in the same category as treaties. See, for example, Ostler, *The Plains Sioux and U.S. Colonialism from Lewis and Clark to Wounded Knee*.

[730] Agreement at Fort Berthold, 1866 and Addenda: Charles Joseph Kappler, *Indian Affairs: Laws and Treaties*, vol. I (Washington: GPO, 1904), 1052–1056; Cf. Indian Education Department, "Fort Peck Reservation Timeline: Sioux & Assiniboine Tribes: March 2010," *Montana Office of Public Instruction*, http://opi.mt.gov/pdf/IndianEd/IEFA/FortPeckTimeline.pdf; Indian Education Department, "Fort Belknap Timeline: Assiniboine and Gros Ventre Tribes, March 2010," *Montana Office of Public Instruction*, http://opi.mt.gov/pdf/IndianEd/IEFA/FortBelknapTimeline.pdf.

[731] This count includes seventeen different treaties between the U.S. and groups identified as "Sioux," twelve between the U.S. and groups identified as "Chippewa" (there were other Chippewa treaties not counted here) and one treaty each between the U.S. and groups identified as "Crows" and "Blackfeet." Many of these treaties were signed by other tribal groups as well, but each treaty is counted only once. American figures are taken from Kappler, *Indian Affairs*, 1904. It includes as well nine treaties between Canada and groups identified by the listed tribal labels, ie. both Robinson treaties and all seven of the plains numbered treaties. Canadian figures come from the texts of the Robinson Treaties and Treaties 1-7, available at Government of Canada; Aboriginal Affairs and Northern Development Canada, "Treaty Texts," agreement; resource list, *Aboriginal Affairs and Northern Development Canada*, (June 4, 2013), https://www.aadnc-aandc.gc.ca/eng/1370373165583/1370373202340. Many of these tribes also signed numerous treaties in the first half of the nineteenth century, especially with the United States. This tally is meant merely to suggest the scope and frequency of treaty making—I am not arguing that every one of these treaties was central to the history of Northern Plains indigenous groups.

important part, if not the core, of their territory—including the Nez Perce, Snake, Cheyenne, Shoshone, Salish, Winnebago etc.—signed some eighteen more.[732]

But even these impressive figures fail to capture the full extent of treaty activity on the Northern Plains. They don't include the many treaties that associated groups concluded with the United States before 1850.[733] And they don't include treaties negotiated and signed with Northern Plains indigenes that the U.S. afterward refused to ratify. While no definitive count of unratified treaties has been, or can be, made, scholars of the subject concur that they were common.[734] Even a cursory assessment of the Northern Plains in this period indicates numerous unratified treaties. These included the product of "treaty negotiations with the Gros Ventre at the Milk River" in 1853 and—in the span of just three years—a treaty between the United States and "all tribes of the Blackfeet" signed at Fort Benton in 1865; a treaty between the U.S. and "the Crows" signed at Fort Union in 1866; and four treaties negotiated by Major William Cullen in 1868, between the U.S. and, respectively, "the Blackfeet proper and the Piegans," the "Bloods and Blackfeet proper," the "River Crows," and the "Gros Ventre."[735] Official treaty tallies also don't count the treaty documents that were titled "agreements." These included some completed during the official treaty period—like the 1851 Fort Berthold agreement (unratified), the 1863 Agreement with the Gros Ventre (unratified), the 1866 Agreement at Fort Berthold, and the 1868 Agreement with the River Crows (unratified)—as well as many completed after its end, like the 1872 agreement with "the Salish," the 1872 "Agreement with the Sisseton and Wahpeton Bands of Sioux" (unratified), the 1873 "Amended Agreement with Certain Sioux," the 1876 "Agreement with Sioux Indians and Northern Arapaho and Cheyenne Indians," the 1880 "Agreement with the Crows" (unratified), the 1882 agreement with "tribal leaders" on the Flathead Reservation (called the Flathead Railroad Treaty in Montana state histories), the 1882-83 "Agreement with the Sioux of Various Tribes" (unratified), the 1886 agreement with "the Indians" of the Fort Peck reservation (described in tribal histories as "a treaty"), the 1887 Sweetgrass Hills Agreement (tribal histories note that "this is often referred to as the Sweetgrass Hills Treaty"), the 1889 agreement with the "Sisseton and Wahpeton bands of Dakota or Sioux Indians," the 1892 Agreement with "the Yankton tribe of Sioux or Dakotah Indians," the 1892 agreement with the "Crow Indians," the 1892 "Agreement with the Turtle Mountain Band of Chippewa Indians" (called the Ten Cent Treaty in tribal histories), the 1895 "Agreement with the Indians of the Blackfoot Indian Reservation," and the 1895 "Agreement with the Indians of the Fort Belknap Indian Reservation (according to tribal histories, "this agreement ratified in 1896 is sometimes referred to as the Grinnell Treaty").[736]

---

[732] This count includes treaties made with groups identified as being of the Winnebago, Nez Perce, Flatheads, Salish, Upper Pend d'Oreille, Kootenay, Shoshoni, Snake, Cheyenne, Arapaho, or Bannock tribes. It is taken from Kappler, *Indian Affairs*, 1904.

[733] For instance, representatives of "Chippewa" groups signed over two dozen treaties in the first half of the nineteenth century, and representatives of "Sioux" groups signed about a dozen. See Ibid., vol. II, sec. Table of Contents. "Treaties by Tribe Name." Other groups, like the Crows and Assiniboines, also signed earlier treaties with the United States.

[734] The question of what exactly constitutes an unratified treaty is open to some interpretation, and locating documents that qualify is not a straightforward process. But those who have tried to assess the number of such documents agree as to their prevalence. Francis Paul Prucha calls them a "large bulk of documents" and after trying to tally them all, NARA curator Robert Kvasnicka conceded that these "frequently made" documents were "scattered through the BIA and military records" and that he "couldn't begin to cover all the pertinent" collections. Of the ten rolls of microfilm in NARA's collection of "Documents Relating to the Negotiation of Ratified and Unratified Treaties with Various Indian Tribes" from 1801-1969, three are devoted to "unratified treaties, 1821-1869." See Prucha, *American Indian Treaties: The History of a Political Anomaly*, 517–519.

[735] Fee, "Government Policy Toward the Principal Indian Nations of Montana, 1851-1873," 102, 122, 125–127; Indian Education Department, "Blackfeet Reservation Timeline: Blackfeet Tribe 2010," *Montana Office of Public Instruction*, http://opi.mt.gov/pdf/IndianEd/IEFA/TribalHistoryTimelinesAll.pdf; Indian Education Department, "Fort Belknap Timeline: Assiniboine and Gros Ventre Tribes, March 2010"; John Jackson, *The Piikani Blackfeet: A Culture Under Siege* (Missoula, Mont.: Mountain Press, 2000), Chap. 17.

[736] This list is partial. Fort Berthold Agreement, unratified, 1851: Kappler, *Indian Affairs*, 1904, I:859; The Agreement with the Gros Ventre, unratified, 1863: Charles Joseph Kappler, *Indian Affairs: Laws and Treaties*, vol. III (Washington: GPO, 1904), 705–706; The Agreement at Fort

Official treaty tallies also neglect the many different treaty events that have been incorporated under single treaty titles. Signed treaties represented multiple formal negotiations. The Fort Laramie Treaties of 1868, for instance, "were actually negotiated over several months at a series of military forts and trading posts, including Forts Sully, Rice, and David Russell, and concluded at Fort Laramie."[737] Moreover, single treaties often comprised agreements between the U.S. or Canada and numerous tribes. An earlier Fort Laramie Treaty with the United States was signed in 1851 by representatives of the "the Sioux or Dacotahs, Cheyennes, Arrapahoes, Crows, Assinaboines, Gros-Ventre, Mandans, and Arrickaras."[738] In Canada, in 1877, leaders of the "Blackfeet, Blood, Piegan, Sarcees, Stony and other Indians" signed Treaty 7.[739] Furthermore, the tribal people who signed these documents represented many different bands. Single treaties thus comprised sundry formal signing events. For instance, representatives of about thirty different named bands composing "the Cree, Saulteaux and Stonie Tribes of Indians" signed Treaty 4 with Canada, while the indigenous people who signed the 1868 Fort Laramie Treaty with the United States did so as representatives of nine different bands of the Sioux tribe alone.[740] Formal signing events for one treaty also overlapped with other treaties being signed at the same time and place. At Fort Laramie in 1868, for example, the document known to posterity as the Fort Laramie Treaty was signed on April 29 by representatives of bands of "the Sioux" and "Arapaho." Gathered with them at the treaty grounds were people representing "the Crows" and "the Northern Cheyenne and Northern Arapaho," who signed separate treaties at the fort on May 7th and May 10th, respectively.[741]

Berthold, 1866: Kappler, *Indian Affairs*, 1904, II:1052–1056; The Agreement with the River Crows, unratified, 1868: Kappler, *Indian Affairs*, 1904, III:714–716; The Agreement with The Salish, 1872: Kappler, *Indian Affairs*, 1904, I:135–136; The Agreement with the Sisseton and Wahpeton Bands of Sioux, unratified, 1872: Kappler, *Indian Affairs*, 1904, II:1057–1059; The Amended Agreement with Certain Sioux, 1873: Ibid., II:1059–1063; The Agreement with Sioux Indians and Northern Arapaho and Cheyenne Indians, 1876: Kappler, *Indian Affairs*, 1904, I:168–172; The Agreement with the Crows, unratified, 1880: Kappler, *Indian Affairs*, 1904, II:1063–1064; The Agreement with "tribal leaders" on the Flathead Reservation, 1882: Indian Education Department, "Flathead Reservation Timeline.: Confederated Salish and Kootenai Tribes," *Montana Office of Public Instruction*, 2010, http://www.opi.mt.gov/Pdf/IndianEd/IEFA/FlatheadTimeline.pdf; The Agreement with the Sioux of Various Tribes, unratified, 1882-1883: Kappler, *Indian Affairs*, 1904, II:1065–1073; The Agreement with The Indian's of the Fort Peck reservation, 1886: Indian Education Department, "Fort Peck Reservation Timeline: Sioux & Assiniboine Tribes: March 2010;" The Sweetgrass Hills Agreement, 1887: Indian Education Department, "Blackfeet Reservation Timeline: Blackfeet Tribe 2010;" The Agreement with the Sisseton and Wahpeton Bands of Dakota or Sioux Indians, 1889: Kappler, *Indian Affairs*, 1904, I:953–954; The Agreement with the Yankton Tribe of Sioux or Dakotah Indians, 1892: Ibid., I:523–529; The Agreement with the Crow Indians, 1892: Kappler, *Indian Affairs*, 1904, II:447; The Agreement with the Turtle Mountain Band of Chippewa Indians, 1892: Kappler, *Indian Affairs*, 1904, I:450; The Agreement with the Indians of the Blackfoot Indian Reservation, 1895: Ibid., I:604–609; The Agreement with the Indians of the Fort Belknap Indian Reservation, 1895: Ibid., I:601–604; William Kittredge and Annick Smith, eds., *The Last Best Place: A Montana Anthology* (Seattle: University of Washington Press, 1991), 354; Jackson, *The Piikani Blackfeet*, 250–252; Jno. B Bottineau and Gail Morin, *Turtle Mountain Band of the Chippewa Indians: The Protest of the Ten-Cent Treaty: Filed by Their Representative and Attorney, John B. Bottineau* (Pawtucket, R.I.: Quintin Publications, 1996); Kappler, *Indian Affairs*, 1904, II:881.

[737] Jill St. Germain, *Indian Treaty-Making Policy in the United States and Canada, 1867-1877* (Lincoln: University of Nebraska Press, 2004), 57.

[738] Treaty of Fort Laramie with the Sioux, Etc., 1851: Kappler, *Indian Affairs*, 1904, II:594–596.

[739] Government of Canada; Aboriginal Affairs and Northern Development Canada; Communications Branch, "Treaty Texts- Treaty and Supplementary Treaty No. 7," *Aboriginal Affairs and Northern Development Canada*, November 3, 2008, 7, http://www.aadnc-aandc.gc.ca/eng/1100100028793/1100100028803.

[740] It is unclear exactly how participants in Treaty 4 organized their representation. Treaty text implies that the twelve leaders who signed the Treaty when it was first drafted in 1874 were be the leaders of individual local communities: treaty stipulations were to apply to the "respective bands" of "Ka-ki-shi-way, or 'Loud Voice,' (Qu'Appelle River); Pis-qua, or 'The Plain,' (Leech Lake); Ka-wey-ance, or 'The Little Boy,' (Leech Lake); Ka-kee-na-wup, or 'One that sits like an Eagle' (Upper Qu-Appelle Lakes); Kus-kee-tew-mus-coo-mus-qua, or 'Little Black Bear' (Cypress Hills); Ka-ne-on-us-ka-tew, or 'One that walks on four claws' (Little Touchwood Hills); Cau-ah-ha-cha-pew, or 'Making Ready the Bow'" (South side of the Saskatchewan); Ka-na-ca-toose, 'The Poor Man' (Touchwood Hills and Qu'Appelle Lakes); Ka-kii-wis-ta-haw, or 'Him that flies around' (towards the Cypress Hills); Cha-ca-chas (Qu'Appelle River); Wah-pii-moose-too-siis, or 'The White Calf' (or Pus-coos)(Qu'Appelle River); Gabriel Cote, or Mee-may, or 'The Pigeon' (Fort Pelly)." The eighteen indigenous representatives who signed over the next three years are not identified in terms of their band leadership, and I have counted them as though each signatory represented a band that became known by his name, as seems to have been the common practice in Canada. Government of Canada; Aboriginal Affairs and Northern Development Canada; Communications Branch, "Treaty Texts- Treaty No. 4," *Aboriginal Affairs and Northern Development Canada*, November 3, 2008, https://www.aadnc-aandc.gc.ca/eng/1100100028689/1100100028690; Treaty with the Sioux-Brulé, Oglala, Miniconjou, Yanktonai, Hunkpapa, Blackfeet, Cuthead, Two Kettle, Sans Arcs, and Santee- and Arapaho, 1868: Kappler, *Indian Affairs*, 1904, II:998–1007.

[741] Treaty with the Sioux-Brulé, Oglala, Miniconjou, Yanktonai, Hunkpapa, Blackfeet, Cuthead, Two Kettle, Sans Arcs, and Santee- and Arapaho, April 28, 1868: Kappler, *Indian Affairs*, 1904, II:998–1007; Treaty with the Crows, May 7, 1868: Ibid., II:1008–1011; Treaty with the

Sometimes additional tribes and bands signed treaty documents in the weeks and months following original treaty councils, giving their consent after traveling hundreds of miles to the original meeting site or, conversely, after colonial officials arrived in their localities seeking their signatures.[742] But other times tribal representatives might sign a treaty years after it was first drafted. The case of Treaty 6 with Canada is a telling example. Representatives of the "Carlton Indians" and "the Willow Indians," a part of the "the Plain and Wood Cree Tribes," first signed Treaty 6 in two different councils held near Fort Carlton and Fort Pitt in 1876. Additional bands signed the treaty on two different occasions the following year. Still others signed on four separate occasions in 1878 and on one occasion each in 1879, 1882, and 1889. Over fifty years later, in the 1940s and '50s, indigenous representatives signed Treaty 6 on five more occasions. Thus, when one counts only the different signing events, and ignores the multiple tribes and bands involved in those events, Treaty 6 alone comprises sixteen different treaty events spanning nine decades.[743]

The numerous treaty events archived under a single treaty title included not just signings, or "adhesions," by additional groups but also substantive changes to the original treaties. Such was the case in the 1875 "adhesion by halfbreeds of Rainy River and Lake" to Treaty 3, originally signed by numerous bands of the "Salteaux and Lac Seul Indians of the Ojibbeway Nation" with the Dominion of Canada "at the North-west Angle of the Lake of the Woods" in 1871. The "halfbreeds" adhesion, through "Nicholas Chatelaine, their Chief" entailed not only appending additional signatures to the original document but also inserting provisions for two reserves for the Rainy River and Rainy Lake "halfbreed" groups, who "by virtue of their Indian blood" claimed "a certain interest of title in the lands or territories" affected by Treaty 3.[744] Such events compel us to consider the myriad treaty events that the 40 ratified Northern Plains treaties of the 1850s-1870s actually entailed. When we factor in as well the instances in which representatives of the region's indigenous groups signed treaties that nation-states subsequently refused to ratify, and the many treaty agreements concluded under the title "agreements," the pervasiveness of late-nineteenth century Northern Plains treaty-making activity is striking.

For the indigenous people of the Northern Plains, this pervasive treaty-making was an integrated process. And not just because Canadian treaty-making came close on the heels of

---

Northern Cheyenne and Northern Arapaho, May 10, 1868: Ibid., II:1012–1015. Multi-treaty events were not uncommon in the nineteenth century. Other examples include the 1850 Robinson treaties with Canada, both signed on the 7th and 9th days of September at Sault St. Marie; the 1829 Prairie du Chien treaties, signed by "The United Nations of Chippewa, Ottawa, Potawatamie Indians" and U.S. treaty commissioners "General John McNeil, Colonel Pierre Menard, and Caleb Atwater, Esq." on July 29th and by "The Nation of Winnebaygo Indians" with those same commissioners on August 1st; and 1825 treaties signed in St. Louis by "the Great and Little Osage Tribes of Indians" and William Clark, Superintendent of Indian Affairs, on June 2, and by Clark and the "Kansa Nation of Indians" the following day. Government of Canada; Aboriginal Affairs and Northern Development Canada; Communications Branch, "Treaty Texts - Ojibewa Indians of Lake Superior (Robinson Treaties)," *Aboriginal Affairs and Northern Development Canada*, November 3, 2008, https://www.aadnc-aandc.gc.ca/eng/1100100028978/1100100028982; Government of Canada; Aboriginal Affairs and Northern Development Canada; Communications Branch, "Treaty Texts - Ojibewa Indians of Lake Huron (Robinson Treaties)," November 3, 2008, https://www.aadnc-aandc.gc.ca/eng/1100100028984/1100100028994; Treaty with the Chippewa, July 29,1829: Kappler, *Indian Affairs*, 1904, II:297–300; Treaty with the Winnebago, August 1, 1829: Ibid., II:300–303; Treaty with the Osage, June 2, 1825: Ibid., II:217–221; Treaty with the Kansa, June 3, 1825: Ibid., II:222–225.

[742] This is how Canada obtained the signatures of the last two bands, the 13th and 14th to sign, who signed Treaty 4 in 1874. Government of Canada; Aboriginal Affairs and Northern Development Canada; Communications Branch, "Treaty Texts- Treaty No. 4."

[743] Government of Canada; Aboriginal Affairs and Northern Development Canada; Communications Branch, "Treaty Texts- Treaty No. 6," *Aboriginal Affairs and Northern Development Canada*, November 3, 2008, https://www.aadnc-aandc.gc.ca/eng/1100100028710/1100100028783; Miller, *Compact, Contract, Covenant: Aboriginal Treaty-Making in Canada, 179*. J. R. Miller notes that Treaty 5 was also "made in stages at several locations."

[744] Government of Canada; Aboriginal Affairs and Northern Development Canada; Communications Branch, "Treaty Texts- Treaty No. 3," *Aboriginal Affairs and Northern Development Canada*, November 3, 2008, https://www.aadnc-aandc.gc.ca/eng/1100100028675/1100100028679. See also the 1875 modifications to Treaties 1 and 2. Government of Canada; Aboriginal Affairs and Northern Development Canada; Communications Branch, "Treaty Texts- Treaties No. 1 and No. 2," *Aboriginal Affairs and Northern Development Canada*, November 3, 2008, http://www.aadnc-aandc.gc.ca/eng/1100100028664/1100100028665.

American treaty-making, or because some tribes treated with both nation-states. Northern Plains treaty-making was an integrated process because many groups and many individuals participated in multiple treaty events on both sides of the border. When Canada sent Wemyss Simpson to negotiate with the Chippewa in 1870 (in hopes of securing a right of way for its troops to travel to the conflict at Red River), about 1,500 "Saulteux" arrived at the council, of which, according to Simpson, "some 600 were American Indians." A similar mix of Saulteaux showed up when Simpson served as a treaty commissioner for Treaty 3 in 1872. The Treaty 3 meeting was attended by a large number of Saulteaux from the American side of the border. These Indians, Simpson noted, had signed a treaty with the United States which paid them considerably more than he was empowered to offer. To Simpson's dismay, "these American Saulteaux were not lax in pointing out the disparity to their Canadian brethren."[745] By the time the Blackfeet signed Treaty 7 with Canada in 1877, they were party to at least three treaties with the United States and had participated in several others.[746] In addition to the multiple events each of those treaties entailed, Blackfeet representatives had formally negotiated with U.S. government officials over land cessions on numerous other occasions, not least during the several times the United States reduced their American reservation.[747] Other borderlands groups shared the expansive treaty experience of the Blackfeet. For example, in 1882 the agent for Canada's Broken Head River agency reported matter-of-factly that "this band of heathen Indians . . . Just at present . . . are all off to either Turtle Mountain or Devil's Lake, Dakota, where I understand there is a treaty being made with the Ojibways by the American government, in which they no doubt will participate."[748] Four years later Edgar Dewdney concluded that the "Chief" of the "Crees and Salteaux" who were pushing for a U.S. reservation in the Turtle Mountains was "Wa-nish," who had been a "Treaty Indian" in Canada, "where his Father . . . was a Chief." He was said to be working in the U.S. with another leader of Canada's Treaty 4 Tribes, O'Soup, who planned on traveling to Washington, D.C. to press their case.[749]

Comparing Northern Plains treaties confirms the Broken Head River agent's suspicions that the region's indigenes participated in treaties with both Canada and the United States. Treaty events were "grand affairs" that involved thousands of people, only a tiny fraction of whom actually signed the ratified documents. Of the 10,000 or so Indians said to have gathered

---

[745] Wayne E. Daugherty, "Treaty Research Report- Treaty Three (1873)," *Aboriginal Affairs and Northern Development Canada*, December 11, 2008, https://www.aadnc-aandc.gc.ca/DAM/DAM-INTER-HQ/STAGING/texte-text/tre3_1100100028672_eng.pdf. Simpson was a native of London who began working for the HBC in 1841. Among the HBC positions he held was post factor at Sault St. Marie.

[746] Treaties with the U.S. signed by the Blackfeet included the 1855 Judith Landing/Lame Bull Treaty, the 1865 Fort Benton Treaty (unratified), the July 18, 1866 treaty (referenced in a July 2, 1873 Executive order) and the 1868 Treaty (unratified, and counted by some—including the United States—as constituting several separate treaties, also referenced in the July 2, 1873 Executive order). Treaty with the Blackfeet, 1855: Kappler, *Indian Affairs*, 1904, II:736–740; Treaty with the United States and the Blackfoot Nation of Indians, etc., Unratified, November 16, 1865: Charles Joseph Kappler, *Indian Affairs: Laws and Treaties*, vol. IV (Washington: GPO, 1929), 1133–1137; Department of the Interior, Office of Indian Affairs, July 2, 1873: Kappler, *Indian Affairs*, 1904, I:855. No official Blackfeet representative signed the 1851 Fort Laramie Treaty, but specific treaty clauses addressed Blackfeet territory, and Blackfeet people were aware of this, not least because Alec Culbertson, whose wife was from the Blood branch of the Blackfeet, interpreted at the council. Treaty of Fort Laramie with Sioux, Etc., 1851: Kappler, *Indian Affairs*, 1904, II:594–596. According to Jack Holterman, "one Blackfeet hunter" accompanied the Fort Laramie Treaty group that Culbertson and De Smet led from Fort Union. Holterman, *King of the High Missouri*, 91. Furthermore, as John Jackson notes, "several men closely associated with the Piikani figured in" the Fort Laramie proceedings. Jackson, *The Piikani Blackfeet*, 169. Blackfeet groups had also sent delegates to the Fort Pitt proceedings for Canada's Treaty 6, but they may not have completed their mission. Missionaries did, however, help convey Blackfoot sentiments to the Treaty 6 councils, and surely reported back to Blackfoot leaders. John Leonard Taylor, "Treaty Research Report- Treaty Six (1876)," *Aboriginal Affairs and Northern Development Canada*, November 3, 2008, 8, https://www.aadnc-aandc.gc.ca/DAM/DAM-INTER-HQ/STAGING/texte-text/tre6_1100100028707_eng.pdf.

[747] President Grant reduced the Blackfeet Reservation in 1873 and 1874 but restored some of it in 1875. Indian Education Department, "Blackfeet Reservation Timeline: Blackfeet Tribe 2010."

[748] ARDIA 1882, 83. Broken Head River was home to Chippewa and Cree people. ARDIA 1898, 72.

[749] Edgar Dewdney to John A. MacDonald, February 10, 1886, *John Alexander MacDonald Correspondence*, Reel C-1597, File P. 90466 to 90473, LAC. O'Soup was the son of Métis Michael Cardinal and "his Assiniboine wife." He was "married to a Nez Perce," and is indentified as Ojibwa in secondary sources. Sarah A. Carter, "Biography – O'Soup, Louis – Volume XIV (1911-1920)," *Dictionary of Canadian Biography*, http://www.biographi.ca/en/bio.php?BioId=41754.

for negotiations at Fort Laramie in 1851, for example, only 21 signed the resultant treaty. Much of the overlap in treaty participation is thus invisible to us—we don't know the names of the multitudes at each treaty council, so we can't cross-reference them. Given this, and considering the mortality rate on the Plains in this period, as well as the time and distance between different treaties with the same tribe, it seems unlikely that we'd be able to identify overlap in the few individuals who actually signed treaties on behalf of tribes. It is easy to think that there must have been significant overlap in the 10,000 or so indigenes who gathered at Fort Laramie in 1851—which included Assiniboines among many others—and, say, those at Treaty 7, where the Indians—including Assiniboine (or Stoney)— were expected to "be over ten thousand strong."[750] But it is equally easy to conclude that there couldn't have been identifiable overlap in the signatories: only two "Assiniboines" signed at Fort Laramie, which took place over 20 years, and over 800 miles, from Treaty 4 at Fort Walsh.[751]

It is therefore remarkable how much overlap we can actually find in the signers of treaties with the United States and with Canada. This is especially true in light of the fact that the task is further complicated by different conventions in the way signers' names were listed: in Canada many people were listed only by transliterated Indian names, whereas in the United States people were often listed only by translated Indian name. Without competence in multiple Northern Plains Indian tongues, comparing treaty signers is difficult. Moreover, since people usually had numerous names, and names were sometimes passed down from fathers to sons or other relatives, a detailed knowledge of many regional biographies is also needed to identify the full extent of treaty overlap.[752] Yet even without these tools, we can conclude that many indigenous individuals participated in multiple treaties with more than one nation-state. The primary Blackfeet treaties are a telling example. The main ratified United States treaty with the Blackfeet was signed at Judith Landing on Montana's Judith River in 1855. Canada signed Treaty 7 with the Blackfeet at Blackfoot Crossing of the Bow River in 1877. Although only 26 men signed the 1855 treaty on behalf of the Blackfeet groups (as representatives of the "Piegans," "Bloods," and "Blackfeet"), at least six of those same names appear on Treaty 7, made twenty-two years later. These include Bad Head, Bull's Back Fat, Heavy Shield, Nah-tose-onistah (a.k.a. Natose-Onistors or Medicine Calf), Three Bulls and Running Rabbit. Some of the men who signed under these names at Treaty 7 may have been like-named relatives of 1855 treaty signers, but two of them—Heavy Shield and Medicine Calf— are conclusively singled out as having signed both treaties in Hugh Dempsey's *Treaty Research Report on Treaty 7*. Dempsey also notes that another signer of the 1855 Treaty—Father of All Children—signed Treaty 7. Father of All Children's name does not appear on Treaty 7, but he is known to have been at the negotiations, and may have signed under a different name, as may others who signed the 1855 Treaty.[753] Other Blackfoot people who signed Treaty 7 had direct ties to the earlier U.S. treaty through close relatives. Red Crow, for instance, one of the principal signatories to Treaty 7, was the nephew of 1855-signer, and famed traveler, Seen-From-Afar (or Peenaquim/Pe-na-koam/Penukwiimor /Far Seer/Far Off In Sight/Far Off Dawn. Seen-From-Afar, brother of Medicine Snake Woman (a.k.a. Natawista Culbertson), signed the 1855 treaty as Onis-tay-say-nah-que-im or Calf Rising in Sight, and was also known as Bull Collar. Overlap among

[750] Hugh A. Dempsey, "Treaty Research Report - Treaty Seven (1877)," *Aboriginal Affairs and Northern Development Canada*, December 15, 2008, 4, quoting Fort Benton Records of August 24, 1877, https://www.aadnc-aandc.gc.ca/DAM/DAM-INTER-HQ/STAGING/texte-text/tre7_1100100028790_eng.pdf;.

[751] Treaty of Fort Laramie with Sioux, Etc. 1851: Kappler, *Indian Affairs*, 1904, II:594–596.

[752] Among Northern Plains tribes, sons often took their fathers names, and sometimes names passed to other relatives.

[753] Hugh Dempsey says that Many Spotted Horses, who signed Treaty 7, signed the 1855 Treaty as Heavy Shield, but the name Heavy Shield also appears on the 1877 Treaty 7. Dempsey, "Treaty Research Report - Treaty Seven (1877)."

Blackfeet treaties extended to other active participants as well. James Bird (a.k.a. Jemmy Jock or Jimmy Jack Bird), a "Cree Métis [who] was married to an Amskapi Pikani Blackfeet woman named Sally Sarah, daughter of Bull's Heart . . . served as the official interpreter for the Blackfeet Treaty" with the U.S. in 1855. In 1877, after living at Red River and at Montana's Assiniboine Agency in the interim, "he served as interpreter for Canada's Treaty Number 7." When he died in 1892 Bird, who was "recognized as a chief among the Pikani," lived on Montana's Blackfeet Reservation.[754]

These tantalizing connections beg the question of overlap in other treaty principals. Was the Chippewa Chief Aisence (or Aisance or Little Clam) who approached Robinson to register his claim to lands included in the 1850 treaties (and who surrendered land to Canada in a document signed in 1856) the same man as the Chippewa Chief Ase-anse (a.k.a. Aisance or Es 'Sence or Little Shell or Little Clam) who signed the 1863 Old Crossing Treaty with the United States?[755] If not, were the two men related? Was the Chippewa Migisi (the Eagle), who signed one of the Robinson treaties at Sault St. Marie, the same as the Chippewa Mi-gi-si (The Eagle) who signed a treaty with the United States four years later? And what of Mekis (Eagle) who signed Treaty 2 with Canada in 1871, or of "Chief Little Eagle (Mickeseese)" who signed Treaty 3?[756] Was Teb-ish-ke-ke-shig (Te-bish-co-ge-schick/Te bish ko ke shig/ Te bis ko ke shig/Te bish co ke shig or Equal Sky), who signed the 1863 Old Crossing Treaty between the Chippewa and the United States that same as Tibis-quo-ge-sick who signed Treaty 1 with Canada in 1875?[757]

Clearly, the advent of Canadian treaty-making marked neither a new nor a strange experience for Northern Plains indigenes. Among both indigenous people and Dominion officials, those who signed Canadian treaties were intimately familiar with the treaty-making process and its products. Historians of treaty- and reservation-making often imply this fact without realizing it, or exploring its implications. In his 2009 monograph subtitled "aboriginal treaty-making in Canada," J. R. Miller claims that when Canada began negotiating the numbered treaties with Plains tribes, the "natives knew 'government' only in the form of a boundary commission that had traversed the plains to stage the 'medicine line,' the international border, in the early 1870s, and the mounted police who had begun to make their presence felt only in 1874." Yet, in the paragraphs before and after, Miller himself attests to the preposterousness of

---

[754] Vrooman et al., *The Whole Country Was ... "One Robe,"* 117. Bird worked at Fort Union during the 1830s, and—with Broken Arm among others—guided "Métis migrations from White Horse Plains in the Red River Settlement Zone to the Willamette Valley" in the 1840s. Over the years, he worked with Paul Kane and Father De Smet, as well as with Lewis Henry Morgan, "father of American anthropology." Bird's "uncle, Curtis James Bird, was on Louis Riel's council during the Red River Resistance of 1870." John Jackson, *Jimmy Jock Bird: Marginal Man on the Blackfoot Frontier* (Calgary: University of Calgary Press, 2003); David Smyth, "Bird, James: Also Known as Jimmy Jock," *Dictionary of Canadian Biography*, http://www.biographi.ca/en/bio/bird_james_1892_12E.html.

[755] Miller, *Compact, Contract, Covenant: Aboriginal Treaty-Making in Canada*, 118. Treaty with the Chippewa- Red Lake and Pembina Bands, 1863 and 1864: Kappler, *Indian Affairs*, 1904, II:853–855, 861–862; North Dakota and Department of Public Instruction., *The History and Culture of the Turtle Mountain Band of Chippewa* (Bismarck, N.D.: North Dakota Dept. of Public Instruction, 1997).

[756] Robert Surtees, "Treaty Research Report: The Robinson Treaties (1850)," *Aboriginal Affairs and Northern Development Canada*, 1986; Government of Canada; Aboriginal Affairs and Northern Development Canada; Communications Branch, "Treaty Texts - Ojibewa Indians of Lake Superior (Robinson Treaties)"; Government of Canada; Aboriginal Affairs and Northern Development Canada; Communications Branch, "Treaty Texts - Ojibewa Indians of Lake Huron (Robinson Treaties);" Treaty with the Chippewa, 1854: Kappler, *Indian Affairs*, 1904, II:648–652; Victor P. Lytwyn, "In the Shadows of the Honorable Company: Nicolas Chatelain and the Métis of Fort Frances," in *Contours of a People: Métis Family, Mobility, and History*, ed. Nicole St-Onge, Carolyn Podruchny, and Brenda Macdougall (Norman: University of Oklahoma Press, 2012), 194–229. Government of Canada; Aboriginal Affairs and Northern Development Canada; Communications Branch, "Treaty Texts-Treaties No. 1 and No. 2," 2.

[757] Treaty with the Chippewa-Red Lake and Pembina Bands, 1863: Kappler, *Indian Affairs*, 1904, II:853–855; There was of course much overlap in treaties east to west as well as north to south, not least because the same nation-state representatives—like Isaac Stevens in the U.S. and James McKay in Canada—worked on multiple treaties. Missionaries like Henry Cochrane also traveled from treaty to treaty, as did indigenous people, especially mixed indigenous people with multi-tribal ties. Cf. J.E. Foster, "The Saulteaux and the Numbered Treaties- an Aboriginal Rights Position?," in *The Spirit of the Alberta Indian Treaties*, ed. Richard T. Price (Edmonton: University of Alberta Press, 1999), 149; and St. Germain, *Indian Treaty-Making Policy in the United States and Canada, 1867-1877*, chap. 5.

this claim: he mentions, among the Plains natives he has in mind, the Dakota Sioux and the Métis, veterans of countless treaty councils and other formal interactions with government agents. Miller also notes that Plains groups demanded treaties of a highly specific sort before allowing settlement. They were well familiar with these documents and with the government negotiations that produced them.[758]

Treaty documents reflected this, especially in Canada. Indigenous participants insisted that Canadian treaties include provisions that they knew were common in American treaties. In Treaty 3, this context was so critical that it was explicitly noted in the brief order that established the treaty commission.[759] Canada subsequently complained about the fact that the Saulteaux had used the American treaty "so effectively as a lever to get the Canadian government to extend its terms."[760] In negotiating Treaty 6 with Cree groups, Commissioner James McKay encountered a similar strategy, and credited "their seeing the Sioux chiefs on their American Reserves furnished with Horses and Buggy's" with "prompt[ing] them to request the same from our Government." Cree negotiators at Treaty 6 used not only the terms of American treaties for leverage in their dealings with Canada, but also the contexts. They pointed out that "although the Sioux are naturally hostile to the Americans nevertheless, the Government of that country has aided the chiefs of the Sioux to build their houses and even partly furnished them. It is the knowledge of these facts," MacKay averred, "which induced our Indians to make the demand for aid to build their houses in the North West, and get them equipped - as I said before, the Cree Indians are perfectly aware of everything going on, the other side."[761] Given how informed tribal representatives seemed of "the much more liberal terms granted by the American Government to the Indians, when treaties are made with them," Commissioner Alexander Morris concluded by expressing his amazement at his success: "my only wonder is that the Indians made the Treaty at all."[762] Clearly, similarities in Canadian and American Indian treaties stemmed not only from colonial officials' consistent reference to one another's Indian policy, but from indigenous participants parallel comparative reference as well.[763]

Treaty-making, people-making, place-making: Defining and Spatializing Separate Tribes and Bands in Indian treaties

Such similarities were fundamental, and manifold. In their goals and their terms, Canadian and American Indian treaties shared the same basic characteristics. They also shared, more than histories of Canada might suggest, a common context, especially when you consider

[758] Miller, *Compact, Contract, Covenant: Aboriginal Treaty-Making in Canada*, 153–155. In a late-life reminiscence by Gabriel Renville, a signer of 1867 and 1872 treaty agreements, at least, and a veteran of many government negotiations, one can almost hear the old man's sigh as he thinks back on the rhythms, the labor, the years, of treaty-making: "I remember the big council fire when we signed away our first land. At the time the country was full of buffalo . . . Then came the swarms of grasshoppers and ate up all the grass for four seasons. Then bones of the buffalo became white on the hillsides and they were poor and of little meat . . . Then the grasshoppers turned into white men and killed off all the buffalo that did not starve. . . . So we had to sell off more of our land to the great father at Washington for meat and blankets." Quoted in Everett W Sterling, *The Indian Reservation System* (Helena: Montana Historical Society, 1964), 93.

[759] Government of Canada; Aboriginal Affairs and Northern Development Canada; Communications Branch, "Treaty Texts- Treaty No. 3." Order in council. The Saulteaux and Lac Seul Indians of the Ojibbweway Nations, whose territory, as described in the treaty extended, south to the American border, were understood to be "willing to surrender for a certain annual payment their lands to the Crown . . . the American Indians to the south of them surrendered their lands to the Government of the United States for an annual payment." A report on the treaty itself concluded that "there can be no doubt, however, that many of their demands were influenced by treaty terms being offered in the United States." Daugherty, "Treaty Research Report- Treaty Three (1873)," 32.

[760] Daugherty, "Treaty Research Report- Treaty Three (1873)," 21.

[761] Quoted in Ibid., 33.

[762] Taylor, "Treaty Research Report- Treaty Six (1876)," 26.

[763] Even in Canada treaties were not a new phenomenon, although "the Dominion" was a new negotiating entity. In J.R. Miller's history of Aboriginal treaty-making in Canada the Plains treaties of the 1870s don't appear until Chapter 6. Miller, *Compact, Contract, Covenant: Aboriginal Treaty-Making in Canada*.

that for indigenous people on the Northern Plains the contexts were one. In both countries, as noted, treaties were made in the context of the nation-states' acknowledged ability and willingness to use large-scale military force, as well as the presence of armed forces in unceded Indian territories. And, in both countries, parties on either side of the negotiating table could see the writing on the wall. Existing economies would disappear with the buffalo and non-Indian settlers would arrive in increasing numbers. Both imperial nations were concerned with clearing title to Indian land so it could be re-distributed to coming non-Indian colonists. The treaties they sought specifically addressed private property rights on those lands. And treaties in both countries functioned as payment contracts in exchange for Indian representatives signing off on these land cessions.[764] Whether Canadian or American, the content of those payment contracts was designed to transform indigenous economies, ecologies, cultures, religions, and bodies.[765]

Treaties in both countries were also very much about trying to define and categorize people by race, tribe and band and to relate those categories to rights in, to, and from the nation-state. Through treaties, moreover, each of these categories—and the rights they conveyed—would be tied tightly to very particular places. Cession of rights to all other places was explicitly included in Canadian and in American treaties, as was mingling of different races in treaty-specified places.[766] Space also figured prominently in treaty provisions that addressed the movement of people and use of critical corridors. Legal jurisdiction issues, too, loomed large in Canadian and American treaties, and documents in both countries addressed the geography of such prerogatives as the right to use violence (retained by nation-states exclusively). Moreover, in both countries, treaty practices helped constitute spatialized treaty categories, especially when it came to ideas about indigenous territories and indigenous nationality. And treaties in both countries reflect the fact that the effort to define and categorize people and places intensified over time.

In both its processes and its products, this rampant treaty-making layered official categories of band, tribe, race and nation across the Northern Plains and the people who lived on them. In their complexity and sheer number, treaty categories reflected the fluid and entangled affiliations of the region. But the categories codified in treaties massively simplified this on-the-ground reality. Through treaties indigenous groups became official entities with formal relationships to one another and to colonizing states. Critically, treaties also, in legal theory if not in practice, fixed, or made permanent, the names, definitions, and relationships of Northern Plains communities.[767] The band and tribe configurations named in treaties, by virtue of their inclusion in these written contracts, became permanent corporate entities officially recognized by colonial governments and invested with exclusive rights to precise, particular places.

---

[764] There is much debate about indigenous understandings of treaties vs. Euro-North American understandings. I don't mean to imply that all parties understood the treaties in the same way. This summary is based on the texts of the documents.

[765] Through treaties, Canada and the U.S. meant especially to propel the demise of indigenous natural resource and agricultural economies and replace them with export market agricultural economies (vs. the earlier market agriculture economies of Missouri river tribes and market economies of fur trade); to eradicate native religions and languages and replace them with Euro-North American religions and languages; to get Indians to dress as Euro-North Americans; to replace established technologies of movement (substituting buggies and oxen for Red River carts, travois, and horses); to change Indian diets (building grist mills to bring flour to the Plains masses); and to get them to herd new fauna by substituting cow-based pastoralism for buffalo harvesting.

[766] Clauses that addressed racial mingling included especially sections in which indigenous signatories promised "not to molest the person or property" of whites in ceded lands, and sections that prohibited any "white person, other than officers, agents or employees of the United States ... to go on or remain on the said reservation, unless previously admitted as a member of the said band according to their usages." Government of Canada; Aboriginal Affairs and Northern Development Canada; Communications Branch, "Treaty Texts- Treaty and Supplementary Treaty No. 7"; and the Treaty with the Sioux- Lower Brulé Band, 1865: Kappler, *Indian Affairs*, 1904, II:885–887.

[767] They also, or course, aimed to "fix" relationships on the Northern Plains in the sense of resolving conflict therein and "fixing" the "problem" of abundant interaction between groups that nation-states wished were discrete.

By tying specified groups to specific territories, and vice versa, treaties also spatialized the social categories and relationships they enshrined. They divided the Northern Plains between indigenous groups and one of two non-Indian empires and also, importantly, between particular tribes and bands. Treaties thereby not only reflected but actively created band and tribal territories as well as racial territories and national territories. The Northern Plains Indian country of 1860 became, by the end of the 1870s, a patchwork of places designated for different and supposedly discrete populations, including, to name but a few, Canadian and American, white and Indian, Wahpeton Sioux, Pembina Chippewa, and Carlton Cree.

At the broadest level, treaty practice and treaty terms placed Northern Plains groups in racial and national categories. Indigenous entities were, through their participation in treaties with the United States, for example, named racially as Indians and nationally as American Indians, in contradistinction to, say, British, Canadian or Mexican Indians. Indians in this way acquired an official nationality even as they are spatially and socially distinguished from the nation. Treaty practices enacted these categorizations even before participants drafted treaty documents: if colonial nation-states agreed to treat with an indigenous community, their very willingness to do so suggested some recognition, from an official perspective, of that community's "Indian title" to their national territory. When the U.S. treated with the Blackfeet, for instance, the mere act of treating with them indicated America's acceptance of the Blackfeet as "Indians" of "American" territory. So, too, did treaty terms, which ceded Blackfeet territory into the national boundaries of the United States. The same can be said for the fact that Canada, too, conceded to treat with the Blackfeet.

Both terms and practice then, ascribed a nationality to Northern Plains borderlands communities. They did this at band and at tribal levels. Some tribes, like the Blackfeet, Assiniboine and Chippewa, were able to sign treaties with both nations. Within those tribes, bands became nationalized— of the Blackfeet, for instance, the Piegan band became American while the Bloods became Canadian—but the tribe as a whole avoided that fate. Other tribes found themselves excluded entirely from treaties with one or the other of the colonial nations claiming their homelands. This happened to the Sioux, who became during the 1860s and '70s officially "American" Indians. It also happened to the Cree, who underwent a parallel Canadianization in this period. This nationalization ignored the tribes' historical occupancy of the new national territories from which they were discursively displaced. It also ignored their established diplomatic histories with both the American and the Canadian/British governments. When Sioux people fled to the Red River settlements north of the international boundary in the wake of the 1862 bloodshed in Minnesota, they cited this history in their requests to treat anew with the British. Sioux representatives, they reminded the Queen, had maintained formal relationships with British officials at Red River since the early years of the nineteenth century.[768] The U.S., meanwhile, had been meeting formally with Cree delegations since at least the 1830s, and as late as 1861 listed the "Cree" as one of the tribes for which the Superintendent of Indian Affairs in Dakota Territory would be responsible.[769] Despite the obvious erasures doing so entailed, treaty-making nonetheless definitively ascribed a nationality to these two tribes. When the Sioux sought a treaty with British officials in 1862 and with Canada in later years, the British, and then the Dominion, declined to treat with them.[770] They thereby, by default, categorized, the "Sioux" as incontrovertibly American Indians. The Cree became Canadian in

[768] Howard, *The Canadian Sioux*, 26–29.
[769] Fee, "Government Policy Toward the Principal Indian Nations of Montana, 1851-1873," 78; Recall that the "Cree" chief Broken Arm was an official witness at the 1855 Judith Crossing Treaty.
[770] Howard, *The Canadian Sioux*, 26–32.

the same way. This process is invisible if we look only at treaty terms, which inherently naturalize the nationalization of tribes, and not at treaty practice.[771]

Treaty terms and practices also cemented official categories of tribe and band. Preliminary negotiations themselves hinged on concepts of band and tribal organization: officials of nation-states negotiated treaties with people that they accepted as leaders of particular components of particular tribes. And treaty texts named, for perpetuity, these tribes and bands and their relationship to one another. Among the different Sioux bands so defined through treaty-making were groups labeled Sisseton, Wahpeton, Mdewakanton, Wahpakoota, Yankton, Miniconjou, Lower-Brule, Two-Kettle, Blackfeet, Sans Arc, Hunkpapa, Upper Yanktonai, Oglala, Brule, Cuthead, and Santee.[772] Treaty terms fixed not only group names but also, implicitly, the relation of named groups to one another, eg. Oglala is a sub-set of Sioux and Sioux is composed of Oglala. Treaty texts also sometimes identified certain individuals as leaders of a particular band. In both countries, indigenous signatories were sometimes grouped under different band headings or were identified as representing a specified band. Crucially, however, treaties stopped short of listing any but the leading members, ie. those who signed as tribal representatives, of the bands or tribes they named. They thereby left room for fluidity in the actual composition of bands and tribes even as they fixed forevermore the number, name, and tribal affiliation of bands and the number, name, and band composition of tribes.

The categories created through treaty practice implicitly created their respective opposites, the most obvious of which was tribes, bands, and individuals who *did not* sign the treaties. This is how, as noted above, certain border tribes become considered Canadian (eg. Cree) and others American (eg. Sioux) while some maintained a recognized dual-nationality at a tribal level (eg. Blackfeet, Chippewa, Assiniboine) and were nationalized only at band levels. The reasons that Northern Plains indigenes were absent from particular treaties were myriad. Some people and their associates opposed the treaties generally or protested particular terms within them. Others were unable or unwilling to attend negotiations or were uninterested in them.[773] Absence from treaty events was so common, and occurred for so many reasons, that in most circumstances it didn't really require comment or explanation. As Maria Campbell recounted about her great-grandmother Cheechum's "people, even though they were Indians were never part of a reserve," simply because "they weren't present when the treaty-makers came."[774] Canadian treaty officials sometimes waited for the return of certain native leaders—as at Blackfoot Crossing when "head chief" of the Blood band, Bad Head, was "travelling in the

---

[771] As apparent elsewhere in this narrative, despite their respective nationalizations, many Sioux continued to live in Canada and many Cree likewise persisted in the United States after the treaty-making period. From their perspective, they did so under an Indian right to land in both countries.

[772] Treaty With The Blackfeet Sioux, 1865; Treaty With The Hunkpapa Band Of The Sioux Tribe, 1825; Treaty With The Sioune And Oglala Tribes, 1825 (Also Ogallala); Treaty With The Oto, Etc., 1836 — Yankton and Santee Bands; Treaty With The Sauk And Foxes, Etc., 1830 — Medawah-Kanton, Wahpacoota, Wahpeton, Sissetong [Sisseton], Yanckton [Yancton] and Santie Bands; Treaty With The Sioux—Sisseton And Wahpeton Bands, 1851; Treaty With The Sioux—Mdewakanton And Wahpakoota Bands, 1851 (Also Med-ay-wa-kan-toan and Wah-pay-koo-tay); Treaty With The Sioux—Miniconjou Band, 1865 (Also Minneconjon); Treaty With The Sioux—Lower Brulé Band, 1865; Treaty With The Sioux—Two-Kettle Band, 1865; Treaty With The Sioux—Sans Arcs Band, 1865; Treaty With The Sioux—Hunkpapa Band, 1865 (Also Onkpahpah); Treaty With The Sioux—Yanktonai Band, 1865; Treaty With The Sioux—Upper Yanktonai Band, 1865; Treaty With The Sioux—Oglala Band, 1865 (Also Ogallala; O'Galla); Treaty With The Sioux—Sisseton And Wahpeton Bands, 1867 (Also Sissiton); Treaty With The Sioux—Brulé, Oglala, Miniconjou, Yanktonai, Hunkpapa, Blackfeet, Cuthead, Two Kettle, Sans Arcs, And Santee—and Arapaho, 1868; Treaty With The Yankton Sioux, 1815; Treaty With The Yankton Sioux, 1837; Treaty With The Yankton Sioux, 1858. See Kappler, *Indian Affairs*, 1904, vol. II, Table of Contents.

[773] John Leonard Taylor, "Treaty Research Report- Treaty Four (1874)," *Aboriginal Affairs and Northern Development Canada*, December 11, 2008, 14–15, https://www.aadnc-aandc.gc.ca/DAM/DAM-INTER-HQ/STAGING/texte-text/tre4_1100100028686_eng.pdf.

[774] Maria Campbell, *Halfbreed* (Halifax, NS: Goodread Biographies, 1973), 15, 22. The capriciousness of such exclusions and inclusions is suggested in the offhand manner in which Campbell reports the subsequent enrollment of one of Cheechum's daughters, who married a man Campbell considered a "halfbreed." "Some years later, when the treaty-makers came, he [the husband] was counted and they became treaty Indians of the Sandy Lake Reserve instead of Halfbreeds."

United States" when commissioners arrived to negotiate—but they could hardly corral all potentially interested parties.[775] On the other hand, representatives of some groups were uninvited or actively discouraged from attending negotiations.[776] This categorization through exclusion functioned in the same way at tribal and band levels as it did for categories of nationality: those that were recognized through the treaty process became official tribes and bands recognized as legitimate by North American empires. Those excluded from treaties did not.

Treaties layered other official categories on top of racial, national, tribal and band labels. The 1868 Treaty of Fort Laramie Treaty, for instance, contained specific stipulations that applied to "Indians"; "friendly tribes"; "any individual belonging to said tribes of Indians or legally incorporated within them"; "male Indians" and "female" (sometimes by additional age categories); "the head of a family or lodge"; "the head of a family"; "any one, white, black or Indian, subject to the authority of the United States"; "people belonging to the United States or . . . persons friendly therewith." "settlers"; "citizens"; "white men"; and "white women or children."[777] Although treaty documents did not define these named categories—in contrast to many contemporary legal contracts, they contained no "definitions" sections—treaty categories nonetheless had important legal implications, for through them treaties allocated a host of duties and, more importantly, rights. While some of these categories were obviously more significant than others, every one of them was linked in treaty texts to specified rights, obligations or limitations. These included the right to, or exclusion from, such things as harrows and hoes, schools, "milch cows," and money. They included subjecting oneself to the laws of the "courts of the conqueror," in Justice Marshall's phrase, or to the possibility of "the rope about our neck," in Big Bear's.[778] They also included the right to inhabit, traverse, and use land.

Like the formal categories of membership in nation-states (citizen, alien, etc.), the population categories codified in treaties were simultaneously spatialized, linked to particular places and properties, and rights thereto, through treaty-making. Treaty practices enacted spatialized categorizations and treaty terms solidified them. The location of treaty councils, which indigenous groups were invited or intentionally uninvited to negotiations, which indigenous groups were understood as conspicuously absent, who signed the treaty as parties to the agreement, who signed as witnesses—all of these enacted implied ascriptions of territory. The fact that representatives of "the Brule Sioux" signed the Fort Laramie treaty itself served to establish—regardless of the treaty text—that Brule Sioux territory includes, and is included in, lands described in the Treaty. Conversely, when treaty councils or texts noted the absence of particular groups—like the Crow who didn't come to the 1855 Judith Crossing treaty council—they implied that the missing groups rightfully might have been there, ie. that their territory included, and was included in, lands described in the treaty.[779] The fact that Broken Arm,

---

[775] Richard Price, ed., *The Spirit of the Alberta Indian Treaties* (Edmonton: University of Alberta Press, 1999), 130.
[776] Hugh A. Dempsey, *Crowfoot, Chief of the Blackfeet* (Norman: University of Oklahoma Press, 1972), 28.
[777] Treaty with the Sioux-Brulé, Oglala, Miniconjou, Yanktonai, Hunkpapa, Blackfeet, Cuthead, Two Kettle, Sans Arcs, and Santee- and Arapaho, 1868: Kappler, *Indian Affairs*, 1904, II:998–1007.
[778] Banner, *How the Indians Lost Their Land: Law and Power on the Frontier*, 185. There have been multiple interpretations of Big Bear's words in this case. One common conclusion is that Big Bear was referring specifically to hanging. Others have understood him to be speaking metaphorically, and I concur with these scholars. J.R. Miller, for instance, sees them as an expression of not wanting to "surrender his freedom" while John Tobias believes he meant not wanting to subject oneself to Canadian authority. To my mind those interpretations aren't mutually exclusive, and I follow Tobias here for narrative convenience more than anything else. Miller, *Compact, Contract, Covenant: Aboriginal Treaty-Making in Canada*, 180–181; John L Tobias, "Canada's Subjugation of the Plains Cree, 1879- 1885," in *Sweet Promises: A Reader on Indian-White Relations in Canada*, ed. J.R. Miller (Toronto: University of Toronto Press, 1991), 215.
[779] Fee, "Government Policy Toward the Principal Indian Nations of Montana, 1851-1873," 38. Stevens sent several men "to visit the Crow chiefs and insure their attendance, but the Indians could not be found." Edwin Denig noted both Arikaras and Assiniboine, neither of whom signed the

usually described as a "Cree" chief, signed the Judith Crossing treaty as a witness likewise performed ideas about tribal territories. In this case, even though "the Cree" were not parties to the treaty, Broken Arm's official role implicitly acknowledges a legitimate Cree interest, even a vested interest or claim, in the treaty territory.[780]

The terms of the treaties mapped myriad additional geographies onto the tribal territories implied through treaty practice. In doing so they connected a host of individual and communal property rights to treaty demographic categories. In most Northern Plains treaties of the 1850s to 1870s, "Indians" represented by signatory bands ceded specified land to nation-states and also retained specific lands as communal holdings of the tribe or band. At the broadest level, then, treaties delineated vast, non-Indian, American or Canadian territories and, in contradistinction, a variety of smaller, specifically Indian places. These Indian territories were usually defined as belonging to particular groups of Indians as opposed to others. Treaty terms thereby created official, discrete and fixed band or tribal territories. For instance, the 1855 Judith Crossing treaty created a common reservation for the "the Piegan, Blood, Blackfoot, and Gros Ventres tribes of Indians," with "the Flathead, Upper Pend d'Oreille, and Kootenay tribes of Indians, and the Nez Perce tribe of Indians" explicitly noted as having no rights to the delineated territory.[781] Treaty 1 with Canada described the rough boundaries of different tracts of land for "the sole and exclusive use of" each of the "Chippewa and Swampy Cree" bands whose leaders signed the treaty. The band of Henry Prince/Mis-koo-ke-new received an official territory that straddled the Red River south of St. Peter's parish; that of Na-sha-ke-penais et al a territory on the Roseau River; that of Ka-ke-ka-penais a territory on the Winnipeg River above Fort Alexander; and that of Oo-za-we-kwun a territory on the Assiniboine River, "about 20 miles above the Portage."[782] Those treaties that did not actually delineate particular retained Indian territories—like several of the numbered treaties with Canada—contained clauses that provided for their designation in the near future. In subsequent years, fulfillment of these clauses linked signatory bands to small, specific, and exclusively-held parcels. These treaties thus performed the same act of formalizing and spatializing discrete Indian tribal and band categories, leaving only the exact location and boundaries of indigneous territories unspecified.

Although Indian history is often divided into distinct "removal" and "reservation" periods, it is important to remember that indigenous people were sometimes forced onto specific treaty territories (ie. reservations or reserves). When a band of the Salish led by Chief Charlo, living in the vicinity of St. Mary's Mission in the Bitterroot Valley, refused to move to a reservation to the north (intending instead to stay on the lands promised them by U.S. treaty commissioners), President Ulysses Grant, in a November 1871 order, had them relocated at gunpoint. Rumors of the order preceded its implementation, and 1,000 Nez Perce reportedly arrived to help Charlo's Salish resist removal.[783] In 1875, Indian agents across the U.S. "were directed to order off-reservation Indians to report to their agencies."[784] Nez Perce people themselves faced perhaps the most famous reservation removal a couple years later, when their

---

resulting treaty, as being at the 1851 Ft. Laramie council. Denig, *Five Indian Tribes of the Upper Missouri: Sioux, Arickaras, Assiniboines, Crees, Crows*, 60, 86.

[780] Treaty with the Blackfeet, 1855: Kappler, *Indian Affairs*, 1904, II:736–740.

[781] As discussed elsewhere, these common reservations would soon be subdivided into smaller, discrete reservations for different tribes or bands.

[782] Government of Canada; Aboriginal Affairs and Northern Development Canada; Communications Branch, "Treaty Texts- Treaties No. 1 and No. 2." Treaties with Canada contained the "sole and exclusive" phrasing. The American counterpart delineated lands "set aside for the absolute and undisturbed use and occupation of the Indians herein named." Kappler, *Indian Affairs*, 1904, I:840.

[783] Fee, "Government Policy Toward the Principal Indian Nations of Montana, 1851-1873," 147, 160.

[784] Indian Education Department, "Northern Cheyenne Timeline," *Montana Office of Public Instruction*, http://opi.mt.gov/pdf/IndianEd/IEFA/NorthernCheyenneTimeline.pdf. This order "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."

resistance to forced relocation to the Lapwai Idaho, reservation gave rise to what Elliot West has called "the last Indian war."[785]

Specific clauses in the treaties that spelled out categorical limitations regarding the use of these areas deepened the import of these national, racial, tribal, and band level territorial assignations. Treaties implicitly and explicitly forbade unauthorized non-Indians "to pass over, settle upon, or reside in" "Indian" territory. They also limited legal occupancy of designated Indian lands to "any individual belonging to [the] tribe of Indians, or legally incorporated with them," for whom the lands were designated.[786] Conversely, treaties sometimes explicitly stipulated that signatory Indian groups "relinquish[ed] all right to occupy permanently the territory outside their reservation," a relinquishment less explicit but no less consequential than those in the land cession clauses common to almost all Northern Plains treaties.[787]

To these general geographic rights treaties added others. Most importantly, Indians usually retained some rights to hunt and/or fish within ceded territory outside of reservation boundaries. And both within and without reservation boundaries, specified portions of signatory Indian groups often received the right to individual cultivated tracts to be held in exclusive possession for the duration of cultivation. Such clauses underscored the mutually constitutive nature of the social and spatial categories formalized and fixed in treaties. In the 1868 Fort Laramie treaty, for example, those Indians who so-occupied individual tracts outside of reservation boundaries "shall thereby and from thenceforth become and be a citizen of the United States."[788] From a nation-state perspective, treaties in fact envisioned a day when such individual holdings might push every Indian along the path to citizenship. Although the Indian territories they delineated were to be held in common, these communal holdings were, from the beginning, aggregates of imagined private properties. The size of reserved Indian lands reflects this fact: in both Canada and the United States the acreage reserved depended in part on estimations of what would be needed to ultimately allot tribal members individual 160 acre tracts.[789]

The spatial clauses of treaties also concerned corridors, the ever-critical geographies of connection. Routes were central to Northern Plains treaties, most of which explicitly bound Indians to non-interference with specified travel corridors and the way-stations that dotted them. These included, especially, railroads but also military roads and posts, wagon roads and mail stations, etc.[790] Treaty clauses also addressed water routes. In Canada's Treaty 5, for instance, representatives of "Saulteaux and Swampy Cree Tribes of Indians" committed to allow "Her Majesty, Her successors and Her subjects the free navigation of all lakes and rivers and free access to the shores thereof."[791] Specific limitations on indigenous use of routes reflected the

---

[785] West, *The Last Indian War*; See also Fee, "Government Policy Toward the Principal Indian Nations of Montana, 1851-1873."

[786] Cf. Government of Canada; Aboriginal Affairs and Northern Development Canada; Communications Branch, "Treaty Texts- Treaties No. 1 and No. 2;" Treaty with the Crows, 1855: Kappler, *Indian Affairs*, 1904, II:1008–1011.

[787] Cf. Treaty with the Sioux-Brulé, Oglala, Miniconjou, Yanktonai, Hunkpapa, Blackfeet, Cuthead, Two Kettle, Sans Arcs, and Santee- and Arapaho, 1868: Kappler, *Indian Affairs*, 1904, II:998–1007.

[788] Treaty with the Sioux-Brulé, Oglala, Miniconjou, Yanktonai, Hunkpapa, Blackfeet, Cuthead, Two Kettle, Sans Arcs, and Santee- and Arapaho, 1868: Ibid.

[789] Cf. Government of Canada; Aboriginal Affairs and Northern Development Canada; Communications Branch, "Treaty Texts- Treaties No. 1 and No. 2." Band territories were described by general location and likely size, eg. "for the use of the Indians belonging to the band of which Mekis is Chief, so much land between Turtle River and Valley River, on the south side of Lake Dauphin, as will make one hundred and sixty acres for each family of five persons, or in the same proportion for a greater or smaller number of persons." Mekis was a brother of O'Soup. An act to provide for the sale of lands patented to certain members of the Flathead band of Indians in Montana Territory, and for other purposes, March 2, 1889: Kappler, *Indian Affairs*, 1904, II:326–327. See also McQuillan, "Creation of Indian Reserves on the Canadian Prairies 1870-1885," 393, and St. Germain, *Indian Treaty-Making Policy in the United States and Canada, 1867-1877*.

[790] Other corridors of connection were likewise essential to the context of treaty making. Treaty 4, for example, was explicitly undertaken in consideration of "the steps . . . being taken in connection with the proposed Telegraph Line from Fort Gary westward." Treaty 4. Government of Canada; Aboriginal Affairs and Northern Development Canada; Communications Branch, "Treaty Texts- Treaty No. 4," 4.

[791] Government of Canada; Aboriginal Affairs and Northern Development Canada; Communications Branch, "Treaty Texts- Treaty No. 5," *Aboriginal Affairs and Northern Development Canada*, November 3, 2008, 5, https://www.aadnc-

fact that these geographies of connectivity had become geographies of conflict. They also related, of course, to Canadian and American desires to stop indigenous movement between the new, mutually exclusive territories created in treaties. More broadly, they were a crucial component of the general spatialization work of treaties. Lest the spatial limitations contained in different clauses be lost on indigenous parties, treaties often contained redundancies in this regard. A case in point was the clause in Canadian Treaties 2 through 7 in which Indians promised that they would "not molest the person or property of any inhabitant of such ceded tract . . . or interfere with or trouble any person passing or travelling through the said tract, or any part thereof."[792] Clauses in treaties that weren't specifically about geography and movement also contributed to the spatialization work of treaties. As geographer D. Aidan McQuillan has argued, agricultural provisions in treaties were designed to "civilize" Indians by changing their economies but they were also about, maybe even more about, "breaking them of their roving."[793]

Treaties and the People in Between

Although treaties aimed to formalize, fix, and physically separate discrete nations, races, tribes and bands, they also sometimes acknowledged the disjuncture between their purpose and Northern Plains society. In both countries, numerous treaties contained specific provisions for mixed, mobile indigenous groups. These provisions reflected indigenous conceptions of community even as a new colonial order tried to dissect them. Such provisions were not only recurring, but crucial, components of treaty negotiations and the documents they produced. Moreover, while many treaties, and parallel policies, directly addressed Métis populations, *all* Plains treaties shared a trait that was even more important in this regard. Even though they tried to freeze group categories and link them to a fixed state status, every Northern Plains Indian treaty left group composition unspecified. Individually, people in between the borders being layered across the region could, conceivably, be accommodated in the post-treaty order.

Nineteenth century treaties with the United States often contained clauses that explicitly addressed mixed community members. Provisions for indigenous people defined by social and spatial mixture were especially common in treaties with groups who used areas around the Great Lakes and the Missouri River. They appear frequently in treaties with the Sauk & Fox and Winnebago, and with the Chippewa and Sioux. These provisions took a variety of forms. In most cases they seem to have been included at the request of signatory tribes. And, generally, they served to recognize as community members, and secure rights for, groups and individuals who might be associated with multiple populations by virtue of ancestry or affiliation. In doing so, they demonstrate an awareness, and repudiation, of the possibility that the United States might choose to deny such peoples' indigenous associations.

Explicit provisions for those community members most identified with social and spatial mixture fell into several categories, and treaties often included more than one of them. One of the ways early U.S. treaties provided for people in between was by specifying rights for certain individuals. Historians have oft-noted that treaties commonly specified payment of debts to traders, many of whom were known to be Métis. Such debts were often itemized in appended schedules of intended disbursements, as in the 1842 Chippewa treaty, but sometimes their nature

---

aandc.gc.ca/eng/1100100028699/1100100028700. "As historical geographer Frank Tough has noted, Treaty 5 in central Manitoba 'was as much about water as it was about land.'" Miller, *Compact, Contract, Covenant: Aboriginal Treaty-Making in Canada*, 173.

[792] Cf. Government of Canada; Aboriginal Affairs and Northern Development Canada; Communications Branch, "Treaty Texts- Treaty No. 4;" See also St. Germain, *Indian Treaty-Making Policy in the United States and Canada, 1867-1877*, appendix 2.

[793] McQuillan, "Creation of Indian Reserves on the Canadian Prairies 1870-1885," 389.

was more ambiguous, as in the 1837 Chippewa treaty that directed that "the sum of seventy thousand dollars shall be applied to the payment, by the United States, of certain claims against the Indians" by three named men, at least two of whom had Chippewa wives and children (and may have been of Chippewa ancestry themselves).[794] Two similar provisions in an 1855 Chippewa treaty awarded "an amount not exceeding ten thousand dollars ($10,000) . . . to such full and mixed bloods as the chiefs may direct, for services rendered heretofore to their bands."[795]

In many cases provisions for named individuals appeared independent of any specific economic obligation whatsoever. Such provisions constituted implicit as well explicit protestations of belonging. Some, like those in the Chippewa treaties of 1817, 1819, 1821 and 1829, granted individual tracts of land to named persons because they were "descendants of Indians," or "Indians by descent" or "connected with the said Indians, by blood or adoption."[796] The Chippewa treaty of 1826 made similar grants to people it described as "being half-breeds and Chippewas by descent." The appended "schedule [of] all of this description who are attached to the Government of the United States" illuminates the range of individuals encompassed in this description. It included women with Indian names who were married to, or in relationships with, men who had European surnames. It included the children and grandchildren of such unions, as well as individuals described simply as the "son of Equawaice" or the "grand daughter of Misquabunoqua." It included people like "Waybossinoqua, and John J. Wayishkee" who seemed to have had Indian fathers. It also included people whose named relations had only European names, as in the case of "the children of Charlotte Warren, widow of the late Truman A. Warren" or "the children of Angelique Coté, late wife of Pierre Coté." It included people described as being "of Sault St. Marie, a Chippewa, of unmixed blood," and people described as "being a Chippewa by descent" and "being of Chippewa descent." And it included as well "the children of George Ermatinger," who were described as "being of Shawnee extraction."[797] "Half-breed" members of the Indian community clearly included people of a spectrum of racial, tribal, and spatial associations. What they shared was being defined, in some sense, by mixture.

In lieu of land, treaties might grant named individuals cash.[798] In Chippewa and Sioux treaties, such cash sums were also commonly reserved for "half-breeds" or "mixed-bloods" as an undifferentiated group. In addition to requesting land grants for particular "half-breed" individuals, the indigenous delegates at the 1836 Ottawa and Chippewa treaty negotiations in

---

[794] Treaties with the Chippewa, 1842 and 1837: Kappler, *Indian Affairs*, 1904, II:736–740, 491–493.

[795] Treaty with the Chippewa, 1855: Ibid., II:685–690. Eleven years later, another Chippewa treaty granted compensation in the form of land to such individuals. "In consideration of the services heretofore rendered to the said Indians by Francis Roussaire, senior, Francis Roussaire, jr., and Peter E. Bradshaw, it is hereby agreed that the said persons shall each have the right to select one hundred and sixty acres of land, not mineral lands, and to receive patents therefor from the United States; and for the like services to the Indians, the following named persons, to wit: Peter Roy, Joseph Gurnoe, Francis Roy, Vincent Roy, Eustace Roussaire, and D. George Morrison shall each have the right to select eighty acres of land, not mineral lands, and to receive from the United States patents therefor." Treaty with the Chippewa- Bois Fort Band, 1866: Ibid., II:916–918.

[796] Treaty with the Wyandot, Etc., 1817: Kappler, *Indian Affairs*, 1904, II:145–155; Treaty with the Ottawa, Etc., 1821: Ibid., II:198–201; Treaties with the Chippewa, 1819 and 1829: Ibid., II:185–187, 297–300.

[797] Treaty with the Chippewa, 1826: Kappler, *Indian Affairs*, 1904, II:268–273. Grants of land to named individuals appeared more often in earlier Chippewa treaties than in later ones. This may indicate a developing antipathy on the part of the United States toward such grants. In 1833, "the United Nation of Chippewa, Ottowa and Potawatamie Indians" requested "reservations" for "sundry individuals," but these "the Commissioners refused to grant." Three years later, when "chiefs and delegates" of "the Ottawa and Chippewa nations of Indians" traveled to Washington, D.C., to negotiate a treaty with the United States, they were "united in a strong appeal for the allowance" of "certain locations of land" to be "assigned" to "certain of their half-breeds." But Commissioner Harry Schoolcraft, under the "special directions of the President on this subject" informed them that "no such reservations can be permitted." This decision would have impacted, among others, the kin of Commissioner Schoolcraft. Both the 1833 and 1836 treaties ultimately awarded specific cash sums to named individuals in lieu of land grants. Treaty with the Chippewa, Etc., 1833 and Treaty with the Chippewa, 1836: Ibid., II:402–415, 461–462.

[798] Treaty with the Chippewa, Etc., 1833 and Treaty with the Chippewa, 1836: Kappler, *Indian Affairs*, 1904, II:402–415, 461–462.

Washington, D.C., sought to provide "individual reservations" "for their half-breed relatives" as a class. Since the U.S. refused, the parties "agreed, that in lieu thereof, the sum of one hundred and fifty thousand dollars shall be set apart as a fund for said half-breeds."[799] Subsequent treaties made similar provisions for cash payments to métis groups within treaty communities. Chippewa treaties in 1837 and 1842 provided lump-sums to the "half-breeds of the Chippewa nation" or their "half-breed relatives," while an 1855 treaty between the U.S. and "the Chippewa Indians of Sault Ste. Marie," "concluded at the city of Detroit," specified that one-third of the compensation received for surrendering "the right of fishing at the falls of St. Mary's and of encampment, convenient to the fishing-ground" would "if the Indians desire it, be paid to such of their half-breed relations as they may indicate."[800] Provisions for métis groups also appeared in treaties between the United States and Sioux groups. In 1837, "certain chiefs and braves of the Sioux nation of Indians" traveled to Washington to sign a treaty with the United States that would "pay to the relatives and friends of the chiefs and braves . . . having not less than one quarter of Sioux blood, $110,000."[801] Some twenty years later, in 1858, a treaty between the U.S. and "the Yancton tribe of Sioux or Dacotah Indians" authorized "the chiefs and head-men . . . at their discretion, in open council" to pay "out of their said annuities such a sum or sums as may be found to be necessary and proper, not exceeding in the aggregate one hundred and fifty thousand dollars, to satisfy their just debts and obligations, and to provide for such of their half-breed relations as do not live with them, or draw any part of the said annuities of said Indians."[802]

As with provisions for named métis individuals, treaty provisions for métis groups within tribal communities included non-monetary benefits as well. A treaty negotiated in July of 1830 at Prairie du Chien by "the Sacs and Foxes; the Medawah-Kanton, Wahpacoota, Wahpeton and Sissetong Bands or Tribes of Sioux; [and] the Omahas, Ioways, Ottoes and Missourias," and signed the following October in St. Louis by the "Yancton and Santie Bands of Sioux" created not one but two "half-breed" reservations. The first, to be located on the Mississippi River near "the village of the Red Wing Chief," was "earnestly solicited" by the "Sioux bands in Council" "for the half breeds of their nation." The second, near the junction of the "little Ne-mohaw River" and the Missouri, was "earnestly requested" by "the Omahas, Ioways and Ottoes, for themselves, and in behalf of the Yankcton and Santie Bands of Sioux . . . to make some provision for their half-breeds," who would reside together on "said tract of land."[803] At least three Chippewa treaties—in 1854, 1855 and 1863—granted individual parcels to "mixed-bloods" or "half-breeds" generally. The 1854 treaty also set aside "six thousand dollars, in agricultural implements, household furniture, and cooking utensils, to be distributed at the next annuity payment, among the mixed bloods of said nation."[804]

Other treaties provided for métis groups by explicitly including them in the general provisions of the treaty, lest anyone think them excepted. An 1847 treaty between the United States and "the Chippewa Indians of the Mississippi and Lake Superior," for instance, specified "that Chippewas of full or mixed blood" would enjoy preference when hiring the tribe's "teachers, blacksmiths, and laborers."[805] More importantly, that treaty provided that "the half or

[799] Treaty with the Ottawa, Etc., 1836: Ibid., II:450–456. Treaty with the Chippewa, 1836: Ibid., II:461–462.
[800] Treaty with the Chippewa, 1837: Kappler, *Indian Affairs*, 1904, II:491–493. Treaty with the Chippewa, 1842: Ibid., II:542–545. Treaty with the Chippewa of Sault Ste. Marie, 1855: Ibid., II:732.
[801] Treaty with the Sioux, 1837: Kappler, *Indian Affairs*, 1904, II:493–494.
[802] Treaty with the Yankton Sioux, 1858: Ibid., II:776–781.
[803] Treaty with the Sauk and Foxes, Etc., 1830: Ibid., II:305–310.
[804] Treaties with the Chippewa 1854 and 1855: Ibid., II:648–652, 685–690. Treaty with the Chippewa- Red Lake and the Pembina Bands, 1863: Ibid., II:853–855. The 1863 land grant was changed to a grant of scrip "which shall entitle the holder to a like amount of land" the following year.
[805] Treaty with the Pillager Band of the Chippewa Indians, 1847: Kappler, *Indian Affairs*, 1904, II:569–570. See also the treaties with the Chippewa of the Mississippi and the Pillager and Lake Winnibigoshish Bands of 1863 and 1864: Ibid., II:839–842, 862–865.

mixed bloods of the Chippewas residing with them shall be considered Chippewa Indians, and shall, as such, be allowed to participate in all annuities."[806] A similar provision in a treaty with "the Sissiton and Warpeton bands of Santee Sioux Indians" twenty years later was less sweeping, stating only that "the agent will supply the Indians and mixed-bloods on the respective reservations with clothing, provisions, &c."[807]

In such provisions, treaties implicitly acknowledged the disjuncture between their purpose and indigenous Plains society. This acknowledgement became more explicit in clauses that addressed métis people in a negative way, ie. in prohibitive provisions. The trajectory of prohibitive provisions suggests that treaties became a more conscious and immediate tool of imperialism as conquest of the continent climaxed with invasion of the Northern Plains, for this aspect of treaty provisions is more easily periodized: in Sioux and Chippewa treaties, at least, prohibitions explicitly aimed at "halfbreed" or "mixed-blood" members of the community did not appear until 1863, but were common thereafter. These provisions became increasingly exclusionary over time. A few earlier treaties contained clauses that might be considered prohibitive, but these mainly clarified the application of beneficial provisions. The aforementioned 1836 treaty with the Chippewa, for example, in which both named individuals and "halfbreeds" as a class were granted cash sums in lieu of lands, specified that no person who received such cash "shall be entitled to the benefit of any part of the annuities herein stipulated." It also disallowed those cash payments "to any such person, who may have received any allowance at any previous Indian treaty" and limited them "to those persons who were actually resident within the boundaries" of the territory ceded in the treaty. This same geographic limitation appeared in an 1855 Chippewa treaty. [808]

But beginning in 1863 treaties began to explicitly provide for the possibility of excluding people from treaty benefits. The first instance of this, in an 1863 Chippewa treaty, stated that "no person of full or mixed blood, educated or partially educated, whose fitness, morally or otherwise, is not conducive to the welfare of said Indians, shall receive any benefits from this or any former treaties." Another treaty with the same Chippewa bands reiterated this phrasing the following year, adding that such people "may be expelled from the reservation."[809] Prohibitive clauses contained in two 1867 treaties explicated broader exclusionary policies. A treaty that year with the Chippewa stated that "no part of the annuities provided for in this or any former treaty with the Chippewas of the Mississippi bands shall be paid to any half-breed or mixed-blood, except those who actually live with their people upon one of the reservations belonging to the Chippewa Indians." Language in the 1867 Sioux treaty went further. In providing that "no person not a member of said bands, parties hereto whether white, mixed-blood, or Indian, except persons in the employ of the Government or located under its authority, shall be permitted to locate upon said lands, either for hunting, trapping, or agricultural purposes," it articulated the principle that, in subsequent years, would increasingly guide U.S. practice.[810]

---

[806] Treaty with the Chippewa of the Mississippi and Lake Superior, 1847: Kappler, *Indian Affairs*, 1904, II:567–569.

[807] Treaty with the Sioux- Sisseton and Wahpeton Bands, 1867: Ibid., II:956–959. These groups were described elsewhere in the same treaty as the "Sissiton and Warpeton bands of Dakota Sioux Indians."

[808] Treaty with the Menominee, 1836: Ibid., II:463–466; Treaty with the Chippewa, 1855: Ibid., 2:685–690. The 1864 Chippewa treaty also added this provision to the issuance of scrip, specifying that such scrip "shall be accepted by said mixed-bloods in lieu of all future claims for annuities." Treaty with Chippewa-Red Lake and Pembina Bands, 1864: Ibid., II:861–862.

[809] Treaties with the Chippewa of the Mississippi and the Pillager and Lake Winnibigoshish Bands of 1863 and 1864: Kappler, *Indian Affairs*, 1904, II:839–842, 862–865. The same wording appeared in an 1877 agreement with the Sioux, the only change being a clarification regarding who had the discretionary power to determine who needed excluding or expelling. That would depend on "the opinion of the Commissioner." Act of February 28, 1877 (Black Hills Claim): Ibid., II:168–172.

[810] Treaty with the Chippewa of the Mississippi, 1867: Kappler, *Indian Affairs*, 1904, II:974–976. See also Treaty with the Sioux- Sisseton and Wahpeton Bands, 1867: Ibid., II:956–959.

It also hinted at the most important way U.S. Indian treaties included people in between, ie. through omission. None of the fifty-plus nineteenth century Indian treaties reviewed for this study specified band membership. Nor did they define the term Indian. Except in the cases noted above, they didn't even explicitly reserve rights to particular population categories.[811] Treaties that so carefully detailed spatial boundaries made little mention of the social. In the rare instances that treaties did address membership—usually indirectly—they suggested its open nature. The fact that treaty signatories were sometimes people recognized, and identified, as "half breeds" implied as much, and other clauses—like those that forbid most "white persons" from entering reservations but excepted those "previously admitted as a member of the said band according to their usages"—made it more explicit.[812]

Nineteenth century treaty-making in British America evidenced a similar concern for mixed members of indigenous communities. In 1850, Indian groups in the Great Lakes area signed a pair of treaties with Canada. These documents—known as the Robinson Treaties—prefigured the numbered treaties of the Northern Plains that would begin 20 years later. In form and content, the Robinson treaties established a basic precedent followed by subsequent Canadian plains treaties: they applied to a large area of land, they reserved lands for Indian groups, they promised future payment of annuities, and they specified continuing hunting/fishing rights for indigenous parties.[813] They also foreshadowed later treaty-making processes, not least because making treaties with the tribal groups in the vicinity of Sault Ste Marie proved more difficult than British officials expected.[814] Members of area indigenous communities like that represented by "Ojibwa chief" Shinguakonse had participated in treaties with the United States, and their leaders were familiar with common Indian treaty clauses, including those providing for "half or mixed bloods." When British Commissioner Robinson arrived to negotiate, he discovered "that the chiefs' demands, especially those of Shinguakonse, were well beyond what the government anticipated." Among the most persistent requests of Shinguakonse "and other chiefs" was "that the Métis receive treaty benefits as well." Robinson offered a treaty that Shinguakonse, at least, initially rejected, arguing for specific terms that included "'securing to some sixty half-breeds a free grant of land of one hundred acres of land each'." This provision did not make it into the final treaty. But participants agreed that "the Métis" would be "allowed

[811] Treaties with the: Cherokee, 1817; Chippewa, Wyandot, etc, 1817; Chickasaw, 1818; Chippewa, 1819; Chippewa, Ottawa, Potawatomi, 1821; Sauk & Fox, 1824; Quapaw, 1824; Osage, 1825; Kansa, 1825; Sioux, etc., 1825; Chippewa, 1826; Miami, 1826; Chippewa, 1829; Sioux, (named bands), Sauk & Fox etc., 1830; Seneca,1831; Winnebago, 1832 ; Chickasaw, 1832; Potawatomi, 1832; Sioux, Oto and Missouri, 1833; Chippewa etc., 1833; Cherokee, 1835; Chippewa and Ottawa, 1836; Menominee, 1836; Sauk & Fox, 1836; Sauk & Fox, 1836; Chippewa, 1837; Sioux, 1837; Winnebago, 1837; Miami, 1838; Miami, 1840; Wyandot, 1842; Chippewa,1842; Chippewa, 1847; Menominee, 1848; Omaha, 1854; Delawares, 1854; Chippewa, 1854; Chippewa, 1855; Winnebago, 1855; Chippewa of Sault Ste. Marie, 1855; Pawnee, 1857; Ponca, 1858; Sioux (Yankton), 1858; Sioux, 1858; Winnebago, 1859; Sauk & Fox, 1859; Kansa, 1859; Delawares, 1860; Arapaho and Cheyenne, 1861; Sauk & Fox, 1861; Potawatomi, 1861; Kickapoo, 1862; Chippewa, Mississippi, Pillager, Lake Winnibigoshish, 1863; Nez Perce, 1863; Chippewa, Red Lake and Pembina, 1863; Chippewa, Red Lake and Pembina, 1864; Chippewa, Mississippi, Pillager, Lake Winnibigoshish, 1864; Omaha, 1865; Osage, 1865; Sioux, 1865; Arapaho and Cheyenne, 1865; Seminole, 1866; Chippewa, 1866; Delawares, 1866; Sauk & Fox, 1867; Sioux (Sisseton & Wahpeton), 1867; Seneca, 1867; Chippewa, 1867; Cherokee, 1835; all found in Kappler, *Indian Affairs*, vol. II, 1904. (Sioux Agreement), 1877: Kappler, *Indian Affairs*, 1904, I:168–172.

[812] For instance Charles Picotte signed an 1858 treaty as one of the "chiefs and delegates of the Yancton tribe of Sioux of Dacotah Indians" and Gabriel Renville signed an 1867 treaty as "head chief of Siss(i)ton and Wa(r)peton Bands." Francois Goumean was identified as a "half breed" when he signed an 1837 Treaty as a chief of the "Chippewa nation" "from Red Lake." Treaty with the Yankton Sioux, 1858: Kappler, *Indian Affairs*, 1904, II:776–781. Treaty with the Sioux-Sisseton and Wahpeton Bands, 1867: Ibid., II:956–959; Treaty with the Sioux-Lower Brulé Band, 1865: Ibid., II:885–887. These last two listed treaties were negotiated by H.H. Sibley, among others. See also the Treaty with the Chippewa of the Mississippi and Lake Superior, 1847: Ibid., II:567–569.

[813] Miller, *Compact, Contract, Covenant: Aboriginal Treaty-Making in Canada*, 117–18; Government of Canada, Aboriginal Affairs and Northern Development Canada, Communications Branch, "Treaty Texts - Ojibewa Indians of Lake Superior (Robinson Treaties)"; Government of Canada, Aboriginal Affairs and Northern Development Canada, Communications Branch, "Treaty Texts - Ojibewa Indians of Lake Huron (Robinson Treaties)."

[814] Surtees, "Treaty Research Report." Surtees' report describes multiple Indian petitions, as well as an uprising, that preceded treaty.

to decide themselves whether they wished to be regarded as Indians and included in the treaty, or not."[815]

In so doing, parties to the Robinson-Huron treaty established a critical precedent that would thereafter characterize Plains treaties with Canada: like American treaties, these documents did not specify or define the membership of signatory groups, and this crucial fact meant that métis people moved in and out of tribal membership and treaty status in subsequent years. With the notable exception of Treaty 3, which ultimately included the aforementioned Half-Breed Adhesion, Treaties 1 through 7, like the Robinson Treaties, made no specific mention of mixed members of signatory communities. But they also made no mention of tribal membership, and suggestions gleaned from sources about treaty negotiations imply that, as with the Robinson treaties, the parties to the treaties understood that mixed indigenous people associated with signatory bands could retain band rights.[816] Negotiations for Treaty 4, for instance, foundered on this question until Commissioner Morris satisfied The Gambler, "a leading spokesman" of the "Fort Qu'Appelle Saulteaux," "that half-breeds living as, and with, Indians and accepted by them would be treated as Indians for treaty purposes."[817] Similar requests were noted in records of negotiations for Treaty 6. Sources make clear that communities included their mixed members in treaty negotiations as a matter of course, feeling little need to call attention to this commonplace fact.[818] When, in 1875, the "Halfbreeds of Rainy River and Lake" elected to join Treaty 3 en masse, their right to do so required no explanation in treaty documents.[819] Indians also raised other questions of eligibility with regard to treaties, addressing community members' associations with various types of mixture. Those who negotiated Treaty 3 "stated that many of their children had married and gone to live in the United States, and that they wanted these people to be included in the treaty." Treaty commissioner "Morris explained to them that the treaty was only for British Indians, but that if any of these people returned to reside in Canada within a two year time limit, the government would recognize them." Representatives of "the Saulteaux then asked that some twenty Métis families who lived with them be recognized as Indians and be included in the treaty."[820]

Canada's "Half-Breed" Treaty: The Manitoba Act

Any serious consideration of the ways treaties reflected and violated Northern Plains society must address the Manitoba Act. Mixed, mobile indigenous people figured even more

---

[815] Miller, *Compact, Contract, Covenant: Aboriginal Treaty-Making in Canada*, 115–117.

[816] Government of Canada; Aboriginal Affairs and Northern Development Canada; Communications Branch, "Treaty Texts- Treaty No. 3"; Government of Canada; Aboriginal Affairs and Northern Development Canada; Communications Branch, "Treaty Texts- Treaties No. 1 and No. 2"; Government of Canada; Aboriginal Affairs and Northern Development Canada; Communications Branch, "Treaty Texts- Treaty No. 4"; Government of Canada; Aboriginal Affairs and Northern Development Canada; Communications Branch, "Treaty Texts- Treaty No. 5"; Government of Canada; Aboriginal Affairs and Northern Development Canada; Communications Branch, "Treaty Texts- Treaty No. 6." Canadian treaties gave total population estimates and promised to make, some time in the future, "an accurate census of all the Indians inhabiting the district above described" (with some censuses intending "distributing them in families"). But they didn't even enumerate specific band leaders beyond signatories. For example, Treaty 1 provided "for braves and councilors of each Chief a dress; it being supposed that the braves and councilors will be two for each Chief." Subsequent revisions, and later treaties, upped the number of "braves and councilors" to four. Treaty 7 also had "not to exceed" clauses regarding the number of minor chiefs. Rarely, Canadian treaties suggested band size, eg. Little Pine and Lucky Man's bands "comprising twenty lodges" and Big Bear's "comprising thirty lodges" (Treaty 6). Canadian treaties were commonly said to apply an indeterminate group of indigenes, eg. to "Cree, Saulteux, and other Indians, inhabitants of the territory within the limits hereinafter defined" (Treaty 4).

[817] Foster, "The Saulteaux and the Numbered Treaties- an Aboriginal Rights Position?," 168.

[818] Jean Friesen, "Magnificent Gifts: The Treaties of Canada with the Indians of the Northwest 1869- 76," in *The Spirit of the Alberta Indian Treaties*, ed. Richard T. Price (Edmonton: University of Alberta, 1999), 209; Jean-Marie Mustus, "Interviews With Elders," in *The Spirit of the Alberta Indian Treaties*, ed. Richard T. Price (Edmonton: University of Alberta Press, 1999), 147.

[819] Government of Canada; Aboriginal Affairs and Northern Development Canada; Communications Branch, "Treaty Texts- Treaty No. 3."

[820] Daugherty, "Treaty Research Report- Treaty Three (1873)," 37.

prominently in the Manitoba Act, passed in 1870 by the Dominion legislature, than in the many Indian treaties layered over the Plains. Although the Act wasn't officially an Indian Treaty, it resembled one in numerous crucial ways, and for many it "has always been considered the Métis Treaty with Canada."[821] Like the numbered treaties with Canada, the Manitoba Act resulted from negotiations with the indigenous inhabitants of territory Canada intended to colonize, inhabitants who were familiar with treaty-making with imperial nation-states. Georges Kline, for instance, a member of the Red River Métis Provisional Government, was a party to the 1854 treaty between the Chippewa and the United States.[822] And, like the numbered treaties, the Manitoba Act aimed to extinguish the collective title of an indigenous group—in this case "the Indian Title . . . of the half-breed residents" of the Province—to parts of Rupert's Land. Besides the fact that it created obligations through legislation rather than contract, the Act's primary distinction from treaties was the manner in which that title would be extinguished: as an "expedient, towards extinguishment of the Indian Title to the lands in the Province" the Act designated a portion of the Manitoba's lands for division "among the children of the half-breed heads of families residing in the Province at the time of the said transfer to Canada."[823] As we've seen, individual land grants to Métis people had been a common clause, or request, in earlier treaties on both sides of the border, and the Manitoba Act embraced this mechanism for some of the Métis of Manitoba. And, crucially, only for the Métis of Manitoba: as with treaties, the Act spatialized and cemented Métis population categories, and associated rights, in very particular ways. It ascribed legal status, and rights, to particular groups of people based on interacting ideas about social and spatial divisions.

Questions about the social and spatial composition of indigenous plains communities proved pivotal from the beginning of the events that led to the Manitoba Act. When Red River residents opposed Canadian government officials' assertion of authority in 1869, they established a Provisional Government of Rupert's Land to press their claims and deal with the Dominion. The formal Declaration establishing that government proclaimed that it would "enter into negotiations with the Canadian government" to incorporate the region into Canada.[824] The Declaration also detailed the proposed terms of that incorporation in an attached List of Rights. The final draft, completed in March of 1870, addressed both the spatial and social questions of incorporation. Like the U.S. and Canada, the Provisional Government wanted to clarify questions of what territory and which people the country comprised. The first "right" claimed by its authors was the right to define the extent of the territory to be governed, and to secure those external boundaries by foregoing a formal territorial phase and entering the Canadian confederation as a full-fledged province called Assiniboia. Assiniboia, as proposed, would contain all of Rupert's Land and the North-West Territories, and the new province would "have full control over all the public lands" within its boundaries. Many of the other items on the List of Rights related to the retention of local control of decision-making and the respect for existing "properties, rights, and privileges."

