

# CREE (NÊHIYAWAK) MOBILITY, DIPLOMACY, AND RESISTANCE IN THE CANADA-US BORDERLANDS, 1885 - 1917

A Thesis Submitted to the College of  
Graduate and Postdoctoral Studies  
In Partial Fulfillment of the Requirements  
For the Degree of Master of Arts  
In the Department of History  
University of Saskatchewan  
Saskatoon

By

Tyla Betke

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## **Abstract**

This thesis examines the borderlands history of the Cree (nêhiyawak; primarily under Chief Little Bear) from 1885 to 1917. It combines archival research, digital mapping (GIS), ethnohistory, and data analysis to track Indigenous movements and to analyze how the Cree navigated their status as “foreign” Indians. It focuses on Cree transnational mobility, diplomacy, and resistance from the events of 1885 at Frog Lake, North-west Territories, to the eventual creation of the Rocky Boy Reservation and its membership roll in 1917. This research determines not only how the border affected the lives of the Cree, but also how the Cree created the borderlands in which they lived. I argue that although the Cree suffered from substantial hostility, violence, and dislocation, they successfully worked within and challenged restrictive colonial notions of land and nationhood imposed by the international border. Finally, this thesis argues that the shifting and haphazard ways colonial regimes defined Indigenous identities created fissures in pre-existing community and kinship structures that continue to create challenges for these communities.

## Acknowledgements

I am thankful for many people's support during my Master's program. First, I am indebted to my supervisor, Dr. Benjamin Hoy. Without his encouragement and guidance during my undergraduate program I would not have pursued a graduate degree. I am deeply appreciative of his incredibly kind direction and thorough feedback throughout my graduate courses and the entire thesis process.

I owe my sincerest appreciation and thanks to members of the Rocky Boy Indian Reservation (Montana), Montana First Nation (Maskwacis, Alberta), and the Big Bear Cultural Society (Saskatchewan). Thank you for welcoming me into your communities, sharing your stories with me, and offering your guidance. Conversations with Terry Atimoyoo, Alvin Windy Boy, Malcolm Andrews, and Brittany McMaster in particular pushed my research in new directions and challenged me to be a better historian.

I also wish to thank the University of Saskatchewan's Department of History as a whole for their encouragement and support. My committee members, Dr. Martha Smith and Dr. Robert Englebert, provided valuable advice and feedback. I am also thankful for my external examiner, Dr. Winona Wheeler, for her feedback and for introducing me to members of the Big Bear Cultural Society. I would also like to thank Drs. Kathryn Labelle, Jim Clifford, and Frank Klassen for sharing their expertise in writing, methodologies, and historiography.

Dedicated archivists greatly improved my research. Thank you to the staff at the Glenbow Archives, Provincial Archives of Alberta, Montana Historical Society Research Center, University of Montana Mansfield Library and Special Collections, Montana State University Library Merrill G. Burlingame Special Collections, and Library and Archives Canada. A special thanks to Gerard Vandeberg at Stone Child College for sharing his resources with me. Funding from the Social Sciences and Humanities Research Council of Canada, the University of Saskatchewan College of Graduate and Postdoctoral Studies, and the Department of History made this project possible.

Thank you to my family, friends, and partner Tyler (who doubled as a photographer in the archives) for their continuous support during this process. Finally, thank you to my cohort-turned-friends for their unending moral and academic support.

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## Introduction

One hundred years after nine settlers lay dead following the 1885 Frog Lake “Massacre,” elder Fred Horse explained why a faction of Big Bear’s Cree band resorted to violence: “It was hunger which brought about anger to the Plainsmen. . . Their children were crying for food. They were hungry and the Indian Agent refused to give food.”<sup>1</sup> In the fall of 1884, Canadian officials moved Big Bear (*mistahi maskwa*) and his Plains Cree (*nêhiyawak*) band of almost 500 to Frog Lake in present-day Alberta to wait for a reserve. This move was part of the Canadian government’s deliberate attempt to isolate Big Bear’s band away from the Battleford district where tensions were rising between the government and the Métis population. By 1885, the small Frog Lake hamlet included a Northwest Mounted Police (NWMP) Detachment, a Hudson’s Bay Company (HBC) storehouse, a Roman Catholic Mission, a flour mill, Indian Agency buildings, and two Woods Cree Indian reserves nearby.<sup>2</sup>

The winter of 1884-85 was particularly harsh in the Frog Lake district; the snow was deep, the temperatures low, and the game almost non-existent. Farm instructor John Delaney had been sent to the district to help the Cree transition from an economy based on the bison hunt to settled agriculture. The agricultural yields at Frog Lake, however, were inadequate to support the bands because the Canadian government failed to provide the implements and livestock promised in treaty agreements.<sup>3</sup> Further, Delaney was not well liked among the Cree, apparently as a result of his mean temperament and for stealing a Cree man’s wife.<sup>4</sup> Equally unpopular was

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<sup>1</sup> Blair Stonechild and Bill Waiser, *Loyal till Death: Indians and the North-West Rebellion* (Calgary: Fifth House, 1997), 114.

<sup>2</sup> Stonechild and Waiser, *Loyal till Death*, 107.

<sup>3</sup> Sarah Carter, “‘Captured Women’: A Re-Examination of the Stories of Theresa Delaney and Theresa Gowanlock,” in *Two Months in the Camp of Big Bear: The Life and Adventures of Theresa Gowanlock and Theresa Delaney* (Regina: Canada Plains Research Center, 1999), xvi.

<sup>4</sup> Stonechild and Waiser, *Loyal till Death*, 108.



Indian Agent Thomas Quinn who historian Howard Adams contends exploited and humiliated the band, and withheld food rations unless they worked grueling hours cutting wood.<sup>5</sup>

Nearing starvation and frustrated with the abuses of Quinn and Delaney, Big Bear's band did not agree on what to do. Imasees (or *âyimisîs*, known as Little Bear after 1885), Big Bear's son, and the band's war leader Wandering Spirit (*kâ-papâmahcahkwêw*) had lost faith in the old chief's strategy to avoid aggression, especially after Quinn adamantly refused their requests for rations on credit.<sup>6</sup> On the morning of April 2, 1885, with the NWMP away at Fort Pitt, Wandering Spirit and Imasees decided to arm themselves and several other members of the band to round up the settler population and raid the agency store for much needed supplies and food.<sup>7</sup>

Under the leadership of Imasees and Wandering Spirit, the Cree gathered the prisoners. When Quinn refused to move, Wandering Spirit shot and killed him. Little Bear's daughter Isabelle, who was twelve years old at the time, recalled seven decades later that she "thought quickly how stubborn this little man was for all he would have had to do was consent to move away to the Main Camp and let [her] people help themselves."<sup>8</sup> Quinn's death set off other fatal encounters; eight more settlers were killed, including Delaney. Historian Sarah Carter explains that to the settlers at Frog Lake and surrounding area, the reason for the outbreak of violence "was due to the fierce, savage temperament of Aboriginal people."<sup>9</sup> However, explanations from Indigenous peoples, including the introductory quotation from Fred Horse, speak to the

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<sup>5</sup> Howard Adams, *Prison of Grass: Canada from a Native Point of View* (Saskatoon: Fifth House, 1975), 95–96.

<sup>6</sup> Isabelle Little Bear, "My Story," in *Reflections: A History of Elk Point and District*, ed. Mary Bennett (Winnipeg: Inter-Collegiate Press, 1977), 197–202.

<sup>7</sup> J. R. Miller, *Big Bear (Mistahimusqua)* (Toronto: ECW Press, 1996), 87, 105.

<sup>8</sup> Little Bear, "My Story."

<sup>9</sup> Carter, "'Captured Women,'" xvii–xix.

frustrations with Quinn, Delaney, and government policy, and place the violence within the context of extreme poverty and starvation.<sup>10</sup>

Big Bear's band spent the next three months securing supplies and attempted to evade Canadian forces, engaging in skirmishes at Fort Pitt, Frenchman's Butte, and Loon Lake. At the end of June, Little Bear decided that he and two sub-chiefs, Lucky Man and Little Poplar, would lead their factions to the United States to evade capture.<sup>11</sup> They successfully avoided being among the nine members of Big Bear's band who were found guilty of treason-felony. Big Bear was sentenced to three years, despite not taking part in any violence.<sup>12</sup> On November 27, 1885, the Canadian government publicly hanged eight Indigenous men in the largest mass execution in Canadian history.<sup>13</sup>

The Cree word for the Northwest Resistance of 1885 is *ê-mâyahkamikahk* – “where it went wrong.”<sup>14</sup> The Cree under Little Bear spent the next three decades struggling to survive south of the international boundary line with no official title to land at a time when both countries attempted to separate “Canadian” from “American Indians.” The American government labelled Little Bear's Cree “Canadian” despite their long history of seasonal bison hunts in the area and local Montanans continuously worked to have the Cree removed from the state. The American government endeavoured to force the Cree from Montana through intimidation tactics and deportation attempts, but the Cree resisted state restrictions on their movement and continued to cross the border. Finally, in 1916, after decades of negotiations with

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<sup>10</sup> While the events of 1885 were portrayed by the government as a pan-Indian rebellion, Stonechild and Waiser contend that the actions taken by the Cree were separate from the Métis 1885 Resistance.