The Declaration's authors specifically requested control of civic membership, or state-ascribed status, and community definition. The Assiniboia envisioned by the Provisional Government would be officially bi-lingual, with officials fluent in (and public documents

[821] Lawrence Barkwell, "Métis Lands, Treaties, and Reserves" (Louis Riel Institute), 2.
[822] Lawrence Barkwell, "Manitoba's Provisional Government of 1870 the Convention of Forty Years: January 25, 1870 to February 10, 1870" (Louis Riel Institute), http://www.metismuseum.ca/media/db/10005. Jemmy Jock Bird's uncle, Curtis James Bird, was on the council as well, as was Charles Nolin, who would go on to interpret at Treaty 3.
[823] The Manitoba Act, assented to 12th May, 1870: An Act to amend and continue the Act 32 and 33 Victoria, chapter 3; and to establish and provide for the Government of the Province of Manitoba, *Statutes of Canada 1870*, c. 3, p. 20-27.
[824] Stanley, *The Birth of Western Canada*, 84.

published in) both French and English. Moreover, in Assiniboia the franchise would extend to "every male native citizen who has attained the age of twenty-one years, and every foreigner, being a British subject, who has attained the same age, and has resided three years in the Province, and is a householder; and every foreigner other than a British subject who has resided here during the same period, being a householder, and having taken the oath of allegiance." The only exception to the franchise provision was those "Indians" who were "uncivilized and unsettled." The affairs of this portion of Assiniboia's inhabitants would be addressed in treaties that the Provisional Government requested "be concluded between Canada and the different Indian tribes of the Province . . . by and with the advice and cooperation of the local Legislature."[825]

That May, negotiations with Canadian officials produced the Manitoba Act. The Manitoba Act contained some of the "rights" requested by the Provisional Government, but others it fundamentally altered or omitted. In doing so it carved the regional community in particular ways. Foremost among the portentous provisions in the Act were stipulations about the composition of the Province. The body politic—the electorate—was redefined as resident householding males 21 or older who were "subject[s] of Her Majesty by birth or naturalization" and "not subject to any legal incapacity." In the context of the complicated, ambiguous state status of indigenous people, this redefinition introduced an ominous uncertainty about the rights of the region's residents. The definition of territorial boundaries, too, changed: although the Red River area was admitted to Confederation as part of a Province, that province, called Manitoba, was tiny in comparison to the proposed Assiniboia. The stipulations of the Manitoba Act would apply only within, and to those deemed to be inhabitants of, an area since derided as a "postage stamp province."[826] Moreover, the Crown retained authority over all "ungranted" Manitoba lands. As noted, the Act "appropriate[d] a portion of such ungranted lands" for division "among the children of the half-breed heads of families residing in the Province at the time of the said transfer to Canada."[827] In order to qualify for a grant of reserved land, one had to accord with the state's ideas about race and place of residence.[828] Given the mixed and mobile nature of the Red River community, what did it mean to be a "half-breed"? And what did it mean to "reside in the province"?

Like Indian Treaties before and after, the Manitoba Act created a spatialized legal status for an indigenous population category and linked that status to rights to land. Critically, it codified a mixed indigenous status independent of any specific tribal association. It was instead an indigenous status tied to an association with whiteness and "half-breed" communities. It tried somewhat to define membership in the status category—"children of half-breed heads of families" residing in Manitoba—by limiting it temporally, ie. residing in Manitoba at the time of transfer. But the Act nonetheless left all sorts of questions about legal status unexplored, allowing for all sorts of interpretations about what it meant to be someone's child, the head of a family, a resident of Manitoba at the time of transfer, or a half-breed. Even the subsequent

[825] Canada Delegates on Acquisition of Rupert's Land and the North-West Territory, "List of Rights in the Declaration of the People of Rupert's Land and the North West Dec. 8, 1869, '5e,'" in *Report of Delegates, Laid Before Parliament*, 1869, ix.
[826] Donald Lee Fixico, *Treaties with American Indians an Encyclopedia of Rights, Conflicts, and Sovereignty* (Santa Barbara, Calif.: ABC-CLIO, 2008), 665.
[827] The Manitoba Act, assented to 12th May, 1870: An Act to amend and continue the Act 32 and 33 Victoria, chapter 3; and to establish and provide for the Government of the Province of Manitoba, *Statutes of Canada 1870*, c. 3, p. 20-27; Dickason, *Canada's First Nations*, 271.
[828] Not to mention family status—who were "heads of families"? and who are their "children"? These affinal statuses were not always self-evident, or conclusive.

refinement of the temporal qualification—officials decided that the time of transfer meant July 15th, 1870, the day that the Act went into effect—would prove inconclusive.[829]

As with the spatialized categories of race, tribe, and band codified in treaties, the Manitoba Act enshrined a series of boundaries as a basis for inclusion, and for exclusion. But the spatial and temporal boundaries of belonging in the Act, as passed, were narrower and more specific than other indigenous status categories. It quickly became clear that scores of people associated with "halfbreed" communities lacked rights to scrip under the Act. A series of legal expansions of scrip followed the 1870 act. The first appeared as Section 125 of the 1879 Dominion Lands Act. It aimed to "satisfy any claims existing in connection with the extinguishment of the Indian title, preferred by half-breeds resident in the North-West Territories outside of the limits of Manitoba, on the fifteenth day of July, one thousand eight hundred and seventy, by granting land to such persons, to such extent and on such terms and conditions as may be deemed expedient." Four years later Section 125 "was amended to include Métis people who had been resident in the Northwest Territories prior to 15 July 1870." A subsequent amendment, in 1899, "recognize[d] the claims of Métis individuals born between 15 July 1870 and 31 December 1885."[830] Each of these layered new, albeit expanded, spatial and temporal limits on state "half-breed" status and on associated property rights.

The Jim Crow Tribe: Defining and Spatializing Separate Races through Policy and Law

Northern Plains treaty-making and the passage of the Manitoba Act coincided with increasing efforts in both the United States and Canada to formalize and police racial categories writ large. These parallel processes played out slightly differently, but both reflected an international embrace of a set of ideas called positivism.[831] James Scott, one of its prominent theorists, suggests that postivism is "best conceived as a strong . . . version of the self-confidence about scientific and technical progress, the expansion of production, the growing satisfaction of human needs, the mastery of nature (including human nature), and, *above all, the rational design of social order* commensurate with the scientific understanding of natural laws." This global Western conviction about the need, and ability, to design human societies according to ostensibly rational plans was a response to the perceived chaos and degeneration that attended urbanization and industrialization as well as "a by-product of unprecedented progress in science and industry."[832]

High modernist positivism gained strength and spread around the globe during the second half of the nineteenth century. It peaked during the Great War (World War I), and affected the development of many aspects of human history. One of its most virulent strains was scientific racism, a widely embraced theory that catalogued supposedly measurable differences between supposedly distinct races and propelled attempts to "keep" races separate. Social Darwinism, a close associate of scientific racism, took the ordering of races (with northern Europeans invariably at the top of the list) one step further, and suggested that humankind would evolve much as species had, with the "primitive" "non-white" races eventually yielding to and disappearing in face of the arrival of "advanced" "Anglo-Saxons."

---

[829] The Manitoba Act, assented to 12 May, 1870: An Act to amend and continue the Act 32 and 33 Victoria, chapter 3; and to establish and provide for the Government of the Province of Manitoba, *Statutes of Canada 1870*, c. 3, p. 20-27.
[830] "Further Information on Northwest 'Half-Breed' Scrip," *Métis Nation Database*, n.d., http://metisnationdatabase.ualberta.ca/MNC/scrip1.jsp.
[831] Variants of positivism and its adherents went by different names in different regions, positivists or scientificos in South America, progressives in North America, etc. but all shared convictions about progress and the application of modern, rational methods in achieving it.
[832] James C. Scott, *Seeing Like a State: How Certain Schemes to Improve the Human Condition Have Failed* (New Haven: Yale University Press, 1998), 4.

Scientific racism and social Darwinism found especially receptive ground in the United States, where "an obsession with race seized the nation."[833] The end of reconstruction and the rise of Jim Crow laws in the American South gave rise to a newly muscular sense of white distinctiveness and an attendant tendency to fear, and try to prevent, racial mixing. The change in the quality and quantity of international immigration that began in the 1880s reinforced America's ascendant racialism. Earlier immigrants, at least those who weren't enslaved, came overwhelmingly from protestant Northern Europe. Droves of new immigrants hailed from southern Europe and Ireland, and were more likely to be Catholic or, even worse, Jewish, and according to the criteria of scientific racism, were viewed as darker and less, or even not, white.[834]

In Canada the race question took a somewhat different form, but there too "racial sentiments . . . were at their height during this period." Most obviously, Canada had little history of race-based slavery, and few inhabitants of African descent. Moreover, although the quality and quantity of Canadian immigration also changed dramatically in the late nineteenth century, this change came a little later (in the late 1890s) and provoked less backlash, in part because Canada wanted to increase its population in order to provide settlers for the colonization of the prairies. The changing nature of Canadian immigration did, however, contribute to a parallel rise of racialism there: many inhabitants feared that "newcomers who could or would not assimilate would inevitably lower the Canadian 'standard of civilization.'"[835] More important than this new immigration though was the older conflict between French and English Canada, which was often cloaked in the language of social Darwinism and scientific racism. Conflicts between the Dominion and non-white francophone Métis groups like that at Red River in 1869-1870 fed into Canada's shifting racialism directly. The late nineteenth century also brought the culmination of "a significant shift in Euro-Canadian attitudes toward Aboriginal people."[836] This shift was visible in the way the Canadian press portrayed Indians. From discussing them as "'nuisances,' 'vagrants,' docile and harmless beings,'" or, in classic social Darwinist formulation, "'members of a dying race,'" journalists moved to depicting them "as a threat to the lives and property of white settlers."[837]

Although rising racialism took distinctive forms in both countries, too much should not be made of their differences. Critically, they shared a common context. The positivist ideology undergirding Canadian and American ideas of race developed, and was embraced, globally: positivist thinking guided nation-states around the world. Moreover, there was much migration between the two nations. Large portions of Canada's population were American: at times, immigrants from the United States accounted for fully one-third of Canadian immigration.[838] Likewise, as Canadian officials observed in Dakota and Montana in 1885, "a great many Canadians, and other British subjects, are settled thr'o this Country."[839] Other immigrants moved from one North American country to the other before returning to their European nations

---

[833] Gary B. Nash, *Forbidden Love: The Secret History of Mixed-Race America* (New York: Henry Holt and Co., 1999), 95.

[834] Enos Stutsman, Pembina Customs agent, riffed on North America's shifting racialism in a letter to his boss. Stutsman had three white dogs and bought a fourth, which was black, ostensibly to help stave off snow-blindness. "Furthermore, as our late Legislature struck the word "white" from the School and Election laws, I deemed it my duty as well as quote proper to have at least one black or 'colored' dog in my train. But not wishing to appear quite too 'radical,' I put said 'colored' dog behind, and propose keeping him there until his good conduct and education warrant promotion, or, at least, until I know the complexion of the next administration." Enos Stutsman to Hon. Sargent, Pembina, D.T., February 22, 1868, *Enos Stutsman Papers*, MSS 10412, SHSND.

[835] Bumsted, *A History of the Canadian Peoples*, 255-256.

[836] Ibid., 213; Carter, *Aboriginal Peoples and Colonizers of Western Canada to 1900*, 161.

[837] Katherine Pettipas, *Severing the Ties That Bind: Government Repression of Indigenous Religious Ceremonies on the Prairies* (Winnipeg: University of Manitoba Press, 1994), 102.

[838] Bumsted, *A History of the Canadian Peoples*, 225.

[839] James Anderson to Edgar Dewdney, November 25, 1885 to December 20, 1885, *Edgar Dewdney Fonds*, Glenbow, 1523-1536.

of origin.[840] The racialized indigenous people of the Northern Plains also moved across the border that bisected their homeland. This movement of populations blended the Canadian and American racialisms on the ground in a way that nationally-bound historical narratives fail to capture. Racialist ideas migrated freely as well, with officials in both countries following trends in the other. It is no surprise that policy developments in Canada and the United States in this era mirrored one another. Historians often point to the adoption of the first immigration restrictions in the early 1880s as evidence of shifting attitudes about race: in both countries those fledgling policies aimed first at the racialized Chinese, with the United States passing the Chinese Exclusion Act in 1882 and Canada adopting its own act restricting Chinese immigration, via hefty head taxes, three years later.

The influx of these racialized immigrants contributed to the ascendant emphasis on containing racial and ethnic mixture, and the horror at the prospect of destruction of the "superior pure" white race such mixture portended. In the late nineteenth and early twentieth century, "fears of racial mixture preoccupied policymakers, scholars, lawyers, scientists, and journalists," among others.[841] Efforts to prevent such "mixture" and to protect the purity of whiteness took many forms, and infected countless aspects of society. In the U.S. they ranged from commonplace Jim Crow practices that strove to segregate the simplest daily tasks, like using the bathroom or riding the bus, to legal interference with the most intimate, and momentous, decisions, like who one could marry. Indeed, inhibiting interracial marriage, with its propensity to produce "mixed-race" offspring, was ground zero in the war against racial mixture. Peggy Pascoe has argued that "opposition to interracial marriage . . . serve[d] as the bottom line of white supremacy and the most commonsense justification for all other forms of race discrimination." In her history of legal battles around interracial marriage, Pascoe pinpoints the emergence of the term "miscegenation," which "first appeared during the presidential election of 1864." Miscegenation replaced the long-used term amalgamation in denoting "interracial sex and marriage," and its emergence and rapid ascendance in the late nineteenth century attested to, and drove, widespread White abhorrence of racial mixture—described in one 1869 legal decision as "always productive of deplorable results."[842] Those "deplorable results" were often mixed-race people, who in expert and public opinion, were commonly held to be inferior to people of any pure race, an idea known in period scientific circles as "hybrid degeneracy."[843] As such, racially-mixed people posed a multifaceted—logistical, political, social, cultural—and repugnant threat to Western racial ideals. Given that race is a contingent cultural construct rather than a fixed biological fact, pervasive efforts to prevent racial mixture entailed elaborating and defining racial categories and trying to conclusively assign individuals a race. These twined projects—of making races and then preventing their mingling—consumed policymakers and pundits, courts and county clerks, across the country, and became critical components of American state-making.[844] And not of American state-making alone: in the late nineteenth century, generalized

[840] See Gunther Peck, *Reinventing Free Labor: Padrones and Immigrant Workers in the North American West, 1880-1930* (New York: Cambridge University Press, 2000).
[841] Lauren L. Basson, *White Enough to Be American?: Race Mixing, Indigenous Peoples, and the Boundaries of State and Nation* (Chapel Hill: The University of North Carolina Press, 2008), 1.
[842] Peggy Pascoe, *What Comes Naturally: Miscegenation Law and the Making of Race in America* (Oxford: Oxford University Press, 2009), 1, 7.
[843] Cynthia Nakashima, "An Invisible Monster: The Creation and Denial of Mixed-Race People in America," in *Racially Mixed People in America*, ed. Maria P. P. Root (London: SAGE Publications, Inc, 1992), 163.
[844] Ariela Julie Gross, *What Blood Won't Tell: A History of Race on Trial in America* (Cambridge: Harvard University Press, 2008); Pascoe, *What Comes Naturally*; Basson, *White Enough to Be American?: Race Mixing, Indigenous Peoples, and the Boundaries of State and Nation*.

concerns about racial mixture, and attempts to prevent or punish it, animated colonial regimes throughout the world, including that we call Canada.[845]

On the Plains, the spectre of racial mixture energized efforts to separate Indians and whites. The proposed concentration of Indians served both spatial and social purposes. It would not only make land available for settler colonization, but would facilitate the separation of what non-Indian Americans considered two distinct races. This separation was often rationalized as being for the benefit of Indians, for by 1862 Euro-North American officials commonly argued that "white traders or settlers could not live in Indian country without exercising a bad effect on the Indians."[846] At the same time, Indians were said to be savages who posed an inherent danger to whites.[847] To the colonial gaze, they were two irreconcilable races, doomed to damage one another. In this view, successful colonization of a co-habited Plains "could only be achieved through a rigid separation of races."[848] As Indian treaties testified, an imperial focus on separating Northern Plains races was evident in both the conceptualization of different groups and their status (socially separate) and in terms of their lands and land rights (spatially separate). It was equally evident in period legislation. Canadian and American policies paralleled Plains Indian treaties in this regard. Code and contract, laws and treaties—the two legal prongs of settler colonialism complemented one another. And standardized policies supplemented treaties in important ways as well, for they applied to all those lands and peoples over which the nation-state claimed jurisdiction, whether or not people signed off on them. Indian policies thus served as a critical tool for achieving a generalized racial segregation in the region.

Canada exemplified the effort to formalize and streamline Indian policy in 1876 when it passed a legislative act designed to "amend and consolidate the laws respecting Indians." This legislation, known forevermore as the Indian Act, provided a relatively thorough overview of Canadian Indian policy. In distilling the Dominion's official ideas about Indians, it attested to the varying themes developing here, ie. the effort to separate and spatialize tribes, bands, races, and nations, the effort to end intermixture of all sorts, and the mutually constitutive nature of place and population categories in this process. It also, paradoxically, testified to the mismatch between this vision and Northern Plains society.

The 1876 Indian Act comprised twelve main sections. It opened with a definitions section, then went on to address "reserves" and the "protection" thereof, "repair of roads," reserve land "surrenders," "management and sale of Indian lands," "management and sale of timber," "moneys," "councils and chiefs," "privileges of Indians," "enfranchisement," and "miscellaneous provisions." For our purposes, the most interesting of these sections are the definitions sections and those that addressed Indian "enfranchisement" and "protection of reserves." In these sections of the Act, Canada articulated official Indian and non-Indian status categories and linked those categories to particular places, and to land rights. In doing so, it also illustrated and codified the mutually constitutive nature of race, place, tribe, band and rights to land.

---

[845] Debra Thompson, "Nation and Miscegenation: Comparing Anti-Miscegenation Regulations in North America" (presented at the Annual Conference of the Canadian Political Science Association, Vancouver BC, 2008).

[846] Fee, "Government Policy Toward the Principal Indian Nations of Montana, 1851-1873," 82.

[847] Mike Rogin explores the ideas that brought "a violent savage to life in the inner worlds of nineteenth century Americans" at some length. Michael Paul Rogin, *Fathers and Children: Andrew Jackson and the Subjugation of the American Indian* (New York: Alfred A. Knopf, 1975), 120.

[848] John Jennings, "The North West Mounted Police and Indian Policy After the 1885 Rebellion," in *1885 and After: Native Society in Transition*, ed. F. Laurie Barron and James B. Waldram (Regina Sask. Canada: University of Regina Canadian Plains Research Center, 1986), 228. Jennings is here referring specifically to the success of assimilation, which was seen as critical to incorporating the indigenous Plains into Canada.

Since its passage, the most-discussed section of the Indian Act has been what at first glance seems the least spectacular, ie. the brief section at the beginning in which terms that are used in the substantive parts of the Act get defined. And the most notorious of these definitions is number three, in which the Dominion codifies what "the term 'Indian' means." Its notoriety stems from the fact that an Indian is defined first and foremost as "any male person of Indian blood reputed to belong to a particular band." This clause made women's legal Indian status subordinate, dependent on one's relation to a male "Indian." Subsequent clauses elaborated on the gendered definition of Indian. Women attained legal Indian status only by being, of having been, "lawfully married to such person" or, if never married, "by being the "legitimate" child thereof. The Indian Act further detailed women's conditional legal status by providing that "any Indian woman marrying any other than an Indian or a non-treaty Indian shall cease to be an Indian in any respect within the meaning of this act." Children attained Indian status by virtue of their paternity. "Any child of" "any male person of Indian blood reputed to belong to a particular band" was legally an Indian, although "any illegitimate child" could be "excluded from the membership" of an Indian band, and therefore from legal Indian status, through a relatively simple process.[849]

In its first few sentences, then, the Indian Act created an entire class of indigenes—females, whom we can assume composed at least 50% of the population—at risk of being pushed into the space between legal Indianness and legal whiteness.[850] At the same time, it created an assortment of other ways of being in between. Not only were indigeneous women ineligible for Indian status in their own right, but women who claimed no Indian ancestry could become legally Indian by virtue of marriage. And the official Indianness of children of both sexes became conditional on parental actions like marriage in accordance with colonial law, paternal actions like legally recognizing one's offspring, and community actions like band decisions about formal membership. Moreover, the Indian Act spatialized all of these categories, linking them to particular places and/or to land more generally. Especially critical for borderlands indigenes was the clause that "provided that any Indian having for five years continuously resided in a foreign country shall . . . cease to be a member" of their band, and thus ceased to be an Indian under Canadian law. Of course, since many of the people excluded from legal Indianness by the Act were indigenous, whiteness wasn't necessarily available to them. Indeed, legal Canadian personhood remained in some sense unattainable: the Indian Act defined the term "person" to mean "an individual other than an Indian."[851]

The Indian Act is "notorious" for the way it made legal status dependent on sex, but the Act in fact linked legal Indianness to a variety of other, more ambiguous, categories as well.[852] For starters, recall that it defined an "Indian" as "Any male person of Indian blood *reputed to belong to a particular band*." Individual legal status thus depended not only on ancestry, but on affiliation with "a particular band." But what was a band? "Any tribe, band, or body of Indians who own or are interested in a reserve or in Indian lands in common, of which the legal title is vested in the crown."[853] Legal band-ness thus required a group of legal Indians associated with

[849] The Indian Act, assented to 12 April, 1876: An Act to amend and consolidate the laws respecting Indians, Chapter 18, 39 Victoria, *Statues of Canada 1876*, c. 18.
[850] Females likely composed more than 50% of the population—skewed sex ratios among nineteenth century Northern Plains indigenes due to earlier deaths of men in war, work, etc., are often cited in discussions of regional polygyny practices.
[851] The Indian Act, assented to 12 April, 1876: An Act to amend and consolidate the laws respecting Indians, Chapter 18, 39 Victoria, *Statues of Canada 1876*, c. 18.; The Manitoba Act, assented to 12 May, 1870: An Act to amend and continue the Act 32 and 33 Victoria, chapter 3; and to establish and provide for the Government of the Province of Manitoba, *Statutes of Canada 1870*, c. 3, p. 20-27.
[852] Alison L Prentice et al., *Canadian Women: A History* (Toronto: Harcourt Brace Canada, 1988), 396.
[853] According to the definitions section "The term 'Indian lands' means any reserve or portion of a reserve which has been surrendered to the crown."

particular lands. And association with lands of a particular kind—those legally controlled by the Dominion and officially allocated for use by a specific Indian group recognized as such by Canada. Tribe, race, and place were thereby rendered mutually constitutive in Canadian legal codes. The mutually constitutive nature of these concepts was also apparent in a more qualified legal status enshrined in the Act, that of "non-treaty Indian." A "non-treaty Indian" was "any person of Indian blood who is reputed to belong to an irregular band, or who follows the Indian mode of life, even though such person be only a temporary resident of Canada." And an "irregular band" was "any tribe, band or body of persons of Indian blood who own no interest in any reserve or lands of which legal title is vested in the Crown, who possess no common fund managed by the Government of Canada, or who have not had any treaty relations with the Crown."[854] In sum, "Indian" status and its lesser cousin, "non-treaty Indian" status, were predicated on relationships to bands recognized, lands claimed, reserves owned and treaties signed by Canada. And vice versa.

But the complications of legal Indianness didn't stop there, for status had a few other prerequisites and caveats. For one, Indian people could lose legal status as such by being enfranchised. In a testament to the twined nature of ideas about Indianness, enfranchisement, and private property discussed above, if an indigenous person received patent to an individually allotted parcel, "he or she [would] be held to be also enfranchised," as would, in the case of a married Indian man, "his wife and minor unmarried children." Such enfranchised indigenes would "no longer be deemed Indians within the mean of the laws relating to Indians." These dependent linkages between land and legal race were subject to a single large caveat, a caveat based solely on place: they did "not apply to any band of Indians in the Province of British Columbia, the Province of Manitoba, the North-West Territories or the Territory of Keewatin"—ie. to any band of Indians in the Canadian West. The final specific exception to Indian status also linked land, place and race. According to subpoint (e) of item 3, "no half-breed in Manitoba who has shared in the distribution of half-breed lands shall be accounted an Indian; and . . . no half-breed head of a family (except the widow of an Indian, or a half-breed who has already been admitted to treaty), shall . . . be accounted an Indian, or entitled to be admitted into any Indian treaty."[855] What a "half-breed" was the Act didn't say.

As the Indian Act tried to define and link racial, tribal, and national categories, it also sought to separate them spatially. In this regard, the Act directly reinforced treaty-making. Which brings us to the third section of interest here, titled "protection of reserves." In the context of the Indian Act, "protection" meant, above all, keeping anyone who wasn't a member of the band off of the reserve. The first clause of the "protection" section stated that "no person, or Indian other than an Indian of the band, shall settle, reside or hunt upon, occupy or use any land or marsh, or shall settle, reside upon or occupy any road, or allowance for roads running through any reserve belonging to or occupied by such band." The one exception to this rule—that "an Indian or non-treaty Indian [who was] not a member of the band" could reside on the reserve "with the consent of the band"—had an important caveat that would have precluded many mixed, mobile borderlands indigenes. It applied only to indigenous people who had been "five years a resident of Canada." Subsequent provisions in the "protection" section concerned themselves with elaborating on the blanket prohibition of the on-reserve presence of anyone who wasn't a band member, and prescribing punishments for its violation. Specified punishments

[854] The Indian Act, assented to 12 April, 1876: An Act to amend and consolidate the laws respecting Indians, Chapter 18, 39 Victoria, *Statues of Canada 1876*, c. 18.
[855] Ibid.

began with an order to remove and, in the case of non-compliant recipients, forced removal (and liability for expenses incurred by authorities in doing so). If prohibited people returned to reserve spaces, they would be arrested and jailed for up to thirty days. In order to enforce these laws, the Indian Act enlisted the help of white Canada writ large: in situations where sheriffs or other government officials were unavailable, the Act authorized "any literate person," ie. any literate white person, to forcibly remove, arrest, and jail any trespasser.[856]

In addition to keeping reserve spaces free of non-band members, the Act took steps to keep Indians from occupying or owning non-reserve spaces. The section titled, without irony, "privileges of Indians," specified that "no Indian or non-treaty Indian, resident in the province of Manitoba, the North-west Territories, or the territory of Keewatin"—an area also known as the Northern Plains—"shall be held capable of having acquired or acquiring a homestead or pre-emption right to a quarter section or any portion of land in an surveyed or unsurveyed lands in the said" area. Nor would they have "the right to share in the distribution of any lands allotted to half-breeds."[857] Together with the rest of the Indian Act, this section underscored and furthered the conceptual separation and physical segregation of race, tribes, and bands—and associated rights to land—that lay at the core of period policy.

In the United States, there was no direct parallel to the Indian Act. By the time of its passage, the American government had been grappling with Indian policy for 100 years, and policy development was more piecemeal. Nonetheless, several major developments in period Indian policy marked an intensifying effort to define, and physically separate, distinct races, tribes, and bands on the Northern Plains. The goal of physically separating "Indians" and whites had long animated American officials, but earlier versions of the goal envisioned doing so on broad undifferentiated swaths of the continent. Generally, Indians were supposed to occupy, and whites were supposed to stay out of, Indian country, the ever-smaller western portion of the continent that the U.S. held to be unsettled by Americans. By the mid-nineteenth century the idea that America might leave a significant portion of the continent uncolonized, and thus a permanent undifferentiated Indian country, waned. In its stead arose a policy that, although accompanied by growing debate about the efficacy of Indian isolation, was in important ways even more segregationist. This new policy, first implemented in the 1850s and entrenched over the next twenty years, intended to create relatively small Indian-only spaces—dubbed reservations—that would be surrounded by lands occupied by non-Indians.[858] CIA Luke Lea limned the government's reservation vision in his annual report for 1850, declaring that "there should be assigned to each Tribe, for a permanent home, a country adapted to agriculture, of limited extent and well-defined boundaries; within which all, with occasional exceptions, *should be compelled constantly remain*."[859]

Reservations, in several ways, served to spatialize people by ascribed categories even more than earlier isolationist policies. For one, reservations were much smaller, more discrete spaces, and were thus easier to demarcate and to police. And, as we've seen in the above discussion of treaties, reservations were also intended for smaller, more discrete groups. Gone was the idea of an undifferentiated Indian country. Early reservations, large in comparison to later ones, were specifically assigned to a number of named regional tribes. These multitribal

[856] Ibid.
[857] Ibid.
[858] Brian W Dippie, *The Vanishing American: White Attitudes and U.S. Indian Policy* (Lawrence: Wesleyan University Press, 1982), 47–50, 71–76; Fee, "Government Policy Toward the Principal Indian Nations of Montana, 1851-1873," 171–173.
[859] ARCIA 1850, reprinted in Francis Paul Prucha, *Documents of United States Indian Policy* (University of Nebraska Press, 2000), 81. Emphasis mine.

expanses soon gave way to much diminished, tribally-specific reservations, many of which were subsequently further divided into discrete areas assigned to particular bands. In the mixed, mobile milieu of the Northern Plains borderlands, such spaces portended a far more consequential spatialization than the earlier "Indian barrier state."[860] Increasing divisions also promised to make land, place, tribe, band and race mutually constitutive in a narrower, more exclusionary way. Moreover, they created new ways of defining indigenous people through geographic association. As historian Brian Dippie noted, with the entrenchment of the reservation policy, "for administrative purposes, all Indians would thenceforth fall into two categories: reservation Indians . . . and hostile Indians." The former would the responsibility of the civilian authorities. The army would take care of the latter.

Along with the entrenchment of reservation policy came other regulatory developments that had the effect of creating a single "Indian" legal status. These efforts were less thoroughgoing, and much less direct, than those north of the international boundary: in contrast to Canada, the United States never defined the term "Indian" in its nineteenth century legal codes. Ambiguity in legal Indian status characterized U.S. Indian policy from the nation's founding onward. This ambiguity, captured by the phrase domestic dependent nations, undergirded the treaty-making process, and the creation of an across-the-board Indian legal category was likewise entwined with treaty-making. In the Indian Appropriation Act of 1871, Congress ended formal treaty-making when it provided that, thereafter, "no Indian nation or tribe within the territory of the United States shall be acknowledged or recognized as an independent nation, tribe or power with whom the United States may contract by treaty." Instead, "Indians" would be classified as "wards of the federal government."[861] This classification, for the first time, created a single state-ascribed legal status for all individuals deemed Indian. But if the 1871 policy made every Indian a federal ward, it didn't explicate what made someone an Indian. This state of affairs persisted twenty-five years later, when the Senate Committee on Indian Affairs lamented that "the term 'Indian' does not seem at all times to have been accurately defined in our legislative history."[862] The committee was putting it mildly.

[860] This aspect of reservation-making was never incidental. After concluding the 1851 Treaty of Fort Laramie, one of the agreement's negotiators discussed how the Treaty defined the Territory of each nation or tribe. "The laying off of the country into geographical or rather national domains, I regard as a very important measure," he said, "inasmuch as it will take away a great cause of quarrel among themselves, and at the same time enable the government to ascertain who are the depredators, should depredations hereafter be committed." Report of D.D. Mitchell, November 11, 1851, in House Exec. Doc 2, pt. 3, 32nd Cong., 1st Sess., 289, quoted in Fee, "Government Policy Toward the Principal Indian Nations of Montana, 1851-1873," 3, 5, 8,15, 16–17. When Washington Territory was created in 1853, the CIA requested that Territorial Governor Isaac Stevens report on 14 specific points about the territory's Indian tribes: the act of naming and defining/delimiting bands was one of Stevens primary duties.

[861] Fixico, *Treaties with American Indians an Encyclopedia of Rights, Conflicts, and Sovereignty*, 666–667.

[862] In the Senate of the United States, May 18, 1896. -- Ordered to be printed. Mr. Allen, from the Committee on Indian Affairs, submitted the following report: (To accompany S. 3051.) Serial Set vol. no. 3366, Session vol. no. 5.

Chapter 6
Unresolved States and the North-West Conflict of 1885

For regimes that hoped to create discrete nations, races, tribes, and bands, people who straddled multiple categories posed a problem both conceptual and logistical. This problem grew with each new category, each attempt at clarification, each effort to create statuses and spaces that were mutually exclusive. Treaties and policies defined socially and spatially separate groups with particular relationships to the state, but while these national, racial and tribal categories were distinct, individuals and communities weren't. As spatialized statuses multiplied, so, too, did the difficulties posed by those who didn't fit easily into only, or any, one of them. Military officials struggled with the people in between during their campaigns of Plains conquest. The advent of reservations and the elaboration of legally distinct races and places pushed the complications presented by métis people to another level. In wartime, authorities often accused "half-breeds" of committing specific crimes. As social and spatial borders spread across the region, being in between was itself becoming criminalized.

In the post-treaty order, borderlands indigenes presented a problem that was tactical as well as conceptual. As they continued to mix with different populations and to move across the many borders netting their homeland they thwarted state territorialization projects. Those who hoped to enforce the social and spatial separation faced a host of challenges on the ground. First, there was the problem of keeping people on the assigned side of the international border.[863] Both nations generally believed that the other lacked proper control of Indians, and thus that "their Indians" were led astray by crossing the line, where they could illegally obtain forbidden, or controlled, goods, namely ammunition and alcohol.[864] Conversely, authorities on both sides accused Indians from the other of committing "depredations" in their territory.[865] But in colonial authorities' eyes, the primary problem with indigenous peoples' crossing of the international border was the violation of the boundary itself. To this end, officials obsessed about groups and individuals they labeled out of place. In Canada, the government's desire to exile the Sioux to the United States intensified, especially after the 1876 Battle of the Little Big Horn. Dominion officials wondered about their authority regarding Sioux on Canadian soil and encouraged the U.S. to induce the Sioux living north of the boundary—where their presence supposedly caused "grave apprehension and anxiety"—to "return" to the south side.[866] United State officials, meanwhile, fretted that the "renegade Sioux" in Canada would indeed "return" "to make a raid." They worried, too, about rumors "that the Sioux are fed by the British authorities" and got ammunition on the Canadian side of the line.[867] Some even "determined to prevent their staying on American territory unless they surrender[ed] unconditionally."[868]

---

[863] In her history of the Blackfoot Confederacy, Samek calls "restrictions in the free passage across the 'medicine line'" "the first major law enforcement issue faced by Canadian and American authorities." Hana Samek, *The Blackfoot Confederacy, 1880-1920: A Comparative Study of Canadian and U.S. Indian Policy*, 1st ed. (Albuquerque: University of New Mexico Press, 1987), 153–154.

[864] Cf. Sinclair to Edgar Dewdney, Regina, October 5, 1883; Sinclair to H. Price, October 5, 1883; H. Price to Robt. Sinclair, Washington, October 9, 1883; Robt. Sinclair to M. McNeil, Ottawa, October 12, 1883, Sinclair to Edgar Dewdney, Regina, October 12, 1883; L. W. Herchner to CIA, Birtle, November 8, 1883; S. Cowney to SGIA, November 15, 1883; all found in File 35,891, vol. 2170, RG 10, LAC; l. Vankoughnet to Sir John A. Macdonald, *Memorandum*, Ottawa, March 3, 1882 and March 8, 1882, File 35,891, vol. 2170, RG 10, LAC.

[865] D. L. Macpherson to Dewdney, Ottawa, August 30, 1881, *Edgar Dewdney Fonds*, Glenbow, 1180-1181.

[866] Cap. D. R. Cameron, to [Canadian] Secretary of State for Foreign Affairs, February 27, 1873, File 2430 (1873), vol. 229, D-II-1, RG 15, LAC.

[867] Major General to Major General George L. Hartsuff, Headquarters Department of Dakota, Saint Paul, Minn., January 4, 1870, *James Wickes Taylor Papers*, MSS 20187, SHSND; E. T. Galt to Edgar Dewdney, March 20, 1880, File 121007, vol. 455, D-II-1, RG 15, LAC.

[868] E. T. Galt to Edgar Dewdney, March 20, 1880, File 121007, vol. 455, D-II-1, RG 15, LAC; Note referring to a quote taken from a letter from Assistant Commissioner E. T. Galt to Edgar Dewdney, March 21, 1880, File 121007, vol. 455, D-II-1, RG 15, LAC.

These same officials insisted that Canada "must make [Canadian Indians] go home."[869] Authorities focused especially on the presence south of the border of people they called "Cree." They kept busy keeping tabs on and complaining about these "Canadian" Indians, and at times arrested and deported them under no other pretext than being out of place.[870] When soldiers from Fort Assiniboine shot and killed two "Cree" they accused of being "raiders" in 1883, their commanding officer wondered whether the killings would solve the underlying problem. "Will it," he wrote, "have the effect of keeping them north of the International boundary line?" His superior thought so, assuring his underling that he was "very glad to hear of the punishment you gave" the "Crees." "They will now feel they have more risk in crossing the Line."[871]

Their Canadian counterparts apparently concurred. The year before, they had "hope[d]," in "private," that a similar fate might befall "Cree" leader Big Bear. To that end, they kept "American authorities at Assiniboine posted as to [his] movements" so that "if he crosses the line the Americans will catch him and give him a sound thrashing."[872] Authorities also continued to bemoan the presence in the U.S. of "halfbreeds," who they now invariably labeled as "from the British Possessions." In this they were joined by the Northwest Mounted Police, like those at Fort Walsh who by 1879 were preoccupied with the "halfbreed hunters from [that] section of the country" who, along with the "majority of the Indians," were "on the American side of the line." The problem of the "halfbreed" presence in the United States was almost always mentioned in the same breath as the problem of "Canadian Indians" south of the border.[873] In the chorus of voices complaining about borderlands indigenous people being on the supposed wrong side of the line, some even blamed indigenous border crossing on indigenous border crossing: according to Jean L'Heureux in 1879, "the presence of large camps of hostile American Indians at the north side of the frontier line" caused "the total destruction of the Buffalo hunt in the North West Territory, which . . . has forced the whole Indian population to emigrate south of the line."[874]

The international line was but one of many enforcement issues created by colonial borders. Equally pressing was the problem of making Indian reservations properly pure—occupied only by assigned tribes and bands. Early enforcement efforts in this realm revolved around particular statutes, like Indian intercourse laws that prohibited selling alcohol to Indians.[875] But it quickly became apparent that the biggest problem was simply realizing the border between those assigned to a particular reservation and everyone else. Sometimes these efforts focused on particular individuals.[876] The agent at Fort Peck, for example, in 1879 notified a "Mr. S." "to leave this Indian Agency and the limits of this Indian Reservation within 24 hours time . . . if found within the Indian Camp hereafter you will be removed by force."[877] More often they targeted groups deemed out of place. In the mixed, mobile indigenous milieu of the borderlands, this was no small task. Fort Belknap's agent grumbled that same year that "at least

---

[869] Assistant Commissioner E. T. Galt to Commissioner Edgar Dewdney, March 21, 1880, File 121007, vol. 455, D-II-1, RG 15, LAC.
[870] Breck to Commanding Officer Fort Assiniboine, Fort Snelling Minn., November 10, 1881, Box 1, Folder 1, Fort Assiniboine Telegrams Received 1881, Collection 2457, *Merrill G. Burlingame Special Collections*, Montana State University, Bozeman.
[871] Guido Ilges, Lieutenant Colonel to eighteenth Infantry to the Commanding Officer, Fort Walsh, Northwest Territories, Fort Assiniboine, April 21, 1883 File 340, vol. 1007, RG 18, LAC; Major A. Shurtleff, Commander Fort Walsh, to Lieutenant Colonel Irvine, Commissioner of NWMP, April 22, 1883, File 340, vol. 1007, RG 18, LAC.
[872] Col. A. J. Irving to Edgar Dewdney, *Private letter*, Fort Walsh, June 24, 1882, in *Edgar Dewdney Fonds*, Glenbow, 1193-1195.
[873] C. E. Denny to The Indian Commissioner, Fort Walsh, October 12, 1881, File 33725, vol. 3770, RG 10, LAC.
[874] Jean L'Heureux to Superintendent of Indian Affairs, Ottawa, December 29, 1879, File 121007, vol. 455, D-II-1, RG 15, LAC.
[875] Cf. Fee, "Government Policy Toward the Principal Indian Nations of Montana, 1851-1873," 152–153.
[876] To this end, when the Indian Peace Commission visited Montana in 1868, it was charged with making recommendations for keeping traders and other whites off reservations. Ibid., 128–129.
[877] W. Bird, U.S. Indian Agent, to "Mr. S.", copy of "Notice Served," June 29, 1879, Fort Peck Agency, Chronological Files, Series 4, Box 17, RG 75, NARA RMR; See also W. Bird to George Boyd, Fort Peck Indian Agency, Poplar River, MT., October 9, 1878, Fort Peck Agency, Chronological Files, Series 4, Box 17, RG 75, NARA RMR.

2,000 British Indians," had recently been "camping" in his domain, where they "express[ed] the . . . desire" to "rejoin their people at this agency."[878] Two years later, he complained as well of "half-breeds" at Fort Belknap: "I propose to make an example of some of them the coming season if occasion requires . . . but the best and right way to control these matters is to drive them all out of the country, at the same time punishing them by confiscating horses, carts, &c."[879]

The U.S. Army simultaneously undertook a broad campaign to identify and remove unauthorized groups from Montana's enormous Milk River Reservation. The first order of business was simply figuring out who and where they were. In January 1881 officers dispatched a Captain Morris to "obtain information and report as to the locations and numbers of Half Breeds, Crees, Blackfeet, Bloods and other Indians, belonging north of the line, and now on this side, with names of Chiefs, respectively."[880] The following August, Fort Assiniboine's Captain Obrien received instructions "to remove all white intruders, and all foreign Half breeds and Indians from the Reservation . . . keep a complete list of (names and description) of all whites and Half Breeds removed, that they may be identified for prosecution according to law should they again intrude."[881] This effort probably produced an 1881 "List of Turtle Mountain Halfbreeds" at Fort Peck Agency, a list that included 35 families totaling 155 people.[882] Similar searches recurred on borderlands reservations as they became progressively smaller and more segregated in the wake of further land cessions, like that of the Blackfeet.[883] There, during the early 1880s, soldiers searched repeatedly for "Crees and half-breeds."[884] So entrenched was the problem of mixture on borderlands reservations that some agents concluded it could only be eradicated in their jurisdictions by eradicating the reservation itself. "Mixed as the half-breeds and Indians are," wrote the Turtle Mountain agent in 1884, "I can see no other solution of the complicated troubles than by placing the Indians on the reservations where they belong, in Minnesota, and issuing the necessary animals and implements to the half-breeds to enable them to make their own living, and throw open the reservation to settlement."[885]

To the problem of keeping prohibited people off reservations officials added its corollary, keeping people within their assigned reservation territories. As we've seen, in many cases getting indigenous groups onto reservations in the first place was difficult. Sometimes authorities resorted to forced removal. But forced removal didn't always work, and occasionally officials conceded failure. Despite multiple efforts "to remove" indigenous groups who claimed the Turtle Mountains "to the White Earth Reservation, in Minnesota," the claimants remained in place. The nearest Indian agent could report only that "they have steadfastly refused such removal."[886] Once they'd been placed on reservations, getting people to stay put proved even more problematic. This embarrassing problem started with the region's earliest reservations. More serious than potential embarrassment was the perceived danger such ongoing intercourse

[878] ARCIA 1879, Fort Belknap Agency, August 1, 1879, 98.
[879] ARCIA 1881, Fort Belknap Agency, August 20, 1881, 117-118.
[880] G. S. Turner to Colonel Black, copy of a telegram, Helena, MT., January 20, 1881, *Merrill G. Burlingame Special Collection*, January 1881, Box 1, Folder 1, Fort Assiniboine Telegrams Received 1881, Collection 2457, Montana State University: Bozeman; G. S. Turner to Commanding Officer, copy of a telegram, Helena MT., May 21, 1881, *Merrill G. Burlingame Special Collection* Folder 1, January 1881, Box 1, Fort Assiniboine Telegrams Received 1881, Collection 2457, Montana State University: Bozeman; G. S. Turner to R. L. Morris, copy of a telegram, Helena, MT., May 24, 1881, *Merrill G. Burlingame Special Collection*, Folder 1, January 1881, Box 1, Fort Assiniboine Telegrams Received 1881, Collection 2457, Montana State University: Bozeman.
[881] Breck, Assistant Adjutant General, Minnesota, to Commanding Officer Fort Assiniboine, Fort Snelling, copy of a telegram, August 23, 1881, Box 1, Fort Assiniboine Telegrams Received 1881, Collection 2457, Montana State University: Bozeman.
[882] *List of names of Turtle Mountain "Halfbreeds,"* Fort Peck Agency, RG 75, Series 45-52, Box 134, File: 1881, NARA, RMR.
[883] As discussed elsewhere these common reservations would soon be subdivided into smaller, discrete reservations for different tribes or bands.
[884] ARCIA 1883, 97.
[885] ARCIA 1884, 35.
[886] ARCIA 1881, L.

posed to U.S. efforts to create and maintain racially and tribally segregated people and spaces. As Sibley warned General Pope, "the reports spread by some of the Indians who escaped to the prairies from the Missouri reservation [served] to impress upon the large majority that they would be held as quasi prisoners and badly provided for should they submit."[887] In order to end interaction between on- and off- reservation populations, Sibley proposed selecting a better reservation site. The location "on the Missouri, to which the Sioux prisoners and the Winnebago Indians were removed in 1863, has been tried for two successive seasons, and is said to be incapable of producing such crops as the Indians must rely on mainly for subsistence." He imagined that improved material circumstances might entice people to stay put and "the evils attendant upon the juxtaposition of the two races will cease to exist."[888]

Fifteen years later the problem of getting people to remain on their assigned reservations persisted. In the same 1879 report in which he complained about 2,000 British Indians "camping" in his jurisdiction, the Fort Belknap agent bemoaned the "three of four hundred Assiniboines" who belonged at his agency but had "joined the British Indians at Cypress Mountains."[889] He offered a more detailed description of the diaspora that defined his charges in 1881: "The number of Indians at this post varies some with the different seasons. Some of the Assiniboines appear to have a disposition to go to Wolf Point, and some go north and take their money, thus becoming British Indians. . . . there are always some of my Indians at Wolf Point and Cypress, and probably as many from those places here. A portion of the Gros Ventres have also a great desire to spend most of their time with the Crows. A band of them went to visit the Arapahoes last fall, where they have relatives." Moreover, other Gros Ventres were apparently in the "Judith country," causing white ranchers there to complain. These he asked Fort Maginnis troops "to remove them across the Missouri River on to their own territory, and to use such force as was necessary to accomplish result."[890] A similar situation prevailed on Montana's Blackfeet reservation, with nearby cattleman agitating for Indian confinement while the Indian agent reported steadily losing population to movement northward, across the international border.[891]

As might be expected by the constant complaints of British Indians in American territory, agents in Canada couldn't keep people on reserves either. In 1882, policymakers established a pass system—which forbade Indians to travel to the United States without a written pass from their agent—to help address the issue, but it didn't seem to make a dent in indigenous mobility.[892] At Broken Head River agency that year, the reserve's "band of heathen Indians," as the agent put it, was "never on the reserve, and I never see them except at the payments. I think they could be found, however, at Rousseau River, Fort Francis, and a large number of them at the Red Lake in Minnesota." At the time of his report, he understood them to be in North Dakota, where they were said to be participating in treaty negotiations between Chippewa groups

[887] H. H. Sibley to Maj. Gen. John Pope, Hdqrs. Dist. Of Minn., Dept. of the Northwest, Saint Paul, Minn., April 29, 1864, in *OR*, vol. XXXIV, I, part III, ed. United States War Dept. (Washington: GPO, 1891), 356.
[888] H. H. Sibley to Maj. Gen. John Pope, Hdqrs. Dist. Of Minn., Dept. of the Northwest, Saint Paul, Minn., August 12, 1864, in *OR*, vol. XLI, I, part II, ed. United States War Dept. (Washington: GPO, 1893), 678.
[889] ARCIA 1879, 98.
[890] ARCIA 1881, 117-118.
[891] ARCIA 1881, 117-118; and ARCIA 1883, 96.
[892] John Jennings, "The North West Mounted Police and Indian Policy After the 1885 Rebellion," in *1885 and After: Native Society in Transition*, ed. F. Laurie Barron and James B. Waldram (Regina Sask. Canada: University of Regina Canadian Plains Research Center, 1986), 228. In Jennings phrasing, the advent of the pass system meant that "apartheid came to the Canadian West in 1882. It is usually thought that a policy of repression towards the Plains Indians was a result of the Rebellion. But this is not so; the Rebellion merely made the policy more blatant . . . it was decided to discourage Indians from crossing the border by allowing only those with passes to enter the United States. In 1882 an order-in-council was introduced to discourage frequent crossing of the border. Here was the rather innocuous beginning of a policy" that became the pass system.

and the United States.[893] Some Canadian officials seemed to agree with the Turtle Mountain agent's assessment that ending mixture required eradicating existing reservations and removing populations to more distant locales. This is what Fort Walsh officials thought to do in 1883 in order "to prevent the Crees [at Cypress Hills] from raiding on the American settlements." These groups they planned to remove "to points further East and North, some of them to the Qu'Appelle district, but the greater portion of them to the North Saskatchewan."[894]

While they grappled with the problems posed by indigenous mixture and mobility, colonial officials of course marked métis populations as a primary cause of their predicament. In authorities' estimation, "halfbreeds" were literally out of line in more ways than one. They violated many, sometimes all, of the borders between nations, races, tribes, bands, and spaces that Canada and the U.S. hoped to create. As borders multiplied and the problem of people in between loomed ever larger for state regimes, it became increasingly dangerous to be perceived as out of place. This was especially the case for borderlands populations that seemed to embody multiple forms of social and spatial mixture. As imperial authorities surveyed their domains, métis groups seemed to be everywhere, and they were everywhere accused of being up to no good. Like they'd long been, "Half-breeds" were suspected of "prejudicing the minds of Indians" on both sides of the international line. Customs officials, meanwhile, continued to clash with them over demands for the payment of duties when they crossed from one country to the next. Accusations that they served as conduits for forbidden goods, like ammunition and liquor, were also unceasing.[895] But sometimes American authorities arrested "halfbreeds" en masse without evidence of any crime, dramatizing the way that colonial borders were criminalizing being in between. This persecution of métis people even extended to violent attacks on indigenous groups that are unrecognized as such in literature on Indian wars.

On rare occasion, these attacks made waves when they occurred. Such was the case when the U.S. Army attacked a "half breed camp at Frenchman's Creek … on the morning of Nov. 1st," 1871. That day, troops from Fort Shaw, under the command of Captain H.B. Freeman, fell upon the unsuspecting streamside settlement consisting of "about sixty families of Half Breeds and twenty of Santees in houses and lodges scattered along the creek for four or five miles." They "captured . . . a white man named John Thorley" on the grounds that he was a "trader" and then set about destroying the property of Thorley and other "traders," absent during the attack, who had homes and storehouses in the settlement. Troops "destroyed" "about four gallons of spirits," and seized "the most valuable goods" they found. They then threw large quantities of ammunition into the creek, and burned the remaining possessions, along with "the houses." Soldiers subsequently rounded up "all the half breeds" in the settlement, and their commander "explained to them as clearly [as he] could through one of their number that they were in violation of our laws." As Captain Freeman reported, "the surprise of the camp was complete no resistance was offered."[896] He apparently didn't realize that the surprise at being attacked by the U.S. army stemmed, in part, from the fact that the settlement stood on Canadian territory.[897] Some of the primary victims, namely Gabriel Beauchemin, James Whitford, and Antoine Gladue (all of whom described themselves as "French Half Breeds") lodged formal

[893] ARDIA 1882, 83; Broken Head River is now officially a Chippewa reserve, but in 1898 the agent described its residents as being both Chippewa and Swampy Cree. ARDIA 1898, 72. Red Lake is officially a Chippewa Reservation.
[894] Major A. Shurtleff to Guido Ilges, Lieutenant Colonel, Fort Walsh, April 26, 1883, File 340, vol. 1007, RG 18, LAC.
[895] The Turtle Mountain agent testified to the broad application of these accusations in 1881, when he lamented the "terrible nuisance" of "half-breeds . . . every one of them is a trader." ARCIA 1881, 118; "Half-Breeds," *Fort Benton Record*, October 17, 1879.
[896] Freeman to his Commanding Officer, Ft. Shaw, November 7, 1871, File 1330, vol. 228, RG 15, LAC.
[897] Canadian officials described the victims as "British subjects settled on White River." Sir E Thornton to Lord Lisgar, Washington, March 11, 1872, File 1330, vol. 228, RG 15, LAC.

complaints with Dominion officials at Winnipeg. Their efforts at redress turned the 1871 attack into an international incident that occupied administrators for much of the next year.[898]

Other attacks followed, some of which made it into the documentary record if not the annals of international diplomacy. In 1879, U.S. soldiers—possibly led by General Nelson Miles—arrested "about 140 half-breeds" with the intention of forcing them to Canada, but "all but ten said they were Americans. The remainder . . . declared themselves British Subjects," a statement that promptly got them "escorted across the line." Those "who had declared themselves American were advised to go to the Gudath [sic] Basin."[899] The Sheriff of Ft. Benton was more severe. After he pursued and detained "Métis buffalo hunters" under the pretext of his "right to levy duties on the robes they took into Canadian territory," they "refused to pay his claims." He thereupon "seized a great part of their booty," after which "more than 200 families then quitted [U.S.] territory."[900] Subsequent attacks displayed a similarly uninhibited hostility for métis communities. In the fall of 1881, Army officials for the District of Montana requested, and headquarters summarily approved, a request for blanket authority to "destroy all huts" of "foreign Indians and half-breeds."[901] In this regard, civilian violence supplemented that state's: one man who herded cattle on the Musselshell River in 1884 recalled destroying "a thousand' halfbreed "shacks" that season, a task that "took two weeks."[902]

As the killing of two "Cree raiders" in Montana in 1883 made plain, escalating animosity towards the people in between threatened borderlands indigenes with violence that was all too real. After those killings, soldiers from Fort Assiniboine established a summer camp in the Sweetgrass Hills so they could "scout the line constantly." One of them, Charles T. Burke, wrote about the mood that prevailed at his new posting. "You have probably seen in the newspaper accounts of the Indian raid from north of the boundary line," he began. "Four companies are now out from Fort Maginnis and several more from Fort Assiniboine. I think there is going to be some serious trouble with the Indians this summer in this country. They come from north of the line and murder settlers and steal their horses and get away before the soldiers can follow them. One thing is certain, if the boys get a chance they will show no mercy. We have about 80 prisoners and the orders are that on the slightest appearance of an outbreak they shall be shot down, men, women, and children."[903] His civilian contemporaries apparently concurred. Some reports claimed that cattle ranchers who accused half breeds of "cattle rustling," organized a "Vigilante Committee," and that "during the spring and summer of 1883 they hanged or shot twenty-three men on the banks of the Missouri near the head of the Musselshell."[904]

Recontextualizing the NW Conflict of 1885

Thus, in a period we normally associate with waning Indian conflicts, violence against mixed, mobile indigenous people of the Northern Plains borderlands escalated. This violence left no doubt that inclusion in state status categories was increasingly critical. As we've seen,

---

[898] File 1330, vol. 228, RG 15, LAC.
[899] ARDIA 1879, 88; Foster, "We Know Who We Are," 2000, 213.
[900] Father St. Germain of Willow Bunch Mission, quoted in Rivard and Littlejohn, *The History of the Métis of Willow Bunch*, 196.
[901] G. S. Turner to Commanding Officer, copy of a telegram, Helena, MT, October 10, 1881 and October 11, 1881, *Merrill G. Burlingame Special Collection*, both in Folder 1, January 1881, Box 1, Fort Assiniboine Telegrams Received 1881, Collection 2457, Montana State University, Bozeman.
[902] Harry J. Rutter, *Harry J. Rutter Reminiscence, 1931,* SC 35, MHS, 22.
[903] Rivard and Littlejohn, *The History of the Métis of Willow Bunch*, 197.
[904] Harry J, Rutter, *Harry J. Rutter Reminiscence, 1931,* SC 35, MHS, 18. This is the only reference to this scale of violence I have seen, and it is likely false or grossly exaggerated. However, the fact that Rutter believed it not only plausible but true demonstrates the level of animosity—and potential violence—toward métis communities at the time.

many treaties and policies made limited provisions for métis people, and indigenous insistence produced these provisions. But indigenes' efforts exceeded those that are visible in ratified treaties and official policies like scrip. While they worked to sustain themselves in the face of the transforming material world, métis communities sought to secure legal status and rights under the colonial regimes that invaded their territory through varied and creative means. They pressed claims for rights to communal and individual lands and they joined in a variety of collective armed conflicts with colonial authorities on both sides of the international border that bi-sected their homeland. These conflicts would climax in war with Canada in 1885.

Dispersed métis leaders fought on multiple fronts. Their efforts mirrored the array of tactics that produced provisions for people in between in law and policy: sometimes they sought separate reserves or reservations, sometimes they sought inclusion with recognized Indian groups on existing reservations, and sometimes they sought state status and land through other channels. Sometimes they simply sought the right to exist in spaces not assigned to them, as when borderlands groups resisted forced confinement to reservations. Their efforts attested as well to the always-partial nature of any success, for each new treaty or policy invariably left out a portion of the indigenous population, requiring them to continue their struggle. This they did with such regularity that one Montana resident remembered the period as one of "constant uprisings among the French-Indian Breeds."[905]

Demands for status and rights by mixed, mobile indigenes of the borderlands began even before the ink on the Manitoba Act, intended to settle "halfbreed'" claims, was dry. Groups with ties to the Turtle Mountains had been vociferous in their claims to that region in earlier treaty negotiations (such as those that resulted in the treaty with the "Red Lake and Pembina" "Chippewa" bands in 1863) and continued to press them in the 1870s. When a "Board of Visitors," came on an official visit to the region in 1871 they felt compelled to "make special mention of the claim of the Chippewas to the Turtle Mountain country."[906] Despite having "been notified to remove to White Earth," and threatened with "penalty" if they refused, Turtle Mountain delegations traveled to Washington, D. C., in 1874, on the eve of the Dakota boom, to seek some settlement on their land claims.[907] They apparently planned to return the following year, exasperating the Office of Indian Affairs, which wanted them confined to the White Earth Reservation and instructed the agent there "to advise the Indians not to visit Washington again, as their matters had all been talked over the year before."[908] Paying the CIA no heed, a group of five Turtle Mountain men, including Little Shell, visited Washington again in 1876.[909] The band also pressed "the U.S. Government . . . the department of Interior [and] the Commissioner of Indian Affairs" by sending a formal delegation to Devil's Lake Agency, and communicating their desires through officials there, in October 1880.[910]

Their relatives pressed claims to lands in Canada's Northwest Territories with equal persistence. In 1873, "the Métis of the North-West Territories," under the leadership of Gabriel Dumont, son-in-law of Turtle Mountain leader Jean Baptiste Wilkie, "petitioned the Canadian government for recognition of their claims as had been given the Manitoba Métis in 1870."[911]

---

[905] Harry J, Rutter, *Harry J. Rutter Reminiscence, 1931,* SC 35, MHS, 21.
[906] *Turtle Mountain Band of Chippewa Indians, Senate Document 444…,* 56th Cong., 1st Sess., Senate Report No. 693, 27.
[907] *Senate Document 444...*, 27, 153-155; ARCIA 1877, 228.
[908] CIA E. A. Hayt to SOI, *Commissioners Findings and Report to the Secretary of the Interior*, May 23, 1878, Reprinted in *Senate Document 444...*,155. Hayt was referring to a letter "to Agent Stowe, at White Earth, dated December 23, 1875."
[909] ARCIA 1877, 228.
[910] Quoted in Vrooman et al., *The Whole Country Was … "One Robe,"* 226.
[911] Julia Harrison, *Métis: People Between Two Worlds* (Vancouver: Glenbow-Alberta Institute in Association with Douglas & McIntyre, 1985), 41.

Five years later, 278 métis signatories petitioned the Council of the Northwest Territories requesting "a special reserve of land one hundred and fifty miles in length and fifty miles in width immediately North of the International Boundary" near the Pembina River.[912] These were but a few in a barrage of formal written demands "Métis" groups made to the Dominion of Canada in this period: by one count, Métis groups living on the Saskatchewan River submitted 84 such requests between 1878 and 1884 alone.[913] Some of these communiques requested inclusion in, and rights under, Canada's Indian treaties. "Half-breeds" residing in "the vicinity of Rainy Lake and the Rainy River," represented by Nicholas Chatelain, pressured the Dominion for inclusion in Treaty 3. Four years after the original treaty, Chatelain and John Dennis, as representative of the Dominion, signed the agreement that has since been known as the Halfbreed Adhesion to Treaty 3. The adhesion specified reserves, annuities, and other rights along the lines of the original treaty.[914] When Canada didn't ratify the adhesion, and neglected to fulfill the commitments it contained, the Rainy Lake people continued their campaign for the rights it promised, or comparable settlement, through letters and visits to Canadian officials.[915]

Meanwhile, to the south, Louis Riel forwarded to commanders at Fort Keough, near present-day Miles City, a petition asking the U. S. Government to secure "a special reservation in [Montana] Territory for the Half-breeds." Anticipating the government's antipathy to the petitioners request, Riel proposed as an alternative "the setting aside of one or two small Halfbreed counties in the Crow reservation or on some other large Indian reservation near the buffalo region between the Muscle Shell and the Yellowstone."[916] Noting that the Métis were "scattered over a vast area of country on public land, or Indian reservations, and crossing and re-crossing the Canadian boundary," the Fort's commander, General Nelson Miles, sent their petition to Washington with the recommendation they be assigned to an existing reservation. The Commissioner of Indian Affairs refused the request on the basis of, among other things, Crow opposition to the proposal and the petitioners' alleged Canadian nationality.[917] Shortly thereafter, Sitting Bull traveled to Fort Qu'Appelle and met with Edgar Dewdney, Lt. Governor and Indian Commission of the North West, to request as reserve in Canada. Dewdney knew well Ottawa's fears "that Sitting Bull and his Dakota . . . might make common cause with disaffected Cree chiefs such as Big Bear and Little Pine" and he proved no more receptive than his American counterpart.[918] Sitting Bull's request met the same fate as Riel's, and for the same reason, the alleged foreignness of the petitioners. Instead of a granting him a reserve, Dewdney—under instructions from Ottawa—reproached Sitting Bull for being on Canadian soil and offered to provide his hungry band rations on the condition that they leave Canada and go to the United States via Pembina and Red River.[919]

---

[912] "Resolution of the Council of the North West Territories passed on 2nd August, 1878." Quoted in Rivard and Littlejohn, *The History of the Métis of Willow Bunch*, 207; Tremaudan, *Hold High Your Heads*, 115.
[913] Tremaudan, *Hold High Your Heads*, 116.
[914] Government of Canada; Aboriginal Affairs and Northern Development Canada; Communications Branch, "Treaty Texts- Treaty No. 3."
[915] Lytwyn, "In the Shadows of the Honorable Company: Nicolas Chatelain and the Métis of Fort Frances," 211–214.
[916] Petition to N. A. Miles, Musselshell River, August 6, 1880, reprinted in Foster; Louis Riel to Brt. Maj. Gen. N. A. Miles, August 20, 1880, reprinted in Foster, "We Know Who We Are," 2000, 31, 317.
[917] Nelson Miles to Acting Secretary of War, n. d., quoted in Ewers and United States, *Ethnological Report on the Chippewa Cree Tribe of the Rocky Boy Reservation and the Little Shell Band of Indians*, 100–101.
[918] Brian Titley, *The Indian Commissioners: Agents of the State and Indian Policy in Canada's Prairie West, 1873-1932* (Edmonton: University of Alberta Press, 2009), 66.
[919] Robert Utley, *The Lance and the Shield: The Life and Times of Sitting Bull* (New York: Ballantine Books, 1993), 227; According to Ron Papandrea, "some of these people (about 58) decided to stay in the Fort Qu'Appelle area. Probably, a number of them found work in the Métis community of Lebret, which was nearby to the east. Probably, a number of the Lakota Sioux joined the Dakota Sioux at their reserve northwest of Fort Qu'Appelle. This was the reserve selected by Chief Standing Buffalo (the son) in 1877 (Reserve #78—Standing Buffalo)." Then "in the Spring of 1881 sixteen Lakota Sioux families (about 86 people), left Sitting Bull's camp and went to Moose Woods, where a Dakota Sioux reserve was located (Reserve #94—White Cap). . . The Lakota Sioux worked for ranchers at Round Prairie, a small Métis community which

At the same time, to the east, Little Shell left Wood Mountain, Manitoba, where he'd been residing, to help his councilmen continue fighting for rights to the Turtle Mountain region in Dakota Territory.[920] There, things had recently taken a turn for the worse. As whites pushed for Dakota statehood and clamored for more lands in region, Congressional interest in Turtle Mountain land claims increased. In February of 1882, the Senate Committee on Indian Affairs (chaired, at the time, by Senator Dawes) requested CIA H. Price's comment on "A bill to provide for the support and civilization of the Turtle Mountain Band of the Pembina Chippewa Indians and to extinguish their title to lands claimed by them in the Territory of Dakota." The CIA reviewed the bill and affirmed the validity of the Turtle Mountain claim to the unceded territory. Unhappy with the Commissioner's response, the bill's backers, whom the CIA described as "those especially interested in having the lands to which the bill relates opened to white settlement," embarked on a campaign to undermine the Turtle Mountain position by asserting that aboriginal title to the tract rightfully belonged to the Sioux. By this reasoning, the United States already owned the lands, since the Sioux had ceded all but a small, reserved parcel by treaty in 1868. The same parties also suggested that the Assiniboines were possibly "by reason of occupancy, the real owners of the territory claimed by the Chippewas." So spun, the bill was resubmitted to CIA Price for review. The exasperated Price responded that this was "not at all" the case—there was "no evidence showing that the Sioux ever laid claim to that part of the country." As to possible Assiniboine claims, he averred, "they have long kept up friendly intercourse with the Chippewas, and are more or less intermarried with them; hence, no doubt the impression that prevails among some that they might possibly be able to set up a fair claim to a portion of the country claimed by the Chippewas." The original Indian title, Price concluded, lay firmly with the Turtle Mountain Chippewas, who had never ceded it to the United States.[921]

Secretary of the Interior Henry Teller dismissed the CIA's analysis, and on October 4, 1882, directed the General Land Office to "restore" the country claimed by the Turtle Mountain people to the public domain. The Land Office complied by opening to white homesteading "a tract of country estimated to contain over 9,000,000 acres."[922] The Turtle Mountain delegation that hurried to Washington after hearing of Secretary Teller's decision failed to sway him, and the SOI offered them only a pitifully small reservation and a pittance for their troubles and their patrimony.[923] On December 21, 1882, President Chester Arthur issued an Executive Order reserving roughly twenty townships ("an area of about 32 miles from north to south by 24 miles from east to west") for the "use and occupancy of the Turtle Mountain Chippewas and such other Indians as the Secretary of the Interior may see fit to settle thereon." Two years later, Arthur signed his name to a second Executive Order that reduced the reservation to two townships.[924]

These formal group efforts constituted only one component of mixed, mobile indigenes campaign to gain status and rights during the 1870s and early 1880s. Less visible were smaller actions and everyday organizing. Sometimes they took the form of threatening behavior to

---

formerly existed south of the reserve. In 1882, the band moved 60 miles northeast to Batoche, which was part of a Métis community much larger than Round Prairie. Again, the Lakota Sioux worked for Métis ranchers." Papandrea, *They Never Surrendered*, 5.

[920] "Turtle Mountain - Timeline - 1300s–1894," *North Dakota Studies*, n.d., http://www.ndstudies.org/resources/IndianStudies/turtlemountain/timeline_part1.html.

[921] CIA H. Price to SOI, June 7, 1882, reprinted in *Senate Document 444...*, 23-28.

[922] ARCIA 1883, XLVIII; SOI Teller to Commissioner of the General Land Office, October 4, 1882, quoted in *Senate Document 444...*, 116.

[923] "Notes From Washington: Secretary Teller Gave a Hearing this Afternoon to a Chippewa Indian Delegation," *New York Times*, December 15, 1882.

[924] President Chester Arthur, Executive Order of Dec. 21, 1882, creating a reservation "for the use and occupancy of the Turtle Mountain Band of Chippewas and such other Indians of the Chippewa Tribe as the Secretary to the Interior may see fit to settle thereon," reprinted in ARCIA 1886, 323; ARCIA 1883, XLVIII; President Chester Arthur, Executive Order of March 29, 1884, reprinted in ARCIA 1886, 323.

agents who denied their right to reservation resources.[925] Others times such actions accompanied specific political demands. In February of 1882, for instance, settlers in the Turtle Mountain district of Manitoba wrote to Canada's Interior Minister John MacDonald complaining of being "hindered in [their] present work on [their] respective places . . . by a band of Sioux Indians . . . who are claiming 8 or 9 sections of land in this vicinity." "These Indians" the petitioners alleged, "stop us from getting out fence rails, logs & even firewood & even threaten to scalp some of the settlers if they continue to go to the woods." This had been going on since at least the year before, "but at that time there were only a few Indians, since then this band has been increased by a number of the same tribe from a reserve at Oak Lake and they are talking of bringing a lot more from Devils Lake, Dakota Territory."[926]

These actions were rarely dramatic enough to make more than local news, but occasionally they proved more noteworthy. Later that same year, the *New York Times* reported, on page 2, that the "Turtle Mountain Indians . . . threaten[ed] to make trouble . . . which may lead to serious complications and the calling out of the troops." According to the *Times*, the Indians "ordered off white settlers and refused to pay the Customs assessed against them by the Pembina Agency" whenever they crossed the international border with goods. Chief Little Shell denied Deputy Collector McCollum's "right to proceed," and invited him to make his case at a general meeting. McCollum addressed Little Shell and the "200 halfbreeds" he found at the meeting, but Little Shell again rejected not only his requests but his authority: "These are all my lands and these are all my people. They shall pay no duties and respect no Customs officers. I have as many more children across the line, and I shall bring them all over. We recognize no boundary line and shall pass as we please." The gathering reportedly then "considered the case of the white settlers, all the half-breeds volunteering to help drive all invaders off if necessary." Mr. McCullom, they informed, "was included with those who must leave the reservation." "Military interference," the *Times* concluded, "seems necessary."[927]

Elements of the *Times* story—the calling, and size, of a general meeting, the threat to call in reinforcements, the linking of larger land issues to the more mundane task of customs collection—indicate that the "trouble" with the Turtle Mountain Indians wasn't some spontaneous outburst but an action embedded in broader organizing. This ongoing organizing is evidenced as well by the consistent claims made in this period by the people in between. The surveillance of mixed, mobile indigenes corroborates this impression: the highly visible formal demands and the less spectacular local actions were part of a larger initiative, going on more or less constantly whenever people met and talked politics, to mobilize borderlands indigenous groups in this period. Much of this organizing is, and was, invisible in the documentary record, carried on in myriad conversations, some quiet and some animated, by individuals in whom authorities, and historians, had no special interest. But some of it can be discerned in reports about the more renowned. After he began leading claims efforts from Batoche in 1870, the

[925] Cf. ARCIA 1879, 98. The "intent" of some British Indians" to do harm "was evident. Their hostility arose from the fact that I refused to accede to their demands in the way of stores." See also references to "hostile Sioux" on the verge of becoming "troublesome" for want of food at Belknap. E. T. Galt to E. Dewdney, Ottawa, March 22, 1880, File 121007, vol. 455, RG 15, LAC. A similar affair, known as the Yellow Calf incident, occurred on Canada's Sakimay or Yellow Calf Reserve in the Qu'Appelle Valley in 1884, and involved O'Soup, Yellow Calf, and Cowessess, among others. Sarah A. Carter, "Biography – O'Soup, Louis – Volume XIV (1911-1920)," *Dictionary of Canadian Biography*, http://www.biographi.ca/en/bio.php?BioId=41754. Arthur J. Ray, Jim Miller, and Frank Tough, *Bounty and Benevolence: A History of Saskatchewan Treaties* (Montreal: McGill-Queen's University Press, 2000), 190.

[926] The Undersigned Settlers and Squatters in Townships 2, range 22, 23 West, to Sir John A. MacDonald, Turtle Mountain, Manitoba, February 3, 1882, File 41583, LAC.

[927] "The Turtle Mountain Indians. They Refuse to Pay Customs Duties and Threaten to Make Trouble," *New York Times*, July 27, 1882, 2.This was not the first complication with collecting customs from mixed mobile indigenes in the borderlands. It appears as a common conundrum, question, and problem in records from the early 1860s onward. Cf. Ottawa, February 5, 1880, File 17,962, vol. 3705, RG 10, LAC.

indefatigable Gabriel Dumont is said to have "visited all the Indian nations Cree, Assiniboine, Saulteaux, Crow, Coux-Tannes, Arcs-Plats, Tete-Plates, Walla-Walla, Gros Ventres, Atchinigans, and others" in his quest to build a coalition.[928] Sioux leaders, meanwhile, were reportedly traveling about inviting "other tribes to join them in resisting the laying of the Northern Pacific Railway."[929]

This coalition effort gave way to organizing that preceded the Battle of the Little Big Horn. In just one instance of such organizing, as fur trader Sam O'connell recalled, "an Indian runner" visited camps near Juneaux's trading post on the Milk River, containing "about one hundred families of Red River Half Breeds" as well as "Ogallalas, Brules, Yanktonaise, Assiniboines . . . Unc Papas or Teton Sioux" and "Santee Sioux," led by "White Eagle," "who were engaged in 1862 in the never to be forgotten New Ulm Minn Massacre," and advised them that "Sitting Bull wanted Indians enough to kill off all the soldiers" who were coming to "kill all the Indians that were found away from the Agencies." Pere Dupre, interpreter for the post, spent a lot of time conversing with "the Indians" and reported what he heard to O'Connell and Juneaux. As 1875 turned to 1876, "Dupre would often tell . . . of the big fight that was coming on."[930] Sioux political networking continued unabated in the aftermath of the 1876 Battle of the Little Big Horn, when "many Lakota groups fled" to the area around Wood Mountain and Willow Bunch in Saskatchewan. "Most of the people were from the Hunkpapa and Siha Sapa bands, but there were also Lakota's [sic] of the Minnecoujou, Itazipco, Oohenumpa, and Oglala . . . Members of the Assiniboine, Dakota, Métis, and French traders were also in this area. Sitting Bull, Gall, Rain in the Face, Black Moon, Black Bull, Hump, Little Knife, Long Dog, The Man Who Crawls, White Eagle and Four Horns were a few of the leaders who traveled here. The Dakota leaders Standing Buffalo and White Cap were to the north, and the Blackfeet to the west. Sitting Bull befriended Chief Crow Foot of the Blackfeet and named his son after this leader." From "the far north in Saskatoon . . .White Cap Dakota people travel[ed] south to meet Sitting Bull along with some of their people who were allied in warfare with their Lakota relatives against the U.S."[931] Shortly thereafter, the Sioux welcomed Nez Perce survivors of the 1877 Battle of the Bear's Paw. Many of these refugees arrived after spending time with métis communities along the way, and people from these communities "guided the Nez Perce to Sitting

[928] Tremaudan, *Hold High Your Heads*, 113–114, 115. Regarding Dumont, Tremaudan continued: "He tried to do what no one before him had ever thought possible: rally to a common cause all of the Indians of the Great Plains, relatives or friends of the Métis. He even did more. He managed to arrange a peace between the Crees and the Blackfoot, the two principal Indian nations, who, from time untold, had pursued each other with fierce hatred despite the missionaries efforts to reconcile them. . . . But in bringing about this alliance he was only repeating and enlarging on what he had done in 1862, on the shore of Devil's Lake in the Iles des Morts, when he concluded a definite alliance between the Métis and the Sioux, until then, implacable enemies."

[929] Cap. D. R. Cameron to [Canadian] Secretary of State for Foreign Affairs, "Confidential," February 27, 1873, File 2430 (1873), vol. 229, D-II-1, RG 15, LAC. Captain Cameron, who led the North American Boundary Commission, believed the situation could "naturally be expected to originate an era of warfare with the Red man on British Territory." A *New York Times* article reported on a council with "the Ogadale [sic] chiefs and Spotted Tail of the Brule" in the context of the "great trouble . . . anticipated from these Indians by the Northern Pacific Railroad in extending their route through a portion of the country occupied by the Northern Sioux." "The Rio Grande Commission, Losses by Raiding Parties- the Sioux and the Northern Pacific Railroad," New *York Times*, June 30, 1873. In 1871, American authorities accused "halfbreed" camps on the Milk River of encouraging this tactic of targeting the railroad. H. B Freeman, *Report from the Field, October 13, 1871 to November 25, 1871,* Fort Shaw Territory, November 7, 1871, File 1330 (1872), vol. 228, RG 15, LAC. Freeman claimed that a "halfbreed" camp of 75-100 people "supplied the Uncapapa and Teton Sioux under Sitting Bull" with ammunition, and encouraged them "to make war upon the govt of the U.S. and its citizens and particularly to opposed the construction of the Northern Pacific Railroad."

[930] Sam O'Connell, "Juneaux's Trading Post on Milk River, M. T. 'Story of Medicine Lodge Known as Juneaux's Post,'" *Sam O'Connell Papers*, SC 597, Folder 1/1, MHS. Another report on this post credits the "150 lodges of halfbreeds camped here" with preventing attacks on whites by the "over 300 lodges of Yanktonai Sioux camped here." Danger loomed as the "half breeds are about to move, some to the Little Rockies, others to Benton to purchase horses. Some of the party who go to Benton will winter on the Marias." "Letter to the Editor of Record," *Fort Benton Record,* September 11, 1875. See also Calloway, "Army Allies or Tribal Survival? The 'Other Indians' in the 1876 Campaign."

[931] Donovin Sprague, *Standing Rock Sioux* (Charleston, S.C.: Arcadia, 2004), 53.

Bull's camp and were the intermediaries between" Sioux and Nez Perce frequently thereafter.[932] Sitting Bull's band continued to be a hub of borderlands organizing in subsequent years. In the early 1880s those who gathered with him at Willow Bunch "probably represented," among others, "all seven Lakota Sioux campfires."[933]

The milieu in Sitting Bull's orbit is somewhat visible to us because officials kept an eye on him. Authorities paid special attention, as well, to the activities of Louis Riel, who they constantly suspected of subversive organizing. Although their allegations may be unproven, they weren't unfounded, for we know that Riel remained politically active when he lived in Montana after being exiled from Canada in the late 1870s. Surveillance of Riel therefore suggests something of the nature of his networking.[934] Much of the news about Riel came from Jean L'Heureux, from whom Riel had solicited support. L'Heureux reported regularly on Riel and also often apprised American and Canadian authorities of his suspicions that the "hostile Sioux . . . would probably become troublesome."[935] In 1879 informants told of Riel "fomenting trouble and halfbreeding conspiracies with the Indians" and specifically noted him "conspiring against the Canadian government" among the "Indians belonging to Treaty 7."[936] The following year L'Heureux and others reported that Riel was in Montana's Judith Basin awaiting "the result of Mile's campaign against the hostile Sioux," and that he and "other half breeds," had been sowing "disorder amongst" Indians by "going about the camp and telling . . . that the presence of the mounted Police force in their country was the cause of the buffalo desertion, that the Canadian government was to take no more care of them, that their Indian treaty stipulations were not to be fulfilled, that the halfbreeds were to help them." At an earlier meeting at Fort Assiniboine, Riel and Lepin made plans for a "great halfbreed council" to be held May 1, 1881 on the "great bend" of the Milk River. "All the chiefs were invited to" this council, wrote L'Heureux, at which "means will be found to have their Indian rights secured" and Riel would promote his "programme . . . That the Northwest Territory is the natural property of the Indians and halfbreed [and] ought to be set apart for their exclusive use, ruled and governed by them alone."[937]

Edgar Dewdney, Lt. Gov. of the NWT, and other Canadian officials—like the head of the Department of Militia and Defense—continued to receive reports on Riel's ongoing

---

[932] Rivard and Littlejohn, *The History of the Métis of Willow Bunch*, 131. Yellow Wolf, one of the Nez Perce refugees, recalled fleeing the battles at the Bear's Paw. "Later . . . I came to the half-bloods on the Milk River. They treated me fine. Boys watched my horse while he grazed. Knowing I was hungry, they gave me food aplenty. They gave me new moccasins, for my feet were part naked. They directed me how to find my people."

[933] Papandrea, *They Never Surrendered*, 6–8. Many Sioux women in the band married men in the employ of the NWMP, as well as Métis at Wood Mountain, in this period. See also Guillaume Charette, *Vanishing Spaces: Memoirs of Louis Goulet*, trans. Ray Ellenwood (Winnipeg: Editions Bois-Brules, 1980), 46, 80, 86, 99, 120–33. Goulet, who scouted for the U.S. army in 1881, was at Frog Lake in 1885. At some point in this period, he camped with Sioux veterans of the Battle of the Little Big Horn (including Sitting Bull) and almost married a woman he described as Sioux.

[934] Edgar Dewdney himself reported on Riel in 1879 when he visited Fort Assiniboine a few days after Riel had been there. Journal- 1879: Trip through North West, *Edgar Dewdney Fonds*, Glenbow, 985.

[935] E. T. Galt to E. Dewdney, Ottawa, March 22, 1880, File 121007, vol. 455, RG 15, LAC. L'Heureux is the same man who blamed Canadian Indians' 1879 presence in the U.S. on American Indians presence in Canada. L'Heureux was legendary for his borderlands adventures. He seems to have wanted to join the priesthood, but was denied that opportunity after being caught in the act of sodomy at the mission at St. Albert (north of Fort Edmonton) in 1861. He then traveled the region impersonating a priest. He spent a lot of time with Blackfeet bands in Montana and Alberta, as well as with Stoney groups. He served as the Piegan/Blood emissary to then Brigadier-General Alfred Sully in the wake of the 1870 Marias Massacre, and drafted different petitions over the years on behalf of the tribe. He also completed several anthropological texts on Plains Indians. He interpreted and signed Treaty 7 on behalf of Blackfeet participants, and also signed the Treaty as a witness. After informing on Riel in Montana, he took a job as an interpreter for the Canadian DIA, a post he kept for 10 years in the 1880s. He died in 1919 in the Catholic Lacombe Home, which admitted him as a "lay missionary." Hugh A. Dempsey, "L'HEUREUX, JEAN," *Dictionary of Canadian Biography*, http://www.biographi.ca/en/bio/l_heureux_jean_14E.html.

[936] *"Extract from memorial signed on behalf of Treaty Indians to the Indian Commissioner dates at Fort Walsh, 29 Sept 1880",* File 121007, vol. 455, RG 15, LAC; Burgess, Esq., Regina, July 8, 1886, File 121007, vol. 455, RG 15, LAC, referencing letters written in Dec. 1879.

[937] "*Extract from memorial signed on behalf of Treaty Indians to the Indian Commissioner dates at Fort Walsh, 29 Sept 1880"* and *"Extract from letter dated at Fort Walsh 24 Sept 1880 /sgd/ L'Heureux,"* File 121007, vol. 455, RG 15, LAC

organizing.[938] From Battleford came news that "Riel is agitating among the Half Breeds, Sioux, and Cree," and that, while in the United States, Riel "if not directly most decidedly indirectly" sent runners "to the Indians here [in Canada] & especially to Big Bear. . . . Riel of course is keeping in the background, & when he works upon the Indians it is through the agency of others."[939] Such strategizing was also highlighted in reports about the actions of other Plains indigenous leaders. In 1884, Charles Rouleau warned Dewdney that Big Bear and "twelve other Indian Chiefs" planned to submit a Petition for redress that some of them had recently discussed with Riel.[940] At the same time, Riel engaged in political efforts of a more conventional sort. In 1882 he actively, and openly, urged "not only the Red River Métis but all 'half-breeds' in Montana" to vote Republican in the Montana territorial elections, citing the Republicans' promise "to use their influence in favor of American Half-breeds." After the polls closed, Democrats claimed that Métis people had engaged in widespread voter fraud because they were "British subjects" and not American citizens.[941] They accused Riel of inciting civil disobedience, alleging that, as Harry Stanford recalled, he persuaded people to refuse to "pay poll tax" and that he "voted some 200 Métis illegally."[942] The following spring the Sheriff of Fort Benton, "then full of Red River breeds and low class Frenchmen—coyote French," as Stanford called them, arrested Riel for "complicity in election frauds." Riel and his supporters fought the charges in the courtrooms and the media and used the spotlight to call attention to the broader context of the case. His opponents did the same, with one reporter deriding one of Riel's columns in the *Helena Herald* as "another of his absurd epistles . . . in which he claims that the half-breed is a man and a brother." A *Great Falls Tribune* article countered this claim with a characterization that reflected the au courant hybrid degeneracy theory: "the half-breed was 'the meanest creature that walks . . . He is never equal in courage to his father. . . . He surpasses his mother in dishonesty and treachery.'"[943]

Through the early 1880s, surveillance of other leaders of the mixed, mobile people in between intensified as their organizing across spatial and social lines of band, tribe, race and nation continued. This surveillance was often clandestine—it even included encoded messages—and it focused especially on borderlands indigenes who were known as both mobile and politicized. Authorities anxiously tracked the movements of people like Dumont, Big Bear, Poundmaker, Little Pine, Lucky Man, Piapot and Little Poplar.[944] They also took measures to inhibit their movement, which they hoped would in turn impede effective networking. In 1884, for example, Hayter Reed, upon learning that Piapot "did not go across the Line . . . had him sent

---

[938] *"Mention of his and Lepine's attempts to stir up the Indians"* in, 1880, F, MG 27, I D3, A.-P. *Caron Papers*, 9475; "Thematic Guides: Louis Riel, the Red River Rebellion and the North West Campaign," LAC, http://www.collectionscanada.gc.ca/the-public/005-1142.12-e.html.

[939] W.L. Orde, Battleford *"intimating that an authentic report exists that Riel is agitating among Half Breeds, Sioux and Cree, 1880-1885,"* File 89-430, vol. 341, RG 15, LAC; Hayter Reed to Dewdney, Battleford, September 4, 1884, *Edgar Dewdney Fonds*, Glenbow, 1398-1401. This same document reported that Big Bear, "during the Council of Chief held at Duck Lake" advocated "the killing of agents & superior officials" but Mis-tawasis and Uhtahkahoop disagreed.

[940] C.H. Rouleau to Dewdney, Battleford, September 5, 1884, *Edgar Dewdney Fonds*, Glenbow, 1402-1405.

[941] Foster, *We Know Who We Are*, 2006, 123.

[942] Harry Stanford, "Harry P. Stanford Reminiscence: Louis Riel," Harry P. Stanford, SC 775, MHS.

[943] Ibid.; Foster, *We Know Who We Are*, 2006, 123–125.

[944] Col. A.J. Irvine to Dewdney, Fort Walsh, June 24, 1882, *Edgar Dewdney Fonds*, Glenbow, 1193-1195. This "private" memo reported on the movement of bands under Piapot. Lucky Man, Little Pine, and Big Bear in addition to Riel, Sitting Bull, Dumont and others. Hayter Reed to Dewdney, Battleford, September 4, 1884, *Edgar Dewdney Fonds*, Glenbow, 1398-1401; C.H. Rouleau to Dewdney, Battleford, September 5, 1884, *Edgar Dewdney Fonds*, Glenbow, 1402-1405; Hayter Reed, "*In connection with this I beg to state that I have…"* September [?], 1884, File 73,419, vol. 3845, RG 10, LAC; [?] to A. J. Irvine, Manitoba, September 16, 1884, File 871, vol. 3581, RG 10, LAC; To the Commissioner of Indian Affairs, Regina, September 18, 1884, File 871, vol. 3581, RG 10, LAC; Copy of a telegram to Indian Commissioner, September 27,1884, File 871, vol. 3581, RG 10, LAC; J. M. Rae to Indian Commissioner, October 11, 1884, File 871, vol. 3581, RG 10, LAC; T. T. Quinn to Indian Commissioner, copy of a telegram, October 13, 1884, File 871, vol. 3581, RG 10, LAC; T. T. Quinn to Indian Commissioner, October 24, 1884, File 871, vol. 3581, RG 10, LAC; Deputy of the Superintendent of Indian Affairs to Indian Commissioner Dewdney, November 25, 1884, File 871, vol. 3581, RG 10, LAC.

back to his own reserve."[945] Reed meanwhile plotted to "keep Big Bear at Pitt" "to prevent Indian difficulties" and to inhibit his "getting a greater following about him." At the same time, he schemed to stop the travels of Poundmaker, "the worst moving spirit in the country," instructing his agents "to watch him carefully + endeavor to get some hold upon him whereby he can be made a prisoner + taken to Regina."[946] Others wondered if they might discourage Little Poplar's movement by denying him "his treaty money" when he showed up at Battleford—with "his son-in-law, a Crow Indian"—where he professed his intention of "going back to Montana again."[947]

But borderlands coalition-building continued unabated, and even seemed to grow. From Battleford, Little Poplar proceeded to Pitt for the payment there. He "made large demands" and said "that he was going all over the country and see that they were better treated and if they were not he would see that they were," an act that inspired officials to direct that "this Indian and his followers should be closely watched by the Police."[948] Little Pine, meanwhile, was reported to have made an organizing "visit south," and as a result "a good many Blackfeet intend[ed] coming north in spring to assist the Indians here [Battleford] in their demands."[949] Citing the fact that "as long as the half-breeds would agitate, the Indians will agitate also and be troublesome," nervous officials became increasingly adamant that "the Government . . . put a stop to the movement of halfbreeds."[950] Others offered their approval of "punishing" Indians south of line so as to keep them from moving, and propounded on the immediate need "to prevent large bodies of Indians from coming together," advocating "handl[ing] them with such a force of Police as would cause them to give in without an effort" should they try to gather.[951]

The Conflict of 1885

Borderlands indigenes' ongoing organizing in the face of escalating persecution is the essential backdrop for understanding and recontextualizing the Northwest Conflict of 1885. Although the violence that year between "Métis" communities and Canadian armies—like the conflict in 1869-1870—is renowned in Canadian history, the so-called Second Riel Rebellion was but a noteworthy episode in a series of diverse efforts by the mixed, mobile indigenous people of the borderlands to maintain some control over their collective destiny in the face of colonization. But if spectacular violent conflict was but one of many tactics borderlands indigenes used in their struggle, it was nonetheless the most drastic. In this it reflected not only the mounting persecution of indigenous people in between the borders being layered across the Plains but also the dire circumstances that enveloped Northern Plains indigenous populations by the 1880s.