<sup>11</sup> Stonechild and Waiser, *Loyal till Death*, 185, 191.

<sup>12</sup> Stonechild and Waiser, *Loyal till Death*, 208.

<sup>13</sup> Adams, *Prison of Grass*, 97.

<sup>14</sup> Neal Mcleod, *Cree Narrative Memory: From Treaties to Contemporary Times* (Saskatoon, Purich, 2007), 102.

both the Canadian and American governments, the Cree received a permanent home on the Rocky Boy's Indian Reservation in northern Montana.

This thesis examines the transnational mobility and diplomacy of Little Bear's Cree from the 1885 events at Frog Lake and their subsequent refuge into Montana until their settlement on a reservation in 1916. It analyzes the relationship between the Cree and the Canada-U.S. border, to determine not only how the border affected the lives of the Cree, but also how the Cree created the borderlands in which they lived. I argue that although the Cree suffered from substantial hostility, violence, and dislocation, they successfully worked within and challenged restrictive colonial notions of land and nationhood imposed by the international border. The geographic movements of the Cree, and the resulting prejudices local Montanans held toward them, collectively shaped state and federal border policy. This study reveals that while settlers framed borderlands policies and controlled their administration, the borderlands region of Alberta-Saskatchewan-Montana was created in practice by both Indigenous and non-Indigenous peoples. Mapping these geographic patterns provides a valuable means to rebuild the spatial extent of these policies as well as to demonstrate the impacts of coercion on lived experience. Finally, this thesis argues that the shifting and haphazard ways that the colonial regimes defined Indigenous identities created fissures in pre-existing community and kinship structures that continue to create challenges for these communities.

The story of Little Bear's Cree is but one part of the larger story of colonialism in North America. When the Cree crossed the international line into Montana Territory in 1885, they were entering an area actively on its way to statehood. To attract white settlers to the west, a prerequisite of statehood (accomplished in 1889), the government of Montana needed to secure parcels of land for settler farming and ranching. Securing this land meant confining the

Indigenous peoples of the region on reservations. By 1885, the Blackfeet, Blood, Assiniboiné, Sioux, Crow, and Pend d'Oreilles peoples had long been under treaty and most had moved onto reservations years earlier.<sup>15</sup>

Colonizing the American West also meant clearly defining its northern border. British maps began demarcating the 49<sup>th</sup> parallel as a boundary line by the mid-eighteenth century, and an 1818 treaty between British and American officials decided that it would act as a border from the Rockies and the Great Lakes, extended to the Pacific in 1846.<sup>16</sup> Yet despite what colonial maps implied, Indigenous kinship networks and geographic knowledge, combined with limited physical border controls, meant Indigenous peoples continued to cross the boundary largely undisturbed.<sup>17</sup>

By the 1880s, when Little Bear led his followers into Montana, Canada and the United States were in the midst of securing their international border as each nation-state sought to secure its claim over territory. The border on the Prairies had been recently surveyed in 1872-74.<sup>18</sup> Jeremy Adelman and Stephen Aron contend that this shift to bordered lands “defined not only external sovereignty but also internal membership in the political communities of North America.”<sup>19</sup> Internal membership extended to Indigenous peoples. In the United States, the War

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<sup>15</sup> Brenden Rensink, “Cree Contraband or Contraband Crees? Early Montanan Experiences with Transnational Natives and the Formation of Lasting Prejudice, 1880-1885,” in *Smugglers, Brothels, and Twine: Historical Perspectives on Contraband and Vice in North America's Borderlands*, ed. Elaine Carey and Andrae M. Marak (Tucson: University of Arizona Press, 2011), 26.

<sup>16</sup> Jeremy Mouat, “The Forty-Ninth Parallel: Defining Moments and Changing Meanings,” in *The Great Northwest: The Search for Regional Identity*, ed. William G. Robbins (Corvallis: Oregon State University Press, 2001), 122; Elizabeth Jameson and Jeremy Mouat, “Telling Differences: The Forty-Ninth Parallel and Historiographies of the West and Nation,” *Pacific Historical Review* 75, no. 2 (2006): 184.

<sup>17</sup> Benjamin Hoy, “A Border without Guards: First Nations and the Enforcement of National Space,” *Journal of the Canadian Historical Association* 25, no. 2 (2014): 92.

<sup>18</sup> Beth Ladow, *The Medicine Line: Life and Death on a North American Borderland* (New York: Routledge, 2002), 5; Sheila McManus, *The Line Which Separates: Race, Gender, and the Making of the Alberta-Montana Borderlands* (Lincoln: University of Nebraska Press, 2005), 7.

<sup>19</sup> Jeremy Adelman and Stephen Aron, “From Borderlands to Borders: Empires, Nation States, and the Peoples in Between in North American History,” *American Historical Review* 104, no. 3 (June 1999): 840.

Department built Fort Assiniboine in 1879 and Fort Maginnis in 1880, both tasked with keeping out “foreign Indians” that may cross south of the line.<sup>20</sup> In Canada, officials feared the United States’ northward expansion because few British settlers occupied the region.<sup>21</sup> The government believed that in order to attract settlers, they had to remove any perceivable threat and permanently confine Indigenous peoples on reserves.<sup>22</sup> Both governments saw the 49<sup>th</sup> parallel as a distinct line between their wests.

Despite both governments’ attempts to prevent Indigenous cross-border movement, 1885 was not the first time the Cree had made the trek into Montana in recent years. Montana was part of Cree territory (*nêhiyawaskiy*), which was generally conceived as extending from the Rocky Mountains in the west, to Hudson Bay in the east, and stretching south into the United States.<sup>23</sup> In the early 1880s, the Cree continued to cross the Prairie borderlands in search of game and to obtain better trade goods south of the line.<sup>24</sup> Thus when Little Bear and his followers arrived in Montana in the summer of 1885, local Montanans already held preconceived notions of who the Cree were. Montanan settlers categorized the Cree as strictly “Canadian” and saw their cross-border movements as inherently illegal.<sup>25</sup> Yet, as historian Michel Hogue explains, the continued presence of the Cree in the borderlands of the Prairie West indicates that the use of the border as a marker of national identity was not yet complete.<sup>26</sup>

The history of Little Bear’s Cree from 1885 to 1916 provides a unique opportunity to study these larger processes of nation building and border securing in the late nineteenth and

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<sup>20</sup> 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 (Winter 2002): 7.

<sup>21</sup> Jameson and Mouat, “Telling Differences,” 187.

<sup>22</sup> Hogue, “Disputing the Medicine Line,” 11.

<sup>23</sup> Brenden Rensink, *Native but Foreign: Indigenous Immigrants and Refugees in the North American Borderlands* (College Station: Texas A&M University Press, 2018), 28.

<sup>24</sup> Hogue, “Disputing the Medicine Line,” 17.

<sup>25</sup> Rensink, “Cree Contraband or Contraband Crees?,” 22.

<sup>26</sup> Hogue, “Disputing the Medicine Line,” 8.

early twentieth centuries for three key reasons. First, the events at Frog Lake in 1885 meant that not only were the Cree considered “foreign” because of their prior treaty agreements with Canada, they were now also officially considered criminals seeking refuge south of the line. This story thus complicates the popular myth that Canada’s settling of its west was peaceful and preferable to America’s violent Indian Wars. Canada served as a refuge for fugitive slaves and Sitting Bull’s Sioux fleeing violence in the United States, but as the Cree story suggests, Canada also created transnational refugees of its own who fled across the line in the other direction.<sup>27</sup> Second, the Cree were some of the last landless Indigenous peoples in the United States and Canada.<sup>28</sup> They therefore engaged with settlers and colonial governments in different ways than their counterparts on reserves/ reservations would. Instead of a government-ward relationship, the borderlands region fostered unique opportunities for Cree diplomacy with both settler nation states. Finally, as historians Benjamin Hoy, Benjamin Johnson, and Andrew Graybill assert, regional studies of the Canada-U.S. border point to distinct local differences and help reveal the ways in which regional histories, economies, and geographies shaped the North American borderlands.<sup>29</sup>

The historiography of Little Bear’s Cree is rather limited. Verne Dusenberry wrote the first academic history of Little Bear’s Cree in 1954 which provided a primarily descriptive account of the group’s flight from Canada and their subsequent attempts to garner recognition in

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<sup>27</sup> In 1877, Sitting Bull led his Lakota band to Wood Mountain, Northwest Territories, to avoid retribution from the American government following the Battle of Little Bighorn. Beth LaDow, “Sanctuary: Native Border Crossings and the North American West,” *American Review of Canadian Studies* 31 (2001): 25-42.