In terms of physical survival, the pressures on Plains communities during this period cannot be overstated. Reduction of the buffalo herds occurred so rapidly that many indigenous

[945] "*In connection with this I beg to state that I have…"* September [?], 1884, File 73,419, vol. 3845, RG 10, LAC.
[946] Hayter Reed to Dewdney, Battleford, September 4, 1884, *Edgar Dewdney Fonds*, Glenbow, 1398-1401.
[947] [?] to A. J. Irvine, Manitoba, September 16, 1884, File 871, vol. 3581, RG 10, LAC; To the Commissioner of Indian Affairs, Regina, September 18, 1884, File 871, vol. 3581, RG 10; Copy of a telegram to Indian Commissioner, September 27, 1884, File 871, vol. 3581, RG 10; Dewdney to J. M. Rae, copy of a telegram, Regina, September 30, 1884, File 871, vol. 3581, RG 10, LAC.
[948] Thomas Quinn to Indian Commissioner, October 24, 1884, File 871, vol. 3581, RG 10; Deputy of the Superintendent of Indian Affairs to Indian Commissioner Dewdney, November 25, 1884, File 871, vol. 3581, RG 10.
[949] J. M. Rae to CIA, File 17,936, vol. 3705, RG 10, LAC.
[950] C.H. Rouleau to Dewdney, Battleford, September 5, 1884, *Edgar Dewdney Fonds*, Glenbow, 1402-1405.
[951] A. Shurtleff to McIlree, Fort Walsh, April 26, 1883, File 340, vol. 1007, RG 18, LAC. This comment was made in reference to the 1883 incident cited above in which "Cree raiders" were killed. Hayter Reed to Dewdney, Battleford, September 4, 1884, *Edgar Dewdney Fonds*, Glenbow, 1398-1401.

groups had little time (and fewer and fewer resources) to devise replacement subsistence strategies. The destruction of the buffalo eliminated not only an important food source but also the mainstay of the market economy. Between 1878 and 1883 traders exported more than 250,000 buffalo hides from the region. In 1880, a single firm in Fort Benton, Montana, shipped some 20,000 hides. Three years later hunters had only 500 hides to sell there, and the following year they had none. That winter, people died in droves. Among the Blackfeet 1883-1884 became known as the "starvation winter." In the Piegan Band alone some 600 people starved to death. The Gros Ventre and Assiniboine suffered similar losses, as the demise of historical lifeways was compounded by the failure of the United States to provide even the barest of necessities to recognized tribes.[952] Indigenous people in Canada fared no better. The agriculture that was supposed to supplant earlier economies offered little relief. In September of 1884, Charles B. Rouleau reported to Edgar Dewdney, Lt. Gov. of NWT, that "on almost all the reserves, the crops are a failure." "Unless the government comes to the help and assistance of the Indians with food and clothing," he warned, "there will be great misery and starvation among them this winter."[953] Rouleau's prediction came true: 1880-1885 would go down in history as the greatest period of "population loss due to disease, starvation, and cold" in Canadian Indian history.[954]

The collapse of the buffalo economy was related to the demographic assault that attended it. Railroads penetrated the plains on both sides of the international border, and non-Indian immigration exploded, bringing the advent of white majority. Cities sprang up with dizzying rapidity, among them the international metropolis contemporaries called Butte, America. Non-Indians trumpeted the demographic conquest that followed on the heels of military might. In 1870, Pembina politico Enos Stutsman gushed to U.S. officials in Winnipeg that "our pioneers are eagerly availing themselves of the benefit of our liberal federal land policies."[955] Nine years later Edgar Dewdney could make similar claims for Canada: "Manitoba, which I might say only within the last few months has been within easy reach of the public, is now pretty well understood."[956] This influx was in important ways far more consequential than the military conquest that preceded it. As a member of the Devil's Lake region Pioneer Association put it, "for many years the business of the Army was to keep Indians within the bounds of their reservations, and many a hard fought battle was the result, but the Indian question was more nearly solved when the ponies captured from the Indians after the Custer fight were replaced by cattle." Such in-migration dramatized the territorial implication of legal land loss. Sometimes, as at Turtle Mountain, it was directly dependent on policy developments: there a rush of settlement came hard on the heels of Grant's executive order that removed 18 townships from the band's lands.[957] So, too, did the spread of official surveying—and Indian removal—that

[952] Peter Nabokov, *Native American Testimony: A Chronicle of Indian-White Relations from Prophecy to the Present, 1492-1992* (New York N.Y.: Viking, 1991), 184; Frederick Hoxie, *Parading Through History: The Making of the Crow Nation in America, 1805-1935* (New York: Cambridge University Press, 1995), 115; ARCIA 1884, 35; Foster, *We Know Who We Are*, 2006, 310; Robert Utley, *The Indian Frontier of the American West, 1846-1890* (Albuquerque: University of New Mexico Press, 1997), 229; Ewers and United States, *Ethnological Report on the Chippewa Cree Tribe of the Rocky Boy Reservation and the Little Shell Band of Indians*, 106; Samek, *The Blackfoot Confederacy, 1880-1920*, 39–41.
[953] C.H. Rouleau to Dewdney, Battleford, September 5, 1884, *Edgar Dewdney Fonds*, Glenbow, 1402-1405.
[954] Hugh Dempsey, "The Starvation Year: Edgar Dewdney's Diary for 1879," *Alberta History* 31, no. 1; 2 (1983):1–15; Gerald Friesen, *The Canadian Prairies: A History* (Toronto: University of Toronto Press, 1993), 150; Peggy Martin-McGuire, Canada, and Indian Claims Commission (1991-2009), *First Nation Land Surrenders on the Prairies, 1896-1911* (Ottawa: Indian Claims Commission, 1998), 9.
[955] Enos Stutsman to Hon. J. M. Taylor, Pembina, December 27, 1870, in *James Wickes Taylor Papers*, MSS 20187, SHSND.
[956] ARDIA 1879, 103. Dewdney commented as well on how rapidly the states to the south were settled, and how well suited Manitoba was for the ranching economy developing in neighboring states.
[957] Henry Hale, "Pioneer Association: Devil's Lake Region," 1925, 10, 13, 40.

accompanied it.[958] The assault on the Plains in this period came from many directions. Global developments—like the invention of barbed wire—interacted with local developments—like the arrival of placer-mining in the Sweetgrass Hills (the miners having been brought there by a "Blackfoot half-breed")—to make the implications of conquest brutally manifest.[959]

In this desperate context, borderlands indigenes decided in 1884 to take stronger measures, measures that climaxed in 1885.[960] The 1885 battles, and the reprisals that followed, would become the most famous events in Canadian history. As with any major historical event, historians argue about the causes, the details and the effects of 1885. They even argue about whether or not there is anything left to argue about regarding the 1885 conflict. But it is nonetheless possible to distill a basic summary of the conflict that accords with most renditions. The events commonly known as the NW Rebellion or the Riel Rebellion consisted of a series of violent conflicts in Canada's Northwest Territories. The first of these occurred on March 18, 1885, when armed Métis seized St. Anthony's church in Batoche, taking hostages and cutting telegraph lines to the area. Over the next week, as in 1869-70, they formed a provisional government, replete with an official army, and made a series of demands, including the surrender of NWMP troops at neighboring Fort Carlton. Then, on March 26, a group led by Gabriel Dumont fought, and defeated, a force of Mounties and volunteers at Duck Lake. Seventeen people died, including twelve government troops and five of Dumont's men, among them his brother Isidore and Assiwyin, a "Cree" chief. The following day the police forces at Fort Carlton fled.[961]

Meanwhile, news of the conflict reached authorities in the east, and Canada mobilized troops and sent them to the scene. As March turned to April, "Cree Indians" began to strike. A man named Itka (a.k.a. Crooked Leg or Turning-the-Robe/One-who-turns-a-blanket-inside-out) killed the government farm instructor on the Mosquito reserve, bands under Poundmaker looted and laid siege to Battleford (and then left to encamp at Cutknife Hill), and people led by Ayimisis (a.k.a. Little Bear, son of Big Bear) and Wandering Spirit killed eight "whites" and the part-Sioux Indian Agent at Frog Lake. The Frog Lake Indian Agent who died was Thomas Trueman Quinn, the same Thomas Trueman Quinn who had survived the 1862 attacks in Minnesota by hiding under a pile of blankets.[962] To the north, at Saddle Lake, Cree from the Little Hunter and Blue Hills bands raided the government storehouse. Two weeks later, members of Big Bear's (Mistahimaskwa's) band took Fort Pitt, which the NWMP promptly evacuated. Then Dumont's forces surprised Middleton's troops at Fish Creek, and "Indians" raided the HBC post at Lac La Biche, Alberta. In May, Canadian forces attacked the Cree and Assiniboine Cutknife Hill camp (but had to retreat) and battled Métis forces at Batoche for three

[958] McQuillan, "Creation of Indian Reserves on the Canadian Prairies 1870-1885," 379; Fee, "Government Policy Toward the Principal Indian Nations of Montana, 1851-1873." John Jackson, *The Piikani Blackfeet: A Culture Under Siege* (Missoula, Mont.: Mountain Press, 2000), 168. Jackson calls the lines that resulted "paper boundaries," but they became much more.

[959] Joe Wolery and Chester Public School, "The Sweetgrass Hills," *Montana Heritage Project*, http://www.montanaheritageproject.org/edheritage/HE_99sum/su99jw.htm. Miners arrived in the Bear's Paw/Little Rockies around the same time. The arrival of railroads and the spread of other infrastructure, like barbed-wire, made state spatialization regimes much more achievable and physically manifest.

[960] At the 1884 Duck Lake Council of Chiefs, for example, Big Bear reportedly advocated violence "under the impression that such a course would alarm the Government + it give in to the exorbitant demands of the Indians." Decisions regarding the course of action were ostensibly postponed due to "the fact of the Half-breeds abiding the result of their application to the Govmt." Hayter Reed to Edgar Dewdney, Battleford, September 4, 1884, *Edgar Dewdney Fonds*, Glenbow, 1398-1401.

[961] "Northwest Resistance: Chronology of Events," *Northwest Resistance*, http://library.usask.ca/northwest/background/chronol.htm.

[962] Kostash, "A Tale of Two Massacres." Quinn was married to Owl Sitting, whose uncle Lone Man was a member of Big Bear's band. Among other languages, Quinn spoke Cree fluently. See Dempsey, *Big Bear*.

days before declaring victory there. Two days later, Battleford bands who'd been at Cutknife Hill captured a military supply wagon train and took its teamsters hostage.[963]

Louis Riel, in Batoche, surrendered the next day, May 15th, but the conflict continued for several weeks. Big Bear's band fought Canadian forces at Frenchman's Butte on May 28th, and clashed with another Canadian battalion on June 3 at Loon Lake in the final engagement of the rebellion. Several indigenous leaders surrendered in the meantime, and Big Bear's July 2nd surrender was the last. Four days later Canada charged Riel with high treason. After a late July trial, the Dominion hung him, in the streets Regina, on November 16, 1885. In September and October eight "Indian" men were also sentenced to hang in several different trials, and the Dominion killed them all at Battleford on November 27, 1885, in the largest mass execution in Canada's history.[964] For "good effect," officials forced area indigenous people to gather at the gallows and watch them die.[965]

For neighbors, accomplices and adult kin of the hanged, the Battleford execution must have seemed sickeningly familiar. Many of these same people probably knew the victims of, and some likely watched, the largest mass execution in American history—also by hanging—not twenty-three years before in Mankato, Minnesota. As we've seen, at that hanging United States officials killed 38 "Sioux" and métis. And this is the crucial point to be made about the NW Resistance, or Rebellion, or Conflict, or whatever you want to call it. Contrary to what one might conclude based on the emphasis of much existing scholarship, it was not just about or related to Canada's Northwest Territories and the situation there in 1884-85, nor did it involve only Cree and Métis people from that region. It was part of a much broader—tactically, temporally, spatially, ethno-racially—struggle. And it was part of a broader struggle not just in terms of being generally concurrent or successive with other events, or being generally about the same thing in the same region, or being against the same enemy, but in a very specific sense. On a group and individual level, it involved the same people in the same fight against the same problem. For the mixed, mobile indigenous people of the borderlands, including those we call Métis, Cree, Sioux, Chippewa, Assiniboine, etc., the events in the NWT in 1885 were but one of many battles—armed and otherwise—they engaged in against the colonial nations that invaded their homeland in the second half of the nineteenth century.

Together, multiple groups of mixed, mobile indigenous people, not just Métis and Cree, made a last desperate stand in 1885. It is the events of 1885—not those of 1876 or 1877—that we should understand as the final mass armed indigenous resistance on the Northern Plains, whether American or Canadian. The Battle of the Little Big Horn was far bigger, but it was not the Plains Indians' "last stand" against the imperial nations invading their homeland. Primary sources produced by Canadian authorities in the wake of the NW Conflict make clear that 1885 involved an assortment of borderlands indigenes. For starters, many of the "Cree" who took part in the battles descended from other tribes as well. Big Bear, among the most prominent "Cree leaders" in the conflict, not only descended from other tribal groups but may not have had any Cree ancestry whatsoever.[966] But the multitribal nature of the NW Conflict extends far beyond the multitribal ancestries of involved "Cree" and "Métis" people. The Dominion's July, 1885 lists "of prisoners and prominent men" included not only people labeled either Cree or Métis but

[963] "Northwest Resistance: Chronology of Events."
[964] Ibid.; Cyril Greenland, "The Last Public Execution in Canada: Eight Skeletons in the Closet of the Canadian Justice System," *Criminal Law Quarterly* 29 (1987 1986): 419n9; Reinhold Kramer and Tom Mitchell, *Walk Towards the Gallows: The Tragedy of Hilda Blake, Hanged 1899* (University of Toronto Press, 2002), 241.
[965] Donald B Smith, *Honoré Jaxon: Prairie Visionary* (Regina: Coteau Books, 2007), 65.
[966] Dempsey, *Big Bear*, 11.

a variety of others. A quarter of the 33 men on a list titled "rebel prisoners" were identified as being from other indigenous groups: among them were "Lean Man, Assiniboine," ("taken with Poundmaker at Battleford), "Icta (Turning the Robe), Assiniboine," "Red Bear, Sioux" (who was "at Batoche"), "Iron Owl . . . Minnesota Sioux," "Stand(?)ing Earth, Minnesota Indian," "Biting Eagle (Dog Eagle), Minnesota Sioux," "Red Blanket, Sioux," and "White Haired Dog, Teton Sioux."[967] Canada eventually tried over 100 men for their roles in the conflict. By one count, some "68 of those charged were Cree, Chippewa, or Sioux Indians."[968]

Other primary sources suggest that the composition of the prisoners reflected the composition of participants. Reverend J. Hines was a missionary at Sandy Lake in the years of the conflict who, in 1915, published a memoir of his life there. In an interview with his Bishop during the fighting, he was warned that "the Indians from the U.S. have crossed the border line, and have come to assist the Indians on this side." Hines naively dismissed such "wild statements." But he gave enough credence to more specific rumors—which held that "it was pre-arranged between the rebels and the Sioux camp, immediately across the river" to burn a steamboat "kept there in readiness in case of emergency—that he performed guard duty, armed, onboard the vessel."[969] Other sources document Sioux involvement in the violence that transpired. In addition to the men imprisoned by the Dominion, among those Sioux individuals who fought in the conflict were "Teal Duck (Siyaka), with his brothers Tormenting Bear (Mato Wakakesija) and Poor Crow (Kanji Tomaheca) . . . Black Bull (the Chief) and He Killed Two (Big Joe Ferguson)." At least three of these men, "Teal Duck, Poor Crow, and Black Bull, were veterans of the Battle of the Little Big Horn," as was the Dominion's "Sioux" prisoner Red Bear (Mato Luto).[970] Isaac Cowie met members of "the Sitting Bull band of Teton Sioux" who later fought, and died, in 1885.[971] Gabriel Dumont reported "Sioux" participation at particular battles, like Batoche, where "the Sioux of Saskatoon or Round Prairie" fought, and Fish Creek, where "some of Chief White Cap's band (Dakota Sioux)" and "some Lakota Sioux" joined "Cree" and "Métis" forces. "Saulteaux (Ojibwa/Chippewa)" also joined in the Fish Creek fracas.[972] Among them was "Stone Child or Little Stone Man," (a.k.a. Rocky Boy) and some of his band, who in 1885 "aligned themselves with the Métis and Cree, in what became known as the Riel Rebellion."[973] According to at least one historian, "Indians from the same tribes were with the Métis at Batoche."[974] Many of these men counted the American Turtle Mountain region as part of their homeland: journalists from that area reported that the 1885 "Riel breed rebellion . . . involved the Dunseith Indians and breeds."[975]

Events immediately before and after the Northwest Conflict also encourage us to recontextualize it. According to reports Edgar Dewdney received from south of the international

---

[967] J Hines, *The Red Indians of the Plains Thirty Years' Missionary Experience in the Saskatchewan* (Toronto: McClelland, Goodchild & Stewart, 1916), 205–207; "Rebel Prisoners in Custody", Regina, July 19, 1885, LAC, 2487-2493.
[968] Greenland, "Last Public Execution in Canada," 417.
[969] Hines, *The Red Indians of the Plains Thirty Years' Missionary Experience in the Saskatchewan*, 205–207.
[970] Papandrea, *They Never Surrendered*, 10.
[971] Cowie, *The Company of Adventurers*, 289.
[972] Papandrea, *They Never Surrendered*, 2009, 8; George F. G. Stanley, ed., "Gabriel Dumont's Account of the North West Rebellion, 1885," trans. George F. G. Stanley, *Canadian Historical Review*, no. 30 (1949): 259; Gabriel Dumont and Michael Dorn Barnholden, *Gabriel Dumont Speaks* (Vancouver, B.C.: Talonbooks, 1993), 28, 59-61, 63-64, 70-74; Auguste Henri de Tremaudan, *Hold High Your Heads: History of the Métis Nation in Western Canada* (Pemmican Publications, 1982), 133; According to Papandrea, White Cap served on the governing council of the "Métis" provisional government at Batoche.
[973] Papandrea, *They Never Surrendered*, 9; Thomas Peacock and Marlene Wisuri, *Ojibwe Waasa Inaabidaa: We Look in All Directions*, 1st ed. (Afton, MN.: Afton Historical Society Press, 2004), 53. See also Gary Norman Arthur Botting, *Chief Smallboy: In Pursuit of Freedom* (Calgary: Fifth House, 2005).
[974] Papandrea, *They Never Surrendered*, 10.
[975] "Former Herald Publisher, the Rev. F.E. Farrell, Had Life of Romance, Exciting Adventure." Newspapers clippings in *A.C.J. Farrell Papers*, MSS 10066, SHSND.

border, on the eve of the confrontation Crow Indians, as well as messengers from Riel, traveled to Montana's Fort Belknap Reservation "and tried all they could to persuade them to join in the rebellion."[976] Other people reported diplomatic missions to the Blackfeet and to Minnesota's White Earth Agency for similar purposes, as well as to "Sioux" living the Brandon, Manitoba area.[977] As the conflict escalated in April, informants in the Fort Macleod area sent news that "Gros Ventres, Crows, and Kootenays will send a large fighter party via Bear Paw Mountain to Cypress Hills."[978] Post-conflict geography reflected the same breadth connections, involving many communities not normally associated with the events of 1885. By September, Canadian authorities believed "most of the half breeds who were concerned in the rebellion ha[d] gone to Turtle Mountain," while Little Poplar was "at the Crow Agency." "Lucky Man and Big Bear's son" were at "Assiniboine" and Dumont was "reported to be in the Judith Basin." By October, a band of 137 "British Cree Indians," including Little Bear and Little Poplar "were located near the Fort Belknap Agency."[979] The NWMP's efforts to keep tabs on "the objects and designs" of these refugees in the U.S. proved difficult: officials reported that "almost every person over there was opposed to us."[980]

Clearly, then, the conflict of 1885 was but one dramatic event embedded in a much larger struggle. It was neither the narrow product of one man's passions—as the convention of calling it the Riel Rebellion suggests—nor simply a Métis, or Métis and Cree, struggle. Instead, it involved people across the Northern Plains borderlands, mixed people from different tribes and bands, people who were as tied to American territory and communities as they were to Canadian. These interrelated people shared a common cause brought on by a common circumstance as they confronted the new social and spatial order covering their homeland. As state status became increasingly critical in the 1870s and early 1880s, mixed, mobile Northern Plains indigenes pursued status and rights across the region by varied means. The events of 1885 marked neither the beginning nor the end of these efforts: they were but a climactic plot point in a much longer narrative. But their sensational nature led contemporaries and the historians who succeeded them to cast 1885 as the culmination of Métis struggle. In doing so, they helped perpetuate that struggle: as we shall see, subsequent emphasis on 1885, in combination with ideas about race, nation, tribe, and place, made borderlands indigenes even less secure in decades that followed.

[976] Corporal G. H. L. Bossange to Commissioner of NWMP, May 3, 1888, File 431-1888, vol. 1124, RG 18, LAC. Bossange was reporting from the Fort Belknap Reservation in Montana, where he found "as many half-breeds as Indians" and "also a number of Crees; about three hundred warriors with their families; who had come over from Canada last year, [and] told them their own side of the Rebellion."

[977] J. A. McKay to Indian Commissioner, December 9, 1886, File 35676, vol. 3773, RG 10, LAC. McKay's letter described a visit to White Earth Agency and a conversation there with "a half breed named J. E. Perrault . . . a Treaty Indian" "regarding Riel's late rebellion and his endeavors to induce American Indians and half breeds to aid him."; J. M. Rae to Indian Commissioner, Battleford, December 27, 1884, File 17,936, vol. 3705, RG 10, LAC; McKay to Dewdney, Pembina, January 8, 1886, *Edgar Dewdney Fonds*, Glenbow, 1261-1265.

[978] John Cotton to Dewdney, Ft. Macleod, April 6, 1885, *Edgar Dewdney Fonds*, Glenbow, 1147-148.

[979] McIlree to Lieut. Col. Irvine, Maple Creek, September 9, 1885, File 3396, vol. 1024, RG 18, LAC; MacDonnell to Lieut. Col A. J. Irvine Camp Wood Mountain, September 23, 1885, File 3396, vol. 1024, RG 18, LAC; SOI Vilas to Speaker of House of Reps, May 31, 1888, copy in Senate Report 821, 54th Cong., 1st Sess., reprinted in Raymond Gray, "History of The Cree Indians," unpublished manuscript (WPA Records, 1935-1942, February 26, 1942), 5, 34–38, col. 2336, box 18. MBSC; Verne Dusenberry, "The Rocky Boy Indians," *The Montana Magazine of History* 4, no. 1 (1954): 2–3; Gabriel Dumont, February 10, 1888, *Gabriel Dumont Papers*, SC 1367, folder 1/1, Letters, 1886 [sic], MHS. Pre-rebellion connections were also affirmed in stories of the rebellion told by, according to Raymond Gray, "Indian and half-breed alike" that "Riel and his forces were holding the Fort at Batoche without ammunition while waiting for supplies from Montana."

[980] D. Paterson to Supt. J. A. McIllree, Maple Creek, October 6, 1885, File 3396, vol. 1024, RG 18, LAC.

Chapter 7
"Foreigners in the Territory We Had Always Called 'Home'": Statelessness in the Late 19th Century

After 1885, the social and spatial borders of nation, race, tribe and band that colonization layered over the Plains took on meaning and substance. In both Canada and the United States, non-Indian immigrants reacted to the Northwest Conflict by solidifying the discursive and legal displacement of many borderlands indigenous people. In policy and practice, métis found themselves regarded, and persecuted, as "foreigners in the territory [they] had always called, 'home.'"[981] But while non-Indian newcomers increasingly categorized borderlands indigenes as people who had come from somewhere else, they simultaneously labeled them Indian, ie. indigenous, in terms of race. Unlike other non-Indian "foreigners," under the legal codes of the nations occupying their homeland, Indians could neither immigrate nor be naturalized.

At the same time, Canada and the United States began to create official tribal membership rolls that individualized Indian status. In doing so they excluded many indigenous individuals from legal Indian-ness. As we've seen, the treaties that codified state-recognized Indian communities across the Plains left unspecified the composition of tribes or bands. So long as neither the U.S. nor Canada interfered with the fluidity of these communities, mixed and mobile indigenous people could be part of recognized groups. But as the 1880s progressed, U.S. and Canadian policy pushed formal membership rolls of recognized Indian entities. Assigning particular communities to particular places—separating and spatializing them—required not only formalizing group names and territories but also group membership, specifying who would and wouldn't be sanctioned by the state as a legitimate component of each recognized Indian entity. On the grounds that they were of the wrong place, race, nation, tribe, or band, both nations excluded many mixed and mobile indigenous people from the official rolls of *any* band or tribe, conceptually and legally purging them from *all* recognized Indian communities.

In the lives of borderlands indigenes, these multiple axis of discursive displacement, and concomitant exclusion from state-ascribed status categories, overlapped. Together they consigned significant portions of the region's residents to a layered statelessness. Barred from legal Indian status and defined as spatially foreign but racially indigenous, mixed and mobile indigenes found all of the national, racial, or tribal categories into which Canada and the U.S. divided their populations closed to them. In combination, the discourses on nation, race tribe and band left such people in a legal no-man's land, in which they lacked official status as member of any of the groups—Indian, citizen, or alien— into which nation-states divided their occupants. The legal geography of colonial nation-states left them in a stateless space between Canadian and American, Indian and White, Turtle Mountain Chippewa and Onion Lake Cree.

As this layered statelessness solidified, so, too, did its consequences. All of the categories from which mixed, mobile indigenous people were excluded conveyed de jure and de facto rights. Exclusion from official status thus left many people in a legal and social limbo in which they could claim neither the rights of non-Indian citizens, nor the rights of federally recognized Indians, nor the rights of immigrants on either side of the border. Foremost among these rights was the liberty to occupy places that the American and Canadian empires allowed to each population group. Colonization and treaty-making assigned specific Plains places to each nation, race, tribe, and band. When Canada and the U.S. refused to ascribe official national,

[981] Rivard and Littlejohn, *The History of the Métis of Willow Bunch*, 196.

racial, or tribal status to indigenous people, they refused them the right to occupy white *or* Indian spaces across the Northern Plains.

Through the 1870s, although persecution of the people in between increased, the developing prohibitions on mixed indigenous peoples' presence remained largely theoretical. But as they individualized Indian status in the late 1880s, the Canadian and American governments also reduced and individuated Indian land holdings. Colonial authorities carved large, porous reserves into smaller, more sealable, parcels. They divided the diminished lands that remained into privately held individual parcels instead of lands held in common by bands or tribes. This demise of the indigenous commons meant that, for indigenous people denied formal status as such, space shrank. At the same time, Canada and the U.S. intensified efforts to create discrete population categories, and discrete populations, on the Great Plains. Armed with new membership lists, they designed stringent policies to sedentarize indigenous groups and separate them from one another and from non-Indians. In the late nineteenth century, authorities aggressively enforced these policies. Across the borderlands, colonial officials policed the social and spatial boundaries of categories they constructed, pushing indigenous people who lacked status out of both white and Indian spaces. As immigration accelerated, so did the persecution of the mixed, mobile indigenous people for being where, according to the colonial map, they didn't belong. In this way, Canadian and American refusal to ascribe borderlands indigenes a secure spatial, racial, or tribal status ultimately perpetuated the very mobility and intermixture authorities despised. And this mobility in turn reinforced the notion that they came from, and belonged, somewhere else.

Race & Nation: Indigenous "Foreigners" & Naturalized Immigrants

In the years following the Northwest Conflict, mixed, mobile indigenous people found themselves conceptualized and treated as outsiders. In both the U.S. and Canada, they were regarded as a particular sort of foreigners—non-white indigenous outsiders who, under Western legal systems, could not be immigrants. This discursive and legal displacement developed differently on either side of the international border, but with similar implications: after 1885, the ideas that had been inscribed in treaty contracts and colonial codes about borderlands indigenes' place in the nation-state gelled into formal statelessness.

When the U.S. Army and American settlers moved onto the Plains en masse in the 1860s, they had begun to think of certain indigenous groups in the region—namely the Cree and Métis—as Canadian. These ideas shaped treaty-making. Treaties, in turn, formalized distinctions between indigenous groups and, in the eyes of non-Indians, reinforced the association of those labeled Cree and Métis with Canada. The events of 1885 completed this process. Thereafter, throughout the U.S. portion of their homeland, non-Indians ascribed "Cree" and "Métis" Canadian status.

South of the international border, the renowned story of Métis and Cree as rebels on Canadian soil made the mixed, mobile population of the region into refugees both literally and figuratively. The Canadian government hunted people it associated with the rebellion, and Canadian civilians persecuted them, so some people fled southward seeking refuge. Non-Indians used this flight, and the events that engendered it, to turn borderlands indigenes into refugees—foreigners—in a figurative sense as well: most non-Indian Americans thereafter knew these groups first and foremost as protagonists in the most famous events in Canadian history. Their perception of borderlands groups as American dimmed accordingly.

As we've noted, the armed conflict in the Northwest in 1885 and that at Red River fifteen years earlier constituted only two of many attempts by borderlands indigenous groups to secure status and rights on both sides of the inter-empire line that divided their historical homeland. But they were far and away the most well-known of such efforts. A massive, global audience followed the coverage of the rebellions and the subsequent trial of leader Louis Riel in 1885. Regional American newspapers, like those in Helena and Butte, reported on it in detail.[982] After the Dominion of Canada executed Riel, "fifty thousand people from all over the province crowded together" at a rally in Montreal. No fewer than "thirty countries were represented by their deputies."[983] Such widespread acclaim rivaled that of the 1876 Battle of the Little Big Horn, and made most non-Indian people in the U.S. automatically link Métis and Cree with Canada.

Heightened American media attention to communities associated with the NW Conflict reflected the increasing tendency to label these groups Canadian. The press also encouraged it. Floyd and Susan Sharrock argue that "the Cree who had so easily gone undetected in Montana as late as just prior to the Riel Rebellion now received a remarkable amount of public attention."[984] Although they exaggerate the change—"Cree" weren't exactly unnoticed in the U.S. before 1885—the Sharrocks are correct in identifying the Northwest Conflict as a turning point in the media's interest in the mixed, mobile indigenous communities of the borderlands. After 1885, stories about these communities filled Northern Plains newspapers.[985] The unprecedented attention ensured that the southward migrations in the immediate aftermath of the NW conflict overshadowed the enduring, frequent, but more mundane migrations that preceded it.

If the increased reports about integrated indigenous groups implied that their presence in the U.S. was new, the language used by the press represented this foreignness as fact. Across Montana, newspapers invariably called the mixed groups "Cree." Labeling them Cree implicitly tied them to Canada, but lest any readers remain untutored in this categorization, reporters also explicitly identified them as Canadian. In their repeated lamentations about borderlands indigenes, papers usually used both terms. The *Anaconda Standard* bemoaned the presence of "dirty Cree" "Canadian beggars." Newspapers in Fort Benton, Great Falls, and Helena joined the *Standard* in calling repeatedly for the expulsion of "British" Crees and "other thieving Indians from over the Canadian line."[986] Throughout Montana the press characterized "Cree" communities in the United States as "refugees" who "have no business in this country or on our reservations."[987] As Verne Dusenberry put it, "the charge was ever present—[the Cree] are

---

[982] James Anderson to Edgar Dewdney, November 25, 1885 to December 20, 1885, *Edgar Dewdney Fonds*, Glenbow, referencing coverage in Montana newspapers. See also Dumont's letter of appreciation for coverage in the November 10 and December 2, 1885 editions of *Le Figaro*, a journal in Paris edited by George Demanche. February 6, 1888, *Edgar Dewdney Fonds*, Glenbow, 1588-1597. Demanche had been in "the Rocky Mtns in 1885."

[983] Tremaudan, *Hold High Your Heads*, 155.

[984] Sharrock and Sharrock, *A History of Cree Territorial Expansion from the Hudson Bay Area to the Interior Saskatchewan and Missouri Plains. Report Presented before the Indian Claims Commission, Docket 221b-191.* Cree occupation of northern Montana prior the United States' purchase of that territory, and long before the Riel Rebellion, is the main point of the Sharrocks' manuscript.

[985] Cf. *Fort Benton River Press* articles on November 3, 1886; January 4, 1888; July 7, 1888; May 28, 1890; June 11, 1890; July 2, 1890; January 21, 1891; October 18, 1893; November 15, 1893; and January 29, 1896; *Helena Independent* articles on January 9, 1887; January 28, 1887; and January 27, 1887; *Helena Daily Independent* article on January 18, 1891; *Great Falls Weekly Tribune* articles on May 27, 1893; May 28, 1893; November 10, 1893; and May 25, 1894; *Great Falls Tribune* articles on June 6, 1896 and June 20, 1896; *Great Falls Daily Leader* articles on July 20, 1893 and July 27, 1893; and *Great Falls Leader* articles on June 23, 1896; July 3, 1896 and July 9, 1896.

[986] Verne Dusenberry, "Waiting for a Day That Never Comes," *Montana: The Magazine of Western History* 8, no. 2 (1958): 126; Dusenberry, "The Rocky Boy Indians"; Peterson, *Imasees and His Band*; Hogue, "Crossing the Line"; Ryan, "Freedom, Fear, and the American Periphery," 19.

[987] *Fort Benton River Press* clipping, originally attached to W. L. Lincoln, U.S. Indian Agent, Fort Belknap Agency, to CIA, November 9, 1885, *Geneva Stump Fonds*, Glenbow.

Canadian Indians."[988] Heightened attention to groups associated with the NW Conflict functioned in a similar way in North Dakota. There, a slightly different discursive tradition prevailed in the press, but it, too, relied on language that implicitly and explicitly constructed these groups as Canadian. In North Dakota newspaper parlance, they were "Canadian halfbreeds," a term that, like "Canadian Cree," had become redundant in eyes of non-Indians.[989]

Like the press, American authorities consistently represented borderlands indigenes as foreigners. In the fall of 1885, the Indian Inspector at Belknap, M.A. Thomas, wired a telegraph to the Interior Department regarding "a number of Cree Indians recently came upon this reservation refugees from the British possessions . . .They should be put back across the line at once by the military."[990] To the east, his colleague in North Dakota denounced the "many half-breeds who properly belong on the other side of the British line." In his estimation these were people "not classed as American who came across the line from Manitoba" to the Turtle Mountains, where they "mixed in with our native Indians, producing discord amongst them, and proving a constant source of annoyance to white settlers." When the Commissioner of Indian Affairs compiled the reports of Indian agents across the country that year, he concluded that "the same difficulty is experienced at other points along the international boundary."[991] Thereafter, widespread grousing about "Canadian" Indians became a staple in the lexicon of borderlands BIA employees. Indian Department correspondence abounded with complaints about "fugitive Crees from the other side of the British line" and "British" or "Canadian" "halfbreeds" for decades.[992] In official U.S. circles, the Northwest Conflict spelled the death knell for any nuanced understanding of borderlands Indian community composition and affiliation. From the Flathead Reservation in western Montana to the Devil's Lake reservation in eastern North Dakota, and from Fort Washakie in Wyoming north to reservations along the international border, in Indian agent parlance the region's mixed, mobile indigenous populations were "Canadian" or "British" "Cree" and "halfbreeds."

In their efforts to categorize, and treat, them as Canadian subjects, American authorities and others who discursively displaced borderlands indigenous groups emphasized other elements of their ancestries as well. In addition to stressing "Cree" associations, Americans focused on the French aspects these communities. This served to characterize borderlands groups as Canadian in a similar way. By the time it colonized the Northern Plains, the United States was officially and emphatically Anglophone. In some ways it owed its very existence to the official expulsion of the French Empire from what became American territory. Many francophone and/or French descent people made American territory their home after France's retreat, but those who sought to displace mixed and mobile indigenes disregarded this fact. They also disregarded the many other European ancestries and influences in métis communities: equating

---

[988] Dusenberry, *The Montana Cree*, 28. Even historians who seem to be somewhat attuned to the geographic complexities of the region's history often treat the Cree as Canadian, despite the fact that the works they author make clear that Canadian/American distinctions are the product of settler, not Cree, geographies.

[989] See for example, "To Still the Trouble," *Bismarck Weekly Tribune*, May 10, 1885; "Washington News," *Bismarck Weekly Tribune*, January 3, 1890; "The Chippewa Deal," *Bismarck Weekly Tribune*, September 18, 1891; "Should Pay Its Debts," *Jamestown Weekly Alert*, November 12, 1896; North Dakota newspapers also used the phrase "Canadian Indians." Cf. *Jamestown Weekly Alert*, June 27, 1887; "They Belong in Canada," *Bismarck Weekly Tribune*, October 16, 1891. Like Montana newspapers, newspapers in North Dakota labeled stateless indigenes in Montana "Canadian Crees." See "Crees Back in Montana," *Jamestown Weekly Alert*, November 4, 1897. North Dakota newspapers also sometimes used this term for groups in North Dakota. Cf. "Local News," *The Wahpeton Times*, June 30, 1887.

[990] M. A. Thomas, U.S. Indian Inspector, Fort Belknap, Montana, to SOI, October 19, 1885, *Geneva Stump Fonds* (Rocky Boy Genealogy Research), Glenbow. Stump's citation on this document identified it as #24660, Letters Received, Bureau of Indian Affairs, RG 75.

[991] ARCIA 1885, LIII-LIV, 28.

[992] Acting CIA to W. L. Lincoln, U.S. Indian Agent, Ft. Belknap Agency, M.T., October 24, 1885, file "Letters from the Commissioner, 1885," Box 3, Letters Received from the CIA 1878-1927, Fort Belknap Agency, RG 75, NARA RMR. This letter references similar complaints coming from the Montana Blackfeet reservation.

métis with French rendered them foreign. As an ethnic description in the northern Great Plains, "French Canadian" had no "American" counterpart. "French" or "French half-breed" meant Canadian. As Charles Gordon, Justice of the Peace for Wolf Point, Montana, succinctly put it in 1931 when he described the "non-reservation" Indians in his area, "many of the families talk French. It is white mens opinion that these are 'Canadian Breed French'."[993]

Such naming practices proved pivotal in ascribing Canadianness to integrated indigenous groups. But discursive displacement relied on more than mere language choices. In labeling them Canadian, American authorities, and the settlers they served, employed a rationale rooted in the complex historical realities of borderlands populations. In addition to spotlighting only those migrations directly related to the 1885 Conflict, and emphasizing certain ethno-cultural attributes more than others, they deployed ideas about indigenous nativity. Real and alleged place of birth figured prominently into efforts to portray the people in between as Canadian. As discussed earlier, when the U.S. government established birthright citizenship in 1868, the eligibility of American-born Indians for citizen status remained unclear. But this ambiguity didn't separate national status and Indian birthplace. Instead, it did the opposite: the advent of birthright citizenship encouraged non-Indians to use birthplace as a basis for ascribing indigenous people a nationality. On the basis of real or alleged birthplace, United States authorities argued that many of the region's indigenous residents were Canadian, not American. When it suited their needs, colonial agents and settlers viewed birthplace as the determining factor in ascribing Indian nationality. Although chance often determined where women were the moments they bore their children, colonial authorities seized on the locations of those moments to deny people rights to reside in that part of their homeland claimed by the United States. Authorities adhered to this birthplace standard when it suited their purposes, and disregarded it when it didn't: officials frequently labeled as "Canadian" indigenous people who had been born to what they termed "Canadian parents" or "Canadian families" even when those births occured in the United States.[994] This practice made people throughout the borderlands vulnerable. Since Northern Plains indigenes had been mobile for generations, and continued to be so after the United States and Canadian empires marked their common border, many, if not most, families included members who had been born on both sides of the line. In a census taken at Montana's Rocky Boy reservation in 1917, for instance, of 136 families with two or more members, 92 (over two-thirds) included people born on both sides of the international boundary.[995]

The nature of knowledge about nativity abetted birthplace-based arguments. Colonial agents privileged written records, but the documentary record was minute and unreliable. Moreover, because many of the fur trade posts that grew into regional economic and community centers were located north of the international boundary, written sources were often Canadian in provenance and therefore might undermine rather than undergird claims to recognition as

---

[993] Charles Gordon to Superintendent McCullough, Fort Peck Agency, Poplar, Montana, July 14, 1931, Tribal Relations, 1948 file, Box 58, Turtle Mountain, RG 75, NARA CPR; Superintendent, Turtle Mountain Agency, to CIA, April 27, 1923, Mixed-bloods, 1923 file, Box 150, Turtle Mountain, RG 75, NARA CPR. Joseph Kinsey Howard's introduction to Frank Linderman's poem, published in 1947, testifies to the endurance of the conflation of French-Canadian and Indian: the poem, says Howard, uses the language of the French-Canadian "voyageurs, the hunters and trappers," a "French-English patois (usually it contained also some Chippewa or Cree)." Joseph Kinsey Howard, ed., *Montana Margins: A State Anthology* (New Haven: Yale University Press, 1947), 160.

[994] See, for example, Lefort, Tilda R. application file, Box 190, Turtle Mountain, RG 75, NARA CPR; Langie, Mrs. Lewis application file, Box 190, Turtle Mountain, RG 75, NARA CPR; C. H. Asbury, Superintendent, to Addiea Brooks, Superintendent, Florence Crittendon Home, February 1, 1932, Social Relations, 1932 file, Box 73, Turtle Mountain, RG 75, NARA CPR; James Hyde, Superintendent, Turtle Mountain Agency, to CIA, July 26, 1928, Enrollment of Citizenship, Degree of Blood, 1918-27 file, Box 58, Turtle Mountain, RG 75, NARA CPR.

[995] Delia Hagen, "The Territory We Had Always Called Home: Nations, Migration, and the Northern Plains Métis, 1880-1930" (Writing New Histories of Indigineity and Imperialism: A Workshop, University of Manitoba, Winnipeg: unpublished paper, 2008). Family groups of single people, who could obviously be born in only one country, were not included here. Nor were three families with insufficient information regarding birthplaces of all members.

Americans. Often, births that occurred "on the prairies," or in the mountains, south of the line went unrecorded until parents returned to Canadian administrative centers.[996]

Indeed, in the absence of an observable border, many Northern Plains people couldn't even identify, much less document, where they were born. Nativity details and documentation remained elusive for decades. In 1929, at federal hearings on the "Conditions of the Indians in the United States," witnesses testified, albeit unwittingly, to the enduring lack of conclusive nativity knowledge. Although the OIA had kept records and produced reports on the region's indigenous inhabitants for 50 years, many people weren't sure about the details of their birth. When asked where they were born, respondents offered such answers as "right around here, my father told me," or "my father told me in this country some place, but I don't know where. It was on the line some place."[997] Thirteen years later, in 1942, the Superintendent of the Turtle Mountain Agency faced the same problem: "many of the enrolled as well as the non-enrolled people here," he complained, "are not even able to tell whether they were born on the north or the south side of the Canadian line."[998] The paucity of accurate information applied not only to older people but to those born during the twentieth century as well. As late as 1930, agents at the Turtle Mountain and Rocky Boy reservations, for instance, acknowledged significant gaps in their vital statistics records.[999]

The thorough reimagining of borderlands indigenous people after 1885 rendered them outsiders to America in other ways, too, for the NW Conflict linked "Cree" and "Métis" communities not only with Canada, but also with rebellion against state power. At a time when potent fears of radicalism pervaded American society, observers considered these groups *political* refugees, subversives who used violence against the Canadian state. Just months after Canada hung Louis Riel, a bomb exploded in Chicago's Haymarket Square, and authorities' responded by scapegoating and killing four innocent labor activists. A fifth committed suicide the night before he was to be hung.[1000] The Haymarket affair contributed to a growing anti-radicalism that endangered anyone suspected of subversive sympathies. In the eyes of non-Indians, the events of 1885 showed borderlands indigenous bands to be a threat to safety and stability — the Brigadier General Commanding the Department of Dakota called them "insurrectionary Indians"—and reinforced the tendency to marginalize them.[1001] This specific association with political violence compounded the supposed danger posed by mobility and racial mixture more generally.[1002] It also explicitly linked indigenous people's mobility to

---

[996] CIA D. M. Browning to SOI, July 6, 1893, reprinted in *Senate Document 444...*, 95.

[997] Vague answers like these were much more common than any concrete responses. See Subcommittee of the Committee on Indian Affairs, *Survey of Conditions of the Indians in the United States*, 1931, 72nd Cong., 1st Sess., Part 23, 12509, 12511, 12533.

[998] F. W. Boyd, Superintendent, Turtle Mountain Agency, to CIA, February 26, 1941, enclosing a *"list of Canadian Indians on the reservation,"* Indian Reorganization Enrollment, 1936-1940, Box 58, Turtle Mountain, RG 75, NARA CPR

[999] Subcommittee of the Committee on Indian Affairs, *Survey of Conditions of the Indians in the United States*, 1931, 72nd Cong., 1st Sess., Part 23, 12524. An investigator at Rocky Boy in 1929 complained that "as usual on Montana reservations, reliable vital statistics are wholly lacking. Superintendent Shotwell could not even provide me with such elemental data as births and deaths since 1920. These records were not kept by his predecessor." Subcommittee of the Committee on Indian Affairs, *Survey of Conditions of the Indians in the United States*, 1933, 73rd Cong., Part 30, 16398.

[1000] Honore Jaxson, Riel's secretary during the 1885 conflict, was accused of being a principal conspirator at Haymarket. William Bryk,"Honore Jaxon, Professional Rebel | City of Smoke," n.d., http://www.cityofsmoke.com/archives/340.

[1001] Thos H. Ruger, to The Assistant Adjutant General, U.S. Army, Fort Snelling, Minn., October 25, 1886, *Geneva Stump Fonds*, Glenbow. Sources documenting the generalized tendency to label Métis communities "a menace to the health and welfare of the white people," abound. Cf. Senator William Cowan, "Rocky boy Indians, Long Poverty Stricken, Made Rapid Advance When Opportunity Came." n. d., #M4369, (prev # D970.3.874), Glenbow, 4. Cowan served as a State Senator from Box Elder from 1921-1933. For a discussion of this tendency see Ryan, "Freedom, Fear, and the American Periphery," 171–179.

[1002] As we've seen, mobility itself was often perceived as a threat and was rhetorically linked to dangerous communication, contamination and instigation as well as to abetting secrecy and avoiding surveillance. For a detailed exploration of mingled fears of racial mixture and anti-state radicalism, see Basson, *White Enough to Be American?: Race Mixing, Indigenous Peoples, and the Boundaries of State and Nation*.

insurrection: after 1885, authorities sometimes believed that the movements of mixed groups in the borderlands mapped a revolutionary network.[1003]

The conception of Métis groups as violent threats to the state mirrored an even stronger tendency in Canada. After the Northwest Conflict, Canadian authorities hunted the alleged leaders and treated associated communities as a threat to settler safety and to the state itself. This post-1885 persecution of mixed, mobile indigenous people in Canada is well-documented. Less discussed is the fact that state surveillance extended south of the international boundary. International surveillance furthered the south-of-the-border representation of these groups as dangerous, and it linked this axis of displacement in the two countries. The effort to treat and persecute mixed, mobile indigenous groups as a violent threat was international and cross-jurisdictional. Canada spied on targeted communities in American territory as well as in Canadian, and American authorities cooperated.

Their joint surveillance was no minor endeavor. It involved many people over a huge area operating under a broad mandate.[1004] It produced a stream of correspondence between U.S. residents and Dominion officials.[1005] Canadian authorities arranged with U.S. shopkeepers, Indian agents, priests, and schoolmasters to apprise them of "all movements of the Indians and Half Breeds."[1006] More broadly, they tried to "ascertain . . . [and] keep informed of the current if popular opinion amongst the Breeds and Indians across the line,"[1007] Canada hired local men to infiltrate suspect groups and report on the activities of leaders like Dumont and Little Poplar and Lucky Man.[1008] The espionage extended to the sending of "cypher telegrams"—coded messages—like that from the Assistant Commissioner of Indian Affairs to Canada's Superintendent General of Indian Affairs regarding intelligence "received from Indian agent Duck Lake—Breed received letters from Sun River to sell their stock—messenger among Indians with letter signed by Long Dog Piegan and Big Bear's son saying the fire was lit, would rise next moon."[1009]

The Northwest Mounted Police spearheaded Canada's American surveillance efforts, tracking migrations and conversations through their borderlands posts. At Maple Creek and Wood Mountain, police gathered information gleaned from contacts across the region. These informants, reported on the movements and sentiments of not only Métis and "halfbreeds," but also "the Indians at Belknap Agency (Assiniboines) + east of there + North of the Missouri" as well as "the Yankton Sioux of Poplar River + Crows." Under explicit instructions, they took

---

[1003] A. McCrae, to the Office of the Indian Commissioner, Regina, December 14, 1886, File 35676, vol. 3773, RG 10, LAC.

[1004] It also cost Canada a lot of money. A single informant in Lewistown, Oliver Pichette, was paid $200 "for services in watching the movements of the Half Breeds and especially Gabrielle Dumont" between February 3rd and June 12, 1886. T. G. Baker to Oliver Pichette, Lewistown, Montana, June 12, 1896, File 26088, vol. 19, RG 18, LAC. Considering that Pichette spied on Lewistown communities before and after this pay period, and that others like him did the same throughout the borderlands for years after the NW Conflict, the cost of the civilian information network alone must have been substantial. When one factors in the salaries and expenses of uniformed officials and undercover agents, the costs of spying on indigenous communities in American territory become impressive indeed.

[1005] Cf. Hayter Reed to Dewdney, March 1, 1886, *Edgar Dewdney Fonds*, Glenbow, 1282-1284; Dewdney to J.A. MacDonald, March 2 ,1886, *Edgar Dewdney Fonds*, Glenbow, 606-607; John W. Cramsie to CIA, March 6, 1886, File 1350, vol. 3597, RG 10, LAC; Hayter Reed to J. W. Cramsie, Regina, March 11, 1886, File 1350, vol. 3597, RG 10, LAC; J. A. MacDonald to Dewdney, March 13, 1886, *Edgar Dewdney Fonds*, Glenbow, 610; J. N. McIlree to Dewdney, March 27, 1886, *Edgar Dewdney Fonds*, Glenbow, 1286-1287; Dewdney to J.A. MacDonald, March 30, 1886, *Edgar Dewdney Fonds*, Glenbow, 611-612; United States Indian Service, OIA, Fort Belknap, April 12, 1886, *Geneva Stump Fonds*, Glenbow.

[1006] James Anderson to Edgar Dewdney, November 25, 1885 to December 20, 1885, *Edgar Dewdney Fonds*, Glenbow, 1523-1536; Conrad to White, May 26, 1886 and June 2, 1886, File 26088, vol. 19, RG 18, LAC; Canadian authorities also kept abreast of departures from Canada of parties bound for the U.S. Cf. Note regarding "Indians" from Touchwood Hills agency and from "Piapot's or Mas-cow-pe-tung's Band" going to Turtle Mountain. Peter Hourie, May 26, 1886, File 1350, vol. 3597, RG 10, LAC.

[1007] A. R. Macdonald to Lieut. Col. A. G. Irvine, Commissioner, Regina, September 9, 1885, File 3396, vol. 1024, RG 18, LAC.

[1008] Dewdney to SOI, Ottawa, January 10, 1887, File 36563, vol. 3774, RG 10, LAC. Little Poplar was killed by a "halfbreed" named Ward near Ft. Assiniboine in 1886. See "An Indian Chief Killed," *New York Times*, August 14, 1886.

[1009] Asst. Comm., Office of the Indian Commissioner, NWT, Regina, to Superintendent General Indian Affairs, Ottawa, April 29, 1887, File 1350, vol. 3597, RG 10, LAC. The language quoted is the decoded version of the telegram.

special note of activity at "Judith Basin" in Montana and at North Dakota's "Turtle Mountain Agency," which Mounties considered "the headquarters of those who made their escape from Batoche [and] the principal point that requires close watching." They also kept track of the "breeds at Wood Mountain" and their "connection with the Indians" around the American Turtle Mountain reservation. In the aftermath of 1885, observers noted that these suspect communities kept up "constant communication," with one other. But it seems that the only thing unusual about this interaction was the state's interest in it: the "communication" itself, while "constant," was "not more than is customary."[1010]

Active inquiries supplemented the NWMP network of informants. Mounties rode across the Plains to places like Montana's Fort Assiniboine and Fort Belknap in search of information. Some NWMP officers, like Corporal G.H.L. Bossange, who reported from the U.S. in the spring of 1888, spent months in the States, traveling undercover from target community to target community gathering information. Despite having a cover story—"my yarn" he said, "is that I want to get a farm round here, that I have left the force because I was married and that not being English, but French after all, I did not believe in getting shot for fifty cents a day in another rebellion"—officers like Bossange ran the risk of being recognized, so the Mounties often preferred hiring civilian spies.[1011] To this end, in the fall of 1885 NWMP officers employed James Thompson, and "instructed him to first visit Belknap, then Wolf Point, from there, go to Poplar River. Ostensibly looking for lost ponies + other horses + to take in all camps" before reporting back. Thompson had once been a corporal in the Mounties, and "spoke French, Sioux + Assiniboine."[1012] Other spies followed. In May of 1886, for instance, the NWMP hired "two Indians" at the "Assiniboine reserve south of Indian Head . . . to go across 'the line' and to report . . . what was going on over there in the different Indian camps."[1013]

Mounties and their assistants reported the results of these American missions to Canadian government officials like NW Territory Lieutenant Governor Edgar Dewdney, and Dewdney supplemented their reports with his own investigations. Like the NWMP, Dewdney corresponded with civilian informants throughout the borderlands and sent spies south of the international line.[1014] During November and December of 1885, he received regular reports from

---

[1010] J. W. McIlree, Supt. Commanding Post, Maple Creek, to Lieut. Col. A. G. Irvine, Commissioner, NWMP, Regina, September 9, 1885, File 3396, vol. 1024, RG 18, LAC; A. R. MacDonald to Lieut. Col. A. G. Irvine, Commissioner, NWMP, Regina, September 9, 1885, File 3396, vol. 1024, RG 18, LAC. In response to MacDonald's report regarding the importance of Turtle Mountain, a man named Sanders was directed to "watch the movements of Indians + Halfbreeds at the Turtle Mountain Agency." Sanders' instructions authorized him "if he finds it necessary . . . to employ a reliable + trustworthy man South of the line, to bring him information regarding them." See margin notes dated "30-9-'85" on [?] to A. G. Irvine, Camp Wood Mountain, September 23, 1886, File 3396, vol. 1024, RG 18, LAC, a copy of which was "sent Dept and copy sent Lieut. Gov."

[1011] McIllree to Dewdney, March 27, 1886, *Edgar Dewdney Fonds*, Glenbow, 1286-1287; Bossange to NWMP Commissioner, April 22, 1888-May 28, 1888, *Edgar Dewdney Fonds*, Glenbow, 1337-1355. Bossange found the customs officer at St. John, "a regular Frenchman from France," to be "very talkative." On Bossange getting recognized see Bossange to the Commissioner of the NWMP, May 4, 1888, File 431-1888, vol. 1124, RG 18, LAC.

[1012] McIllree to Lieut. Col. A. G. Irvine, Regina, September 9, 1885, File 3396, vol. 1024, RG 18, LAC; A. R. MacDonald to Lieut. Col. A. G. Irvine, Commissioner, Regina, September 9, 1885, File 3396, vol. 1024, RG 18, LAC; McIllree to A. G. Irvine, Regina, October 13, 1885, File 24125, vol. 3722, RG 10, LAC (enclosing Paterson's report on his trip to Montana). Paterson reported "that it was very difficult to get any information, as sympathy appeared to be with the Halfbreeds and Indians." Paterson's report of October 3, 1885 is located in the aforementioned file as well as in file 3396, vol. 1024, RG 18, LAC. Patterson was "recognized by a good many Halfbreeds" on his trip, and hired "a man known as 'Baptiste the Cree'" as his interpreter. Another Mountie, Supt. McDonnell, was sent "South of the Line . . . with a view to obtaining more reliable information" after Paterson submitted his report. See White to Commissioner, November 7, 1885, File 3396, vol. 1024, RG 18, LAC.

[1013] D. T. Thompson to the Commissioner of the NWMP, May 5, 1886, File 3396, vol. 1024, RG 18, LAC.

[1014] Cf. H. Langevin to Edgar Dewdney, October 10, 1885, *Edgar Dewdney Fonds*, Glenbow, 1421-1422. Other people who informed Dewdney directly included C.E. Conrad of Fort Benton, who also forwarded correspondence from Oliver Pichette of Lewistown and C.F. Denny of Fort Macleod. See *Edgar Dewdney Fonds, 1885-1886*, Glenbow. Mr. Pichette had a ranch in the Judith Basin and was described by Fred White, then Comptroller of the NWMP, as "a reliable French Canadian who has traded with the Half-breeds in the Judith Basin and other parts of Montana since 1883." Even after his paid term of spying service, Pichette continued to furnish information to authorities, and White credited him for his "instrumental" role "in connection with the arrest and extradition of the Half-breeds Gaddy and Racette who are now at Regina awaiting trial in

James Anderson, one of his undercover agents in America. Anderson made extensive inquiries through an established geography. In Montana Territory, he visited Billings, Helena, Lewistown, Ft. Benton, Belknap, Ft. Assiniboine, the Sweetgrass Hills, the Blackfoot Agency, Ft. Shaw, Eagle Rock, Birch Creek, Depuyer, Choteau, St. Peter's Mission, and Sun River. He also asked pointed questions about Montana's Crow Reservation and North Dakota's Turtle Mountain community. When he left for a vacation in December, he stopped in Chicago to look "into the doings of [Michel] Dumas," a principal in the events of 1885. According to Anderson's informants, Dumas was in the Windy City performing with a "'Wild West Show' under the management of 'Wild Bill,' known among the people as William Cottee."[1015]

Around the same time, Dewdney dispatched Alexander McKay—"a reliable and trustworthy man, although not a very bright one"—to northern Dakota Territory.[1016] Under the pretense of checking on his mother-in-law, a Mrs. Laroque of St. Vincent, McKay toured Pembina County, St. Vincent, St. Joe, Olga, Grandon, Griswold, and St. John's. The people he encountered in Dakota—his wife's relatives among them—suspected him despite his cover-story. Wary, they questioned his intentions and encouraged him to return north. When he continued nosing about, they spread word that he "was a spy," and McKay "had to burn [his] memorandum, for fear [he] would be found out."[1017]

Notwithstanding McKay's shortcomings in the realm of espionage, Dewdney forwarded his entire report to Prime Minister John MacDonald himself.[1018] He did the same with the report of Oliver Nicole, whom Dewdney also dispatched on a covert mission to Dakota in the spring of 1886. Nicole's tour included some of the locations covered by McKay as well as the Devil's Lake Indian reservation.[1019] And like McKay, Nicole met a cold reception: he "could not get much out of" the "breeds" and "Indians" that he questioned. This he attributed to them being "very shy with white men." He found American officials more forthcoming. The Customs Officer at St. John even showed him official correspondence with Washington, D.C., about the "trouble" he "anticipated" "with the Breeds" and the detachment of soldiers he'd requested to deal with it.[1020]

Canadian authorities also tracked the activities of their targets in the U.S. by interrogating people who had spent time, or had contacts, on the American side of the line. In a statement he gave as a prisoner at the Regina Courthouse on Sept. 7th, 1885, Napoleon Garnot reported on his earlier visit to Montana, where he went to visit his "brother-in-law in French-town." During his trip, he'd seen Riel in Helena. Garnot related his visit with Riel and also reported on what he had "heard since" from Montana. He fingered "Napoleon Nault, a cousin of Riel's," as being "being very intimate with him" and sure to "know all the secret arrangements." This Napoleon Nault, who was likely in Montana, Garnot explained, was "a brother to the prisoner Nault" then

---

the McLeish murder case." See Comptroller, January 9, 1888, File 26088, vol. 19, RG 18, LAC; Baker to Fred White, January 19, 1888, File 26088, vol. 19, RG 18, LAC.

[1015] James Anderson, to Hon. E. Dewdney, Helena, MT, December 18, 1885 and Anderson's other reports from November 25, 1885 to December 20, 1885, *Edgar Dewdney Fonds*, Glenbow, 1535-1536, 1523-1534.

[1016] Edgar Dewdney to MacDonald, February 10, 1886, *John Alexander MacDonald Correspondence*, LAC, 90466-90479.

[1017] Alexander McKay to Edgar Dewdney, January 8, 1886 to February 24, 1886, *Edgar Dewdney Fonds*, Glenbow, 1261-1265. According to Lawrence Barkwell, Coordinator of Métis Heritage and History Research at Louis Riel Institute, Alexander McKay, "was born at Red River on November 20, 1846, the son of Edward McKay and Caroline Cook. He died on January 11, 1902 at Medicine Hat. Alexander was the grandson of John Richards McKay and Harriet Ballendine. Alexander married Virginie Larocque (b. 1852) in 1865 at Fort Pembina. She was the daughter of Joseph Larocque and Sophie Marchand." See Alexander McKay, "1886 Spy Report: Alexander McKay," *Scribd*, March 27, 2013, https://www.scribd.com/doc/36458260/1886-Spy-Report-Alexander-McKay.

[1018] Edgar Dewdney to MacDonald, February 10, 1886, *John Alexander MacDonald Correspondence*, LAC, 90466-90479.

[1019] Nichol's report of May 7-30 details visits to St. Johns, Dunseith, Devil's Lake, Pembina and St. Joe, all in North Dakota. See Nichol to Dewdney, May 5, 1886 to May 30, 1886, *Edgar Dewdney Fonds*, Glenbow, 1290-1297.

[1020] Oliver Nicol to E. Dewdney, May 11, 1886, *John Alexander MacDonald Correspondence*, LAC, 90751-90752; Nichol to Dewdney May 7, 1886, *Edgar Dewdney Fonds*, Glenbow, 1290-1297.

in the Regina jail "and a son of Andre Nault of Red River."[1021] In a similar vein, officials extracted a long sworn statement from Yellow Calf of Crooked Lake about his visit, under a pass, to Turtle Mountain where his "wife has been living for over a year . . . with her father Ke-che-osones." Yellow Calf provided details about people from Canada and Montana who had come to Turtle Mountain, and passed along rumors regarding Gabriel Dumont.[1022]

Suspicion of the borderlands indigenes and concomitant clandestine surveillance of their communities in America continued for years after the 1885 execution of Louis Riel and other leaders of the rebellions.[1023] The fact that the geography of this state surveillance reflected the indigenous geography of borderlands communities should have undermined attempts to label them foreigners: Even while officials pursued borderlands indigenes as Canadian enemies of Canada they attested to their enduring American affiliations. Instead, by treating them as a potential threat, officials reinforced the radical reputation, and related marginalization, of targeted groups.

The collaborative international pursuit of Métis groups dramatized their concurrent marginalization on both sides of the border. But similarities between developments north and south of the international line did not end there. As it had in the U.S., the NW Conflict produced in Canada a parallel tendency to ascribe outsider status to the mixed and mobile indigenous communities of the border region. As they moved through the region, borderlands indigenous groups had to contend with both American and Canadian displacement discourses. In combination, these developments meant that they were considered outsiders no matter where in their homeland they went.

As many scholars in Canada have noted, at the broadest level the events of 1885 propelled "a significant shift in Euro-Canadian attitudes toward Aboriginal people."[1024] Thereafter, north of the line, Indians posed a potential danger to non-Indian settlers. The NW Conflict also encouraged anti-French elements of Canadian society and undermined more inclusive conceptions of Canadian nationhood.[1025] The prevalence of "French" cultural attributes and of French and Michif speakers among the mixed and mobile indigenous communities of the borderlands meant that this particular strain of discrimination also contributed to their marginalization. Exclusion of Indians and francophones from conceptions of the legitimate Canadian nation attended more particular, and more potent, ideas about communities directly associated with the NW Conflict. Many Canadians thereafter thought of these communities not only as outsiders vis a vis the Canadian nation, but as inimical to it: groups labeled, or linked to, Métis and Cree had become violent enemies of the Canadian state.

These potent new imaginaries of Métis-, French-, and Indian-associated populations on the Canadian plains interacted with ideas about geography and belonging to thoroughly

---

[1021] *Statement of Philip Garnot*, Regina, September 7, 1885, LAC, 2556-2558; Vrooman et al., *The Whole Country Was ... "One Robe,"* 244. Napoleon Nault married into the Métis family of William Boushie (or Boucher) that moved from Canada to Red Lake, MN in the late 1870s and then traveled up the Missouri in a large group—"about 10 camps" of "mostly mixed bloods"—that included Riel. The Boushie clan then settled at Lewistown (with a community known as the Francois Ouellette/Pierre Berger band) while Riel and some others went to St. Peter's. Boushie and his extended family later moved to St. Peter's and then to Depuyer (near their Salois cousins), where Andre Nault's grandson Fred Nault was born in 1901. They later moved to the Rocky Boy Reservation in Montana, where many of the extended family were enrolled. Boushie ultimately died on the Blackfeet reservation. See Fred Nault, *Fred Nault: Montana Métis* (Rocky Boy, Mont.: Chippewa-Cree Research Rocky Boy School Rocky Boy's Reservation, 1977).

[1022] Statement appended to *"Yellow Calf's Statement of the [Moments] of the Half breeds and Indians at and About the Turtle Mountain United States*, December 22, 1886, File 35676, vol. 3773, RG 10, LAC; A. McCrae, to the Office of the Indian Commissioner, Regina, December 14, 1886, File 35676, vol. 3773, RG 10, LAC. Yellow Calf "was absent on a visit to his friends in Dakota" during the fall of 1887 as well. ARDIA 1887, 282.

[1023] Corporal G.H.L. Bossange to Commissioner of NWMP, May 3, 1888, File 431-1888, vol. 1124, RG 18, LAC.

[1024] Carter, *Aboriginal Peoples and Colonizers of Western Canada to 1900*, 161; Pettipas, *Severing the Ties That Bind*, 102.

[1025] Bumsted, *A History of the Canadian Peoples*, 213.

undermine borderlands indigenous communities' claims to status in Canada. Like their American counterparts, Canadian officials recast indigenous movement across the border. They decontextualized international migration from the history of enduring and multifaceted travel through the region, and treated southward movement as evidence of active enmity towards Canada: after 1885, officials labeled as "rebels" those who went to, or came from, American territory. Deputy Superintendent of Indian Affairs Hayter Reed exemplified this inclination when, in 1896, American and Canadian armed forces collaborated to forcibly "return" hundreds of indigenous people to Canada from Montana. Amedee Forget, Indian Commissioner for the NWT, averred that "less than one-third of them could justifiably be considered" "rebels," but Reed "decided to classify them all" that way.[1026] The tendency to equate direction of movement with enemy affiliation, apparent in Northern Plains conflicts since at least 1862, permeated Canadian officialdom in this period. Interoffice correspondence informed agents that all "but one" of the rebels at Batoche "had crossed the line" and authorities viewed southward movement itself as suspicious. Officials felt uncompelled to offer even a pretense of more explicit proof of guilt. Upon the evidence of geography Mounties were commanded "to arrest all Crees found coming from the south or East."[1027]

Even as Canadian officials viewed peoples' presence in the U.S. as evidence of criminal history in and against Canada, they labeled many borderlands indigenous groups American. This was especially true for people associated with Sioux communities. As with the Cree and Métis in U.S. thought, in the minds of many Canadians, the participation of some Sioux people in the NW Conflict cemented the outsider status of Sioux groups in Canada. They were viewed not only as American, but as American enemies of Canada. Lieutenant Governor and Indian Commissioner Edgar Dewdney illustrated this mindset in 1886, when he rejected a petition from residents of the town of Moose Jaw "requesting a reserve for the Lakota Sioux." Dewdney cited the "participation of some Lakota Sioux" in the 1885 conflict as a reason to refuse "Lakota Sioux" "any consideration." He not only denied the petition—he used it as an opportunity to try to expel "Sioux" people from Canada entirely, proclaiming that "he wanted their guns and horses taken; and he wanted them forced across the American border."[1028]

Like the French and Cree aspects of their community in the U.S., in Canada the "Sioux" ancestries and affiliations among the mixed, mobile bands of the borderlands made them all the more vulnerable to being labeled foreign. By the time of the NW Conflict, exclusion of "Sioux" communities from concepts of the Canadian nation had been naturalized, as Canada's Superintendent General of Indian Affairs unwittingly attested in an 1886 report regarding "Canadian Cree Indians" living south of the boundary, "These Indians," he assured Canada's leaders, "occupy toward the United States the same relation as Sitting Bull's Sioux, who fled after the Custer massacre, do to this government . . . and the Sioux who fled to Canadian territory after the Minnesota massacre of 1861 [sic]."[1029] Canadians had long liked to think of violence as a distinguishing feature of American Indians and Indian relations, and the unrivaled fame of violent U.S. –Sioux conflicts like the Little Big Horn already contributed to their being ascribed American status. Sioux violence against Canada during 1885 thus proved them outsiders in two ways: they were antithetical Canadian enemies and American exemplars.

[1026] Titley, *The Indian Commissioners*, 133.

[1027] Hayter Reed to Dewdney, September 6, 1885, *Edgar Dewdney Fonds*, 1245-1249; McIllree to NWMP, Maple Creek, September 9, 1885. Hershmer to Commissioner of Indian Affairs, Regina, October 24, 1887, File 44,833, vol. 3791, RG 10, LAC. These orders were given even though officials understood some of the "Crees" in question had been forced into Canada by U.S. authorities.

[1028] Papandrea, *They Never Surrendered*, 12. These words are Papandrea's.

[1029] Superintendent General of Indian Affairs, Ottawa, to the Honorable Privy Council of Canada, January 26, 1887, File 36563, vol. 3774, RG 10, LAC; Dewdney to Superintendent General of Indian Affairs, January 10, 1887, File 36563, vol. 3774, RG 10, LAC.

Being besmirched as "Sioux" sufficed to exclude borderlands bands from conceptions of legitimate Canadianness, but it wasn't necessary. In Canada, mixed and mobile indigenous groups also found themselves categorized as American on the basis of their alleged geographic associations alone. Such was the case with a group of people who tried to claim Manitoba Halfbreed Scrip in Winnipeg in the fall of 1885. After scrawling *"**Private**"* across the top of his stationary, Thomas White, Minister of the Interior, dashed off a letter to John MacDonald about their efforts. At his office in Winnipeg, White reported, "the yard is full of Dakota half breeds who are trying to prove claim to residence prior to and immediately after 1870."[1030] By calling them "Dakota halfbreeds," White made clear that he considered their claims invalid. This allegation he presented as a description, an unambiguous geographic fact. That observers in the U.S. envisioned the same northward migration in pursuit of financial gain as evidence of Canadian status mattered little to Canadian authorities like White, and they actively challenged American assertions that borderlands groups belonged in Canada.[1031] As in the United States, the geographic ascriptions deployed by Canadian officials sometimes reflected actual spatial relationships, but just as often they disregarded them. Take, for instance, the numerous reports on "Sioux" communities in Canada, which frequently mentioned their many children and, as the years passed, noted that plenty of them had "been born since their entry into Canada." But the geography of their nativity never seemed to weaken the tendency to label Sioux communities "American." Instead, the same reports that noted widespread Canadian nativity wondered, without irony, whether Sioux groups should "be induced or forced to return to . . . their own land," "the United States."[1032]

Discursive displacement based on ascriptions of geographic belonging haunted borderlands groups in Canada for years to come. The 1902 experiences of a group of "Indians" camped, appropriately, on Boundary Creek in the foothills of the Rocky Mountain front, exemplified the interacting effects of being labeled foreigners in both Canada and in the United States. These people, Canadian officials decided, were "an irregular band of Chippewas . . . from Wisconsin," and had no right to be in Canadian-claimed territory. At some level, the authorities were right: members of this mixed and mobile band *had* recently moved north from the U.S. They had been living with Little Bear's band at Cut Bank, Montana, where American officials persecuted them as Canadian Cree.[1033]

Integrated indigenous groups across the borderlands shared the dilemma of the Boundary Creek band. Defined as foreigners by both Canada and the U.S., they lacked national status no matter where they went. But unlike most "foreigners" or "aliens," like those deemed "white" or "African," they could neither legally immigrate nor naturalize: although Canadians and Americans defined them as territorially and nationally foreign, they also categorized them as non-whites of an Indian nature. This racial categorization left them beyond the pale of national immigration and naturalization opportunities.[1034]

When considering the late nineteenth century creation of indigenous aliens, it is important to keep in mind the open and voluminous immigration in this period. This

---

[1030] Thos. White to Sir John A. MacDonald, September 23, 1885, Reel c-1693, File P. 135439-135442, John *Alexander Correspondence*, LAC.
[1031] When the *Fort Benton River Press* complained about "the policy of the Canadian government for allowing the Cree Indians to roam over the plains of Montana" in January 1891, the *Calgary Herald*, on February 3, 1891, "replied with an editorial asking 'Are They Canadian Indians?'" Gray, "History of The Cree Indians," 136; *The Montanian*, June 15, 1900, transcribed on "Métis Ridge Teton County Montana," *Rootsweb*, October 16, 2014, http://www.rootsweb.ancestry.com/~mtteton/metisridgeproposal.html.
[1032] Papandrea, *They Never Surrendered*, 16–17.
[1033] W. H. Irwin to Macleod, November 5, 1902, and November 7, 1902, File 47,554-2, vol. 3797, RG 10, LAC.
[1034] As discussed elsewhere, as Indians they were also ineligible for birthright citizenship. But the fact that they were labeled foreign meant that this axis of exclusion was usually superfluous.

immigration contributed to the rising racialism that fed the exclusion of indigenes. It also physically filled the Plains with immigrants, including immigrants from overseas. The scale and rapidity of demographic change staggers: "between 1881 and 1891 the population of Manitoba and the North West Territories more than doubled, rising to 250,000." The prairie population continued to skyrocket in subsequent decades. In the ten years after 1900, immigration into Alberta and Saskatchewan produced a fivefold increase in population in the young provinces, while more-established Manitoba saw its population double yet again.[1035] A huge portion of these newcomers hailed from foreign shores. Between 1895 and 1915, "almost a million Europeans burst onto the Canadian plains." The scene south of the international border mirrored that to north: some 43 % of North Dakota's 1890 population was born outside of the United States, a higher proportion than any other state in the nation.[1036] Indigenous inhabitants of the Northern Plains who suffered discursive displacement as "aliens" could not legally immigrate into the nations occupying their homeland. Not until the Nationality Act of 1940 were "Indians from Canada and elsewhere" permitted to become naturalized citizens of the United States.[1037] In contrast, the millions of immigrants who swarmed onto the Northern Plains in the late nineteenth and early twentieth centuries were naturalized both literally and figuratively. On the Great Plains, both Canada and the United States became nations of naturalized immigrants and alien indigenes.[1038]

Individualizing Indian Status & the Rise of Indigenous Non-Indians

The U.S. and Canada considered borderlands indigenous groups to be ineligible for immigration and citizenship because they were Indian. But at the same time, in other legal realms, both nations defined many of these same people as non-Indian. In the late nineteenth century, Canadian and American authorities honed their relevant codes and defined legal Indianness with unprecedented precision. Formal membership rolls of recognized tribes and bands were the most important component of this process. In this period, officials in both countries began making such rolls on a broad scale, and in the eyes of the state only those included on these rolls were, legally, Indian. As enrollment proceeded in communities across the Plains, ascribed Indian status in the different legal realms of colonial states diverged. Negative ascription of Indianness—that is, exclusion from non-Indian status categories due to being labeled Indian—bore less and less correlation to positive ascription of Indian status—or being included in official Indian status categories. This divergence produced a population of indigenous people excluded from the Indian *and* from the non-Indian legal categories through which individuals acquired state status. Across the Northern Plains, borderlands indigenes became formally stateless.

In the context of the multiple links between status, place, and property, it isn't surprising that formal tribal enrollment emerged with the embrace of new Indian land policies. By the late nineteenth century, the Canadian and American governments concluded that Indians shouldn't

[1035] Martin-McGuire, Canada, and Indian Claims Commission (1991-2009), *First Nation Land Surrenders on the Prairies, 1896-1911,* xx .
[1036] Frederick Luebke, *Ethnicity on the Great Plains* (Lincoln: University of Nebraska Press, Center for Great Plains Studies University of Nebraska-Lincoln, 1980).
[1037] *Act 1940 Nationality Act (An act to revise and codify the nationality laws of the United States into a comprehensive nationality code)* October 14, 1940, 76th Cong., 3rd Sess., Ch. 876: 54 Stat 1137, H.R. 9980, Pub. L. 76-853*;* F. W. Boyd, Superintendent, Turtle Mountain Agency, to CIA, Feb. 26, 1941, enclosing a "list of Canadian Indians on the reservation," Indian Reorganization Enrollment, 1936-1940, Box 58, Turtle Mountain, RG 75, NARA CPR.
[1038] Other "aliens" that the state barred from immigrating or naturalizing could, in theory, return to their native lands. This option, obviously, didn't apply—at any level—to the "Indian" "aliens" of the Northern Plains borderlands.

hold land in common, as the domain of tribal groups. Instead, they should hold it individually, as private property. But in order to allot tribal lands to individual Indians, the DIA and the BIA first had to decide which individuals composed each recognized Indian group. On both sides of the border, it was the implementation of land allotment policies that spawned official tribal membership rolls.

As explored earlier, in this period many powerful people believed that property should be held privately and used for agriculture. This idea formed the ideological underpinnings of American and Canadian invasion of Indian territories and it informed Indian policy once re-settler colonialism spread across the continent. Having conquered Indian lands, the U.S. and the Dominion turned to the question of how to administer the Indian populations and reservations that remained. The approach they adopted is generally discussed under the rubric of assimilation. Assimilation became the stated goal of both countries' Indian policy, and was understood to entail the conversion of most aspects of Indian societies so that they accorded with white notions. Religion, language, culture, economy—in all these realms, the theory went, Indians should mimic whites. And private ownership of property, as the foundation of "civilization," undergirded all of them. "Common property and civilization cannot co-exist," wrote Commissioner of Indian Affairs T. Hartley Crawford in his annual report for 1838: without private property Indians would remain mired in "savagism."[1039]

By the late nineteenth century, policymakers had long considered individual ownership of private property critical to Indian assimilation, and many nineteenth century treaties included provisions for individual allotment. But no general allotment policy existed until 1887. That year, the U.S. Congress passed the General Allotment Act, also called the Dawes Act after its sponsor Henry Dawes, chairman of the Senate Committee on Indian Affairs. The Dawes Act authorized the President to order surveyed any reservation that was "advantageous for agricultural and grazing purposes" "and to allot the lands in said reservation in severalty to any Indian located thereon."[1040] Section 5 of the Act provided that "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 the said tribe," any lands left over could be sold by the United States. In this way, the Dawes Act promised a double bounty. It would encourage Indian assimilation while conveying large tracts of land to non-Indians. Under the same assimilation and property auspices, Canada, too, began dividing tribal holdings into private parcels. Canadian allotment began in earnest in 1888, one year after passage of the Dawes Act.

In the U.S., reservation allotment is one of the most notorious episodes in the history of Indian administration. This is because it led to massive loss of Indian land. When Congress passed the Dawes Act in 1887, Indian land holdings stood at some 138 million acres. For almost 50 years thereafter, allotment commissions travelled through Indian country, subdividing and then selling land on reservation after reservation. By the time allotment ended in 1934, only 52 million acres remained in Indian hands.[1041]

"Allotment promised to free up [Indian] land in two ways," writes Stuart Banner in his study *How the Indians Lost Their Land*. "First, assuming the land would be allotted in amounts somewhere near 160 acres per person, there would be enormous portions of the reservations left over. These could be sold to white settlers. . . . Second, once allotment was complete, individual Indians would have the opportunity to sell their land." In terms of scale, the first of these

[1039] Quoted in Banner, *How the Indians Lost Their Land: Law and Power on the Frontier*, 260.
[1040] *General Allotment Act of (Dawes Act)*, February 8, 1887, 49th Cong., 2nd Sess., 24 Stat. 388, Ch. 119, 25 USCA 331.
[1041] Banner, *How the Indians Lost Their Land: Law and Power on the Frontier*, 257.

dispossession methods was far more consequential. Of the 86 million acres of American Indian land lost through allotment, fully 60 million were sold by the government under the guise of "surplus" acreage left over after the allocation of individual parcels.[1042] But in writing the history of allotment, historians have focused disproportionately on lands that were allocated to Indian allottees and on how allottees then lost their properties. Allotment histories stress the various, and often nefarious, dealings that "allowed allotted lands to pass to whites."[1043] How "surplus" reservation lands, or those "left over" after allotment, were produced is less scrutinized. By ignoring allotment-driven enrollment, and the corollary determination of "surplus" acreage, allotment histories, like allotment law, assume and imply that tribal membership was pre-existing and self-evident.

Narratives of allotment in Canada are even more negligent of the relationship between tribal rolls and aboriginal land loss. This stems in part from a tradition of thinking about Canadian allotment as commendably different than its American counterpart. The infamous disaster of allotment-driven land loss in America figures prominently as a counterpoint in the historiography of Canadian Indian administration: for years, scholars have identified allotment as a primary distinction between U.S. and Canadian Indian policy. The comparison is said to cast a most favorable light on Canada, for Canada allotted lands in severalty but, crucially, it did not *title* reserve lands to individual Indians, and allotted parcels could be sold only to band members. As a result, the story goes, north of the border allotment didn't decimate Indian land holdings as it did to the south. Students of North American Indian policy have made this point for at least a hundred years. In 1911, an article in *The Red Man*, the newspaper of America's Carlisle Indian School, identified the absence of reserve allotment—by which they meant American-style fee-patent allotment—as one of two laudable aspects of Canadian policy.[1044] Seventy-five years later, Hannah Samek wrote one of the first, and only, book length studies comparing Canadian and American Indian policies. She, too, applauded Canada's allotment practices. Focusing on the Blackfeet Confederacy, Samek noted that between 1913, when allotment began, and the end of the 1920s, the American Blackfeet lost 210,000 acres. "In Canada, by contrast, no such massive losses of reservation land occurred because the Dominion did not issue fee patents to individual Indians."[1045]

Historians writing since Samek's 1987 monograph have started to emphasize similarities in the histories of allotment on either side of the line. But while noted scholars like Sarah Carter and Roger Nichols call attention to the parallel impulses and ideologies that underlay Canadian and American allotment policies, most academic work on Canadian allotment doesn't focus on allotment-as-land-loss. Instead, historians emphasize other aspects of allotment, like assimilation and enfranchisement, and thereby perpetuate the implication that Canadian practices didn't produce the staggering loss of Indian land that American allotment did.[1046] Some work on

---

[1042] Ibid., 271, 285. The "surplus land" figures come from Banner, who does not explicitly situate them in comparison to, and as more significant than, allotted lands. That point is mine.

[1043] White, *It's Your Misfortune and None of My Own*, 1991, 115. White's text is not about allotment per se, but his statements are a well-informed summary of the literature on this topic.

[1044] Samek, *The Blackfoot Confederacy, 1880-1920*, 9–10. Three years later the U.S. Board of Indian Commissioners dispatched Frederick H. Abbott to Canada to study the Dominion's Indian system. Abbott, too, lauded Canada's closed, ie. unallotted, reserves. Samek uses these reports as evidence for her argument that Canada's allotment wreaked-not the havoc of American allotment.

[1045] Ibid., 121–122.

[1046] Sometimes this idea is implicit, as in Sarah Carter, "Two Acres and a Cow: 'peasant' Farming for the Indians of the Northwest, 1889–97," *CHR Canadian Historical Review* 70, no. 1 (1989): 27–52. Carter's article foregrounds the effects of Canada's allotment policy on Indian agriculture and devotes only several sentences (on p. 356) to the topic of land loss. "Allotment" doesn't appear in the index of Carter's 1999 monograph *Aboriginal People and Colonizers of Western Canada to 1900*, but where her text does mention the subdivision of reserves into individual parcels, she is careful to specify that the "certificates of ownership" Canada issued, unlike the U.S., "did not signify outright ownership." The brief discussion of reserve subdivision that follows emphasizes its assimilationist goals and makes no mention of any

Canadian aboriginal communities does explicitly link reserve allotment and land loss. One of the seven chapters in Sarah Carter's *Lost Harvests*, for instance, discusses allotment as a "prelude to surrender" of reserve lands, and Carter is emphatic that the desire for Indian land drove Canadian policy in this period.[1047] But allotment and land loss are hardly synonymous in Canadian historiography, as they are in the U.S., and although the focus on allotment's relationship to reserve surrender is growing, the relationship of roll-making to these processes remains unexamined.

In Canada, as in America, determinations of "excess" land hinged on tribal enrollment, and in order to allot acreage to band members officials first had to make membership lists. Since these lists subsequently became essential referents for all kinds of decisions regarding Indian communities, one might expect an abundant academic analysis of their creation. Such is not the case. Despite the fact that tribal roll-making is a critical component of one of the most seminal developments in North American Indian policies, as well as an incredibly important issue in historical and contemporary Indian communities more broadly, the process is almost invisible in existing scholarly literature.

Little sustained study of Indian enrollment exists. One of the earliest works on the subject, M. Annette Jaimes' 1992 essay "Federal Indian Identification Policy," offered an overview of the American practice of enrollment on a national scale. Jaimes concluded that it constituted a "usurpation of indigenous sovereignty" because "federal policy-makers . . . imposed 'Indian identification standards' of their own design."[1048] Her work has since become a standard referent for scholars exploring the topic, most of whom dismiss her conclusions as "polemical" and unsubstantiated. But subsequent scholarship hasn't diverged from Jaimes' definition of the question. Those authors who address tribal enrollment consistently ask how the enrollment process occurred and how much agency Indians had in it. Implicit in both of these formulations are further questions about criteria for membership. The primary criterion that occupies academics is that of race, usually discussed under the rubric of ancestry or blood-quantum, sometimes with an admixture of cultural considerations. Mixed indigenous people of course become central to such inquiries. As Alexandra Harmon put it, one of the fundamental complications facing Colville enrollment councils was, "how should they categorize the people they called 'breeds'?"[1049]

The answers academics offer to these questions vary. Michel Hogue and Martha Foster, both of whom study Montana populations, suggest that Métis people could choose to become either Indian or white. Jacqueline Peterson, for her part, adds that some were able, and willing, to "continue to walk the fence."[1050] Lawrence Barkwell and Tanis Thorne qualify this, concluding

---

connection between allotment and Indian land loss. Carter, *Aboriginal Peoples and Colonizers of Western Canada to 1900*. Roger Nichols, whose 1998 monograph is one of the only comparative histories of Indians in the U.S. and Canada, also emphasizes the cultural ramifications (like enfranchisement) of Canadian allotment. His discussion of U.S. allotment, like all discussions of U.S. allotment, emphasizes land loss first and foremost. In the sections of Nichols' book that focus explicitly on land loss, he says that allotment policy produced American Indian land loss. Canadian Indian land loss he links instead to a period of "tribal land sales" which, since they are unmentioned in his section on allotment, seem in his telling unrelated to allotment policies. Roger L. Nichols, *Indians in the United States and Canada: A Comparative History* (Norman: University of Nebraska Press, 1998), 235.

[1047] Carter, *Aboriginal Peoples and Colonizers of Western Canada to 1900*, 201–202. Carter emphasizes the goal of gaining Indian land as the main driver behind severalty. Actual Indian land loss, ie. the effects of policy, however is still rarely emphasized in histories of Canadian severalty, which assert that severalty ultimately never reached completion. Carter does touch on the manipulations of band memberships, as discussed below, but her brief exploration centers on how Reed tried to minimize band membership so that no one had legal claim to a given reserve and thus the entire reserve could be considered abandoned and then could be sold, ie. on how one could avoid rules about band consent to sell surplus land. She doesn't discuss how band membership determinations defined what was surplus land.

[1048] M. Annette Jaimes, ed., *The State of Native America: Genocide, Colonization, and Resistance* (Boston: South End Press, 1992), 123–124.

[1049] Harmon, "Tribal Enrollment Councils," 175-176.

[1050] Foster's point in this regard is that for "Métis" people, as the twentieth century dawned, public ascribed identity was limited to these two options, so Métis people had to choose between them for public purposes even as many retained a "mixed-race" self-identity in private settings.

that while "halfbreeds" in America could join tribes at their option, those in Canada couldn't.[1051] Alexandra Harmon and Melissa Meyers tell us that each American case was different, that Indian agency and federal law interacted to produce "many local variants" and that some "halfbreeds" were able to enroll while others weren't.[1052] John Taylor, in his introduction to Métis claims, explains that with regard to tribal enrollment in Canada "the decision for inclusion or exclusion rested generally on the same two factors as the definition [of Indian in the Indian Act], race and social condition. The emphasis was on the latter. Persons of Indian blood who lived with or were closely identified with Indian bands were often included in treaties, sometimes at the requests of the Indians themselves. Borderline persons often were given the choice to make for themselves. Those who had taken scrip were deemed to have made the choice and were ineligible to join a treaty."[1053]

There are several obvious shortcomings with this literature. The first issue is its paucity. The relative lack of enrollment study misleads at a fundamental level by implying that tribal membership was self-evident. Even many of the authors who address enrollment haven't actually studied it in any sustained or substantial way. The few historians who touch on band membership in Canada focus on policy—mainly provisions of the Indian Act—not on practice, on how and when band lists were actually created and maintained. A similar inattention to enrollment events prevails in United States. This is why M. Annette Jaimes and R. David Edmunds offer "largely speculative generalizations," while William Hagan concludes that "indian identity is a complex and persisting problem" but misses the relevant specific and general contexts, ie. allotment and colonialism.[1054] And this is why scholars like Hogue and Foster make claims about métis free-choice that are simply wrong. And it is why people like John Taylor miss the significance of enrollment—even miss the *fact* of enrollment—altogether, making statements like "it was through the treaties that Indian status was really determined in the North-West where a mixed-blood population was most numerous. Inclusion in a treaty conferred

---

She notes that "although many Métis families began to call themselves Indian, they realized that a Euro-American ascription of identity did not necessarily provide legal status, tribal enrollment, or tribal acceptance," but the implications of this fact, and the processes that produced it, are not her focus. Foster, *We Know Who We Are*, 2006, 221. Hogue is also interested in the absence of a "Métis" option in the United States, concluding that "whereas in Canada, the Indian Act barred the children of a white father and a Native mother from obtaining status as Indians under the law, in the United States, individuals of mixed white and Native blood were usually considered Indians." He also explores the way ascription of Canadianness to "Cree" groups in Montana inhibited their efforts to secure tribal recognition in, and by, the United States. Hogue, "Crossing the Line," 164. Hogue mentions "calls for Métis exclusion" by Indian agents and some Indian groups and the efforts to "decide who belonged within" Indian reservations, concluding that when Métis people were enrolled on tribal rolls "their inclusion reflected the U.S. government practice of only recognizing the Métis as members of 'full-blood' Indian groups, so long as those groups consented to their inclusion" and the "difficulties in marking clear distinctions between Indians and non-Indians, as well as the enduring power local Indian people had in determining who belong on the Indian reservation." But like Foster, Hogue doesn't explore the implications of this exclusion, the processes that produced it, or their interaction with concurrent categorization processes. This is the standard no-third-race-in-the-United-States story. Hogue characterizes Métis policy in Canada as also eliminating a mixed-race indigenous public identity. There, "for government officials, the choice was an either/or proposition: individuals had to select a single racial marker." As a result "the Plains Métis faced a narrowing set of options on both sides of the border." This is not a creation of racial categories as a component of colonialism story, but a tale of three races in a two race system, not a story of statelessness but a story of racial/national complexity simplified under state regimes. Michel Hogue, "Between Race and Nation: The Creation of a Métis Borderland on the Northern Plains," in *Bridging National Borders in North America: Transnational and Comparative Histories* (Durham: Duke University Press, 2010), 72–76, 79–80; Peterson, "Red River Redux: Métis Ethnogenesis and the Great Lakes Region," 37, 43.

[1051] Tanis C. Thorne, "'Breeds Are Not a Tribe': Mixed-Bloods and Metissage on the Lower Missouri," in *Métis Legacy: A Métis Historiography and Annotated Bibliography*, ed. Lawrence J. Barkwell, Leah Dorion, and Darren R. Préfontaine (Winnipeg: Pemmican Publications, 2003), 93–98.

[1052] Harmon, "Tribal Enrollment Councils," 178; With regard to enrollment, Meyer's focus is on those who were enrolled, and enrollment processes. That numerous people were excluded from the rolls is implicit in her work. Michel Hogue makes this same point, while stressing "the continued power of local indigenous peoples to decide who belonged on their reservations" in Hogue, "The Montana Métis and the Shifting Boundaries of Belonging," 305.

[1053] Taylor, "An Historical Introduction to Métis Claims in Canada," 158–159.

[1054] William T. Hagan, "Full Blood, Mixed Blood, Generic, and Ersatz: The Problem of Indian Identity," in *The American Indian, Past and Present*, ed. Roger L. Nichols, 5th ed. (New York: McGraw-Hill College, 1999), 1–10.

Indian status when band lists were eventually drawn up."[1055] Those academics who actually examine enrollment as it occurred—most notably Melissa Meyer and Alexandra Harmon—are much more helpful, showing us that tribal roll-making was in fact a complicated, contested, and critical process of community definition. But even the few in-depth studies like those of Meyer and Harmon leave much of the process in shadow, highlighting membership complications that centered around race at the expense of the many other categories that affected roll-making.[1056]

But there is a much larger problem with the historiography of enrollment as it now stands. That problem lies in its narrow focus on process and the question of indigenous agency therein and the focus on single tribes, and on individuals who succeeded in securing enrollment. Like literature on allotment, the historiography of enrollment fails to foreground the most important implications of tribal roll-making: forced roll-making itself devastated, and did violence to, indigenous communities in order to further the colonial project of defining and dividing them and dispossessing them of their land base. The contextualized intent and effects of roll-making are far more important than decontextualized process. The fact that tribes had to fix and formalize membership is of greater consequence than the level of Indian involvement in complying with this mandate. Debates over the amount of indigenous agency in enrollment decisions, and the criteria people used and deployed, cause us to miss the forest for the trees. The point is not that criteria for roll-making is or isn't imposed, but that roll-making is imposed, and deeply consequential in myriad ways.[1057] Instead of discarding M. Annette Jaimes conclusions, we should modify them. It wasn't federal Indian identification policy that violated indigenous communities, but federal Indian identification per se.

That histories of Canadian and American Indian communities neglect the roll of enrollment in colonial processes is surprising for a number of reasons, not least because many scholars have focused on the relationship of censuses, states, and empires. Literature on governance and power, especially as it applies to controlling national territory, has long called attention to the importance of counting as a tool of colonialism. Scholars of the subject have noted in particular that mixed and mobile populations proved especially problematic for government agents who hoped to create discrete categories for classifying and controlling the people whose land they claimed. My exploration of roll-making at the U.S. Turtle Mountain reservation suggests that their insights are eminently applicable to the history of North American indigenous communities.

Making Sense of Roll-Making: A Case Study of the Turtle Mountain Tribal Roll

At Turtle Mountain, roll-making severed the indigenous community and left many people stateless. This severance was a critical part of the colonial project of governing conquered peoples and territories, separating populations, and taking Indian land. Regardless of indigenous involvement or community complicity, roll-making itself was coercive. Studying enrollment at Turtle Mountain forces us to recognize that allotment-driven land loss should more accurately be

[1055] Taylor, "An Historical Introduction to Métis Claims in Canada," 158–159.
[1056] Gender is one other category that sometimes makes it into discussions of enrollment, especially when those discussions focus on Canada, where the Indian Act infamously linked women's legal status to men's.
[1057] Keeping this in mind reveals the significance of Harmon's observation that, on the Colville Reservation, "at first enrollment councils approved nearly every application they considered." Harmon overlooks that significance. Instead of exploring the implications of the community's stance she implies that it stemmed from Indian ignorance: they got down to the business of carving the Colville community only after "agency spokesmen made a conscious effort to school the Indians in aspects of American legal culture and the distinctive legal culture of the Indian Office . . and spelled out the traits that entitled someone to a share of federally protected Indian assets." Harmon, "Tribal Enrollment Councils," 185.

considered enrollment-driven land loss. Moreover, even though that land loss was massive and massively destructive, in important ways—in terms of impact and endurance—tribal rolls may in fact be a more critical legacy of the allotment process than land loss itself. Allotment rolls became base rolls that are used still, even though allotment itself ended decades ago. These rolls made some indigenous people Indians and others not. They carved communities into separate legal categories, wreaking havoc on indigenous groups, families and individuals alike. The problems and injustices created by enrollment continue to roil indigenous communities across the continent to this day.[1058] Studying events at Turtle Mountain exposes many problems with enrollment processes. These centered not only around questions of race, and gender, but around ideas about nations, tribes, bands and space. More importantly, a case-study of Turtle Mountain exposes enrollment itself as the problem.

During the nineteenth century, indigenous people who used the Turtle Mountain area of North Dakota as a part of their expansive territory faced a series of negotiations with the United States. This evolving relationship culminated in a controversial census and land cession in 1892. Despite many Turtle Mountain people's claims that their community consisted of some 3,200 individuals, the United States and other community members used a variety of methods to reduce the number of people on the official tribal rolls, enshrined in the 1892 agreement, to fewer than 1,800 people. The 1892 roll, known as the McCumber roll, has since become the definitive list of Turtle Mountain tribal members, but a variety of community counts preceded it. In order to see the important effects of roll-making, tribal enrollment must be placed in the context of the larger chronological sweep of Indian community definition and population counts. Before the McCumber roll, American authorities had long resisted recognizing the mixed, mobile Turtle Mountain band as an official Indian group, and it wasn't until 1881 that the Commissioner of Indian Affairs reported population statistics for the "Turtle Mountain Band of Chippewas in Dakota." The numbers reported by the CIA that year—"from 500 to 600 full-bloods and from 1,000 to 1,500 half-breeds"—had been "variously estimated" by persons presumably familiar with the Turtle Mountain "Indians roaming about over this vast area."[1059]

Foremost among those who provided the CIA with 1881 population estimates was U.S. Indian Agent James McLaughlin, who in March of that year met the Turtle Mountain community in council at St. Joseph. By his own report McLaughlin "made diligent and persistent inquiry to ascertain as nearly as possible their correct number, and from the most reliable sources (intelligent white men, former traders among them, who have known them for the past 35 years)," he was "fully convinced that their number will be not less than 500 nor more than 600 full bloods and about 1,000 mixed bloods. There are, however," he averred, "many other mixed bloods of the Cree and Assiniboine Indians, who are blood relations of the Pembina and Turtle Mountain Band of Chippewas who desire to be recognized." McLaughlin noted that by the end of the meeting, the 33 Turtle Mountain representatives who participated in the council claimed their community consisted of about 2,500 people. "They at first claimed a much greater number, but after understanding the relations existing between themselves with the Crees and

[1058] This carving of communities is a problem which haunts Indian people and Indian historiography: the gaps in American Indian tribal roll-making history originate, in part, in the narrow spatial and social foci on, and the identification with, those who are allowed to be involved in roll-making and those who made it onto tribal rolls somewhere. Cf. Katherine M. B. Osburn, "The 'Identified Full-Bloods' in Mississippi: Race and Choctaw Identity, 1898-1918," *Ethnohistory* 56, no. 3 (July 1, 2009): 423–447; Harmon, "Tribal Enrollment Councils"; Meyer, *The White Earth Tragedy*.

[1059] ARCIA 1881, L. Earlier references to the "Pembina Band . . . in Dakota Territory," the "Turtle Mountain Indians," and the "Turtle Mountain Band of Pembinas" occasionally appeared in association with reports on the Pembina and Red Lake Bands of Chippewa in Minnesota after the 1863 Treaty with those groups. During the 1880s the Office of Indian Affairs began reporting on the Turtle Mountain group in conjunction with OIA affairs in Dakota Territory. See *Senate Document 444...*, 154-155; ARCIA 1881, L; ARCIA 1884, 288.

Assiniboines . . . they concluded that the above figures would be about the number of their own people who could be brought upon a reservation and settled down to agricultural lives."[1060]

A variety of other people in the area also offered opinions as to the tribe's 1881 population, but the "various" aspect of this and subsequent counts transcended a simple difference of numbers occasioned by differing levels or axes of familiarity with the Turtle Mountain people. It reflected, too, the usual confusion among outsiders about who composed the mixed, fluid group. After the 1863 Old Crossing Treaty between the United States and the "Red Lake and Pembina Bands" of "Chippewa," in Minnesota, early references to the "Pembina Band . . . in Dakota Territory," occasionally appeared in conjunction with reports on those Minnesota communities. These early reports sometimes labeled the group the "Turtle Mountain Indians," and the "Turtle Mountain Band of Pembinas." By the late 1870s, when the Turtle Mountain people began to appear regularly in the annual reports of the Office of Indian Affairs, federal officials understood them to be a group associated with the Pembina Chippewa and led by several men, of whom Little Shell was usually said to be the head chief.[1061] Little Shell was known to be the son of a chief by the same name who had signed the Minnesota Old Crossing Treaty, as well as the nephew of "'Red Stone,' chief of the Assiniboines" at the Wolf Point, Montana agency. Officials believed the Turtle Mountain band more broadly, which was sometimes referred to as "the Little Mountain Band," to be "relatives" of the Fort Peck Assiniboines as well. They supposed it to include some "full-bloods" and a larger number of "half-breeds," but what the band members were "full" of or "half" of they did not say.[1062] Officials also linked the Turtle Mountain people to the White Earth reservation, and early population statistics appeared from time to time in connection with reports on that Minnesota group.

In 1882, a few days before Christmas, President Chester Arthur signed an Executive creating a Dakota reservation "for the use and occupancy of the Turtle Mountain Band of Chippewas and such other Indians of the Chippewa Tribe as the Secretary to the Interior may see fit to settle thereon." Affairs at Turtle Mountain were soon integrated into the OIA's administrative structure, and the Commissioner assigned the task of supervising the Turtle Mountain community to the Devil's Lake Sioux agency. Devil's Lake agent John Cramsie soon offered more detail about the group, which he described in 1884 as the "Turtle Mountain Band of Pembina Chippewa" comprising "families of renegade Chippewa Indians . . . from reservations in Minnesota and Dakota" and "mixed-bloods," a term he used interchangeably with "half-breeds."[1063] Like his counterparts across the Northern Plains in the wake of the NW Conflict, Cramsie modified his description of the "half-breed" element the following year. This group, he now concluded, comprised many "not classed as American who came across the line from

---

[1060] *Senate Document 444...*, 99.

[1061] CIA E. A. Hayt to Secretary of the Interior, May 23, 1878, reprinted in *Senate Document 444...*, 153-155; ARCIA 1877, 228; ARCIA, 1881, L; "Turtle Mountain Indians: They Refuse to Pay Customs Duties and Threaten to Make Trouble," *New York Times*, July 27, 1882; "Notes From Washington: Secretary Teller Gave a Hearing this Afternoon to a Chippewa Indian Delegation," *New York Times*, December 15, 1882. The 1881 ARCIA identified Little Bull as the primary leader of the group, but most documents identify Little Shell as the head chief. Little Bull is elsewhere described as an "influential member" of the band. See also, *Senate Document 444...*, 101.

[1062] ARCIA 1881, L; ARCIA 1883, XLVIII; President Chester Arthur, Executive Order of Dec. 21, 1882, creating a reservation "for the use and occupancy of the Turtle Mountain Band of Chippewas and such other Indians of the Chippewa Tribe as the Secretary to the Interior may see fit to settle thereon," reprinted in ARCIA 1886, 323; *Senate Document 444...*, 115-116. This last document references a letter from Little Shell, "the head chief of the Little Mountain band" while he was visiting his [Assiniboine] uncle Red Stone near Wolf Point.

[1063] ARCIA 1884, 34-35, 288; The people in question are also described as Turtle Mountain and Pembina Band of Chippewa, implying two separate groups rather than one group (Turtle Mountain) as a subset of the other (Pembina). See ARCIA 1885, 28. Beginning in 1884 a report on the Turtle Mountain band was a regular component of the annual report of the Devil's Lake Agency. Before that, Turtle Mountain references were intermittent, appearing only when the CIA mentioned them in his overview that preceded reports of individual agents or in connection with reports on the White Earth reservation in Minnesota. See *Senate Document 444...*, 153-155.

Manitoba."[1064] Officials in Canada, meanwhile, complained about Turtle Mountain Indians coming north to get Canadian Indians to join them in their effort to secure a reservation.[1065]

Despite the details he felt confident offering about the composition of the population, Agent Cramsie acknowledged the impossibility of attending competently to "their many and complex interests both on and off the reservation" from his post some 100 miles distant, and he pleaded repeatedly for the appointment of a resident agent at Turtle Mountain. The OIA declined, choosing instead to rely on a government farmer it installed on the reservation. The "Farmer in Charge" reported to the Devil's Lake agency, and relieved Cramsie of immediate supervisory duties in 1887. The farmer's primary duties consisted of encouraging and directing crop production but, in the absence of an agent, the OIA relied on him to report on the group's number and condition. Presumably by virtue of his more frequent contact with the population, farmer E. W. Brenner offered a more nuanced census in his first report. Brenner's census included "mixed bloods, speaking French, English, Cree, and Chippewa, [and] . . . full bloods, speaking Cree and Chippewa." With a few "full blood" exceptions, it did not include people living outside the limits of the reservation proper, whom Brenner took the liberty of dropping from the "roster."[1066]

Chippewa, Cree, or Assiniboine? American, British, or Canadian? Pembina or White Earth or Turtle Mountain or Fort Peck? French or English? Full-blood, half-breed, or mixed-blood? Those outside of or only those within reservation boundaries? The ambiguity of these initial reports reflected multiple historical uncertainties that complicated censuses of the Turtle Mountain people in countless ways, and that bedeviled would-be enumerators of the group for decades to come. But despite the myriad difficulties in counting their charges, OIA employees forged ahead with their appointed annual census tasks. Results varied wildly. Counts in the early 1880s ranged from 300 to 2,100 people, a difference of 700 percent.[1067] After 1884, the total numbers reported to the Commissioner of Indian Affairs (and through him to Congress) became slightly more stable. But up to the eve of the McCumber Agreement, the reported population still fluctuated drastically, reaching a low of 1,126 in 1887 and a high of 2,144 just four years later.[1068] Reported birth, marriage, and death statistics for Turtle Mountain did not account for the yearly changes in population, which farmer Brenner explained as resulting from "arrivals from other places."[1069] He might have added that departures, too, kept the community in flux, and that each count reflected only a portion of the people associated with the Turtle Mountain community. As if OIA internal reports weren't confusing enough, other sources reported different figures during the same period. For instance, in 1890 the OIA counted a total

---

[1064] ARCIA 1885, 28; Carl Waldman, *Atlas of the North American Indian* (New York: Facts on File, 1985), 160–164.

[1065] *Unrest- The Influence of the "Messiah Craze" Movement, in the United States, Upon Canadian Indians*. Indian Commissioner for Manitoba and Northwest Territories, 1886-1895, File 1350, vol. 3597, RG 10, LAC.

[1066] A farmer was first hired for Turtle Mountain in 1884, but he does not appear to have been responsible for reporting on the population until 1887. ARCIA 1884, 35; ARCIA 1886, 61; ARCIA 1887, 33.

[1067] ARCIA 1881, L; ARCIA 1884, 288 ; P. J. McCumber, John W. Wilson, W. Woodville Flemming, Commissioners, to Commissioner of Indian Affairs/Department of Interior, *Report of the Turtle Mountain Indian Commission of the Agreement Concluded Between Said Commissioners and on the Part of the United States, and the Turtle Mountain Band of Chippewa Indians, October, 22, 1892*, report, December 3, 1892, reprinted in *Senate Document 444...*, 21. The census figures that follow are not broken down by blood/nationality group for several reasons. The first, and most important, reason is because those categories are deeply flawed as reflections of reality. The second is that the categories change from year to year. The third reason is that the most important figure is the total—that number includes all people the enumerator felt compelled to count and report on, regardless of his assessment of their tribal status. That they are included at all in his reports is indicative of their inextricable relationship to the Turtle Mountain people.

[1068] The low 1887 figure was reported with the explanation that most of those people living outside of the reservation had been dropped from the rolls. See statistical tables and text reports for Turtle Mountain in ARCIA 1885-1891.

[1069] ARCIA 1890, 28.

of 1,439 Turtle Mountain people. That same year the *New York Times* described the destitution of "1,930 Indians on the Turtle Mountain Reservation."[1070]

Hired in the midst of these early, chaotic years, Farmer Brenner remained at the Turtle Mountain reservation into the twentieth century.[1071] It is tempting to assume that such administrative stability translated over time into increased consistency in the description of, and OIA decisions about, the composition of the Turtle Mountain band. But the question of who constituted the Turtle Mountain people only became more confusing during Brenner's tenure. So, too, did questions about their ethnic, racial, national, and geographic character. Treaties, policy developments, officials' decisions and previous censuses there and elsewhere introduced new criteria for OIA-approved band membership. All the while the population claiming membership continued to change both quantitatively and qualitatively. The Turtle Mountain people's perpetual motion especially troubled those who wished they would sit still so they could be counted. As Farmer Brenner complained in 1889, "the question who is a Turtle Mountain Indian needs acute discrimination to decide."[1072]

When President Arthur created the Turtle Mountain reservation in 1882, the U.S. had several immediate aims. The U.S. wanted to quiet the Turtle Mountain community's claims, which encompassed over 9,000,000 acres of Dakota, so that the federal government could make Turtle Mountain territory public domain and then turn it into private non-Indian properties. It also meant "to secure lands on which the Turtle Mountain Band might be severally located, either upon existing tracts already improved by individual Indians or upon lands to be allotted."[1073] Arthur's Executive Order accomplished neither of these goals, for the Turtle Mountain people wanted compensation for their territory, which they viewed as yet "unceded" to the United States. Merely granting them a reservation they considered insufficient, especially in light of the fact that in 1884 Arthur issued another executive order reducing that reservation, which previously measured 768 square miles, to two square miles. After the executive order reducing their reservation, Turtle Mountain people continued to demand sufficient land and compensation for the territory the U. S. had taken, and in 1890 Congress provided for a special commission to visit the reservation in the hopes of resolving matters. The so-called Mahone commission headed for the new state of North Dakota the following fall.

The commission's instructions attested to the growing emphasis on enrollment since the passage of the Dawes Act three years earlier. Instead of a total Turtle Mountain count divided into several subcategories, the commission was directed to produce a list of individuals. Its guidelines illustrated not only the critical place of roll-making in deciding the quantity of land allotted to Indians, but how roll-making determined the character of the official Indian group itself. As the Commissioner of Indian Affairs explained, "it was made the duty of said commission, first, to make an accurate census of the Indians *for the purpose of determining who should participate in the negotiations*." These negotiations were to accomplish "the settlement of their claim for payment for a large tract of land which they claimed by right of original occupancy." This settlement item was welcome news in the Turtle Mountain community, but the commission's other tasks dismayed. The U.S. now saw "the location of these Indians so near the

[1070] ARCIA 1890, 28; "Destitution Among Indians," *New York Times*, March 12, 1890.
[1071] In late 1903, organization of OIA administration in the area changed, and the Turtle Mountain report was thereafter included in the general report of the superintendent of the Fort Totten School, into which the Devil's Lake agency had been subsumed. Brenner was no longer listed as author or source of the Turtle Mountain report, though he may have continued as farmer in charge at the Turtle Mountain reservation. ARCIA 1903, 234 is the last explicit reference to Brenner. As noted below, an actual agent was not assigned to the Turtle Mountain Reservation until 1910.
[1072] ARCIA 1889, 141.
[1073] *Senate Document 444...*, 102.

international border [as] a fruitful source of disorder among the Indians, resulting in constant embarrassment to the office." If it was going to treat with the Turtle Mountain band, the government also intended to move it, and it charged the Mahone commission with "the selection of a new reservation."[1074]

In this way, ascribing tribal membership was not only the first order of business. It affected as well the outcome of all other decisions. Membership determined which Turtle Mountain people would have state-ascribed rights in the community and the size, in official eyes, of its population. It also determined who within the community would make decisions on its behalf as it negotiated with the state. Enrollment entailed nothing less than deciding who would get to decide on Turtle Mountain matters. It was the foundation on which everything else depended. Thus, before it traveled to the Turtle Mountains, the Mahone commission was made to understand two things about tribal enrollment. Because enrollment established, in American law, who had authority to approve any agreements made with the commission, enrollment must be the first task completed. And enrollment must be minimal.

In the estimation of federal officials, the commission "wholly failed" on all counts. Despite exerting every effort to comply with orders to enroll only "American Chippewas" and "not to enroll any person with reference to whose right of membership in the band they had *any reasonable ground for doubt*," the Mahone commission named a minimum of 2,327 Turtle Mountain tribal members, "including full and mixed bloods on and off the reservation." This total was larger than the Indian department hoped. Worse yet, the commissioners refused to call their membership list final. They qualified their count "as belonging to the band *at that time*," and protested "the great difficulties in the way of making anything like an accurate census of the Turtle Mountain Indians." In the face of "their affiliations with and relationship to the British Indians and the seeming impossibility of separating them" an accurate and everlasting census could not, with confidence, be created. The commission felt that it simply could not claim to decide "the question of whether they are American Indians or not."[1075] And it wouldn't pretend that it could.

Understanding the mood in Congress, which displayed little affection for the ambiguities that impeded swift attainment of clear title to lands coveted by its constituency, the Mahone commissioners carefully explained their intransigence on this point. But their protests proved fruitless. The commissioners were supposed to minimize the rolls, remove the people, and settle their claim, producing the twin benefits of

---

[1074] CIA D. M. Browning to SOI, July 6, 1893, reprinted in *Senate Document 444...*, 95-96; Acting CIA R. V. Belt to SOI, Sept. 21, 1891, reprinted in *Senate Document 444...*, 117. The Commission consisted of a Mr. A. H. Mahone (from West Virginia), Charles Stoker, and Professor William Hoynes. See *Senate Document 444...*, 109.

[1075] CIA D. M. Browning to SOI, July 6, 1893; Acting CIA R. V. Belt to SOI, September 21, 1891, reprinted in *Senate Document 444...*, 95-96, 117. Emphasis added. In addition to the fundamental problems of perpetual motion and tangled, inextricable ancestries, there was also the more prosaic issue of records. Few records existed, and those that did were unreliable: During much of the 1800s, while the Turtle Mountain people traveled extensively throughout the region "without any reference to an [un-surveyed and unmarked] international boundary line, their nearest church was at St. Boniface, and the nearest important trading post was at Winnipeg. Their children were in most cases baptized at St. Boniface, and nothing suggested at the time the importance of distinguishing between American nativity and British allegiance. Indeed, through the Hudson Bay Company, Great Britain had pushed her claims far south of the present boundary line. This was particularly the case in the Red River Valley. In view of these facts it must seem superogatory to draw attention to the extreme difficulty of preparing at Turtle Mountain a census of only genuinely American Indians—Indians to whom British affiliations *may not by some record or other means be ascribed*, as, for example, the baptismal record at St. Boniface." Ultimately, the question of records was unimportant. Even those lucky enough to possess "certificates of identity" that had been issued by a United States Indian Inspector some seven years earlier proclaiming them "an Indian of the Turtle Mountain Band of the Chippewa tribe of Indians" did not escape being cut from the rolls. Robert S. Gardner, U. S. Indian Inspector, to United States Indian Service, *Copies of Certificates of Identity*, August 1885; John Bottineau, *Partial List of Names of Holders of Certificates*, August 27, 1894, both reprinted in *Senate Document 444...*, 42-43. Of a comparison of only 40 names of so "certified" Indians (the other 200 were not individually listed in the source), fully 16 were included on the incomplete list of purged people posted by the commission after its census. Others, like most of the purged, may not have made it onto the posted list.

shutting them up and opening territory for non-Indians.[1076] They accomplished none of these, and when they instead called attention to the misguided nature of the assignment, they were ignored then replaced. With political pressure from non-Indian constituents mounting, Congress appointed another commission.[1077] Its instructions this time were more explicit: negotiate with the Turtle Mountain band of Chippewa Indians in North Dakota for the cession and relinquishment to the United States of whatever right or interest they may have in and to any and all land in the said State to which they claim title, and for their removal to and settlement upon lands to be hereafter selected . . . [and] report to the Secretary of the Interior the number of the said Chippewa Indians and the number of Mixed Bloods, if any, who are entitled to consideration by the United States Government.[1078]

After its experience with the Mahone Commission, Congress left little up to the discretion of the second group of commissioners with regard to the census. As it prescribed the categories for enumeration, Congress sharpened the rhetorical tools with which it carved the Turtle Mountain community: when they traveled to North Dakota, the new commissioners used every trope of racial, cultural, and national citizenship at their disposal in order to officially sever a huge portion of the population from the Turtle Mountain community.

The second Turtle Mountain commission consisted, like the first, of three people. Its composition reflected the political, as opposed to merely investigative, nature of the project: the Indian Appropriation Act of 1892 explicitly forbade the President from appointing more than two committeemen from the same political party.[1079] The eagerness with which people on the east coast anticipated the outcome further underscored the political import of the commission's work. The *New York Times*, for instance, devoted an editorial to the Turtle Mountain "agreement" two days *before* the McCumber Commission completed its report and submitted it to the Secretary of Interior.

Commissioners Porter McCumber, a Republican active in North Dakota state politics, John W. Wilson (from Indiana), and W. Woodville Flemming (from North Carolina) traveled to Turtle Mountain in September of 1892.[1080] It is unclear how well acquainted these men were with the situation there, but McCumber, at least, had long been a key player in Dakota politics, and it is safe to assume that the commissioners knew the political climate surrounding the Turtle Mountain case. For the past several years, the OIA's communications to Congress made clear its pressing desire to "scatter the element that has been the cause of so much lawlessness and agitation." In other words, Congress meant to eliminate the outspoken and politically active

---

[1076] As early as 1875, the federal government was already tiring of the Turtle Mountain people's tenacity in pressing their claim and, as noted earlier, directed the agent at the White Earth reservation, to which the OIA tried to confine the band, "to advise the Indians not to visit Washington again, as their matters had all been talked over the year before." CIA E. A. Hayt to SOI, *Commissioners Findings and Report to the Secretary of the Interior*, May 23, 1878. Reprinted in *Senate Document 444...*, 155. Hayt was referring to a letter "to Agent Stowe, at White Earth, dated December 23, 1875."

[1077] *Memorial of Citizens of North Dakota, Praying for Legislation Authorizing the Removal of the Chippewa Indians from Turtle Mountain and the Settlement of Their Land Claims in That Region*, presented to the U. S. Senate by Sen. H. C. Hansbrough (ND), February 18, 1892, 55th Cong., 1st sess., S. Mis. Doc. 75, reprinted in *Senate Document 444...*, 146-148.

[1078] *Indian Appropriation Act of 1892, U. S. Statutes at Large* 27 (1892): 120, reprinted in ARCIA 1892, 717-721. As Commissioner McCumber described (from his position 8 years later as U. S. Senator), the commissioners were instructed by the DOI to "separate certain Canadian Chippewas and half-breeds" from the band. U. S. Congress. Senate, 56th Cong., 1st sess., 1900, S. Rept. 693, reprinted in *Senate Document 444...*, 2.

[1079] *Indian Appropriation Act of 1892, U. S. Statutes at Large* 27 (1892): 120, reprinted in ARCIA 1892, 717-721.

[1080] Bottineau, John B., Attorney for the Turtle Mountain Indians, *Protest by the Turtle Mountain Band of Chippewa Indians Against the Ratification by Congress of the Treaty or Agreement Concluded October 22, 1892*, filed January 1893, reprinted in *Senate Document 444...*, 31-39. For biographical information on P. J. McCumber see "McCumber, Porter James - Biographical Information," *Biographical Directory of the United States Congress*, n.d., http://bioguide.congress.gov/scripts/biodisplay.pl?index=M000397. McCumber became a U. S. Senator in 1899 and served on the Senate Committee on Indian Affairs in the 56th Congress.

people from the Turtle Mountain community. It targeted especially those who recognized roll-making as a component of colonial politics: the "element" of which the OIA spoke so disapprovingly "participate[d] in the general councils and would prevent any . . . agreement that should not recognize them."[1081] The importance of purging the rolls before proceeding with negotiations was plain.

When the McCumber commission came to carve up the community, the band's attorney John Bottineau described it as including "about 3,200 individuals . . . including those . . . living away from the Turtle Mountains."[1082] In the context of the McCumber commission's subsequent actions, several elements of Bottineau's description deserve careful consideration. The longtime attorney, an enrolled member of the group, was acutely aware of what was at stake in definitions of the Turtle Mountain population. We can be sure he chose his words deliberately: the band included not only those individuals residing at Turtle Mountain, but also people spread throughout the border region. And while the total population was around 3,200, it could not be fixed at an exact number—given the group's history and circumstances such a proposition was ludicrous.[1083]

Despite the fact that it was fully apprised of the Turtle Mountain people's own claims regarding who properly belonged to their band, the United States continued its dogged efforts to redefine the community and reduce official band membership.[1084] Having learned from experience that the task was fraught with difficulties, foremost among them opposition from Turtle Mountain people, this time the U. S. adopted a more deliberate strategy. Before the McCumber commission arrived, in August of 1891, Devil's Lake agent John Waugh appointed a committee of thirty-two tribal members to assist the federal government "in determining who were the American Indians on the Turtle Mountain Reserve."[1085] Agent Waugh tasked this

---

[1081] ARCIA 1890, 29; ARCIA 1891, 320. For the emphasis placed on purging the rolls as the essential first step in the Commission's project, see also CIA D. M. Browning to SOI, July 6, 1893, reprinted in *Senate Document 444...*, 94-98.

[1082] Bottineau, John B., Attorney for the Turtle Mountain Band of Indians, to U. S. Senate Committee on Indian Affairs, statement, June 6, 1900, reprinted in *Senate Document 444...*, 4. This figure was that presented in a statement to Congress made in 1900. However, it was used in that statement as a point of comparison with OIA figures from earlier years. The context, and the Turtle Mountain attorney's disinclination to qualify the figure in terms of its potential difference from earlier totals, suggests that the band believed the 1892 population to be about the same. The inexact nature of the number also indicates that it could encompass variations in the population over time without sacrificing accuracy. Unsurprisingly, the band's description of how many people its community included was more consistent over the years than the OIA's population reports. In 1881, U. S. Indian Agent James McLaughlin held a meeting with a council of 33 Turtle Mountain people. He reported to the acting CIA that "They claim to number 1,000 full-bloods and 1,500 mixed-bloods . . . A majority of these people are now leading nomadic lives, following the buffalo from year to year, and are scattered throughout Dakota, Montana, and the adjacent British Provinces. They at first claimed a much greater number, but after understanding the relations existing between themselves with the Crees and Assiniboines . . . they concluded that the above figures would be about the number of their own people who could be brought upon a reservation and settled down to agricultural lives." It is important to remember that at this point migratory hunting was still an option and many people may not have envisioned the rapidity with which that option would permanently disappear—as noted above, only a year earlier Louis Riel requested a reservation "near the buffalo region." See James McLaughlin, U. S. Indian Agent, to Acting CIA Thomas Nichol, March 16, 1881, reprinted in *Senate Document 444...*, 99; See also U. S. Congress, House. 55th Cong., 2nd sess., H. Rpt. 820, *Senate Document 444...*, 158-159: "The population of the Turtle Mountain Chippewa Indians proper is claimed by themselves to be not less than 3,000 individuals, including all those scattered and living in different parts of North Dakota, Montana, and Minnesota; also those who are now living and roaming in the vicinity of Woods Mountain, in the British Possessions."

[1083] In addition to being a member of the Turtle Mountain community, John Bottineau had been the band's attorney for over eight years when he made this statement to congress. He had been instrumental in pressing the Turtle Mountain claim since at least 1878 and was intimately familiar with all aspects of the history of the Turtle Mountain claims. See *Senate Document 444...*, 153. I offer the band's own population figures only as a point of comparison with government figures, not as a conclusive count of band members.

[1084] As the commission put it, during the proceedings the Turtle Mountain people insisted "that there were many other people who might properly be placed on the roll." P. J. McCumber, John W. Wilson, W. Woodville Flemming, Commissioners, to Commissioner of Indian Affairs/Department of Interior, *Report of the Turtle Mountain Indian Commission of the Agreement Concluded Between Said Commissioners and on the Part of the United States, and the Turtle Mountain Band of Chippewa Indians, October, 22, 1892*, report, December 3, 1892, reprinted in *Senate Document 444...*, 23.

[1085] CIA D. M. Browning to SOI, July 6, 1893, reprinted in *Senate Document 444...*, 95. At this point it is not clear how Waugh's committee came into being. The McCumber commission reported that it "had been elected by the band." *Senate Document 444...*, 12. The farmer-in-charge and Agent Waugh described it more ambiguously "elected to represent the interests of their people." ARCIA 1892, 353. In 1893 the CIA referred to it as "the committee appointed to assist the agent" *Senate Document 444...*, 95. That same year the committeemen described themselves as "selected among the Turtle Mountain Indians to represent them in their dealings with the United States Government" *Senate Document 444...*, 45.

committee with completing a preliminary roll purge that would pave the way for a more thoroughgoing enrollment reduction, and a settlement that satisfied the American government, once the McCumber commission arrived. After ensuring that it was "well understood by them that a great impediment to any arrangement would be the presence and demands of the foreign element," Waugh began working with "a subcommittee of 5 . . . appointed to designate" said "foreign element" so that it could be eliminated. The men started with the already-reduced list produced by the 1890 Mahone commission and removed an additional "112 families, comprising 525 individuals." The purged accounted for about a quarter of those who had made the Mahone cut. There remained on the rolls 1,802 people, or just over half of those claimed by the band's attorney John Bottineau.[1086]

As described by Waugh and the United States representatives, those purged by the Waugh subcommittee were "foreign Indians and . . . people not entitled to be considered as Turtle Mountain Indians."[1087] Even if we pretend that these distinctions could be made with any validity, it is difficult to view the subcommittee's deliberations as legitimate. When the Mahone commission bemoaned the futility of its task two years earlier, it suggested that accurately determining entitlements to Turtle Mountain enrollment required nothing less than "a hearing before some impartial magistrate, with power to call witnesses and take testimony before passing on the question of whether they are American Indians or not—before denying or prejudicing any legal rights they may have as Americans by nativity or adoption."[1088] But none of the records of the subcommittee's activities suggest that they conducted anything like a careful investigation. There is no evidence that they called any witnesses, took any testimony, or used any written records when they decided that roughly one of every four people on the minimal Mahone census had no right to Turtle Mountain membership. Instead, they relied on their memories and their ostensible familiarity with the ancestries of almost 2,400 people: these five men, the OIA maintained, were "thoroughly acquainted with the family histories of all."[1089]

This last point begs discussion of the subcommittee's criteria for expulsion. Even if we assume that the Waugh subcommittee knew, indubitably, every limb of the family trees of each of the roughly 2,400 people on the Mahone roll, and we imagine a scenario in which the

---

All communications in the documentary record (in my possession) signed by the Turtle Mountain Band or its attorney assert that the committee was neither elected nor authorized by the band but was "formed by the U. S. Indian Agent Waugh." These sources invariably refer to the committee as "Waugh's committee," "Waugh's self-constituted committee," etc. At a tribal council meeting on December 8th, 1893, 123 Turtle Mountain people, among them members of the Waugh Committee, unanimously voted (on a motion seconded by a Waugh committeeman) "That the so-called committee of thirty-two (32), created and supported by said ex-U. S. Indian Agent Waugh, be, and the same is hereby, rejected and repudiated, as being unlawfully created, supported, and brought into existence against the will of the majority of this tribe." The resident Catholic Pastor J. F. Malo witnessed the proceedings. See Minutes of the Council Proceedings of December 6 and 8, 1893, reprinted in *Senate Document 444...*, 124-132. The modern Turtle Mountain tribal webpage asserts that "U. S. Indian Agent John Waugh handpicked a council of 16 full bloods and 16 mixed-bloods to meet the Commissioners" because "Chief Little Shell III did not agree with the McCumber Agreement and refused to sign [so] the government would not recognize Chief Little Shell and his Grand Council of 24 as hereditary leaders of the Band." "Turtle Mountain - Tribal Historical Overview - Treaties 2," *North Dakota Studies*, http://www.ndstudies.org/resources/IndianStudies/turtlemountain/historical_treaties2.html. In this essay I use the terms "Waugh committee" and "Waugh subcommittee" to identify these groups.

[1086] ARCIA 1892, 353. The McCumber commission report states that the preliminary purge resulted in eliminating 522 individuals. *Senate Document 444...*, 12. CIA Browning, writing in the summer of 1893, reported 512 individuals stricken from the rolls by the subcommittee. *Senate Document 444...*, 94. The Waugh committee, writing in May of 1893, remembered striking 512 names and may have been the source of CIA Browning's figure. *Senate Document 444...*, 45. I used Waugh's figure since the production of that document was closer physically and temporally to the subcommittee's action and because Waugh presumably had physical possession of the Mahone list before and after the subcommittee's reduction.

[1087] Kaken awash, Joseph Rollette, et al. to Maj. John Waugh, May 29, 1893, reprinted in *Senate Document 444...*, 45; CIA D. M. Browning to SOI, July 6, 1893, reprinted in *Senate Document 444...*, 94; P. J. McCumber, John W. Wilson, W. Woodville Flemming, Commissioners, to Commissioner of Indian Affairs/Department of Interior, *Report of the Turtle Mountain Indian Commission of the Agreement Concluded Between Said Commissioners and on the Part of the United States, and the Turtle Mountain Band of Chippewa Indians, October, 22, 1892*, report, December 3, 1892, reprinted *Senate Document 444...*, 12; ARCIA 1892, 353.

[1088] CIA D. M. Browning to SOI, July 6, 1893, reprinted in Senate *Document 444...*, 96.

[1089] ARCIA 1892, 353.

subcommittee engaged in something approximating deliberations during the purging process, the sources provide no clues about the basis of their decisions. Was it one's matrilineage or patrilineage that determined band membership?[1090] One's ancestry, birthplace, baptism, or current location? Did the language an individual spoke play a role? Did complexion factor into it? Hair color? Clothing preference? Marriage status? Catholicism? Affinity for agriculture? The questions are endless and complicated, but even as asked here they represent a best-case scenario: they take for granted the essential sincerity of the subcommittee's intents, and assume that other motives had nothing to do with decisions to purge people. They assume that the sub-committeemen were able to avoid letting the momentary moods, petty grievances, heartfelt hatreds, and vested interests that divide communities influence them as they wielded their power to dismember the Turtle Mountain band. And they assume that the process was unaffected by U.S. aims and intents. And they assume that fixing the membership of the community was a legitimate endeavor to begin with.

The dismemberment strategies employed by the McCumber commission itself are better documented. In retrospect, however, they are less important. The commission apparently accepted the subcommittee's decisions without further discussion, and the additional reductions made by the commission itself were numerically insignificant in comparison. In terms of enduring consequences, the commission's most important acts were legitimating the subcommittee's reductions, preventing significant reversal thereof, and ensuring that the emaciated membership roll became the basis for future federal policy affecting the people of Turtle Mountain.

OIA employees in the area were well aware that the census process in which they engaged violated the Turtle Mountain people's own vision of their community and, as explicated by the Mahone commission, possibly the law as well. They knew that most of the Turtle Mountain people would resist their attempts to sunder the band. To ward off resistance that might spoil their scheme, the OIA and their McCumber commission accomplices effectively prohibited community participation in the census process. Hundreds of people gathered to meet the commission when it came to the Turtle Mountains in September of 1892. Instead of finding an open meeting and, as was customary, provisions to sustain them for the duration of the negotiations, the community was essentially told to leave. The McCumber commission provided food only for its thirty-two co-purgators on the Waugh sub-committee. The rest of the band faced the choice of going hungry or going home. Given their famished and impoverished condition, this was no choice at all. They took up a collection to feed their long-time leader, Little Shell, and his councilmen so that they, at least, could participate, and then dispersed.[1091]

The meager amount the band collected could not support the tribal council for more than a couple of days. Little Shell and his council made their position clear for the McCumber commission and for the record, and then, their small survival fund depleted, they left. Their statements impugned not only the enrollment process, but the decisions about who could make decisions about the band. After presenting themselves as the legitimate representatives of the

---

[1090] In her study of the Lewistown, Montana, Métis community, Martha Foster concludes that "the experience of the Spring Creek band suggests a bifocal, effectively bilineal system, in which the kin of both spouses formed the threads of the interlocking kinship web." Foster, "We Know Who We Are," 2000, 220. Excerpts from the ARCIA during this period indicate that the OIA was undecided on whether being an "Indian" depended on the identity of one's father, or one's mother. For that matter, the OIA was undecided on whether genealogy was the primary determinant of Indian identity, which it also perceived to be a function of one's cultural affinities and living habits.

[1091] P. J. McCumber, John W. Wilson, W. Woodville Flemming, Commissioners, to Commissioner of Indian Affairs/Department of Interior, *Report of the Turtle Mountain Indian Commission of the Agreement Concluded Between Said Commissioners and on the Part of the United States, and the Turtle Mountain Band of Chippewa Indians, October, 22, 1892*, report, December 3, 1892; Bottineau, John B., Attorney for the Turtle Mountain Indians, *Protest by the Turtle Mountain Band of Chippewa Indians Against the Ratification by Congress of the Treaty or Agreement Concluded October 22, 1892*, filed January 1893, both reprinted in *Senate Document 444...*, 11-12, 33-34.

Turtle Mountain people, Little Shell and his council insisted that the "half-breeds . . . must be recognized as members of this tribe," and reiterated their conviction that their community included people dispersed throughout the region and on both sides of the international border. When they departed, they delegated their relative and attorney John Bottineau to stay at the meeting to act in their stead. Experienced and realistic, and knowing that the purge would be extensive, Bottineau agreed to wait until the McCumber Commission had completed the census before protesting its rulings. Bottineau hoped that this would enable him to make more effective cases for tribal membership. The commission, in turn, promised to provide him a list of the purged to facilitate the objection process. No one doubted that the roll would be disputed.[1092]

Having cleared the way for an unopposed roll purge, the commissioners set about reducing the population. In this task they worked with Waugh's appointees. They started from the emaciated enrollment produced by the Waugh subcommittee some months earlier. From that they "struck off all those whose American tribal relations were considered by *any member* of the committee as being *in the least questionable*." Still unsatisfied, they scrutinized the remaining names, making full inquiries concerning the relations, birthplace, former residence and present location, and all other matters pertaining to the question of tribal relations. Only then did they offer a complete list of those who were unquestionably American Turtle Mountain Indians.[1093]

By the commissioner's own report, then, any possible connection to Canada whatsoever, past, present, or ancestral, real, possible, or simply imagined by a single person among those present, could result in expulsion from the federally recognized Turtle Mountain community. So, too, did the possibility of connection to non-Indians, or any Indian tribe other than Chippewa or any Chippewa group other than the Turtle Mountain band. Given the band's history, it is astonishing that anyone at all remained on the roll.

Nation. Race. Tribe. Band. Place. All of these tropes proved useful for those intent on portraying Turtle Mountain people as un-American, non-Indian, not Chippewa or not of the Turtle Mountain band, and therefore un-entitled to inclusion on the official tribal rolls. As far as the McCumber commissioners were concerned, it was not important that these rigid and imposed categories disregarded, and re-defined, historical realities. When they bothered to deliberate at all, the commissioners used the slightest association with any groups other than Turtle Mountain Chippewa to make their decisions about people's lives and families. They seized on wispy suggestions that someone might be Canadian or Cree or Assiniboine or white or what have you, and used that as reason to exclude them from the rolls. That people could be, and were, all of those things *and* Turtle Mountain Chippewa as well, the commissioners knew but chose to ignore. They noted that the band insisted "that there were many other persons who might properly be placed on the roll," but that these people were absent. In the face of the commission "throwing the burden of proof as to tribal connection upon the claimants" temporary absence meant permanent exclusion. Likewise, the commission admitted that recognizing "all persons as members of the band whose either parent was a member thereof very naturally increases the number by the addition of fast accumulating mixed bloods and their descendants." It was able to

[1092] Bottineau, John B., Attorney for the Turtle Mountain Indians, *Protest by the Turtle Mountain Band of Chippewa Indians Against the Ratification by Congress of the Treaty or Agreement Concluded October 22, 1892*, filed January 1893, reprinted in *Senate Document 444...*, 33-34.

[1093] Emphasis added. P. J. McCumber, John W. Wilson, W. Woodville Flemming, Commissioners, to Commissioner of Indian Affairs/Department of Interior, *Report of the Turtle Mountain Indian Commission of the Agreement Concluded Between Said Commissioners and on the Part of the United States, and the Turtle Mountain Band of Chippewa Indians, October, 22, 1892*, report, December 3, 1892, reprinted in *Senate Document 444...*, 12.

dissect these families by "holding adverse to claimants as strictly as the rules of the Department would allow."[1094]

After carving the community, McCumber and his accomplices dishonored their commitment to consider objections to their rulings. They promised Bottineau a complete list of the purged, but delivered something else entirely. The final McCumber commission roll of 1,759 people included 568 fewer names than the Mahone census, and about 1,500 fewer people than most of the Turtle Mountain community claimed. Yet the commission's "List of Names Stricken Off From the Rolls" contained only 107 names. Over the course of the weekend of September 24th, this partial list was reportedly read at church services in Belcourt and St. Johns, disseminated by the Indian Police, and posted in "conspicuous places throughout the reservation." It ended with a notice that those parties wishing to contest their expulsion would be heard at 9 a.m. that Monday morning.[1095] The idea that the majority of such a dispersed people could even receive, much less respond to, the short notice is so silly that it doesn't deserve further comment. The commission didn't intend to enable people to object to its rulings, not even the few people on its deficient little posted list.

The Commissioners' response to those people who were able to attend the Monday morning meeting in front of the Belcourt post office made this quite clear. Hopeful purge victims testified under oath and called witnesses in support of their cases for reinstatement to the tribal roll, but although "a large number of cases were heard . . . with few exceptions their claims were rejected. At the beginning there were many present when the commission considered Canadian mixed-bloods. But after a number of cases had been disposed of, the others . . . refused to present their cases." Since Turtle Mountain people wouldn't dignify the farcical hearings by participating further, the McCumber commissioners concluded by reiterating that those who hadn't been able to make the Monday morning deadline "were not entitled to recognition as members of the Turtle Mountain Band." "The census" they declared, "was completed."[1096]

The commission also refused to consider the objections of Turtle Mountain Attorney John Bottineau. Rather, it prevented Bottineau from making those objections. As the band later testified to Congress, instead of receiving the list of the purged at the close of the census proceedings, Bottineau saw the list only because he went to Catholic services that Sunday. It was posted on the church door. The list he finally obtained, however, was of little use: with such a fractional accounting of who had been left off the tribal rolls, he couldn't begin to adequately prepare his cases. Bottineau demanded from the commission "a copy of their rolls and of their deliberations, or at least access to them, and the time necessary to file his exceptions and papers in support of the rights of those whose names were rejected." To this the commissioners

---

[1094] P. J. McCumber, John W. Wilson, W. Woodville Flemming, Commissioners, to Commissioner of Indian Affairs/Department of Interior, *Report of the Turtle Mountain Indian Commission of the Agreement Concluded Between Said Commissioners and on the Part of the United States, and the Turtle Mountain Band of Chippewa Indians, October, 22, 1892*, report, December 3, 1892, reprinted in *Senate Document 444...*, 21, 23.

[1095] P. J. McCumber, John Wilson, and W. Woodville Flemming, *List of Names Stricken Off From the Rolls as Parties Not Entitled to the Benefits of a Treaty With the Turtle Mountain Indians*, September 24, 1892, reprinted in *Senate Document 444...*, 41-42. The commissioners also claimed that the list was "read at the churches at Belcourt Mission and St. Johns and special notice sent, through the Indian police, to individuals who had not been present at these places." See P. J. McCumber, John W. Wilson, W. Woodville Flemming, Commissioners, to Commissioner of Indian Affairs/Department of Interior, *Report of the Turtle Mountain Indian Commission of the Agreement Concluded Between Said Commissioners and on the Part of the United States, and the Turtle Mountain Band of Chippewa Indians, October, 22, 1892*, report, December 3, 1892, reprinted in *Senate Document 444...*, 12.

[1096] P. J. McCumber, John W. Wilson, W. Woodville Flemming, Commissioners, to Commissioner of Indian Affairs/Department of Interior, *Report of the Turtle Mountain Indian Commission of the Agreement Concluded Between Said Commissioners and on the Part of the United States, and the Turtle Mountain Band of Chippewa Indians, October, 22, 1892*, report, December 3, 1892, reprinted in *Senate Document 444...*, 12.

supposedly conceded. They promised to direct Farmer E. W. Brenner to give Bottineau access to the rolls, which were by then said to be in Brenner's possession. Having dispensed with Bottineau's demands, they took a break from negotiations and departed for Fort Berthold. They intended to explore the possibility of moving Turtle Mountain people to that reservation.[1097]

While the commissioners were gone, Brenner refused to let Bottineau, Little Shell, or any of the tribe's councilmen see the rolls. The desperate leaders improvised, sending word to all members of the tribe within reach that each head of a family should send to the council without delay a list of the members of his or her family, giving names, ages, sex, and relationship. These would be presented to the commission on their return for their favorable consideration and enrollment.[1098] But the commission and its collaborators were unmoved. When they returned from the Fort Berthold reservation to discuss cession of Turtle Mountain lands, Agent Waugh and Farmer Brenner ordered all those not on the McCumber roll, as well as John Bottineau (who *was* on the roll), to leave the reservation at once. Anyone who disobeyed would be arrested.[1099] Having little choice, Bottineau obliged. As he departed, those present are said to have cried "You shall not go . . . this is death to us; better meet it now than starve to death."[1100]

The proceedings of the 1892 McCumber Commission at North Dakota's Turtle Mountain Reservation, and the roll the commission produced, exemplified the colonial effort to create distinct, separate Indian and non-Indian groups on the Northern Plains. As in the efforts to equate mixed, mobile indigenous people with Canada, the attempts to purge them from the Indian communities of which they were a part used mobility and mixture as grounds for exclusion. At Turtle Mountain, the McCumber roll omitted over 45 percent of community members. The rhetorical tools with which its creators carved the Turtle Mountain community were by then well-honed through repeated use. The commissioners employed every trope of racial, cultural, and national citizenship at their disposal when they dismissed some applicants as Canadian (either Indian or white); some as all or predominantly white (either by "blood" or by life choice and perceived social status); some as American Indian but belonging, in the commissioners' opinion, to other bands or tribes; and some as Indians of proper tribal or band affiliation but lacking proper spatial affiliation, ie. inarguably bound to a 9 million acre tract delineated in the treaty negotiated by the same commission. Geographic dismissal proved the most versatile purgatory tool of all: individuals could be, and were, declared ineligible for enrollment due to having been born outside the tract, or for isolated or repeated absences of any duration later in life, regardless of the reasons for traveling outside the boundaries specified in the subsequent agreement.[1101] They were also excluded simply because they weren't in the right place at the time of treaty. Women and their children were especially vulnerable to elimination on all these counts, as officials subsumed them in the ascribed social and spatial categories of husbands and fathers. As the agent put it, in making a list of individuals entitled to benefits

[1097] Bottineau, John B., Attorney for the Turtle Mountain Indians, *Protest by the Turtle Mountain Band of Chippewa Indians Against the Ratification by Congress of the Treaty or Agreement Concluded October 22, 1892*, filed January 1893, reprinted in *Senate Document 444...*, 34-35.
[1098] Bottineau, John B., Attorney for the Turtle Mountain Indians, *Protest by the Turtle Mountain Band of Chippewa Indians Against the Ratification by Congress of the Treaty or Agreement Concluded October 22, 1892*, filed January 1893, reprinted *Senate Document 444...*, 34-35.
[1099] John Waugh, U.S. Indian Agent, and E. W. Brenner, Farmer in Charge, to John Bottineau, Esq., October 15, 1892, and John Waugh, U.S. Indian Agent, and E. W. Brenner, Farmer in Charge, To Whom It May Concern, October 15, 1892, both reprinted in *Senate Document 444...*, 41.
[1100] Bottineau, John B., Attorney for the Turtle Mountain Indians, *Protest by the Turtle Mountain Band of Chippewa Indians Against the Ratification by Congress of the Treaty or Agreement Concluded October 22, 1892*, filed January 1893, reprinted in *Senate Document 444...*, 35.
[1101] Delia Hagen, "The Process and Consequences of Creating the Turtle Mountain Tribal Roll of 1892" (Prof. Jon Gjerde's Immigration and Ethnicity research seminar, University of California Berkeley: unpublished paper, 2003), 38.

specified in the McCumber agreement, he "suspend[ed] the families of white men married to Indian or mixed-blood wives and living apart from the tribe."[1102]

Enrollment Over the Land

The McCumber roll began to shape developments at Turtle Mountain as soon as it was completed. Commissioners started land cession negotiations only after they expelled the band's attorney and almost half of the community, including many people from whom it might have expected opposition. For their part, those people in the Turtle Mountain community who were excluded from tribal enrollment faced an uncertain future. Many of them may have hoped that they could find some security on the lands of other Indian communities with which they were associated. But, critically, their enduring relations with numerous communities meant that mixed, mobile indigenous people had to contend with roll-making at multiple Northern Plains reservations and reserves. The McCumber roll was an important component of a developing statelessness. Interplay of similar tribal enrollments across the region effectively completed it. Contextualizing roll-making at any given reservation or reserve in the broader process of enrollment across the region reveals its layered impacts on indigenous people. These impacts attest to the fact that, regardless of how any particular roll-making played out, enrollment was itself a coercive, and ultimately violent, colonial act.

In the United States, formal enduring enrollment at Northern Plains reservations spread with the allotment process. Not all Indian reservations were allotted, and many other events spawned tribal censuses, counts, lists, and rolls, but allotment rolls were the most involved and formalized of roll-making processes. Allotment-related rolls also mattered more: on most, possibly all, allotted reservations, so-called Dawes rolls remain the foundational legal membership lists that have determined, in one way or another, subsequent enrollment. Because allotment was such a pivotal development in the history of affected Indian communities, it is also the easiest enrollment event to trace on a regional scale.[1103]

A brief look at allotment around the region reveals that those excluded from enrollment at Turtle Mountain would find little refuge at other reservations in their homeland. Allotment at neighboring Devil's (now Spirit) Lake Reservation began in 1891, the year before the McCumber roll, and efforts to allot Fort Berthold and Standing Rock Reservations date to the same period.[1104] Allotment commissions didn't make it to Montana until after the turn of the century, but when they did they completed allotment at all of the reservations in that state frequented by the mixed, mobile indigenes left off the Turtle Mountain rolls.[1105] For many, it must have seemed like a coordinated assault on their multiple homes: in a single year, 1908, allotment began on eastern Montana's Fort Peck Reservation, the Blackfeet Reservation at the base of the Rockies, and western Montana's Flathead Reservation.[1106] In the aftermath of these Northern Plains enrollment events, a 1916 executive order created Rocky Roy Reservation as a

[1102] ARCIA 1905, 281. When they lost their right to tribal membership by virtue of being married to "white men," women also lost their right to Indian homesteads, to say nothing of allotments and other rights on reservations.
[1103] This is especially true given the overall lack of scholarly attention to enrollment and thus the absence of substantial secondary literature on the subject.
[1104] "Spirit Lake Nation - Timeline - 1870–Present. Late 1800s, 1900s, Early 2000s. Legislations, Policy, Treaties, Schools, Etc.," *North Dakota Studies*, n.d., http://www.ndstudies.org/resources/IndianStudies/spiritlake/timeline_1870.html.
[1105] Alone among the state's reservations, the Northern Cheyenne reservation wasn't allotted until the 1930s. It is also the only Montana reservation that didn't appear frequently in documents located for this study.
[1106] The Special Alloting Agent to the Blackfeet Reservation complained that "there are quite a number of Indian women married to Piegan Indians, who are not themselves Piegans, but are Crees, Bloods, Assiniboines, Gros Ventres, etc." also "a few white women who are married to mixed blood Piegan Indians." Robins to CIA, Browning Mont., February 9, 1908, RS 266, Box 11, Folder 2, MHS.

home for those Indians left off the rolls of the region's reservations. With no sense of irony, officials made a formal membership roll at Rocky Boy upon its creation: they rejected one-third of applicants.[1107] Four years later Montana's Crow Reservation was allotted, and four years after that, in 1924, allotment arrived at Fort Belknap Reservation in the Little Rockies.[1108] Each of these roll-making events refused significant portions of the population claiming membership in the respective reservation communities, and those excluded at each locale were often affiliated with, or were the same as, those excluded elsewhere. Many of the mixed, mobile people of the borderlands with ties to multiple Indian groups failed to gain enrollment at any of the communities with which they were associated.

Shortly after the advent of general allotment, the United States also passed the first federal law addressing tribal membership.[1109] Like Canada's Indian Act, the 1888 "act in relation to marriage between white men and Indian women" articulated and codified a gendered definition of Indianness that excluded many borderlands indigenous women from state Indian status. The first clause of the act limited indigenous communities' ability to include "white" men, a situation whose prevalence was suggested by the perceived need to prohibit it. It provided that "no white man, not otherwise a member of any tribe of Indians, who may hereafter marry, an Indian woman, member of any Indian tribe in the United States, or any of its territories, . . . shall by such marriage hereafter acquire any right to any tribal property, privilege, or interest whatever to which any member of such tribe is entitled." If this first clause foretold problems for métis families, the second was even more foreboding: "every Indian woman, member of any such tribe of Indians, who may hereafter be married to any citizen of the United States" would "become by such marriage a citizen" herself, although she would in theory retain "the right or title . . ." to any tribal property. This law threatened not only individuals deemed "white men" and their legally married spouses, but any woman who became intimately involved with "white men," for it explicitly presumed such people guilty of marriage: if a woman sought to avoid its consequences by claiming she wasn't married, evidence of marriage by "general repute, or of cohabitation as married persons, or any other circumstantial or presumptive evidence from which the fact [of marriage] may be inferred" would "be competent."[1110]

The individualization of Indian status in America interacted with concurrent developments north of the international boundary. In Canada, the shift to formalized, fixed band membership was at once more decisive and more gradual. Its decisive nature lay in the Indian Act, which provided several specific federal guidelines for allocating Indian status and, as such, had no precise corollary in the United States. As noted, those guidelines addressed the enrollment eligibility of not only women and children, but also of people who owned land, were enfranchised, or had been in the U.S. for extended periods, as well as of "half-breed" people. Passage of the Indian Act thus constituted a singular moment in the history of Canadian Indian enrollment. As implemented on the ground, however, that enrollment was a more gradual and less definitive process than its American counterpart. Its gradual nature stemmed from several aspects. For one, only several bands had anything like a single enrollment episode that was

---

[1107] Of 658 people listed on the preliminary Rocky Boy roll, only 451 were approved for enrollment. United States, Office of Indian Affairs, Rocky Boy's Agency, *U.S. Office of Indian Affairs, Rocky Boy's Agency Records, 1909-1917*, Small Collection 903, MHS.

[1108] *Crow Indian Act, June 4, 1920:* Charles Joseph Kappler, *Indian Affairs: Laws and Treaties*, vol. IV (Washington: GPO, 1929), 271–273; *and Joint Resolution Authorizing distribution to the Gros Ventre Indians of the Fort Belknap Reservation, Montana, of the judgment rendered by the Court of Claims in their favor, 1924:* Charles Joseph Kappler, *Indian Affairs: Laws and Treaties*, vol. V (Washington: GPO, 1941), 472–473. The Rocky Boy Reservation was not allotted. "Surplus" land at Fort Belknap Reservation was not opened to homesteading.

[1109] It is important to remember that enrollment on individual reservations occurred in the context of national guidelines and policy promulgations, especially since American historians have tended to emphasize the agency of local people in roll-making. Cf. Hogue, "The Montana Métis and the Shifting Boundaries of Belonging."; Harmon, "Tribal Enrollment Councils."

[1110] Law of August 9, 1888, 25, Stat., 392, 50th Cong., 1st Sess., see Kappler, *Indian Affairs*, 1904, I:38.

meant to settle the question of band membership forevermore. These were what we'll call Métis bands—first the 1870 Manitoba Métis and then several other Métis groups—the 1870 North-West Territories Métis, the pre-1870 North-West Territories Métis, and the 1870-1885 Manitoba/North-West Territories Métis—with the subsequent proscribed expansion of scrip.

Enrollment of other indigenous bands attended an allotment that was less final. For the most part, Canada didn't patent allotments to individual Indians. But it nonetheless assigned designated parcels of reserve land to enrolled members on the same principal: each individual needed forty acres and anything "left over" the DIA considered unnecessary surplus, and often sold to non-Indians.[1111] This less definitive allotment translated into a less definitive enrollment, and ostensibly-final roll-making moments are more difficult to identify in Canada. It is clear, however, that in the post-1885 era band membership rolls became less fluid, more formal, and increasingly exclusive.[1112] As these enrollments interacted with one another and with concomitant processes in the United States, they individualized Indian status and underwrote spreading indigenous statelessness.

The several "Half-breed Scrip" policies in Canada constituted an indigenous allotment program that, like "Indian" allotment, created an individualized, indigenous race- and place-based legal status, a status that was mutually constitutive with land rights. As with allotment, widespread failure to secure scrip status and the land rights that attended it contributed to formal statelessness among borderlands indigenes. Inability to secure scrip stemmed from varied causes. The problems with Scrip distribution itself have been well-covered. In addition to the notorious delays and inefficiencies in granting scrip, many of those whose scrip applications were approved rapidly lost their scrip, or the lands or money it conveyed, through widespread speculation and fraud.[1113] This paralleled the notorious loss of allotted Indian lands in the United States. Scrip had several other legacies that were less-publicized but equally problematic. Although Canada amended scrip law to expand eligibility several times, these amendments, like the original Manitoba scrip provisions, limited scrip eligibility temporally and spatially, in effect granting legal recognition and rights to some Métis groups but not others.[1114] And like the Manitoba legislation, the scrip expansions depended on ascriptions of geographical belonging that disregarded the spatial realities of mixed, mobile borderlands indigenes and left them

[1111] Robert James Nestor, "Hayter Reed, Severalty, and the Subdivision of Indian Reserves on the Canadian Prairies [microform]" (Master of Arts, University of Regina, 1998), 65; Samek, *The Blackfoot Confederacy, 1880-1920*, 122. Alternatively, the original size of many reserves was established based on an acreage-per-family or per-capita basis: theoretical allotment determined reserve size from the get go. These reserves were also subject to subsequent reduction, with new land "needs" determined by the DIA based on new, reduced tribal rolls. See also Martin-McGuire, Canada, and Indian Claims Commission (1991-2009), *First Nation Land Surrenders on the Prairies, 1896-1911*, xxvii.

[1112] See Taylor, "An Historical Introduction to Métis Claims in Canada." Taylor suggests exclusion of "half breeds" served as a guideline for censuses of bands. See also Government of Canada; Aboriginal Affairs and Northern Development Canada; Communications Branch, "Chap. 18: An Act to Amend and Consolidate the Laws Respecting Indians.," sec. 5–10, 26. Similarities between Canadian and American tribal list-making are also suggested in Samek, *The Blackfoot Confederacy, 1880-1920*, 204. Canada and the U.S. were constantly looking at one another's policies and practices regarding Indians in this period.

[1113] Scrip was not actually distributed until long after scrip legislation passed. The first Half-breed Scrip Commission occurred in 1885 and dealt with the claims of Métis people who, on or before 15 July 1870, were living in territory that had since been ceded to the government by treaties with First Nations. Ten other scrip commissions followed: 1886 (continuation of 1885 work); 1887 (completion of 1885 work); 1889 (claims within the territory of the Treaty Six adhesion); 1899 (claims within the territory of Treaty Eight); 1900 (claims of Métis born in the North West Territories between 15 July 1870 and 31 December 1885); 1901 (claims of Métis resident in the portion of Manitoba outside its original boundaries, and the remaining claims in the Northwest); 1906-07 (claims within the territory of Treaty Ten); 1908-10 (claims within the territory of the Treaty Five adhesion) and 1921 (claims within the territory of Treaty No. 11). In addition to the formal commissions, which visited communities to take applications, the Department of the Interior received many Métis scrip applications through Dominion Lands Agents, who were authorized to receive applications on behalf of the government until 1894. Occasionally, scrip applications would also be sent to the Department of the Interior through lawyers or other agents, who claimed to be representing Métis individuals who, for one reason or another, had not applied through regular channels.

[1114] When I first went into archives looking for what I believed to be undifferentiated "half-breed scrip" I was confused by the many different categories I found. This confusion stemmed from the significant fact that there was never a general half-breed scrip with open eligibility, only scrip for spatially and temporally delimited groups, ie. scrip legislation created and benefitted specific scrip bands.

vulnerable to exclusion even when, at first glance, they seemed to fall within the expanded scope of scrip eligibility. The fact that limited legal expansion of half-breed status had not produced actual scrip grants exacerbated the problem, as even those who were eligible in theory remained without status or land.

Many "half-breed" people were unable to obtain Scrip for one reason or another. Sometimes this stemmed from an inability, for whatever reason, to submit a completed scrip claim.[1115] Successful completion of a claim was no small task, and presented significant administrative obstacles that many borderlands indigenes were unable to navigate.[1116] Other times scrip applications were denied. Unsuccessful applicants were thus simultaneously denied the state legal status tied to scrip eligibility. Borderlands indigenes found themselves denied scrip for a host of reasons. Many of these had to do with state racial ascriptions. Despite Canada's claims that "halfbreed" members of Indian bands could choose scrip if they wished, many had problems getting scrip when they left treaty. Indeed, subsequent official policy statements directly contradicted earlier claims of "halfbreed" options. Scrip regulations promulgated in 1900 held that "halfbreeds" who were under treaty and withdrew "had become ordinary citizens of the country, having no claim as aborigines" and were therefore ineligible for scrip.[1117] Other people, like a man named "Chief Wolf," thought they could get scrip instead of treaty but found themselves denied because the Dominion considered them "full blood Indians," and therefore ineligible.[1118] These examples were no isolated incidents: in his overview of "Métis Land Claims," Lawrence Barkwell counted "1,100 individuals" who "withdrew from treaty in order to obtain scrip coupons" "during the 1886 and 1887 commissions" alone.[1119] Other Métis people found their claims rejected not on racial bases but because they fell outside of the temporal and spatial limits of scrip eligibility. Such was the case with a scrip claimant by the name of Charles Stevenson, who authorities denied on the basis of his having been born at St. Boniface, Manitoba in 1874. "Such persons only as were born between the 15th of July 1870, and the end of the year 1885 in ceded portions of the North West Territories . . . were entitled to

[1115] Cf. Frank Munroe to Interior Department, Registration Branch, Browning, Mont., May 29, 1908, File 1605509, vol. 1026, RG 15, LAC. Munroe was seeking scrip for his daughter and his wife, to whom he had been married by Father Lacombe at St. Albert, Alberta. His own scrip he "got"—possibly at Fort McLeod—but gave to his father, who "did not use it because he died before he took up the land." See also Charles Stevenson who wrote from Choteau, MT in May of 1904 maintaining that he was "Canadian born . . . [and] entitled to a claim." Stevenson to Interior Dept Secretary, May 9, 1904, File 891586, vol. 914, RG 15, LAC.

[1116] As described by Camie Augustus, "the process of applying for scrip was cumbersome and confusing. First, an application (Form "D") had to be filled in and submitted. In many cases, the commissioners were dealing with an illiterate population, thus, the process effectively amounted to an oral interview. Aside from the standard questions, such as name, address, genealogical information, and other means of identification, the applications also inquired about previous and current land holdings. For example, the applicants were asked if they had a homestead entry, what became of it, and the value and improvements of their current land. . . Next, the applicant was required to confirm their identity. Each claimant was required to provide, by affidavit or "two reliable and disinterested witnesses," that he was a 'half-breed' and a resident of the North-West Territories previous to 15 July 1870. Once this had been proven to the satisfaction of the commissioners, they would then provide the claimant with a certificate (either Form "F" or "G") indicating that the claimant was entitled to the amount of scrip which was indicated on the form. The Department was to be supplied with a similar certificate (either Form "H" or "I") duplicating the certificate issued to the claimant and providing a record for the Department. The same process was required for children, with certificates to be provided to them (on Forms "K" or "L") and duplicates to the Department (on Forms "M" or "N"). Those who submitted claims on behalf of deceased relatives also had to go through this process. More challenges followed the application process. Following an approval, the grantee would need to locate and enter the scrip – a process which necessitated a trip to a Dominion Lands office. Next was the wait to receive patent to the land, provided there were no conflicts with other settlers or reserves made for other purposes, such as railway or school grants. Formalities, paperwork, and lengthy waits between each phase characterized the process." Camie Augustus, "Métis Scrip | Our Legacy," *Our Legacy*, 2008, http://scaa.sk.ca/ourlegacy/exhibit_scrip#fn4.

[1117] N. C. Cote, Dept. of the Interior, Land Patents Branch, Memorandum, April 6, 1914, File 1605509, vol. 1026, RG 15, LAC.

[1118] Cf. Application for Enrollment at Turtle Mountain by Chief Wolf, June 9, 1905, Secretary to the Dept. of the Interior, U.S. Indian Service, *Turtle Mountain Report on Enrollment Applications*, Washington, October 25, 1905, File: Enrollment, 1906-1910, Box 149, Turtle Mountain, NARA CPR.

[1119] Lawrence Barkwell, "Métis Rights and Land Claims," *Métis Nation Constitutional Reform Portal*, July 16, 2002, 2, http://www.metisportals.ca/cons/wp-content/uploads/2009/02/metisrightsandlandclaims.pdf. Barkwell specifically related this count to people being denied scrip after leaving treaty. At Crooked Lakes Agency, the 1887 census counted 665 Indians, "being a decrease of 146 since 1886, which has been caused to a large extent by the withdrawal of half-breed members of the several bands from treaty for the purpose of obtaining half-breed scrip." ARDIA 1887, 64.

share in the recent grant of scrip," they wrote "the applications has been therefore . . . refused."[1120]

Especially unsuccessful in securing scrip were indigenous people with obvious, irrefutable American associations. Some of applications from American residents failed for simple procedural reasons, like failing to meet different deadlines established by the Dominion. And since different deadlines applied to different scrip groups, many people in the borderlands were unaware of them, or of which one might apply to them.[1121] But the rate of failure for scrip claims made by those with American associations makes clear that such procedural points were not the real problem: Canada seemed to deny the vast majority of scrip applications made by American residents, categorically refusing them Canadian "halfbreed" status and rights. Common among the countless reasons given for denying scrip claims was the allegation that the applicant was an American Métis, not Canadian. People so accused were regularly denied Métis status due to ties to the United States despite the fact that, by all appearances, they met the legal criteria for scrip (ie. resident in specified areas north of the international boundary during specified periods, which directly equated geography with legal racial identity).[1122] It is difficult to identify how many claims were rejected on this basis, but we can get some sense of the scale of vulnerability thereto from the number of scrip claims submitted from American locales. For the 1900 Scrip commission alone (which took claims for people born in the North West Territories between 15 July 1870 and 31 December 1885), at least 437 people submitted claims from U.S. addresses.[1123] When we consider the fact that the 1900 commission was one of eleven formal scrip commissions, and that people also submitted claims through other avenues, we can conclude that American associations left thousands of borderlands indigenes vulnerable to scrip denial and the formal statelessness that could follow.

Scrip claims, even unsuccessful ones, interfered with securing Canadian Indian status. As noted above, historians have sometimes asserted the relative fluidity of Canadian band membership, the implication being that those denied scrip could opt to acquire legal status, and land rights, by "taking treaty." But history belies this conclusion. Many of the mixed, mobile indigenous people who couldn't procure scrip were also unsuccessful at gaining legal Indian status. In fact, their attempts to do so frequently foundered on their associations with "half-breed" communities. What transpired at Passpasschase, the first Northwest Indian reserve lost to surrender, made this all too clear. There, during the first Halfbreed Commission in 1885, "12 band members took scrip." The following year, "when the Halfbreed Commission sat again . . . the rest of the Band asked for a discharge from the treaty so that they, too, could take scrip; they hoped to homestead their reserve lands. They were joined in this request by many members of Enoch, as well as other district bands." But the elective nature of "half-breed" versus "Indian" status only went so far. The Dominion allowed the Passpasschase Chief (whose names included Passpasschase, Papaschase, Papastew, Pahpastayo, John Quinn-Gladu and John Gladieu-Quinn) along with his brothers to take scrip "because they led a 'half-breed way of life,'" but denied

[1120] Short, Cross & Biggar to A. C. Fleming, July 8, 1907, *Métis Land Deals Collection*, Collection Number 292, Folder, *K. Ross Toole Archives*, Mansfield Library, University of Montana: Missoula.

[1121] Applications after certain dates, like 1900 and 1905, missed specified deadlines and were categorically denied. See P. C. Keys to Short, Cross & Biggar, Ottawa, June 28, 1907, File 891586, vol. 914, RG 15, LAC; *Council Proceedings*, July 1907, located in Box 190, Turtle Mountain, RG 75, MHS. Charles Champagne, John Laverdure, Martin George, Mary Dakota, Elizabeth Louis and Samuel Allery.

[1122] Fran Oliver, *Final Report of the Commissioner appointed to investigate certain charges made by the halfbreed residents of the United States against R. C. Macdonald*, October 5, 1905, *Myers Scrip Commission- Interim and Final Reports*, July 15, 1905, vol. 1932, RG 15, LAC. See also Department of the Interior, *Memo, Re: Half-Breed claim of Chas P. Stevenson*, June 26, 1907, File 891586, vol. 914, RG 15, LAC.

[1123] This was the number of claims I was able to locate in the LAC by searching for keywords that included variations of U.S./America etc. as well as likely state names (Dakota, Montana, Idaho, Wyoming, Minnesota etc.) and likely locale names (St. Joe, Havre, Belcourt, Great Falls, etc.). All of the U.S. applicants to this commission lived in Montana or North Dakota.

other applications. The failure of their scrip applications notwithstanding, the denied lost as well their Indian status. "In total, 194 people were removed from the band list. Many of them moved back to the reserve, apparently believing they could still live or homestead there, but they were forced off within a couple of years. None of them were readmitted to treaty."[1124] Hayter Reed wasn't too concerned about their conundrum: "when the last amendment was passed allowing half Breeds to withdraw merely on application I don't think it was quite contemplated that they should receive scrip." He did, however, "fear . . . women who were allowed to commute as Indian women marrying Halfbreeds or white although having received their commutation moneys have been drawing scrip."[1125]

The increasing rigidity in band membership suggested by the events at Passpasschase is evident elsewhere as well, and exclusion from enrollment followed allegations of all kinds of mixture—not only interracial but international, and between tribes and bands to boot. Through the early 1880s, Canadian authorities often accepted the ubiquitous flow in and out of treaty bands, allowing people to re-join treaty upon presenting themselves at payment time. But as the nineteenth century wound to a close, they became less and less accommodating of indigenous mixture and mobility.[1126] The creeping formalization, and fixing, of band lists took varied forms, including issuing official certificates that identified individuals as legally "treaty" Indian or not. Perhaps the most critical moment in this process was the membership determinations that were a crucial component of reserve allotment and surrender.[1127]

Many reserves in Canada were subdivided and then surrendered. In 1889, subdivision began at reserves affiliated with the Muscowpetung and Crooked Lakes agencies. Surveyors started work at Piapot's reserve in July, and proceeded to stake parts of the reserves of "Muscowpetung, Pasquah, Kahkewistahaw, Sakimay, and O'Soup."[1128] The Birdtail reserve was also partitioned in 1889, and other Birtle agency reserves followed, as did the Cowessess reserve at Crooked Lakes. Over the next three years, "many reserves in the Treaty Six district were also subdivided," and in 1892 surveyors carved the Blood Reserve. In the Treaty Four area, surveyors cut up reserves "that were close to the railway and were attractive for agricultural purposes."[1129] A conscious interrogation of eligibility for allotment—and band membership—attended these events. At the Sioux reserve near Wood Mountain, for instance, when "each male head of household was allocated" 160 acres on the reserve, at least four families—headed by men labeled as being "from Fort Peck reservation, Montana"—were denied allotments.[1130]

Enrollment decisions that attended Canadian allotment were less momentous—and less definitive—than the making of Dawes rolls in the United States, and they are less visible in primary and secondary sources. The surrender voting process itself, however, is better documented. It, too, involved membership determinations—usually to identify "voting members"—from which we can get a sense of the increasing formalization of enrollment, as well as a sense of the many ways indigenous people were officially excluded from their communities.

[1124] Martin-McGuire, Canada, and Indian Claims Commission (1991-2009), *First Nation Land Surrenders on the Prairies, 1896-1911*, 1998, 163.
[1125] Hayter Reed to Edgar Dewdney, September 6, 1885, *Edgar Dewdney Fonds*, Glenbow, 1246-1247.
[1126] See Richard Price, ed., *The Spirit of the Alberta Indian Treaties* (Edmonton: University of Alberta Press, 1999), 116, 125, 145, 153; Daugherty, "Treaty Research Report- Treaty Three (1873)," 55–56. Price suggests an early openness regarding band membership, and mentioned people being removed from Treaty lists later.
[1127] See Sarah Carter, *Lost Harvests: Prairie Indian Reserve Farmers and Government Policy* (Montreal: McGill-Queen's Press - MQUP, 2000), chap. 6. Carter notes how band membership determinations became a critical component of reserve surrender determinations.
[1128] Ibid., 205.
[1129] Nestor, "Hayter Reed, Severalty, and the Subdivision of Indian Reserves on the Canadian Prairies," 73; Carter, *Lost Harvests*, 205.
[1130] Papandrea, *They Never Surrendered*, 38, see appendix p–1. Given that the 1910 census of the band, many of whom remained in Moose Jaw and elsewhere, listed only 28 men between the ages of 21 and 65, this represented a significant portion of the community.

Neither membership nor its role in surrender negotiations was clear-cut, and as the prospect of surrender arose at reserves across the prairies there was considerable "uncertainty about who should be considered a band member for purpose of voting on surrender." Despite this uncertainty, the DIA "adopted the practice of attempting to bar non-band members from surrender negotiations." This stance fostered a host of problems. These problems ranged from the practical—when a "dissident band member" at Muscowpetung brought a local notary public to the meeting, Dominion officials objected to the presence of a "'meddling halfbreed'"—to the fundamental: discussions of who constituted the official community dominated negotiations from the outset.[1131] Were people who were associated with the community but were living in unknown locales still band members? What about those living off-reserve, or those living on other reserves? Were people who had transferred from other bands and reserves official members of the band?[1132] In the face of prevalent mixture and mobility, it wasn't even possible to precisely identify eligible voters (male members over a certain age) with any precision, much less band members more generally. At negotiations with the Alexander Band, for instance, "using census and paylist records, there seem to have been from 42 to 44 male band members eligible to vote." In 1907, in the Cote band, "according to paylists, there were approximately 52 voters" out of "233 people." In the minutes from negotiations with the Cowessess Band, the list of voters noted Nap Delorme "as being in favour" of surrender, but Nap Delorme was "not on any extant list of band members from that period" although another Delorme, Ambroise, was "Headman." When it came to the Cowessess surrender agreement itself, three of the men who signed—"Francis Delorme, Norbert Delorme, and William Sparvier"—"were not on the list of voters recorded in the minutes."[1133] Thus, even as the DIA moved toward formalizing and fixing band membership—and with it legal Indian status—it documented the fluid, flexible nature of Northern Plains indigenous communities.

If the formalization of individual Indian status in Canada was less decisive than in the U.S., it was no less real or relevant. As the 1880s progressed, Canada made clear its intention to make Indian country borders meaningful. In some cases, as with a band of Kootenai living south of the international border on the Tobacco Plains, that meant fixing the legal status of entire groups. A Dominion official traveled to their stateside settlement in 1887, demanding that they "state definitely whether they desired to be considered Canadian or American Indians."[1134] When "Dakota Sioux" groups like "the bands of Chief Standing Buffalo (the son) and Chief White Cap" asserted rights to legal Canadian Indian status "their views were rejected by all authorities."[1135] The Dominion granted them reserves in Canada but made clear "they were not entitled to treaty benefits or other assistance (they were 'non-treaty' Indians)."[1136] Other borderlands indigenes also found access to legal status in Canada rapidly receding. When in the United States proposed to "deport" northward hundreds of indigenous people it called "Cree" in

[1131] Martin-McGuire, Canada, and Indian Claims Commission (1991-2009), *First Nation Land Surrenders on the Prairies, 1896-1911*, 1998, xxxiv, xxxvii.
[1132] Martin-McGuire, Canada, and Indian Claims Commission (1991-2009), *First Nation Land Surrenders on the Prairies, 1896-1911*, chap. 4.
[1133] Ibid., 268, 274, 276–277.
[1134] C. W. Kennedy to The Adjutant General Department of the Dakota, Camp Jewett, July 12, 1887, File 502, vol. 1083, RG 18, LAC.
[1135] Elias, *The Dakota of the Canadian Northwest*, 2002, xiv, xv. Elias' implication that the Sioux first came to Canada in 1862, as refugees from the conflict in Minnesota, is a common trope, along with the emphasis on the 1876 migrations northward after the Battle of the Little Big Horn, that discursively displaces the Sioux in Canada. Elias' work as a whole is actually an exception to this tradition. He notes that while "the Dakota have failed to convince the larger Canadian society that their claims to aboriginal and diplomatic rights in Canada are legitimate . . . the archaeological record supports the conclusion that there were Dakota antecedents in Canada at least eight hundred years ago. A detailed examination of their role in the War of 1812 shows that the British Crown agreed with Dakota claims and pledged to defend their cultural rights in the British realm."
[1136] Papandrea, *They Never Surrendered*, 2.

1896, Canadian officials averred that only those who were legally treaty Indians—who had not been issued official certificates removing them from that status—would be accepted.[1137]

As this last anecdote suggests, all of these state status processes interacted with parallel processes within and across national borders. This interaction cut a swath across the borderlands, leaving in its wake scores of stateless indigenes who lacked status in Indian bands or tribes or in legal races or nations. We've seen how attempts to get halfbreed scrip, whether successful or not, jeopardized subsequent attempts to return to Canadian bands and reserves lands. But the interaction of claims to status was even more far-reaching and pernicious. Authorities in both countries solicited information on borderlands indigenes' claims, and used that information against claimants. Although the Canadian government showed more interest in fulfilling scrip commitments in the years after 1885, it simultaneously made a concerted effort to find reasons to deny Métis claims. Scrip commissions that sat in 1886, for instance, wrote to United States officials asking for lists of people who had received annuity payments as Indians in the United States or who had attempted to get land south of the line.[1138] Subsequent scrip commissions followed suit, aiming their inquiries at agents for bands known for mixture and mobility. In 1901, "the Hon. J. A. J. McKenna, half-breed commissioner of Canada, wrote" to the agent at Devil's Lake, North Dakota, "asking for a roll of the Turtle Mountain band," which he received. Unsatisfied, McKenna then visited the Devil's Lake agency "and visited the Fort Totten School. Before visiting here he became apprised of the fact that the Fort Totten School had been drawing many of its pupils from half-breed families who were not enrolled as Turtle Mountain Indians." He then used his discoveries as rationale for denying scrip to the unenrolled as well as the enrolled: "His proposition was to drop all such from the Canadian roll, and to issue no scrip to either members of the Turtle Mountain band or to any who had participated in the rights, privileges, and benefits of United States government schools, thus heading off practically all of the Cree-Chippewa half-breed element who are within our borders from participation in the Canadian scrip rights."[1139] Dominion agents elsewhere used McKenna's strategies to the same effect.[1140] Meanwhile, south of the boundary, these same attempts to get scrip were cited as evidence of association with Canada and with whiteness, thus providing a basis for exclusion from Indian enrollment in the United States.

Such interactions make plain the layered aspects of indigenous statelessness. Although explorations of statelessness, by definition, often focus on people's status vis a vis the nation-state, ie. citizenship and related conditions, the statelessness of borderlands indigenes flowed through other status categories, and from the relation between them. Recognizing this aspect of indigenous statelessness—indeed, recognizing indigenous statelessness—suggests that we should expand not only the social, but also the temporal and spatial, lenses through which we view national legal regimes of alienation and belonging. Overseas imperialism is said to have produced the divergence of the flag and the constitution that defines statelessness, but it in fact pre-dates the American empire's seafaring, and it affected populations from continental North America. Some historians have suggested that the imperial endeavors of 1898 marked "the first

---

[1137] Thomas Wessel, "A History of the Rocky Boy's Indian Reservation" (Bozeman, Mont., 1975), 13–18; *Refugee Canadian Cree Indians Removal from the State of Montana, Report to Accompany*, H. R. 8293, 54th Cong., 1st sess., 1896. S. Rept. 821; Gray, "History of The Cree Indians," 34.

[1138] J. McIllree to Dewdney, Maple Creek, March 27, 1886, *Edgar Dewdney Fonds*, Glenbow; *Schedule of file covering…,* April 1, 1886; J. R. Burpes to the Secretary Department of the Interior, Winnipeg, April 2, 1886; *In the Matter of the half breed claims of the following named persons…* April 5, 1886; Land Commissioner, *Enclosed schedule of disallowed HB. Applus*., April 21, 1886, all in File 4323, vol. 194, RG 15, LAC; See also Bayard to Sir. L. S. S. West, August 30, 1886, File 142416, vol. 506, RG 15, LAC.

[1139] ARCIA 1901, 295

[1140] Cf. J. A. J. McKenna to C. R. A. Scobey, Birtle, Man., June 7, 1901, File: Tribal Enrollment Committee, Box 134, Series 45-52, Records of Births, Allottees, etc., RG 75, Fort Peck Agency, NARA RMR.

time that the inhabitants of a U.S. territory had been denied citizenship en masse, and the legal mechanisms used to effect their exclusion gave sanction to the idea that the United States could continue to expand its sovereign territory without increasing the ranks of U.S. citizens." But it was not in 1898 that "a new form of exclusion came into being within the legal framework of membership in the United States," and it was not in the Phillipines. [1141] These things happened decades earlier, and they happened in the heart of the continent. Moreover, they affected myriad aspects of peoples' lives. Although studies of citizenship and statelessness foreground legal and political implications, exclusion from state membership categories had profound material consequences. For the mixed, mobile indigenous people of the Northern Plains, these material consequences, these physical manifestations, were in fact the most critical aspect of statelessness.

[1141] Burnett, "They Say I Am Not an American...," 662. It might even be argued that it is the blinders imposed by the unconscious influence of manifest destiny that allows Duffy-Burnett to make this claim, which is linked to the residual tendency to view 1898 as the advent of U.S. imperialism. It is inaccurate even at a technical level, since the U.S. was contemplating overseas empire at the same time as it was attempting to manifest its destiny for a continental empire, Cf. 1859 Senate bill for the purchase of Cuba discussed in Sanborn, "Some Political Aspects of Homestead Legislation," 33.

Chapter 8
Landscapes of Indigenous Statelessness

All of these discursive acts had consequences, and as the nineteenth century drew to a close their consequences materialized. Each status category from which borderlands indigenes found themselves excluded conveyed de jure and de facto rights. Foremost among them was the basic right to occupy the places that the American and Canadian empires assigned to different groups. With the spread of formal state status, secure rights to inhabit any Northern Plains space eluded many métis people. Physical displacement became the primary material consequence of their developing statelessness. Neither Indian nor white, citizen nor immigrant, Canadian nor American, Turtle Mountain Chippewa nor Crooked Lakes Cree— mixed, mobile indigenous people of the borderlands filled the stateless space between the spatialized borders of race, nation, tribe and band.

As allotment so plainly illustrated, Canada and the United States tied state status to land rights. Lands rights were but one of the growing realm of rights that states linked to status categories. But land was critical to all of them: before one could exercise political, civil, or economic rights, one needed to be allowed to live someplace, any place. For the métis people of the borderlands, lacking any secure state-ascribed status meant that they had rights to no place. On both sides of the border, Indian reserves were to be inhabited only by enrolled members of the proper tribe or band, and Indians were supposed to stay within the boundaries of those areas. Non-Indian lands were meant for citizens and immigrants, ie. people who were not Indians. By refusing to list métis on the rolls of tribes to which they were related, the U.S. and Canada could deny their right to live on Indian reservations and reserves. By considering them, nonetheless, Indian, colonizing nations could refuse them rights to live outside of Indian-assigned spaces. And by categorizing borderlands indigenes as indigenous foreigners, nation-states could deny their right to occupy American- or Canadian-claimed space altogether.

Discursive developments like formal enrollment, and the concomitant exclusion of Indians from citizenship and naturalization as immigrants, provided a legal foundation for assigning different population categories to different spaces. At the same time, Canadian and American Indian policies mandated indigenous sedentarization as well as tribal, racial and national separation. All of these regulatory developments interacted in the spatialization of Northern Plains society. Other concurrent changes augmented the states' ability to enforce its social and spatial categories. Across the borderlands, the commons shrank, and unallocated and unregulated space shrank apace. Most dramatic was the demise of the indigenous commons. Allotment carved large communal reservations into tiny individual parcels. Often discontiguous, these parcels represented as well a much reduced total Indian acreage. The end of the open range on the Northern Plains and an attendant influx of non-Indians coincided with reduction and individuation of Indian lands, and fencelines and railroad lines and property lines spidered over the country. Each boundary made place and people more patrollable. All the while, both Canada and the United States evinced a deepening desire to enforce boundaries of race, nation, tribe, band, and space. Mixed, mobile indigenes crossed the spectrum of borders spreading over the borderlands, and became the primary target of state territorialization campaigns: both the American and Canadian empires embarked on a concerted campaign to dismember the métis community according to colonial maps.

The Demise of the Indigenous Commons: Reducing and Individuating Indian Lands

The very processes that created a class of officially stateless indigenous people led to the demise of much of the remaining indigenous commons. Before allotment, large tribal (or multi-tribal) areas were already being carved into smaller, more specific parcels, and allotment took this process to its ultimate expression by creating discontiguous individual private properties. With each of these developments, sometimes successive and sometimes overlapping, space shrank for indigenous peoples denied formal status as such.

Early Northern Plains American Indian treaties often explicitly allowed for common use of vast lands despite stipulating tribal territorial boundaries. In the United States, the first regional Indian reservations where in fact that: they encompassed large regions, and they were to be used by numerous regional tribes. The 1851 Fort Laramie Treaty divided the Northern Plains into territories of "the Sioux or Dacotah Nation," "the Gros Ventre, Mandans, and Arrickaras Nations," "the Assinaboin Nation," "the Blackfoot Nation," "the Crow Nation" and the Cheyennes and Arrapahoes," but it specified that "the aforesaid Indian nations do not hereby abandon or prejudice any rights or claims they may have to other lands; and further, that they do not surrender the privilege of hunting, fishing, or passing over any of the tracts of country" described in the treaty as specific tribal territories. In a similar vein, the Council Grove Treaty signed in July 1855 outside of present day Missoula, Montana, created a reservation for "the confederated tribes of the Flathead, Kootenay, and Upper Pend d'Oreilles Indians" but provided that "other tribes and bands of Indians of the Territory" could join those groups there. The Judith Landing treaty made "near the mouth of the Judith river" that October between the United States and the "Blackfeet Nation, consisting of the Piegan, Blood, Blackfoot and Gros Ventres tribes of Indians" as well as the "Flathead Nation, consisting of the Flathead, Upper Pend d'Oreille and Kootenay tribes of Indians, and the Nez Perce tribe of Indians" made the affirmation of common use rights one of its main points, dedicating article three to the recognition of Blackfoot Territory, as delimited in the Fort Laramie Treaty, "as common hunting ground" for all signatory tribes as well as for "the Assinaboins."[1142] Executive orders in 1873 and 1874 reduced this Blackfoot territory and re-allocated it as a common reservation, known by the name Milk River or Great Northern, for the "Gros Ventre, Piegan, Blood, Blackfeet, River Crow, and other Indians."[1143]

These early expansive reservations did not last. Subsequent land cessions reduced and divided Northern Plains reservations multiple times, and each of these events further limited residence rights to the land in question. Large general reservations became relatively tiny, discrete parcels intended for individual tribes or bands. Three separate treaty councils in the winter of 1886-1887 produced the Sweetgrass Hills Agreement—called the Sweetgrass Hills Treaty by tribes—that carved the undivided Milk River reservation, 23.5 million acres covering most of northern Montana, into three separate reservations—Fort Peck (for Assiniboine and Sioux), Fort Belknap (for Assiniboine and Gros Ventres) and Blackfoot (for the Peigan Blackfeet)—that totaled just 6 million acres.[1144] Two years later Congress divided the 1868

[1142] Treaty of Fort Laramie with Sioux, Etc., 1851; Treaty with the Flatheads, Etc., 1855; Treaty with the Blackfeet, 1855 all in Kappler, *Indian Affairs*, 1904, II:594–596; 722–725; 736–740.

[1143] Executive Order, July 5, 1873 and Executive Order, August 19, 1874: Kappler, *Indian Affairs*, 1904, I:855–856.