<sup>28</sup> I use the term “landless” to describe the Cree because both the federal government and the Cree used the phrase, albeit for different purposes. For the federal government, the term signified that the Cree lacked official title to land. For the Cree themselves, the term (as explained in the epilogue) highlighted inequity and served as a rallying point around which they pushed for recognition south of the border.

<sup>29</sup> Benjamin Hoy, “A Border without Guards”; Benjamin H. Johnson and Andrew R. Graybill, “Borders and Their Historians in North America,” in *Bridging National Borders in North America: Transnational and Comparative Histories*, ed. Benjamin H. Johnson and Andrew R. Graybill (Durham: Duke University Press, 2010), 1–29.

the United States.<sup>30</sup> Later works continued to focus primarily on the white politicians and settlers who helped the Cree rather than on the community itself. For example, the Rocky Boy band hired historian Thomas R. Wessel in 1974 to write their official history, who argued that “the sympathy of a growing number of white citizens kept the hope of a permanent home for Rocky Boy alive.”<sup>31</sup> Hans J. Peterson, Larry Burt, and James Dempsey built on this theme in their articles that focused on white charity and Indigenous suffering.<sup>32</sup> These authors downplayed the importance of the actions taken by Chief Little Bear and did not emphasize the Cree’s continual acts of survival, negotiation, and resistance. These early scholars also placed the history of Little Bear’s Cree largely within the confines of the United States and did not consider the effects of the international boundary on their lives and mobility. Further, they did not attempt to place the group’s history within the larger context of American and Canadian nation-building and border-securing, or consider the ways in which this history reveals larger trends concerning the ambiguity of the international boundary or national identities.

Historians Michel Hogue and Brenden Rensink have since written about the Cree in Montana and unlike the earlier histories, they incorporated borderlands frameworks into their accounts. Hogue’s article “Disputing the Medicine Line: The Plains Cree and the Canadian-American Border, 1876-1886” details the ways in which the securing of the Canada-U.S. border affected the Plains Cree, and highlights Cree bands’ techniques of negotiation and evasion to circumvent imposed boundary restrictions in order to hunt, trade, raid, or gain sanctuary across

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<sup>30</sup> Verne Dusenberry, “Montana’s Displaced Persons: The Rocky Boy Indians,” *The Montana Magazine of History* 4, no. 1 (Winter 1954): 1–15.

<sup>31</sup> Thomas R. Wessel, *A History of Rocky Boy’s Indian Reservation* (Bozeman: Montana State University, 1974), 24.

<sup>32</sup> Hans J. Peterson, “Imasees and His Band: Canadian Refugees after the North-West Rebellion,” *Western Canadian Journal of Anthropology* 8, no. 1 (1978): 21–37; Larry Burt, “Nowhere Left to Go: Montana’s Crees, Metis, and Chippewas and the Creation of Rocky Boy’s Reservation,” *Great Plains Quarterly* 7, no. 3 (Summer 1987): 195–209; James Dempsey, “Little Bear’s Band: Canadian or American Indians?,” *Alberta History* 41, no. 4 (1993): 2–9.

the line.<sup>33</sup> Rensink's recent publication *Native But Foreign* compares the Cree and Chippewa experience coming into the United States from Canada with the Yaquis experience entering the country across its southern border. Rensink details the changing public perception of the Cree in Montana, and analyzes American federal and state policies concerning "foreign Indians."<sup>34</sup>

This thesis builds off the work of Hogue and Rensink by following the Cree in the borderlands from 1885 into the twentieth century, centering Cree narratives. Distinct from Hogue or Rensink, it considers the implications of colonial governments imposing their own definitions of belonging on the Rocky Boy Reservation. Furthermore, this project is the first to combine historical methods with human geography to visually rebuild the demography of Little Bear's Cree and their interactions with federal power, including Indian agents and the American military.

This thesis also incorporates larger borderlands themes and approaches from the established borderlands historiography. The field of North American borderlands history began in 1921 with American historian Herbert Eugene Bolton. As an alternative to the Turnerian focus on the importance of the western frontier to American history, Bolton argued for the importance of the borderlands between the United States and New Spain, recalling the heroic tales of sixteenth-century Spanish "pathfinders and pioneers" in the now American Southwest.<sup>35</sup> Bolton saw the borderlands as a region imbued with imperial tension and Indigenous peoples as a hindrance to conquest. The next several decades of borderlands history continued Bolton's narratives of European conquerors rather than larger concerns of borderlands policy.

Despite the predominance of the United States-Mexico boundary in the field, Canadian

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<sup>33</sup> Hogue, "Disputing the Medicine Line."

<sup>34</sup> Rensink, *Native but Foreign*.

<sup>35</sup> Herbert Eugene Bolton, *The Spanish Borderlands: A Chronicle of Old Florida and the Southwest* (New Haven: Yale University Press, 1921), xiv.



historians developed parallel ideas about borderlands at approximately the same time as Bolton. In 1928, Canadian historian Walter Sage argued that Canada's west had more in common with the American west than it did eastern Canada, and thus the demarcation of the Canada-U.S. border did not create a significant economic or social barrier.<sup>36</sup> In 1940, Canadian historian George F. Stanley challenged Sage's assertion that the international boundary had a limited role in dividing identities, and maintained that the border separated American lawlessness from Canadian law and peacefulness.<sup>37</sup>

From the 1960s to the 1990s, the rise of new forms of historical analysis such as social history and postmodernism encouraged borderlands historians to analyse hybrid identities and to question the coherency of national master narratives. One of the most influential works of this period was Richard White's *The Middle Ground*.<sup>38</sup> Rather than writing a history of conquerors and their achievements, White focused on the world between the colonizers and colonized by examining how Indigenous peoples and Europeans constructed a "mutually comprehensible world" in the Great Lakes borderlands from 1650 to 1815. This specific world was only possible in White's study where neither the colonizers nor Indigenous populations had complete control of their borderlands territory. In contrast, the focus of this thesis is on a borderlands region where colonial nation states held the power. Yet, from White's work, I draw on the importance of carefully considering the changing nature of power relations at the edges of national spaces and

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<sup>36</sup> Walter N. Sage, "Some Aspects of the Frontier in Canadian History," *The Canadian Historical Association Report of the Annual Meeting* 7, no. 1 (1928): 62–72.

<sup>37</sup> George F. Stanley, "Western Canada and the Frontier Thesis," *The Canadian Historical Association Report of the Annual Meeting* 19, no. 1 (1940): 105–17. While Stanley's challenge slowed the development of Canadian borderland studies, it did not halt it completely. Paul Sharp's 1955 *Whoop-Up Country*, for example, followed the Whoop-Up trail from Montana to Alberta and the fur traders, settlers, whiskey traders, and Indigenous peoples that used it. His study reverted to Sage's original premise that the Canadian and American wests were a distinct region in which the international boundary was not critical. Paul Sharp, *Whoop-Up Country: The Canadian-American West, 1865-1885* (Minneapolis: University of Minnesota Press, 1955).

<sup>38</sup> Richard White, *The Middle Ground: Indians, Empires, and Republics in the Great Lakes Regions, 1650-1815* (New York: Cambridge University Press, 1991).

the ways Indigenous peoples' complex diplomatic strategies shift the ways colonizers are able to exert power over territory.