[1144] An act to ratify and confirm an agreement with the Gros Ventre, Piegan Blood, Blackfeet, and River Crow Indians in Montana, and for other purposes, May 1, 1888: . Acreage figures come from Indian Education Department, "Fort Peck Reservation Timeline: Sioux & Assiniboine Tribes: March 2010," *Montana Office of Public Instruction*, http://opi.mt.gov/pdf/IndianEd/IEFA/FortPeckTimeline.pdf. The Sweet Grass Hills area, which was encompassed in ceded lands, was a critical intertribal area. See Indian Education Department, "Blackfeet Reservation Timeline: Blackfeet Tribe 2010."

Great Sioux Reservation (already diminished by the 1876 loss of the Black Hills) into six different reservations, and laid the foundation for allotting them.[1145]

Thereafter, across the region, reservations shriveled. A September 1895 agreement with the Blackfeet, negotiated by three U.S. commissioners, reduced their reservation, ceding to the United States land that became Glacier National Park.[1146] A month later the same three commissioners negotiated what became known as the Grinnell Agreement or, locally, as the Grinnell Treaty (in reference to the influence wielded by Commissioner George Bird Grinnell), which diminished Montana's Fort Belknap Reservation.[1147] Crow lands delineated in the 1851 Fort Laramie treaty were reduced in 1868, then twice more in 1882, then again in 1891, and again in 1904 and 1937.[1148] All Flathead Reservation lands in "the Bitter Root Valley," detailed in the 1855 Council Grove treaty, were "restored" to the United States in 1871, and, to the north, the Flathead Reservation that remained was reduced in 1882 and in 1908, when a Congressional Act took over 16,000 acres from the reservation for the National Bison Range. [1149] To the east, in North Dakota, an 1870 Executive Order created the Fort Berthold Reservation for "Arickaree, Gros Ventre [a.k.a. Hidatsa] and Mandan," thereby reducing the territory allocated those groups in the Ft. Laramie Treaty just two years earlier. Ten years later, another Executive Order took "a majority of the reservation, a total of 1,193,788 acres," and "restored [it] to the public domain." At the same time, additional Fort Berthold lands were granted as a Right of Way to the St. Paul, Minnesota and Manitoba Railway. The reservation was again drastically reduced "on December 14, 1886, [when] the Mandan, Hidatsa, and Arikara signed away, under duress, 1,600,000 acres of Fort Berthold land."[1150] Nearby, North Dakota's Turtle Mountain Chippewa Reservation was being decimated, as an 1884 Executive Order slashed it from some twenty townships to two.[1151] In conjunction with the spread of allotment, these late nineteenth century reductions constituted the demise of the indigenous commons.

Allotment accompanied the repeated cleaving of regional reservations, bringing the loss of more Indian land and the individualization of much that remained. Across the Northern Plains, huge swaths of reservations, "surplus" land left over after enrolled Indians had been allotted, transferred to non-Indians.[1152] In April 1904, "the Sisseton, Wahpeton, and Cut-Head bands of the Sioux tribe of Indians on the Devils Lake Reservation, in the State of North Dakota" lost much of their remaining reservation lands—about 88,000 acres—as post-allotment "surplus."[1153]At Ft. Berthold, some "surplus" lands were "open[ed] to settlement" in 1891, and

---

[1145] The Sioux Act was passed on March 2, 1889 "to divide a portion of the reservation of the Sioux Nation of Indians in Dakota into separate reservations and to secure the relinquishment of the Indian title to the remainder." On February 10, 1890, after supposedly securing, in accordance with the act's provisions, "acceptance thereof and consent thereto by the different bands of the Sioux Nation of Indians," President Benjamin Harrison proclaimed it "to be in full force and effect." See Kappler, *Indian Affairs*, 1904, I:943–945.

[1146] Agreement with the Indians of the Blackfeet Indian Reservation in Montana, September 26, 1895: Ibid., I:605–607.

[1147] Agreement with the Indians of the Fort Belknap Indian Reservation in Montana, October 9, 1895: Ibid., I:601–605. Both of these 1895 agreements specified that "it is understood and declared that whenever the word Indian is used in this agreement it includes mixed bloods as well as full bloods."

[1148] Indian Education Department, "Crow Reservation Timeline: Crow Tribe," *Montana Office of Public Instruction*, March 2010, http://www.opi.mt.gov/Pdf/IndianEd/IEFA/CrowTimeline.pdf. One of the two 1882 reductions was for a railroad right of way.

[1149] Executive Order signed November 14, 1871. See Indian Education Department, "Flathead Reservation Timeline.: Confederated Salish And Kootenai Tribes," *Montana Office of Public Instruction*, 2010, http://www.opi.mt.gov/Pdf/IndianEd/IEFA/FlatheadTimeline.pdf.

[1150] Executive Order, July 13, 1880. See Agreement with the Indians of Fort Berthold, December 14, 1886, Kappler, *Indian Affairs*, 1904, I:426–428; "Three Affiliated Tribes: Timeline of the Mandan, Hidatsa, and Sahnish, 1870-1949," *North Dakota Studies*, http://www.ndstudies.org/resources/IndianStudies/threeaffiliated/timeline1870.html. Proclamation of May 20, 1891 opened a portion and declared a portion not open.

[1151] President Chester Arthur, Executive Order of March 29, 1884, reprinted in ARCIA 1886, 323.

[1152] Tied as this demise was to allotment, it occurred just as the lines of who belonged on these lands were being sharply drawn.

[1153] Presidential Proclamation of June 2, 1904, Charles Joseph Kappler, *Indian Affairs: Laws and Treaties*, vol. III (Washington: GPO, 1904), 597–601; "Spirit Lake Nation - Timeline - 1870–Present. Late 1800s, 1900s, Early 2000s. Legislations, Policy, Treaties, Schools, Etc." According to the tribal timeline, "before allotment, Indian owned lands on the reservation consisted of almost 300,000 acres. This was reduced to 166,400 acres after allotment."

another "320,000 acres of prime grasslands" were opened in 1910. Additional openings—of lands with coal deposits—followed in 1915.[1154] Allotment on the Crow Reservation, and attendant "surplus" land cessions, began in 1891 and continued into the 1920s.[1155] After Congress passed the Flathead Allotment Act in 1904, "only 245,000"—about 20% — of the reservation's "1,245,000 acres . . . were secured by allotments." Most remaining reservation lands were opened to homesteading, producing a spectacular local land rush. Subsequent amendments to the Flathead Allotment Act seized additional Indian acreage "for town sites, the Indian agency, churches, reservoirs, [and] power sites." Montana schools, too, received title to Flathead reservation lands, with school property alone totaling 61,000 acres.[1156] Just across the Rockies, on Montana's Blackfeet Reservation, in 1911, the U.S. opened to non-Indian homesteading an estimated 156,000 "surplus" acres.[1157] Two years later, 1,348,408 acres of the Fort Peck reservation were declared unallotted surplus and "opened up for homestead entry."[1158] In Minnesota, under the 1889 Nelson Act, the Chippewa "were to cede all reservations in the state except White Earth and Red Lake and relocate to the White Earth reservation to farm individual allotments." After "most Anishinaabeg of Northern Minnesota resisted" removal, the allotment commission that arrived at White Earth began appraising valuable woodlands it anticipated would be "ceded" as surplus even as it began making allotment rolls and allotments. At the same time, Congress halved allotment acreage, cutting prescribed Indian land parcels across the country from 160 acres to eighty. Soon thereafter, four townships of the White Earth reservation were sold at public auction.[1159]

Parallel processes proceeded concurrently in adjacent Canadian provinces, where reserve allotment was also a "prelude to surrender." As noted, for the most part, Canada didn't patent allotments to individual Indians, and thus avoided the massive loss of individual Indian land via subsequent sale of patented allotments. But it nonetheless assigned designated parcels of reserve land to enrolled members of reserves on the same principal: each individual needed a certain number of acres and anything "left over" the DIA considered unnecessary surplus, and often sold to non-Indians.[1160] The result was a drastic reduction of Indian land but with a different physical configuration. As opposed to the patchwork ownership that came to characterize many large American reservations, smaller Canadian reserves remained exclusively Indian-owned. In Canada, non-Indian lands lay outside the new boundaries of the much-reduced reserves.

In Canada, pressure to reduce Indian lands—a process provided for in the 1876 Indian Act and earlier legislation—mounted even while many Northern Plains Indian reserves were first being surveyed. In 1886, several scandalous efforts to secure reserve surrenders without band consent prompted the Dominion's Department of Justice to rule that surrender of Indian lands required band approval. Two years later, while Hayter Reed inaugurated the peasant farming

---

[1154] Act of June 1, 1910: Kappler, *Indian Affairs*, 1904, III:462–466; A Proclamation by the President of the United States of America, September 17, 1915: Kappler, *Indian Affairs*, 1929, IV:961–963. "Three Affiliated Tribes: Timeline of the Mandan, Hidatsa, and Sahnish, 1870-1949."

[1155] Indian Education Department, "Crow Reservation Timeline: Crow Tribe"; Timothy P. McCleary, Dale D. Old Horn, and Joseph Medicine Crow, "Historical Timeline," *Library @ Little Big Horn College*, March 7, 2000, http://lib.lbhc.edu/index.php?q=node/86.

[1156] Indian Education Department, "Flathead Reservation Timeline: Confederated Salish And Kootenai Tribes."

[1157] Indian Education Department, "Blackfeet Reservation Timeline: Blackfeet Tribe 2010."

[1158] Indian Education Department, "Fort Peck Reservation Timeline: Sioux & Assiniboine Tribes: March 2010." Fort Belknap reservation was allotted but its "surplus" lands were not opened to non-Indian ownership. The Northern Cheyenne Reservation was allotted in 1930-32.

[1159] Meyer, *The White Earth Tragedy*, 52, 56, 64, 137-140.

[1160] Samek, *The Blackfoot Confederacy, 1880-1920*, 122. When he pushed allotment during his tenure as Commissioner of Indian Affairs, Hayter Reed (who used the 1885 conflict as justification for aggressively pursuing Indian department policy goals) advocated allotting 40 acres per person. Different treaty documents and policy directives from the nineteenth century suggested allotments of varying sizes, some on a per person basis and some on a per (average sized) family basis. For a discussion of Hayter Reed's parcel-size policy, see Nestor, "Hayter Reed, Severalty, and the Subdivision of Indian Reserves on the Canadian Prairies [microform]," 52. The original size of many reserves was established based on an acreage-per-family or per-capita basis: theoretical allotment determined their size from the get-go. These reserves were also subject to subsequent reduction, with new band land "needs" determined by the DIA based on new, reduced tribal rolls.

policy that accompanied allotment in severalty, Canada promulgated "Regulations for the Disposal of Surrendered Indian Lands." Non-Indians wasted little time—that same year the DIA secured the "first surrender in the North-West," acquiring the entire 25,600 acre Passpasschase Reserve near the growing settlement of Edmonton. That the first NWT surrender occurred near the territory's dominant non-Indian settlement was no fluke. The generalized Canadian interest in reducing Indian reserve land was accompanied by specific pressures to remove entire reserves from "settled areas," especially around Edmonton. There, future Superintendent General Frank Oliver's "*Edmonton Bulletin* led a vociferous campaign in the early 1880s to remove all Indians to a location farther from the city."[1161]

The result was massive Indian land loss echoing that south of the border. Beginning in the mid-1890s, surrenders spread. In the prairie region "over 100 surrenders of treaty reserve land were obtained by the crown" over the next several decades. Between 1896 and 1911, Indians lost over "21 percent" of prairie reserves. "In many cases . . . these lands had been set aside just a few years before their surrender."[1162] Surrenders continued in subsequent years, until "as much as one-half of the reserve land was sold off. In southern Saskatchewan's Treaty 4 area alone, 270,000 of 520,000 acres were sold by 1928."[1163]

In combination with allotment in severalty, these losses devastated the Indian commons in Canada. Their impact on indigenous people whose state status was insecure would prove profound. For the people in between, the loss of reserve land even more problematic than such staggering numbers suggest, as surrenders seemed to come disproportionately from those groups most marked by mixture and mobility. In her 1998 report on "First Nation land surrenders on the prairies," the first "pattern in the data" that historian Peggy Martin-McGuire identified was that those reserves that were considered "uninhabited" or where the population appeared to be "declining"—due in part to the absence of inhabitants—were most likely to be targeted for surrender. Although Martin-McGuire doesn't explore the implications of this more deeply, the level of mobility of reserve inhabitants surely correlated with perceptions of reserve abandonment or population decline. Her discussion of specific reserve surrenders likewise suggests that those reserves particularly associated with mobility and mixture—between spatialized races, nations, tribes, bands—suffered surrender disproportionately.[1164] As noted above, such links were evident at the first Northwest Indian reserve lost to surrender, Passpasschase, where "12 band members took scrip" during the first Halfbreed Commission in 1885 and "the rest of the Band asked for a discharge from the treaty so that they, too, could take scrip" the following year. When most of those requests were denied the band asked to join Enoch's band. There was a simultaneous push "for the surrender of the Michel reserve because half of that band had taken scrip."[1165]

Subsequent surrenders also seemed to take place at reserves known for mixture and mobility, a fact facilitated by policy developments like the 1895 amendment to the Indian Act specifying that band members who transferred to other reserves would forfeit "any interest in previously held reserve lands." These surrenders came not only from bands linked to "half-breed" categories but also from bands noted for tribal mixture, like that on the Enoch/Stony Plain reserve, which was organized by Tommy La Potac in 1880 out of indigenous people in the

[1161] Peggy Martin-McGuire, Canada, and Indian Claims Commission (1991-2009), *First Nation Land Surrenders on the Prairies, 1896-1911* (Ottawa: Indian Claims Commission, 1998), xvii, xxiii, xxv, xxviii, 163.
[1162] Ibid., xiii.
[1163] Friesen, *The Canadian Prairies*, 159.
[1164] This contention is mine, based on information about surrendered reserves contained in Martin-McGuire's report. Martin-McGuire, Canada, and Indian Claims Commission (1991-2009), *First Nation Land Surrenders on the Prairies, 1896-1911*, 1998.
[1165] Ibid., 163–164.

Edmonton area who were unaffiliated with other bands.[1166] Or like that on the Cote Reserve along the Assiniboine River in east-central Saskatchewan, where "Chief Gabriel Cote and his Cree and Salteaux followers" lost land in 1904 and again in 1905. At the same time three neighboring reserves—those of Mosquito, Grizzly Bear's Head and Lean Man in Saskatchewan's Eagle Hills —which have been described as containing Assiniboine/Nakota and Nakota/Cree, were reduced. Part of rationale for those concurrent surrenders was that "the three bands had 'grown to be regarded' as one band."[1167] Then came surrenders at Muscowpetung's Reserve, home to "his Cree/Saulteaux band" that included Piapot and Pasqua, and at Moosomin, also occupied by a "mixed Cree-Saulteaux band."[1168]

Groups explicitly linked with mobility were also likely to lose reserve land. Sometimes this mobility constituted the "abandonment" that characterized reserves targeted first for surrender, as in the case of the Sharphead Reserve. "Mountain Stony Indians" settled at Sharphead after it was surveyed in 1885, but when measles killed many of them the others left. "The Chief went to the Stony Reserve at Morley, a few families went to Ermineskin's and Samson's reserve at Hobbema, [and] the remainder went to White Whale Lake and moved in with the Mountain Stonies living there (now known as the Paul First Nation)." Other bands targeted for surrender were simply associated with mobility in a general sense. In 1901, the Assiniboine bands of Ocean Man, or Striped Blanket, and Pheasant's Rump lost all of their 46,720 acres in southeast Saskatchewan's Moose Mountains. These bands had long moved between Fort Ellice and the Cypress Hills. When their adjacent reserves were surveyed in 1881, they were located "only 15 miles from the Cree/Salteaux reserve of White Bear," and suggestions to move them to White Bear's reserve accompanied the surrender process. The aforementioned mixed bands of Cowessess, Grizzly Bear's Head and Lean Man, were also affiliated with the Cypress Hills area, as was that of O'Soup. Lean Man's Band had moved north from there to locate next to Mosquito's people in the Eagle Hills in 1882, the same year that the amalgamated bands of Carry the Kettle were "pushed out to the Cypress hills." The Carry the Kettle people surrendered reserve land near Indian Head, Saskatchewan, south of the Qu'appelle River, in 1905.[1169]

Other Northern Plains reserves targeted for surrender were likewise characterized by what might be called geographies of intermixture. We've already noted the desire to target reserves near non-Indian settlements.[1170] Groups near the international border, and with well-known American associations, also lost land. Agitation against the Roseau River reserve, about 10 miles from of the U.S. border (just west of the North Dakota-Minnesota line), began in the mid-1880s, even before it was formally surveyed. The band, described by Canada's inspector as "very turbulent, unreasonable, non-progressive, [and] degenerate" finally surrendered land in 1903.[1171] Borderland Blackfeet reserves underwent repeated reductions around the same time,

---

[1166] Ibid., 167, 173.

[1167] Ibid., 188. These bands would join the Sakimay reserve, where the 1884 Yellow Calf/O'Soup incident occurred, in 1907. O'Soup led resistance to reserve surrender. See Carter, "Biography – O'Soup, Louis – Volume XIV (1911-1920)."

[1168] Martin-McGuire, Canada, and Indian Claims Commission (1991-2009), *First Nation Land Surrenders on the Prairies, 1896-1911*, 202, 207, 214, 218, 229. These surrenders occurred in 1909. Other bands known for mixture that lost land through surrender in this period include those of Cowessess and Yellow Quill. Followers of the latter lost land in two different places, with Yellow Quill's amalgamated band at Fishing Lake undergoing surrender in 1907 and his old band at Swan Lake surrendering part of their reserve in 1908.

[1169] Ibid., 166, 170-172, 188, 190. In 1886 there were "quite a number of Indians who formerly belonged to Chief Jacks Band" "who for some time have been living at Wolf Point" and "intend[ed] rejoining Jack this summer at Indian Head Reserve." Thompson to The Commissioner of the NWMP, Regina, May 5, 1886, File 3396, vol. 1024, RG 18, LAC.

[1170] See also surrenders by the Cote band, who were until 1889 part of Birtle Agency. With the second Cote surrender DIA hoped to "put some settlement between them and [the town]." Martin-McGuire, Canada, and Indian Claims Commission (1991-2009), *First Nation Land Surrenders on the Prairies, 1896-1911*, 1998, 183-186.

[1171] Martin-McGuire, Canada, and Indian Claims Commission (1991-2009), *First Nation Land Surrenders on the Prairies, 1896-1911*, 177–178.

and "the Blackfoot reserve east of Calgary . . . lost 125,000 acres, nearly half the reserve."[1172] In 1904 officials tried to get the Sioux at Oak Lake to surrender part of their reserve.[1173] Two years later, others succeeded in securing a surrender from the Peguis/St. Peter's reserve near Selkirk, Manitoba, site of the 1869-70 Red River conflict.[1174] The insecure land tenure of borderlands bands was especially explicit in the case of Sioux who were granted a reserve at Wood Mountain in 1910. This reserve was to be "temporary," and its existence was apparently so conditional that, after its establishment, authorities continued to report on the "Moosejaw Sioux" as "non-treaty Indians without a reserve." It endured only nine years before "the western half of the reserve was taken away from the Lakota Sioux and opened to settlement for veterans" of the Great War.[1175]

As one might conclude from such scenarios, many of the reserves targeted for surrender belonged to bands that embodied multiple types of mixture. The Bobtail reserve may here be the exemplar. It was a part of Hobbema Agency, where the Sharphead Reserve had already been "thrown open to purchase."[1176] In 1886, Bobtail himself, along with "many of his band members," took "half-breed" scrip, which entailed first formally withdrawing from the band.[1177] The following year "some members petitioned to be readmitted to the band, but they moved near "band members living on other reserves and did not move onto the Bobtail reserve." Some ten years later, in 1896, a group of people who had been expelled from the United States settled upon the Bobtail Reserve. They became known as the Montana Band. In a report on the 1909 surrender of the entire Bobtail Reserve the Dominion described the Montana Band as being "composed of families who had left several different bands in the northwest in 1885, primarily from the Battleford, Peace Hills, Edmonton and Hobbema districts."[1178] For their part, would-be settlers who coveted the reserve proclaimed that "the only Indians living on the Bob Tail are Rebel Indians" who had "no title whatsoever" to the reserve lands.[1179] The Montana Band that lost the Bobtail Reserve in 1909 included only some of the people expelled from the U.S. in 1896. Others went elsewhere, like to Fort Carlton, where in 1910 Mistawasis' band surrendered reserve land as well.[1180]

Policing States: Sedentarizing Indians and Separating People

The demise of the indigenous commons meant that Indian lands were smaller, more discrete, and more precisely linked to particular people. All of these undergirded colonial boundary-making, layering social and spatial borders over the Northern Plains and making them more enforceable. Newly robust membership and annuity roles, and the policies they reflected

[1172] Ibid., 234–240; Friesen, *The Canadian Prairies*, 159.
[1173] Nestor, "Hayter Reed, Severalty, and the Subdivision of Indian Reserves on the Canadian Prairies [microform]," 97.
[1174] Martin-McGuire, Canada, and Indian Claims Commission (1991-2009), *First Nation Land Surrenders on the Prairies, 1896-1911*, xxvi.
[1175] Papandrea, *They Never Surrendered*, 33–34.
[1176] Dominion Lands Office, Ponoka, to DIA, November 6, 1901, File 29,112-2, vol. 7542, RG 10, LAC.
[1177] One of the many who did this was "Monique Dumais wife of Paul Smith a Halfbreed." Letter to CIA, June 19, 1886, File 1239, pt 1A, vol. 3594, RG 10, LAC. Another was "Isabel Dunaud wife of Pierre Cardinal." *"To the Commissioner of Indian Affairs for Manitoba and the North-West Territories,"* June 25, 1886, File 1239 pt. 1A, vol. 3594, RG 10. Sometimes entire family groups withdrew in one affidavit, as with the family of Bobtail himself (a.k.a Kis-ki-u or Alexis Piche). The fact that interrogation of mixed people's rights accompanied these proceedings is evident in a June 25, 1886 memo re: "Monique Smith," whom officials found "only took Treaty upon two occasions, first at Blackfoot Crossing with Bobtail and again at Battle River with Ermineskin." Lucas to CIA, June 25, 1886, File 1239 pt 1A, vol. 3594, RG 10, LAC. People also withdrew from bands not mentioned here, eg. "Betsy Cardinal wife of Jaques Cardinal or Sa-way-ow-ee-ess a half breed . . . with Little Hunters Band." File 1239, vol. 3594, RG10 LAC contains documents related to "withdrawal of half-breeds from treaty" at Birtle Agency, Hobbema Agency, Crooked Lake Agency, Touchwood Hills Agency, and Duck Lake agency.
[1178] Martin-McGuire, Canada, and Indian Claims Commission (1991-2009), *First Nation Land Surrenders on the Prairies, 1896-1911*, 226.
[1179] Dominion Lands Office, Ponoka, to DIA, November 6, 1901, File 29,112-2, vol. 7542, RG 10, LAC.
[1180] Martin-McGuire, Canada, and Indian Claims Commission (1991-2009), *First Nation Land Surrenders on the Prairies, 1896-1911*, 241.

and served, formed a substantial new regulatory infrastructure that furthered the U.S. and Canada's ability to police people in between the borders pervading the Northern Plains. Meanwhile, an ongoing influx of non-Indians, and physical infrastructures like railroads that facilitated their entrenchment, aided the American and Canadian empires' ability to control the land and people they colonized. So, too, did specific aspects of this influx: in the late nineteenth century "the number of NWMP in the West was greatly increased, as were the number of Indian Department employees."[1181]

If developments like reserve reduction and formal band membership lists constituted critical tools for controlling movement and mixture, they also reflected a growing desire to suppress it. As the nineteenth century drew to a close, Canada and the United States—with fresh intent and new capabilities—intensified their efforts to re-make the region along colonial lines. Animated by ideas about races and nations embraced in North America and beyond, imperial authorities deemed the Northern Plains a critical battleground in their struggle to create separate peoples and places. Regionally, their segregationist fantasies focused on indigenous people and, as before, they zeroed in on the mixed, mobile indigenes who integrated communities across the Plains.

In the last decades of the century, the swelling racialism of the mid-1800s deepened and spread. It grew with the global developments, and Northern American transformations, that unsettled many observers, rising with successive streams of southern European immigrants and the surge of urbanization, industrialization and the threats that seemed to attend them. In 1893, Frederick Jackson Turner declared the American frontier closed, and he spoke to a continent already wrangling with what seemed to some an ominous sea change in social order. As imagined western safety valves for white yeoman farmers appeared to evaporate, elites and others believed that fortified borders between and within nations and their inhabitants were critical to progress. Canada and the U.S., having conquered the continent, turned to imperial ventures overseas. Rising Canadian and American racialisms were related to this shared context of imperialism, which flourished afresh across the globe in the late nineteenth century. Historians of U.S. imperialism sometimes characterize the country's move across oceans as the advent of "empire" or "formal empire."[1182] While they err in implying that continental expansion wasn't colonialism, they nonetheless finger an important shift in imperial ideas, for many non-Indian Americans in the late nineteenth century believed that true empire began only after the country had secured the continent's Indian lands and its manifestly destined continental scope. This newly self-conscious American imperialism coincided with reinvigorated imperial efforts elsewhere, exemplified by a surging British empire. Such colonial endeavors, and those of other European nations during the period of resurgent imperialism between 1870 and 1914, encouraged much discussion and theorizing, influenced by scientific racism, on the proper role and place of "races."[1183] Like their counterparts across the globe, late nineteenth century Canadians and Americans thought a lot about the social and spatial boundaries of their nations, a

[1181] Carter, *Aboriginal Peoples and Colonizers of Western Canada to 1900*, 162. New border infrastructure or infrastructure for policing North-South movement appeared at the same time. Cf. Chapleau to John A. MacDonald, "confidential," Ottawa, July 2, 1887, *John Alexander MacDonald Correspondence*, Reel C-1525, LAC, 44763 (13).

[1182] "Empire" is Kerber's choice, "formal empire" is Duffy-Burnett's. Linda K. Kerber, "The Stateless as the Citizen's Other: A View from the United States," *The American Historical Review* 112, no. 1 (2007); Burnett, "They Say I Am Not an American..."

[1183] E Hobsbawm, *The Age of Empire: 1875-1914*, 1st American ed. (New York: Pantheon Books, 1987); Bumsted, *A History of the Canadian Peoples*, 252. Canada sent volunteers to support Britain's forces in the Egyptian Sudan in 1884, and "many anglophone Canadians began openly advocating Canada's active participation in the new British empire." The U.S., for its part, worked on incorporating North American regions it had conquered from Mexico and Indian nations until 1898, when U.S. entrance into the Spanish-Cuban-Filipino war ushered in the era of American overseas imperialism.

process which produced ever more elaborate categories of racial, national, and territorial belonging.

On the Northern Plains, several factors compounded the embrace of social and spatial engineering in this period. The recency of regional conquest heightened awareness of, and attention to, questions about categorizing and controlling Plains people and places. So, too, did the presence of an international border. Together, these temporal and territorial contexts turned the Northern Plains into ground zero for the development and exercise of state power in North America. This was perhaps nowhere more apparent than in the events and aftermath of 1885. The violent conflict in the Northwest that year made it clear that the project of conquering the Plains was incomplete, and that its success required that the American and Canadian empires enforce their claims upon the region and its inhabitants. The post-conflict flight of participants southward also highlighted how control over the international border was critical to state primacy. Delineating and policing the border between Canadian- and United States-claimed territories created an exterior boundary within which each nation hoped to incorporate newly-conquered spaces and their occupants through myriad other lines of division. On the Northern Plains of the late nineteenth century, realization of these hopes still depended first and foremost on controlling indigenous communities.

At the broadest level, Indian communities were the primary focus of state separation campaigns because Canada and the United States wanted to clear Indians from the land in order to make it available for those deemed white. With the arrival of railroads, and growing numbers of non-Indian immigrants, on the Northern Plains in the 1880s this critical colonial concept became a practical imperative. Reservation and reserve systems that assigned different Indian groups to specific, bounded lands made the "Indian" race the most spatialized of the population categories used by the American and Canadian governments, a fact which both flowed from and enabled their emphasis on separating Indian groups from non-Indians and from each other. This general insistence on putting Indians in their place was exacerbated by the explicit effort to repress indigenous interaction in the wake of the Plains Indian conflicts.

Both Canada and the United States identified indigenous mobility as a primary impediment to a host of colonial goals. Stopping Indian movement was thus a central tenet of late nineteenth century Indian policy in both Canada and the United States. On a foundation of treaties and earlier legislation, both governments built an edifice of Indian policy aimed at accomplishing the sedentarization and separation of distinct tribes and bands. As Sarah Carter summarized it, in Canada "the major goals of government policy in the aftermath of 1885 were to wage war upon what was called the tribal system and to rigidly supervise and monitor the movements and activities of reserve people. These were by no means entirely new goals and initiatives, but after 1885 they were pursued with vigour."[1184] The NW Conflict helped dispel any premature notions about the end of Indian resistance. At the same time, it encouraged renewed recognition of how that resistance depended on connections between indigenous communities. If Indian communities became the special target of policing efforts on the Northern Plains, connections between them constituted the bull's eye. Stopping the movement that sustained those connections became the paramount goal of Canadian Indian policy in the immediate aftermath of rebellion.

To this end, the Dominion expended enormous amounts of energy tracking the travels and locations of indigenous people, as well as trying to minimize movement. The tabs officials kept on aboriginal movement became a staple of DIA paperwork, and during the early 1890s,

[1184] Carter, *Aboriginal Peoples and Colonizers of Western Canada to 1900*, 162.

Canadian Agencies included notations about Indian migrations in their annual statistical summaries.[1185] Administrative tasks of Dominion bureaucrats in this regard included as well much more intrusive measures, most notoriously the pass system. As noted, a policy requiring Indians to have a written pass to cross the international border was established in 1882. Soon thereafter authorities considered expanding it. In 1884, Lawrence Vankoughnet, Deputy Superintendent General of Indian Affairs, suggested that a more comprehensive pass "system would prevent Indians from leaving the reserves and camping indiscriminately in the vicinity of white settlements."[1186] NWMP Commissioner Acheson Gosford Irvine demurred, "point[ing] out that the introduction of such a system would be tantamount to a breach of confidence with the Indians generally, inasmuch as from the outset the Indians had been led to believe that compulsory residence on reservations would not be required of them, and that they would be at liberty to travel about for legitimate hunting and trading purposes."[1187]

Then came the violence of the following year, and Indian officials in Canada were more enthusiastic about expanding the pass system. Although "the presence of undesirable Indians in towns was already being dealt with by the Police . . . through the all-encompassing vagrancy act," the Indian Department proposed—and Sir John MacDonald endorsed— a wholesale written pass policy, applied to "disloyal Bands" and "loyal Bands" alike.[1188] Others contemplated how best to make indigenous people obey the proposed rules. Asst. Commissioner of Indian Affairs A.E. Forget, for example, suggested withholding food—"rations and other privileges"—from those who ignored it. If starving people into submission didn't work, there was always prosecution under the Vagrancy Act. "I believe," Forget wrote, that "if a few examples were made it would tend, in great measure, to keep the Indians on their Reserves.'"[1189] Authorities also hoped international collaboration might help stanch the flow of indigenous bodies, and in 1889, the Canadian and American governments explored developing a joint, international Indian pass system. Ultimately both governments instituted separate, similar pass systems whereby enrolled Indians were required to obtain passes to leave their reserves or reservations. Likewise, reservation agents on both sides of the border sought to limit reserve visitors to Indians or whites with formal, usually written, permission to be there.[1190]

Policy changes like the expanded pass system were attended by ever-more intensive surveillance of suspect groups. The south-of-the-border spying efforts that contributed to borderlands indigenes' discursive displacement in both Canada and the U.S. were part of a much broader effort. In August of 1885, Hayter Reed wrote to Edgar Dewdney about his labors from the field in the Battleford District, where he assessed the "feelings of the Indians in this District who were lately in arms," and concluded that "Red Pheasant's band as well as that of Sweetgrass, Thunderchild, and the greater portion of Poundmakers—they bow to the inevitable" and were unlikely to "rise again."[1191] Reed offered his conclusions while he was "still carrying

[1185] ARDIA 1896, 343; ARDIA 1897, 21; ARDIA 1898, 180, 231; ARDIA 1899, 22; ARDIA 1900, 228.
[1186] Jennings, "The North West Mounted Police and Indian Policy After the 1885 Rebellion," 228.
[1187] Quoted in Ibid., 229.
[1188] Ibid., 229–230; Hayter Reed to Dewdney, "*Memorandum for the Honorable, The Indian Commissioner Relative to the Future Management of Indians*," July 24, 1885, *Edgar Dewdney Fonds*, Glenbow, 1414-1420; Hayter Reed to Dewdney, September 6, 1885, *Edgar Dewdney Fonds*, Glenbow, 1245-1249; A. Blipshaw to W. L. Lincoln Esq., Washington, D. C., October 24, 1885, File: Letters From the Commissioner, 1885, Box 3, RG 75, NARA RMR; J. D. C. Atkins to W. L. Lincoln, Esq., D. C., November 23, 1885, File: Letters From the Commissioner, 1885, Box 3, RG 75, NARA RMR.
[1189] Quoted in Jennings, "The North West Mounted Police and Indian Policy After the 1885 Rebellion," 230. Jennings here cites 1888-Sept. 20, Forget to L.W. Herchmer, Commissioner of NWMP.
[1190] Samek, *The Blackfoot Confederacy, 1880-1920*, 154–156. These policies changed for many reservations in the United States after they were opened to homesteading. Some reservations were opened to homesteading as early as the 1890s, others were never opened to non-Indian land ownership.
[1191] Hayter Reed to Edgar Dewdney, August 29, 1885, *Edgar Dewdney Fonds*, Glenbow, 1232.

out my first order as to not allowing any Indians to come to town without a pass but of course this is harder to carry out where they wander from one Reserve to another . . . it would be well to direct the Police to send parties constantly from one of our Reserves to the other especially in the Carlton this + Pitt districts." [1192]

Other aspects of Indian policy also made indigenous communities' movement exceptionally policed in this period. As we have seen, an emphasis on the "nomadic" aspects of indigenous groups—in contradistinction to the supposedly "settled" qualities of white society—was central to their racialization and marginalization. Campaigns to sedentarize and separate Indians were rationalized as critical to the pursuit of wholesale assimilation, which by this time had become the avowed ultimate aim of Indian policies in both countries. Intrusion in the name of assimilation also made Indian communities more policed in general. In his history of "the Plains Sioux and U.S. colonialism," Jeffrey Ostler described assimilation simply as "a comprehensive and sustained assault on native ways of life."[1193] This wholesale mandate allowed government agents to feel justified in policing anything indigenous people did.

Such generalized intrusion into Indian lives directly reinforced the official inclination to target relationships across racial, tribal and national lines. Take, for instance, Canada's policy responses to the messianic Ghost Dance religion. The Ghost Dance was based on a vision of the Northern Paiute prophet Wovoka, born in what is now Nevada.[1194] In the late nineteenth century, it spread through western Indian communities, most notably the Lakota Sioux. Historians of the western U.S. generally date Wovoka's vision to 1888 or 1889, and Canada's Indian Department began monitoring "the influence of the 'Messiah Craze,' in the United States, upon Canadian Indians" early on. They easily incorporated Ghost Dance-related monitoring into their increasing surveillance of mixed, mobile indigenes: the Dominion's file on Ghost Dance activity in Canada actually begins with 1886 documents pertaining to reports that the Indians from the American Turtle Mountains were trying to recruit Canadian Indians to join them in their struggle to secure a reservation in North Dakota.[1195] In assessing Canada's response to the Ghost Dance, historians emphasize "the European-Canadian intolerance of indigenous forms of religious expression," but Indian Department correspondence on the topic suggests that it was the métis capacity for networking that bore the brunt of Canada's repression.[1196] This networking capacity became a paramount threat whenever there was any "unrest" among Indians. As "Farm Instructor Robert Jefferson observed . . . the Plains Cree Sun Dance was held annually until the year of the Rebellion of 1885 but was opposed by authorities 'since it brought the Indians together, and increased the chances of massed insubordination.'"[1197] Major Plains religious ceremonies drew large numbers of indigenous people from across the region, and laws forbidding such gatherings provided a pretext for targeting intermixture. Although the 1884 Potlatch Law pertained to practices usually associated with Indian communities on the Northwest Coast, in 1893 the agent at Hobbema reserve used it to arrest the "ritual leaders" of a Sun Dance "in a 'Half-breed' settlement on the Battle River." Agent Clink also demolished the Sun Dance lodge erected for the ceremony, which "involved people from the Hobbema, Saddle Lake, and

[1192] Hayter Reed to Edgar Dewdney, September 6, 1885, *Edgar Dewdney Fonds*, Glenbow, 1245.
[1193] Ostler, *The Plains Sioux and U.S. Colonialism from Lewis and Clark to Wounded Knee*, 150.
[1194] Wovoka was also known as Jack Wilson.
[1195] See collection of correspondence in File 1350, vol. 3597, RG 10, LAC. The early letters in this file are actually about the U.S. Indians at Turtle Mountain purportedly trying to get Canadian Indians to join them in their effort to secure a reservation. Is this a merely a clerical mistake or is it evidence that the relationships themselves are perceived as a threat? It is not just the content of communication that ties these documents together, for some aren't about the Ghost Dance at all, and actually precede its appearance by several years.
[1196] Pettipas, *Severing the Ties That Bind*, 101. The contents of Canada's aforementioned Ghost Dance file, File 1350, vol. 3597, RG 10, LAC, suggest as much.
[1197] Pettipas, *Severing the Ties That Bind*, 101.

Stoney Plains, and a number of 'Half-breeds.'"[1198] In this case, because the law didn't actually apply "those who had been arrested in connection with Accasianent's Sun Dance" were "released with a reprimand." Two years later, Canada passed an ordinance forbidding the Sun Dance, enabling authorities to stop the Sun Dance that year at Touchwood Hills. "Only the Piapot Reserve," they could proudly report "had been able to hold its ceremony." [1199]

Other changes in the region that coincided with the NW Conflict reinforced the new Canadian rigidity regarding indigenous movement. Until the early 1880s, while bison survived in Montana, many Dominion officials tolerated, even encouraged, hunting south of the boundary so that people could stave off starvation. When hunters killed the remaining buffalo in the herd's last stronghold, the Judith Basin, authorities concluded that indigenous people no longer had good reason to cross into the states, and they clamped down on southward movement accordingly. The change was apparent not only in goals and means but in overall attitude. What John Jennings characterized as an earlier "emphasis on compassion and understanding" on the part of the NWMP gave way, after 1885, to an embrace of "coercion."[1200]

In this context, Canadian authorities marshalled a host of legal arguments for surveilling and containing borderlands indigenes. In addition to a variety of Indian-specific regulations as well as laws, like the Vagrancy Act, designed to control people's access to particular places, an array of other regulations served this purpose.[1201] Thomas Aspdin demonstrated the flexible nature of this arsenal of incrimination in 1896, when he reported from Moose Jaw that "there are two or three lodges of Crees, who left this Country in 1885, at Pinto Horse Butte south west of this place and about 20 miles north of the Boundary Line. My informant (a halfbreed) thinks they are after horses, that is stray ones belonging to other people, to run across the line. They hail from Glasgow, Montana U.S., where they have been domiciled lately."[1202] Even the repeal of regulations could implicate the region's mobile indigenes, as in 1892 when "the Police became even more determined to restrict Indian movement . . . when the easing of the Territorial liquor laws caused an increase in anti-Indian hysteria among the settlers."[1203]

Like their Canadian counterparts, American Indian authorities also viewed intercourse itself as the root of many "Indian Problems" in this period. They, too, brought multiple elements of policy to bear on controlling interaction. Col. Otis, the Commander of Fort Assiniboine, illustrated this when he complained to Dewdney's designate Anderson about troubles with the Bloods and Piegans from the Canadian side. Otis indicted their border-crossing by connecting it to a host of incriminating activities, adding that "whiskey traders are continually crossing the line to the British side, and [he] has positive proof that large quantities of arms and ammunition are

---

[1198] Ibid., 104.

[1199] According to Pettipas, "large communal ceremonies such as the Sun Dances were suspect as 'hot beds' for civil disorder. In part, this distrust of communal ceremonies resulted from the political nature of the Sun Dance held near the Little Pine and Poundmaker reserves on the eve of the Saskatchewan Uprising. Rather than being mere social or recreational gatherings, these tribal ceremonies were now perceived as having a political function. As such, they were seen as forums for the expression of dissatisfaction with government policy. They obviously had the potential to mobilize large numbers of people who otherwise would have assembled in smaller gatherings . . . White observers who had attended the Sun Dances had heard not only the recounting of sacred teachings and personal histories but also the glorification of past war records and impassioned criticisms of government policies." Ibid., 107.

[1200] Jennings, "The North West Mounted Police and Indian Policy After the 1885 Rebellion," 225.

[1201] Other Indian-specific laws particularly relevant to controlling indigenous mobility and interaction include those long used for that purpose, like prohibitions on selling Indians alcohol or limits on supplying them ammunition, as well as new ones like the "ordinance, enacted by Lieutenant-Governor Dewdney in 1886, [which] stated that the 'rights, powers and authority' of Indian parents whose children were in industrial schools ceased while the school was in session. Any child who left the school before the time authorized could be 'compelled to return.'" Ibid., 227. According to Hana Samek, among the American Blackfoot in 1893, two-thirds "of the children who attended school were brought in by Indian police." Samek, *The Blackfoot Confederacy, 1880-1920*, 145. For a good examination of the way alcohol laws were used to police mixed indigenous people in Canada see Renisa Mawani, "In Between and Out of Place: Mixed-Race Identity, Liquor, and the Law in British Columbia, 1850-1913," in *Race, Space and the Law: Unmapping a White Settler Society*, ed. Sherene H. Razack (Toronto: Between the Lines, 2002), 47–70.

[1202] Thomas W. Aspdin to Commissioner of the NWMP, Moose Jaw, June 1, 1896, File 76 pt. 2, vol. 1353, RG 18, LAC.

[1203] Jennings, "The North West Mounted Police and Indian Policy After the 1885 Rebellion," 230.

being sold to them; they are very well armed, and quantities of ammunition; he speaks very seriously of these Indians and states that unless a large force is placed on both sides of the line, a trouble will commence before the coming summer ends."[1204] The agent for Canada's Blood Reserve responded that he agreed with the need for tighter border patrols—controlling the border was necessary because Canadian Indians were threatened by American Indian horse thieves.[1205]

Unsurprisingly, the means of, and rationale for, policing indigenous interaction south of the line mirrored that to the north. The advent of an Indian pass system doesn't play a starring role in histories of American Indian policy as it does in Canada, but officials nonetheless used pass requirements to impede Plains indigenes' movement. A case in point was the Commissioner of Indian Affairs' 1888 directive prohibiting people from the Wyoming Wind River Reservation (officially home to Shoshone and Bannock bands) from hunting off reservation without written permission.[1206] As in Canada, authorities in the U.S. also targeted movement while assailing indigenous religious activity. In 1889 they tracked the "medicine man Porcupine," a member of the Tongue River (Northern Cheyenne) Reservation, who "started the . . . 'Messiah Craze,'" as he traveled from Montana to the Salt Lake (Utah) Shoshone agency before moving on to Fort Hall (Shoshone-Bannock), in Idaho (where he was joined by "others"), and the Walker River Paiute Reservation, in Nevada.[1207] Some ten years later Indian Department officials were still keeping tabs on Porcupine's peregrinations, and when it seemed he was again proselytizing they arrested him and he was "turned over to the commanding officer at Fort Keogh and confined at hard labor."[1208] Porcupine's treatment was no anomaly: in the late nineteenth century, fears about indigenous mobility associated with the messianic Ghost Dance seemed to craze non-Indians in the region. During 1890 the Pine Ridge Reservation in South Dakota became the center of regional Ghost Dance activity, as well as of its violent repression that climaxed at Wounded Knee. At the time, "a nervous tension prevailed over the Montana Territory and every Indian who wandered off the reservation was believed to be on the war-path." In the midst of the hysteria, the *Great Falls Tribune* published an article claiming, falsely, that "there were hundreds of Indians camped near Big Sandy and five white families had been murdered."[1209] Meanwhile, North Dakota newspapers reported that "it is well known that runners from Sitting Bull's and other bands have been endeavoring to induce the Canadian Indians to join them," and claimed that among the Indians in Canada, at "woody mountain," contacted by Sitting Bull's emissaries were two men "who were in the Custer affair in the Little Big Horn and four other Indians concerned in the Minnesota massacre of 1862."[1210]

The compendium of allegations against métis people in American territory included the more commonplace as well.[1211] Many borderlands indigenes were by this time brutally poor, and

[1204] James Anderson to Edgar Dewdney, December 8, 1885, *Edgar Dewdney Fonds*, Glenbow, 1531.
[1205] ARDIA 1885, 206.
[1206] Karl Jacoby, *Crimes Against Nature: Squatters, Poachers, Thieves, and the Hidden History of American Conservation* (Berkeley: University of California Press, 2001), 91.
[1207] ARCIA 1901, 165. Wovoka, the man credited with originating the ghost dance, was associated with the Walker River area, and was buried on that reservation. Dan L. Thrapp, *Encyclopedia of Frontier Biography: P-Z* (University of Nebraska Press, 1991), 1599.
[1208] This was in October of 1900. ARCIA 1901, 165.
[1209] Gray, "History of The Cree Indians," 136. Big Sandy is at the base of the Bear's Paw Mountains, long a favored location of Métis people.
[1210] "Hemming in Reds," *Jamestown Weekly Alert*, January 8, 1891; "Bad, Bad Indians," *Bismarck Weekly Tribune*, November 28, 1890.
[1211] J. C. Rickard to Richard Olney, Helena, January 21, 1896, File 84,138, vol. 3863, LAC; Regarding the Montana "Cree," Rickard wrote that "in default of a reservation, they have been an intolerable nuisance, constantly violating our game laws, foraging upon our herds, and not infrequently looting isolated cabins . . . the police power of the state is not equal to protecting the people from these marauding bands." See also U.S. Atty Weed's 1896 comments to the Sec. of War: "it is the habit of these renegade Indians to wantonly destroy all game, without regard to local laws or regulations, to steal stock of the settlers, and generally subsist on larceny and plunder." "Unwelcomed Guests," February 7, 1896, File 84,138 pt. 1, vol. 3863, RG 10, LAC.

their poverty reinforced tendencies to suspect them of stealing horses or rustling cattle.[1212] Their very insecurity and mobility served as evidence against them, as one official unwittingly suggested in 1887 when reporting that "several horses have been recently stolen, supposed to be by Indians, but there is no proof of their guilt. Suspicion pointed toward them because they disappeared from the vicinity about the same time the horses did."[1213] Since they lacked rights any place, they were especially vulnerable to vagrancy accusations, which worked in conjunction with public health laws to criminalize their very presence. The Governor of Montana summed up mixed, mobile indigenes as "a positive detriment and a continuous menace." Their movement was said to infect populations across the Plains. Officials in Willow Bunch, Saskatchewan, blamed a smallpox outbreak on "a young half-breed named Dumont, who visited Montana, had a severe attack there and was allowed to leave the state."[1214] To the south, authorities averred that borderlands "Indians have been smallpox breeders in northern Montana for a long time" while "the contagious disease . . . affecting their horses and other domestic animals . . . communicated to the animals of white settlers." [1215]

In the Bull's Eye: Targeting the People in Between

As authorities were by now all too aware, clamping down on indigenous movement and interaction meant patrolling social as well as spatial borders. This translated into especially intensified policing of the Métis people of the borderlands. At both conceptual and practical levels, mixed indigenes were the primary target of escalating American and Canadian efforts to enforce the many borders they netted over the Northern Plains. With the solidification of statelessness, their very existence violated the vision of separate bands, tribes, races, nations, and spaces promulgated by colonial policymakers, mocking not only the idea that these categories were discrete but also the proposition that people could be separated accordingly. Borderlands indigenes now clearly constituted the problem to be solved at a practical level as well. As they moved through the region, they were the ones physically crossing the multiplying borders drawn between Canada and the United States, between white and Indian people and lands, between spatialized tribes and bands. Indeed, at a time when Coxey's Army was making headlines and governments construed transience itself as a threat to society, their movement alone made them a target.[1216] In official reports, mixed indigenous peoples' commonplace peregrinations could become "moving about the frontier in . . . a suspicious manner."[1217]

To all of this was added the immediate, specific history of mixed and mobile indigenous people on the Plains. As we have seen, the organized, political threat posed by such communities had been a favorite lament of military and civilian authorities for some time and the events of 1885 brought unprecedented attention to their capacity for organized conflict with occupying governments. In Canada, the NW Conflict meant that mixed, mobile indigenous groups were understood to pose an explicit and direct threat to colonial control, and Canadian

[1212] Granville Stuart, "Forty Years on the Frontier," in *The Last Best Place: A Montana Anthology*, ed. William Kittredge and Annick Smith (Seattle: University of Washington, 1991), 383–96; W. G. Morris to the NWMP, Coutts, May 20, 1896, File 76 pt. 2, vol. 1353, RG 18, LAC; Superintendent General of Indian Affairs, "Memorandum", January 26, 1887, File 36563, vol. 3774, RG 10, LAC.
[1213] C. W. Kennedy to The Assistant Adjutant General, U. S. Army, St Paul, Minn., July 25, 1887, File 502, vol. 1082, RG 18, LAC.
[1214] Rivard and Littlejohn, *The History of the Métis of Willow Bunch*, 226.
[1215] Thomas O. Miles, "Where it Dropped, Volumes of Early Correspondence on the Cree Question," *Anaconda Standard*, February 7, 1896; Gray, "History of The Cree Indians," 225–226. Gray reprints phrasing from the *Havre Independent* and the *Chinook Opinion.*
[1216] Honore Jaxon, Riel's secretary who was also involved in the Chicago Haymarket affair in 1886, marched on Washington with Coxey's Army in 1894. "Honore Jaxon, Professional Rebel | City of Smoke."
[1217] Dewdney to MacDonald, May 24, 1886, *John Alexander MacDonald Correspondence*, File 90747-90754, Reel-1597, LAC. Some officials in this period suggested posting a police or militia unit at the Turtle Mountain customs house.

Indian policy after 1885 reflected this. New policy developments were aimed carefully at the people in between spatial, racial, and tribal categories, and at the relationships they embodied. After the NW Conflict, as Canada redoubled efforts to control Indian movement that it had undertaken in the months leading up to the climactic spring events, Dominion officials enacted policies focused especially on severing ties between individuals and groups identified as leading participants. On July 24, 1885, Assistant Commissioner of Indian Affairs Hayter Reed submitted a memo to the Commissioner of Indian affairs with 18 specific suggestions (later cut to 15) for "management of Indians" in the wake of the rebellion. With specific proscriptions of leaders, participants, and sympathizers, the memo underscored, both explicitly and implicitly, the need to identify Indians individually. It also made plain the need to differentiate between them when administering government regulations. The first three provisions divided indigenous Canadians into three groups which would thereafter be subject to different policies. These were ostensibly "Indians" who were not "disloyal or troublesome" (who were to be "treated as before"), and two groups who were to be tried, convicted, and punished—"rebellious Indians" and "halfbreed" "offenders."[1218] In practice, after 1885 this last category proved redundant—to be a "half-breed" was to be an "offender."

Despite the apparent identification of particular individuals to be punished, subsequent developments indicated that it was relationships, and the people who embodied them, that the provisions targeted. Canada construed the threat to come not only from movement and communication between reserves but particularly from those people who embodied such interrelationships. In his January 1886 briefing to Prime Minister MacDonald about the situation among the prairie "Indians," Edgar Dewdney made this clear: "If they are not interfered with by the Halfbreeds and have no leader, there is no chance of their congregating at any given point. Should they be found moving from their Reserves in numbers we must be prepared to follow them and send them back."[1219] To this end, officials like Reed worked to sever relationships between reserves not only by limiting movement and surveilling bands who had shown a predilection for concerted action but also by purging people in between from tribal communities. Authorities reviewed government records, and Reed reported that they "found that several whose names were on our paylists have drawn their scrip as Halfbreeds without being struck off." These Reed suggested should be prosecuted and that the Commissioner consider "making proportionate deductions from the scrip of those who have been receiving annuities + other benefits as Indians in accordance with the law." [1220] Other policy weapons were also trained on the mixed indigenes of the borderlands in this period. When the Agent on the Canadian Piegan reserve clashed with the family of "Nez Perce Sam," the Commissioner of the NWMP, Lawrence Herchmer suggested he "have them up under the Vagrant act and give them a good sentence." This could then be used as leverage to force them from the community: "if they offered to leave the country at once," Herchmer continued, "let them go on a suspended sentence." This he considered the best course of action in the circumstances, "as these are foreign Indians and have proven themselves to be a dangerous element."[1221]

Purging mixed indigenes from the rolls of official Indian communities, however, didn't place them beyond the pale of state supervision of indigenes. Every legal line drawn was a line that shouldn't be crossed, and clarified a crime and a criminal that could be policed with official

[1218] Hayter Reed to Dewdney, "Memorandum for the Honorable, The Indian Commissioner Relative to the Future Management of Indians," July 24, 1885, *Edgar Dewdney Fonds*, Glenbow, 1414-1420.
[1219] Edgar Dewdney, Indian Office, to J. A. MacDonald, January 26, 1886, *Edgar Dewdney Fonds* , Glenbow, 1269-1270.
[1220] Hayter Reed to Edgar Dewdney, September 6, 1885, *Edgar Dewdney Fonds*, Glenbow, 1246-1247.
[1221] Herchmer to Macleod, Regina, February 6, 1896, File 76 pt. 1, vol. 1353, RG 18, LAC.

justification. Purges like the one executed during formal Turtle Mountain enrollment in 1892 defined many indigenous people, in the eyes of the federal government and its administrators, as non-Indian. But at the same time, authorities considered these same people racially indigenous. In the myriad documents discussing the people purged from the Turtle Mountain rolls, BIA officials usually referred to them as Indians. This meant they could be denied the possibility of citizenship, and the rights that attended it, regardless of birthplace. [1222] More immediately, it also meant that officials supervised them and policed them as Indians. Although the BIA officially excluded them from the McCumber roll, authorities continued to investigate and report on unenrolled community members through the 1930s, and agency documents consistently counted them under a separate formal "non-enrolled Indian" category.[1223] Official membership rolls produced in this period went even further, providing a definitive list of who was allowed in a particular place while at the same time identifying hundreds of individuals whose presence was prohibited, but could be expected. Paradoxically, even as the government defined them as non-Indian, it was the very Indian-ness of borderlands Métis that subjected them to incessant policing by government authorities.

No Safe Place to be in Between

Together the demise of the indigenous commons and the deepening desire, and growing ability, to eradicate mixture and mobility spelled disaster for the métis people of the borderlands. Armed with fresh commitment and new capabilities, Canadian and American authorities set about enforcing the borders their nations layered over the Plains. They did this by persecuting the stateless people in between wherever they found them. If authorities earlier suspected that mixed, mobile indigenes posed the primary threat to the new Plains order, now they were certain. They embraced their solution—policing the people in between—with ardor. On shrunken reservations métis were hassled, excluded and evicted. Outside of reserve boundaries, on lands meant for non-Indians, they were harassed, dislodged, imprisoned, and expelled. Along the international border they were rounded-up and driven out. Indian spaces, white spaces, national spaces. Together they composed an unbroken landscape of indigenous statelessness.

Given the intensely policed nature of Indian spaces, reservations provided no haven for stateless indigenes. U.S. authorities may have lacked the immediate impetus of the NW Conflict, but they became just as zealous as their Canadian counterparts in their effort to keep unenrolled people from recognized Indian communities. Time and again authorities rejected attempts by borderlands groups to secure space on U.S. reservations, and violent enforcement often followed their edicts. A complete account of this history would start with an exhaustive search of the records of all the region's reservations, but a few examples suggest the scope of the situation. Groups of "Cree," "Chippewa," "Métis," and "halfbreeds" formally asked to be allowed to live on Montana's Flathead Reservation in 1887, 1890, 1902 and 1904 (at least) and on the state's Blackfeet Reservation around 1910 and the Crow Reservation several years later. [1224]

[1222] Not until the Nationality Act of 1940 were "Indians from Canada and elsewhere" permitted to become naturalized citizens of the United States. F. W. Boyd to CIA, February 26, 1941, enclosing a "list of Canadian Indians on the reservation," Indian Reorganization Enrollment, 1936-1940, Box 58, Turtle Mountain, RG 75, NARA CPR. In Canada, citizenship was extended to all Indian people in 1956, with An Act to Amend the Canadian Citizenship; *Act 1940 Nationality Act (An act to revise and codify the nationality laws of the United States into a comprehensive nationality code)* October 14, 1940, 76th Cong., 3rd Sess., Ch. 876: 54 Stat 1137, H.R. 9980, Pub. L. 76-853.

[1223] Tellingly, officials always counted and kept track of those they were defining as outside of their jurisdiction. They were unconvinced by their own categories and membership determinations.

[1224] Rocky Boy's stepson Charley Rockyboy lived on the Flathead Reservation when he died in 1912. Superintendent to A. E. McFatridge, February 13, 1912, File: Blackfeet (2), Box 1, Flathead Agency, Letters sent and received between MT Indian Agencies, 1909-1925, RG 75, NARA RMR. That same year, the Flathead Superintendent reported that there was a large number of Crees on his reservation. Superintendent to

"Landless Indian" groups also sought homes on Montana's Fort Peck and Fort Belknap reservations in this same period.[1225] These pleas came to naught.[1226] Instead of securing land, or producing consideration of their circumstances, requests for space often resulted in expulsion. When some eighty "Indian and Cree half-breeds" sought to establish themselves on the Flathead reservation in the summer of 1890, the commander at Ft. Shaw requested that the agent expel them with his police force. Flathead agent Peter Ronan lacked the stomach for sending them over the Rocky Mountains "without provisions and mostly on foot and without arms to procure game" needed to support their "almost naked and famished wives and children." He promised to expel them after the harvest, allowing them first a chance to work "to earn provisions and horses."[1227] Requests for land on the Crow Reservation were met with a similar response. Tribal members and their Agent not only responded in the negative but used the inquiry to call for the removal of the "Cree" who were then on the reservation.[1228]

Calling attention to themselves by asking for residence rights imperiled indigenous people in between, but keeping quiet didn't protect them. In 1886 the Agent at North Dakota's Devils Lake reservation reported to Canadian agents that "Half Breeds" in his domain would "all have to leave."[1229] His colleague at Turtle Mountain shared his commitment. Throughout the Northern borderlands, purging non-enrolled people was the flip side of tracking Indian movement: When Turtle Mountain agent complained in 1897 that the enrolled members of his reservation—whom he labeled "full-bloods"—were "wanderers" and opined that "they should all be forced to live on the reserve" he expressed not only his own view but that of U.S. and Canadian Indian departments. His comments simultaneously distilled the segregationist purposes of North American Indian sedentarization policies: as he called for confining enrolled band members to the two square mile reserve he proposed "removing from the reserve the unrecognized mixed bloods."[1230] Whether they sought rights or not, stateless indigenes suffered recurring localized deportation from places like the Crow Reservation, where "two or three times

---

CIA, Flathead Agency, Jocko, Montana, March 2, 1912, *Verne Dusenberry Papers,* Accession 85015, Box 10, Folder 9, *Merrill G. Burlingame Special Collections*, Montana State University: Bozeman.

[1225] Hauke to C. B. Lohmiller, Poplar, Montana, May 4, 1909, File: Tribal enrollment committee, Box 134, Ft. Peck Agency Series 45-52, Record of Births, Allottees, etc., RG 75, NARA RMR; Chief Land Division to C B. Lohmiller, Popular, Montana, December 13, 1910, File: Tribal enrollment committee, Box 134, Ft. Peck Agency Series 45-52, Record of Births, Allottees, etc., RG 75, NARA RMR; Superintendent to A. E. McFatridge, Browning, Montana, March 15, 1911, File: Blackfeet (2), Box 1, Flathead Agency, Letters sent and received between MT Indian Agencies, 1909-1925, RG 75, NARA RMR; Hauke to W. W. Scott, April 12, 1912, Box 14, Folder 2, RS 266, MHS; Superintendent to H. H. Miller, Fort Peck Agency, Poplar, Montana, June 2, 1913, File: Fort Peck Agency 1911-1914, Box 8, Ft. Belknap Agency Letters received 1908-1920, RG 75, NARA RMR; McFatridge to H. H. Miller, Blackfeet Agency Browning, Montana, April 25, 1914, File: Letters Received- Blackfeet Agency, 1907-1914, Ft. Belknap Agency Letters received 1908-1920, RG 75, NARA RMR; Superintendent to Rodger St. Pierre, Box Elder, Montana, June 10, 1916, File: June 10, 1916- December 31, 1916, Box 2, Ft. Belknap Agency Local Letters sent 1910- 1927, RG 75, NARA RMR; William Bigby, *Minutes of General Council Held on the Fort Belknap Indian Reservation at Lodgepole, Montana,* July 6, 1917, File: July-September 1917, Box 14, Ft. Belknap Agency Letters Received from CIA 1878- 1929, NARA RMR; Superintendent to CIA, Washington D.C., August 9, 1917, File: July- September 1917, Box 14, Ft. Belknap Agency Letters Received from CIA 1878- 1929, NARA RMR; Wessel, "A History of the Rocky Boy's Indian Reservation," 42.

[1226] *Wandering American-Born Indians of Rocky Boy's Band, Montana, Report to Accompany S. 2705,* 58th Cong., 2nd sess., 1904. S. Rept. 1020, 1-3; Ewers and United States, *Ethnological Report on the Chippewa Cree Tribe of the Rocky Boy Reservation and the Little Shell Band of Indians*, 123–125.

[1227] ARCIA 1890, 124; ARCIA 1883, 97; ARCIA 1879, 98; Peter Ronan, Flathead Indian Agent, to A.A. Van Horn, Lieut. Col 25th Infantry, Commanding Post, Fort Shaw, Montana, July 14, 1890, *Geneva Stump Fonds*, Glenbow. Ronan intimated that doing so might meet with resistance: "I shall proceed to round them up at once and order them to recross the mountains. If I cannot accomplish their ejection with the Indian police, it will be necessary to call upon the troops."

[1228] Wessel, "A History of the Rocky Boy's Indian Reservation," 42.

[1229] Dewdney to J.A. MacDonald, Regina, March 30, 1886, *Edgar Dewdney Fonds,* Glenbow, 611-611; The Devil's Lake Agent explained that "the Amer. Gov. will not treat with those Half Breeds who have been living in this neighborhood awaiting the land treaty." See also ARCIA 1890, 124; ARCIA 1883, 97; ARCIA 1879, 98.

[1230] ARCIA, 1897.

they have been gathered by the Agency authorities and put off, . . . each time they have returned."[1231]

Expulsion plagued groups and individuals, friends and families. Reservations were for enrolled Indians, not for their unenrolled spouses, siblings, parents, offspring, and other assorted kin, companions, and community members. Their mixed ancestry and history of mobility combined with the racial and tribal categorization policies of the nations that colonized their homeland meant that many métis people were on no federally recognized tribal roll, either in Canada or the United States. For the same reasons, many different reservations and reserves included métis people on their rolls.[1232] Spouses, children, parents, or siblings, to say nothing of more distant relations, often found themselves in a position in which some members of the family were forbidden on the reservations where other members were enrolled. Such situations abounded across time and space. Stories like that of the Magee family were typical: after moving around for many years, Emma Minesinger Magee and her new husband tried to settle on western Montana's Flathead Reservation in 1896. This attempt proved fruitless for, as Emma recalled in her memoir, ""Flathead blood gave me the right to live on the Reserve. Not so, my husband." As a result, the Magees soon resumed the nomadic existence that took them back and forth the international border in the Rocky Mountain region.[1233]

It became not only difficult, but dangerous, for people to live on the reservations and reserves of their relations. In 1902, amidst reports from the N.W.M.P. that "there is smallpox in all the Cree camps in Montana" as well as in other Montana Indian communities, Canadian Indian officials cracked down on "American" Indians in their jurisdictions and tried again to formalize a joint international Indian pass system. When "a party of Assiniboine Indians from Fort Belknap" arrived at the Blood Agency in Alberta, Jason Wilson, the Blood agent "at once had them taken in charge by the N.W.M. Police and removed forthwith to their own territory." Wilson used the incident to call attention to "some steps that should be taken by our Department and the Department of Indian Affairs at Washington to stop giving these Indian passes" and to "return to" what he considered "the old system of punishing, or returning immediately, Indians who visit without a pass." While he had the people he called "Assiniboine Indians from Fort Belknap" arrested and deported, Wilson also sought counsel as to how to proceed against a group of "half-breeds" on the Blood reserve that he had placed under quarantine for small-pox. The Indian Act clearly established his right to expel "non-members" from the reserve, and this he

---

[1231] ARCIA, 1897; Crow Supt to CIA, May 7, 1912, RS 266, Box 14, Folder 2, MHS. Although space limits preclude it, similar histories could be recounted for the Fort Belknap and Fort Peck reservations in Montana, both of which housed métis populations, who weren't enrolled at those locations, over a long period.

[1232] Hagen, "The Territory We Had Always Called Home: Nations, Migration, and the Northern Plains Métis, 1880-1930." The family of Alec and Natawista Culbertson is a great example of this. After Alec died in 1879, Natawista "was enrolled in Canada among the people of Red Crow." Their son Joe, who scouted for General Miles and other U.S. military commanders and who "accompanied the Sioux chiefs to Washington to intercede for the band of Sitting Bull," had two children by a "Sioux" woman, or women, and then married Isabel Laroque, "from Qu'Appelle, Saskatchewan . . . of French Chippewa origin," a widow who had two children by "a white man, Abbott, in the employ of Joe Kipp as a trader at old Fort Browning." Joe was enrolled on the U.S. Blackfeet reservation and in 1900 lived there with "his wife, Isabel," who, census makers wrote, was "born in 1869 in Canada and of the Chippewa tribe," his two children from previous unions, her two children from her first marriage, and their two children. Joe's son "by a Sioux woman . . . attended the Industrial Boarding School on the Standing Rock Reservation." Joe's brother Jack, or John, ranched in Dawson Co., Montana with "his wife Mary, Indian, . . . born in Dakota" and "ran a store or post that stood half-way between Fort Buford and Fort Poplar and catered to the soldiers passing between the posts." John and Mary's son, called John, worked "on the ranch of Howard Eaton near Medora in the Bad Lands of the Little Missouri" before being "included," in an 1899 tribal census, "in the family of a Yankton, named Iron Leggins."Alec and Natawista's daughters both lived in Nebraska and married attorneys before moving west, Julia to Idaho (where her husband represented the Union Pacific Railroad "and became the first Attorney General of the State") and Fannie to San Francisco and other urban centers (her husband was a special agent for the Treasury Department) before returning to Montana to live on the Blackfeet Reservation (where her husband worked as an attorney for the tribe) and eventually dying in Great Falls. Julia and her husband George had three children, one of whom "became director of the State Historical Museum and Library in Boise." Holterman, *King of the High Missouri*, 200–203.

[1233] James Hyde to James Ryder, Hayward Indian School, Enrollment of Citizenship, Degree of Blood, File 1918-1927, Box 58, Turtle Mountain, RG 75, NARA CPR; Emma Minesinger Magee, "Montana Memories," *K. Ross Toole Archives,* University of Montana: Missoula.

planned to do, but was unsure about where to push them: since they weren't, to his knowledge, formally enrolled anywhere it was "not clear that they are Americans."[1234] Thus, even while he tried to enforce them, Wilson revealed the inadequacy of colonial population categories.

While they sought to expel "foreign" indigenous people from the reservations and reserves under their supervision, Indian Department officials also worked to repatriate enrolled members. Since Indian agents couldn't actually force people to return to any particular place, this mainly translated into increased persecution and harassment of unenrolled people on Indian lands. Egged on by official proclamations about the importance of controlling Indian movement and intercourse with other groups, and struggling to create stable and definitive tribal rolls and censuses in the wake of allotment acts and monetary settlements, officials exhorted one another to hasten the return of "their" charges by expelling those without passes. At the behest of their colleagues across the Plains, officials complied with requests like that of the Agent at Alberta's Blood Agency, who asked the Superintendent of Montana's Fort Belknap reservation to "have your police order from the reservation all Bloods who are not supplied with passes by me."[1235] His counterpart on the Crow reservation also hoped the Ft. Belknap agent would use his "policemen" to make his charges "start back here at once."[1236] In a note to "Indian Agent, Harvre [sic], MT" the Morley, Alberta, Indian Agent was more succinct, asking simply if the American official had "a Stony Indian named Wm Salter down there. I want him back." That same note offered help tracking an "American" Indian, informing the recipient "that one of his men, Pony was leaving there after a visit."[1237] Whether or not authorities in Canada and the U.S. consciously cooperated, in the lives of mixed, mobile borderlands indigenes, the combination Canadian and American efforts to police national, racial, and tribal borders perpetually displaced people from the regions recognized indigenous communities.

Although authorities controlled Indian lands more obviously and intensively than other spaces, the attempts to create, and then physically separate, distinct races, nations, tribes and bands also complicated métis claims to places outside of Indian Departments' jurisdiction. The fact that government officials as well as many non-Indians in the general public often considered métis people to be Indian undermined their efforts to make homes off reservation. This held true in rural and urban settings across the borderlands, where anti-Indian attitudes in the general population reinforced regulatory proscriptions. By the 1890s, in the eyes of non-Indian immigrants "the Indian off the reserve had become an automatic threat to the settlers."[1238] The U.S. Indian department tried to put a more poetic spin on anti-Indian racism and the difficulties it created for indigenous people outside of reservation boundaries: "the Indian is confined to his allotment and his reservation. If he chooses for himself another and freer life, he is a veritable vagabond in the land of his fathers, the gypsy of America, an exile in his own inheritance, a tattered prince of the past, despised by the more fortunate populace of the present."[1239]

Off-reservation places were forbidden to Indians, who were generally supposed to stay within the bounds of the reservation on which they were enrolled. The fact that the region's urban areas were outside of reserve boundaries meant that these spaces—which were increasing

---

[1234] Jas. Wilson to Indian Agent's Office, Blood Agency, Macleod Alta, October 30, 1902, File 47,544-2, vol. 3797, RG 10, LAC.
[1235] R. N. Wilson to W.R. Logan, Esq., June 23, 1908, Fort Belknap Agency Letters Received, 1908-1920, File: Canadian Indian Reservations, Crow Agency, MT, Box 5, RG 75, NARA RMR. Some of the requests were more benign, and aimed primarily at returning Indians to the reservations where they were enrolled for administrative more than punitive or disciplinary purposes. Cf. Frank Redstone to Logan, July 31, 1908, Box 8, Ft. Belknap Agency, Letters Received 1908-1910, RG 75, NARA, RMR.
[1236] David E. Livesay to Horton H. Miller, Lodge Grass, Mont., July 19, 1913, File: Crow Agency, MT 1910-1914, Box 5, Ft. Belknap Agency, Letters Received 1908-1920, RG 75, NARA RMR.
[1237] Asst. Deputy and Secretary to G. K. Smith, Ottawa, February 13, 1914, File 7785-1, vol. 3644, RG 10, LAC.
[1238] Jennings, "The North West Mounted Police and Indian Policy After the 1885 Rebellion," 230.
[1239] ARCIA 1903, 231.

in size, number and importance—were officially off-limits to people deemed Indian. Lest regulations and ideas about Indians' proper place not suffice to rationalize obstructing indigenous peoples' access to urban spaces, non-Indians claimed that cities posed particular threats to aboriginals. "The Indians in the towns," they promised "often encountered the worst element of white society and appeared eager to pick up their habits."[1240] In this climate, indigenous peoples' attempts to find a place to live in urban areas frequently met with failure. The media in places like Fort Benton opined that Indians "should not be allowed to visit the settlements."[1241] Meanwhile, the Deputy Superintendent General of Indian Affairs for Canada layered additional proscriptions on indigenes' urban presence when he decided that "towns and villages could be considered as owned by municipalities and therefore could be considered to be property from which Indians, by treaty, were prohibited from entering without permission."[1242] In light of this interpretation, Hayter Reed boasted about the efforts of Plains officials to keep indigenes out of urban areas: at Fort Macleod "Cotton had about decided to rid the town of Indians . . . there are none allowed to camp about here now, & the same is about being enforced at Lethbridge."[1243] Police and other officials in cities like Devil's Lake, North Dakota, sometimes "ordered them to leave," even in the dead of winter. So intent were urban officials on ridding their jurisdictions of Indians that they occasionally went so far as to pay for transportation to distant reserves "they had never seen before" or to reservations where the deported had no residence rights.[1244]

The effects of recurrent expulsion from the region's cities were compounded by the fact métis people occupied urban spaces as a conscious survival strategy, and not only because they lacked options. When some 125 people led by Imasees (Little Bear) and Little Poplar gathered in Havre, Montana in the fall of 1886, Little Bear reportedly urged the group to stay close to cities in order to escape the violence that shadowed borderlands indigenes. Reminding his associates that American "'Chemoginusuk' (soldiers)" were known to "go out and kill off whole camps of peaceful Indians," he concluded that "it is not good that we should have all of our relatives to live in one big camp away from town." Better to "live in small bands near the white man's town and maybe Manito will raise up friends for us if they try and kill us." Mixed indigenous groups consistently used the fringe areas of most of the region's settlements in this period. "By the year 1888, there was a camp of nearly 100[?] lodges of these Indians in the vicinity of Fort Assiniboine," and similar camps clung to cities across the Plains.[1245] Montana newspapers reported that, in addition to groups of "Crees" "in the vicinity of Havre . . . A large camp lies across the river from Great Falls, another camp makes a home upon the garbage dump of Butte. Another occupies the same position on the outskirts of Anaconda, and the remainder

---

[1240] Jennings, "The North West Mounted Police and Indian Policy After the 1885 Rebellion," 230.
[1241] *Fort Benton River Press*, November 3, 1886.
[1242] Jennings, "The North West Mounted Police and Indian Policy After the 1885 Rebellion," 229–230.
[1243] Hayter Reed to Dewdney, Ft. Macleod, March 1, 1886, *Edgar Dewdney Fonds*, Glenbow, 1282-1284.
[1244] Superintendent, Turtle Mountain Agency, to Peter Timboe, Chief of Police, Devils Lake, North Dakota, December 22, 1922, Law and Order File, Box 157, Turtle Mountain, RG 75, NARA Kansas City; Daniel Paul, First Nations Peoples Citizenship: second class at best! Daniel N. Paul, "Canada's Genocide: Extinction of First Nation Cultures," *www.danielpaul.com, We Were Not the Savages*, http://www.danielnpaul.com/Col/1999/All-ConsumingDesireToKillFirstNationCultures.html. Paul relates the story of his own family, which "in late November of 1935 . . . [was] rounded up and deported by the city council of St. John [New Brunswick] to Indian Brook, a place they had never seen before." Paul was born on Indian Brook Reserve several years later. In his examination of indigenous people in Winnipeg, David Burley characterizes such practices as a "municipal colonialism that since the incorporation of Winnipeg had denied Aboriginal people a place in the city." David G. Burley, "Rooster Town: Winnipeg's Lost Métis Suburb, 1900-1960.," *Urban History Review/Revue D'histoire Urbaine* 42, no. 1 (2013). Regional newspapers reported on these settlements in ways that reinforced broader discursive displacement practices. Cf. "Chief Rocky Boys People," *Helena Independent*, March 10, 1913 reprinted in Gray, "History of The Cree Indians," 81–82. The *Helena Independent* article reported that "every fall small bands of fifty to seventy-five wander to the outskirts of the different towns in Montana."
[1245] *Gildford Tribune*, May 8, 1924 transcribed in Gray, "History of The Cree Indians," 160–161. The exact number of lodges is illegible on the document in my possession. It appears to be 100.

are scattered through the state in the vicinity of various garbage barrels."[1246] These peripheral neighborhoods endured on the edges of the region's urban areas for decades, and constituted not only a recognized indigenous urban geography but also established targets for expulsion efforts. When the spirit moved them, officials took aim at the occupants of Winnipeg's Rooster Flats, or at the eight different neighborhood clusters that constituted Great Falls' "Buckskin Fringe" (with names like Hill 57, Wire Mill, and Mount Royal), or at the "Moccasin Flats" areas of Billings, Calgary, Medicine Hat, Helena and other Plains cities.[1247]

As Little Bear intimated, for stateless indigenes rural off-reservation spaces offered no sanctuary. Attempts to obtain lands on the public domain met with fierce opposition—often from the same people who decried indigenes' presence in urban areas—and usually failed. When a band led by Rocky Boy, Little Bear's brother-in-law or uncle (by marriage), or both, couldn't secure rights to live on any of the region's reservations, the Indian department explored the possibility of allocating some of the remaining public domain in northeastern Montana to individuals in the group, noting that "the government had already arranged for some members of the Pembina Chippewa from Turtle Mountain" to select public domain allotments there.[1248] But where reservation communities were resistant, off-reservation communities were rabidly so. The move enraged area non-Indians like Effa Goss, of Culbertson, Montana, who in 1909 wrote the Secretary wanting to know "why is it that a human has to half-starve to stay on one of these free homes and when they at last are able to raise enough radishes and onions to eat are compelled to exist among a bunch of those dark-skinned people called Indians?"[1249] Business elites like the Hill family, which controlled the Great Northern Railway, competed with the state's top politicians in the force of their opposition to the plan. As they portrayed it, the proposal to locate Rocky Boy's band on the public domain constituted an assault on business, agriculture, Americans and the white race. While they sat together on a train carrying them from St. Paul, Minnesota, to the Dry Farming Congress in Billings, railway president Louis Hill and Minnesota Senator Moses Clapp, chairman of the U.S. Senate Indian Affairs Committee, penned a telegram that expressed their opposition to withdrawing public domain lands for Rocky Boy's band in no uncertain terms: "The Great Northern Railway is now spending two million dollars building a branch line through withdrawn territory, understanding that the Fort Peck Reservation would be thrown open, never assuming the public domain would be set aside for Canadian Indians, against the interests of the white man, who no longer have opportunities to settle about Culbertson, on account of the sweeping withdrawals; taking from the white man the best class of Montana

---

[1246] *Montanian and Chronicle*, (Choteau, Mont.) May 9, 1902.

[1247] Burley, "Rooster Town"; Edward Bell, *Social Classes and Social Credit in Alberta* (McGill-Queen's Press - MQUP, 1994), 99; Andree Deligdisch, "Our Indian Neighbors: An Independent Study Prepared for The Citizens'' Committee on Great Falls Indian Affairs," *Verne Dusenberry Papers* Accession 85015, Box 6, Folder 5, Montana State University, Bozeman; Maxwell Foran, *Icon, Brand, Myth: The Calgary Stampede* (Athabasca University Press, 2008), 88; Colvin, Milton, "Hill Fifty-Seven: The Problem of Off Reservation Indians," *Montana Opinion* 1 (June 1957): 15–18; P. E. Peeso, "The Cree Indians," *Museum Journal*, III, no. 3 (1912): 50–57; Sister Providencia Tolan, About Hill 57, 1958, Hill 57: Ektachrome slides, 1958, Box 65, Folder 39, *Sister Providencia Tolan Papers* (MS 116), Northwest Museum of Arts & Culture/Eastern Washington State Historical Society, Spokane, WA; Wessel, "A History of the Rocky Boy's Indian Reservation, 22"; Harrison, *Métis*, 124. Indigenous urban geography was so well established that one could send a letter, successfully, by substituting a tribal name for a street address.

[1248] Raymond Gray calls Rocky Boy Little Bear's brother-in-law. Gray, "History of The Cree Indians," 74. John Ewers notes that some sources say "the wives of Big Bear and Rocky Boy were distant cousins." Ewers and United States, *Ethnological Report on the Chippewa Cree Tribe of the Rocky Boy Reservation and the Little Shell Band of Indians*, 155–156; Lawrence Barkwell writes that "Rocky Boy's sister was married to Little Bear." Lawrence J. Barkwell, Leah Dorion, and Darren R. Préfontaine, eds., *Métis Legacy: A Métis Historiography and Annotated Bibliography* (Winnipeg: Pemmican Publications, 2003), 65. Vern Dusenberry says "many authorities maintain that Rocky Boy's wife was a sister of Big Bear, Little Bear's father," Dusenberry, "The Rocky Boy Indians," 10.; Gary Wilson asserts that "not only was Little Bear's principal wife a sister of Rocky Boy, but one of Rocky Boy's wives was said to have been a distant cousin of Little Bear's father, Big Bear." Gary A. Wilson, *Long George Francis: Gentleman Outlaw of Montana* (Globe Pequot, 2005), 81. Chief Smallboy, a close relative of Rocky Boy's, identified "Rocky Boy's wife, as being Big Bear's younger sister, Miyweyihtakwan (Pleasant One)." Botting, *Chief Smallboy*, 41.

[1249] Wessel, "A History of the Rocky Boy's Indian Reservation," 26–27.

agricultural land to give to alien Indians."[1250] Shortly after the CIA, the SOI, and President Taft received their telegram, the SOI restored to the public domain and opened to non-Indian settlement lands that had been tentatively withdrawn for the Rocky Boy band.[1251] Subsequent suggestions included granting the group a portion of the Fort Assiniboine military reserve which, in a move symbolic of the shifting means of conquest, was abandoned as a military reserve and opened to homesteading after the turn of the century.[1252] These proposals inspired equally ferocious efforts to prevent the allocation of the countryside to the borderlands band. Havre residents may have dubiously distinguished themselves as the most viciously opposed to the idea. There, in 1913, the city council passed a resolution declaring anyone who supported Rocky Boy "an enemy of the community of Havre."[1253]

Indigenous people in between colonial categories found that other attempts to secure parcels outside of reservation boundaries failed in turn. Due to space constraints on Indian reservations, among other reasons, the Interior Department established a process whereby Indians who were unable to secure Dawes Act allotments within reservation boundaries might procure them from the so-called public domain. But Indian department officials had to approve these applications, which therefore hinged on their estimation of applicants' legitimate Indianness. This situation spelled disaster for mixed indigenous communities like one in the Helena, Montana, land district. When fifty-two métis families applied for allotments there in 1900, the BIA official who reviewed the applications recommended every single one for rejection. Special Allotting Agent Keepers explained that "with the exception of a few cases the applicants or beneficiaries named in the applications were Indian women married to white men and their half-blood children, and that they were not therefore entitled to allotments under the rulings and decisions of the Department . . . in a number of instances the women and children were enrolled at the Blackfeet Agency, and are drawing annuities as Indians of that agency, although living on the public domain with their white husbands and fathers." This information, in all likelihood, made its way back to Blackfeet officials for use in purging people from reservation rolls.[1254]

By all indications, many mixed indigenous people of the borderlands shared the fate of those in the Helena land district. In North Dakota, for instance, government policy explicitly encouraged people associated with the Turtle Mountain community to take up homesteads and allotments on the public domain to supplement their inadequate reservation. Officials tracked their repeated attempts to do so, and found that most who tried to make homes on the public domain ultimately did not receive title to the parcels they inhabited.[1255] The reasons for this

---

[1250] "Strong Protest is Sent," *The Great Falls Leader*, October 26, 1909, transcribed in Gray, "History of The Cree Indians," 56–57.
[1251] "Rocky Boy and His Band," *The Great Falls Tribune*, November 3, 1909, transcribed in Ibid., 57–59.
[1252] *An Act Authorizing the Secretary of the Interior to survey the lands of the abandoned Fort Assinniboine Military Reserve and open the same settlement*, February 11, 1915, 63rd Cong., 3rd Sess. Ch. 25.
[1253] Wessel, "A History of the Rocky Boy's Indian Reservation," 26, 44.; Hauke to Little Bear, June 2, 1914, *Geneva Stump Fonds*, Glenbow; three letters from Moe to W. P. Schwab all dated June 10, 1910, Box 149, Turtle Mountain, Enrollment, 1907-1909, RG 75, NARA CPR; *Glasgow Valley Courier*, "Thousands of Acres Taken from Settlers," July 1, 1910; "Fertile Lands . . .for Red Brother," *Havre Plain Dealer*, June 10, 1911; M. W. Hutchinson to Rebecca Turcotte, January 30, 1912, Ft. Belknap Agency, Letters Received 1908-1920, Box 12, RG 75, NARA RMR; notification to "show cause why the application [for Indian Allotment] should not be cancelled" *Indian Allotment Applications for Lands Outside of any Indian Reservation* August 8, 1912, Ft. Belknap Agency, Letters Received 1908-1920, Box 12, RG 75, NARA RMR; Indian Commissioner to Indian Agent, December 15, 1908, File 142 pt. G, vol. 3573, LAC; Reprinting phrasing from the *Havre Independent* and the *Chinook Opinion* Gray, "History of The Cree Indians," 227; *Searchlight*, (Culbertson, Mont.,) October 23, 1908.
[1254] ARCIA 1900, 56. Reports from the Blackfeet Reservation that same year document the prevalence of métissage among the children attending the agency boarding school, and of a parallel inclination to question mixed indigenes' status and rights. Of 130 pupils enrolled for the year ending in June 1900, the agent asserted that "54 have either white fathers or mothers, and the parent who represents the Indian side is frequently found to have a trace only of Indian blood, while in both parents of 19 of these children enrolled, the Indian may be fairly said to exceed but little the white extraction." ARCIA 1900, 266.
[1255] ARCIA 1905, 281-282. Superintendent Charles Davis' Annual Report stated that the Turtle Mountain people "scattered from place to place to enable them better to make livings for themselves and families. In many instances heads of families took citizen or Indian homesteads on the

varied, but among them was the fact that only those granted legal Indian status were eligible for Indian Homesteads. By the same token, being racially indigenous in the eyes of the government authorities, and therefore presumably ineligible for citizenship, led to denial of homesteading applications made under the regular Homestead Act. Sarah Carter's book on women homesteaders in Montana includes only one indigenous person—Emma Minesinger Magee. When asked why this was, Carter said that she simply couldn't find any other indigenous women who secured homesteads under the 1862 Homestead Act.[1256]

As on reservation spaces, the danger to indigenous people outside of reserve boundaries wasn't limited to displacement or expulsion. Those who objected to indigenes' presence marshalled a host of tactics to their cause. Non-Indians accused groups like the aforementioned borderlands "Kootenai" band on the Tobacco Plains of an array of offenses. Officials bemoaned that the band—which included "a few Flatheads or Pen d'Oreille from the Flathead Reservation [and] wandering Nez Perces"— "belong[ed] to no reservation and ha[d] no chief resident with them." They were "entirely vagabond in their habits" and "their number is constantly varying, as some of them often go up into the Tobacco Plains country, to Sand Point in Idaho, or down to the Flathead Reservation to visit other bands of Indians." Non-Indian "settlers," for their part "complain strongly of their depredations, such as taking down fences, stealing vegetables from gardens." In response, both the U.S. Army and the NWMP sent officers among them. The Dominion agents made clear that the situation could escalate, maintaining that they proposed to see "whether they will go on their reservation peaceably or not."[1257] East of the Rockies, out on the Plains, off-reservation indigenes faced ubiquitous accusations of cattle rustling and sundry other crimes.[1258] Terrible violence could attend such criminal charges. In one of the era's more horrific incidents, on a fall day on the shores of Holland Lake a Montana state game warden and a civilian he deputized gunned down three indigenous men and a thirteen year old boy in front of their families. The unprovoked attack came on the heels of several warnings from the game warden that the people had to leave their hunting camp, which was outside of reservation boundaries.[1259]

Varied regulations criminalized the presence of indigenous people outside of reservation boundaries, and non-Indian people punished them for an array of alleged acts. In many cases,

---

public domain, and a few of the women and children also made similar entries, or took allotments on the public domain. In vastly more other cases the family would settle on land, but in deference to the advice of the headmen, who claimed that the land was theirs . . . and that the Government had no right to open it to settlement or require of them to make entry to procure title, no application for entry would be made. These tracts soon became valuable and were coveted by whites, who filed thereon . . . the Indian would then move on and settle again. In this way I have traced individual families for several hundred miles, moving from place to place, always declining to make entry for himself until the treaty was ratified and the rights of the other members of the family were recognized, so lands for all could be taken together." As noted above, the counsel of tribal leadership was not the only cause of the Turtle Mountain people's lack of success in securing public lands parcels. Success at securing such parcels varied according to many factors, not the least of which was sex. Sources suggest that Turtle Mountain women had less success than men in acquiring homesteads and public lands allotments. As we saw in Helena, allotment applicants were rejected because they were ostensibly "Indian women married to white men." Likewise, women (and their children) lost their right to tribal membership, and therefore to Indian homesteads and allotments, by virtue of being married to "white men." Interestingly, the provision in the McCumber agreement that allowed for members to receive allotments outside of the Turtle Mountains disassociated membership and geography. It did so only after the commission used physical absence from the American portion of the Turtle Mountains as a reason to purge people. ARCIA 1883, XLVIII-XLIX; ARCIA 1885, LIII, 28-29; ARCIA 1886, 60; ARCIA 888, 40; ARCIA 1889, 145; ARCIA 1891, 319-320; Hagen et al., "Frederick A. and Sophia Bagg Bonanza Farm National Historical Landmark Nomination," 28–35.

[1256] Question and Answer session with Sarah Carter after her keynote address at the 2012 MHS Conference, Helena, MT. The author assisted Carter with research on Emma Minesinger Megee for her book.

[1257] Thos. H. Rugar to The Assistant Adjutant General, U. S. Army, St. Paul, Minn., July 25, 1887, File 502, vol. 1083, RG 18, LAC. Reports noted that the Tobacco Plains group had been meeting with Stoney Indians from east of the mountains in Canada.

[1258] Cf. Stuart, "Forty Years on the Frontier;" Superintendent General of Indian Affairs to The Honorable the Privy Council of Canada, January 26, 1887, File 36563, vol. 3774, RG 10, LAC.

[1259] This 1908 incident became known as the Swan Valley Massacre. The victims, "Pend d'Oreille" people who lived on the Flathead reservation, believed, correctly, that the 1855 Treaty with the Flatheads gave them legal rights to hunt in the area, but they had also purchased state hunting licenses—and carried written permission from the Flathead Agent—just to be on the safe side. See Kappler, *Indian Affairs*, 1904, II:722–725.

they found their very bodies criminalized. As noted, prominent among the charges leveled at métis groups was the claim that they and their livestock were ridden with disease. Authorities could use this allegation to incarcerate them in quarantine camps. And once in such camps, they were at the mercy of their captors, the more vicious of whom showed a creative capacity for all sorts of violence. Unsurprisingly, officials in Havre, Montana, excelled in this regard. In 1904, after quarantining for 40 days some 150 "Cree Indians" who, the local newspaper held, had "infested [that] section of the state for years," the town burned all of their clothing in the name of public health. Town authorities reportedly then "made up their minds that if they get nothing for the money expended" in their quarantine work "at least they [would] rid themselves of the Indians and make them return to Canada, where they belong." With the assistance of C. M. Webster, Collector of Customs of Montana and Idaho, Havre authorities hatched an economic blackmail plan to accomplish their goal. Webster et al. proposed to seize their entire herd of horses —some 500 head, which constituted the impoverished group's primary asset—for alleged non-payment of customs duties if they failed to leave. "Go at once" to Canada, they instructed, or their "horses will be ceased [sic] and held by the U.S. government and [they] will be left totally bankrupt." The town's plan, "promise[d] to solve the problem and rid the thieving pest-breeding Crees for once and all." The "Crees" would move north, and thereby rid Montana of "one of the greatest nuisances which [it] has been called upon to endure."[1260]

Borderlands indigenes' statelessness flowed from categories of tribe, band, race and place, each of which could convey legal status within the nation-state. The nation-state became, then, the ultimate landscape of statelessness, the geography that defined the most dramatic instances of physical displacement. Both Canada and the United States pushed mixed, mobile indigenous people across the international border, out of their respective national spheres. But the most spectacular episodes of persecution centered around the basic right to occupy American-claimed space. American authorities at times responded ferociously to the alleged national trespass by métis people, subjecting them to life-threatening physical violence and mass "deportation."

As with other geographies of displacement, expelling people from national territories was not an entirely new phenomenon in the late nineteenth century, but it gained traction after 1885. In the wake of the violence that year, Canada, too, started to view exile as a possible solution to its troubles with métis populations. The NWMP set about ridding Saskatchewan of "of migratory and troublesome Indians." Regional newspapers reported that "half-Breeds and Indians were given 'free passes'—and ordered out of the country." These orders helped inspire "a general migration into the State of Montana, of Indians from Canada" in 1886 and 1887.[1261] After the U.S. Sioux Act of 1889, the Canadian government offered "travel assistance to Lakota Sioux" in Canada who wanted to move to the U.S., and "a number of Lakota Sioux in Canada went to reservations in the United States and made land claims."[1262] Other "Lakota Sioux"

[1260] Gray, "History of The Cree Indians," 225–226. Reprinting phrasing from the *Havre Independent* and the *Chinook Opinion.*

[1261] *Gildford Tribune*, May 8, 1924, a retrospective article transcribed in Ibid., 158, 160–161. "The 'free passes' were documents identifying the holder that he was not a treaty Indian, and that he had not participated in the Rebellion. No food or traveling necessities were given to the Indians that were ordered to go."

[1262] Papandrea, *They Never Surrendered*, 18, 20, appendix L–1. It is unclear how many, if any, of these "claims" succeeded. Papandrea notes that "some" of these same people "returned to Canada," and describes how, "during the days prior to April 26, 1889, eleven lodges (44 people) of Lakota Sioux left Moose Jaw for the United States. . . The families of Okute Sica (3 people) and Big Joe Ferguson (2 people) returned to Canada in the fall of 1889." At least some Sioux who traveled with this group to the U.S. did succeed in enrolling on U.S. reservations. Black Moon/Loves War, for instance, and six of his relatives were enrolled at Cheyenne River Agency in 1890. See Perian O Plamer, Agent to Thomas Aspdin, August 5, 1891 reprinted in Papandrea's appendix L-1. In his text, Papandrea says others were enrolled at the Standing Rock reservation in July, 1889.

traveled to United States in the decades that followed, and some of them may have enrolled at Standing Rock and Cheyenne River.[1263]

At the same time, the Dominion took steps to keep métis individuals who had gone to the United States—like "Nault" and "Dumas"—from coming back into Canadian territory.[1264] Canadian troops "sent into the country" on the Plains were made to understand that their primary duty was "to watch the frontier." In the meantime authorities debated more broadly whether to allow "halfbreeds" then in the United States to cross the international border into Canada. Prime Minister Macdonald preferred to exclude métis people "who have no lands"—these would have to "seek their fortunes in the United States." [1265]

Their fortunes in the United States were less than rosy. To the south, prospects for indigenous people in between were even bleaker. In December of 1885, the First Cavalry of the U.S. Army rounded up "137 Cree Indians" and took them to Fort Assiniboine to be removed to Canada, and their actions were but the first salvo in what became a decades-long campaign to expel stateless indigenes from United States territory. When they arrived at the fort, the soldiers found orders wired from Washington instructing them to release the prisoners.[1266] But once free of military escort, they risked running into vigilante mobs like that promoted by Fort Benton's *River Press*, which in March, 1886 urged residents to meet "Blood Indians," at the international border and there use force to turn them back.[1267] The following month, the agent at Fort Belknap reported that some 100 "Crees" were "upon [him] again." The "terribly poor" group had come from Fort Assiniboine, where they had been "ordered away" for the second time in several months after having been brought to the fort as prisoners of troops out of Fort Maginnis. Fort Maginnis soldiers had arrested them while they were en route to the Crow Reservation after having been ordered away from Fort Assiniboine the first time. W. L. Lincoln, the Belknap agent, "tried every way to induce them to go back across the line"—and refused to feed them even though they were "on the verge of starvation"—but stopped short of physical force.[1268]

Lincoln's restraint soon gave way to more heavy handed methods. In June 1887, Wahpeton, North Dakota, newspapers reported that "a band of 113 Canadian Cree refugees" had recently been "escorted back across the line."[1269] That fall, "United States authorities" "put across [the] border south of Maple Creek" "one hundred and eighty Indians" they considered Canadian "renegades."[1270] This forced mass expulsion—some contemporaries called it deportation, a term which suggests foreignness—signaled a mounting assault. As the 1880s drew to a close, newspapers around the state increasingly called for the expulsion of "Canadian" Indians. In this they were joined by many individuals, like the Butte-area rancher and attorney, Thomas O. Miles, himself an immigrant from New Brunswick, Canada. In 1892, Miles undertook a vigorous campaign for the "permanent removal" to Canada of "Cree Indian . . . pests," writing to newspapers and state officials, and meeting personally with the U.S. Attorney

---

[1263] Ibid., 26. Ron Papandrea reports, ambiguously, that they "ended up" on these reservations.
[1264] J. A. MacDonald to Dewdney, March 12, 1886, *Edgar Dewdney Fonds*, Glenbow, 610.
[1265] J. A. MacDonald to Dewdney, February 19, 1886, *Edgar Dewdney Fonds*, Glenbow, 601-602; See also Dewdney to MacDonald, July 16, 1886, *Edgar Dewdney Fonds*, 617. Dewdney wrote "the question is whether it would be as well to let them go there [to U.S. Turtle Mountain Reservation] if they can get land or allow them to return & settle on their own land on the Saskatchewan . . . there are a good many who have no land these it would be well to get rid of if their settling at Turtle Mountain would not be the means of enabling a dangerous front for a demonstration against the country if opportunity appears."
[1266] Dusenberry, "The Rocky Boy Indians," 2–3; *Refugee Canadian Cree Indians Removal from the State of Montana, Report to Accompany H. R. 8293*, 54th Cong., 1st sess., 1896. S. Rept. 821; Hogue, "Disputing the Medicine Line"; Hardeman, "Brick Strong Hold of the Border."
[1267] *Fort Benton River Press*, November 3, 1886, transcribed in Gray, "History of The Cree Indians," 100-101.
[1268] W. L. Lincoln to CIA, Fort Belknap, April 12, 1886, *Geneva Stump Fonds*, Glenbow.
[1269] "Local News," *The Wahpeton Times*, June 30, 1887.
[1270] Regina to Vankoughnet, October 9, 1887, File 44,833, vol. 3791, RG 10, LAC; Regina to Thos White, October 12, 1887, File 44,833, vol. 3791, RG 10, LAC.

for the District of Montana and with Montana's U.S. Senator T.C. Power.[1271] The demands of Miles and others among the recently arrived non-Indian population met with success four years later, when Congress appropriated $5,000 to "deport from the State of Montana and deliver at the international boundary line to the Canadian authorities, all refugee Cree Indians in said State."[1272] A messy "deportation" process followed. Many would-be deportees thwarted the efforts of colonial authorities by varied and creative means. For their part, lawmakers and enforcers rarely agreed on the number and location of the people who should be deported. Many of the "Canadian Cree" imprisoned by the military claimed to be American and/or of the Chippewa, Assiniboine, Gros Ventre and other tribes. At least two prisoners committed suicide. But in the summer of 1896, the U.S. Army delivered five groups of "Cree" totaling 523 people, to the northern border.[1273] Canada simultaneously took steps to rid itself of remaining "Sioux."[1274]

The 1896 deportation events proved to be the most high-profile of the many instances of the U.S. government persecuting borderlands indigenes on the basis of supposed Canadian status. They were not the last. Local, state, and federal entities continued to pressure métis people into removing to Canada through the mid twentieth century. For at least fifty years after the 1896 deportation debacle, other, less widespread and well-orchestrated, expulsion efforts plagued them. Writing in 1942, Métis attorney Raymond Gray claimed that his people "dread[ed] the menace of deportation more than any evil that can befall the victims of exploitation." This menace lurked even as Gray wrote: in February of that year, "Cree Indians" George Red Thunder and Charles Kennedy had been "deported" from Montana to Canada.[1275]

In places where multiple borders converged, mixed, mobile indigenes found themselves repeatedly pushed from one place to another. Recall the "irregular band" camped on Boundary Creek in Canada, the band Canadian officials expelled on grounds that they were American "Chippewas." The same band that had, shortly before, been living in Montana, from where they were driven amidst cries that they were "Canadian Crees." The story of the Boundary Creek band compels us to consider how layered statelessness translated into spacelessness. National and racial borders are the subject of a growing literature, but to see the full effect of these layered borders on people in between one has to integrate these histories since it is being left out of *all* of them and subject to *all* these displacements that defined their existence and reveals the hidden consequences of colonialism. When we look at multiple spaces and their many borders, we see not only a previously invisible stateless population, but also corollary material implications. Both of these should shape how we understand the history of statelessness in North America.

Excavating the Plains landscape of indigenous statelessness also suggests how we might recontour the terrain of Native American history. That terrain has long been sculpted by notions of time and place at odds with the story of the people in between. Indian historiography covering the period after the advent of reservations and reserves tends to focus on reservations and reserves, and on the groups officially associated with them. This focus implies that, in this, the "reservation-era," indigenous people were reservation-bound. Such a state of affairs is presumed to have endured until after World War II, when termination policies pushed Indians off rural

[1271] Biographical Note, Small Collection 475, *Thomas O. Miles Papers, 1892-1908*, MHS; Gray, "History of The Cree Indians," 16–17, 147–155.
[1272] *Refugee Canadian Cree Indians Removal from the State of Montana*, *Report to Accompany H. R. 8293*, 54th Cong., 1st sess., 1896. S. Rept. 821; Gray, "History of The Cree Indians," 34.
[1273] ARDIA 1896, 23, 342-343; Gray, "History of The Cree Indians," 47; *Choteau Acantha*, October 5, 1905, transcribed on "Métis Ridge Teton County Montana."
[1274] *Memorandum, for the information of SGIA*, March 5, 1986, File 84, 138 pt. 1, vol. 3863, RG 10; R. Burton Deane to Commissioner of the NWMP, June 30, 1896, File 69, vol. 129, RG 18, LAC; ARDIA 1896, 344.
[1275] Gray, "History of The Cree Indians," 22.

reservations and into urban areas. But on the Northern Plains, boundaries of race, nation, tribe, band and place were never so easy, nor so effective.[1276] Canada and the United States labored mightily to realize colonial maps. Ultimately, by refusing to ascribe Métis people a stable and secure national, tribal, or racial status, authorities perpetuated the very mixture and mobility they sought to minimize. Lacking recognized occupancy rights to any single place, borderlands indigenes had to make due by moving between many.

[1276] We should also consider how this story might affect our impressions of Indian policy. In breaking up communal holdings and interspersing individualized Indian and white lands to develop indigenous citizenship qualifications, allotment supposedly promoted integration. But allotment-driven tribal rolls, and attendant changes in the configuration of the land, in fact enabled a far more intensive segregation and boundary enforcement.

Chapter 9
Enduring Indigenous Geographies: Imagined Communities

In North American Indian history the advent of reservations is commonly seen as marking a new period, as being a break that defines a distinct before and after. An implicit relegation of Indians to reservations has attended this periodization, as has a conclusion that colonial social and spatial boundaries were uncontested. The idea that boundary-making went unopposed contributes to sweeping suggestions about indigenous political activity during the "reservation era": the late nineteenth and early twentieth centuries are often understood as a "silent period"—or "the Deadening Years"—in which Indians did little but stay on reserved lands and struggle to survive in the face of devastation and ongoing assault on their communities in the name of assimilation. On the Northern Plains borderlands the tendency to see a "silent period" is bolstered by academic conclusions about the concurrent "closing" of the international border. It is also undergirded by historians' and contemporaries treatment of métis people in the wake of 1885.[1277] Across the borderlands, the continual, ubiquitous physical expulsion of mixed, mobile indigenes, and the discursive displacement that underwrote it, obscured the duration, variety, and geographic extent of their claims to territory. By recasting many borderlands indigenous people as outsiders, and treating them as such, contemporaries erased the fact that such people remained in their own ancestral homeland, and obscured the fact that they continued to campaign for status as the rightful inhabitants of places throughout the region. For too long, historians followed suit, neglecting enduring indigenous movement, mixture and political activity. In overlooking borderlands indigenes' persistent pursuit of rights, we create indigenous silence more than we narrate it: as this chapter will show, Métis people doggedly contested their statelessness and spacelessness for decades after their famous 1885 military defeat.

This fact is under-recognized. Like other Northern Plains indigenes, the Métis, we might conclude, had their own silent period in the 40 to 50 years between the NW Conflict and the Great Depression. Although there have been repeated calls to expand Métis history beyond the confines of ethnogenesis and 1885, it remains difficult to find any discussion of the results of the "rebellion," much less of politics in the decades thereafter. Much as it does from the efforts that preceded it, the organized armed conflict of 1885 remains decontextualized from organizing and other political activities that followed it.[1278] In Canadian histories of the region and/or of indigenous groups, these subjects are generally minimal or non-existent.[1279] Historian Lawrence Barkwell called attention to this fact when he noted that "the development of Métis political activism after the 1885 Diaspora and up until the early 1960s remains a neglected period in Métis studies." At the same time he illustrated the enduring power of this neglect: not only did Barkwell capitalize "diaspora," as though the 1885 migration marked a decisive break from past practices that dissipated potential for political organizing, he also explained the absence of Métis political activism in written history as stemming from its actual absence after 1885: "During this time . . . the Métis were marginalized or assimilated, and many hid their Métis identity in order to escape racism. For these reasons Métis leaders had great difficulty in organizing and

[1277] See, for instance the discussion in my introduction of Beth Ladow's and Sheila McManus' work on this point. The impression that, with regard to indigenous people, the border was effectively closed is reinforced by the absence of Indians in immigration/migration history in this period.
[1278] As before, this decontextualization is social, spatial and temporal.
[1279] Gerald Friesen discusses post-1885 Métis political activity briefly. Friesen, *The Canadian Prairies*, 235–236. Other authors include no mention of it at all. Cf. Carter, *Aboriginal Peoples and Colonizers of Western Canada to 1900*.

politicizing Métis communities. The pre-war and post-war generation [ie. not until the 1930s-40s] developed new strategies to alleviate the dire social conditions of Métis people."[1280]

Scholars who do attend to the results of the 1885 "rebellion" almost invariably arrive at the same conclusions. George Stanley suggests that 1885 essentially ended Métis politics, and Murray Dobbin, although writing from a more sympathetic position, agrees. Métis activism, he tells us, died after 1885. It wouldn't be revived until "Métis patriots" Jim Brady and Malcolm Norris resuscitated it in the 1930s.[1281] More detailed exploration of the aftermath of 1885 is mostly limited to the realm of biography. There is, of course, the unsurprising attention to Louis Riel and his execution, which came quickly on the heels of the conflict itself. Gabriel Dumont's post-1885 existence has also garnered some academic attention, but scholars' conclusions here have echoed the silence supposed to characterize other indigenes in this period: Dumont, we are told, limited his noteworthy post-1885 activity, political or otherwise, to performing briefly in Buffalo Bill Cody's Wild West show before dictating his memories in Quebec and then retiring to his homestead in Batoche, where he "live[ed] quietly until his death in 1906."[1282]

Imagined Communities: *La Nation Métisse* Fights On

In light of these historiographic traditions, it is somewhat ironic that Gabriel Dumont's activities offer one of the best examples of ongoing métis political activity in the late nineteenth century. Dumont's actions demonstrate that when we look between the spatial, temporal, and conceptual borders that shape academic inquiry, and reconstruct the range of indigenous political activity over space and time, it becomes obvious that the NW Conflict of 1885 was but one episode in a long series of diverse efforts by stateless indigenes to attain state status.[1283] In an ongoing, region-wide campaign, borderlands indigenes tenaciously contested their statelessness and pursued rights by varied means. They sought status through all of the categories that linked people to the state. In Canada and the United States, collectively and individually, people pressed for status in recognized Indian and "Half-breed" groups. They simultaneously sought recognition as new indigenous groups entitled to their own lands and compensation, sometimes requesting status as a band of a particular Indian tribe and other times as explicitly mixed indigenous communities. Some people pursued naturalization, seeking citizenship as foreign immigrants. Others simply acted as citizens and filed for homesteads on the Canadian and American public domains. Alternatively, many individuals applied for Indian homesteads, claiming land by virtue of their affiliation with recognized Indian groups or just because of their indigenous ancestry. As in earlier negotiations, after the NW Conflict stateless borderlands groups continued to make claims on the basis of aboriginal right, a right that included not only resource rights but the right to define one's own homeland and community, the right to

[1280] Barkwell, Dorion, and Préfontaine, *Métis Legacy*, 32.
[1281] Stanley, *The Birth of Western Canada*; Murray Dobbin, *The One-and-a-Half Men: The Story of Jim Brady and Malcolm Norris, Métis Patriots of the Twentieth Century* (Vancouver: New Star, 1981). See also Duke Redbird, *We Are Métis: A Métis View of the Development of a Native Canadian People* (Ontario: Ontario Métis & Non Status Indian Association, 1980), 53–56. Some authors, like Stanley, offer a limited discussion of how 1885 affected Canada generally. A common focus in this vein is the implications the conflict had for the divide between Canadians of French and English descent.
[1282] Dobbin, *The One-and-a-Half Men*. On a related note, on Dec. 7, 1900 the *Bismarck Weekly Tribune* claimed Dumont was living near Olga, Cavalier County, ND, in the "Pembina Mountains." M. H. Jewell, "A Noted Character," *Bismarck Weekly Tribune*, December 7, 1900.
[1283] This is, admittedly, a vague categorization of the aim of the Riel Rebellion, the specifics of which have been much discussed—and much compared to the Red River Rebellion—by other authors. But my aim here is to place these two famous uprisings into a broader historical context, not to deny the specificity of their histories. We need to broaden their context both quantitatively (in terms of time) and qualitatively (in terms of the methods and goals of borderlands indigenes responses to the invasion of their homeland by the Canadian and U.S. empires).

recognition of a broad geographic and demographic legitimacy. State authorities, for their part, usually viewed such claims as requests for government-granted privileges.

The events of 1885 are now understood as a watershed, but at the time it wasn't clear that the NW Conflict marked a sea change in the region's history. Even as the famous conflict unfolded, the mixed, mobile people of the borderlands used a range of tactics to secure rights and resources. Individual situations differed, as did opinions on how to proceed, and collective armed resistance appealed only to some.[1284] The Canadian officials and informants who spied on borderlands communities tried to discern people's opinions about the battles on the Saskatchewan. Sometimes they reported widespread support for the conflict. On his October 1885 spying mission—on which he visited northern Montana communities around Fort Assiniboine and Fort Belknap— NWMP Sergeant D. Paterson found "it was very difficult to get any information, as sympathy appeared to be with the Halfbreeds and Indians" –"almost every person over there was opposed to us."[1285] But they also called attention to divisions within borderlands groups, not least because some of the people doing the reporting were affiliated with targeted communities. As NWMP officer McDonnell assured his superiors in an 1885 report that corroborated, and betrayed, his own opinions on the matter, the "Breeds at Wood Mountain," or at least "the more intelligent of them," "admit Riel was wrong in resorting to arms." But "at the same time," McDonnell averred, they "maintain he had right on his side."[1286]

Officer McDonnell meant to demonstrate a lack of support for Riel's actions, but read a different way the comments by the "Breeds at Wood Mountain" alert us to the range of strategies used by borderlands indigenes. Those who McDonnell interviewed—or at least those whose comments he relayed to his superiors—told him what he wanted to hear—that "Riel was wrong." But they also tried to save Riel from the noose. By assuring McDonnell that "should Riel be executed, it would create a feeling among them that would drive all that could leave, out of the country + tend to draw them into a closer connection with the Indians," they planted the seeds of a threat that the officer, and those he reported to, would have to consider when deciding Riel's fate.[1287] Such innuendos stood at one end of the spectrum of weapons used by borderlands groups and attested as well to the endurance of tactics at the other end: as mixed, mobile indigenous communities carried on large-scale organizing after the battles in the Northwest, it seemed like more collective violence could come.[1288]

Broadly speaking, in the wake of the Northwest Conflict, borderlands community leaders continued to campaign around the "the rights for which [they] had long petitioned."[1289] They also added Canada's recent actions—especially the execution of Louis Riel—to their list of grievances, and demanded amnesty from criminal persecution for participation in battles and indemnity for losses suffered "during and after [the] outbreak."[1290] For years afterward, Gabriel Dumont traveled across the region and the continent, organizing his compatriots and

[1284] Indeed, unsurprisingly, some "Métis" worked for Canada even during the military conflict of 1885. Such individuals offer a telling example of the different aims and means of borderlands indigenes in 1885. Papandrea, *They Never Surrendered*, 11.
[1285] Patterson to McIlree, Maple Creek, October 3, 1885, File 3396, vol. 1024, RG 18, LAC; McIlree to Lieut. Col. Irvine, Maple Creek, October 6, 1885, File 3396, vol. 1024, RG 18, LAC; Paterson to McIllree; October 6, 1885, Maple Creek, File 3396, vol. 1024, RG 18, LAC.
[1286] Thos. White to Sir John A. MacDonald, September 23, 1885, Reel c-1693, File P. 135439-135442, John *Alexander Correspondence*, LAC.
[1287] Thos. White to Sir John A. MacDonald, September 23, 1885, Reel c-1693, File P. 135439-135442, *John Alexander Correspondence*, LAC; Fred White, Comptroller, NWMP, to Commissioner, NWMP, November 7, 1885, File 3396, vol. 1024, RG 18, LAC.
[1288] John W. Cramsie to CIA North West Territories, Fort Totten, D.T., March 6, 1886, File 1350, vol. 3597, RG 10, LAC.
[1289] Gabriel Dumont, *"To Our Friends the Halfbred and Indians of the North West of Canada,"* February 10, 1888, *Gabriel Dumont Papers Letters, 1886*, SC 1367, folder 1/1, MHS.
[1290] Gabriel Dumont to Maxime Lepine, February 10, 1888, found in "Finding Aide for Edgar Dewdney Fonds," *Edgar Dewdney Fonds*, Glenbow, 46.

supporters.[1291] In the late 1880s, he spent much of his time moving "along the borders of Dakota and Montana," visiting such locales as Lewistown and the Judith Basin, Depuyer and "the Piegan Agency," Fort Benton, Helena and settlements around Pembina and the Turtle Mountains. As he moved he actively corresponded with people in those communities, and with affiliates in "the North West + Manitoba."[1292] In addition to organizing at a regional level, Dumont reached out to potential allies of national stature, meeting personally with Canadian religious and political leaders like Father Lacombe, Bishop Grandin, and Cardinal Teschereau, the Archbishop of Quebec; as well as with members of parliament like Raymond Prefontaine and other powerful politicians, like Honore Mercier, Quebec's Premier.[1293] His networking extended to the northeastern seaboard of the United States, where "New Jersey's French-speaking communities . . . invited him to give conferences." There he met Edmond Riboulet, "a New York businessman," who became an important ally.[1294] Dumont targeted as well the American and Canadian populace, "giving lectures" in varied venues "in order to obtain justice from the government." He was especially active in Quebec, where his "conferences . . . were very popular in the province's main cities."[1295] Dumont planned to supplement meetings and lectures in North America with work in France and other European countries, and in the meantime made his case to audiences across the globe by enjoining journalists—like George Demanche, editor-in-chief of the *Revue Francaise* in Paris—and other influential figures to publicize the plight of his people.[1296]

Assorted community leaders worked alongside Dumont in these ambitious endeavors. When Dumont travelled to Lewistown—with Ed and John Dumont and their families, among others— there was "some plotting going on" while he lived first with "his brother-in-law David Wilkie" and then with "Halfbreed" "Pierre Berger." Groups of "Cree Indians" led by "Big Bears Son and . . . Little Crow" arrived in the Judith Basin to meet with him, and he planned with Michel Dumas to solicit aide from sympathizers in Chicago. One of the "Lingley Bros. of

---

[1291] In some senses, Dumont carried on his campaign for 20 years, resting only upon his death in 1906. "Weeks before his death" he attended a mixed gathering at St. Paul des Métis in Alberta at which "Indian and Métis gathered for miles around to meet and talk with the grand old hero." Dobbin, *The One-and-a-Half Men*, 42. He also dictated some of his memoirs near the end of his life. His indefatigable efforts to organize indigenous communities throughout the region are suggested even in the lore surrounding his death: some rumors hold he died on the Flathead Reservation, which does not normally figure into narratives about Métis political struggles. See Harry Stanford, "Harry P. Stanford Reminiscence: Louis Riel," 1, Harry P. Stanford, SC 775, MHS. Professor Denis Combet writes that "from 1887 to 1892, Gabriel Dumont travelled through North America, in order to make the general population aware of the Métis' harsh living conditions." Denis Combet, "Gabriel Dumont, the Last of Great Métis Leaders," *Encyclopédie Du Patrimoine Culturel De L'amérique Française – Histoire, Culture, Religion, Héritage*, http://www.ameriquefrancaise.org.

[1292] McIllree to Irvine, Maple Creek, September 9, 1885, File 3396, vol. 1024, RG 18, LAC; Hayter Reed to Dewdney, September 6, 1885, *Edgar Dewdney Fond*, Glenbow, 1245-1249; Pichette to Baker, Lewiston, February 1, 1886, *Edgar Dewdney Fond*, Glenbow, 1274-1279; D. T. Thompson to the Commissioner of the NWMP, Regina, May 5, 1886, File 3396, vol. 1024, RG 18, LAC; W. G. Conrad to F. White, Fort Benton, M.T., May 26, 1886, File 26088, vol. 19, RG 18, LAC; statement appended to *"Yellow Calf's Statement of the [Movements] of the Half breeds and Indians at and About the Turtle Mountain United States*, December 22, 1886, File 35676, vol. 3773, RG 10, LAC; Chapleau to John A. Macdonald, "confidential," Ottawa, July 2, 1887, *John Alexander MacDonald Correspondence*, Reel C-1525, LAC, 44757-44723; C. E. Conrad to Fred White, Fort Benton , M.T., July 19, 1887, File 26088, vol. 19, RG 18, LAC; Bossange to the Commander of the NWMP, Fort Assiniboine, May 4, 1888, File 431-1888, vol. 1124, RG 18, LAC.

[1293] Other members of Parliament with whom Dumont worked included Fabien Vanasse and Laurent-Olivier David. Dumont and Riboulet to Maxime Lepine see Gabriel Dumont *"To Our Friends the Halfbred and Indians of the North West of Canada,"* February 10, 1888, *Gabriel Dumont Papers Letters, 1886*, SC 1367, folder 1/1, MHS; Dumont to Prefontaine, November 25, 1887; Prefontaine to Dumont, December 1,1887; Prefontaine to Dumont, December 21, 1887; Dumont to Prefontaine, December 31, 1887; Dumont to Teschereau, November 25, 1887; Dumont and Riboulet to Demanche, December 1, 1887, all found in *Edgar Dewdney Fonds*, Glenbow, 1553-1588; Combet, "Gabriel Dumont, the Last of Great Métis Leaders."

[1294] Gabriel Dumont *"To Our Friends the Halfbred and Indians of the North West of Canada,"* February 10, 1888, *Gabriel Dumont Papers Letters, 1886*, SC 1367, folder 1/1, MHS.

[1295] Dumont to F. Vanasse, February 8, 1888, Gabriel Dumont to Maxime Lepine, February 10, 1888, found in "Finding Aide for Edgar Dewdney Fonds," *Edgar Dewdney Fonds*, Glenbow, 46; Combet, "Gabriel Dumont, the Last of Great Métis Leaders."

[1296] Gabriel Dumont to Maxime Lepine, February 10, 1888, found in "Finding Aide for Edgar Dewdney Fonds," *Edgar Dewdney Fonds*, Glenbow, 46; Dumont and Riboulet to George Demanche, Editor of "La Revue Francaise," December 1, 1887, *Edgar Dewdney Fonds*, Glenbow, 1588-1591.

Benton, very large cattle owners, and very rich"—perhaps the one who was "married to a half breed"—undertook "to raise a sum of money for them by subscription" in support of their effort.[1297] At Turtle Mountain, Dumont collaborated with, another of his wife's brothers, "J.B. Wilkie Jr. . . . a son of J.B. Wilkie . . . late president of the half breeds."[1298] He also worked closely with a Turtle Mountain "breed" named "Jobin," who was described as his "secretary," and corresponded with Maxime Lepine and with William Henry Jackson, "Riel['s] Secretary."[1299] In many of Dumont's "dealing with English speakers" in this period, Napoleon Nault served as his interpreter.[1300] When the Parisian journalist George Demanche traveled through the region in 1886, after publishing several articles on the "French Halfbreed rising" the year before, he missed Dumont himself, but met with Poundmaker, Big Bear, Maxime Lepine, and others who helped to develop the alliance that Dumont cultivated via correspondence.[1301]

Broad-based, multi-faceted organizing continued the next year, in 1887, when métis people founded L'Union Métisse St. Joseph, one of the "first post-Riel Métis organizations."[1302] Meanwhile, in Montana, Little Poplar and others, including "Halfbreeds" like Joseph Breland, actively interfered with Canada's spying efforts and threatened those who collaborated with them.[1303] Other allies with influence in media outlets in places like Helena and Butte published "leading articles" "unfriendly" to Canada and "in favor of the late Riel."[1304] To the east, informants reported that the "Le Verdure Bros., Ouilette, and others . . . made threats [and] stated openly that they intended to have some fun next spring, and would raid settlements about the Turtle Mountains."[1305] Around Pembina, people interrogated and discouraged Canadian agents spying in the area, and warned others of their presence. At the same they publicized the fact that Michel Dumas was in communication with area residents and promised "that he had all the Sioux to join him."[1306]

Back at Turtle Mountain "a half breed of the name Baptiste" was relaying specifics of Dumont's military preparations to people like "As-sah-me-kee-mek [?] a Salteaux," and exhorting them to "tell what he heard to any indian who he thought would not repeat to Indians from across the line who could not keep it to themselves." Other indigenes in the Turtle

---

[1297] James Anderson to Edgar Dewdney, Lewiston Montana, November 29, 1885, *Edgar Dewdney Fonds,* Glenbow, 1524-1525; O. Pichette to I. G. Baker Co, Lewiston, February 1, 1886, *Edgar Dewdney Fonds*, Glenbow, 1274-1279; O. Pichette to I. G. Baker Lewiston, February 3, 1886, *Edgar Dewdney Fonds,* Glenbow, 1280-1281. Little Crow reportedly lived in Lewistown "with the Breeds 3 years" before. Word came from Sun River that Dumont was working with "Charles Trotchair." See *"Yellow Calf's Statement of the [Movements] of the Half breeds and Indians at and About the Turtle Mountain United States*, December 22, 1886, File 35676, vol. 3773, RG 10, LAC.

[1298] [Maciad] to CIA, Regina, December 9, 1886, File 35676, vol. 3773, RG 10, LAC.

[1299] O. Pichette to I. G. Baker Co, Lewiston, February 1, 1886, *Edgar Dewdney Fonds*, Glenbow, 1274-1279; "Finding Aide for Edgar Dewdney Fonds," *Edgar Dewdney Fonds,* Glenbow, 46-48; Bossange to NWMP Commissioner, "Reports: April 22, 1888 to May 28, 1888," *Edgar Dewdney Fonds*, Glenbow, 1337-1355

[1300] Vrooman et al., *The Whole Country Was ... "One Robe,"* 244.

[1301] Demanche to Dumont and Riboulet, December 28, 1887 and Dumont and Riboulet to Demanche, Editor of "La Revue Francaise," December 1, 1887, *Edgar Dewdney Fonds,* Glenbow, 1588-1590, 1591-1593

[1302] Redbird, *We Are Métis,* 56.

[1303] Patterson to McIlree, Maple Creek, October 3, 1885, File 3396, vol. 1024, RG 18, LAC. Little Poplar was "killed by a half-breed" two miles from Fort Assiniboine in August of 1886. At the time of his death the U.S., like Canada, appeared to be paying attention to the activities of borderlands indigenes: his killing was reported in the *New York Times* (which received the news via Toronto), and his skull was supposedly sent to "the national museum in Washington." See "An Indian Chief Killed," *New York Times,* August 13, 1886, and the *Helena Independent,* January 9, 1887; *Fort Benton Daily River Press* of January 29, 1896, both transcribed in Gray, "History of The Cree Indians," 108, 109. William Cameron identified Little Poplar's killer as "a half-breed named Ward," and some sources claimed he killed Little Poplar for the "reward of $2,000 . . .offered for his apprehension, dead or alive." William Bleasdell Cameron, *The War Trail of Big Bear: Being the Story of the Connection of Big Bear and Other Cree Indian Chiefs and Their Followers with the Canadian North-West Rebellion of 1885, the Frog Lake Massacre and Events Leading up to and Following It, and of Two Month's Imprisonment in the Camp of the Hostiles* (Boston: Small, Maynard, 1927), 245.

[1304] James Anderson to Edgar Dewdney, Helena Montana, December 18, 1885, *Edgar Dewdney Fonds*, Glenbow, 1535-1536.

[1305] H. G. Webb to James Anderson, Lewiston, December 8, 1885, *Edgar Dewdney Fonds,* Glenbow, 1528.

[1306] McKay to Dewdney, Pembina Country, January 8, 1886, *Edgar Dewdney Fonds,* Glenbow, 1261-1265. Interrogation and intimidation of informants in the Turtle Mountain area is also evident in Yellow Calf's statement appended to *"Yellow Calf's Statement of the [Movements] of the Half breeds and Indians at and About the Turtle Mountain United States,* December 22, 1886, File 35676, vol. 3773, RG 10, LAC.

Mountain area, like "a party of Indians [who] were going to the Sioux camp anxious to get further [?] news," actively sought information when none reached them.[1307] Michel Dumas, like Dumont, traveled to the Turtle Mountain area from the Judith Basin/Lewistown communities in the course of his organizing.[1308] Allies simultaneously pressing for rights in the Turtle Mountain region included "Chief Wa-Nish," who had been a "Treaty Indian" in Canada and was urging other Indians living north of the line to join him. Among them was O'Soup, who planned to travel to Washington, D.C. to press their case.[1309] Napoleon Nault also busied himself working on the reserve issue, and other initiatives, in the Turtle Mountain region.[1310]

Community members of all sorts carried on the work of leaders at varying levels. As he traveled through the web of indigenous communities south of the international line, Dumont "met with marked sympathy for our cause wherever I passed," and these diffuse allies carried the campaign beyond the limits of his own travels.[1311] People at places like Turtle Mountain contacted associates elsewhere, like at the White Earth Reservation in Minnesota, to solicit assistance and keep them apprised of plans.[1312] Others carried news to Turtle Mountain from "the big Saskatchewan . . . by way of Qu' Appelle + Fort Ellice + down to rock lake," reportedly urging "the breeds to go west + join with the Blood + Blackfeet Indians" as well as "Poundmakers band" so that they could "make a better fight than they did."[1313] At the same time, the agent at Dakota's Devil's Lake wrote to Regina that "an Indian from your section recently visited the Indians at Turtle Mountain with a view to induce them to join them in an anticipated uprising."[1314] In 1887, as they tried to track Dumont's networking, MacDonald's U.S. spies learned that "the Half Breeds of [Turtle Mountain] District were in communication with their friends at Battleford and other points north relative to the movements and plans of Dumont."[1315]

The energy of indigenous organizing efforts kept Canadian authorities well-occupied, and they encountered news of the campaign everywhere they went. In the fall of 1885, "halfbreed Charles Prudeu" promised a storekeeper at Carman, in Manitoba's Pembina Valley, that "without doubt there would be 'big trouble' next spring; last spring there was a rebellion, but next spring there would be a war. Dumont would be there leader; and when their halfbreed nation called, they must all go and fight . . . the Indians, he said, would join them."[1316] Early the following year, reports reached Dewdney that "a great many Fenians along the boundary line" were in conversation with "the halfbreeds and Indians to rise against the Government." His colleague Hayter Reed, meanwhile, heard that U.S. "Indians . . . endeavouring to procure a reserve in the

---

[1307] Yellow Calf's statement appended to *"Yellow Calf's Statement of the [Movements] of the Half breeds and Indians at and About the Turtle Mountain United States,* December 22, 1886, File 35676, vol. 3773, RG 10, LAC.
[1308] O. Pichette to I. G. Baker Co, Lewiston, February 1, 1886, *Edgar Dewdney Fonds,* Glenbow, 1274-1277.
[1309] Edgar Dewdney to John Alexander MacDonald, Regina, February 10, 1886, Reel- C1597, *John Alexander MacDonald Correspondence*, LAC, 90466-90479; O'Soup's travels continued to concern Canadian officials. Cf. Indian Agent to Office of CIA, Regina, May 30, 1887; Indian Agent to The Indian Commissioner, June 1, 1887; [McGuines] to Dewdney, June 26, 1888; [Carreut] to T. [McGuines] staff sargent NWMP Department June 28, 1888, all in File 1350, vol. 3597, RG 10, LAC.
[1310] Dewdney to J.A. MacDonald, March 30, 1886, *Edgar Dewdney Fonds,* Glenbow, 611-612; Nichol to Dewdney, May 7, 1886, "Reports: May 7- May 30, 1886", *Edgar Dewdney Fonds*, Glenbow, 1290-1297.
[1311] Dumont and Riboulet to Lepine, Enclosure Memo from Dumont *"To Our Friends the Halfbred and Indians of the North West of Canada,"* February 10, 1888, (enclosed with letter to Maxime Lepine) *Gabriel Dumont Papers letters, 1886,* SC 1367, folder 1/1, MHS.
[1312] [Maciad] to CIA, Regina, December 9, 1886, File 35676, vol. 3773, RG 10, LAC. Associated activities reached into Idaho and Wyoming. "Cree" people pressed for the right to remain on the Shoshone Reservation, and when soldiers threatened to forcibly remove "Cree" from Montana in 1896, "the Indians began leaving Great Falls . . . some were going to Idaho." Gray, "History of The Cree Indians," 44.
[1313] Nicol to Dewdney, St. John, Rolette Co., D.T., May 11, 1886, Reel C-1597, *John Alexander MacDonald Correspondence*, LAC, 90734-90736;
Nichol to Dewdney, May 7, 1886 and May 24, 1886, "Reports: May 7- May 30, 1886", *Edgar Dewdney Fonds,* Glenbow, 1290-1297.
[1314] John W. Cramsie to CIA, March 6, 1886, File 1350, vol. 3597, RG 10, LAC. Subsequent reports identified a "Touchwood Hills Indian" and an "Indian belonging to Piapot's or Mus-cow-pe-tung's Band" as traveling to Turtle Mountain in this capacity. See Peter Hourie, May, 1886, File 1350, vol. 3597, RG 10, LAC; H. Keith, Indian Agent to CIA, Torchwood Hills, June 4, 1886, File 1350, vol. 3597, RG 10, LAC.
[1315] Chapleau to John A. MacDonald, "confidential," Ottawa, July 2, 1887, Reel C-1525, *John Alexander MacDonald Correspondence,* LAC.
[1316] H. Langevin to Dewdney, Ottawa, October 20, 1885, *Edgar Dewdney Fonds,* Glenbow, 1421-1422.

vicinity of Turtle Mountains are attempting to induce many" of those "settled on [Canadian] Reserves to join their friends across the line." Those rumored to be responding to the summons included "Cree chief" "Front Man and party."[1317] Other informants reported that "some Half Breeds who were engaged in the northern trouble" were expected at the Blood Reserve, "believing from all reports that they would get assistance from the Bloods."[1318] Subsequent reports fingered the "Blackfeet" as initiating potential "trouble." Edgar Dewdney assured the Prime Minister that "if the Blackfeet get troublesome they the Half Breeds would energize them," as he alerted him to "Blackfeet" organizing overtures: "a party has left for Red Deer ostensibly for a hunt, but it was thought to meet Poundmaker."[1319]

Such overtures seemed to be reaching—and succeeding—in all directions. Farther west, across the Rockies, sources suggested that—in the wake of a visit from "25 lodges of Stony Indians, from East of the mountains" during which "a council was held"—"vagabond" "Indians" in the Tobacco Plains vicinity were organizing for violent action, and there were indications that "assistance would probably be given insurgent Indians in British Columbia, by Indians belonging South of the Boundary" in Montana and Idaho.[1320] From Dakota correspondents, in May 1886, Dewdney heard that "there was about 1500 lodges of Indians gathered at a place called Duck Lakes in Montana + 900 at another place that Dumont was amongst them + that they were making preparations for a raid into the Northwest."[1321] Later that year, word came from the White Earth Agency in Minnesota that "about (2000) two thousand men half breeds, Indians and others were in readiness to make [?] trouble on the border" the next spring, and were "armed for the occasion."[1322] From Oak Lake, Manitoba came reports that if what "Dumont . . . is after comes by he will send a man to each reserve on the quiet early in the spring to tell all the Indians on the sly what to do."[1323] Spies trailing Dumont in Montana and North Dakota during the summer of 1887 learned that he was working "to induce the halfbreeds to assemble in the fall in the Judith Basin, near Lewistown, Montana, for the purposes of making a raid into the N.W. Territories" and was proferring "letters from friends in Old Canada and in France, who agreed to supply him with the necessary funds to purchase arms, etc." Others averred that the action would commence the "next year, [when] they would 'give the Canadians hell.'"[1324] Undercover Canadian agents in the U.S. learned details of plans from a "halfbreed" near Fort Assiniboine "named Lafromboise, whose parents are still somewhere round Battleford": "they have all the ammunition and arms they want from this side, and that they would join the breeds from the

---

[1317] McKay to Dewdney, Pembina County, January 8, 1886, (with notes to February 24, 1886), *Edgar Dewdney Fonds*, Glenbow, 1261-1265. The following year a group of Indians who were expelled to Canada by the United States in the vicinity of the Sweet Grass hills refused to cooperate with Canadian authorities trying to remove them to reserves. They "will not say where they belong to," complained Swift Current interpreter Peter Hourie, "they all wanted to go to Maple Creek and join Front Man." See [Henderson] NWMP to CIA, Regina, October 24, 1887, File 44,833, vol. 3791, RG 10, LAC; Oliver Pichette to T. G. Baker and Co., Lewiston, Fergus Co., October 30, 1887, File 26088, vol. 19, RG 18; Many rapidly returned to the United States. See Dewdney to Supt. General of IAO, Regina, December 28, 1887, File 44,833, vol. 3791, RG 10, LAC.

[1318] C. E. Denny to Dewdney, February 9, 1886, *Edgar Dewdney Fonds*, Glenbow, 1167-1171

[1319] Nichol to Dewdney, May 24, 1886, "Reports: May 7- May 30, 1886", *Edgar Dewdney Fonds*, Glenbow, 1290-1297.

[1320] C. W. Kennedy to The Assistant Adjutant General, U. S. Army, St Paul, Minn., July 25, 1887, and its July 5, 1887 appendix, File 502, vol. 1082, RG 18, LAC; Gray, "History of The Cree Indians," 162. Related groups just to the south were visited by a group of "Little Bear's followers" led by Pierre Bushie, ("Riel's Lieutenant") shortly thereafter. In August of 1887, Bushie, or "Busha" addressed "a council of chiefs and representatives" on the Flathead Reservation asking them, among other things, to allow 60 families to settle there. Dusenberry, "The Rocky Boy Indians," 3.

[1321] Nichol to Dewdney, May 24, 1886, "Reports: May 7- May 30, 1886", *Edgar Dewdney Fonds*, Glenbow, 1290-1297.

[1322] [Maciad] to CIA, Regina, December 9, 1886, File 35676, vol. 3773, RG 10, LAC.

[1323] Yellow Calf's statement appended to Yellow Calf's statement appended to *"Yellow Calf's Statement of the [Movements] of the Half breeds and Indians at and About the Turtle Mountain United States*, December 22, 1886, File 35676, vol. 3773, RG 10, LAC.

[1324] Chapleau to John A. MacDonald, "confidential," Ottawa, July 2, 1887, *John Alexander MacDonald Correspondence, Reel* C-1525, LAC. This document attests as well to the broad base of support for Dumont, and to the fact that Canada took the threat he posed seriously, carefully considering the logistical impediments thereto and the possibility of some kind of armed action taking place, as well as the chances of its success. The man who wrote it was forced to travel "2702 miles by rail and 700 miles by wagon, and on horse back" as he tracked Dumont.

north; also that they would cut the telegraph lines and tear up the railroad east and west. They communicate with Dumont by letters."[1325] By 1888, Dumont could claim that "he had more power now than in 1885," and he promised that, if "peaceful means" failed, his people "would again take up arms."[1326]

This broad-based campaign aimed to achieve rights and status by accomplishing two immediate goals.[1327] Organizers tried to enlist combat forces who could be called upon in case of violent conflict, and they tried to marshal political and moral support for their cause. The first of these efforts focused on communities in the region. During the winter of 1885-1886, rumors about a "big row" in the spring abounded. The following winter, officials learned that Dumont "intends to muster a force of Halfbreeds and Indians, and that he is to send messages to all the different Indian Bands in the Territories."[1328] The following spring, American authorities near Turtle Mountain ordered up a company of soldiers on the basis that they "expect[ed] trouble with the breeds soon."[1329] To the north, their counterparts in Canada echoed their concerns, wondering "if this settling at Turtle Mountain would not be the mains of establishing a dangerous front for a demonstration against this country."[1330]

Official fears about continued military threats in the immediate aftermath of 1885 aren't surprising, but collective armed action in the borderlands remained a possibility for years. The "settlers in the Turtle Mountains" remember 1889 "as the year of the big Indian scare" during which they "all gathered" at two houses that "were fortified and twenty-four hour watches established." Although violence never materialized, later that year, "probably as an outcome of the Indian scare the first armory was built in Bottineau" on the west edge of the mountains. It served the local National Guard companies, Co. A (Dunseith/St. John) and B (Bottineau), that had been organized two years earlier.[1331] The following year, Montana newspapers reporting on the violent conflicts with the "Sioux" at Wounded Knee in South Dakota claimed "hundreds of Indians from Montana" were "on the move toward South Dakota" so that they might "join the fray," and alleged that "Blood Indians from Canada" were "making preparations" to follow them.[1332]

As events unfolded at Wounded Knee, circumstances at Turtle Mountain made national news. With the *New York Times* reporting on their "destitution"—a telling feat in an era hardly known for material abundance among Indians—the community proved ill-disposed to starving passively while the means of survival rested inside warehouse walls.[1333] That winter people

---

[1325] Bossange to the Commander of the NWMP, Fort Assiniboine, May 4, 1888, File 431-1888, vol. 1124, RG 18, LAC. Bossange noted that "a band of Crees . . . camping close to the Bearpaw Mountain" were in the vicinity as well.

[1326] Gabriel Dumont to Maxime Lepine, February 10, 1888, found in "Finding Aide for Edgar Dewdney Fonds," *Edgar Dewdney Fonds*, Glenbow, 46.

[1327] Campaigns sometimes focused on issues of basic sustenance as well, as when representatives of, and advocates for, "starving" "Cree" groups near Sun River, Augusta and Helena, MT, petitioned politicians, and took up local subscriptions, for their relief. *Helena Independent*, January 27, 1887 and January 28, 1887, reprinted in Gray, "History of The Cree Indians," 110–111.

[1328] Yellow Calf's statement appended to *"Yellow Calf's Statement of the [Movements] of the Half breeds and Indians at and About the Turtle Mountain United States,* December 22, 1886, File 35676, vol. 3773, RG 10, LAC.

[1329] Nichol to Dewdney, St. John, Rolette Co., D.T., May 11, 1886, *John Alexander MacDonald Correspondence*, Reel C-1597, LAC, 90734-90736; Authorities expected this trouble because "they insist on the payment of taxes which the breeds resist . . . the American authorities expect by this means to drive the breeds back to Canada."

[1330] Dewdney to MacDonald, July 16, 1886, *Edgar Dewdney Fonds*, 617.

[1331] Bottineau County Diamond Anniversary Publication Committee, *Diamond Jubilee, 1884-1959 : A Brief History of the County of Bottineau, North Dakota* (Bottineau N.D.: Bottineau County Diamond Anniversary Publication Committee, 1959), no page numbers. In April 1888, Dewdney's spy reported from St. John, ND that "The breeds here refuse every year to pay their taxes; last year, the government officials seized their cattle; but they come in the town in a mob and took them back by force." Bossange to NWMP Commissioner, "Reports: April 22, 1888 to May 28, 1888," *Edgar Dewdney Fonds*, Glenbow, 1337-1355

[1332] Gray, "History of The Cree Indians," 136.

[1333] "Destitution Among Indians," *New York Times*, March 12, 1890. Despite its ambiguous headline, this article is about the Turtle Mountain community specifically. The *Times* reported that "not one of . . . [them] was able to live comfortably . . . the people have been left to shift for

demanded the keys to the storeroom from the OIA farmer. Rather than relinquish the keys or release food, Farmer Brenner fled the reservation and returned with a detachment of troops. The troops occupied the North Dakota reservation all winter and left the following May. They returned shortly thereafter when the agent complained that "the chief, 'Little Shell,' was influenced and sustained by a number of half-breeds to show open defiance to the rule of the Government."[1334] It was clear that, despite the expansion of the infrastructure of state violence, non-Indians still perceived, and feared, the possibility for collective armed action by the regions mixed and mobile indigenes.

Five years later, in 1895, "trouble" in the Turtle Mountain borderlands again attracted media attention. In April, the *New York Times* featured a series of alarming articles about an "Indian and halfbreed uprising on the boundary of Southern Manitoba" that attested to persistent fears of, and an enduring potential for, armed conflict in the borderlands. "The trouble," the *Times* reported,

> "is really in North Dakota, along the extreme northern part of the State . . . Fifteen hundred Indians and half-breeds have now gone on the warpath. Naturally, in Manitoba there is some anxiety, for the half-breeds are in a worse condition than ever before and in an ugly mood. The Rev. Father Lacombe recently visited Ottawa to obtain Government relief for them, but did not meet with much success, which has made the half-breeds more discontented than ever. However, there has not been sufficient anxiety as yet to induce the Government to send troops from Winnipeg, and few people think it will be necessary. Troops from Fort Totten, N.D. have been ordered to the scene of the disturbance, and, it is believed, will be able to quell the uprising. Should it become necessary, however, two additional battalions of volunteers and a corps of regulars could be dispatched from here. As yet there has been no bloodshed. It must not be thought, though, that the situation does not call for immediate action by the American authorities. The Canadian Government in 1885 made the mistake of treating an uprising lightly, and the result was the Riel rebellion, which cost the country $10,000,000 and many lives."[1335]

Subsequent *Times* articles suggested that as the conflict escalated—with "the Indians" reportedly avowing that "fear of God only keeps them from killing every white person on the land"—"the half-breeds" in North Dakota, anticipating violence, "sent their children across the Manitoba line." Meanwhile, their adult numbers were "increased rapidly during the night" as reinforcements arrived in the Turtle Mountains. [1336]

Around the same time, violence loomed in Montana, where the U.S. Army was threatening to round-up and expel from the country the mixed, mobile indigenous people it called "Canadian Cree." The "full-bloods and half-breeds" who comprised the band of "Cree Chief" Buffalo Coat, "one of the eight leaders in the Riel Rebellion," were then living near the city of Great Falls. Buffalo Coat's band "confidently assert[ed] that the Indians will flee to the mountains and, if necessary, offer armed resistance to any attempt to deport them." Predictably, the *Great Falls Tribune* blamed the problems on "the half-breeds" associated with the group,

---

themselves." This event is similar to the Yellow Calf incident on a Canadian reserve six years before. They may also have common participants, for borderlands people like O'Soup (who was involved in the Yellow Calf incident) were known to affiliate with both communities.

[1334] ARCIA 1890, 28.

[1335] *New York Times*, April 30, 1895.

[1336] *New York Times*, May 4, 1895.

who were "keeping the full-bloods informed of the steps that have been taken, and are inciting them to resistance."[1337]

Whether or not organized violence in the borderlands remained a serious threat, it seemed plausible to interested observers and government officials. And as it had before 1885, that threat came from a coalition of what Dumont called "the Halfbred and Indians" of the region.[1338] On this point, primary sources concur. Documents produced by borderlands indigenes as well as those created by colonial governments make clear that the large-scale campaign included mixed indigenous groups across the region. The social and spatial scope of armed support for the cause was likewise expansive. As NWMP Corporal Bossange wrote from the U.S. Turtle Mountains in 1888, "the main help the breeds here [St. John] are reckoning on is the Indians. It seems that Dumont communicates also with them."[1339]

While readying regional bases of military support and enlisting a borderlands militia, leaders of Northern Plains indigenous communities also struggled to win the hearts and minds of a larger audience. Dumont embarked on repeated speaking tours when he wasn't moving through the borderlands, as did some of his compatriots like William Henry Jackson.[1340] Their public lectures were the most publicized of their persuasive efforts, but the battle to earn moral support played out on multiple fronts. Much of it centered on the narrative of the Northwest Conflict: speakers sought to present to the masses their version of the events of 1885, to, as Dumont put it, "speak the truth" and thereby show "the justice of [their] claims."[1341] This war of words raged in letters and from lecterns, over campfires and at cathedrals, during secret meetings and international exhibitions. Dumont himself worked on his memoirs while he stumped across the land, enlisting literate assistants to pen "his life history" and tell the "truth about Louis David Riel and the North West Rebellion."[1342] He tried to get journalists to do the same, and offered assistance to those who showed an interest in covering his community's quest. The struggle over narrative became a central component of stateless indigenes' diverse efforts. When Joseph Riel, brother of the late Louis Riel, met with Ambroise Lépine, André Nault, and Elzéar Lagimodière in 1909 to plan their next political moves, they established a historical committee while they worked on re-organizing L'Union Nationale Métisse Saint-Joseph. As they saw it, the first task before them was "to set down a clear record of the historical events of 1869-70-71 and 1885."

[1337] *Great Falls Leader*, May 21, 1896, enclosed in Commissioner Forget to Supt. Gen. of Indi Aff, May 29, 1896, File 84,138 pt. 1, vol. 3863, RG 10, LAC. According to the *Leader* the other "leaders in the Riel rebellion . . .were Little Bear, who was in command of the crowd that desired to give a 'sun-dance' in Great Falls in 1893; Kah-keesh-kah-wash-chah-bay-wo, now at Billings, Ke-hah-bay-zhick-um; Long Hair, now near Marias Bad Lands, Teton county; Mak-chop; Pay-pah-mish-o-wat and Nan-o-kee-zhay."" The *Leader* reported that "it is said a band of Cree Indians under the leadership of Buffalo Coat, are camped near Great Falls, will make armed resistance before they will be deported to Canada. The leader was a principal in the Riel rebellion and is a desperate man."

[1338] Gabriel Dumont, "*To Our Friends the Halfbred and Indians of the North West of Canada,"* February 10, 1888, enclosed in letter to Maxime Lepine, *Gabriel Dumont Papers letters, 1886,* SC 1367, folder 1/1, MHS. All correspondence about this alleged that it involved "breeds" and Indians. Cf. McIlree to Commander NWMP, March 28, 1887, File 1350, vol. 3597, RG 10, LAC.

[1339] Bossange to NWMP Commissioner, "Reports: April 22, 1888 to May 28, 1888," *Edgar Dewdney Fonds*, Glenbow, 1337-1355. Bossange was convinced that if the "breeds" in North Dakota "start another Rebellion . . . all the Crees round here would follow them. . . . If the breed starts in Canada, all those here will go, even those who never lived in Canada before." See Bossange to NWMP Commissioner April 25, 1888, *Edgar Dewdney Fonds*, Glenbow, 1340-1342.

[1340] Jennifer Reid, *Louis Riel and the Creation of Modern Canada Mythic Discourse and the Postcolonial State* (Albuquerque: University of New Mexico Press, 2008), 25; Smith, *Honoré Jaxon*, 64–68.

[1341] Gabriel Dumont, *"To Our Friends the Halfbred and Indians of the North West of Canada,"* February 10, 1888, enclosed in letter to Maxime Lepine, *Gabriel Dumont Papers letters, 1886,* SC 1367, folder 1/1, MHS; See also Gabriel Dumont to Maxime Lepine, February 10, 1888, found in "Finding Aide for Edgar Dewdney Fonds," *Edgar Dewdney Fonds*, Glenbow, 46, "enclosing instructions to half breeds and Indians" in which he discusses the "Rights of Groups, necessity of meeting to press for indemnity of losses during and after the outbreak of 1885. Scrip for those who have petitioned. If we don't obtain these we will lecture in Canada and go to France so that everyone will know the justness of demands."

[1342] Dumont to Prefontaine, December 31, 1887, *Edgar Dewdney Fonds*, Glenbow,1579-1582; Dumont to Cardinal Taschereau, November 25, 1887, *Edgar Dewdney Fonds*, Glenbow, 1583-1585; Diane Payment, "Michael Barnholden, Gabriel Dumont Speaks," *Manitoba History* 26, no. Autumn (1993); In 1888 Dumont recounted his version of events to Montreal "lawyers Adolphe Ouimet and Benjamin-Antoine Testard of Montigny, [who] recorded his words in writing" and published them the following year. See Adolphe Ouimet and B. A. T. de Montigny, *La Verite Sur La Question Metisse Au Nord-Ouest* (Montreal: [publisher not identified], 1889); Dumont and Barnholden, *Gabriel Dumont Speaks*.

Gathered in the St. Vital home of the Riel family, they began a book project that finally came to fruition in 1935, when Auguste de Tremaudan, an immigrant from France, published *Histoire de la Nation Métisse dans L'Ouest Canadian* on their behalf.[1343] Tremaudan's work was an essential component in their campaign "to fight, restate their history, and use every occasion to answer attacks on the Métis." Its publication, they hoped, would cause "the truth to be made known."[1344] Throughout these literary ventures, the language deployed by community members betrayed a purposeful prose—Riel, for example, wasn't executed, but "judicially assassinated"—put to political ends.[1345]

Notwithstanding the passion and persistence with which leaders wielded textual tools, they may have persuaded a larger audience through more plebian projects. In the late nineteenth century, non-Indians the world over had an appetite for "wild west" shows. The first and most famous of the Wild West shows was begun by William Frederick Cody in 1883, and within the first two years over 10,000,000 people saw "Buffalo Bill's" extravaganza. Individuals from the Northern Plains who had participated in North America's most famous frontier conflicts—like the 1876 Battle of the Little Big Horn and the "Riel Rebellion" of 1885—were in high demand for these traveling shows. In the late nineteenth century, significant numbers of them signed on as performers. Some did so not only for money and adventure but because they believed the popular exhibitions might provide a platform for publicizing their perspectives and promoting their causes. In his correspondence with the Parisian journalist George Demanche, Dumont included his work with Buffalo Bill Cody's "wild west exhibition" in London in his recital of his political efforts on behalf of his people.[1346] He proposed putting on a similar show in Paris "for the purpose of showing the Indian life of the Northwest . . . [and] to retighten the bonds which unite the Halfbreeds to France."[1347] Michel Dumas, "Riel's 2nd under Dumont," also traveled with Cody's show, "as did four other men from the Batoche area."[1348] So, too, did "Sioux" people who had fought Custer on the Little Big Horn, including Sitting Bull and Rain in the Face, and other leaders of regional indigenous groups, like Chief Joseph of the Nez Perce.

Borderlands indigenes staged similar exhibitions locally. In 1894, Little Bear proposed to hold a Sun Dance in conjunction with the Cascade County fair at Great Falls, MT, and the spectacle was to include horse races and "a sham battle between probably 200 Indians and horses" before the Sun Dance ceremony itself. Little Bear's community held Sun Dance ceremonies annually, and opened them to the public in order to raise money and to educate the untutored about their beliefs and their history. Little Bear used the press coverage of his 1894 Sun Dance plans to publicize their efforts, and newspapers let readers know that "he invites all persons to come and see for themselves how the Indian conduct their religious ceremonies." Lest any attendees harbor doubts that the endurance of indigenous religion could be attributed to ignorance alone, Little Bear turned the Sun Dance ceremony into a public theological debate. He

---

[1343] Barkwell, Dorion, and Préfontaine, *Métis Legacy*, 28.
[1344] Tremaudan, *Hold High Your Heads*, xiii.
[1345] Dumont and Riboulet to Demanche, December 1, 1887, *Edgar Dewdney Fonds*, Glenbow, 1572-1574. This phrasing was used as well by Parisian sympathizers, like the M Rochefort quoted by the Paris correspondent to the *New York Herald* in a telegraph on November 17, 1885. Quoted in Napoléon Thompson, *The Gibbet of Regina: The Truth About Riel, Sir John A. Macdonald and His Cabinet Before Public Opinion, by One Who Knows* (Thompson & Moreau, 1886), 95.
[1346] Dumont and Riboulet to Demanche, December 1, 1887, *Edgar Dewdney Fonds*, Glenbow, 1572-1574. Dumont joined Cody's show, where he was billed as the "Hero of the Half-Breed Rebellion" after his wife Madeleine died in 1886. He worked with the show off and on for the next two years. Irene Ternier Gordon, *A People on the Move: The Métis of the Western Plains* (Vancouver: Heritage House Publishing Co, 2009), 95.
[1347] Dumont and Riboulet to Demanche, December 1, 1887, *Edgar Dewdney Fonds*, Glenbow, 1572-1574.
[1348] James Anderson to E. Dewdney, December 18, 1885, *Edgar Dewdney Fonds*, Glenbow, 1535-1536; Gordon, *A People on the Move*, 95. Among those who went to France with the show were Michel Dumas, Ambroise Lepine (brother of Maxime), Jules Marion (son of Edouard Marion) and Maxime Goulet (brother of Roger Goulet). Dumont said he himself went to France for a year in 1895, staying exclusively in Paris. Dumont and Barnholden, *Gabriel Dumont Speaks*, 36-37.

informed reporters that he especially welcomed Protestant proselytizing at the ceremony, and they in turn spread the news that "he says that if the preachers will go and talk to his people he will be glad."[1349] These Christians were encouraged to investigate the band's camp, where they would have unimpeded access "to try and convert the Indians to the white man's religion."[1350] By opening the Sun Dance to the public and using the occasion to incite open debate, as well as by including re-enactments in the exhibition, leaders like Little Bear created opportunities for indigenous people to tell their own stories and offer their own truths.

Too much should not be made of public exhibitions as opportunities for indigenous empowerment. In general, Wild West shows idealized and celebrated the conquest of North America. Moreover, as Raymond Gray reminds us, people staged public spectacles "in order to secure money for food." But these events could offer avenues for soliciting sympathy and support. Advertisements for "Montana's Wildest West Show," which toured the U.S. in 1895, made the political potential of performance explicit. The show "featured the Cree Indians who had taken part in the Canadian Riel rebellion," whom promoters billed as "the only people in the United States without a country." Judging from their response, authorities shared the belief that such exhibitions served political purposes. Raymond Gray concluded that the "unfavorable advertising for the United States Indian Department" by "Montana's Wildest West Show" "brought an immediate response" from officials and, for better or worse, drew their renewed attention to "the activities of the Cree Indians in Montana."[1351] Little Bear's attempts to hold public Sun Dances in Montana elicited a similar response from local authorities, who opposed the idea not only because they believed it unchristian—contrasting "Indian barbarism and superstition" with their own beliefs about an immaculately-conceived and then crucified Christ—but also because "it would tend to hinder the coming of respectable settlers and the influx of capital."[1352] Although the area Chamber of Commerce endorsed combining the Sun Dance with the State Fair, the Great Falls Ministerial Association held sway, and Montana Governor Rickards prohibited the performance. Attendance apparently suffered due to cancellation of the popular event, which "brought near ruin financially to the fair of the Great Falls citizens." Meanwhile, Little Bear rescheduled, moving the Sun Dance to Helena to coincide with the 4th of July Celebration in the state capital.[1353]

Indigenous people's participation in these performances posed such a problem that, lest the general prohibitions on Indian movement be insufficient, the U.S. issued special directives regarding the practice. When people from Montana's Fort Peck reservation asked for permission to attend the Dawson Country Fair in Glendive in 1901, the Secretary of the Interior took the opportunity to remind all department employees of the long-standing BIA policy to not "authorize or sanction the absence of bodies of Indians from reservations to engage or take part in exhibitions of any character." In the Fort Peck case, the SOI allowed an exception to this rule.

[1349] *Great Falls Weekly Tribune*, May 25 and May 27, 1894, transcribed in Gray, "History of The Cree Indians," 27–31.
[1350] Gray, "History of The Cree Indians," 28.
[1351] A "Colonel Root was asked to submit a report on the activities of the Cree Indians in Montana. In the early spring of 1896 the [traveling] Cree Indians were brought back to Montana. Little Bear did not accompany the Indians on their expedition to the eastern states, for on July 31, 1895 he was reported at Havre." Little Bear met with Montana Governor J.E. Rickards in January 1896. See Ibid., 32, 201.
[1352] Resolution of the "representatives of the various religious bodies of Great Falls" reprinted in *The Weekly Tribune*, May 25, 1894. The resolution, signed by several Catholic and Protestant ministers, was drafted after consultation with, and at the urging of, Cascade County Sheriff Hamilton and the Cascade County commissioners. Ibid., 28–30. See also *Refugee Canadian Cree Indians Removal from the State of Montana, Report to Accompany H. R. 8293*, 54th Cong., 1st sess., 1896. S. Rept. 821; and Wessel, "A History of the Rocky Boy's Indian Reservation," 13–18.
[1353] Gray, "History of The Cree Indians," 30–31.

He granted their request on one condition—that the event was strictly agricultural in focus and had "nothing of the character of Wild West shows."[1354]

Pursuit of Right-full Status

While they made a broad case for métis and Indian "rights" "justice" and "claims" across North America and beyond, borderlands community leaders also focused more narrowly, pressing for formal recognition, and land rights, as specific indigenous entities. One way they did this was by seeking recognition as new indigenous groups. As in the years leading up to the Northwest Conflict, activists who identified themselves as, and demanded recognition and lands as, explicitly mixed communities pushed the state to sanction additional spatial and temporal categories for "halfbreed" claims. They also sought status as more narrowly delimited mixed or "halfbreed" bands and petitioned for collective reserved lands in particular Northern Plains places. Some groups made their case for communal recognition and reserves by self-identifying not as mixed indigenous entities but as a subset of particular Indian tribes. Under these various guises, into the early twentieth century, stateless indigenes made repeated requests for new group recognition and reservation lands in both Canada and the United States.

As noted earlier, Canada amended federal law to expand scrip eligibility twice in the years before the Northwest Conflict. The 1879 re-write of the Dominion Lands Act included a new section, No. 125, that provided for the satisfaction of "any claims existing in connection with the extinguishment of the Indian title, preferred by half-breeds resident in the North-West Territories outside of the limits of Manitoba, on the fifteenth day of July, one thousand eight hundred and seventy, by granting land to such persons, to such extent and on such terms and conditions as may be deemed expedient." Four years later, in the face of ongoing pressure from indigenous groups across the prairies, legislators revised Section 125 to include claimants who had been resident in the Northwest Territories *prior* to 15 July 1870.[1355]

The 1885 conflict briefly energized the state's response to demands for new scrip groups, which we might think of as new scrip bands. That same year, Canada "decided to follow up on the numerous petitions they had received since 1870" and, established a commission to hear "the claims of Métis people who, on or before 15 July 1870, were living in territory that had since been ceded to the government by treaties with First Nations."[1356] Ottawa sent three other scrip commissions to the prairies over the next several years. In 1886 and 1887, commissioners continued the work of the 1885 commission, evaluating claims made by people as residents of the North West territories on or before July 15, 1870. Two years later, they reviewed scrip applications from people who claimed rights as residents of "the territory of the Treaty Six adhesion."[1357] After the Treaty 6 area scrip commission, Canada's attention to Métis claims waned. But the indigenous people of the Plains met the state's flagging interest with more political pressure and a stream of petitions that they "sent regularly to Ottawa in the 1890s."[1358] By the turn of the century, their efforts produced commissions to hear the claims of a succession of new Half Breed Scrip groups. These included "Half Breeds" from the territory of Treaty Eight (1899), those born in the North West Territories between 15 July 1870 and 31 December

[1354] Leaving no room for misinterpretation, the SOI added that "The Indians are not to be allowed to participate in the fair in any way except as exhibitors of their stock, farm products, and school work, and are to be in charge of a sufficient number of agency police and accompanied by a reliable school employee." ARCIA 1902, 53
[1355] "Further Information on Northwest 'Half-Breed' Scrip."
[1356] Tremaudan, *Hold High Your Heads*, 128; "Further Information on Northwest 'Half-Breed' Scrip."
[1357] "Further Information on Northwest 'Half-Breed' Scrip."
[1358] Friesen, *The Canadian Prairies*, 235.

1885 (1900), and those "resident in the portion of Manitoba outside its original boundaries, and the remaining claims in the Northwest" (1901).[1359] People left out of these scrip groups continued to pressure for eligibility expansion in the years that followed.

Borderlands indigenes pursued recognition of new indigenous groups through requests for communal lands in specific locations as well. Canada alone used Half-Breed allotment scrip as a general way of allocating status and resources, but both countries recognized indigenous claims by granting group lands to claimant communities.[1360] As a result, efforts to secure recognition and reserves as mixed indigenous entities targeted both American and Canadian decision-makers. In March of 1886, for example, "half breeds" convened a "mass meeting at St. Laurence" and petitioned the Canadian government for their own reserve in Saskatchewan.[1361] To the south, their associates in Dakota worked on a similar request: when George Bossange, a spy for the NWMP, reported on activity in the Turtle Mountain area in 1888, he noted that Joseph Rollette—whom he described as "one of their headmen here"— had recently been "sent by them with an Indian named "Little Shell" to Washington to try to get a reserve for the breeds."[1362] Some years later, in 1896, Father Lacombe established a communal land base in Alberta, known as the St. Paul des Métis colony, for mixed indigenes.[1363]

Other groups that sought recognition and reserves as amalgamated indigenous entities de-emphasized racial mixture and instead made their claims as multi-tribal communities. Recall Rocky Boy (a.k.a. Stone Child or Little Stone Man), who was Little Bear's brother-in-law and/or uncle and a participant in the 1885 conflict with Canada. Rocky Boy began leading an effort to get a reservation "for landless Indians" in Montana around 1902. By the time Rocky Boy's petition made it to the desks of federal Indian authorities, his band "was anxious to be permanently located" for the market for their main source of income—"making and selling beadwork and polishing and selling horns"—had dried up, and they "as a consequence came near perishing from hunger during the past two or three winters."[1364] Rocky Boy made his request on behalf of himself—a "Wisconsin Chippewa" according to officials—and his fluid constituency, whom Montana Senator Tom Carter described as "all sorts of vagrant Indians who are inclined to profess relationship with his people."[1365] Thralls Wheat, the allotting service clerk sent to investigate the group's situation, refined this depiction. Wheat first noted that "there are a great many Canadian Crees and Blackfeet Indians roaming over the entire state of Montana" "very few" of whom were, in his estimation, "affiliated with Rocky Boy's band of Chippewas." He then identified 17 of the band's members as "Crees" or "Northern Blackfeet," "Indians who are properly wards of the Canadian government." The remainder he considered "properly belonging" American Indians of Rocky Boy's band: "nearly all of these are Chippewas, but a few of them are Sioux, Assiniboines, and southern Blackfeet."[1366]

As the region's indigenes were all too aware, Canadian and American Indian policies were predicated upon, and designed to create, tribally discrete groups. This consideration likely

[1359] Other eligibility expansions extended scrip to those "halfbreeds" from the territory of Treaty Ten (1906-07), of the Treaty 5 adhesion (1908-10) and of Treaty 11 (1921). See "Further Information on Northwest 'Half-Breed' Scrip."
[1360] As noted previously, "Half-Breed Scrip" in the United States was linked to affiliation with particular recognized Indian tribes and bands and existed only in conjunction with several specific treaties. Ibid.
[1361] Gray, "History of The Cree Indians," 100.
[1362] Bossange to NWMP Commissioner, April 22, 1888 and April 25, 1888, "Reports: April 22, 1888 to May 28, 1888," *Edgar Dewdney Fonds*, Glenbow, 1337-1355. Bossange also said that Rollette "has very little breed in him; seems to be a white man married to a halfbreed." He identified the "the delegation which just came back from Washington was composed of three Indians (Crees) and Rolette."
[1363] George Stanley, *Alberta's Half-Breed Reserve: Saint-Paul-Des-Métis, 1896-1909.* (Sackville N.B.: Mount Allison University., 1977).
[1364] CIA to SOI, January 8, 1904, reprinted in Senate Report No. 1020, 58th Cong., 2nd Sess., 2-3.
[1365] Jules A Karlin, *Senator Joseph M. Dixon and Rocky Boy: A Documentary Postscript, 1908* ([Helena, Mont.]: [Historical Society of Montana], 1954).
[1366] Thralls W, Wheat, CIA, Browning, Montana, April 20, 1909, Box 1, Folder 1, SC 903, MHS.

informed the strategies of stateless populations who sought recognition as subsets of a single tribe. Leaders of borderlands communities living north of the international boundary had been making claims to indigenous rights as "Sioux Indians" in Canada for decades, and continued to do so after 1885.[1367] People in and around Moose Jaw were especially persistent in their pursuit of lands for "Sioux" bands in the area. In 1886, Moose Jaw residents wrote to Edgar Dewdney requesting a reserve for the town's "Lakota Sioux." "Sioux Indians south of" Moose Jaw again "petitioned the Government for a reserve" in 1893.[1368] Fourteen years later, the owners of some Moose Jaw land where some "Lakota Sioux were camping asked the Department of Indian Affairs to purchase" the property for their use.[1369] Area advocates raised the issue again in 1909, when A.D. Pringle, "a Presbyterian student missionary," entreated the Department of Indian Affairs for a reserve for the Moose Jaw "Sioux." Pringle suggested Wood Mountain as an appropriate location for them.[1370] Community leaders and their allies also pushed for collective rights to individual lands. Reverend Pringle, for one, urged Canada to give the "Lakota Sioux . . . the right to homestead" even as he worked to get a Wood Mountain Sioux reserve established.[1371]

While they pursued recognition as legitimate entities in their own right, stateless indigenes simultaneously sought status through incorporation into recognized Indian polities. As noted earlier, some groups were able to sign on to existing Canadian Indian treaties. "Members of the Wood Cree Tribe of Indians," for example, adhered to Treaty 6 in 1889, and other adhesions to Plains treaties followed.[1372] After the turn of the century, while his brother-in-law/uncle fronted the effort to get lands in Montana, Little Bear opened negotiations with the Canadian government on behalf of himself and the mixed group of "Indians and half breeds" he represented. In 1905, he wrote from Havre (Custom Agent Webster's threat to seize all "Cree" horses had apparently failed to chase him off), and asked that some members of his group be allowed "to live on the reservation that was formerly our homes and be treated the same as the members of the Cree tribe who have always remained on the reservation."[1373] These negotiations went back and forth, as Little Bear and Canadian authorities wrangled over the terms of the group's move to Canada. They disagreed primarily over questions of community membership and belonging. Canada's Indian officials insisted that any Indians with Little Bear would have to "return to the reserve to which they formerly belonged"—which they believed to mean "chiefly . . . to [the] Bears Hills and Edmonton Bands and some to the bands of Saddle Lake, Battleford" and Onion Lake. Little Bear seemed unwilling to concede to this requirement. He requested that he and his followers be permitted to join the Onion Lake reserve en masse.[1374]

[1367] Elias, *The Dakota of the Canadian Northwest*, 2002, 38.
[1368] Papandrea, *They Never Surrendered*, 12.
[1369] Ibid., 33.
[1370] Ibid.
[1371] Ibid.
[1372] The Treaty 6 Adhesion at Montreal Lake also surrendered additional lands. The adhesion's Indian signatories all had anglicized names, incl. surnames of Charles, Roberts, Cook, and Bird. Government of Canada; Aboriginal Affairs and Northern Development Canada; Communications Branch, "Treaty Texts- Treaty No. 6," *Aboriginal Affairs and Northern Development Canada*, November 3, 2008, https://www.aadnc-aandc.gc.ca/eng/1100100028710/1100100028783; See also adhesions to Treaty 5 in 1908-10. Government of Canada; Aboriginal Affairs and Northern Development Canada; Communications Branch, "Treaty Texts- Treaty No. 5," 5.
[1373] Little Bear, Chief of the Cree Tribe of Indians, to Secretary of the Interior, Havre, Montana, February 10, 1905, File 138 pt., vol. 3863, RG 10, LAC. When Canada asked for specifics about who proposed to move to Canada, Little Bear could provide few. The composition of the group was indeterminate: "how many will go I am unable at present to state." Little Bear to Hon. J. D. McLean, Havre, Montana, March 30, 1905, Reel c-10152, *Geneva Stump Fonds,* Glenbow. That fall, according to the *Choteau Acantha,* groups of Little Bear's "Cree" were living on the Crow and Flathead reservations, in Great Falls, and in Choteau and Fergus counties. In addition, there were "many half-breed Crees over the state, some of whom do not admit allegiance to Little Bear." *Choteau Acantha,* "The Cree Indians Will Leave MT," October 5, 1905.
[1374] W. Sibbald, Indian Agent, to "Sir" Onion Lake, Sask., February 1, 1911, Reel c-10152, *Geneva Stump Fonds,* Glenbow; J. D. McLean to W. Sibbald, Ottawa, February 10, 1911, File 84, 138 pt. 1, vol. 3863, RG 10, LAC; Little Bear to "My dear Brother," Onion Lake, Sask., July 25, 1911, *Geneva Stump Fonds,* Glenbow; W. Sibbald, to "Sir", Onion Lake, Sask., July 25, 1911, Reel c-10152, *Geneva Stump Fonds,* Glenbow.

Stateless indigenes pursued all possible avenues to status and rights, so often efforts to secure rights as a recognized distinct band overlapped with attempts to become members of an existing recognized community. The battle over the 1892 treaty and tribal roll at Turtle Mountain exemplified these concurrent scenarios. As we know, indigenous people associated with the Turtle Mountain area had long been pressing the United States to recognize their claim. An 1892 treaty promised to do that, but it tied a particularly savage enrollment reduction to treaty completion. Turtle Mountain community members began preparing their campaign against the 1892 roll and treaty before the heated McCumber meetings that produced them even ended. At the commission negotiations, Little Shell and his advisors, councilors, and kin—including Gabriel Dumont—contested the roll purge and the treaty's land cession proposals, and then during breaks in the proceedings they convened in private council and drafted a protest against ratification of the emerging "Treaty or Agreement." The thrust of their opposition was as much about enrollment as it was about land cessions and treaty terms. Their formal protest arrived at the Interior Department in January of 1893, shortly after the McCumber document itself.[1375]

The protest "Against the Ratification by Congress of the Report of the Turtle Mountain Indian Commissioners of Said Alleged Agreement" was the first component of what would become a long struggle over the enrollment, land and compensation provisions of what the community called the "Ten-Cent Treaty." The expensive and exhausting efforts to stop ratification included lobbying Congress and sending delegations to Washington. Such delegations included not only current leaders but such experienced men as Little Thunder, father of "the Chief" Good Thunder, "eighty-six years old but a magnificent, well-preserved specimen of manhood" and Old-Man-Afraid-of-His-Trail, who was, in 1862, "one of the arbitrators between the United States and the Sioux in connection with the New Ulm massacre in Minnesota that year." The band also moved its attorney, enrolled member John Bottineau, to the capital, where it kept him until his death in 1911.[1376] Despite support for the McCumber "Agreement" by other factions in the community, they succeeded in delaying ratification of the McCumber agreement for twelve years. But during that time they failed to convince Congress to pass alternative legislation submitted to settle their claim. In 1904, after the OIA replaced the band's attorney with counsel selected by the Secretary of the Interior, Congress ratified an amended version of the McCumber "Agreement."[1377] The Turtle Mountain band began pressing its case with the federal Indian Claims Commission.

The agent at Onion Lake disapproved of Little Bear "and his followers of about 18 families" settling there, and his band was told that a 1905 Order in Council remained in force: they could return but "they will not be allowed to settle down where they please." This news Little Bear received in July 1911, when he was living at Depuyer. Among his relatives at Onion Lake was Thunder, his half-brother.

[1375] Bottineau, John B. Attorney for the Turtle Mountain Indians, *Protest by the Turtle Mountain Band of Chippewa Indians Against the Ratification by Congress of the Treaty or Agreement Concluded October 22, 1892*, filed January 1893, reprinted in *Senate Document 444*…, 23, 31-39.

[1376] Little Shell, et al to John Bottineau, at Washington, D. C., January 26, 1898, reprinted in *Senate Document 444*…, 162; Bottineau, *Protest by the Turtle Mountain Band of Chippewa Indians Against the Ratification by Congress of the Treaty or Agreement Concluded October 22, 1892*, filed January 1893 reprinted in *Senate Document 444*…, 31-39; Regna Darnell and Frederic Wright Gleach, *Histories of Anthropology Annual* (Lincoln: University of Nebraska Press, 2007), 89; "Turtle Mountain Indian Claims," *New York Times*, May 31, 1896.

[1377] ARCIA 1903, 229; ARCIA 1904, 5, 473-475; P. J. McCumber, John W. Wilson, W. Woodville Flemming, Commissioners, to Commissioner of Indian Affairs Department of Interior, *Report of the Turtle Mountain Indian Commission of the Agreement Concluded Between Said Commissioners and on the Part of the United States, and the Turtle Mountain Band of Chippewa Indians, October, 22, 1892*, report, December 3, 1892, reprinted in *Senate Document 444*…, 15-20. The ratified "agreement" contained several substantive amendments with important implications. The most important of these was the inclusion of language that allowed the Secretary of Interior to open for homesteading any reservation lands not taken as homesteads by tribal members after the reservation was surveyed. The McCumber commission has tried to include this language in the original agreement but reported that "this was so objectionable to the leading Indians that to have inserted or retained such a clause in the agreement would have defeated it." The original agreement also contained a provision in which the U. S. committed to maintaining reservation schools and increasing them "as necessity may require." The ratified agreement limited the government's school-support commitment to twenty years. The ratified agreement also deducted $50,000 to pay the attorney the U. S. had hired the year before, ostensibly to represent the Turtle Mountain band. It contained no provision for paying Turtle Mountain member and attorney John Bottineau, who had worked on the case for at least eight years, and possibly many more (he may still have been on the case at this point—the only indication that he was no

Groups of stateless indigenes also took a more piecemeal approach to securing space on Indian lands, requesting not full status via enrollment but formal permission to reside on the reservations of their relatives. As noted earlier, Montana reservations regularly fielded requests for residence privileges. For example, in August of 1887, Pierre Busha— "Riel's lieutenant"—addressed "a council of chiefs and representatives" on the Flathead Reservation (officially home to the Salish, Kootenai, and Pend d'Oreille tribes), asking them to allow 60 families to settle there. When Busha's request was refused—on grounds that a band of Indians who remained in the Bitter Root Valley would soon be forced onto the reservation and would take up all available space—Busha suggested allowing his group to live on Montana's Blackfeet reservation.[1378] Three years later, the *Choteau Acantha* reported that Wild Boy, son of Big Bear (and brother of Little Bear), "chief of the Cree Indians who have been loafing in this vicinity for some time past, has gone to the Flathead Reserve to make some arrangements with the Indians there whereby the Crees may find a home."[1379] In subsequent years, groups of stateless indigenes petitioned Flathead agents repeatedly, and also pushed for homes on other regional reservations. Not long after Wild Boy made his Flathead request, in the aftermath of the 1892 roll purge, Turtle Mountain leaders traveled to North Dakota's Fort Berthold reservation to see if some of their people could settle there. Those delegated to assess possibilities at Fort Berthold included "four full and two mixed bloods, namely, Little Shell, chief, Foggy Cloud, Clear Eyes, Conic, Vandall, and Jerome."[1380] They were supported by Gabriel Dumont, "an Indian of intelligence and influence," who "gave his time and energies to allaying [Turtle Mountain] troubles and did much service thereby" despite the fact that the McCumber commission had rejected his application for enrollment.[1381] These efforts were but a few of the seemingly endless entreaties made by stateless indigenes to reside on regional reservations like the Flathead, Blackfeet, Crow, Fort Belknap, Fort Berthold and Fort Peck.

Collective attempts to gain state status, rights, and resources weren't limited to demands for communal recognition and lands. Indigenous leaders also sought to capitalize on some of the other options created by colonial regimes. When Little Bear wrote to Canada in 1905 requesting reserve rights for some of his followers he asked that others, including himself and his family "and those of my people who have certain white blood" "be given scrip instead of treaty," and hoped the Dominion would "allow us to live in Canada with the same privileges as are enjoyed by other citizens of Canada."[1382]

Officials may have hoped that each of these efforts pertained to discrete, easily delimited populations, but the region's stateless indigenes understood many of them to be undertaken on their behalf more broadly. In 1885, when "Solomon Desjarlais an interpreter" for the Dominion "passed through Batoche . . . he saw but one man—one who had been lately released from trial—the balance he was told had crossed the line." Desjarlais learned that "a letter had been received from Gabriel Dumont stating that the American authorities had given them land and urging on the remainder to follow which I believe they intended doing—some at the time being

---

longer involved was the SOI's selection of other attorneys in the 1903). Since at least the McCumber negotiations themselves, OIA officials and their assistants impeded Bottineau's participation in the process by a variety of means. As noted above, he was ordered to remove upon threat of arrest in the original negotiations. Whether he was ever allowed again to enter the reservation is unclear—in 1899 local Judge John Burke wrote the North Dakota congressional representatives on Bottineau's behalf, complaining that "the authorities will not permit Mr. Bottineau to visit the reservation." John Burke to Hon. H. C. Hansbrough, July 3, 1899, reprinted in *Senate Document 444*…, 150.

[1378] Dusenberry, "The Rocky Boy Indians," 3.

[1379] Gray, "History of The Cree Indians," 129, 167. Quoting *Fort Benton River Press* July 11, 1890 and July 14, 1890; Peter Ronan, to CIA, Flathead Agency, July 21, 1890, *Geneva Stump Fonds*, Glenbow.

[1380] *Senate Document 444*…, 12-13.

[1381] *Senate Document 444*…, 23.

[1382] Little Bear to Frank Oliver, November 7, 1905, Reel c-10152, *Geneva Stump Fonds*, Glenbow.

nearly ready."[1383] Other instances also indicated that people across the borderlands were attuned to the numerous ongoing campaigns. When in 1912 Rocky Boy's efforts seemed poised to bear fruit in the form of lands in Montana, "Crees," "half-breeds" and "Chippewas" traveled from all directions to join him.[1384] The following year, Little Bear believed that lands of the shuttered Fort Assiniboine would be allotted to stateless indigenes, and he promised to write to "all the Chippewas, Crees, and homeless Indian in MT and ID to assemble in Helena."[1385] A reservation for Rocky Boy's people was finally established a few years later: indigenous people of many stripes flocked to the Bear's Paw Mountains as the news spread.[1386] Their arrival dramatized the fact that the specific local actions narrated here were part of an integrated campaign that covered the whole of the Northern Plains borderlands.

While community leaders pressed demands on behalf of borderlands groups, seeking status or rights en masse, indigenous people throughout the region worked individually to secure status and lands for themselves and their families. As with collective attempts to gain status, individuals sought membership in categories that spanned the spectrum of official state options, pursuing enrollment in recognized Indian polities, applying for scrip as Métis people, and trying to secure national citizenship and the prerogatives it conveyed. The most visible of their efforts was the massive movement to secure enrollment in recognized tribes.

At Turtle Mountain, the tribal roll created by the 1892 McCumber Commission left out scores of people who considered themselves part of the community. While Little Shell, Bottineau and their allies fought to keep the McCumber agreement from determining tribal membership, individuals challenged the 1892 roll—which authorities promised would be permanent—by incessantly applying for enrollment. In 1904, after ratifying the amended Turtle Mountain McCumber agreement, Congress sent the agreement back to the reservation for approval of amendments. The OIA instructed Superintendent Charles Davis at Fort Totten to create a new "official" roll based on the 1892 census, and occasioned a renewed evaluation of enrollment efforts at Turtle Mountain.[1387] In the years between the original agreement and its ratification, over one thousand people had submitted applications for enrollment to Superintendent Davis, and "letters and verbal claims for fully that many more [had] been made in one way or another."[1388] Preparations to allot the Turtle Mountain reservation followed Congress' 1904 passage of the amended McCumber Agreement, and applications for band membership surged. In July of 1905 alone, the CIA received membership applications from at least 59 families.[1389] The next month, the Commissioner of Indian Affairs forwarded the applications of another 72 families "comprising 286 persons" to the Secretary of the Interior and the applications of 99 other families to the Fort Totten Superintendent for investigation.[1390] The

[1383] Hayter Reed to Edgar Dewdney, September 6, 1885, *Edgar Dewdney Fonds*, Glenbow, 1247.
[1384] "Indians Under Flag of Truce," *Helena Daily Record*, October 28, 1912, transcribed Gray, "History of The Cree Indians," 70–75; *Red Lake Indian Act (also known as February 16, 1912 act)*, February 16, 1911, 61st Cong., 3rd Sess., 36 Stat, 913.
[1385] Fred Morgan to CIA, Flathead Agency, Jocko, Montana, August 21, 1913, *Geneva Stump Fonds*, Glenbow.
[1386] G. L. E., Rocky Boy Band, April 8, 1915, File 229, Rocky Boy April- July 1915, Box 19, Blackfeet Agency Sup. Sub Files 1908-1929, NARA RMA; E. B. Mereth to Rastall, Fort Belknap, June 1, 1917, File: April- June 1917, Fort Belknap Agency, Letters received form CIA, 1878- 1927, Box 13, RG 75, NARA RMR; Superintendent to Mr. W. D. Cochran, Harlem, Mont., June 2, 1917, File: January 1, 1917- July 30, 1917, Fort Belknap Agency, Local Letters Sent, 1910-1927, Box 2, RG 75, NARA RMR; Superintendent to Major James McLaughlin, Dixon, Mont., June 6, 1917, File: Crow Agency, Flathead Agency, Letters Sent and Received between Superintendents of Montana Indian Agencies, 1904-1941, Box 2, RG 75, NARA RMR; Superintendent to John. B. Barker, June 23, 1917; File: January 1, 1917- July 30, 1917, Fort Belknap Agency, Local Letters Sent, 1910-1927, Box 2, RG 75, NARA RMR.
[1387] ARCIA 1905, 281.
[1388] ARCIA 1905, 282.
[1389] Acting CIA to Fort Totten Superintendent Davis, July 14, 1905 and July 18, 1905, File: Enrollment, 1907-1909, Turtle Mountain , Box 149, RG 75, NARA CPR.
[1390] Fran Oliver, *Final Report of the Commissioner appointed to investigate certain charges made by the halfbreed residents of the United States against R. C. Macdonald*, October 5, 1905, *Myers Scrip Commission- Interim and Final Reports*, July 15, 1905, vol. 1932, RG 15, LAC.

besieged Fort Totten Superintendent bemoaned "the immense number of claimants to tribal rights and privileges." "The adjustment of these claims," he complained, "constitutes an undertaking of vast proportions."[1391] By the following summer, the CIA had received "about 200" more applications, "including some 500 names."[1392] Later that year, in December of 1906, the CIA forwarded to the SOI "the additional applications of more than 747 persons, including children" for enrollment and "rights."[1393] Enrollment applications at Turtle Mountain continued to pour in for decades, peaking at moments when it seemed membership might be extended. In 1937, for instance, when the OIA re-evaluated enrollment in the wake of the Indian New Deal, at least 314 people submitted official applications.[1394]

The number of applications for enrollment at Turtle Mountain was probably exceptional, but the phenomenon itself was not. Judging from Indian department archival collections, in the early twentieth century agents across the Northern Plains regularly fielded requests for enrollment from people who considered themselves Indian but who had no formal status as such in any of the region's Indian jurisdictions. As at Turtle Mountain, such applications often surged at important junctures like allotment. In 1909, officials at Montana's Fort Peck Reservation discussed "applications, embracing fifty persons, for enrollment" and more applications followed in subsequent years, as they did at other reservations in the state, like the Blackfeet. At Fort Belknap, applications were so numerous that the agent didn't bother to count them, reporting only that "there are a great many . . . outsiders who are making an effort to obtain rights with the Indians."[1395] Reserves in Canada, too, confronted requests by stateless indigenes to formally join recognized bands.[1396] Some, like Ma-ma-ke-soo, had the audacity to not only ask to be accepted into treaty but also to be paid annuity arrears. Ma-ma-ke-soo had been living near Red Deer for many years and hoped to join the Battle River reserve.[1397] At reservations and reserves across the Northern Plains, people continually pressed for enrollment in official indigenous communities. Through individual applications and collective protest, the definitive rolls of tribes and bands produced in conjunction with allotment were everywhere contested.