In 1999, historians Jeremy Adelman and Stephen Aron's heavily-debated article "From Borderlands to Borders" argued that in the nineteenth century, North America transitioned from contested boundaries between imperial powers to bordered nation-states, significantly decreasing Indigenous ability to exploit their position between imperial rivals.<sup>39</sup> Reviewers critiqued Adelman and Aron's ethnocentric position and their depiction of Indigenous peoples as passive reactors with no political decisions or boundaries of their own.<sup>40</sup>

Since the publication of Adelman and Aron's article, the field has transitioned from studies that focused heavily on governmental policies or transnational violence into broader studies that incorporate cultural and social history much more explicitly, including postcolonial studies on the formations of national and collective identities. Historians have also responded to the critiques of Adelman and Aron's essay by focusing on the agency of Indigenous historical actors in borderlands regions, and by highlighting the meanings that settlers and Indigenous peoples ascribed to pre-existing and colonial boundaries.<sup>41</sup> For example, in his study on nineteenth-century Sioux, David McCrady highlights Sioux responses to expansion and examines their political and economic relationships with the border that superseded the ones the federal government attempted to impose.<sup>42</sup> Sheila McManus's work on the making of the

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<sup>39</sup> Adelman and Aron, "From Borderlands to Borders."

<sup>40</sup> John R. Wunder and Pekka Hämäläinen, "Of Lethal Places and Lethal Essays," *American Historical Association* 104, no. 4 (1999): 1229–34; Evan Haefeli, "A Note on the Use of North American Borderlands," *The American Historical Review* 104, no. 4 (October 1999): 1222–25; Samuel Truett and Elliott Young, "Making Transnational History: Nations, Regions, and Borderlands," in *Continental Crossroads: Remapping U.S. Mexico Borderlands History*, ed. Samuel Truett and Elliott Young (Durham: Duke University Press, 2004), 1–34.

<sup>41</sup> Karl S. Hele, ed., *Lines Drawn upon the Water: First Nations and the Great Lakes Borders and Borderlands* (Waterloo: Wilfred Laurier University Press, 2008).

<sup>42</sup> David G. McCrady, *Living with Strangers: The Nineteenth-Century Sioux and the Canadian-American Borderlands* (Toronto: University of Toronto Press, 2006).

Alberta-Montana borderlands considers the role of government officials and local populations in the formation of national identities and ideas about race and gender along the 49<sup>th</sup> parallel.<sup>43</sup>

A study of the Cree's relationship with the Canada-U.S. border benefits from the incorporation of these current historiographical trends. Like McCrady and McManus, this thesis examines the meanings that settlers and Indigenous peoples ascribed to boundaries and the economic and political relationships that Indigenous peoples held with the international border. This approach reveals the agency with which Indigenous actors operated rather than depicting them as passive reactors to state policies. This approach also borrows McManus's consideration of the influences of local prejudices on ideas surrounding national identities and their resultant policy and administrative changes.

Finally, this thesis employs the borderlands theory of political geographer David Newman. Newman's model conceives of borders as institutions. As institutions, borders not only govern the laws concerning trans-boundary movement, but also the degrees of social inclusion and exclusion as they work to separate the "self" from the "other" and protect "insiders" from "outsiders."<sup>44</sup> Because he understood borders as dynamic, socially constructed phenomena, Newman argued for the importance of studying borderlands processes and histories from the "bottom up" by examining the lived experiences of people in borderlands regions. This history of Little Bear's Cree employs this approach by considering not only politicians' border ideas and policies, but also the ways in which the Cree and local Montanans who lived in the region conceived of Indigenous and colonial boundaries. In doing so, this project elucidates the socially constructed nature of the border by determining how Indigenous and non-Indigenous peoples

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<sup>43</sup> McManus, *The Line Which Separates*.

<sup>44</sup> David Newman, "On Borders and Power: A Theoretical Framework," *Journal of Borderlands Studies* 18, no. 1 (2003): 14.

living in the borderlands ascribed meaning and power to a mostly invisible line on the earth.

In 2011, historian Pekka Hämäläinen recommended that scholars of Indigenous borderlands history begin to ask different questions:

Instead of merely asking what Indians did when Europeans grappled for power, we must take a larger view. We must ask how Indians created the conditions for borderlands history rather than simply looking at how they acted within it. . . . Native peoples drop increasingly out of borderlands history (as such) by the twentieth century.<sup>45</sup>

This thesis addresses these questions by examining the impacts of colonial border policies on the Cree between 1885 and 1916, while also highlighting the ways in which the Cree created the borderlands in which they lived through their transnational movements and interactions with settlers and government officials.

The fragmented and transnational nature of this group's history poses some difficulty for identifying and compiling relevant primary source material. Over the thirty-year period this thesis covers, the Cree under Little Bear lived and travelled around Montana and often visited relatives north of the line in present-day Alberta and Saskatchewan. Because the group had not yet been allocated a reserve, there is no single agency record to consult. Instead, the source material to rebuild this history comes from several archives across Montana and Alberta, as well as from the online collections of Library and Archives Canada. Sources include letters the group wrote to both American and Canadian government officials, Indian Agency records from the several different agencies the group visited in both Montana and Canada, politicians' personal papers, Canadian and American annual reports of Indian Affairs, and local newspapers which provide valuable insights into the public opinion that shaped policies affecting the group. Finally,

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<sup>45</sup> Pekka Hämäläinen and Samuel Truett, "On Borderlands," *The Journal of American History* 98, no. 2 (September 2011): 343.

the personal papers of settlers who worked with the group, particularly novelist Frank Bird Linderman, also proved useful.

Because either government agents or white settlers produced most of these sources, I must take into consideration the prejudices and motivations that informed their creation. As Adele Perry argues, colonial archival documents are “productive rather than reflective of the worlds they represent,” and must be read as such.<sup>46</sup> I have therefore relied on the established historiography concerning government perceptions of Indigenous peoples, as well as how Indigenous peoples were presented in the press, to help contextualize the primary sources used in this research.<sup>47</sup> Further, previously recorded oral histories with Little Bear’s band and descendants of that band have been invaluable. These oral histories with Cree individuals were vital to better interpret the aforementioned archival sources created from the perspective of white settlers and colonial officials.

This limitation of majority settler-created archival sources also extends to my own position as a researcher. Paulette Regan explains the importance “of situating oneself not as an expert but as a learner,” and encourages non-Indigenous researchers to acknowledge and embrace the “uncomfortable epistemological tension” that often arises when studying Indigenous history.<sup>48</sup> Part of acknowledging my position as a non-Indigenous researcher within this project is maintaining transparency with the present-day communities whose ancestors are the focus of my research. As such, I have worked with the Rocky Boy Indian Reservation (Montana) and the

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<sup>46</sup> Adele Perry, *Colonial Relations: The Douglas-Connolly Family and the Nineteenth-Century Imperial World* (Cambridge: Cambridge University Press, 2015), 159.

<sup>47</sup> Mary Ann Weston, *Native Americans in the News: Images of Indians in the Twentieth Century Press* (Westport: Greenwood, 1996); John M. Coward, *The Newspaper Indian: Native American Identity in the Press, 1820-90* (Chicago: University of Illinois Press, 1999); Mark Cronlund Anderson, *Seeing Red: A History of Natives in Canadian Newspapers* (Winnipeg: University of Manitoba Press, 2011); Meta G. Carstarphen and John P. Sanchez, eds., *American Indians and the Mass Media* (Norman: University of Oklahoma Press, 2012).

<sup>48</sup> Paulette Regan, *Unsettling the Settler Within: Indian Residential Schools, Truth Telling, and Reconciliation in Canada* (Vancouver: UBC Press, 2011), 26.

Big Bear Cultural Society (Saskatchewan) throughout this project, in capacities directly and indirectly related to this project. I am immeasurably grateful for the relationships I have formed with these communities (in particular Terry Atimoyoo, Malcolm Andrews, and Alvin Windy Boy) and the insight they have provided me. Conversations with them, and listening to oral histories shared at the Big Bear Cultural Society's 2018 gathering, have guided my research in new directions and helped me to understand this history from multiple perspectives.

The final methodology I employed in this thesis is Historical Geographic Information Systems (GIS). Since the 1990s, scholars have debated the appropriateness of using GIS technology in the historical research of Indigenous peoples, especially given the reliance on cartography in the colonization of Western Canada and the United States. Some scholars have gone so far as to suggest using GIS with Indigenous topics is “essentially a tool for epistemological assimilation.”<sup>49</sup> Others have emphasized the inability of digital mapping to represent experiences of trauma, displacement, and violence often present in histories of colonialism, and have pointed out that Indigenous conceptions of territoriality do not easily translate into mutually exclusive boundaries.<sup>50</sup> Several historians have also looked to the potential of using GIS with Indigenous history.<sup>51</sup> Daniel Rueck, for example, used GIS to study the effects of a Euro-Canadian survey on the land practices of the Kahnawá:ke community. He recognized that while maps have been a tool of colonization, they can also be used to work

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<sup>49</sup> Robert A. Rundstrom, “GIS, Indigenous Peoples, and Epistemological Diversity,” *Cartography and Geographic Information Science* 22, no. 1 (January 1995): 45.

<sup>50</sup> Christopher Turner and Gail Fondahl, “‘Overlapping Claims’ to Territory Confronting Treaty-Making in British Columbia: Causes and Implications,” *The Canadian Geographer* 59, no. 4 (2015): 474–88; Anne Kelly Knowles, “Historical Geographic Information Systems and Social Science History,” *Social Science History* 40, no. 4 (Winter 2016): 741–50.

<sup>51</sup> Bryan A. Marozas, “The Role of Geographic Information Systems in American Indian Land and Water Rights Litigation,” *American Indian Culture and Research Journal* 15, no. 3 (1991): 77–93; Rachel Olson, Jeffrey Hackett, and Steven DeRoy, “Mapping the Digital Terrain: Towards Indigenous Geographic Information and Spatial Data Quality Indicators for Indigenous Knowledge and Traditional Land-Use Data Collection,” *The Cartographic Journal* 53, no. 4 (2016): 348–55.

against colonial forces in resource and land claims cases.<sup>52</sup> I hope to follow in this vein by using GIS to create digital maps that help visually analyse the reaches and effects of colonialism, while recognizing the limitations of representing a complex history on a two-dimensional cartesian plane.

The GIS portion of this thesis compiles statistical data collected by the Bureau of Indian Affairs and newspaper accounts reporting the geographic locations of Little Bear and his followers. I charted the group's movement from 1885 to 1916 by mapping the reported locations of the Cree and key federal powers with which they interacted. I also created maps that follow individual families as they moved across the 49<sup>th</sup> parallel, emphasizing their transnationality. This work builds on the growing Historical Geographic Information Systems scholarship and provides an example of how historians might use GIS software when studying the complex and often fragmented histories of multi-national Indigenous peoples.

The borderlands history of Little Bear's Cree is examined over the course of three chapters. Chapter one charts the 1885 Cree refuge to Montana under Little Bear to the American government's unsuccessful deportation of the "Canadian Cree" in 1896, highlighting the Crees' early efforts to evade prosecution and resist the American government's continual efforts to expel them. Chapter two focuses on the sustained efforts by American and Canadian officials to restrict Cree mobility, and the diplomatic strategies developed by the Cree to best advance their position, culminating in the 1916 creation of the Rocky Boy Indian Reservation. It examines the makeup of the new reservation as recorded in the roll and reveals the process through which the Bureau of Indian Affairs decided who would and would not belong.

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<sup>52</sup> Daniel Rueck, "I Do Not Know the Boundaries of This Land, but I Know the Land Which I Worked': Historical GIS and Mohawk Land Practices," in *Historical GIS Research in Canada*, ed. Jennifer Bonnell and Marcel Fortin (Calgary: University of Calgary Press, 2014), 129–52.

## **Chapter 1: “The Wards of Nobody”: The “Canadian Cree” in Montana, 1885-1896**

On July 16, 1890, the Fort Benton *River Press* implored the Canadian government to teach the Cree that the 49<sup>th</sup> parallel was a “dead line which they can cross only at the peril of their lives.”<sup>1</sup> The Cree’s traditional territory spanned the border. Montana might serve as part of the northern edge of the United States, but it also served as the southern portion of the Plains Cree’s homeland. The Cree continued to live on both sides of the line making strategic relocations to hunt and after the Northwest Resistance in 1885, to avoid retribution from the Canadian government.

After crossing the border in 1885, Little Bear’s Cree lived primarily in Montana until their eventual deportation in 1896. While they lived there, three major factors shaped their experiences. First, American soldiers and Indian agents kept the Cree uncertain, hungry, and mobile. The Cree presented a persistent reminder that the United States claimed sovereignty over territory it could not control in practice. The American government stationed troops near the border to restrict movement but it lacked either the breadth of personnel or the bureaucratic sophistication to control Cree mobility on a day-to-day level. Jurisdictional confusion caused federal and state administrators to shuffle the Cree between locations. Montana’s governor argued that Indians were a federal matter. The U.S. military, in turn, stated it lacked the authority to act. The Office of Indian Affairs, who had the clearest jurisdictional connection, demurred about its own responsibility. Without an official reservation in the United States, the Cree fell outside of its hands as well. These decisions forced the Cree to relocate frequently and prevented them from establishing any sort of permanent base.

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<sup>1</sup> “A Cry from the North,” *The River Press*, Fort Benton, MT, 16 July 1890, [montananewspapers.org](http://montananewspapers.org).



Second, grassroots resistance to the Cree's presence from local settlers created a parallel set of pressures on their living conditions. As state and federal organizations refused to act, settlers in Montana launched local and regional campaigns to drive out the Cree. They debated border solutions, circulated petitions in the press, and sent letters to city, state, and federal representatives. Montanan settlers viewed the Cree as precarious because they were landless, Indigenous, *and* Canadian. Settlers' persistent pressure forced state and federal intervention and influenced international border policy, helping turn a regional matter into a national concern. After continued pressure from settlers, politicians worked to implement a solution: a "round up" and deportation of all Canadian Cree. The 1896 deportation saw over 500 Cree individuals sent back to Canada.

While the opinions and interests of Montanan settlers ultimately decided the fate of the Cree in the borderlands, the Cree did not sit idly by. The third factor influencing their experience was their own resistance. The Cree did not view themselves as either Canadian or American. According to a community history, "the Plains Cree never thought of the International Boundary [sic] between the United States and Canada and traveled between the two countries whenever they wished."<sup>2</sup> Despite settler animosity and government control over their movement, the Cree continued to survive in Montana and actively attempted to resist the deportation. Chapter two focuses more closely on Cree diplomacy.

### *1.1 The Cree Exodus*

On October 7, 1885, the Fort Benton *River Press* provided the public with their first indication that Little Bear, Little Poplar, and their bands had arrived in Montana after their 400-mile journey from Saskatchewan. The report stated that 20 lodges of "half-breeds" and Cree

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<sup>2</sup> "Chippewa Cree C-11," n.d., Rocky Boy Archive (hereafter RBA), Box Elder, MT.

Indians under Little Poplar and a son of Big Bear had arrived at Fort Assiniboine. According to the paper, the Cree believed they could not live in peace in Canada.<sup>3</sup>

In the year that followed, hundreds more Cree crossed the international boundary, although their exact numbers remain unclear. Ten days after their first documented appearance at Fort Assiniboine, an American Indian Inspector found about 100 Cree refugees including Little Poplar near the Fort Belknap Indian Reservation.<sup>4</sup> According to an oral history with Chief Stick, about 20 people initially left with Little Bear for Montana and “more people joined him. . . they were all his people.”<sup>5</sup> Mrs. Widow Crane recalled that some men left their wives and children behind in Canada who joined them afterward.<sup>6</sup> Cree families continued to join the original refugees throughout 1885 and 1886, and by 1887, the Canadian Department of Indian Affairs (DIA) recorded all 738 of Big Bear’s band as absent, either in the United States or on western Canadian reserves.<sup>7</sup> The precise numbers of the Cree population in Montana is especially difficult to determine because hundreds of Métis and other First Nations left for the United States in 1885 and American officials had a habit of categorizing all refugees as Canadian Cree.<sup>8</sup>

Both the Canadian and the American governments, and subsequent generations of historians, characterized this exodus as an attempt to evade NWMP capture. Indeed, many Cree and Métis people saw crossing the international line as their best option to avoid prosecution for

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<sup>3</sup> “To Fort Assinaboine and Return,” *The River Press*, 7 October 1885, [chroniclingamerica.com](http://chroniclingamerica.com).

<sup>4</sup> M.A. Thomas to the Secretary of the Interior, 17 October 1885, 2058, box 1, file 1, Montana State University Merrill G. Burlingame Special Collections (hereafter MSU), Bozeman, MT.

<sup>5</sup> Chief Stick Interview C-5, 26 August 1974, RBA.

<sup>6</sup> Mrs. Widow Crane, interview by Louis Rain, 4 September 1974, IH-178, Canadian Plains Research Center (hereafter CPRC), Regina, SK.

<sup>7</sup> Dominion of Canada, Annual Report of the Department of Indian Affairs for the Year Ended 31<sup>st</sup> December, 1886 (Ottawa: 1887).

<sup>8</sup> Benjamin Hoy, “A Border without Guards: First Nations and the Enforcement of National Space,” *Journal of the Canadian Historical Association* 25, no. 2 (2014): 95; Nicholas C. P. Vrooman, “*The Whole Country Was . . . ‘One Robe’*”: *The Little Shell Tribe’s America* (Helena: Drumlunnon Institute, 2012), 195.

their involvement in the violence of 1885.<sup>9</sup> As George Pritchard, a Métis man, described, “Them days when you go to Montana you was free.”<sup>10</sup> However, oral histories reveal that escaping retribution was only the motivation for some. The migration of Cree families to the United States occurred in many different waves and for many different reasons. Bands and individual families made independent decisions to leave.