As with tribal enrollment, borderlands individuals also pushed for status and rights via "halfbreed" scrip. While organized campaigns pressured for expansion of scrip groups, people doggedly pursued approval of their own scrip applications.[1398] They flocked, of course, to the

---

[1391] Charles Davis, Superintendent, Fort Totten Agency, August 17, 1905, reprinted in ARCIA 1905, 282.
[1392] ARCIA 1906, 154.
[1393] Acting CIA to SOI, December 20, 1906, File: Enrollment, 1906-1910, Turtle Mountain, Box 149, RG 75, NARA CPR. The figures in this paragraph are not meant to provide a precise count of applicants for enrollment at Turtle Mountain in this period. Some of the applications may be included in more than one count, and many applications may not appear in any of the documents I have located in my research. They should, however, suggest something of the scale of Turtle Mountain enrollment application activity.
[1394] File: Jurisdiction, Fort Belknap. 1836-1839, Turtle Mountain, Box 63, RG 75, NARA CPR.
[1395] Hauke to C. B. Lohmiller, Poplar, Montana, May 4, 1909, File: Tribal enrollment committee, Box 134, Ft. Peck Agency Series 45-52, Record of Births, Allottees, etc., RG 75, NARA RMR; Chief Land Division to C B. Lohmiller, Popular, Montana, December 13, 1910, File: Tribal enrollment committee, Box 134, Ft. Peck Agency Series 45-52, Record of Births, Allottees, etc., RG 75, NARA RMR; Superintendent to A. E. McFatridge, Browning, Montana, March 15, 1911, File: Blackfeet (2), Box 1, Flathead Agency, Letters sent and received between MT Indian Agencies, 1909-1925, RG 75, NARA RMR; Hauke to W. W. Scott, April 4, 1912, Box 14, Folder 2, RS 266, MHS; Superintendent to H. H. Miller, Fort Peck Agency, Poplar, Montana, June 2, 1913, File: Fort Peck Agency 1911-1914, Box 8, Ft. Belknap Agency Letters received 1908-1920, RG 75, NARA RMR; McFatridge to H. H. Miller, Blackfeet Agency Browning, Montana, April 25, 1914, File: Letters Received- Blackfeet Agency, 1907-1914, Ft. Belknap Agency Letters received 1908-1920, RG 75, NARA RMR; Superintendent to Rodger St. Pierre, Box Elder, Montana, June 10, 1916, File: June 10, 1916- December 31, 1916, Box 2, Ft. Belknap Agency Local Letters sent 1910- 1927, RG 75, NARA RMR; William Bigby, *Minutes of General Council Held on the Fort Belknap Indian Reservation at Lodgepole, Montana*, July 6, 1917, File: July-September 1917, Box 14, Ft. Belknap Agency Letters Received from CIA 1878- 1929, NARA RMR; Superintendent to CIA, Washington D.C., August 9, 1917, File: July- September 1917, Box 14, Ft. Belknap Agency Letters Received from CIA 1878- 1929, NARA RMR;
[1396] Cf. Chief William Carry Kettle to Indian Agent, Ft. Belknap Agency, January 13, 1912, File: Letters received- Canadian Indians Agencies 1911-1914, Ft. Belknap Agency, letters received 1908-1920, Box 5, NARA RMR.
[1397] Gaetz to Minister of the Interior, Ottawa, Ont., May 10, 1907; and Newman to The Secretary, Department of Indian Affairs, Winnipeg, June 13, 1907, File 84,138, vol. 3863, RG 10, LAC.
[1398] Cf. State of Montana, County of Chouteau to the Department of the Interior, October 14, 1905, File 766848, vol. 885, RG 15, LAC.

formal scrip commissions that visited communities to take applications for specific scrip groups. But they also took matters into their own hands, submitting applications to the Department of the Interior through government representatives like Dominion Lands Agents, who until 1894 were authorized to receive applications on behalf of the government. Occasionally, scrip applications would also be sent to the Department of the Interior through lawyers or other agents who represented métis individuals who, for one reason or another, had not applied through regular channels. James Sulgrove, Esq., of Choteau, Montana handled Emma Larance Nadeau's scrip claim in 1905, while Flora St. Sauveur submitted hers through her brother, Havre attorney Isadore St. Sauveur.[1399] Other people, like Frank Munroe of Browning, MT, cut out middlemen altogether, writing directly to Canada's Interior Department to inquire "about this script [sic]."[1400] Taken together, these individual efforts, like tribal enrollment applications, constituted a large-scale, widespread, sustained claim to status and rights. In addition to the many thousands of scrip applications submitted from Canadian locales, the Library and Archives of Canada contains hundreds of applications for Canadian Half Breed Scrip that were filed by residents of Montana and North Dakota. [1401] Among them were many associated with the "Turtle Mountain band of Chippewa": the band's agent complained in 1901that attempts to prove "their claims to their right to draw scrip for many of their children" had become "general" among his charges.[1402]

Borderlands individuals sought as well rights to other off-reservation lands. In the U.S., government policy ostensibly encouraged such efforts: a 1914 policy promised Indian Homesteads for any Indian "not residing on a reservation, or for whose tribe no reservation has been provided by treaty."[1403] Such policies were particularly pertinent at tiny reservations like Turtle Mountain, where in 1905 the agent estimated that some "two hundred applications [for public domain lands] have already been filed in the various local land offices of [North Dakota] and Montana." [1404] Such claims to Indian lands off-reservation came from the enrolled and unenrolled alike.[1405] Métis people in the U.S. borderlands also sought public domain parcels under regular homestead laws.[1406] They targeted, too, Canada's public domain. When the Dominion demurred on assigning group homestead rights to Sioux near Wood Mountain in 1909, some "Lakota Sioux," like John LeCaine, nonetheless filed homestead claims. Le Caine had apparently settled west of the old Wood Mountain NWMP post in 1907, and he applied for a homestead there in 1910, using "the name of his mother's first husband, a white man."[1407]

Promises of Indian Homesteads to the unenrolled notwithstanding, off-reservation residence rights were linked to state status categories, most critically citizenship. Pursuit of citizenship and associated rights figured prominently in borderlands indigenes' efforts to find some spatial security. In the wake of 1885, many people who had Indian status in Canada but

[1399] P. G. Keyes to James, Sulgrove, Ottawa, July 26, 1905, and P. G. Keyes to St. Sauveur, Ottawa, August 21, 1905, File 62347A, vol. 973, RG 15, LAC.
[1400] Frank Munroe, Browning, Mont., May 29, 1908, File 1605509, vol. 1026, RG 15, LAC; Stevenson to Interior Dept Secretary, May 9, 1904, Choteau, Mont., May 9, 1904, File 891586, vol. 914, RG 15, LAC.
[1401] I found 438 claims submitted the 1900 "North-west Halfbreed Claims Commission" that came from people living in Montana and North Dakota in the LAC. "Métis Ridge Teton County Montana," *Rootsweb*, October 16, 2014, http://www.rootsweb.ancestry.com/~mtteton/metisridgeproposal.html.
[1402] ARCIA 1901, 295.
[1403] A. A. Jones to Department of the Interior, *Appeal from the General Land Office*, February 19, 1914, see also Acting Superintendent, The Register and Receiver, April 12, 1915, Enrollment of Citizenship Degree of Blood, 1930-1948, Turtle Mountain, Box 58, RG 75, NARA CPR; Franklin K. Lane to Henry Ashurst, February 23, 1916, Hauke to Roscoe Craige, February 29, 1916, Superintendent to CIA, March 6, 1916, File: Turtle Mountain Claims Against the Government, 1916-1925, Turtle Mountain, Box 113, RG 75, NARA KC.
[1404] ARCIA 1905, 281-282.
[1405] C. M. Seitach to Charles Hamilton and Charles Hamilton to C. M. Seitach, February 24, 1910, Indians Not Enrolled, 1909-1910, Turtle Mountain, Box 278, RG 75, NARA CPR.
[1406] Foster, "We Know Who We Are," 2000, 495–508.
[1407] Papandrea, *They Never Surrendered*, 33.

were living in the United States "changed their status by legal process provided by laws of the Dominion governing the discharge of half-breeds from our Indian treaties." Canadian authorities understood these procedural maneuvers as attempts to attain rights to occupy American-claimed space. They informed their American counterparts that "many of these persons are now therefore not Indians in the eye of the law, as while residing abroad they applied for, through attorneys, and received from the Dominion Government, certificates for the termination of their disabilities as treaty Indians. These persons having now resided for ten years (more or less) on United States soil (principally in Choteau County, Mont., I believe), it is assumed that it is not the intention of the United States Government to disturb them."[1408] Sometimes these efforts garnered the attention of journalists. In 1893, Cree "sub-chief, Buffalo Coat," appeared in federal court in Great Falls with his attorney John Hoffman and requested papers to begin obtaining citizenship for himself and several others.[1409] Some years later, the Choteau (MT) *Acantha* reported on a rash of citizenship applications in Fergus County, which encompassed the mixed indigenous communities of the Judith Basin, most notably Lewistown. As the *Acantha* reported, these efforts prompted the clerk of the district court there to write federal officials making "inquiry regarding the right of Canadian halfbreeds to become naturalized."[1410]

Less formal efforts supplemented attempts to secure formal citizenship. Some métis people who could pass as white pursued the prerogatives of whiteness by changing "their names to ones that would not reveal their ancestry."[1411] Others used legal arguments to defend what they perceived as their rights. This was a favorite strategy of Buffalo Coat, who continued to involve the courts after his earlier citizenship efforts. In June of 1896, Lieut. John J. Pershing, working with the local sheriff and commanding cavalry troops from Ft. Assiniboine, surrounded some 50 people in the "Cree camp" at Great Falls in preparation for forcing its occupants into Canada. After Pershing "show[ed] the gauntlet of steel by stating that he had established his camp beside them and that he had put picket around it and did not want any of them to try to go away from the camp without his permission till he had completed a list of their names and numbers," Buffalo Coat, who led the band, "consulted attorneys." "The Indians obeyed the orders" of Pershing, but prepared to submit to "the district court application on behalf of all the prisoners for a writ of habeas corpus . . . it being contended that the Indians have violated no law and that they have not been arrested under due process of law."[1412] The following day, Buffalo Coat's long-time attorney John Hoffman applied for the writ in the court of Judge Benton.[1413] Hoffman also questioned the legality of the Army's actions on other bases, arguing that Congress had appropriated money for but had not explicitly authorized the expulsion. Moreover, he maintained, the relevant legislation specified the "deportation" of "Canadian Cree," but many of those being detained for expulsion were U.S. citizens or American Indians.[1414] Other detainees took more desperate measures that we might interpret as the ultimate act of self-determination. Rather than be removed to Canada against their wills, a woman whose name went unrecorded and a man named Raining Bow, who fought at Duck Lake in 1885, killed themselves.[1415]

[1408] Forget to Rickards, April 1, 1896, reprinted in Gray, "History of The Cree Indians," 42–43.
[1409] Wessel, "A History of the Rocky Boy's Indian Reservation," 13–14.
[1410] C. F. Larrabee to E. A. Allen, February 4, 1907, File: Notes, 1907-1908, Turtle Mountain, Box 190, RG 75, NARA CPR.
[1411] Harrison, *Métis*, 64.
[1412] *Great Falls Tribune*, June 20, 1896 transcribed in Gray, "History of The Cree Indians," 3–5. At the time, Little Bear was "away at Basin." "Buffalo Coat had about 50 Indians with him and Little Bear had a larger band. Many also were at the Crow Reservation."
[1413] *Great Falls Leader*, June 23, 1896 transcribed in Ibid., 5–7.
[1414] Dusenberry, "The Rocky Boy Indians," 6; *Helena Independent Record* June 1896 and *Great Falls Tribune*, June 20, 1896 transcribed in Gray, "History of The Cree Indians," 5.
[1415] *Great Falls Leader*, June 23, 1896 transcribed in Gray, "History of The Cree Indians," 7–8. Raining Bow, before he died, "was visited at the hospital by one of the Assiniboine tribe now camped on the west side."

One wonders if the anonymous woman and Raining Bow would have committed suicide if they could have found a secure space in which to live. Their deaths may have been direct result of statelessness, a last resort in the face of borderlands indigenes' widespread failure to secure status and rights. Few of the many métis efforts to contest statelessness succeeded. When Raining Bow's associate Buffalo Coat tried to start the American citizenship process three years earlier, the local U.S. attorney E.D. Weed issued preliminary papers to only four "Cree Indians" before shifting gears and advising the Clerk of Court to refuse to issue additional "declarations of intent."[1416] In a similar vein, the Fergus County court's "inquiry regarding the right of Canadian halfbreeds to become naturalized" elicited a negative, sweeping response from "the Department of Immigration in Washington, D.C." Immigration officials issued an opinion that "it is impossible under the law for Canadian half-breeds to become citizens of the U.S. by naturalization . . . section 2161 of the revised statutes of the U.S. provides that citizenship should only be conferred upon free white persons, Africans, or persons of African descent."[1417] Their decision mimicked the earlier response of federal officials who addressed the question of indigenous naturalization and homesteading, maintaining as early as 1886 that "the question is well settled that an Indian or Half Breed Indian cannot avail himself of the naturalization laws of the United States, nor acquire title to any portion of the public lands under the general land laws."[1418] In this climate, it is no surprise that Buffalo Coat's other legal maneuvers to escape detention and expulsion failed as well. After the court ruled against him in 1896, the Army continued to round up and imprison Montana's mixed, mobile indigenous people in preparation for expulsion. Raining Bow would not go. Instead, he killed himself. [1419]

Efforts to contest statelessness by securing scrip also failed. As we've seen, Canada denied borderlands indigenes' scrip applications for an array of reasons, and as indigenous statelessness materialized across the region the state remained, in this respect, steadfast. In the years after 1900, when Little Bear requested scrip for himself and his family in the course of negotiating his return to Canada, the Dominion declined. Its reason for doing so? Little Bear and his associations had in the past accepted treaty and "thereby admitted that you are Indians."[1420] Indeed, state status became, if anything, more elusive over time, as each effort to contest statelessness by pursuing one legal status was used as evidence against applications for inclusion in other official categories. Across the borderlands, applications for citizenship, homesteads, scrip, and tribal enrollment piled up, providing authorities with an ever-larger documentary record to reference when evaluating the applications that crossed their desks. And they used this record repeatedly, communicating with one another from offices throughout Canada and the United States. "The Honorable" McKenna's trip to Dakota in his effort to discredit and deny scrip applicants—discussed earlier—was but one of many examples of officials cross-referencing mixed, mobile indigenes' attempts to secure state status.[1421] Each of these interacting inquiries jeopardized métis peoples' efforts to contest their solidifying statelessness.

[1416] Wessel, "A History of the Rocky Boy's Indian Reservation," 15–16.
[1417] *Choteau Acantha*, April 4, 1907 reprinted in "Métis Ridge Teton County Montana."
[1418] Bayard to Sir. L. S. S. West, August 30, 1886, File 142416, vol. 506, RG 15, LAC.
[1419] *Great Falls Leader*, June 23, 1896 transcribed in Gray, "History of The Cree Indians," 5–7.
[1420] D. Laird to Little Bear, January 24, 1906, *Geneva Stump Fonds*, Glenbow.
[1421] Cf. McIlree to Dewdney, March 27, 1886, *Edgar Dewdney Fonds*, Glenbow, 1286-1287; Land Commissioner to Department of the Interior, April 5, 1886, File HB 4323, vol. 194, RG 15, LAC; White to DOI, Ottawa, April 19, 1886, File 142416, vol. 506, RG 15, LAC; Superintendent to Superintendent, White Earth Agency, Jocko, Montana, January 3, 1912, File: White Earth Agency, Flathead Agency, Letters Sent and Received between Superintendents of Montana Indian Agencies, 1909-1914, Box 2, RG 75, NARA RMR.

When people like McKenna involved Indian Agents in their efforts to undermine scrip claims of borderlands indigenes, they encouraged and fortified a parallel prejudice against efforts to gain enrollment in recognized Indian bands. After being denied scrip in Canada on the basis of his alleged "fullblood Indian" status, Chief Wolf applied for membership at the U.S. Turtle Mountain Reservation. As we've seen, his was but a drop in the stream of applications Turtle Mountain received. The OIA approved only a handful of these. In 1904 the OIA instructed Superintendent Charles Davis at Fort Totten to create a new "official" Turtle Mountain roll based on the 1892 census, "accepting no additions other than by birth after that date," before holding the approval vote. Although Davis had for some time been lamenting the human motion and the confused enrollment policies that doomed his census attempts, "after weeks of work" he proudly announced an updated, and emaciated, OIA census: "2,094, 620 less than the number report for June 30 pevious [sic]."[1422]

When he submitted his census, Superintendent Davis enshrined the McCumber roll to an extent even its original creators hadn't envisioned. In deference to the complexity of Turtle Mountain affairs, McCumber and his accomplices had closed their 1892 report with the caveat that they did "not desire to be understood that there may not possibly be other persons entitled to recognition."[1423] But despite the flexibility dictated in the final line of the McCumber report, most enrollment applications received minimal consideration, if any. Davis forwarded only some of the applications on to the OIA, taking care to explain that they had "to be considered on a basis different from any similar claims [he had] ever known by reason of the fact that if the tribe [was] consulted a wholesale admittance [would] follow."[1424] By 1906, of the 2,000-plus enrollment claims received since 1892, only 35 had been accepted.[1425] The BIA rationalized its rejection of the vast majority of subsequent applications for enrollment for many reasons, not least of which was its oft-uttered claim that the McCumber roll was final. Despite this purported finality, Turtle Mountain people lucky enough to make the original roll sometimes found themselves cut from it years later. A massive 1906 report illustrated these pernicious patterns: when Acting Commissioner of Indian Affairs C. F. Larrabee submitted his review of the enrollment applications of 747 people to the Secretary of the Interior, he recommended 718 be denied and only twenty-nine approved. He also suggested twenty-seven people listed on the earlier roll be removed.[1426]

[1422] ARCIA 1905, 281. The Fort Totten superintendent was well familiar with the ongoing roll issues, and had for several years expounded at length on the policies and population patterns that precluded accurate censuses. ARCIA 1902, 265; ARCIA 1904, 268-269; ARCIA 1905, 280-281.

[1423] P. J. McCumber, John W. Wilson, W. Woodville Flemming, Commissioners, to Commissioner of Indian Affairs/Department of Interior, *Report of the Turtle Mountain Indian Commission of the Agreement Concluded Between Said Commissioners and on the Part of the United States, and the Turtle Mountain Band of Chippewa Indians, October, 22, 1892*, report, December 3, 1892, reprinted in *Senate Document 444*…, 23.

[1424] ARCIA 1905, 282.

[1425] ARCIA 1906, 154. Through this entire process, John Bottineau persisted in his efforts to help enroll Turtle Mountain people who had been purged by the McCumber commission. In 1911 he was still struggling to create a more accurate tribal roll. "For the purpose of identification and completion of the rolls of my kinsmen," he wrote to the CIA, in language that echoed his request of almost twenty years earlier, "kindly give me access to the Roll of Chief Rocky Boy's Band of Chippewa Indians, comprised of a great number of the Turtle Mountain and Pembina Bands of Chippewa Indians, of North Dakota and their descendants, who have wandered away from their old home with the Tribe . . .and scattered; seeking a livelihood in the West and Northwest county, and now located under the leadership of Chief Rocky Boy, upon the Blackfoot Reservation in Montana." John B. Bottineau, Solicitor for the Turtle Mountain Chippewa Indians of North Dakota, to CIA, July 19, 1911, reprinted in Ewers and United States, *Ethnological Report on the Chippewa Cree Tribe of the Rocky Boy Reservation and the Little Shell Band of Indians*, 147.

[1426] C.F. Larrabee to SOI, December 20, 1906, submitting August 20, 1906 report on *"Applications for enrollment in the Turtle Mountain Band of Chippewa Indians by Special Indian Agent E. A. Allen*," Report on Enrollment Applications, 1906, Turtle Mountain, Box 190, RG 75, NARA CPR. The results of enrollment applications reported in this report were typical. The previous year, the Acting CIA submitted 286 applications for enrollment to the DOI, recommending 250 for rejection and 36 for enrollment. At the same time, it advocated striking 11 people from the existing roll. Cf. Larrabee to Superintendent, Fort Totten School, November 2, 1905, Enrollment 1906-1910, Turtle Mountain, Box 149, RG 75, NARA CPR.

Attempts to secure status and lands en masse, through state recognition as a distinct official Indian group, faced the same dismal prospects that defined individual enrollment efforts. Little Bear and Rocky Boy led collective efforts in Montana, working for years to gain rights and resources on behalf of the region's stateless indigenes. Their saga is filled with one heartbreaking failure after another. When they began petitioning the Indian Department, officials repeatedly investigated, reported, discussed, and referred their request back for further investigation. Agents in the field averred that "owing to the migratory habits of these Indians it was very hard to get any definite information as to their identity or character."[1427] On each of the reservations where officials considered installing Rocky Boy's band, government agents and portions of the enrolled members—who were sometimes in the midst of allotment proceedings, and acutely aware of resource allocation issues among other factors—adamantly opposed the proposition. In 1904, after multiple rejections of requests for residence rights on existing reservations, the band seemed poised to secure space when a bill in response to their many petitions eventually made it into the U.S. Senate. The bill provided Flathead Reservation allotments for some Rocky Boy band members pending approval by the Indians there. That approval was refused. U.S. Senator Dixon, who hailed from the Flathead area, suggested instead that the band be allotted Blackfeet lands.[1428] But most Blackfeet reservation allotments failed to materialize even after many people relocated there at significant expense, and peril, in the depths of winter.

In 1909, the Secretary of Interior set aside 60 townships of the public domain in Northeastern Montana for allotments for "the Rocky Boy Band." Powerful business elites in the region, as well as non-Indian rural people, community leaders, civic groups, and the state's congressional representatives, like U.S. Senator Paris Gibson of Great Falls, protested. In a move echoing that at Turtle Mountain thirty years before, the SOI restored the lands to the public domain and then opened them to non-Indian settlement. Four years later Congress considered a bill to turn "the abandoned Fort Assiniboine Military Reservation" into "a reservation for the Rocky Boy's Band of Chippewa Indians and other homeless Indians in the State of Montana." Hopeful métis arrived at the site after hearing that it would be allocated to them, but the bill stalled in committee.[1429] Little Bear resorted to confronting the Secretary of Interior, Frank Lane, in the lobby of the Placer Hotel when Lane visited Helena in 1913, but still the Fort Assiniboine lands remained in limbo.[1430] It would be another three years before Congress finally granted to Rocky Boy's band a fraction of Fort Assiniboine lands, the balance of which were opened to settlement. Two months before the bill passed—setting aside "the least desired area of the old military reservation" for Rocky Boys band—Rocky Boy died.[1431]

Heartbreak haunted the Rocky Boy lands saga in more ways than one. As the band's leaders fought rejection after rejection, the United States used their requests as a reason to interrogate the rights of associated individuals. From their first inquiries on, government officials tried to dismember the Rocky Boy community even as they rejected its requests for recognition and rights. When Thralls Wheat and other government agents reported on the applications by Rocky Boy for group recognition and a reservation, they invariably reviewed not only the supposed merits of recognition but also which individuals were "properly belonging"—as Wheat put it—to the band. The bill for Flathead allotments that was finally introduced to the

[1427] *Wandering American-Born Indians or Rockboy's Band, Montana,* Senate Report No. 1020, 58th Cong., 2nd Sess., February 26, 1904.
[1428] Wessel, "A History of the Rocky Boy's Indian Reservation," 22.
[1429] "Rocky Boy and His Band," *The Great Falls Tribune*, November 3, 1909, transcribed in Gray, "History of The Cree Indians," 57–59, 85-87.
[1430] *The Conrad Observer*, Conrad, MT, August 7, 1913, transcribed in Ibid., 83–85.
[1431] Ibid., 85–86; And *Great Falls Tribune*, April 23, 1916, transcribed in Ibid., 93–95; Dusenberry, *The Montana Cree*, 47.

U.S. Senate in 1904 specified in its title that it was intended only for the "American-Born Indians of Rocky Boy's Band." Lest this label prove insufficient, the limitation was elaborated in the bill's text, which specified that land would be provided to only those Indians who "as shall upon investigation be satisfactorily shown to have been born in the United States and who may desire to settle permanently on said reservation." Subsequent considerations were also explicitly intended to "only help the American-born part of the Rockyboy's band."[1432] After years of denying such requests, the U.S. government finally created a reservation for Montana's "landless Indians" in 1916. It inaugurated the new reservation by making a membership roll and rejecting many applicants for enrollment and residence thereon. The "Tentative Roll of Rocky Boy Indians" counted 658 individuals. Officials eliminated 207 of these from final enrollment.[1433]

The closing act of the Rocky Boy saga underscores a final, critical way that stateless indigenes efforts failed: the few successes were often partial. And they were partial not only in a quantitative way, ie. that significant portions of the population always remained excluded from expansions in recognition and rights, but also in a qualitative way. Even when campaigns for status were victorious, Canada and the U.S. granted recognition and, sometimes, resources, as a privilege, not a right. Reservations like Turtle Mountain and Rocky Boy were established by congressional or executive action, not through treaties that legitimized the indigenous land claims they addressed. Reserves set aside for "Sioux" in Canada suffered a similarly tenuous status. Although Edgar Dewdney denied Sitting Bull's 1881 request for a reserve, as well as many subsequent requests like those in 1886 and later for a reserve near Moose Jaw, the Dominion did create a few Sioux reserves over the years. Between 1874 and 1881, "the Canadian government granted reserves to some Dakota Sioux bands in Canada, including the bands of Chief Standing Buffalo (the son) and Chief White Cap."[1434] Other Sioux reserves established in this period include Birdtail, Oak River, and Oak Lake.[1435] And after years of denying petitions, Canadian authorities eventually approved several other Sioux reserves, like the Turtle Mountain reserve, established in 1886, the Wahpeton reserve (on the north side of the Saskatchewan River), established in 1894, and the temporary Wood Mountain Lakota Sioux reserve, established in 1910, about half of which was made permanent 20 years later. [1436] But like métis reservations south of the international boundary, "Sioux" reserves in Canada derived from administrative decisions rather than treaty agreements. "Sioux" lands were a government granted privilege rather than a contractual right, and this fact made them explicitly and intentionally insecure. Moreover, the Dominion made clear that while "they were given Canadian reserves . . . they were not entitled to treaty benefits or other assistance (they were 'non-treaty' Indians)." It also made clear that it would grant occupancy privileges only to a portion of the community: at Wood Mountain officials refused land for families they labeled as being "from Fort Peck reservation, Montana."[1437] Even in success, the mixed, mobile indigenes of the borderlands remained subject to the inclinations of colonial governments.

Since borderlands indigenes' claims arose from both enduring physical need and moral imperative, each partial success or failure set the stage for future efforts. But at the same time,

[1432] SOI to Chairman of Committee on Indian Affairs, January 15, 1904 Senate Reports, 58th Cong., 2nd Sess., vol. 4, no. 1020.
[1433] "*Tentative Roll of Rocky Boy Indians, May 30, 1917*," United States Bureau of Indian Affairs, Rocky Boy Reservation, SC 903, MHS.
[1434] Papandrea, *They Never Surrendered*, 2, 5.
[1435] Elias, *The Dakota of the Canadian Northwest*, 2002, chap. 3–4.
[1436] Papandrea, *They Never Surrendered*, 15. The Wood Mountain reserve adjoined the homestead of John LeCaine, who incorporated his land into the reserve in 1954 and "then legally became a member of the Wood Mountain Band." Elias, *The Dakota of the Canadian Northwest*, 2002, 133.
[1437] Papandrea, *They Never Surrendered*, 2, 38. Given that the 1910 census of the band, many of whom remained in Moose Jaw and elsewhere, listed only 28 men between the ages of 21 and 65, this represented a significant portion of the community. See Ibid., appendix p. 1.

initial exclusion from status categories encouraged later exclusions. People's unsuccessful attempts to secure one legal status inhibited other attempts, and all the while the mobility and landlessness of many métis supported the notion that they came from somewhere else, further undermining claims to status, soil, and rights. Campaigns for status and rights to land and resources varied with developments in colonial policies. But, over time, an increasing emphasis on "proof" of membership in federally recognized groups fractured the métis community, pitting neighbors and relatives against one another in competition for limited and decreasing resources. Efforts to secure status thus reveal a central paradox of their history: for many, autonomy seemed achievable not only through resistance to the state but via successful identification with it. Often this entailed embrace of the same colonial categorization schemes used to exclude them in the first place.[1438]

[1438] In his discussion of Métis people and community membership at Montana's Fort Belknap reservation, Hogue envisions this embrace as empowering tribes to determine membership. Hogue, "Between Race and Nation: The Creation of a Métis Borderland on the Northern Plains," 72–76.

Chapter 10:
Enduring Indigenous Geographies: Lived Communities

Pursuit of formal claims constituted the most visible of borderlands indigenes' attempts to secure rights and resources. But the failure of these formal attempts led most people to rely on a far more dependable method for gaining access to land, illegal residence. Non-compliance with colonial regulations was less obvious than formal efforts, but more common and more effective. This was especially true of laws limiting location and mobility. One of the most important ways mixed, mobile indigenous people continued to claim to their homeland was by persistently moving throughout it in their day-to-day existence. Stateless indigenes also continued to claim their homeland by refusing to stay out of forbidden spaces. Despite the multiplying ways settler societies impeded indigenous movement, and despite academics' suggestions that sedentarization and separation succeeded, they moved between and occupied dispersed locales within their expansive homeland through the 1930s and beyond.

Much of this ongoing mobility and enduring occupation is absent from histories of the region and its people. We've seen how the continual physical expulsion of mixed, mobile indigenous people, and the discursive displacement that underwrote it, obscured the duration, variety and geographic extent of their claims to territory. It also, with critical consequences, erased the history of enduring occupancy on which those claims stood. The depth and effectiveness of this erasure is evident in the historiography of the region, especially in older work. By recasting many borderlands indigenous people as outsiders, and treating them as such, contemporaries and academics erased the fact that such people remained in their own ancestral homeland and continued to campaign for status as rightful inhabitants of places throughout their traditional territory.

Marquee migrations like the post-1885 flight southward and the 1896 "deportation" of "Cree" from Montana loom large in the historiography of borderlands indigenes. The attention authors pay to specific migration episodes depends to a degree on each one's particular focus, but most emphasize some combination of the above and migrations linked to the 1862 Dakota Conflict, the 1869-70 Red River Conflict, or the 1876 Battle of the Little Big Horn, as well as slightly less sensational movements like those associated with the southward contraction of the buffalo around 1880 or the Turtle Mountain enrollment of 1892. These dates are important plot points in the history of mixed, mobile indigenous groups on the northern Great Plains. But historians' perpetual emphasis on them inhibits our understanding in several fundamental ways. Most immediately, emphasis on marque migrations misleads us about the nature and duration of indigenous mixture, implying that seminal events catalyzed migration that brought formerly discrete populations together in the late nineteenth century. But exceptional episodes didn't produce mixture. It was an enduring and definitive attribute of the communities in question. Emphasizing exceptional migrations also misleads us about movement across state, national, tribal, and racial lines. This movement was a persistent, continual component of indigenous use of a historic homeland. Historiographic habits can reduce it to an anomaly in which people move into a place to which they were foreign, and which was foreign to them. Such habits obscure borderlands indigenes' enduring occupancy of their homeland. In the case of the NW Conflict of 1885, for instance, emphasis on a singular post-conflict migration erases earlier occupancy of American-claimed space and at the same time re-casts the many migrations in the decades *after* the conflict, which followed patterns established decades before. Instead of being modern manifestations of long-established, purposeful migratory practices in order to use

different locales within a historic territory, they've been interpreted as the aimless wanderings of refugees in an unfamiliar land.[1439]

This last point compels us to consider an element that is just as problematic as historians' recurrent over-emphasis on marquee events, ie. the language they employ in the process. In various guises, contemporaries' discursive displacement of borderlands indigenes endures to this day. Many histories parrot primary sources and previous scholarship in their discussion of indigenous people in between. As they narrate migrations like those associated with events in 1885 and 1896, these histories take the discourse in primary sources at face value—they tell us that the people involved were "Canadian refugees" who had no rightful claims in the U.S. so they got "deported." Then they "wandered" about "aimlessly" from town to town because they had "nowhere left to go." All the critical ways borderlands indigenes were discursively displaced by contemporaries have been replicated in much of the literature. National labels like "Canadian," tribal labels like "Cree," words like "displaced," "refugee," "deport," and "wander" that imply foreignness and unfamiliarity—these have long been staples in histories of mixed, mobile borderlands indigenes. They get used for groups in the U.S. like "Canadian Cree" and groups in Canada, like "American Sioux."[1440] This ongoing discursive displacement is apparent even in the growing body of work that explicitly interrogates ideas of race and nation. Authors like Michel Hogue narrate the history of distinct "Cree" groups along the U.S.-Canadian border, thereby replicating the inaccurate and misleading tribal labels that were so central to the "restrictive notions of citizenship, race, and nationality" that underlay "agitation to expel the Crees."[1441] These substantive and linguistic customs obscure the duration and variety of métis claims as well as the duration of mixture, movement and inhabitance. That is, they erase both indigenous rights to land and indigenes' persistent pursuit of those rights.

This image of refugee movements also implies a parallel stasis among those whose claims to land, either individually or as enrolled members of Indian tribes, were validated by colonial governments. Those who moved were homeless, wandering, lost, had "nowhere left to go."[1442] They were not people continuing to move through and use their homeland as they long had despite increasing obstacles to doing so. Closer examination reveals flows of both enrolled and unenrolled, landed and landless, "Indian" "White" and "Métis" people throughout a consistent geography. Histories that dwell on discrete migrations imply as well discrete populations. Groups move in and conflict or cohere with other groups, as opposed to all being a part of a larger whole. Then some groups move out, and they leave the story, which is usually based in a relatively small area (be it a reserve, a reservation, a state, or a non-reservation

[1439] Foster, *We Know Who We Are*, 2006, 177; Ens, "The Reformulation of the Turtle Mountain Métis Community, 1879-1905"; Peterson, *Imasees and His Band*; Dusenberry, "The Rocky Boy Indians," 3, 11–12; Dusenberry, *The Montana Cree*, 33–34, 43; Wessel, "A History of the Rocky Boy's Indian Reservation," 26–42; Burt, "In a Crooked Piece of Time: The Dilemma of the Montana Cree and the Métis," 48, 50; Burt, "Nowhere Left to Go: Montana's Crees, Métis, and Chippewas and the Creation of Rocky Boy's Reservation"; Ryan, "Freedom, Fear, and the American Periphery"; River, "A Mountain in His Memory."

[1440] Cf. Papandrea, *They Never Surrendered*. In language that unintentionally reflected the discursive traditions that displaced the Sioux north of the boundary, Peter Elias summarized Sioux efforts to get full Canadian status: "When they *first came to Canada [in 1862]*, and for several decades thereafter, the Dakota attempted to assert certain rights on the basis of their own history." See Elias, *The Dakota of the Canadian Northwest*, 2002, xiv. Emphasis added.

[1441] The erasure of mixture implicit in Hogue's labeling crop up in his analysis as well, in which "Crees" are caught "between race and nation," but not between equally powerful boundaries of tribe, band, and place. Other discursive displacement traditions appear periodically in Hogue's text. Like the tale of "Cree" "bands [that] first appeared in the territory in the months following the suppression of the North-West Rebellion in Canada in 1885." Michel Hogue, "Crossing the Line the Plains Cree in the Canada-United States Borderlands, 1870-1900" (National Library of Canada = Bibliothèque nationale du Canada, 2003), 156. Or the parallel suggestion that Sioux presence in Canada was new, as implied by the statement that "After 1876, U.S. officials' uneasiness over growing concentrations of diverse tribes was wrapped up in deeper concerns about the presence of Sitting Bull and several thousand refugee Lakota camped just north of the international boundary." Hogue, "Disputing the Medicine Line: The Plains Cree and the Canadian-American Border, 1876- 85," 88.

[1442] Burt, "Nowhere Left to Go: Montana's Crees, Métis, and Chippewas and the Creation of Rocky Boy's Reservation."

community like Lewistown). Such histories fulfill the sedentarization hopes of the Indian agents, and the colonial governments they served, much more than the populations in question ever did.

Reconstructing the migration patterns of Northern Great Plains groups into the first half of the twentieth century demonstrates that the mixed, mobile communities of the borderlands didn't conform to spatial and social boundaries dictated by the U.S. and Canada. Indigenous people continually crossed the borders created by colonial regimes. They kept moving and they persisted in forbidden places. Traversing Montana, North Dakota, Minnesota, Alberta, Saskatchewan and Manitoba, migrants linked Indian and non-Indian groups across an expansive traditional territory even as international and reservation boundaries dissected that territory and theoretically sundered their society.[1443] Their movement maps an ongoing pattern of interaction among the region's peoples and the endurance of a community that did not conform to boundaries dictated by the U.S. and Canadian empires. This migration testifies to both continuing occupancy and ongoing mobility as forms of resistance to colonial rule. It defied clean directional or temporal categorization, persisting well into the 1940s despite government efforts to separate and immobilize indigenous groups. By reconstructing the connections that continued to bind borderlands communities through the first half of the twentieth century, one begins to see the multiple reserve, reservation and off-reserve/reservation histories as parts of a single story rather than as merely related. Much of that story centers on maintaining connections despite the many obstacles to, and consequences of, doing so.

The depth and duration of métis community connections across space and time should force us to rethink the way we understand the history of the northern Great Plains and indigenous groups. By ignoring or minimizing these connections, historians obscure one of the important ways in which indigenous populations resisted the order imposed upon them by colonial regimes. When colonizing states seek to sunder indigenous communities through layered acts of boundary-making, they politicize maintenance of relations across those boundaries. And when colonizing states seek to control indigenous movement, they politicize mobility, and physical presence, itself. By reconstructing enduring links across territory, we gain insight into the everyday forms of resistance employed by indigenous peoples. We begin to see native peoples' non-compliance with the colonizers' order. When historians write about intertwined populations as though they are discrete, we are guilty of seeing like a state: we replicate the inaccurate and destructive social simplifications employed by states as tools of colonialism.[1444] We must insist on reconstructing the ties that bound métis societies as adamantly as métis people insisted on maintaining them.

An analysis of Northern Plains indigenous migrations from the late nineteenth through the early-twentieth centuries reveals that borderlands communities continued to use their historical homeland despite the many ways non-Indian settler societies impeded indigenous movement. Ongoing indigenous movement was no anomaly. Rather, it involved many people traveling across the region continually, and both quantitative and anecdotal sources document its prevalence. Many of these sources originated from official attempts to separate and sedentarize indigenous people, and their very existence attests to the persistence of mobility. Authorities kept complaining about, and battling, indigenous movement because it never stopped.

Authorities relied on reservation rolls in their efforts to separate and sedentarize Northern Plains indigenes, and the documents produced during enrollment efforts reveal a lot about the

[1443] Traditional as used here means long-established. It does not mean primordial or unchanging since time immemorial.
[1444] The phrase "seeing like a state," comes from Scott, *Seeing Like a State*.

nature of indigenous migration and interaction. Such is the case with the preliminary membership census created in May of 1917 on the Rocky Boy Reservation. The census recorded information about people who gathered that spring on the recently-created reservation in the western foothills of Montana's Bear's Paw Mountains. In assessing potential members of Rocky Boy's band, census takers also investigated some families then living on the Blackfeet and Crow Indian Reservations, and in the Montana towns of Great Falls and Helena. As with censuses of related communities, the U.S. government ultimately used the 1917 Roll to exclude many of the people who claimed to be a part of the Rocky Boy community. Nevertheless, the family histories recorded in the initial enrollment process attest to the refusal of Rocky Boy people to conform to the U.S. and Canada's separation and sedentarization schemes.

The "Tentative Roll of Rocky Boy Indians" counted 658 individuals in 169 family groups. It recorded the name, sex, age, and birthplace of most individuals. The narrative report that originally accompanied it provided additional details. By organizing information like birth places and ages by family group, the census documents allow for a reconstruction of family migrations between 1827 and 1917. Recorded birthplaces bound a region stretching from Wisconsin and Ontario on the east to Montana's Mission Valley on the west, and the Edmonton, Alberta area in the north to Fort Hall, Idaho and Fort Washakie, Wyoming in the south.[1445] The territory outlined by Rocky Boy nativity will surprise no one familiar with the community's history. What is surprising, given the aforementioned assertions about the success of Canadian and American reservation policies by the 1880s, is the extent to which mobility over this region endured.

The migration histories documented in the census reveal that Rocky Boy people continued to use their enormous traditional territory into the twentieth century. For instance, seventy-six people on the roll reported being born in Alberta, Canada. The oldest of them was born at an unspecified location in 1835, and the youngest came into the world in Medicine Hat in 1915.[1446] At least four people on the Rocky Boy roll were born in Alberta in each of the intervening decades, and more were born in Alberta in the ten years after 1900 than in the ten years before.[1447] Similarly, the ninety-seven people on the Rocky Boy roll who were born in Saskatchewan had birthdates spanning over eighty years. Ninety year-old Angelique Disola, the oldest person on the roll, was born somewhere in Saskatchewan in 1827. Eighty-one years later, in August, 1908, Millie Swan gave birth to her second son, Frank, in Saskatchewan's Cypress Hills "while on a short visit" to the Canadian province where she herself was born.[1448]

The birth patterns for Montana and North Dakota were similar. The oldest Montana-born person on the roll, sixty-seven year-old Hanger Owner, "was born at Poplar Creek" in the northeast corner of the state in 1850 and then "went north to Canada and came to the United States 33 years ago." Two infants born in the first half of April, 1917, James Oats and Springtime, were the youngest Montanans counted in the census. The oldest of the thirty-three people counted by census takers who claimed North Dakota birthplaces was John Morrisette, Sr., born in 1841 at Dog Den (a.k.a. Maison du Chien), a butte in the central part of the state. The

---

[1445] "*Tentative Roll of Rocky Boy Indians, May 30, 1917*," United States Bureau of Indian Affairs, Rocky Boy Reservation, SC 903, MHS. All census information that follows comes from the tabulated census, unless the associated Family History report is specifically cited. All references to the Rocky Boy roll refer to this document as well.

[1446] Where the census documents didn't provide one, I calculated a birth year by subtracting a person's age from the census year (1917). The census was taken in May and therefore, depending on the month of a person's birth, the birth year may be one year off.

[1447] Thirteen people were born in Alberta from 1889 to 1899, inclusive, and fifteen people were born in Alberta from 1901 to 1911, inclusive. No one was born in Alberta in 1900.

[1448] "Family History" (report originally accompanying tabulated census), *Geneva Stump Fonds*, M 7937, Glenbow, 29. The Geneva Stump copy, the only copy I've been able to locate, is an incomplete transcription of the original. It is missing pages 78-114, inclusive. All information taken from this document includes only that available in the first 77 pages.

youngest was ten year-old Rosa Ducharme, who was born in the Turtle Mountain community of Dunseith, North Dakota in 1907 and had lived several places in Montana (including a homestead in Valley County, St. Peters Mission in Cascade County, the Blackfeet Reservation and the Fort Peck Reservation) before census takers encountered her on the Crow Reservation.[1449]

The enduring use of a vast homeland is likewise apparent when we look at the data differently, grouping people by age so that we can compare the geography of birthplaces with critical periods in the community's history. Adults born before 1862, prior to the major developments that pulled and pushed Rocky Boy groups westward and southward, ranged in age from 56 to 90 years old. Of the 73 people in this cohort, 65 were born in present-day Manitoba, North Dakota, Saskatchewan, Montana and Alberta. Of the remaining eight, five listed "Canada" as their birthplace, while two were born in Minnesota and one in Wisconsin. Even before 1862, over a quarter of the population was born in the United States. The westernmost areas of the region also formed an important component of the pre-1862 Rocky Boy homeland. About one-fifth of those born in this period reported Alberta or Montana birthplaces. Thereafter, Rocky Boy birthplace distributions shifted gradually within a stable overall homeland. From 1862-1885, the portion of those born in the United States grew to 29%, and 45% of people reported being born in the westernmost areas (that became Alberta and Montana) of the region. The eastern areas now encompassed by Manitoba and North Dakota contributed significant, but declining, portions of the population, accounting for one in every six people. Saskatchewan continued to account for the greatest number of births. After 1885, the southward shift of Rocky Boy birthplaces became more pronounced, but even in this later period one in five adults were born in Canada. The birth histories of teenagers on the roll also revealed continued use of Canadian portions of the Rocky Boy homeland. One in six of those aged 13-17 (born between 1900 and 1905) boasted Canadian birthplaces. Like Alberta and Saskatchewan, North Dakota also continued to account for a significant portion of Rocky Boy births.

Contrary to what most of the literature on this and related communities suggests, the area mapped by aggregate Rocky Boy population patterns reflects not the flight of refugees but the recurrent movement of mixed families. Of 136 family groups with two or more members, over two-thirds included members born on both sides of the international boundary.[1450] The internationalism of the Rocky Boy people was not created by the amalgamation in exile of a group of Canadian-born families with a group of American-born families.[1451] Among those enumerated on the preliminary Rocky Boy roll, ongoing mobility was widespread.

When one looks beyond births, the continued use of historical territory becomes all the more apparent. Many factors militated against bearing children without considering the potential consequences of their birthplace. Rocky Boy people were veterans of multiple treaty negotiations, enrollment processes and purges, deportations, and various other expulsions, restrictions, and denials based, in large part, on the nationality ascribed to them by agencies of the colonial nations invading their homeland. They were well aware that birthplace could and did have serious implications. These considerations must have played into decisions made about

[1449] "Family History" (report originally accompanying tabulated census), *Geneva Stump Fonds*, M 7937, Glenbow, 10, 70.

[1450] Family groups of single people, who could obviously be born in only one country, were not included here. Nor were three families with insufficient information regarding birthplaces of all members.

[1451] As noted in the discussion of related historiography, this is common allegation in primary and secondary sources. Cf. *Great Falls Leader,* June 2, 1896 transcribed in Gray, "History of The Cree Indians," 45. "Indians Leaving. Commissioner Forget to Arrive and Hold a Pow-Wow—Immunity Promised." "It is the intention of Commissioner Forget to grant immunity to the Indians who participated in the trouble connected with the Northwest rebellion, which, so far as can be learned, is the only reason why the Crees object to going back to their native land. It is now almost nine years since the tribe, or band, of the tribe, emigrated to Montana. Most of those who fled were participants in the Duck Lake and Cut Knife massacres. During their residence here, so they say, they have ceased to be Crees but have formed a tribe of their own and become associated with other tribes by reason of intermarrying.

travel during pregnancy, as well as about decisions regarding what information one reported to roll-making officials. Life histories of individuals help to reveal ongoing connections that birth records alone may not. Sometimes these connections were involuntary: some Rocky Boy people first visited Canada only when deported in the mid-1890s. Peter Kinnewash, for example, was born at Pembina, and he said he had "always lived in North Dakota, or Montana" until he was "taken across the Canadian boundary by United States troops." He remained in Canada for four years, dividing his time between Lizzard Point, Manitoba and Crooked Lake, Saskatchewan. Other Rocky Boy people recounted repeated visits or periodic relocations to Canada in order to live with friends and relatives or tend to some business like receiving or selling Canadian "half-breed" scrip. Some individuals on the roll, or listed in the supporting documents, claimed Canada as their permanent home. Joseph Condray, who census officials interviewed at Crow Agency, had traveled with his wife and ten children from Willow Bunch, Saskatchewan in order to visit relatives and work for wages on the Crow irrigation ditches. The Condrays had been living on the Crow Reservation since August, 1916, and planned on returning to Willow Bunch as soon as their six school-age children completed the year at St. Xavier's Mission school.[1452]

The extensive, enduring mobility evident at Rocky Boy characterized related communities throughout the borderlands. On both sides of the border, government employees charged with supervising the region's Indians documented an ongoing flow of bodies. Together, their reports paint a picture of prevalent and perpetual indigenous motion. U.S. Indian service correspondents across the Northern Plains struggled mightily with ongoing migration among their charges.[1453] There is little indication that creating official membership rolls—which explicitly linked individuals to particular places—had much impact on the level of movement.

Those who succeeded in enrolling at Rocky Boy, for instance, continued to move after the reservation rolls were finalized. A decade later, in the estimation of Helena's Dr. Cogswell, there were "quite a number of them still scattered over the state."[1454] Officials corroborated his diasporic portrait. As John Parker, government interpreter (and enrolled Rocky Boy member), put it "a lot of these Indians don't stay on the reservation."[1455] To the reservation's government farmer, their movement seemed incessant, and an impediment to his work: "some come and go so often that really knowing them is impossible."[1456] A special investigator dispatched in 1929 as part of a nation-wide survey of the condition of Indians noted that a large number of Rocky Boy residents "leave the reservation every summer" while, of the 523 enrolled members, "at least 129 . . . never visit the reservation."[1457] Charley Mowery was one of the mobile enrolled members at Rocky Boy, explaining to government investigators that he lived "any place," and moved "back and forth" from the reservation.[1458]

At Turtle Mountain, as at Rocky Boy, if officials hoped for improvement on the migration front after the McCumber Commission formalized tribal enrollment in 1892, they were disappointed. In subsequent years, Indian department officials continued to protest the incessant

[1452] "Family History" (report originally accompanying tabulated census), *Geneva Stump Fonds*, M 7937, Glenbow, 2, 65.
[1453] Samek, *The Blackfoot Confederacy, 1880-1920*, 155–156.
[1454] Dr. W. F. Cogswell of Helena to Mrs. I.E.O. Pace, December 31, 1925 and Secretary to Mrs. I.E.O. Pace, January 2, 1926, found in RS 28, box 6, Folder 22, MHS.
[1455] Testimony of John Parker United States, Congress, Senate, Committee on Indian Affairs, Survey of Conditions of the Indians in the United States: Hearings Before a Subcommittee of the Committee on Indian Affairs, (Washington: GPO, 1929-1930), 12535
[1456] United States, Congress, Senate, Committee on Indian Affairs, Survey of Conditions of the Indians in the United States: Hearings Before a Subcommittee of the Committee on Indian Affairs, (Washington: GPO, 1929-1930), 12544.
[1457] Report of Special Investigator Walter W. Liggett, United States, Congress, Senate, Committee on Indian Affairs, Survey of Conditions of the Indians in the United States: Hearings Before a Subcommittee of the Committee on Indian Affairs, (Washington: GPO, 1929-1930), 12521, 12524.
[1458] United States, Congress, Senate, Committee on Indian Affairs, Survey of Conditions of the Indians in the United States: Hearings Before a Subcommittee of the Committee on Indian Affairs, (Washington: GPO, 1929-1930), 12503.

mobility of Turtle Mountain people. Ten years after the treaty, the agent described a community geography of prolific movement:

> "The full-blood population is badly scattered; 23 families . . . make their homes on the reservation. 36 families . . . make their homes near the town of Dunseith, about 18 miles from the agency; 24 families . . . have no homes here, but reside most of the time in Canada, paying occasional visits, and stop with friends and relatives. Some of them have not been seen here for years, and their whereabouts is unknown. Of the mixed bloods, 56 families . . . have been absent over one year, and are liable to return any time. Some of our mixed bloods go away to work in Montana every year, and usually return with horses they have earned. They stay around here until the horses are gone and the money spent, and then they go again. There are also 12 families—about 80 individuals—residing on the reservation who are not enrolled."[1459]

The incessant motion at Turtle Mountain taxed the agent's ability to monitor the motion of his charges. The following year he resorted to re-assigning the police, detailing them to help keep track of "arrivals and departures."[1460] But that task seemed to grow more difficult with each passing year, for as allotment loomed Turtle Mountain community members "frequently return[ed] to know what was being done."[1461] Persistent movement at Turtle Mountain was part of a broader enduring pattern of interaction among the region's native (and non-native) people that created a constant flow of bodies through Indian country. This movement endured despite varied and abundant efforts by Indian Agents and others to discourage it. Reservation agents who wanted Indians to remain on their assigned reservations, separate from other tribes and from non-Indian people, authored frequent complaints like that of Flathead agent Peter Ronan, who in 1899 lamented his charges "leaving the reservation at will. Following their inclination, many visit the towns and cities of this State, often hundreds of miles from the reservation."[1462]

If agents like Ronan couldn't keep enrolled members from leaving their reservations, they fared no better in keeping unauthorized people from visiting. In predictable fashion, Montana officials often alleged that the "many transient Indians" who "camp around the various towns and agencies of this state" had "come into this country from Canada"[1463] As with enrolled members' migrations from their home reservations, arrivals of unenrolled people sometimes obeyed seasonal rhythms. At Rocky Boy, residents held a Sun Dance every year during the last week of June, at which "time they have visits from Indians usually from Canada."[1464] But less predictable arrivals also undermined reservation agents' efforts to keep unenrolled people from their domains. The futility of trying to do so may have inspired the more realistic among them to temporarily tolerate prohibited people. When "a party of wandering Cree Indians arrived" on the Wind River Shoshone Reservation in Wyoming in the Spring of 1896, the agent reported that he "allowed [them] to remain here until I found that their influence was having a bad effect on my Indians, when I sent them away." That March "a party of half-breeds and white men" killed "a Shoshone named Jim Washakie" and the incident likely animated the Wind River agent's

[1459] ARCIA 1902, 265.
[1460] ARCIA 1903, 230.
[1461] ARCIA 1901, 281.
[1462] ARCIA 1899, 219.
[1463] United States, Congress, Senate, Committee on Indian Affairs, Survey of Conditions of the Indians in the United States: Hearings Before a Subcommittee of the Committee on Indian Affairs, (Washington: GPO, 1929-1930), 12537.
[1464] United States, Congress, Senate, Committee on Indian Affairs, Survey of Conditions of the Indians in the United States: Hearings Before a Subcommittee of the Committee on Indian Affairs, (Washington: GPO, 1929-1930), 12536; American Indian agents also reported Sun Dances pulling their charges to Canada. Cf. ARCIA 1897, 214.

decision to crack down on unauthorized reservation visits. "Two of the guilty parties," he reported "were arrested in Montana."[1465]

Reserve communities in Canada were no more sedentary. Despite aggressive implementation of the infamous pass system in the wake of the North West conflict, the indigenous populations associated with reserves north of the border kept traveling through their traditional territory. And as at reservations to the south, ongoing mobility involved a large portion of reserve populations. The Agent for the several bands on the Crooked Lakes reserve, for instance, reported in 1887 that the number of his charges had been reduced to "665, being a decrease of 148 since 1886, which has been caused to a large extent by the withdrawal of half-breed member of the several bands from treaty for the purpose of obtaining half-breed scrip, and by the removal of a party of forty Indians to Dakota in April last." By 1889, "a few" Crooked Lakes "Indians returned from Turtle Mountain, Dakota" to their Canadian reserve but their leader "Chacahas and his party [were] still south of the line." Chacachas himself never made it back from the States. That same year he "died, at or near, the mouth of the Milk River" in Montana.[1466]

During the early 1890s, Canadian Indian movement was common enough that the DIA included notations about Indian emigrations in annual statistical summaries. In 1892 and 1893, agents at Moose Mountain, Crooked Lake, Assiniboine, Muscowpetung, Duck Lake, Carlton, Battleford, Blood, and Piegan agencies reported groups of enrolled Indians, ranging in size from one to forty-five individuals, "in the United States," "Montana" and "Dakota," or at more specific locales like "Minot, Dakota," and "Milk River" or "Belknap," in Montana.[1467] In the case of "non-treaty Indians," whole bands moved across the border repeatedly. The spies dispatched to communities by Commissioner of Indian Affairs Edgar Dewdney after the NW Conflict recounted meeting in 1886 with an "Indian Chief named Enoch" near the North Dakota Turtle Mountain community of St. John.[1468] In the early 1890s, Enoch was leading a non-treaty "Sioux" band, located at Bird Tail Creek in Canada, but by 1892 the entire band was reported to have "gone to the United States." The next year, DIA employees reported one hundred Enoch band members inhabiting the reserve at Bird Tail Creek, while ten remained stateside.[1469]

When U.S. and Canadian officals cooperated in forcing some indigenous people north from Montana into Canada in the infamous deportation efforts of 1896, they found that the mobile population they corralled came from reserves across the region. That November, the deportees enumerated at the Bobtail Reserve, who were then led by Little Bear, reported having been paid past annuities at no fewer than 13 different places. These included the reserves of Mossomin, Thunderchild, Little Pine, Poundmaker, Strike Him on the Back, and Lucky Man as well as at Ft. Pitt, Bear's Hills, Victoria, Calgary, Fort Walsh, Battleford/Blackfoot Crossing, Medicine Hat and Edmonton.[1470] And like their counterparts in other borderlands bands, the people pushed from Montana in 1896 continued moving across Northern Plains boundaries into the twentieth century. Upon their arrival in Canada, the Montana deportees selected locations at the Hobbema, Battleford, Muscowpetung, Crooked Lake, Duck Lake, Touchwood Hills, and Carlton agencies. From those points, many returned to the states over the next five years. Within a year, the DIA reported that "a good many" of these "refugee Crees" "especially those

[1465] ARCIA 1896, 336.
[1466] ARDIA 1887, 64; ARDIA 1889, 119.
[1467] ARDIA 1892, 306-310; ARDIA 1893, 230.
[1468] Oliver Nicole to Hon. E. Dewdney, L. Gov., May 17, 1886, *John Alexander MacDonald Correspondence,* LAC, 90751.
[1469] ARDIA 1892, 306-310; ARDIA 1893, 422. Certain Canadian agencies reported these international movements more than others. Those that did are, for the most part, the same ones that are mapped by the movement of U.S. Métis that is documented in other sources.
[1470] *List prepared by Indian Agent…* November 15, 1896, Geneva *Stump Fonds,* Glenbow.

who went to the Muscowpetung's Agency, have been unable to resist the nomadic instincts, re-awakened by their sojourn in the State, and have wandered way again." Canadian Indian agents subsequently reported a steady flow of deportees southward. Although Indian Department reports don't provide total numbers, something of the scale and rapidity of this return migration is suggested by numbers for Hobbema Reserve. Of the 150 Montana deportees originally settled there in 1896, only 47 remained two years later. The agent attributed the band's plummeting population to people having "returned, either to where they came from or other parts."[1471] These numbers are all the more striking given that, the year before, Hobbema was singled out in the ARDIA as the reserve that had enjoyed the most success in getting deportees to remain.[1472]

Such massive departures were offset by the arrival of other people. In 1898, for example, although Hobbema Agency alone reported the departure of 49 Indians, the total official population of Indians "in the North-west Territories" declined by only 55. "The decrease," noted the commissioner, "is more than accounted for by the disappearance of the refugees who went to Montana after the disturbance in 1885 and at the request of the United States Government were brought back in 1895-96." The following year, the net NWT loss of 174 suggested even more frequent movement, which the commissioner again blamed on "desertions to Montana of refugee Indians who were brought back from there some few years ago."[1473]

Other Montana deportees remained in Canada but pondered departing for the United States at a later date. In 1900 members of Piapot's Band informed the staff at Muscowpetung's Agency, near Qu'Appelle, "that when the dry wood has become exhausted they will return to the friends and relatives whom they left in Montana and who pick up a precarious living about the towns of that state." Canadian Indian authorities had to concede that, even as the century drew to a close, there was "always a certain amount of fluctuation between the Dominion and the United States, where the Indians have mutual friends and relatives."[1474] This persistent mobility they understood to be a population-wide practice among Indians. Although many Indian agents were themselves immigrants to the region, they attributed indigenous movement to uneradicated racial propensities for irrational nomadism. As the agent at Hobbema put it in 1906, "a peculiar characteristic of the Indian is that one is never sure of him. He may be an industrious promising Indian to-day, and to-morrow it may be a thing of the past. Something happened, not very much, but he is gone; he has taken his horses, his wife and family. The rest of his property he leaves to take care of itself. We had such a case during the year," he continued, "it was an Indian of the Montana band."[1475]

The persistence and prevalence of indigenous movement in the late nineteenth century so impressed observers that it gave birth to a tall tale of traveling that endures to this day. Let's call it the Legend of the Return of the Cree. Its basic tenet is this: when, in the summer of 1896, the U.S. Army expelled into Canada hundreds of people they called "Cree," the deportees "were back in Montana even before the troops" who had removed them. This tale originated with contemporaries in the late nineteenth century, and continues to appear in historical scholarship published in the twenty-first.[1476] Despite its enduring narrative attractions, extant documentation

[1471] ARDIA 1897, 21; ARDIA 1898, 231.
[1472] ARDIA 1897, 20-21; ARDIA 1898, 232, 461; ARDIA 1899, 219; ARDIA 1900, 228.
[1473] ARDIA 1898, 18, 180; ARDIA 1899, 22.
[1474] ARDIA 1896, 343; ARDIA 1897, 21; ARDIA 1898, 180, 231; ARDIA 1899, 22; ARDIA 1900, 228.
[1475] ARDIA 1906, 208.
[1476] ARDIA 1896, 23, 342-343; Gray, "History of The Cree Indians," 47; *Choteau Acantha*, October 5, 1905, reprinted on "Métis Ridge Teton County Montana"; Dusenberry, *The Montana Cree*, 37–38; Mary Clearman Blew, *Bone Deep in Landscape: Writing, Reading, and Place* (Norman: University of Oklahoma Press, 2000), 78–79. Variations on this theme hold that deported Cree returned in August 1896 and during the following fall. Michel Hogue, "Crossing the Line the Plains Cree in the Canada-United States Borderlands, 1870-1900" 2002, 164.Foster, *We Know Who We Are*, 2006, 176.

indicates that it is false. In the summer of 1896, the U.S. Army delivered five groups of "Cree" totaling 523 people to the northern border and into the hands of Canadian authorities. Then the North West Mounted Police placed the deportees under armed guard and distributed them to specified Canadian reserves. In their estimation, the process went smoothly, and the Commissioner of Indian Affairs could crow that "little or no trouble was experienced in connection with their removal." The figures he offered support his statement. Of the 523 people placed in the hands of Canadian police, only seven "succeeded in deserting while en route" to Canadian reserves.[1477] The remaining 516 arrived at the agencies "to which they were, largely upon their own choice, assigned," including Hobbema Agency,190 people; Battleford Agency, 135; Muscowpetung's Agency, 130; Crooked Lake Agency, 17; Duck Lake Agency, 22; Touchwood Hills, 12; and Carlton, 10.[1478]

Subsequent migrations belied the Commissioner's claim that the expelled showed "no indication of any desire to return to their late home," but simple math assures us that they could not have made it back to Montana from their far flung Canadian reserves ahead of the U.S. troops who removed them. The soldiers barely crossed the border before turning their well-fed mounts southward. Since it was easy enough to leave reserves at will, there was little point in risking escape during the brief period of transfer, so all but seven of the expelled traveled to reserves at some remove from the international border. Even if these impoverished people—bereft of assets "with the exception of a few wagons and carts"—left their reserves immediately upon arrival, they could hardly have twice-covered those long prairie distances in less time than it took troops to trot the 80 or so miles between the border town of Coutt's Station and their base at Fort Assiniboine.[1479]

So why the undying Legend of the Return of the Cree? Although itself inaccurate, the "Cree's" legendary rapid return reflects several historical realities. As we've seen, its central suggestion, that deportees returned quickly, is true. Many of the people expelled in 1896 continued to move through their traditional territory after Canada and the U.S. conspired to push them northward onto Canadian reserves. The forced migration at gunpoint they merely incorporated into their patterned ongoing mobility. The legend also bespeaks the ability of many mixed, mobile indigenous people to evade capture and deportation, as well as their reappearance in familiar locales once immediate threat subsided. More importantly, though, the legend of the return of the Cree results from the fact that borderlands indigenes persisted in historical community sites despite state attempts to expel them. As they moved through their traditional territory, borderlands indigenes returned repeatedly to specific locales whether officials permitted or prohibited their presence. These communities together composed a homeland bound by indigenous, not colonial, geographies. The recurrent use of local places revealed continuing connections between communities across the Plains. It also reinforced and remade them.

Let's return for a moment to the Rocky Boy roll. We've seen that many people listed thereon maintained connections to a large part of their expansive historic homeland. Well into the twentieth century, they also continued to incorporate into their lifecycles particular places within that territory. This is, of course, a more difficult phenomenon to trace. Many people reported birthplaces only at the national, provincial or state level. Moreover, the second half of the nineteenth century transformed the Northern Plains. Place names changed and different

[1477] ARDIA 1896, 23, 342. The Annual Report of the following year put the number of deported Crees at "about 600." ARDIA 1897, 254-255.
[1478] ARDIA 1896, 343.
[1479] ARDIA 1896, 300.

people used different terms for places in close proximity of one another. Forts and trading posts flourished and faded, settlements came to define places previously identified by prominent features of the landscape, reservations were delineated and then diminished. Nonetheless, Rocky Boy people used the same places for generations.

When asked their birthplace, roughly half of the oldest people on the Rocky Boy roll, ie. those born before 1862, identified specific birth locations. The places they named would be used by their community into the twentieth century. In the area that became Canada, several people were born in settlements at the northern end of the Red River Valley in what is now Manitoba (like Winnipeg and St. Francis Xavier) as well as at Wood Mountain, Qu'Appelle and Moose Jaw (in modern-day Saskatchewan). Others hailed from Battleford, Edmonton and Medicine Hat. Within the territory that became the American state of North Dakota, the Turtle Mountains and Pembina produced several Rocky Boy people in this period, and others were born nearby at St. Joe and Devil's Lake. To the west, in what is now Montana, people were born in Poplar and Glasgow.

Among middle-aged Rocky Boy people, born between 1862 and 1885, two-thirds named specific birthplaces, allowing for a fuller mapping of communities of enduring importance to Rocky Boy groups. In Manitoba, the north end of the Red River valley, and nearby Portage La Prairie, continued to be the most common birthplace. In the Northwest Territories region that became Saskatchewan and Alberta, multiple people were born in Qu'Appelle, in Battleford, and in the vicinity of Duck Lake/Carlton, as well as in the Cypress Hills, Macleod, Medicine Hat, and Edmonton. Other Canadian-born people came from Willow Bunch, Prince Albert, Buffalo Lake, and Calgary. In northern Dakota Territory, births still centered around the Turtle Mountains, Pembina, St. Joe, and Devil's Lake. Montana birthplaces became more common in this period, and the settlements producing Rocky Boy people clustered in particular areas of the territory. Settlements near island mountain ranges, like the Judith Mountains and the Bear's Paw Mountains, were important, as were those in the foothills of the Rocky Mountain front, such as Augusta and St. Peter's Mission. Between 1862 and 1885, Rocky Boy people were also frequently born in towns that had grown up along the region's important drainages, like Havre on the Milk River.

Most of the youngest adults on the Rocky Boy Roll, born after 1885, entered the world in communities long familiar to their elders. Their Canadian birthplaces included Medicine Hat, Macleod, Calgary, Battleford, the Cypress Hills and Qu'Appelle. Those born in North Dakota listed the Turtle Mountains, St. Joe, and the Ft. Union/Ft. Buford area.[1480] The many Montana births in this period also mapped a familiar geography: One in six people were born in settlements in the foothills of the Rocky Mountain front, mainly Choteau and Augusta but also Depuyer and St. Peter's. Still more were born in the vicinity of island mountain ranges like the Judith Mountains and the Bear's Paw Mountains (which accounted for 10% of births in this period). As immigration increased, growing urban areas produced significant portions of the Rocky Boy population. Numerous people named birthplaces at Helena, Malta, Great Falls, and Butte, and over 10% were born in Havre.

As noted above, formal efforts by members of the Rocky Boy community to secure space on the Flathead Reservation in 1887, the Blackfeet Reservation around 1910, or the Crow Reservation several years later failed. So, too, did subsequent requests at reservations across the region. Histories recounting the tale of Montana's "wandering" Rocky Boy "Chippewa" and "Cree" often dwell on these recurrent failures. But despite the many laws that forbade their

[1480] Fort Union was dismantled in 1867 after being sold to the U.S. Army. The military used the materials to build Ft. Buford two miles away.

presence, and the repeated refusals of their requests for residence rights, stateless indigenes on the preliminary Rocky Boy roll continued to make their homes on Indian reservations throughout Montana and North Dakota. They continually violated the regulations colonial authorities inflicted on the region, and maintained an enduring presence on most reservations throughout their historical homeland. Many people born between 1862 and 1885, in the early reservation period, named birthplaces on the lands that became the Blackfeet Reservation, the Fort Belknap (Assiniboine/Gros Ventre) Reservation and the Fort Peck (Assiniboine/Sioux) Reservation.[1481] Of those Rocky Boy people born after 1885, 11% named birthplaces on the Flathead Reservation and 10% named places on the Blackfeet Reservation. Those born on the Crow, Fort Belknap, and Fort Peck Indian reservations together accounted for 8% more. As they had in the face of attempts to keep them in Canada, the mixed, mobile indigenous people of the borderlands refused to comply with colonial maps. They asserted their rights by persisting in forbidden places like the Crow Reservation, where "two or three times they have been gathered by the Agency authorities and put off . . . each time they have returned."[1482]

Historians' reports of Flathead agent Peter Ronan's 1887 refusal to grant Rocky Boy people space on the reservation he administered must be considered in light of the fact that some twenty-five people enumerated on the 1917 roll were born on that reservation *after* Ronan supposedly sent them away. Focusing only on Ronan's refusal of requests for space on the Flathead Reservation, and on the unsuccessful outcome of subsequent formal requests made in 1890, 1902, and 1904, obscures stateless indigenes' enduring presence there. Despite the "failure" of attempts to secure space on the reservation, individuals on the Rocky Boy Roll lived and bore children at Flathead continuously between 1886 and 1914.[1483] In the decades surrounding the turn of the century, contemporaries repeatedly called attention to large groups of Cree and métis at Flathead. Ronan's own report of his 1890 rejection of "Crees" overtures revealed the enduring presence of mixed indigenes, defending his decision by pointing out that "the reserve is already nearly overrun with half-breeds from Colville, Spokane, and other Indian countries."[1484] Two years later, when "Cree Indians" living on the Dearborn River near Augusta got into conflict with a white settler over alleged horse-stealing, "the Indians dispatched a runner to Jocko on the Flathead Reservation, for reinforcements." And when Little Bear discussed deportation logistics with American authorities in 1896, he listed Horse Plains, on the western edge of the reservation as currently configured, as home to 40 lodges of his followers. This made the Flathead contingent the largest camp of Little Bear's "Cree" in the State of Montana.[1485] Despite a mass deportation in the interim, a concentration of Little Bear's "followers" remained on Flathead in 1905, when he again discussed a group move to Canada, this time with Canadian authorities.[1486] Some sources report that Gabriel Dumont himself died

[1481] Since Montana's large general reservations weren't broken up until the late 1880s, I have assumed that when people named "the Blackfeet Reservation," "the Fort Peck Reservation" or "the Fort Belknap Reservation" they were referring to locales within the boundaries of those reservations as they stood in 1917, when the Tentative Roll of Rocky Boy Indians was made. "*Tentative Roll of Rocky Boy Indians, May 30, 1917*," U.S. Bureau of Indian Affairs, Rocky Boy Reservation, SC 903, MHS.

[1482] Superintendent to CIA, May 7, 1912, RS 266, Box 14, Folder 2, MHS.

[1483] These dates come only from sources I've encountered in my research on Chippewa, Cree, and Métis in Montana. The sources don't address the métis families enrolled on the Flathead Reservation. I have not done research in the records of the Flathead Agency itself, although during the time I lived there (2005-2007) I met many people who claimed Métis ancestry. Gray, "History of The Cree Indians," 8, 129, 146, 162, 167. *Fort Benton River Press*, July 11 1890, quoted in Gray, 167.

[1484] Peter Ronan, Flathead Indian Agent, to A.A. Van Horn, Lieut. Col 25th Infantry, Commanding Post, Fort Shaw, Montana, July 14, 1890, Senate Report No. 1020, 58th Cong., 2nd Sess., Senate; Senate No. S. 2705, 58th Cong., 3rd Sess.

[1485] Gray, "History of The Cree Indians," 8, 146. This is all the more noteworthy given that it happened in November, when travel over the mountains would have been difficult and dangerous. Other camps in the state at that time included: Great Falls, 18 lodges, Silver Bow, 40 lodges . . . Missoula 5 lodges, South Piegan reservation 2 lodges, Crow Reservation 35 lodges, Glasgow 20 lodges, Bull Hook [ie. Havre] 20 lodges."

[1486] *Choteau Acantha*, October 5, 1905, reprinted on "Métis Ridge Teton County Montana." "The Cree Indians were reportedly on the Flathead Reservation" in 1901 as well, when they were quarantined at Kalispell for small pox. Gray, "History of The Cree Indians," 167.

on the Flathead reservation the following year.[1487] Complaints about the large number of "Crees" on Flathead continued. When Rocky Boy's stepson Charley Rockyboy died there in 1912, he was one of many living on the reservation at the time.[1488]

The history of Rocky Boy births complicates the standard narrative regarding their presence on the Blackfeet Reservation as well. Historians emphasize efforts to allot sections of the Blackfeet Reservation to the "Rocky Boy band" between 1909 and 1912. These efforts largely failed. But people on the Rocky Boy roll reported Blackfeet Reservation births beginning in 1883 and occurring regularly since. Over 10% of the sixty-nine people on the Rocky Boy census who were born in the 1880s named the Blackfeet Reservation as their birthplace: the Blackfeet Reservation accounted for more births in that decade than any other named location. Other sources corroborate their enduring presence there. In 1896, for example, Little Bear reported the "South Piegan" reservation as the location of one of the eight camps of his "Cree" followers in the State of Montana.[1489]

Our understanding of the purported failure of Rocky Boy people to find a home on the Crow Reservation around 1913 should likewise take into account their enduring residence there. Their residence among the Crow preceded that date by decades, and continued long after. As we've seen, Crow people reportedly supported the 1885 rebellion in Canada's Northwest Territories, and Little Bear attempted to lead his band to the Crow Reservation in the years immediately following the conflict.[1490] Although the U.S. army intercepted and imprisoned the people traveling with Little Bear's band before it reached the reservation in 1887, many of them managed to make a home there. When Little Bear listed the locations of his followers in preparation for deportation in 1896, the Crow Reservation boasted one of the largest "Cree" camps in the state, trailing only those on the Flathead Reservation and near the booming mining city of Butte. That year, the U.S. Army placed the occupants of the "35 lodges" located there into boxcars and deported them to Canada, but when Little Bear again discussed moving his band to Canada in 1905 he reported that "many [were] on the Crow reservation."[1491] Seven years later, in 1912, the Crow agent complained of "quite a number of Cree Indians scattered over the Crow reservation. They . . . number approximately 250 persons. The greater part of these live in a village on Pryor Creek, the location of which is changed occasionally, but members of the band are found in all the districts."[1492]

The Crow agent apparently first noticed "Cree" people around 1900, when he mistakenly alleged they initially "began coming to the Reservation." "Many of them [are] mixed bloods," he explained, "generally of French Canadian blood . . . a few Cree have married into the Crow

---

[1487] These reports were incorrect, but nonetheless reflect the enduring links that people in between maintained to the Flathead reservation. See Harry Stanford, "Harry P. Stanford Reminiscence: Louis Riel," 1, *Harry P. Stanford*, SC 775, MHS. That same year the Flathead Agent's report on reservation population figures for the first time reported 53 individuals of "other tribes who have rights" (in addition to 5 others the agent listed by name). ARCIA 1906, 482. The 1907 Flathead agent's report described the sale of a buffalo herd belonging to one such individual, "Michel Pablo, a one-half blood Piegan, enrolled on this reservation where he has resided for nearly forty years." ARCIA 1907, 69.

[1488] Superintendent to A.E. McFatridge, February 13, 1912, File Blackfeet, Box 1, Flathead Agency, Letters Sent and Received between Mountain Indians Agencies, 1909-1925, RG 75, NARA RMR; Superintendent to CIA, March 12, 1912, Folder 9, Box 10, *Verne Dusenberry Papers, Merrill G. Burlingame Special Collections*, Montana State University: Bozeman; See also report regarding a Chippewa "Camp at Ravalli" during the winter of 1911-1912. *Conrad Observer*, February 8, 1912 transcribed in Gray, "History of The Cree Indians," 78.

[1489] Gray, "History of The Cree Indians," 8, 64-65, 69. As on the Flathead Reservation, there also were many métis people enrolled as Blackfeet, as tribal histories and agency documents make clear. Their presence was often reported as predatory and ephemeral when it in fact was enduring and reflected intimate mutual relationships like intermarriage. ARCIA 1883, 97; James Anderson, Blackfeet Agency to Edgar Dewdney, December 14, 1885, *Edgar Dewdney Fonds*, Glenbow, 1533; C. E. Conrad to Dewdney, Ft. Benton, December 17, 1888, *Edgar Dewdney Fonds*, Glenbow, 1306; ARCIA 1900, 56, 266; Roblins to CIA, February 19, 1908, RS 266, Box 11, Folder 2, MHS; Chas. Roblins to CIA, November 13, 1909, RS 266, box 11, folder 2, MHS; ARCIA 1910, 63.

[1490] Corporal G.H.L. Bossange to Commissioner of NWMP, May 3, 1888, *Edgar Dewdney Fonds*, Glenbow, 1345.

[1491] Gray, "History of The Cree Indians," 8; *Choteau Acantha*, October 5, 1905, transcribed on "Métis Ridge Teton County Montana."

[1492] *Great Falls Tribune* , June 23, 1896 transcribed in Gray, "History of The Cree Indians," 4, 8, 49; Superintendent, Crow Agency, to CIA February 5, 1912, RS 266, Box 14, Folder 2, MHS.

tribe"[1493] When census takers compiled the Rocky Boy Roll in 1917, they traveled to the Crow Reservation to complete their task. The roll they compiled included 36 people born there whose birthdates ranged from 1895 to 1917. Five years later, in 1922, the Crow agent was moved to write the Canadian Indian Commissioner directly about the persistent problem of "Canadian Cree" "scattered over Montana." There were, he declared, "possibly a thousand of them" in the state. "There must be at least one hundred on this Reservation."[1494] He wrote as well to the U.S. Commissioner of Indian Affairs, situating the predicament at his reservation in the broader context of a mobile population. "In Montana," he informed the Commissioner, "there are a great many Cree Indians. There are some mixed Chippewas and it is almost impossible to segregate those . . . these Indians are scattered very largely over the State on the Reservation and off. . .they are a nomadic people, living mostly in tents and moving from place to place, as they can find labor."[1495] The same story could be told about the Fort Belknap and Fort Peck reservations of Montana, and the Turtle Mountain and Devil's Lake reservations of North Dakota.

Quantifiable sources produced before and after 1917 mirror the geographies of movement and persistence mapped in the Rocky Boy census. As mentioned earlier, the Library and Archives of Canada contains hundreds of applications for Canadian Half Breed Scrip made by residents of the United States in 1900. In the U.S., policy changes that accompanied the Indian New Deal led to a reconsideration of statelessness among borderlands indigenes of the Northern Plains, and OIA employees made a census of "Landless Indians of Montana" in 1937. That same year, for the same reasons, indigenous people thought that the rolls at Turtle Mountain might be re-opened, and many of them applied for tribal membership there. The datasets that can be created from these three different collections ostensibly relate to different populations. But the convergence of their geographies confirms the same enduring connections that are traced by Rocky Boy travels, and confutes any suggestion that these were discrete communities.

Every one of the 437 U.S. residents who filed claims with the 1900 "North-west Halfbreed Claims Commission" lived in Montana or North Dakota. Over one-third of all U.S. applications came from people living in the vicinity of the Turtle Mountains on the North Dakota-Manitoba border. Additional claimants from North Dakota clustered in the northeast corner of the state and in the Williston-Ft. Buford (Fort Union) vicinity. The 60% of U.S. claimants who resided in Montana also lived in identifiable, and familiar, clusters. Almost one in five U.S.-based claimants lived in settlements in the foothills of Montana's Rocky Mountain front, mainly at Dupuyer, Choteau, Augusta, and St. Peter's Mission. Another 14% lived near the Sweet Grass Hills, the Judith Mountains and the Bear's Paw Mountains. Many others lived on the reservations of particular Indian tribes: 10% of all U.S. claimants lived on either the Blackfeet Reservation or the Fort Peck Reservation. Some resided in the growing urban areas that spread over their territory, like Great Falls, on the Missouri, or Havre, on the Milk River (where almost 10% of U.S. claimants lived). These same places housed concentrations of Little Bear's followers in 1905, and appeared again in the mobility narratives of Rocky Boy people almost 25 years later.[1496]

The geographic correlation of U.S. Scrip claimants and Rocky Boy people was equally evident in Canada. Most people who filed claims from the United States were born in just four

[1493] Crow Supt to CIA, May 7, 1912, RS 266, Box 14, Folder 2, MHS.
[1494] Crow Supt to W.M. Graham, February 6, 1922, RS 266, Box 14, Folder 4, MHS.
[1495] Supt. Crow Agency, February 24, 1922 to CIA, RS 266, Box 14, Folder 4, MHS.
[1496] *Choteau Acantha*, October 5,1905, transcribed on "Métis Ridge Teton County Montana;" *Testimony of enrolled Rocky Boy member Charley Mowery*, Senate, Committee on Indian Affairs, Survey of Conditions of the Indians in the United States: Hearings Before a Subcommittee of the Committee on Indian Affairs, (Washington: GPO, 1929-1930), 12491, 12541.

areas of Canada: the Cypress Hills, Wood Mountain, the Duck Lake/Batoche vicinity, and Qu'Appelle, with over one-third born in the Cypress Hills and Wood Mountain alone. Many U.S. claimants were also born in the Edmonton area and in settlements at the northern end of Manitoba's Red River Valley. Numerous others listed birthplaces in Buffalo Lake, Calgary, Macleod, Battleford, Prince Albert, Willow Bunch and the Canadian sections of the Turtle Mountains. Together, these areas accounted for 75% of all U.S. claimants. Unsurprisingly, these same places housed much of Canada's Sioux population. During the 1880s, people reported Lakota groups at places like Wood Mountain, Batoche, Qu'Appelle, Prince Albert and Willow Bunch as well as Moose Woods, Regina and Moose Jaw, all important components of the migration networks of borderlands bands.[1497] Canadian Indian Department employees reported on non-treaty Sioux in 1896, concluding that "small bands of these Indians . . . are to be found in the Birtle, Muscowpetung, and Carlton Agencies, and at Moose Woods, near Saskatoon . . . and on the Oak River Reserve" as well as "at and in the vicinity of Moose Jaw."[1498] The map they sketched matched that marked by the destinations of people deported from Montana that same year. Concurrent reports claimed that over 900 "wards of the Crown" were known to have "crossed over into and remained in the United States" since 1885. These included 263 people whom Canadian officials understood to be in North and South Dakota, comprising "Crees, Salteaux, Sioux, Assiniboine & Stonies" from Birtle, Moose Mountain, Crooked Lake, File Hills, Muscowpetung's, Touchwood Hills, Duck Lake, and Carlton agencies. Another 494 people, thought to be in Montana, were "Crees, Assinboines & Stonies" from Moose Mountain, Assiniboine, File Hills, Muscowpetung's, Touchwood Hills, Duck Lake, Battleford, Onion Lake, and Saddle Lake agencies." The remaining 148 people—"believed to be in U.S. but whereabouts unknown"—hailed from Crooked Lake, Duck Lake, Carlton and Onion Lake.[1499]

The moment during the Great Depression when U.S. policy seemed poised to grant status to stateless indigenes passed quickly and produced few substantive results. But it did generate several sets of documents helpful in reconstructing regional geographies. In 1937, in response to perceived enrollment opportunities in Montana and North Dakota, almost 2,000 un-enrolled Northern Plains indigenous people sought status as American Indians. The community maps that can be created from the roll of "Landless Indians of Montana" and the concurrent applications for enrollment at North Dakota's Turtle Mountain cover only U.S.-claimed territory, for the datasets reliably recorded only place of residence, not place of birth. But within those limits, they demonstrate that, well into the twentieth century, the mixed, mobile indigenes of the borderlands persisted in the same places that had been important for generations. Of the 314 people who applied for enrollment at North Dakota's Turtle Mountain Reservation in 1937, over 90% lived immediately south of the international boundary in a triangular area in the northeast corner of the state.[1500] This area was roughly marked by Devil's Lake in the south, Pembina and the Red River Valley in the northeast, and the Turtle Mountains in the northwest. The Turtle Mountain communities of Dunseith, Belcourt and St. John together contained over 50% of

[1497] Papandrea, *They Never Surrendered*, 10–15, 23–26.
[1498] ARDIA 1896, 344.
[1499] CIA to SGIA, February 25, 1896 File 84, 138 pt. 1, vol. 3863, RG 10, LAC; *Memorandum for the Information of the SGIA*, March 5, 1896, both found in File 84,138 pt.1, vol. 3863, RG 10, LAC. A subsequent memo replied that "Canada has given refuge to 678 American Sioux refugees, who have been placed upon Reserves, and to 75 who are stragglers in Manitoba, and about 155 stragglers in Moose Jaw and Regina and Price Albert districts." Hayter Reed, *Memorandum*, March 5, 1886, File 847,138 pt. 1, vol. 3863, RG 10, LAC.
[1500] File: Indian Reorganization Enrollment, 1937-1940, Turtle Mountain, Box 58, RG 75, NARA CPR. The 314 people for whom information is herein given represent only those people whose applications the author was able to locate in the Central Plains Region repository of the U.S. National Archives in Kansas City, where the Turtle Mountain Reservation records are kept. And they represent only applications dated 1937. As discussed elsewhere, thousands of other tribal membership applications arrived at Turtle Mountain in the decades after the McCumber agreement, but I found in the archives only summary reports of these, not the applications themselves.

applicants. Another 5% lived in Trenton (near the confluence of the Missouri and Yellowstone Rivers, in the vicinity of old Ft. Union/Ft. Buford). Among the 1,600-plus people on the 1937 "Roll of Landless [Un-enrolled] Indians of Montana," almost 60% lived on six of the state's seven Indian reservations. Over one-quarter lived on (or just off of) the Fort Belknap reservation and about one in six lived on (or just off of) the Fort Peck reservation. Substantial groups of "landless Indians" also lived on the Blackfeet, Rocky Boy, Flathead, and Crow Indian reservations. "Landless Indian" communities clustered as well near the Judith Mountains near Lewistown, and in the foothills of the Rocky Mountain front (especially in Chouteau and Augusta). Others made their homes in the region's urban areas, like Helena or Havre (each of which accounted for about 5% of those on the "Landless Indian" roll).[1501]

Enduring movement through the same locales across the region meant, of course, that these communities were themselves marvelously mixed. The recently-published diary of Wilhelmina Maria Uhlenbeck-Melchior, who spent the summer of 1911 on the Blackfeet reservation while her husband was doing research, offers wonderful detail of the casually diverse world there. The portrait she paints of life on the Blackfeet reservation could be replicated for places across the borderlands. Her daily entries document a fluid community of familiarity, thoroughly intertribal, interracial, and international. Through this Blackfeet space regularly moved people she described as a variety of mixes of "white," "negro," "Crow," "Cree," "Gros Ventre," "Chippeway," "Assiniboine," and "Mandan," in addition to "Piegan," "Blood," and "Blackfeet." The interest in, and administration of, Blackfeet affairs drew a correspondingly cosmopolitan cadre of non-Indians. These visitors, often academics studying Blackfeet society, included people born in Holland, Denmark, Germany, France, and the Basque country straddling the border between France and Spain as well as others who hailed from North American urban centers such as New York and Chicago.[1502]

The patterned nature of indigenous mobility and the persistent métis presence in particular locales become more coherent when we examine the way people moved. Histories of borderlands indigenes stress marquee migrations like those that occurred after the 1862 Dakota Conflict, or the 1869-70 Red River Conflict, or the 1876 Battle of the LBH, or the NW Conflict of 1885, or the McCumber proceedings of 1892, or the 1896 Montana deportation. Focusing on singular migrations implies that movements were bounded in space and time, and that they consisted of large groups traveling in a single direction. And it suggests that peoples' presence was more episodic than ongoing. This in turn reinforces the image of refugee mobility, of people moving into a foreign place. A more careful focus on the quality of migration exposes a different story with a different meaning. At any given time, borderlands indigenes moved in many directions, and even major migration moments like those highlighted in the literature comprised countless smaller movements. The defining quality of regional mobility is found not in exceptional, linear events, but in its constancy and directional variation. When we understand this, it becomes clear that what we are seeing is not wandering refugees lost in a foreign country. It is, rather, indigenous people's rational use of a familiar homeland.

Like their contemporaries across the region, Indian agents who tracked indigenous movement discursively displaced mobile indigenes by emphasizing major migrations. But when it came time to describe the day to day reality on reservations, they couldn't realistically

[1501] Roe Cloud, *Roll of Landless Indians of Montana*, 1937, a.k.a. Roe Cloud Roll. Unsurprisingly, these same locales cropped up in stories of Rocky Boy mobility from the previous decade. See United States, Congress, Senate, Committee on Indian Affairs, Survey of Conditions of the Indians in the United States: Hearings Before a Subcommittee of the Committee on Indian Affairs, (Washington: GPO, 1929-1930), 12535, 12546-49, 12503, 12505.

[1502] Eggermont-Molenaar, *Montana 1911*.

represent mobility as clean, or clear. In 1889 the Turtle Mountain Farmer described a typical flow of bodies through his North Dakota domain. It defied directional or temporal categorization: "the population is here and away . . . Many are away without passes, and whether they will return is not known. The mixed bloods have increased 56, although some have sold their improvements and gone away. There is much talk about the hard fare of these people, but they keep a-coming all the same."[1503] Such motion undermined Farmer Brenner's attempts at definitive tribal enumeration—while censuses themselves documented ongoing movement so, too, did the myriad difficulties encountered in making them.

Major events created discernible surges in one direction or another, but these were but variations within an ongoing and diverse flow. And such surges themselves represented aggregates of many smaller, unspectacular movements occurring over an extended period. When a formal request for residence rights pulled numerous hopeful migrants to the Flathead Reservation in 1890, Agent Peter Ronan noted many "small bands" of "Cree half-breed families" "coming in almost daily and scattering over the reservation." This confounded his attempts to count them, and he had to concede "I cannot at present ascertain the number already here."[1504]

Six years later, the U.S. Army rounded up many of these Flathead residents and deported them to Canada under the pretense that they had come over as refugees in the aftermath of the North West Conflict. But even the exciting exodus from Canada in 1885-1886 was more mundane than one might think. As Raymond Gray described it, in those years people moved south "by twos and threes . . . later, as opportunity presented, the wives and families of these refugees came across."[1505] When campaigning for "Cree" removal 1896, Montana Governor Rickards painted a picture of enduring and constant movement even while he tried to exoticize migrants by linking their mobility to the events of 1885. "The number of these Crees in our state is increasing very rapidly through the accessions annually from their relatives in Canada," Rickards wrote to the U.S. Secretary of State. By way of illustration, he offered his version of Montana "Cree" demographic history. In the fall of 1885, he claimed, 100 "Canadian Crees" came into the state, and by 1887 their number had increased to 200. Over the next nine years these "refugees" kept trickling in, until by 1896 Rickards bemoaned the presence of no fewer than 500 "marauding bands" of "British" "Cree Indians," whom he termed an "intolerable nuisance.[1506]

The infamous expulsion that year of over 500 people may have been one migration that was truly en masse, but even this exceptional episode was merely a plot point in a much longer narrative of diffuse, ongoing mobility. Although officials described the Montana Band at Canada's Hobbema/Post Hills agency as resulting from the 1896 deportation from its namesake state, the Dominion's Indian Department first reported on the band the year before. In 1895, 42 band members had already arrived at the agency, where they had sown over 7 acres to crops.[1507] Clearly, major migrations comprised many smaller movements.[1508] Over forty years later, these everyday travels continued. Informed observers writing in the 1930s noted that "since that time

[1503] ARCIA 1889, 141.
[1504] Peter Ronan, Flathead Indian Agent, to A.A. Van Horn, Lieut. Col 25th Infantry, Commanding Post, Fort Shaw, Montana, July 14, 1890, Senate Report No. 1020, 58th Cong., 2nd Sess., Senate; Senate Report, No. S. 2705, 58th Cong., 3rd Sess.,
[1505] Gray, "History of The Cree Indians," 160.
[1506] Quoted in Ibid., 33., citing Senate Reports, vol. 4, 54th Congress, 1st Sess., 1895-1896.
[1507] ARDIA 1895, 502.
[1508] The 1896 deportation also created its own less momentous migrations. In order to avoid being expelled in May 1896 "Cree" "began leaving Great Falls . . . some were going to Idaho while the rest were traveling to the State of North Dakota." *Great Falls Leader*, June 2, 1896 transcribed in Gray, "History of The Cree Indians," 45.

their [sic] has been a constant migration of Indians between the Canadian Northwest territory and the State of Montana."[1509]

As the mixed, mobile indigenous groups flowed continually through the borderlands, they embodied not just links between places, but between people as well. Their movement mapped relationships that are best described as socio-spatial. In the communities through which they moved, the inhabitants were as familiar as the land itself. Indeed, many locales throughout the region housed family. It was said of Big Bear, for instance, that "his relatives numbered many, from the Rocky Mountains in the United States to the frozen North of the Peace River Country"[1510] Gabriel Dumont, for his part, was described as "the leader of the Métis group he belonged to, and even of the Indian tribes Cree, Sarcee, Crow to which he was united by family ties."[1511] When Dumont traveled through the web of métis communities in the U.S. borderlands during late 1880s, he visited a region he not only knew well but where he had relatives throughout.