For many, intolerable conditions in Canada following the resistance made travelling south a viable option. Indian agents confiscated firearms and horses, withheld annuities, enforced the Pass System to incarcerate reserve populations, and imposed a severalty policy to subdivide reserves and encourage individualism.<sup>11</sup> Isabelle Johns Little Bear, Little Bear’s daughter, recalled this punishment on the Onion Lake reserve where the “Red Coats” confiscated their knives, axes, guns, and ammunition. She detailed, “With no arms or knives with which to hunt or even horses on which to pack our belongings (our horses had also been confiscated) we tried to move from place to place but found no suitable home where we could derive a living.”<sup>12</sup> Beatrice Nightraveller recollected a similar story. During the confiscation, Cree adults sent children to warn the other side of the camp to hide their guns and knives. The few knives they were able to hide had to be shared amongst the band: “One knife would serve a whole, three or four families or something like that . . . Oh, it was so pitiful the way they were treated after that. No wonder. . . a lot of them left.”<sup>13</sup> An uncertain future in Montana seemed favourable to an increasingly tough existence in Canada.

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<sup>9</sup> Blair Stonechild and Bill Waiser, *Loyal till Death: Indians and the North-West Rebellion* (Calgary: Fifth House, 1997), 227.

<sup>10</sup> George Pritchard, interview by Victoria R. Racette, 29 March 1984, IH-SD.47, CPRC.

<sup>11</sup> James Daschuk, *Clearing the Plains: Disease, Politics of Starvation, and the Loss of Aboriginal Life* (Regina: University of Regina Press, 2014), 159-160.

<sup>12</sup> Isabelle Little Bear, “My Story,” in *Reflections: A History of Elk Point and District*, ed. Mary Bennett (Winnipeg: Inter-Collegiate Press, 1977), 197–202.

<sup>13</sup> Ada Ladue and Beatrice Nightraveller, interview by Christine Welsh, 15 February 1983, IH-123, CPRC.

Other families left Canada because they wanted to avoid the violence altogether. Nightraveller explained, “there was a lot of the people that ran away. They didn’t want to get involved with the revolution . . . They just took off to the States.”<sup>14</sup> Jim Gopher remembered stories from his father, John Gopher, about how “they did not want to be in that fight so they said lets run away . . . When my dad was in Canada one of his relatives came and told him you better leave from here, because there is going to be a lot of trouble here soon.”<sup>15</sup> The migration of hundreds of Cree peoples from Canada to the United States after the 1885 resistance thus occurred at different times and for various reasons.

Contemporary officials and some historians have described the Cree as “fleeing” Canada. While they may have been fleeing violence, they were also returning to another region of their homeland and in many cases, reunifying with kin already there. Historians Michel Hogue and Brenden Rensink have shown that in the years leading up to the 1885 Resistance, the Cree travelled throughout Montana hunting the last of the bison herds and exploiting trading opportunities with settlers and other Indigenous peoples.<sup>16</sup> Northern Montana was familiar territory for the Cree.

### *1.2 Jurisdictional Confusion and Inconsistent Treatment*

Although the international boundary presented an opportunity for Cree bands to evade prosecution, escape further violence, or avoid harsh DIA policies, the border offered the Cree only partial protection. The United States War Department set up forts near the boundary line to

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<sup>14</sup> Ada Ladue and Beatrice Nightraveller, interview by Christine Welsh, 15 February 1983, IH-123, CPRC.

<sup>15</sup> Jim Gopher G-1, interview by WtD, 23 June 1975, RBA.

<sup>16</sup> The northern Great Plains were the traditional homelands of the Assiniboine, Saulteaux, Cree, Blackfoot, and the Metis. 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 (Winter 2002): 2; Brenden Rensink, “Cree Contraband or Contraband Crees? Early Montanan Experiences with Transnational Natives and the Formation of Lasting Prejudice, 1880-1885,” in *Smugglers, Brothels, and Twine: Historical Perspectives on Contraband and Vice in North America’s Borderlands*, ed. Elaine Carey and Andrae M. Marak (Tucson: University of Arizona Press, 2011), 27.

intercept Indigenous border crossings and force people back into Canada.<sup>17</sup> Fort Assiniboine, built in 1879 near the Bear Paw Mountains, served as a centerpiece of this policy. Between April 1883 and May 1884, soldiers from Fort Assiniboine captured at least 139 Cree and expelled them from the United States.<sup>18</sup>

Despite the fact that the American military routinely turned back bands of “Canadian Indians,” the Secretary of State decided that Little Bear and Little Poplar’s bands could not be forced across the line.<sup>19</sup> Secretary of the Interior William F. Villas explained, “unless there should be specific demand from the Dominion authorities [ie. an extradition request] the Indians cannot be returned by the U. S. to Canada, nor can the U. S. authorities, civil or military, properly connive at their being kidnapped and sent across the line.”<sup>20</sup> The Canadian government made no such request, fearing it was unwise to ask the United States to surrender a band who occupied a similar position in the United States as the Sitting Bull Sioux band did in Canada.<sup>21</sup>

All levels of American government shirked responsibility for the Cree. With no easy and familiar option to force the Cree back to Canada, American agents continually sent them between military and Indian Agency supervision. As historian Brenden Rensink pointed out, “US Indian policy was well established, but ‘foreign’ Natives were not covered by it.”<sup>22</sup> During their first year in the state, the Cree moved back and forth between military Fort Assiniboine and Fort Belknap Indian Agency (pictured below) at least six times, receiving ad-hoc support to prevent

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<sup>17</sup> Hogue, “Disputing the Medicine Line,” 7.

<sup>18</sup> “Captured Crees,” *Helena Weekly Herald*, Helena, MT, 19 April 19 1883, [chroniclingamerica.com](http://chroniclingamerica.com); “Montana News,” *The Billings Herald*, Billings, MT, 5 May 1883, [chroniclingamerica.com](http://chroniclingamerica.com); “Montana News,” *The Billings Herald*, 12 May 1883, [chroniclingamerica.com](http://chroniclingamerica.com).

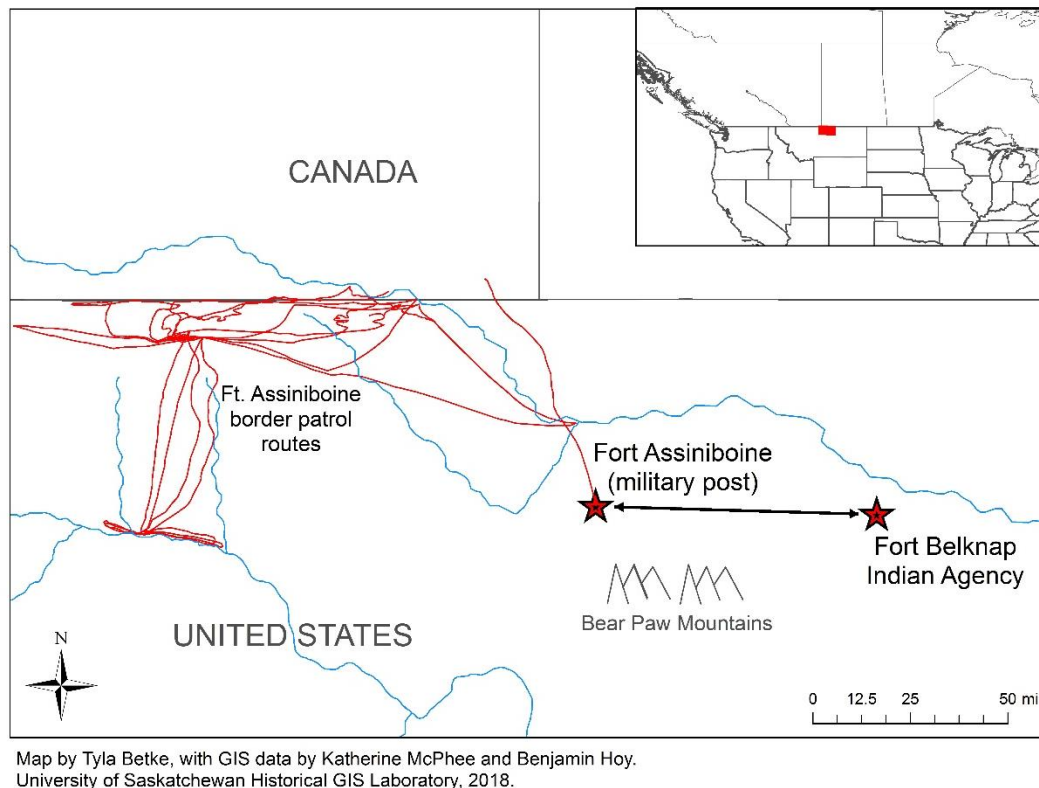
<sup>19</sup> Officer Otis to Fort Shaw Actg. Asst. Adj. General, 15 December 1885, MC 46, vol. 4, p. 84, Montana Historical Society (hereafter MHS), Helena, MT.

<sup>20</sup> William Villas, 31 May 1888, M 311, Glenbow Archives (hereafter Glenbow), Calgary, AB.

<sup>21</sup> Commissioner G. C[?]ny to the Superintendent General of Indian Affairs, 10 January 1887, RG 10, vol. 3774, file 36563, Library and Archives Canada (hereafter LAC), Ottawa, ON.

<sup>22</sup> Brenden Rensink, *Native but Foreign: Indigenous Immigrants and Refugees in the North American Borderlands* (College Station: Texas A&M University Press, 2018), 96.

starvation. The Cree were also subject to inconsistent treatment as Indian agents and military personnel viewed them as foreign intruders and varied their treatment considerably. This continual movement and uncertain treatment made it especially difficult for the Cree to establish a home base in Montana.



After the Cree's short presence at Fort Assiniboine, they moved to a camp near the Fort Belknap Indian Reservation. American Indian Inspector M. A. Thomas reported that Little Poplar requested rations, denied any knowledge of the violence in Canada, and "begged not to be sent back into the British possessions."<sup>23</sup> After only a few weeks at the reservation, where Indian agents provided minimal subsistence, the agent forced the Cree to leave, reportedly because the Gros Ventres and Assiniboines of the Belknap Agency felt that the Cree's "presence [t]here was

<sup>23</sup> M.A. Thomas to the Secretary of the Interior, 17 October 1885, 2058, box 1, file 1, MSU.

distasteful.”<sup>24</sup> The Cree travelled back toward Fort Assiniboine where Commander Otis chose not to interfere or confine them. He kept them, however, “under observation.”<sup>25</sup> The military’s treatment of the Cree contained little consistency. When Fort Maginnis patrolled the area, they apprehended 137 Cree and brought the band to Fort Assiniboine on December 21, 1885, over the objections of Commander Otis.<sup>26</sup> According to *The River Press*, Chief Little Bear was “refractory” during the trip and Maginnis troops disarmed him and tied him up in a wagon.<sup>27</sup> Otis continued to deny his troops’ responsibility for the Cree, exclaiming, “why these Indians should have been sent to this post I am at a loss to comprehend.”<sup>28</sup> The Cree separated into smaller bands to survive the winter, with camps at Flathead Lake, Sun River, Great Falls, Dupuyer Creek, and Heart Butte.<sup>29</sup> In April 1886, after a long winter of administering minimal subsistence to the Cree camped near Fort Assiniboine, Otis directed the Cree to move, once again, back to the Indian Agency.<sup>30</sup>

Back at Fort Belknap, the jurisdictional confusion continued. W. L. Lincoln, the resident Indian Agent, expressed the same kind of disappointment Commander Otis had declared about the arrival of the Cree. He wrote to the Commissioner of Indian Affairs, asking “now what is to be done with them.”<sup>31</sup> Lincoln tried to convince the Cree to return to Canada, “but they resolutely refused to do so.”<sup>32</sup> The Cree instead stayed around the Indian Agency, helping the

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<sup>24</sup> Lincoln did not explain why the Gros Ventres and Assiniboines did not want the Crees on their reservation. W. L. Lincoln to [??] Council of Indian Affairs, 9 November 1885, M7937, Glenbow.

<sup>25</sup> Fort Assiniboine Commanding Officer to the Department of Dakota Adjutant General, 9 January 1886, MC 46, vol. 4, p. 110-112, MHS.

<sup>26</sup> Officer Otis to the Commissary General of the U.S. Army, 6 May 1886, MC 46, vol. 4, p. 253-57, MHS; Commander Otis later reported the group of 137 included 51 men, 50 women, and 36 children, with 30 ponies and approximately 14 guns. Otis to Fort Shaw A. A. General, 2[?] December 1885, MC 46, vol. 4, p. 85, MHS.

<sup>27</sup> “The Captured Crees,” *The River Press*, 30 December 1885, [chroniclingamerica.com](http://chroniclingamerica.com).

<sup>28</sup> Fort Assiniboine Commanding Officer to the Dakota Adjutant General, 9 January 1886.

<sup>29</sup> Rensink, *Native but Foreign*, 86.

<sup>30</sup> Officer Otis to Major Lincoln, 2 April 1886, MC 46, vol. 4, p. 216, MHS.

<sup>31</sup> W. L. Lincoln to the Commissioner of Indian Affairs, 12 April 1886, M7937, Glenbow.

<sup>32</sup> W. L. Lincoln to the Commissioner of Indian Affairs, 12 April 1886.

Gros Ventre and Assiniboines prepare their ground for the spring plant.<sup>33</sup> The Cree crossed not only colonial boundaries, but also travelled over the territories of other Indigenous peoples. Negotiating these spaces was necessary for survival.

By October of 1886, the Cree were yet again back at Fort Assiniboine for the third time.<sup>34</sup> Perhaps unsurprisingly by this point, Commanding Officer Ruger feared that the Cree would be stranded at the fort over the winter, and once again recommended that “these Indians be forced to remain at the Fort Belknap Agency, where the Agent can look after them without much additional trouble.”<sup>35</sup> The United States would not claim the Cree as their own, but nonetheless attempted to control their movement. During their first year in Montana, Indian agents and military officials passed the band back and forth, unsure of what to do with the famished community.

The issue of jurisdictional confusion continued over the next decade. An illustrative case transpired in 1893 when scarlet fever infected the Cree camp near Silver Bow. The *Anaconda Standard* reported that 15 people were afflicted and three had died the previous week. The Silver Bow County physician attended to the camp and two special deputies acted as guards to keep the Cree quarantined. After the quarantine ended, the county asked the state to pay them back the \$2,000 it cost.<sup>36</sup> Arguing that it was not the responsibility of the state to deal with Indian matters, Acting Governor Alex C. Botkin wrote to the Secretary of State in Washington requesting that the federal government take action to deliver them to Canada.<sup>37</sup> The Secretary of State passed the

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<sup>33</sup> Officer Otis to the Commissary General of the U.S. Army, 6 May 1886.

<sup>34</sup> Little Poplar had died by this point. In August, a “half-breed” named Ward shot and killed Little Poplar, reportedly in self-defense. “Things Territorial,” *The Bozeman Weekly Chronicle*, Bozeman, MT, 18 August 1886, [chroniclingamerica.com](http://chroniclingamerica.com).

<sup>35</sup> Thomas H. Ruger to Assistant Adjutant General of the U.S. Army, 25 October 1886, M7937, Glenbow.

<sup>36</sup> “Scarlet Fever Among Indians,” *The Anaconda Standard*, Anaconda, MT, 4 May 1893, [chroniclingamerica.com](http://chroniclingamerica.com); “To Get Ride of Poor Lo,” *The Anaconda Standard*, 7 June 1893, [chroniclingamerica.com](http://chroniclingamerica.com).

<sup>37</sup> “The Cree Indians Again,” *The Helena Independent*, Helena, MT, 28 June 1893, [chroniclingamerica.com](http://chroniclingamerica.com); “To Get Rid of Poor Lo,” *The Anaconda Standard*, 30 June 1893, [chroniclingamerica.com](http://chroniclingamerica.com).



communication on to the Indian Department, which claimed that because the Cree did not belong to any Indian reservation, the Department could not do anything.<sup>38</sup> As *The Helena Independent* described them, the Cree were the “The Wards of Nobody.”<sup>39</sup> The *Independent*’s statement obscured the complexity of the situation. Little Bear had previously appeared on federal paylists as a ward of the Crown. Under the Indian Act, however, his absence of more than five years meant the Canadian government could claim he was no longer their ward.