Geographies that historians narrate as new in fact relied on and reflected these existing relationships. When spies traveled the U.S. looking for "refugees" in the wake of the 1885 conflict in Canada, they knew exactly where to look because they knew that particular places housed relatives and allies of the people hunted. Little Poplar, for example, was known to be married to a Crow woman, and, as we saw, after 1885 he went with his wife and brother-in-law 'The Crow,' as well as with some 70 fellow travelers, to Crow Agency.[1512] At the same time, officials expected Gabriel Dumont to visit Rocky Mountain front communities like Depuyer, where his niece lived.[1513] Authorities also knew they might encounter Dumont in Montana's Judith Basin, where his wife—like Riel's—hailed from. And they were correct. Gabriel, along with Ed Dumont and John Dumont Parenteau and their wives and children, spent the fall of 1885 in the Lewistown area. While there, Gabriel and his party stayed with his brother-in-law David Wilkie and reconnected with other relatives likes Gabriel's "cousin John." According to James Anderson, Dewdney's informant in the area, the Dumonts intended to remain in the Judith Basin over the winter. They would then go stay with Mrs. Dumont's father, Jean Baptiste Wilkie, at Turtle Mountain, which NWMP officer MacDonnell described as "the Head Quarters of those who made their escape from Batoche."[1514]

The reports of Canadian spies about the locations of rebellion leaders articulate other specific relationships as well. The relational web they document in fact impeded their efforts. At Fort Assiniboine, NWMP Sergeant Paterson "was recognized by a good many Halfbreeds" who asked his business "in a very decided manner."[1515] Many of them probably recognized as well the man Paterson hired as an Interpreter "known as 'Baptiste the Cree.'" Before Paterson hired him, Baptiste "had been working around Maple Creek for over a year."[1516] The reports of spies like Paterson often omitted the exact nature of relations between the people they pursued and the communities that hosted them, but they nonetheless implied that relationships shaped

[1509] Ibid., 38.
[1510] Ibid., 156–157.
[1511] Tremaudan, *Hold High Your Heads*, 113–114.
[1512] D. Paterson to J.H. McIlree, Comd. NWMP, Maple Creek, October 6, 1885, File 3396, vol. 1024, RG 18, LAC. Little Poplar's group stayed first at Fort Belknap before moving to the Crow reservation.
[1513] Chapleau to John A. MacDonald, "confidential," Ottawa, July 2, 1887, *John Alexander MacDonald Correspondence*, Reel C-1525, LAC, 44757-44723.
[1514] James Anderson to Edgar Dewdney, Lewistown Montana, November 29, 1885, *Edgar Dewdney Fonds*, Glenbow, 1524-1525; H. G. Webb to James Anderson, Lewistown, December 8, 1885, *Edgar Dewdney Fonds*, Glenbow, 1528; A. R. MacDonnell to Lieut. Col. A. G. Irvine, Regina, Sept. 23, 1885, File 3396, vol. 1024, RG 18, LAC.
[1515] Patterson to McIlree, Maple Creek, October 3, 1885, File 3396, vol. 1024, RG 18, LAC. Among those who recognized Paterson was Joseph Breland, who had previously worked as a scout at Fort Assiniboine.
[1516] D. Paterson to J. H. McIlree, Comd. NWMP, Maple Creek, Oct. 3, 1885, File 3396, vol. 1024, RG 18, LAC.

their targets' travels. When they looked for Dumont in Choteau, Montana, officials knew his conspirator Robert Jackson, the "leader" of the "half breeds" from the South Saskatchewan, could be found nearby. He and about 25 families had settled for the time in a community of several hundred "halfbreeds" on the Sun River, not far from St. Peter's Mission. Michel Dumas, for his part, was supposedly living between Lewistown and Fort Benton, where he was working for the Lingley Bros., one of whom was "married to a half breed." [1517]

The same reports that document the refugees' relationships within the locales that drew them in the wake of 1885 likewise demonstrate that the "refugees" in fact moved back and forth across the international border in this period, rather than just fleeing to one side and remaining there, even in the short run. Spies on both sides of the line reported ongoing intercourse between specific communities across the borderlands. The migrations that are portrayed as refugee flights to a foreign land were thus, in many ways, the opposite of that. And instead of severing connections by forcing people into foreign exile, the 1885 conflict immediately incited a round of renewing of bonds. Such renewal stood in direct opposition to the vehemence with which nation-states hoped to create and separate distinct nations, races, tribes and bands.

The suggestion that indigenous flight southward after 1885 constituted exile in a foreign land is closely linked to another historiographical habit regarded the relationships of borderlands indigenes in this period. As note earlier, many histories that focus on Montana's mixed bands locate the advent of indigenous intermixture in the late nineteenth century. When considered in light of the equally problematic fact that historians who focus on the Métis suggest the opposite—that intermarriage was minimal after ethnogenesis in the early nineteenth century—this contention borders on the absurd, but it remains commonplace nonetheless. It therefore bears explicating that the mixture and amalgamation of these bands in the last decades of the nineteenth century, like the geography of métis travels, flowed from existing interrelations. For evidence of these we need only review the ethnic descriptions offered in the brief family histories recorded for the 1917 Rocky Boy census. The document contains explicit ethnic descriptions of 141 people born before 1880, the earliest of the three dates commonly offered as turning points in patterns of U.S. intertribal interaction. In Chapter 1 we noted how these descriptions showed the endurance of intertribal intermarriage in the mid nineteenth century, after Métis ethnogenesis. In light of claims regarding the advent of intermixture in the late nineteenth century, they also attest to the depth and antiquity of the borderlands community's intertribal and interracial character. Of the 141 people born before 1880, only thirty-one reported being "fullblood." The remaining 110 people (78%) reported an array of mixtures. Many Rocky Boy people aged 40 and over used a variety of terms and fractions to report combinations of "Chippewa," "Cree," "French," and "white."[1518] Many others reported combinations of these ancestries with "Assiniboine," "Blackfeet," "Piegan," "Gros Ventre," and/or "Shoshone."[1519]

[1517] James Anderson to Edgar Dewdney, November 25, 1885- December 20, 1885, *Edgar Dewdney Fonds*, Glenbow, 1523-1536. Jackson had previously been a scout for the American army under Lieut. Miles. At the time of Anderson's tour Dumas was reportedly in Chicago in charge of a shipment of Lingley Bros. cattle.

[1518] Two people in this group also specifically identified "Scotch" as a component of their ancestry.

[1519] "Family History" (report originally accompanying tabulated census), *Geneva Stump Fonds*, M 7937, Glenbow, 29. Tribal ancestries in addition to Cree and Chippewa were no anomaly: over one-third of the people in this age cohort reported having "blood" of other tribes, with almost a quarter (thirty-four) reporting some Assiniboine ancestry. Of course, these descriptions must be contextualized and taken with a grain of salt. They appear to be self-descriptions offered to the census takers, in many cases through an interpreter, but I have not been able to locate any discussion of census methodology so I can't be sure. Furthermore, they represent the efforts of individuals to fit themselves into the clean categories favored by the census takers, and in many cases simplify or otherwise distort complex genealogies that evolved in a world insensitive to the numerical neuroses of colonial counting methods. Furthermore, most of the people reporting these ancestries were probably well aware that their ethnic descriptions might have consequences with regard to enrollment and attendant rights as Rocky Boy Indians. Circumstances surely encouraged minimizing claims to Indian and non-Indian "blood" that might cast doubt on their rights to Rocky Boy enrollment. Given this, the frequency of reported tribal ancestries other than Chippewa and Cree is all the more noteworthy.

This holds true even when one looks at an older cross section of the population. Of the fifty-one people born before 1860 who reported their ancestries to census makers, twelve identified themselves as "fullblood Chippewa" or "fullblood Cree." The other thirty-nine, over 76%, claimed a variety of mixed ancestries including all of the aforementioned groups except "Piegan." Almost half (twenty-four, over 47%) of Rocky Boy people born before 1860 reported Indian ancestries other than "Cree" and "Chippewa," and a third claimed to be part "Assiniboine." Amalgamation of these groups was clearly no new phenomenon.

Bibliography

Archival Collections

Archives Society of Alberta, Edmonton, Alberta, Canada
W.J. Nutt, *John Grant Fonds1973.*

Glenbow Archives, Calgary, Alberta, Canada
Edgar Dewdney Fonds.
Geneva Stump Fonds.
Jean L'Heureux Fonds.

K. Ross Toole Archives, University of Montana, Missoula, Montana, U.S.A.
Magee, Emma Minesinger, "Montana Memories."
Métis Land Deals Collection, Collection Number 292.

Library and Archives Canada, Ottawa, Ontario, Canada
Caron Papers, Collection Number: MG 27 I D3, A.-P. 5971.
Department of the Interior, Record Group 15, Volumes: 194, 228, 229, 341, 445, 506, 885, 914, 973, 1026, 1330, 1932.
John Alexander MacDonald Fonds 1827-1971, Reels: C-1525, C-1597, C-1693.
Indian Affairs, Record Group 10, Volumes: 2170, 3581, 3579, 3594, 3644, 3705, 3722, 3770, 3773, 3774, 3791, 3797, 3845, 3863, 7542.
Royal Mounted Police, Record Group 18, Volumes: 19, 129, 1007, 1024, 1082, 1083, 1124, 1353.

Merrill G. Burlingame Special Collections, Montana State University, Bozeman, Montana, U.S.A.
Fort Assiniboine Telegrams Received 1881, Collection 2457.
Gray, Raymond. "History of The Cree Indians." Unpublished manuscript. WPA Records, 1935-1942, February 26, 1942. Col. 2336, Box 18.
Verne Dusenberry Papers, Accession 85015, Box 10, Folder 9.

Montana Historical Society Archives, Helena, Montana, U.S.A.
Ben Kline Reminiscence, 1931, SC 942.
Gabriel Dumont Papers Letters, 1886, SC 1367.
Harry J. Rutter Reminiscence, 1931, SC 35.
Harry P. Stanford, SC 775.
Karlin, Jules. "Senator Joseph M. Dixon and Rocky Boy: A Documentary Postscript, 1908," 1954.
Montana Office of the Governor, Montana Indian Historical Jurisdiction Study, RS 266 (32:5-1).
Montana State Board of Entomology Records, 1905-1966, RS 28 (17:8-3).
Rocky Boys Reservation Records, 1909-1917, SC 903.
Sam O'Connell Reminiscence, SC 597.
Thomas O. Miles Papers 1892-1908, SC 475.

National Archives and Records Administration, Central Plains Region, Kansas City, Missouri, U.S.A.
Record Group 75 Collections:
Blackfeet Agency Superintendent Files, 1908-1929.
Fort Belknap Agency; Fort Belknap Agency Letters Received, 1908-1920.
Fort Belknap Agency Letters Received from Commissioner of Indian Affairs, 1878-1929.
Fort Belknap Agency Local Letters Sent, 1910-1927.
Fort Peck Chronological Files: Letters from the Commissioner, 1885.
Letters Sent and Received Between Montana Indian Agencies, 1909-1925.
Letters Sent and Received Between Superintendents of Montana Indian Agencies, 1904-1914.

National Archives and Records Administration, Rocky Mountain Region, Denver, Colorado, U.S.A.

Record Group 75 Collections:
Turtle Mountain, Box: 28, 73, 113, 149, 150, 157, 190, 278.

Eastern Washington State Historical Society Archives, Spokane, Washington, U.S.A.
Sister Providencia Tolan Papers, Ektachrome slides, 1958, Box 65, Folder 39, MS 116,

State Historical Society of North Dakota, Bismarck, North Dakota, U.S.A.
A.C.J. Farrell Papers, 1889-1950, Collection Number 10066.
Enos Stutsman Papers, 1866-1869, Collection Number 10412.
Frank J. Hutchinson Papers, 1924-1942, Collection Number 10078.
James Wickes Taylor Papers, 1849; 1862-1870, Collection Number 20187.

Newspapers

Anaconda Standard (MT)
Bismarck Weekly Tribune (ND)
Choteau Acantha (MT)
Choteau Chronicle (MT)
Choteau Montanian (MT)
Culbertson Searchlight (MT)
Fort Benton River Press (MT)
Glasgow Valley Courier (MT)
Great Falls Daily Tribune (MT)
Great Falls Leader (MT)
Great Falls Tribune (MT)
Great Falls Weekly Tribune (MT)
Havre Plain Dealer (MT)
Helena Daily Independent (MT)
Helena Independent (MT)
Jamestown Weekly Alert (ND)
New York Times (NY)
Wahpeton Times (ND)

Government Documents

Canada. *An Act to amend and continue the Act 32 and 33 Victoria, chapter 3; and to establish and provide for the Government of the Province of Manitoba*, Statutes of Canada 1870, c. 3

————. *The Constitution Act, 1867*, (UK), 30 & 31 Victoria, c 3, section 132.

————. *Act to Encourage the Gradual Civilization of Indian Tribes in This Province, and to Amend the Laws Relating to Indians*, 1857, 3rd Session of the 5th Parliament of the Province of Canada.

————. *Delegates on Acquisition of Rupert's Land, and the North-West Territory*, Report of Delegates, Laid Before Parliament, 1869.

————. *The Indian Act, assented to 12 April, 1876: An Act to amend and consolidate the laws respecting Indians, Chapter 18, 39 Victoria*, Statues of Canada 1876, c. 18.

Government of Canada; Aboriginal Affairs and Northern Development Canada. "Treaty Texts." Agreement; resource list. *Aboriginal Affairs and Northern Development Canada*, https://www.aadnc-aandc.gc.ca

Government of Canada; Aboriginal Affairs and Northern Development Canada; Communications Branch. "Chap. 18: An Act to Amend and Consolidate the Laws Respecting Indians."

———. "Treaty Texts - Ojibewa Indians of Lake Huron (Robinson Treaties)."

———. "Treaty Texts - Ojibewa Indians of Lake Superior (Robinson Treaties)."

———. "Treaty Texts- Treaties No. 1 and No. 2."

———. "Treaty Texts- Treaty and Supplementary Treaty No. 7."

———. "Treaty Texts- Treaty No. 3."

———. "Treaty Texts- Treaty No. 4."

———. "Treaty Texts- Treaty No. 5."

———. "Treaty Texts- Treaty No. 6."

Great Britain. Parliament. House of Commons, *Accounts and Papers of the House of Commons,* Ordered to be Printed, 1863.
Jefferson, Thomas. *Declaration of Independence*, 1776.
North-West Mounted Police Commissioner. *Indian Affairs Annual Report, 1880: Part II North-West Mounted Police Force Commissioner's Report 1880,* Ottawa: Library Archives Canada.
U.S. Bureau of Indian Affairs. *Annual Report of the Commissioner of Indian Affairs*. Washington: Government Printing Office. Department of the Interior
U.S. Congress. *An Act Authorizing the Secretary of the Interior to survey the lands of the abandoned Fort Assinniboine Military Reserve an open the same settlement,* 63rd Cong., 3rd Sess. Ch. 25.
———. *An Act granting the Right of Way to Ditch and Canal owners over Public Lands, and for Other Purposes,* 39th Cong., 1st Sess., Ch. 262.
———. *Civil Rights Act of 1866,* 39th Cong., 1st Sess., Ch. 31: 14 Stat. 27-30.
———. *General Allotment Act of (Dawes Act),* 49th Cong., 2nd Sess., 24 Stat. 388, Ch. 119, 25 USCA 331.
———. *General Mining Act 1872,* May 10, 1872, 42nd Cong., 2nd Sess., Ch. 149-152: 17 Stat 91-96.
———. *Homestead Act of 1862,* 37th Cong., 2nd Sess., Ch. 75: 12 Stat. 392 Public Law 37-64.
———. *Naturalization Act of 1790,* 1st Cong., 2nd Sess., Ch. 3: 1 Stat. 103.
———. *Naturalization Act of 1795,* 3rd Cong., 2nd Sess., Ch. 19, 20: 1 Stat. 414.
———. *Naturalization Act of 1798,* 5th Cong., 2nd Sess., Ch. 54: 1 Stat. 566.
———. *Naturalization Act of 1802,* 7th Cong., 1st Sess., Ch. 26, 28: 2 Stat. 153.
———. *Naturalization Act of 1870,* 41st Cong., 1st Sess. Ch. 252-254: 16 Stat. 254.
———. *Red Lake Indian Act (also known as February 16, 1912 Act),* 61st Cong., 3rd Sess., 36 Stat 913.
U.S. Congress. Committee on Indian Affairs. *Report of Special Investigator Walter W. Liggett, Survey of Conditions of the Indians in the United States: Hearings Before a Subcommittee of the Committee on Indian Affairs,* Washington: Government Printing Office 1929-1930.
———. *Survey of Conditions of the Indians in the United States: Hearings Before a Subcommittee of the Committee on Indian Affairs,* Washington: Government Printing Office 1929-1930.
———. *Testimony of John Parker, Survey of Conditions of the Indians in the United States: Hearings Before a Subcommittee of the Committee on Indian Affairs,* Washington: Government Printing Office1929-1930.
U.S. Congress. Subcommittee of the Committee on Indian Affairs, *Survey of Conditions of the Indians in the United States,* 1931, 72nd Cong., 1st Sess., Part 23
———. *Survey of Conditions of the Indians in the United States,* 1933, 73rd Cong., Part 30.
U.S. Department of War. *The War of the Rebellion: A Compilation of the Official Records of the Union and Confederate Armies.* Washington: Government Printing Office, 1889-1901.
U.S. House of Representatives. *Act 1940 Nationality Act (An act to revise and codify the nationality laws of the United States into a comprehensive nationality code),* 1940, 76th Cong., 3rd Sess., Ch. 876: 54 Stat 1137, H.R. 9980, Pub. L. 76-853
———. *Annexation Bill of 1866,* 39th Cong., 1st Sess., H.R. 754
———. *Refugee Canadian Cree Indians Removal from the State of Montana*, *Report to Accompany, H.R. 8293,* 54th Cong., 1st Sess., S. Rept. 821
———. *Turtle Mountain Band of Chippewa Indians,* Senate Document 444, 56th Cong., 1st Sess., Senate Report No. 693.
———. *Wandering American-Born Indians of Rocky Boy's Band, Montana, Report to Accompany S. 2705,* 58th Cong., 2nd Sess., Senate Report No. 1020.
———. Senate Report No. 2705, 58th Cong., 3rd Sess.
———. Committee on Indian Affairs, Senate Report to accompany S. 3051, 58th Cong., Serial Set vol. no. 3366, Sess. vol. no. 5.
The Constitution

Additional Primary Sources

Big Eagle. "Big Eagle's Account." In *Through Dakota Eyes: Narrative Accounts of the Minnesota Indian War of 1862*, edited by Gary Clayton Anderson and Alan R. Woolworth. St. Paul: Minnesota Historical Society Press, 1988.
Black Hawk, Sauk Chief. *Black Hawk: An Autobiography*. Edited by Donald Jackson. Urbana: University of Illinois Press, 1955.
Blegen, Theodore C., ed. *Lincoln's Secretary Goes West: Two Reports by John G. Nicolay on Frontier Indian Troubles 1862*. La Crosse, Wis.: Sumac Press, 1965.

Bottineau, Jno. B. *Turtle Mountain Band of the Chippewa Indians: The Protest of the Ten-Cent Treaty: Filed by Their Representative and Attorney, John B. Bottineau.* Edited by Gail Morin. Pawtucket, RI: Quintin Publications, 1996.

Brown, Samuel J. "Samuel J. Brown's Recollections." In *Through Dakota Eyes: Narrative Accounts of the Minnesota Indian War of 1862*, edited by Gary Clayton Anderson and Alan R. Woolworth. St. Paul: Minnesota Historical Society Press, 1988.

Cameron, William Bleasdell. *The War Trail of Big Bear: Being the Story of the Connection of Big Bear and Other Cree Indian Chiefs and Their Followers with the Canadian North-West Rebellion of 1885, the Frog Lake Massacre and Events Leading up to and Following It, and of Two Month's Imprisonment in the Camp of the Hostiles*. Boston: Small, Maynard, 1927.

Campbell, Maria. *Halfbreed*. Halifax, N.: Goodread Biographies, 1973.

Charette, Guillaume. *Vanishing Spaces: Memoirs of Louis Goulet*. Translated by Ray Ellenwood. Winnipeg: Editions Bois-Brules, 1980.

Cloud, Henry Roe. *Roll of Landless Indians of Montana,* 1937.

Colvin, Milton. "Hill Fifty-Seven: The Problem of Off Reservation Indians." *Montana Opinion* 1 (June 1957): 15–18.

Cowie, Isaac. *The Company of Adventurers: A Narrative of Seven Years in the Service of the Hudson's Bay Company During 1867-1874 on the Great Buffalo Plains* ... Lincoln: University of Nebraska Press, 1993.

Crawford, Charles R. "Charles's R. Crawford Testimony." In *Through Dakota Eyes: Narrative Accounts of the Minnesota Indian War of 1862*, edited by Gary Clayton Anderson. St. Paul: Minnesota Historical Society Press, 1988.

Denny, Cecil E. *The Law Marches West*. Edited by W.B. Cameron. Gloucestershire: Denny Publishing, 2000.

Densmore, Francis. "Good Star Woman's Recollections." In *Through Dakota Eyes: Narrative Accounts of the Minnesota Indian War of 1862*, edited by Gary Clayton Anderson and Alan R. Woolworth. St. Paul: Minnesota Historical Society Press, 1988.

Drips, J. H. *Three Years Among the Indians in Dakota.* Kimball, SD: Brule Index, 1894.

Dumont, Gabriel, and Michael Dorn Barnholden. *Gabriel Dumont Speaks [1903]*. Vancouver, B.C.: Talonbooks, 1993.

Eggermont-Molenaar, Mary. *Montana 1911, a Professor and His Wife Among the Blackfeet: Wilhelmina Maria Uhlenbeck-Melchior's Diary and C. C. Uhlenbeck's Original Blackfoot Texts and a New Series of Blackfoot Texts*. Lincoln: University of Nebraska Press, 2005.

Engels, Freidrich. "Speech at the Graveside of Karl Marx." In *Reader in Marxist Philosophy, from the Writings of Marx, Engels, and Lenin*. edited by Howard Selsam and Harry Martel. New York: International Publishers, 1963.

Felix, Clem. "Joseph Coursolle's Story." In *Through Dakota Eyes: Narrative Accounts of the Minnesota Indian War of 1862*, edited by Gary Clayton Anderson and Alan R. Woolworth, translated by F. J. Patten. St. Paul: Minnesota Historical Society Press, 1988.

Foster, Stephen C. "Republican Land Policy: Homes for the Million, April 24, 1860." In *Landmark Debates in Congress: From the Declaration of Independence to the War in Iraq*, edited by Stephen W. Stathis. Washington D.C.: CQ Press, 2009.

Garcia, Andrew. *Tough Trip Through Paradise, 1878-1879.* Edited by Bennett Stein. Sausalito, Calif.: Comstock Editions, Inc., 1986.

Grant, Johnny. *Very Close to Trouble: The Johnny Grant Memoir [1831-1907]*. Edited by Lyndel Meikle. Pullman: Washington State University Press, 1996.

Hale, Henry. "Pioneer Association: Devil's Lake Region," [Devil's Lake, ND: Association,]1925.

Hines, J. *The Red Indians of the Plains Thirty Years' Missionary Experience in the Saskatchewan*. Toronto: McClelland Goodchild & Stewart, 1916.

Iron Teeth. "Iron Teeth, a Cheyenne Old Woman." In *The Last Best Place: A Montana Anthology*, edited by William Kittredge and Annick Smith, 233–48. Seattle: University of Washington Press, 1991.

Kane, Paul. "An Artist's Wanderings." In *The American Frontier: Readings and Documents*, edited by Robert V. Hine and Edwin R. Bingham, 471–74. Boston: Little, Brown and Company, 1972.

Kappler, Charles Joseph. *Indian Affairs: Laws and Treaties*. Vol. I. Washington: GPO, 1904.

———. *Indian Affairs: Laws and Treaties*. Vol. II. Washington: GPO, 1904.

———. *Indian Affairs: Laws and Treaties*. Vol. III. Washington: GPO, 1913.

———. *Indian Affairs: Laws and Treaties*. Vol. IV. Washington: GPO, 1929.

———. *Indian Affairs: Laws and Treaties*. Vol. V. Washington: GPO, 1941.

Kurz, Rudolf Friedrich. “A Painter’s Journal.” In *The American Frontier: Readings and Documents*, edited by Robert V. Hine and Edwin R. Bingham, 468–71. Boston: Little, Brown and Company, 1972.
Larpenteur, Charles. *Forty Years a Fur Trader on the Upper Missouri Personal Narrative of Charles Lapenteur, 1833-1872.* New York: F.P. Harper, 1898.
Legislative Assembly Chamber. “The Sessional Journal of the Legislative Assembly of Assiniboia.” Archives of Manitoba, March 1870. A of M, Red River Disturbance Collection MG3 A1-15.
Lewis, Meriwether, and William Clark. *The Journals of Lewis and Clark*. Edited by Bernard DeVoto. Boston: Houghton Mifflin Harcourt, 1997.
Little Wheat. “Little Wheat’s Letter.” In *Through Dakota Eyes: Narrative Accounts of the Minnesota Indian War of 1862*, edited by Gary Clayton Anderson and Alan R. Woolworth. St. Paul: Minnesota Historical Society Press, 1988.
McDonald, Catherine, and Winona Adams. *An Indian Girl’s Story of a Trading Expedition to the Southwest About 1841*. Missoula: State University of Montana, 1930.
McKay, Alexander. “1886 Spy Report: Alexander McKay.” *Scribd*, https://www.scribd.com.
Mazakutemani, Paul. “Paul Mazakutemani’s Statement.” In *Through Dakota Eyes: Narrative Accounts of the Minnesota Indian War of 1862*, edited by Gary Clayton Anderson and Alan R. Woolworth. St. Paul: Minnesota Historical Society Press, 1988.
Minnesota, and Board of Commissioners on Publication of History of Minnesota in Civil and Indian Wars. *Minnesota in the Civil and Indian Wars 1861-1865*, 1890.
Mr. and Mrs. Harry Lawrence. “Esther Wakeman’s Reminiscences.” In *Through Dakota Eyes: Narrative Accounts of the Minnesota Indian War of 1862*, edited by Gary Clayton Anderson and Alan R. Woolworth. St. Paul: Minnesota Historical Society Press, 1988.
Mustus, Jean-Marie. “Interviews With Elders.” In *The Spirit of the Alberta Indian Treaties*, edited by Richard T. Price. Edmonton: University of Alberta Press, 1999.
Myers, Frank. *Soldiering in Dakota Among the Indians in 1863-4-5*. Freeport, NY: Books for Libraries Press, 1971
Nault, Fred. *Fred Nault: Montana Métis*. Rocky Boy, Mont.: Chippewa-Cree Research Rocky Boy School Rocky Boy’s Reservation, 1977.
Peeso, P. E. “The Cree Indians.” *Museum Journal*, III, no. 3 (1912): 50–57.
Ouimet, Adolphe, and B. A. T. de Montigny. *La Verite Sur La Question Metisse Au Nord-Ouest*. Montreal: [publisher not identified], 1889.
Quinn, George. “George Quinn’s Account.” In *Through Dakota Eyes: Narrative Accounts of the Minnesota Indian War of 1862*, edited by Gary Clayton Anderson and Alan R. Woolworth. St. Paul: Minnesota Historical Society Press, 1988.
Renville, Mary Butler, Carrie R Zeman, and Derounian-Stodola. *A Thrilling Narrative of Indian Captivity Dispatches from the Dakota War[1863]*.Lincoln: University of Nebraska Press, 2012
Russell, Osburne. *Journal of a Trapper, 1834-1843*. Edited by Aubrey L. Haines. Norman: University of Nebraska Press, 1955.
Solomon Two Star. “Solomon Two Star’s Testimony.” In *Through Dakota Eyes: Narrative Accounts of the Minnesota Indian War of 1862*, edited by Gary Clayton Anderson. St. Paul: Minnesota Historical Society Press, 1988.
Stanley, George F.G. ed. “Gabriel Dumont’s Account of the North West Rebellion, 1885.” Translated by George F. G. Stanley. *Canadian Historical Review*, no. 30 (1949): 249–69.
Stay, Cecelia Campbell. “Cecelia Campbell Stay’s Account.” In *Through Dakota Eyes: Narrative Accounts of the Minnesota Indian War of 1862*, edited by Gary Clayton Anderson and Alan R. Woolworth. St. Paul: Minnesota Historical Society Press, 1988.
Stuart, Granville. “Forty Years on the Frontier.” In *The Last Best Place: A Montana Anthology*, edited by William Kittredge and Annick Smith, 383–96. Seattle: University of Washington, 1991.
Stuart, Granville, and Paul C. Phillips. *Forty Years on the Frontier as Seen in the Journals and Reminiscences of Granville Stuart, Gold-Miner, Trader, Merchant, Rancher and Politician*. Cleveland, Ohio: Arthur H. Clark Co., 1925.
Thompson, Napoléon. *The Gibbet of Regina: The Truth About Riel, Sir John A. Macdonald and His Cabinet Before Public Opinion, by One Who Knows*. Thompson & Moreau, 1886.
Weisel, George F. *Men and Trade on the Northwest Frontier, as Shown By the Fort Owen Ledger. Montana State University Studies. Volume 2.* 1st edition. Missoula: Montana State University Press, 1955.
Williams, John Fletcher. *A History of the City of Saint Paul to 1875*. St. Paul: Minnesota Historical Society Press, 1876.

Secondary Sources

Albers, Patricia C. "Symbiosis, Merger, and War: Contrasting Forms of Intertribal Relationship Among Historic Plains Indians." In *The Political Economy of North American Indians*, edited by John H. Moore, 94–132. Norman: University of Oklahoma Press, 1993.

Allen, Douglas. "Homesteading and Property Rights Or, 'How the West Was Really Won.'" *Journal of Law and Economics* 34, no. 1 (1991): 1.

Ambrose, Stephen. *Undaunted Courage: Meriwether Lewis, Thomas Jefferson, and the Opening of the American West*. Simon & Schuster, 1997.

Ambrose, Stephen E., and Sam Abell. *Lewis & Clark: Voyage of Discovery*. National Geographic Society, 1998.

Anderson, Gary Clayton. *Ethnic Cleansing and the Indian: The Crime That Should Haunt America*. Norman: University of Oklahoma Press, 2014.

———. *Kinsmen of Another Kind: Dakota-White Relations in the Upper Mississippi Valley, 1650-1862*. St. Paul: Minnesota Historical Society Press, 1997.

Anderson, Gary Clayton, and Alan R. Woolworth, eds. *Through Dakota Eyes: Narrative Accounts of the Minnesota Indian War of 1862*. St. Paul: Minnesota Historical Society Press, 1988.

Aron, Stephen. "Frontiers, Borderlands, Wests." In *American History Now*, edited by Eric Foner and Lisa McGirr, 261–84. Philadelphia: Temple University Press, 2011.

Augustus, Camie. "Métis Scrip | Our Legacy." *Our Legacy*, 2008. http://scaa.sk.ca.

Bachman, Walt. *The Filicide Enigma: Was Gen. Henry Sibley's Son Hanged in Mankato?*, 2013. https://athrillingnarrative.files.wordpress.com

Banner, Stuart. *How the Indians Lost Their Land: Law and Power on the Frontier*. Cambridge: The Belknap Press of Harvard University Press, 2005.

Barbour, Barton H. *Fort Union and the Upper Missouri Fur Trade*. Norman: University of Oklahoma Press, 2001.

Barkwell, Lawrence. "Jean Baptiste Wilkie." *Métis Museum*, http://www.metismuseum.ca.

———. "John 'Johnny' Francis Grant (1831-1907)." *Métis Museum*, http://www.metismuseum.ca.

———. "Manitoba's Provisional Government of 1870 the Convention of Forty Years: January 25, 1870 to February 10, 1870." Louis Riel Institute, http://www.metismuseum.ca.

———. "Métis Lands, Treaties, and Reserves." Louis Riel Institute.

———. "Métis Rights and Land Claims." *Métis Nation Constitutional Reform Portal*, July 16, 2002. http://www.metisportals.ca.

Barkwell, Lawrence, Leah Dorion, and Darren R. Préfontaine, eds. *Métis Legacy: A Métis Historiography and Annotated Bibliography*. Winnipeg: Pemmican Publications, 2003.

Barr, Juliana. "Geographies of Power: Mapping Indian Borders in the 'Borderlands' of the Early Southwest." *William and Mary Quarterly* 68, no. 1 (2011): 5–46.

Basson, Lauren L. *White Enough to Be American?: Race Mixing, Indigenous Peoples, and the Boundaries of State and Nation*. Chapel Hill: The University of North Carolina Press, 2008.

Belich, James. *Replenishing the Earth: The Settler Revolution and the Rise of the Angloworld*. New York: Oxford University Press, 2011.

Bell, Edward. *Social Classes and Social Credit in Alberta*. Montreal: McGill-Queen's Press - MQUP, 1994.

Berg, Scott W. *38 Nooses: Lincoln, Little Crow, and the Beginning of the Frontier's End*. New York: Pantheon Books, 2012.

Berkhofer, Robert. *The White Man's Indian: Images of the American Indian from Columbus to the Present*. 1st edition. New York: Alfred A. Knopf, 1978.

Bieder, Robert E. *Native American Communities in Wisconsin, 1600-1960: A Study of Tradition and Change*. Madison: University of Wisconsin Press, 1995.

Binnema, Theodore. *Common and Contested Ground: A Human and Environmental History of the Northern Plains*. Norman: University of Oklahoma Press, 2001.

———. "How Does a Map Mean?: Old Swan's Map of 1801 and the Blackfoot World." In *From Rupert's Land to Canada*, edited by Theodore Binnema, Gerhard J. Ens, and R. C Macleod, 201–24. Edmonton: University of Alberta Press, 2001.

Biographical Directory of the United States Congress. "McCumber, Porter James - Biographical Information." *Biographical Directory of the United States Congress*, http://bioguide.congress.gov

Blackhawk, Ned. *Violence Over the Land: Indians and Empires in the Early American West*. Cambridge: Harvard University Press, 2006.

Blew, Mary Clearman. *Bone Deep in Landscape: Writing, Reading, and Place*. Norman: University of Oklahoma Press, 2000.
Bloemraad, Irene. *Becoming a Citizen: Incorporating Immigrants and Refugees in the United States and Canada*. Berkeley: University of California Press, 2006.
Blomley, Nicholas. "Law, Property, and the Geography of Violence: The Frontier, the Survey, and the Grid." *Annals of the Association of American Geographers* 93, no. 1 (2003): 121.
Bottineau County Diamond Anniversary Publication Committee. *Diamond Jubilee, 1884-1959 : A Brief History of the County of Bottineau, North Dakota*. Bottineau ND: Bottineau County Diamond Anniversary Publication Committee, 1959.
Botting, Gary Norman Arthur. *Chief Smallboy: In Pursuit of Freedom*. Calgary: Fifth House, 2005.
Brebner, John. *Canada: A Modern History*. Ann Arbor: University of Michigan Press, 1960.
Brooks, James F. *Captives and Cousins: Slavery, Kinship and Community in the Southwest Borderlands*. Chapel Hill: The University of North Carolina Press, 2002.
Brown, Jennifer. "Métis, Halfbreeds, and Other Real People: Challenging Cultures and Categories." *History Teacher* 27, no. 1 (1993): 19.
Buck, Fred E. "Water Resources Survey: Ravalli County, Montana 1958." State Engineer's Office, 1958.
Bumsted, J.M. *A History of the Canadian Peoples*. Toronto: Oxford University Press, 1998.
Burley, David G. "Rooster Town: Winnipeg's Lost Métis Suburb, 1900-1960." *Urban History Review/Revue D'histoire Urbaine* 42, no. 1 (2013).
Burnett, Christina Duffy. "'They Say I Am Not an American...': The Noncitizen National and the Law of American Empire." *Virginia Journal of International Law* 48, no. 4 (2008): 659.
Burt, Larry W. "In a Crooked Piece of Time: The Dilemma of the Montana Cree and the Métis." *Journal of American Culture* 9, no. 1 (1986): 45–51.
———. "Nowhere Left to Go: Montana's Crees, Métis, and Chippewas and the Creation of Rocky Boy's Reservation." *Great Plains Quarterly* 7, no. Summer (1987): 195–209.
Burton, Antoinette M, ed. *After the Imperial Turn: Thinking With and Through the Nation*. Durham: Duke University Press, 2006.
Bryk, William. "Honore Jaxon, Professional Rebel | City of Smoke," http://www.cityofsmoke.com
Calloway, Colin G. "Army Allies or Tribal Survival? The 'Other Indians' in the 1876 Campaign." In *Legacy: New Perspectives on the Battle of the Little Bighorn. Proceedings of the Little Bighorn*, edited by Charles E. Rankin, 63–83. Helena: Montana Historical Society Press, 1996.
———."Sword Bearer and the 'Crow Outbreak,' 1887." Montana: The Magazine of Western History 36, no. 4 (October 1, 1986): 38–51.
Carley, Kenneth. *The Dakota War of 1862: Minnesota's Other Civil War*. St. Paul: Minnesota Historical Society Press, 1976.
Carriker, Robert C. *Father Peter John de Smet: Jesuit in the West*. Norman: University of Oklahoma Press, 1995.
Carter, Sarah. *Aboriginal Peoples and Colonizers of Western Canada to 1900*. Toronto: University of Toronto Press, 1999.
———. *Lost Harvests: Prairie Indian Reserve Farmers and Government Policy*. Montreal: McGill-Queen's Press - MQUP, 2000.
———. "Two Acres and a Cow: 'peasant' Farming for the Indians of the Northwest, 1889–97." *CHR Canadian Historical Review* 70, no. 1 (1989): 27–52.
———. "Biography – O'Soup, Louis – Volume XIV (1911-1920)." *Dictionary of Canadian Biography*, http://www.biographi.ca.
Cavanagh, Edward and Veracini, Lorenzo."Settler Colonial Studies Blog." *Settler Colonial Studies Blog*, http://settlercolonialstudies.org.
Chang, David A. *The Color of the Land: Race, Nation, and the Politics of Landownership in Oklahoma, 1832-1929*. Chapel Hill: University of North Carolina Press, 2010.
Clary, Jean et al. *First Roots: The Story of Stevensville, Montana's Oldest Community*. 1st edition. Stevensville, Mont.: Stoneydale Press Publishing Co., 2005.
Combet, Denis. "Gabriel Dumont, the Last of Great Métis Leaders." *Encyclopédie Du Patrimoine Culturel De L'amérique Française – Histoire, Culture, Religion, Héritage*, http://www.ameriquefrancaise.org.
Corbin, Annalies. *The Life And Times of the Steamboat Red Cloud: Or How Merchants, Mounties, And the Missouri Transformed the West*. College Station: Texas A&M University Press, 2006.
Craig-Taylor, Phyliss. "To Be Free: Liberty, Citizenship, Property and Race." *Harvard BlackLetter Law Journal* 14, no. Spring (1998): 45–90.

Curtis, Kent. “Producing a Gold Rush: National Ambitions and the Northern Rocky Mountains, 1853-1863.” *The Western Historical Quarterly* 40, no. 3 (October 1, 2009): 275–97.
Cushman, Dan. *The Great North Trail : America’s Route of the Ages*. 1st edition. New York: McGraw-Hill, 1966.
Danbom, David B. *Born in the Country: A History of Rural America (Revisiting Rural America)* 2nd edition. Baltimore: The Johns Hopkins University Press, 2006.
Darnell, Regna, and Frederic Wright Gleach. *Histories of Anthropology Annual*. Lincoln: University of Nebraska Press, 2007.
Daugherty, Wayne E. “Treaty Research Report- Treaty Three (1873).” *Aboriginal Affairs and Northern Development Canada*, December 11, 2008.
Deloria, Vine Jr, and David E. Wilkins. *Tribes, Treaties, & Constitutional Tribulations*. Austin: University of Texas Press, 2005.
Dempsey, Hugh A. *Big Bear : The End of Freedom*. Lincoln: University of Nebraska Press, 1984.
———. “Maskepetoon.” *Dictionary of Canadian Biography*, http://www.biographi.ca.
———. “The Starvation Year: Edgar Dewdney’s Diary for 1879.” *Alberta History* 31, no. 1; 2 (1983): 1–12; 1–15.
———. “L’heureux, Jean.” *Dictionary of Canadian Biography*, http://www.biographi.ca.
———. “Treaty Research Report - Treaty Seven (1877).” *Aboriginal Affairs and Northern Development Canada*, December 15, 2008, http://www.biographi.ca..
———. *Crowfoot, Chief of the Blackfeet*. Norman: University of Oklahoma Press, 1972.
Denig, Edwin Thompson. *Five Indian Tribes of the Upper Missouri: Sioux, Arickaras, Assiniboines, Crees, Crows*. Edited by John C. Ewers. Norman: University of Oklahoma Press, 1989.
Devine, Heather. “Les Desjarlais: The Development and Dispersion of a Proto-Métis Hunting Band, 1785-1870.” In *From Rupert’s Land to Canada*, edited by Theodore Binnema, Gerhard J. Ens, and R. C Macleod, 129–58. Edmonton: University of Alberta, 2001.
DeVoto, Bernard. *Across the Wide Missouri.* Boston: Houghton Mifflin Co., 1947.
Dickason, Olive Patricia. *Canada’s First Nations: A History of Founding Peoples from Earliest Times*. Norman: University of Oklahoma Press, 1992.
Diedrich, Mark. “Chief Hole-in-the-Day and the 1862 Chippewa Disturbance: A Reappraisal.” *Minnesota History*, 1987.
Dippie, Brian W. *The Vanishing American: White Attitudes and U.S. Indian Policy*. Lawrence: Middleton, CT: Wesleyan University Press, 1982.
Dobbin, Murray. *The One-and-a-Half Men: The Story of Jim Brady and Malcolm Norris, Métis Patriots of the Twentieth Century*. Vancouver: New Star, 1981.
Douaud, Patrick. *Ethnolinguistic Profile of the Canadian Métis*. Ottawa: National Museums of Canada, 1985.
Drinnon, Richard. *Facing West: The Metaphysics of Indian Hating and Empire-Building*. New York: Schoken, 1990.
Dusenberry, Verne. *The Montana Cree: A Study in Religious Persistence*. Norman: University of Oklahoma Press, 1998.
———. “The Rocky Boy Indians.” *The Montana Magazine of History* 4, no. 1 (1954): 1.
———. “Waiting for a Day That Never Comes.” *Montana: The Magazine of Western History* 8, no. 2 (1958): 26.
———. “Waiting for a Day That Never Comes: The Dispossessed Métis of Montana.” In *The New Peoples: Being and Becoming Métis in North America*, edited by Jacqueline Peterson and Jennifer S. H Brown, 119–36. St. Paul: Minnesota Historical Society Press, 2001.
Ebbott, Elizabeth, and League of Women Voters of Minnesota. *Indians in Minnesota*. Minneapolis: University of Minnesota Press, 1985.
Elias, Peter. *The Dakota of the Canadian Northwest: Lessons for Survival*. Regina: Canadian Plains Research Center, University of Regina, 2002.
Ens, Gerhard. *Homeland to Hinterland: The Changing Worlds of the Red River Métis in the Nineteenth Century*. Toronto: University of Toronto Press, 1996.
———. “Métis Ethnicity, Personal Identity and the Development of Capitalism in the Western Interior.” In *From Rupert’s Land to Canada*, edited by Theodore Binnema, Gerhard Ens, and R. C. Macleod, 161–77. Edmonton: University of Alberta, 2001.
———. “The Border, the Buffalo, and the Métis of Montana.” In *The Borderlands of the American and Canadian Wests: Essays on Regional History of the Forty Ninth Parallel*, edited by Sterling Evans, 139–54. Lincoln: University of Nebraska Press, 2006.
———. “The Reformulation of the Turtle Mountain Métis Community, 1879-1905.” In *New Faces of the Fur Trade: Selected Papers of the Seventh North American Fur Trade Conference, Halifax, Nova Scotia, 1995*,

edited by Jo-Anne Fiske, Susan Sleeper-Smith, and William Wicken. East Lansing: Michigan State University Press, 1998.
Evans, Lucylle H. *St. Mary's in the Rocky Mountains: A History of the Cradle of Montana's Culture*. Stevensville, Mont.: Montana Creative Consultants, 1976.
Evans, Mike, Jean Barman, Gabrielle Legault, Erin Dolmage, and Geoff Appleby. "Métis Networks in British Columbia: Examples from the Central Interior." In *Contours of a People: Métis Family, Mobility, and History*, edited by Nicole St-Onge, Carolyn Podruchny, and Brenda Macdougall, 331–67. Norman: University of Oklahoma Press, 2012.
Ewers, John. "When the Light Shone in Washington." *Montana: The Magazine of Western History* 6, no. 4 (1956): 2.
————. "The Indian Wars of the West." In *Great Western Indian Fights*, edited by B.W. Allred, J.C. Dykes, Frank Goodwyn, and D. Harper Simms, 19–26. Lincoln: University of Nebraska, 1966.
Ewers, John, and United States. *Ethnological Report on the Chippewa Cree Tribe of the Rocky Boy Reservation and the Little Shell Band of Indians*. New York: Garland Publishing, 1974.
Faragher, John Mack, ed. *The American Heritage Encyclopedia of American History*. 1st edition. New York: Henry Holt and Co., 1998.
Fee, Dexter S. "Government Policy Toward the Principal Indian Nations of Montana, 1851-1873." Master's Thesis, University of Montana, 1934.
Fenn, Elizabeth A. *Encounters at the Heart of the World: A History of the Mandan People*. New York: Hill and Wang, 2014.
Fixico, Donald L. "The Literature of American Indian History." In *A Century of American Historiography*, edited by James M. Banner, Jr., 170–82. Boston: Bedford/St. Martin's, 2010.
———. *Treaties with American Indians an Encyclopedia of Rights, Conflicts, and Sovereignty*. Santa Barbara, Calif.: ABC-CLIO, 2008.
Flanagan, Darris. *Indian Trails of the Northern Rockies*. Stevensville, Mont.: Stoneydale Press Pub. Co., 2001.
Foner, Eric. *Free Soil, Free Labor, Free Men: The Ideology of the Republican Party Before the Civil War with a New Introductory Essay*. New York: Oxford University Press, 1995.
———. *Reconstruction: America's Unfinished Revolution, 1863-1877*. New York: Harper & Row, 1988.
Foran, Maxwell. *Icon, Brand, Myth: The Calgary Stampede*. Edmonton: Athabasca University Press, 2008.
Ford, Lisa. *Settler Sovereignty: Jurisdiction and Indigenous People in America and Australia, 1788-1836*. Cambridge Mass.: Harvard University Press, 2010.
Foster, John E. "The Saulteaux and the Numbered Treaties- an Aboriginal Rights Position?" In *The Spirit of the Alberta Indian Treaties*, edited by Richard T. Price, 161–80. Edmonton: University of Alberta Press, 1999.
————. "Some Questions and Perspectives on the Problem of Métis Roots." In *The New Peoples: Being and Becoming Métis in North America*, edited by Jacqueline Peterson and Jennifer S. H. Brown, 73–91. St. Paul: Minnesota Historical Society Press, 1985.
Foster, Martha. "'We Know Who We Are': Multiethnic Identity in a Montana Métis Community." Ph.D. Dissertation, University of California, 2000.
Foster, Martha Harroun. *We Know Who We Are: Métis Identity in a Montana Community*. Norman: University of Oklahoma Press, 2006.
Frickey, Philip P. "Marshalling Past and Present: Colonialism, Constitutionalism, and Interpretation in Federal Indian Law." *Harvard Law Review* 107, no. 2 (1993): 381–440.
Fridley, Russell. "When Minnesota Coveted Canada." *Minnesota History* 41, no. 2 (July 1, 1968): 76–79.
Friesen, Gerald. *The Canadian Prairies: A History*. Toronto: University of Toronto Press, 1993.
Friesen, Jean. "Magnificent Gifts: The Treaties of Canada with the Indians of the Northwest 1869- 76." In *The Spirit of the Alberta Indian Treaties*, edited by Richard T. Price, 203–13. Edmonton: University of Alberta, 1999.
Gates, Paul W. "American Land Policy." In *Major Problems in History of the American West History*, edited by Clyde A. Milner. Lexington: D.C. Heath and Co., 1988.
Gilman, Rhoda R. *Henry Hastings Sibley: Divided Heart*. St. Paul: Minnesota Historical Society Press, 2004.
Gordon, Irene Ternier. *A People on the Move: The Métis of the Western Plains*. Vancouver: Heritage House Publishing Co, 2009.
Graetz, Rick, and Susie Beaulaurier Graetz. *This Is Montana: A Geography-Geographic History of Montana*. Helena, Mont.: Northern Rockies Publishing, 2003.
Graybill, Andrew R. *Policing the Great Plains: Rangers, Mounties, and the North American Frontier, 1875-1910*. Lincoln: University of Nebraska Press, 2007.

Greenland, Cyril. “The Last Public Execution in Canada: Eight Skeletons in the Closet of the Canadian Justice System.” *Criminal Law Quarterly* 29 (1987 1986): 415.
Gross, Ariela Julie. *What Blood Won’t Tell: A History of Race on Trial in America*. Cambridge: Harvard University Press, 2008.
Gutiérrez, David. “The Politics of the Interstices: Reflections on Citizenship and Non-Citizenship at the Turn of the Twentieth Century.” *Race/Ethnicity: Multidisciplinary Global Perspectives* 1, no. 1 (Autumn 2007).
Hafen, LeRoy R., and Ann W. Hafen. “Thomas Fitzpatrick.” In *Mountain Men and Fur Traders of the Far West: Eighteen Biographical Sketches*, edited by LeRoy R. Hafen, 236–51. Norman: University of Oklahoma Press, 1982.
Hagan, William T. “Full Blood, Mixed Blood, Generic, and Ersatz: The Problem of Indian Identity.” In *The American Indian, Past and Present*, edited by Roger L. Nichols, 5th edition, 1–10. New York: McGraw-Hill College, 1999.
Hagen, Delia. “The Process and Consequences of Creating the Turtle Mountain Tribal Roll of 1892.” University of California Berkeley: unpublished paper, 2003.
———. “The Territory We Had Always Called Home: Nations, Migration, and the Northern Plains Métis, 1880-1930.” University of Manitoba, Winnipeg: unpublished paper, 2008.
Hagen, Delia, Ann Emmons, Janene M. Caywood, and Geoff Cunfer. “Frederick A. and Sophia Bagg Bonanza Farm NHL Nomination.” Edited by Patty Henry. United States Dept. of the Interior, National Park Service, September 2002. http://www.nps.gov.
Hagen, Delia. “Eagle Butte School NRHP Nomination.” United States Dept. of the Interior, National Park Service, December 2008. http://www.nps.gov.
Hamilton, James McClellan. *History of Montana: From Wilderness to Statehood*. Portland: Binfords & Mort, 1970.
Hansen, Zeynep, and Gary D. Libecap. “The Allocation of Property Rights to Land: Us Land Policy and Farm Failure in the Northern Great Plains.” *Explorations in Economic History.* 41, no. 2 (2004): 103.
Hardeman, Nicholas. “Brick Strong Hold of the Border: Fort Assiniboine, 1879-1911.” *Montana: The Magazine of Western History* 29, no. 2 (1979): 54.
Harmon, Alexandra. “Tribal Enrollment Councils: Lessons on Law and Indian Identity.” *The Western Historical Quarterly* 32, no. 2 (2001): 175.
———. “Wanted: More Histories of Indian Identity.” In *A Companion to American Indian History*, edited by Philip J. Deloria and Neal Salisbury, 248–66. Malden, MA: Blackwell Publishers, 2004.
Harrison, Julia. *Métis: People Between Two Worlds*. Vancouver: Glenbow-Alberta Institute in Association with Douglas & McIntyre, 1985.
Harris, R. *The Resettlement of British Columbia : Essays on Colonialism and Geographical Change*. Vancouver BC: UBC Press, 1997.
Harvard Law Review Editor’s Note. “Citizenship by Birth.” *Harvard Law Review* 41, no. 5 (March 1928).
Hill, Douglas. *The Opening of the Canadian West: Where Strong Men Gathered*. New York: The John Day Company, 1967.
Hillman, Martin. *Encyclopedia of Discovery and Exploration: Bridging a Continent*. London: Aldus Books Ltd, 1971.
Hine, Robert V., and John Mack Faragher. *The American West: A New Interpretive History*. New Haven: Yale University Press, 2000.
Hixson, Walter L. *American Settler Colonialism: A History*. New York: Palgrave Macmillan, 2013.
Hobsbawm, E. *The Age of Empire: 1875-1914*. 1st American edition. New York: Pantheon Books, 1987.
Hogue, Michel. “Between Race and Nation: The Creation of a Métis Borderland on the Northern Plains.” In *Bridging National Borders in North America: Transnational and Comparative Histories*. Durham: Duke University Press, 2010.
———. “Crossing the Line: Race, Nationality, and the Deportation of the Canadian Crees in the Canada-US Borderlands, 1890-1900.” In *The Borderlands of the American and Canadian Wests: Essays on Regional History of the Forty Ninth Parallel*, edited by Sterling Evans, 155–171. Lincoln: University of Nebraska Press, 2006.
———. “Disputing the Medicine Line: The Plains Crees and the Canadian-American Border, 1876-1885.” *Montana: The Magazine of Western History* 52, no. 4 (2002): 2.
———. “The Montana Métis and the Shifting Boundaries of Belonging.” In *Contours of a People: Métis Family, Mobility, and History*, edited by Nicole St-Onge, Carolyn Podruchny, and Brenda Macdougall, 300–330. Norman: University of Oklahoma Press, 2012.
Holterman, Jack. *King of the High Missouri*. [Nyack, Mont.]: J. Holterman, 1987.

Horsman, Reginald. *Race and Manifest Destiny: The Origins of American Racial Anglo-Saxonism*. Cambridge: Harvard University Press, 1981.
Howard, James. *The Canadian Sioux*. Lincoln: University of Nebraska Press, 1984.
Howard, Joseph Kinsey, ed. *Montana Margins: A State Anthology*. New Haven: Yale University Press, 1947.
———. *Strange Empire: A Narrative of the Northwest*. New York: Morrow, 1952.
Hoxie, Frederick. *A Final Promise: The Campaign to Assimilate the Indians, 1880-1920*. Lincoln: University of Nebraska Press, 1985.
———. *Parading Through History: The Making of the Crow Nation in America, 1805-1935*. New York: Cambridge University Press, 1995.
Hunt, Gaillard. "The New Citizenship Law." *The North American Review* 185, no. 618 (1907): 530–39.
Hyde, Anne Farrar. *Empires, Nations, and Families: A History of the North American West, 1800-1860*. New York: HarperCollins, 2012.
Indian Education Department and Montana Office of Public Instruction. "Blackfeet Reservation Timeline: Blackfeet Tribe: 2010." *Montana Office of Public Instruction* http://opi.mt.gov.
———. "Crow Reservation Timeline: Crow Tribe." *Montana Office of Public Instruction*, March 2010. http://www.opi.mt.gov.
———. "Flathead Reservation Timeline: Confederated Salish and Kootenai Tribes: 2010." *Montana Office of Public Instruction*, http://www.opi.mt.gov.
———. "Fort Belknap Timeline: Assiniboine and Gros Ventre Tribes: March 2010." *Montana Office of Public Instruction*, http://opi.mt.gov.
———. "Fort Peck Reservation Timeline: Sioux & Assiniboine Tribes: March 2010." *Montana Office of Public Instruction*, http://opi.mt.gov.
———. "Northern Cheyenne Timeline." *Montana Office of Public Instruction*, http://opi.mt.gov.
Ismert, Cornelius M. "James Bridger." In *Mountain Men and Fur Traders of the Far West: Eighteen Biographical Sketches*, edited by LeRoy R. Hafen, 252–71. Norman: University of Oklahoma Press, 1982.
Jackson, John C. *Jemmy Jock Bird: Marginal Man on the Blackfoot Frontier*. Calgary: University of Calgary Press, 2003.
———. *The Piikani Blackfeet: A Culture Under Siege*. Missoula, Mont.: Mountain Press, 2000.
———. *Children of the Fur Trade: Forgotten Métis of the Pacific Northwest*. Corvallis: Oregon State University, 2007.
Jacoby, Karl. *Crimes Against Nature: Squatters, Poachers, Thieves, and the Hidden History of American Conservation*. Berkeley: University of California Press, 2001.
———. *Shadows at Dawn: A Borderlands Massacre and the Violence of History*. New York: The Penguin Press, 2008.
Jaimes, M. Annette, ed. *The State of Native America: Genocide, Colonization, and Resistance*. Boston: South End Press, 1992.
Jannetta, Armando. *"Travels Through Forbidden Geography": Métis Trappers and Traders Louis Goulet and Ted Trindell*. Calgary: University of Calgary, 1994.
Jennings, John. "The North West Mounted Police and Indian Policy After the 1885 Rebellion." In *1885 and After: Native Society in Transition*, edited by F. Laurie Barron and James B. Waldram, 225–40. Regina Sask. Canada: University of Regina Canadian Plains Research Center, 1986.
Jiusto, Chere. *Montana Mainstreets, Vol. 4: A Guide to Historic Hamilton*. Helena: Montana Historical Society Press, 2000.
Johnston, Darlene. "First Nations and Canadian Citizenship." In *Belonging: The Meaning and Future of Canadian Citizenship*, edited by William Kaplan, 349–57. Montreal: McGill-Queen's University Press, 1993.
Karttunen, Frances E. *Between Worlds: Interpreters, Guides, and Survivors*. New Brunswick: Rutgers University Press, 1994.
Kerber, Linda. "The Revolutionary Generation: Ideology, Politics, and Culture in the Early Republic." In *The New American History*, edited by Eric Foner. Washington D.C.: American Historical Association, 1990.
Kerber, Linda K. "The Stateless as the Citizen's Other: A View from the United States." *The American Historical Review* 112, no. 1 (2007).
———. "Toward a History of Statelessness in America." *American Quarterly* 57, no. 3 (2005): 727–49.
Kettner, James. *The Development of American Citizenship, 1608-1870*. Chapel Hill: University of North Carolina Press, 1978.
Kittredge, William, and Annick Smith, eds. *The Last Best Place: A Montana Anthology*. Seattle: University of Washington Press, 1991.

Klein, Kerwin. “Reclaiming the ‘F’ Word, or Being and Becoming Postwestern.” *The Pacific Historical Review* 65, no. 2 (1996): 179.
Kostash, Myrna. “A Tale of Two Massacres.” *Literary Review of Canada*, http://reviewcanada.ca.
Kramer, Reinhold, and Tom Mitchell. *Walk Towards the Gallows: The Tragedy of Hilda Blake, Hanged 1899*. University of Toronto Press, 2002.
Kraut, Alan M. “A Century of Scholarship in American Immigration and Ethnic Writing.” In *A Century of American Historiography*, edited by James M Banner, Jr., 124–40. Boston: Bedford/St. Martin’s, 2010.
LaDow, Beth. *The Medicine Line: Life and Death on a North American Borderland*. New York: Routledge, 2001.
Lamar, Howard Roberts, ed. *The Reader’s Encyclopedia of the American West*. New York: Harper & Row, 1977.
Laverdure, Patline, Ida Rose Allard, and John C. Crawford, eds. *The Michif Dictionary: Turtle Mountain Chippewa Cree*. Winnipeg: Pemmican publications, 1983.
Lawrence, Russ. *Montana’s Bitterroot Valley: Just Short of Paradise*. Stevensville, Mont.: Stoneydale Press Publishing Co., 1999.
Law, Sylvia A. “White Privilege and Affirmative Action.” *Akron Law Review* 32, no. 3 (1999).
Lent, D. Geneva. *West of the Mountains: James Sinclair and the Hudson’s Bay Company.* Seattle: University of Washington Press, 1963.
Lepley, John G. *Birthplace Of Montana: A History Of Fort Benton*. Missoula, Mont.: Pictorial Histories Publishing Co., 1999.
Libecap, Gary D. “The Assignment of Property Rights on the Western Frontier: Lessons for Contemporary Environmental and Resource Policy.” *Journal of Economic History* 67 (2007): 257–91.
Libraries Archives Canada. “Thematic Guides: Louis Riel, the Red River Rebellion and the North West Campaign.” *Libraries Archives Canada*, http://www.collectionscanada.gc.ca.
Lightfoot, Kent G, and Antoinette Martinez. “Frontiers and Boundaries in Archaeological Perspective.” *Annual Review of Anthropology* 24 (1995): 471–92.
Lowie, Robert. *Indians of the Plains*. New York: The Natural History Press, 1963.
Luebke, Frederick. *Ethnicity on the Great Plains*. Lincoln: University of Nebraska Press, Center for Great Plains Studies University of Nebraska-Lincoln, 1980.
Lytwyn, Victor P. “In the Shadows of the Honorable Company: Nicolas Chatelain and the Métis of Fort Frances.” In *Contours of a People: Métis Family, Mobility, and History*, edited by Nicole St-Onge, Carolyn Podruchny, and Brenda Macdougall, 194–229. Norman: University of Oklahoma Press, 2012.
Macdougall, Brenda, Nichole St-Onge, and Carolyn Podruchny. *Contours of a People: Métis Family, Mobility, and History*. Norman: University of Oklahoma Press, 2012.
MacGregor, James G. *A History of Alberta*. Edmonton: Hurtig Publishers, 1977.
Madill, Dennis. “Riel, Red River, and Beyond: New Developments in Métis History.” In *New Directions in American Indian History*, edited by Colin G. Calloway, 1:49–78. Norman: University of Oklahoma Press, 1992.
Magocsi, Paul R. *Encyclopedia of Canada’s Peoples*. University of Toronto Press, 1999.
Malone, Michael P., Richard B. Roeder, and William L. Lang. *Montana: A History of Two Centuries*. Revised. Seattle: University of Washington Press, 1991.
Mandelbaum, David. *Plains Cree: An Ethnographic, Historical, & Comparative Study (Canadian Plains Studie*.) CPRC, 1979.
Martin-McGuire, Peggy, Canada, and Indian Claims Commission (1991-2009). *First Nation Land Surrenders on the Prairies, 1896-1911*. Ottawa: Indian Claims Commission, 1998.
Marx, Karl. “Foundations of the Political Economy.” In *The Marx-Engels Reader*, edited by Robert Tucker. New York: W. W. Norton, 1978.
Mawani, Renisa. “In Between and Out of Place: Mixed-Race Identity, Liquor, and the Law in British Columbia, 1850-1913.” In *Race, Space and the Law: Unmapping a White Settler Society* edited by Sherene H. Razack, Toronto: Between the Lines, 2002.
McCleary, Timothy P., Dale D. Old Horn, and Joseph Medicine Crow. “Historical Timeline.” *Library @ Little Big Horn College*, http://lib.lbhc.edu.
McCormack, Brian T. “Conjugal Violence, Sex, Sin, and Murder in the Mission Communities of Alta California.” *Journal of the History of Sexuality* 16, no. 3 (2007): 391–415.
McCrady, David. *Living with Strangers: The Nineteenth-Century Sioux and the Canadian-American Borderlands*. Lincoln: University of Nebraska Press, 2006.
McGinnis, Anthony R. *Counting Coup and Cutting Horses: Intertribal Warfare on the Northern Plains, 1738-1889.* Lincoln: University of Nebraska Press, 1990.

McGovney, Dudley O. "American Citizenship. Part II. Unincorporated Peoples and Peoples Incorporated with Less than Full Privileges." *Columbia Law Review* 11, no. 4 (1911): 326–47.
McKenna, Marian C. "Above the Blue Line: Policing the Frontier in the Canadian and American West, 1870-1900." In *The Borderlands of the American and Canadian Wests: Essays on Regional History of the Forty-Ninth Parallel*, edited by Sterling Evans, 81–106. Lincoln: University of Nebraska Press, 2006.
McLaughlin, Castle. *A Lakota War Book from the Little Big Horn: The Pictographic "autobiography of Half Moon."* Harvard University Press, 2013.
McManus, Sheila. *The Line Which Separates: Race, Gender, and the Making of the Alberta-Montana Borderlands*. Lincoln: University of Nebraska Press, 2005.
McNaught, Kenneth. *The Penguin History of Canada*. New edition. London: Penguin Books, 1988.
McQuillan, D. "Creation of Indian Reserves on the Canadian Prairies 1870-1885." *Geographical Review* 70, no. 4 (1980): 379.
Merk, Frederick, and Lois Bannister Merk. *Manifest Destiny and Mission in American History: A Reinterpretation*. New York: Vintage Books, 1966.
Métis National Council. *The Métis Nation on the Move: Report on the Métis Nation's Constitutional Parallel Process.* Métis National Council, 1992.
Métis Nation Database. "Further Information on Northwest 'Half-Breed' Scrip." *Métis Nation Database*, http://metisnationdatabase.ualberta.ca.
Métis Resource Center. "The Battle of Seven Oaks." *Métis Culture and Heritage Resource Centre, Inc.*, http://www.metisresourcecentre.mb.ca.
Meyer, Melissa. *The White Earth Tragedy: Ethnicity and Dispossession at a Minnesota Anishinaabe Reservation, 1889-1920*. Lincoln: University of Nebraska Press, 1994.
Meyer, Roy W. *History of the Santee Sioux: United States Indian Policy*. Lincoln: Univ. of Nebraska Press, 1993.
Miller, Bruce. "Who Are Indigenes? A Comparative Study of Canadian and American Practices." *American Behavioral Scientist* 50, no. 4 (December 1, 2006): 462–77.
Miller, Cary. *Ogimaag: Anishinaabeg Leadership, 1760-1845*. Lincoln: University of Nebraska Press, 2010.
Miller, Donald C, and Stan B Cohen. *Military and Trading Posts of Montana*. Missoula, Mont.: Pictorial Histories Pub. Co. http://www.biographi.ca., 1978.
Miller, J. R. *Compact, Contract, Covenant: Aboriginal Treaty-Making in Canada*. Toronto: University of Toronto Press, 2009.
Milloy, John S. *Plains Cree: Trade, Diplomacy and War, 1790 to 1870*. 1st edition. Winnipeg: University of Manitoba Press, 1988.
Milner, Clyde A, Carol A O'Connor, and Martha A Sandweiss. *The Oxford History of the American West*. New York: Oxford University Press, 1994.
Milner II, Clyde A, ed. *Major Problems in the History of the American West: Documents and Essays*. Lexington: D.C. Heath and Co., 1988.
Morgan, Edmund S. *American Slavery, American Freedom: The Ordeal of Colonial Virginia*. New York: Norton, 1975.
Morrison, R. Bruce, and C. Roderick Wilson, eds. *Native Peoples: The Canadian Experience*. Oxford: Oxford University Press, 2004.
Morriss, Andrew, Roger Meiners, and Andrew Dorchak. "Homesteading Rock: A Defense of Free Access Under the General Mining Law of 1872." *Environmental Law* 34, no. 3 (2004): 745.
Morton, Desmond. *A Short History of Canada*. Toronto: McClelland & Stewart Inc., 1994.
Nabokov, Peter. *Native American Testimony: A Chronicle of Indian-White Relations from Prophecy to the Present, 1492-1992*. New York: Viking, 1991.
Nakashima, Cynthia. "An Invisible Monster: The Creation and Denial of Mixed-Race People in America." In *Racially Mixed People in America*, edited by Maria P. P. Root. London: SAGE Publications, Inc, 1992.
Nash, Gary B. *Forbidden Love: The Secret History of Mixed-Race America*. New York: Henry Holt and Co., 1999.
Nestor, Robert James. "Hayter Reed, Severalty, and the Subdivision of Indian Reserves on the Canadian Prairies [microform]." Master of Arts Thesis, University of Regina, 1998.
Newman, Peter. *Caesars of the Wilderness: The Story of the Hudson's Bay Company*. New York: Penguin Books, 1987.
Ngai, Mae M. "Immigration and Ethnic History." In *American History Now*, edited by Eric Foner and Lisa McGirr, 358–75. Philadelphia: Temple University Press, 2011.
Nichols, Roger L. *Indians in the United States and Canada: A Comparative History*. Norman: University of Nebraska Press, 1998.

North Dakota and Department of Public Instruction. *The History and Culture of the Turtle Mountain Band of Chippewa*. Bismarck, N.D.: North Dakota Dept. of Public Instruction, 1997.
North Dakota Studies. "Spirit Lake Nation - Timeline - 1870–Present. Late 1800s, 1900s, Early 2000s. Legislations, Policy, Treaties, Schools, Etc." *North Dakota Studies*, http://www.ndstudies.org
———. "Three Affiliated Tribes: Timeline of the Mandan, Hidatsa, and Sahnish, 1870-1949." *North Dakota Studies*, http://www.ndstudies.org.
———. "Turtle Mountain - Timeline - 1300s–1894." *North Dakota Studies*, http://www.ndstudies.org.
———. "Turtle Mountain - Tribal Historical Overview - Treaties 2." *North Dakota Studies*, http://www.ndstudies.org.
Ojibwa. "Alexander Culbertson, Indian Trader." *Native American Netroots*, http://nativeamericannetroots.net/diary/1558.
O'Neill, Robert, and Carl Benn. *The War of 1812: The Fight for American Trade Rights*. The Rosen Publishing Group, 2011.
Ormsby, Margaret Anchoretta. *British Columbia: A History*. Canada: MacMillan Pub Co, 1971.
Osburn, Katherine M. B. "The 'Identified Full-Bloods' in Mississippi: Race and Choctaw Identity, 1898-1918." *Ethnohistory* 56, no. 3 (July 1, 2009): 423–47.
Ostler, Jeffrey. *The Plains Sioux and U.S. Colonialism from Lewis and Clark to Wounded Knee*. New York: Cambridge University Press, 2006.
Overholser, Joel. *Fort Benton: World's Innermost Port*. Fort Benton, Mont.: Falcon Press Publishing Co., 1987.
Pannekoek, Frits. "Métis Studies: The Development of a Field and New Directions." In *From Rupert's Land to Canada*, edited by Theodore Binnema, Gerhard J. Ens, and R. C Macleod, 111–28. Edmonton: University of Alberta Press, 2001.
Papandrea, Ronald J. *They Never Surrendered: The Lakota Sioux Band That Stayed in Canada*. 3rd edition revised. La Vergne: Lightning Source, 2009.
Parsons, Vic. *Lesser Expectations: Charles Dickens' Son in North America*. Victoria: Friesen Press, 2013.
Pascoe, Peggy. *What Comes Naturally: Miscegenation Law and the Making of Race in America*. Oxford: Oxford University Press, 2009.
Paul, Daniel N. "Canada's Genocide: Extinction of First Nation Cultures." *www.danielpaul.com, We Were Not the Savages*, http://www.danielnpaul.com.
Payment, Diane. "Michael Barnholden, Gabriel Dumont Speaks." *Manitoba History* 26, no. Autumn (1993).
Peacock, Thomas, and Marlene Wisuri. *Ojibwe Waasa Inaabidaa: We Look in All Directions*. 1st edition. Afton, MN: Afton Historical Society Press, 2004.
Peck, Gunther. *Reinventing Free Labor: Padrones and Immigrant Workers in the North American West, 1880-1930*. New York: Cambridge University Press, 2000.
Peers, Laura. *Ojibwa of Western Canada: 1780 to 1870*. Minnesota Historical Society Press, 1994.
Peterson, Hans. *Imasees and His Band: Canadian Refugees After the North-West Rebellion*. Edmonton: Anthropology Club, University of Alberta, 1978.
Peterson, Jacqueline. "Gathering at the River: The Métis Peopling of the Northern Plains." In *The Fur Trade in North Dakota*, edited by Heidenreich, Virginia, 47–64. Bismarck: State Historical Society of North Dakota, 1990.
———. "Many Roads to Red River: Métis Genesis in the Great Lakes Region, 1860- 1815." In *The New Peoples: Being and Becoming Métis in North America*, edited by Jacqueline Peterson and Jennifer S. H. Brown, 37–72. St. Paul: Minnesota Historical Society Press, 2001.
———. "Prelude to Red River: A Social Portrait of the Great Lakes Métis." *Ethnohistory* 25, no. 1 (1978): 41.
———. "Red River Redux: Métis Ethnogenesis and the Great Lakes Region." In *Contours of a People: Métis Family, Mobility, and History*, edited by Nichole St-Onge, Carolyn Podruchny, and Brenda Macdougall, 22–58. Norman: University of Oklahoma Press, 2012.
———. *The New Peoples : Being and Becoming Métis in North America*. Lincoln: University of Nebraska Press, 1985.
Peterson, Dr. Jacqueline, and Laura Peers. *Sacred Encounters: Father De Smet and the Indians of the Rocky Mountain West*. Norman: University of Oklahoma Press, 1993.
Pettipas, Katherine. *Severing the Ties That Bind: Government Repression of Indigenous Religious Ceremonies on the Prairies*. Winnipeg: University of Manitoba Press, 1994.
Phelps, Glenn. "Representation without Taxation: Citizenship and Suffrage in Indian Country." *American Indian Quarterly* 9, no. 2 (1985): 135.

Plane, Ann, and Gregory Button. "The Massachusetts Indian Enfranchisement Act: Ethnic Contest in Historical Context, 1849-1869." *Ethnohistory* 40, no. 4 (1993): 587.
Prentice, Alison L, Paula Bourne, Gail Cuthbert Brandt, Beth Light, Wendy Mitchinson, and Naomi Black. *Canadian Women: A History*. Toronto: Harcourt Brace Canada, 1988.
Price, Richard, ed. *The Spirit of the Alberta Indian Treaties*. Edmonton: University of Alberta Press, 1999.
Prucha, Francis Paul. *American Indian Treaties: The History of a Political Anomaly*. Berkeley: University of California Press, 1997.
———. *Documents of United States Indian Policy*. Norman: University of Nebraska Press, 2000.
———. *The Great Father: The United States Government and the American Indians*. Norman: University of Nebraska Press, 1995.
Ray, Arthur J., Jim Miller, and Frank Tough. *Bounty and Benevolence: A History of Saskatchewan Treaties*. Montreal: McGill-Queen's University Press, 2000.
Razack, Sherene H., ed. *Race, Space, and the Law: Unmapping a White Settler Society*. Toronto: Between the Lines, 2005.
Redbird, Duke. *We Are Métis: A Métis View of the Development of a Native Canadian People*. Ontario: Ontario Métis & Non Status Indian Association, 1980.
Reid, Jennifer. *Louis Riel and the Creation of Modern Canada Mythic Discourse and the Postcolonial State*. Albuquerque: University of New Mexico Press, 2008.
Richman, Irving. "Citizenship of the United States." *Political Science Quarterly* 5, no. 1 (March 1890).
Richter, Daniel K. *The Ordeal of the Longhouse: The Peoples of the Iroquois League in the Era of European Colonization*. Chapel Hill: The University of North Carolina Press, 1992.
Risjord, Norman K. *Dakota: The Story of the Northern Plains*. Norman: University of Nebraska Press, 2013.
Rivard, Ron, and Catherine Littlejohn. *The History of the Métis of Willow Bunch*. R. Rivard, 2003.
River, Celeste. "A Mountain in His Memory: Frank Bird Linderman, His Role in Acquiring the Rocky Boy Indian Reservation for the Montana Chippewa and Cree, and the Importance of That Experience in the Development of His Literary Careers." Master's Thesis, University of Montana, 1990.
Rodgers, Daniel. "Republicanism: The Career of a Concept." *The Journal of American History* 79, no. 1 (1992): 11.
Rogin, Michael Paul. *Fathers and Children: Andrew Jackson and the Subjugation of the American Indian*. New York: Alfred A. Knopf, 1975.
Rohrbough, Malcolm J. *The Land Office Business: The Settlement and Administration of American Public Lands, 1789-1837*. London: Oxford University Press, 1971.
Roots Web. "Métis Ridge Teton County Montana." *Rootsweb*, http://www.rootsweb.ancestry.com.
Rosen, Deborah. *American Indians and State Law: Sovereignty, Race, and Citizenship, 1790-1880*. Lincoln: University of Nebraska Press, 2007.
Royal Canadian Mounted Police. "History of the RCMP," *Royal Canadian Mounted Police*, http://www.rcmp-grc.gc.ca.
Ruiz, Ramon. "Manifest Destiny and the Mexican American War." In *Taking Sides: Clashing Views on Controversial Issues in American History, Volume 1: The Colonial Period to Reconstruction*, edited by Larry Madaras and James M. SoRelle. Guilford, Conn.: Dushkin Pub. Group, 1993.
Ryan, Luke. "Freedom, Fear, and the American Periphery: The Chippewa and Cree in Montana, 1885-1923." Master of Arts Thesis, University of Montana, 1998.
Safran, William. "Citizenship and Nationality in Democratic Systems: Approaches to Defining and Acquiring Membership in the Political Community." *International Political Science Review: IPSR= Revue Internationale De Science Politique: RISP*. 18, no. 3 (1997): 313.
Samek, Hana. *The Blackfoot Confederacy, 1880-1920: A Comparative Study of Canadian and U.S. Indian Policy*. 1st edition. Albuquerque: University of New Mexico Press, 1987.
Sanborn, John. "Some Political Aspects of Homestead Legislation." *The American Historical Review* 6, no. 1 (1900): 19.
Sawchuk, Joe. *The Métis of Manitoba: Reformulation of an Ethnic Identity*. Toronto: P. Martin Associates, 1978.
Schell, Herbert S. *History of South Dakota*. Lincoln: University of Nebraska Press, 1975.
Scott, Professor James C. *Seeing Like a State: How Certain Schemes to Improve the Human Condition Have Failed*. New Haven: Yale University Press, 1998.
Scruggs, William L. "Ambiguous Citizenship." Political Science Quarterly 1, no. 2 (1886): 199–205.
Sharrock, Floyd W., and Susan R. Sharrock. *A History of Cree Territorial Expansion from the Hudson Bay Area to the Interior Saskatchewan and Missouri Plains. Report Presented before the Indian Claims Commission, Docket 221b-191*. New York: Garland Publishing, 1974.

Sharrock, Susan. “Crees, Cree-Assiniboines, and Assiniboines: Interethnic Social Organization on the Far Northern Plains.” *Ethnohistory* 21, no. 2 (1974): 95.
Sherman, Gordon. “Emancipation and Citizenship.” *Yale Law Journal* 15, no. 6 (1906): 263.
Shilliday, Gregg, ed. *A History of Manitoba 125: Gateway to the West*. Winnipeg: Great Plains Publ., 1994.
Shoemaker, Nancy. “Categories.” In *Clearing a Path: Theorizing the Past in Native American Studies*, edited by Nancy Shoemaker, 51–74. New York: Routledge, 2002.
Smith, Donald B. *Honoré Jaxon: Prairie Visionary*. Regina: Coteau Books, 2007.
Smith, Henry Nash. *Virgin Land: The American West as Symbol and Myth.* Cambridge: Harvard University Press, 1978.
Smith, Jonathan, and Michael Johnson. *The Tribes of the Sioux Nation*. Vol. 344. Oxford: Osprey Publishing, 2000.
Smith, Rogers M. *Civic Ideals: Conflicting Visions of Citizenship in U.S. History*. New Haven: Yale University Press, 1997.
Smyth, David. “Bird, James: Also Known as Jimmy Jock.” *Dictionary of Canadian Biography*, http://www.biographi.ca.
Sprague, Donovin. *Standing Rock Sioux*. Charleston, S.C.: Arcadia, 2004.
Spry, Irene. “The Métis and Mixed-Bloods of Rupert’s Land before 1870.” In *The New Peoples: Being and Becoming Métis in North America*, 95–118. Winnipeg: University of Manitoba Pr, 1985.
Stanley, George. *Alberta’s Half-Breed Reserve: Saint-Paul-Des-Métis, 1896-1909.* Sackville N.B.: Mount Allison U., 1977.
———. *The Birth of Western Canada: A History of the Riel Rebellions*. Toronto: University of Toronto Press, 1975.
Stauffer, Charles. *History of Beaverhead County Montana: Volume 1 1800-1920*. Dillon, Mont.: Beaverhead County History Book Association, 1990.
Stegner, Wallace. *Wolf Willow a History, a Story, and a Memory of the Last Plains Frontier*. New York: Penguin Group, 1990.
Sterling, Everett. “Temporizing, Transitional Compromise: The Indian Reservation System on the North Central Plains.” *Montana: The Magazine of Western History* 14, no. 2 (1964): 92.
Stevensville Historical Society. *Montana Genesis: A History of the Stevensville Area of the Bitterroot Valley*. Missoula, Mont.: Mountain Press Pub Co, 1971.
St. Germain, Jill. *Indian Treaty-Making Policy in the United States and Canada, 1867-1877*. Lincoln: University of Nebraska Press, 2004.
St. Mary’s Mission and Museum “An Introduction and History of Fr. Pierre Jean De Smet, S.J.” *Historic St. Mary’s Mission & Museum*, http://www.saintmarysmission.org.
St-Onge, Nicole. “Uncertain Margins: Métis and Saulteaux Identities in St-Paul Des Saulteaux, Red River 1821-1870.” *Manitoba History*, no. 53 (October 1, 2006).
St-Onge, Nicole, and Carolyn Podruchny. “Scuttling along a Spider’s Web: Mobility and Kinship in Métis Ethnogenesis.” In *Contours of a People: Métis Family, Mobility, and History*, edited by Nichole St-Onge, Carolyn Podruchny, and Brenda Macdougall, 59–92. Norman: University of Oklahoma Press, 2012.
St-Onge, Nicole, Carolyn Podruchny, and Brenda Macdougall, eds. *Contours of a People: Métis Family, Mobility, and History*. Norman: University of Oklahoma Press, 2012.
St-Onge, Nicole, and University of Regina. *Saint-Laurent, Manitoba: Evolving Métis Identities, 1850-1914*. Regina: Canadian Plains Research Center University of Regina, 2004.
Story, Norah. *The Oxford Companion to Canadian History and Literature*. Toronto: Oxford University Press, 1968.
Sunder, John E. *The Fur Trade on the Upper Missouri, 1840-1865*. Norman: University of Oklahoma Press, 1965.
———. “William Lewis Sublette.” In *Mountain Men and Fur Traders of the Far West: Eighteen Biographical Sketches*, edited by LeRoy R. Hafen, 223–35. Norman: University of Oklahoma Press, 1982.
Surtees, Robert. “Treaty Research Report: The Robinson Treaties (1850).” *Aboriginal Affairs and Northern Development Canada*, 1986.
Svingen, Orlan. “Jim Crow, Indian Style.” *American Indian Quarterly* 11, no. 4 (1987): 275.
Swartout Jr., Robert R. “From the Kwangtung to the Big Sky: The Chinese Experience in Frontier Montana.” In *The Montana Heritage: An Anthology of Historical Essays*, edited by Robert R Swartout Jr. and Harry W. Fritz, 61–80. Helena: Montana Historical Society Press, 1992.
Sweeney, Edwin R. *From Cochise to Geronimo: The Chiricahua Apaches, 1874-1886*. Norman: University of Oklahoma Press, 2010.
Taylor, John L. “An Historical Introduction to Métis Claims in Canada.” *Canadian Journal of Native Studies* 3, no. 1 (1983).

———. "Treaty Research Report- Treaty Four (1874)." *Aboriginal Affairs and Northern Development Canada*, December 11, 2008. https://www.aadnc-aandc.gc.ca.
———. "Treaty Research Report- Treaty Six (1876)." *Aboriginal Affairs and Northern Development Canada*, November 3, 2008. https://www.aadnc-aandc.gc.ca.
Thompson, Debra. "Nation and Miscegenation: Comparing Anti-Miscegenation Regulations in North America." Vancouver, BC, 2008.
Thorne, Tanis C. "'Breeds Are Not a Tribe': Mixed-Bloods and Metissage on the Lower Missouri." In *Métis Legacy: A Métis Historiography and Annotated Bibliography*, edited by Lawrence J. Barkwell, Leah Dorion, and Darren R. Préfontaine, 93–98. Winnipeg: Pemmican Publications, 2003.
———. *The Many Hands of My Relations: French and Indians on the Lower Missouri*. 1st edition. Columbia: University of Missouri Press, 1996.
Thrapp, Dan L. *Encyclopedia of Frontier Biography: P-Z*. Lincoln: University of Nebraska Press, 1991.
Titley, Brian. *The Indian Commissioners: Agents of the State and Indian Policy in Canada's Prairie West, 1873-1932*. Edmonton: University of Alberta Press, 2009.
Tobias, John L. "Canada's Subjugation of the Plains Cree, 1879- 1885." In *Sweet Promises: A Reader on Indian-White Relations in Canada*, edited by J.R. Miller. Toronto: University of Toronto Press, 1991.
Toole, Kenneth Ross. *Montana: An Uncommon Land*. Norman: University of Oklahoma Press, 1959.
Tovías, Blanca. *Colonialism on the Prairies: Blackfoot Settlement and Cultural Transformation, 1870-1920*. Brighton: Sussex Academic Press, 2011.
Tremaudan, Auguste Henri de. *Hold High Your Heads: History of the Métis Nation in Western Canada*. Translated by Elizabeth Maguet. Manitoba: Pemmican Publications, 1982.
Tweton, D. Jerome, and Everett C. Albers. *The Way It Was: The North Dakota Frontier Experience*. Fessenden, ND: Grass Roots Press, 1996.
Tweton, D. Jerome, and Theodore B. Jelliff. *North Dakota: The Heritage of a People*. 1st Edition. Fargo: North Dakota Institute for Regional Studies, 1976.
University of Saskatchewan. "Northwest Resistance: Chronology of Events." *Northwest Resistance*, http://library.usask.ca.
Usher, Peter J., Frank J. Tough, and Robert M. Galois. "Reclaiming the Land: Aboriginal Title, Treaty Rights and Land Claims in Canada." *JAPG Applied Geography* 12, no. 2 (1992): 109–32.
Utley, Robert. *The Indian Frontier of the American West, 1846-1890*. Albuquerque: University of New Mexico Press, 1997.
———. *The Lance and the Shield: The Life and Times of Sitting Bull*. New York: Ballantine Books, 1993.
Utley, Robert M, and Wilcomb E. Washburn. *The Indian Wars*. Boston: Houghton Mifflin Co., 1987.
Vandergeest, Peter, and Nancy Lee Peluso. "Territorialization and State Power in Thailand." *Theory and Society* 24, no. 3 (1995): 385.
Van Kirk, Sylvia. *Many Tender Ties: Women in Fur-Trade Society, 1670-1870*. Norman: University of Oklahoma Press, 1990.
Veracini, Lorenzo. *Settler Colonialism: A Theoretical Overview*. New York: Palgrave Macmillan, 2010.
Vesilind, Priit J. "David Thompson." *National Geographic*, May 1996.
Vrooman, Nicholas Curchin, Rick Newby, Pamela Bunte, Anne Coyner, Sandra F Kennedy, JoEllen Shively, Brenda Snider, and Jackie Trotchie. *"The Whole Country Was ... 'One Robe'": The Little Shell Tribe's America*. Helena, Mont.: Little Shell Tribe of Chippewa Indians of Montana, Drumlummon Institute, 2012.
Waldman, Carl. *Atlas of the North American Indian*. New York: Facts on File, 1985.
Weaver, John. *The Great Land Rush and the Making of the Modern World, 1650-1900*. Montreal: McGill-Queen's University Press, 2003.
Wessel, Thomas. "A History of the Rocky Boy's Indian Reservation." Bozeman, Mont., 1975.
West, Elliott. *The Contested Plains: Indians, Goldseekers, and the Rush to Colorado*. Lawrence: University Press of Kansas, 1998.
———. *The Last Indian War: The Nez Perce Story*. 1st edition. Oxford: Oxford University Press, 2009.
White, Bruce. "The Power of Whiteness, Or, the Life and Times of Joseph Rolette Jr." *Minnesota History*, 1999, 197.
White, Richard. *"It's Your Misfortune and None of My Own": A History of the American West*. Norman: University of Oklahoma Press, 1991.
———. *The Middle Ground: Indians, Empires, and Republics in the Great Lakes Region, 1650-1815*. New York: Cambridge University Press, 1997.
Wilson, Gary A. *Long George Francis: Gentleman Outlaw of Montana*. Globe Pequot, 2005.

Wilson, Laurel E. “Fashion.” In *The Great Plains Region*, edited by Amanda Rees, 139–72. Westport, Conn.: Greenwood Press, 2004.
Winther, Oscar Osburn. *The Transportation Frontier: Trans-Mississippi West, 1865-1890*. New York: Holt, Rinehart and Winston, 1964.
Wischmann, Lesley. *Frontier Diplomats: Alexander Culbertson and Natoyist-Siksina’ Among the Blackfeet*. Norman: University of Oklahoma Press, 2004.
Wissler, Clark, and Alice Beck Kehoe. *Amskapi Pikuni: The Blackfeet People*. New York: SUNY Press, 2012.
Witgen, Michael J. *An Infinity of Nations: How the Native New World Shaped Early North America*. Philadelphia: University of Pennsylvania Press, 2012.
Wolery, Joe, and Chester Public School. “The Sweetgrass Hills.” *Montana Heritage Project*, http://www.montanaheritageproject.org.
Wolfart, Philip. “Against Spatialized Ethnicity.” In *Contours of a People: Métis Family, Mobility, and History*, edited by Nicole St-Onge, Carolyn Podruchny, and Brenda Macdougall, 120–42. Norman: University of Oklahoma Press, 2012.
Wolfe, Patrick. “Race and Citizenship.” *OAH Magazine of History* 18, no. 5 (2004): 66.
———. *Settler Colonialism and the Transformation of Anthropology: The Politics and Poetics of an Ethnographic Event*. New York: Cassell, 1999.
Woodcock, George. *A Social History of Canada*. Toronto: Penguin Group, 1989.
———. *Gabriel Dumont: The Métis Chief and His Lost World*. Edmonton: Hurtig Publishers, 1975.
Wooster, Robert. *The Military and United States Indian Policy, 1865-1903*. Norman: University of Nebraska Press, 1995.
Wrobel, David M. “Regionalism and Sectionalism in American Historical Writing.” In *A Century of American Historiography*, edited by James M. Banner, Jr., 141–55. Boston: Bedford/St. Martin’s, 2010.
Wrone, David. “Indian Treaties and the Democratic Idea.” *The Wisconsin Magazine of History* 70, no. 2 (1987): 82.
Young, Patrick. “Traditional Métis Clothing.” Gabriel Dumont Institute, 2003.