### *1.3 Food and Hunger*

Little Bear and Little Poplar’s bands left Canada with few supplies which increased their susceptibility to starvation and the cold. Their mobility was consequently not only shaped by federal troops forcing them to move, but also by their limited access to food, which allowed the government to control them through dependency. According to Little Bear and Little Poplar, their band stayed the winter of 1885-86 at Fort Assiniboine because their people could not move; they did not have adequate food, clothing, ammunition, or transportation, and there was not enough game in the region to hunt.<sup>40</sup> This first winter was also particularly harsh. On January 7, 1886, the thermometer at Fort Assiniboine read – 42° and was “the coldest month ever known in [that] section.”<sup>41</sup> Commander Otis reported that the Cree had likely eaten about half of their ponies, and the men attempted to kill rabbits and chickens with sticks and searched for dead cattle on nearby ranges.<sup>42</sup> Military posts and Indian agents issued rations but only to prevent starvation, leaving the Cree dependent on unreliable government aid.<sup>43</sup>

### *1.4 Continued Movement*

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<sup>38</sup> “Can Do Nothing for Us,” *The Helena Independent*, 22 August 1893, [chroniclingamerica.com](http://chroniclingamerica.com).

<sup>39</sup> “The Wards of Nobody,” *The Helena Independent*, 13 October 1893, [chroniclingamerica.com](http://chroniclingamerica.com).

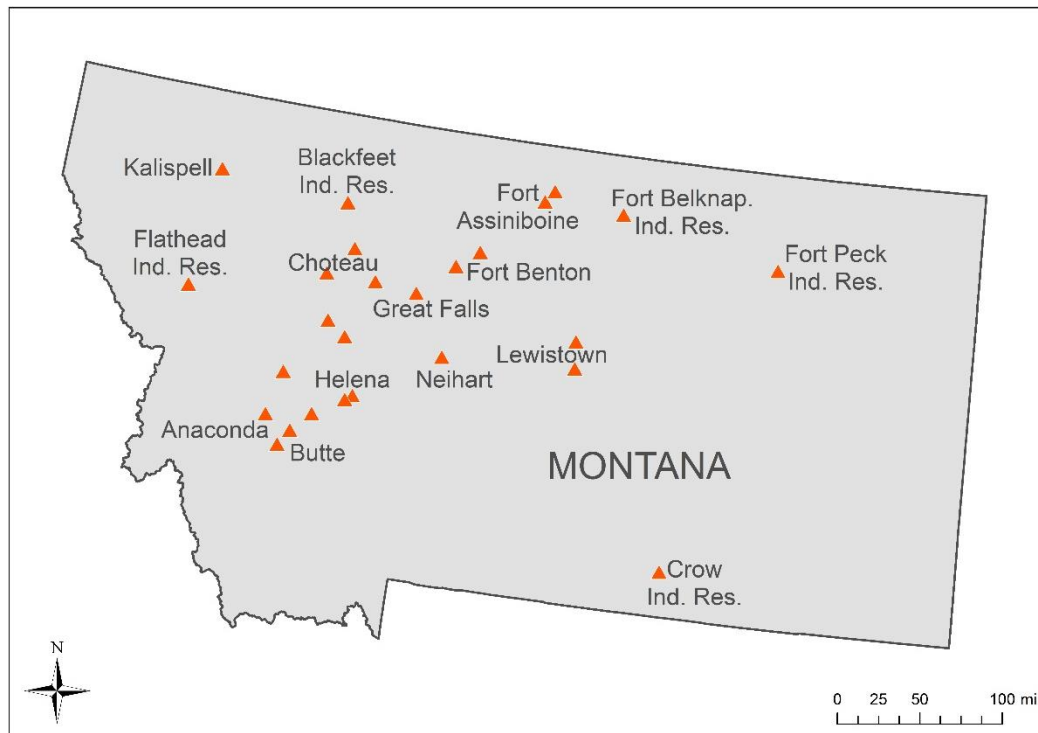
<sup>40</sup> Fort Assiniboine Commanding Officer to Dakota Adjutant General, 9 January 1886.

<sup>41</sup> Officer Otis to the Commissary General of the U.S. Army, 6 May 1886.

<sup>42</sup> Fort Assiniboine Commanding Officer to Dakota Adjutant General, 9 January 1886.

<sup>43</sup> Officer Otis to the Commissary General of the U.S. Army, 6 May 1886.

Government control and access to resources continued to shape the Crees' experience over the next decade. In order to survive, from 1886 to 1896, the Cree separated into smaller bands and lived around the state as more families continued to join them from Canada. Bands lived with other Indigenous groups on their respective reservations, camped on the outskirts of towns, and lived on the farms of the ranchers who employed them.<sup>44</sup>



Map by Tyla Betke, University of Saskatchewan Historical GIS Laboratory, 2018.

*Figure 1.2 Reported Cree Locations, 1885-96*

The Cree hunted what they could, exchanged labour for food, cashed in on the state's bounty laws, and sold polished bison horns and beadwork to settlers. In the 1890s, they performed dances for paying spectators.<sup>45</sup> Military forts and local governments continued to supply occasional rations from the \$50,000 "set aside by congress for the support of Indians

<sup>44</sup> This map shows Cree camp locations between 1885 and 1896 according to newspaper reports and government correspondence.

<sup>45</sup> "Danced on the Green," *The Anaconda Standard*, 20 July 1894, [chroniclingamerica.com](http://chroniclingamerica.com).

having no treaty funds.” In times of severe starvation, however, the Cree ate their horses and dogs. When those ran out, they ate whatever food they could find at landfills.<sup>46</sup>

With forceful removal out of the question, the American military still sought to use indirect strategies to encourage the Cree to return to Canada over the decade. Troops made threats of forced removal to encourage voluntary movement and continued to force back Canadian Indians believed to have arrived more recently.<sup>47</sup> This action sought to prevent families from joining their kin in Montana and deprive kin networks. However, with no real border patrol in place, the removed Cree could easily return to the United States.<sup>48</sup>

### *1.5 Settler Complaints, Border Debates, and Influence on Border Policy*

Montanan settlers’ opinions of the Cree significantly influenced the Cree’s first decade in the state following the North-west Resistance. Government action concerning the Cree, including the eventual 1896 deportation, stemmed from settler complaints. Settlers used the press to condemn the Cree as racial and social outsiders, destitute nuisances, and dangerous criminals who stole property and disobeyed local game laws. Reports often stressed the danger the Cree posed to settlers, especially isolated cabins, although these statements rarely provided evidence of any depredations actually occurring.<sup>49</sup> For local newspapers, little about the Cree appeared desirable. Elizabeth S. Bird, Mary Ann Weston, and John M. Coward have all noted a dichotomy of Indigenous identity displayed in the 19<sup>th</sup> century press as either “noble savages,” or “cruel barbarians,” built on longstanding literary tropes.<sup>50</sup> The Montanan press depicted the Cree only

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<sup>46</sup> “Canadian Indians,” *The River Press*, 9 January 1889, montananewspapers.org.

<sup>47</sup> “The Canadian Crees,” *Butte Semi-Weekly Miner*, Butte, MT, 22 June 1887, chroniclingamerica.com; J. C. Bat[?]s to Dakota Assistant Adjutant General, 21 February 1892, MC 46, vol. 5, p. 236, MHS; Peter Ronan to the Commissioner of Indian Affairs, 21 July 1890, M7937, Glenbow.

<sup>48</sup> Dominion of Canada, Annual Report of the Department of Indian Affairs for the Year Ended 31<sup>st</sup> December, 1887, report of Commissioner E. Dewdney (Ottawa: 1887).

<sup>49</sup> “Well-Founded Complaint,” *The River Press*, 28 May 1890, montananewspapers.org.

<sup>50</sup> John M. Coward, *The Newspaper Indian: Native American Identity in the Press, 1820-90* (Chicago: University of Illinois Press, 1999), 7; S. Elizabeth Bird, “Savage Desires: The Gendered Construction of the American Indian in

as the latter. They expressed utter disdain for the Cree, designating them “veritable swine of the prairies,” “knights of the garbage pile,” “fat and sleek and oily looking savages,” “Ishmaelites of the prairie,” or “the filthy, wandering Crees.”<sup>51</sup> Settler concerns about Indigenous peoples were not the same as their concerns for other non-white populations. Indigenous presence, including the Cree, reminded settlers of the consequences of their settlement.

Settlers also spoke out against the Cree as being an impediment to development. In 1888, much of northern Montana classified as Indian land was opened to white settlement.<sup>52</sup> The Cree signified more Indigenous peoples to deal with and less land for settlers. This 1891 newspaper article effectively captures the goal of the settlers: “We have the finest agricultural lands in the world. . . We have railroads, and now we want white people, and thousands of them, to settle upon these lands which we open to homestead and pre-emption.”<sup>53</sup> Settlers viewed the Cree as an obstacle to this goal. For Montanans, they already had “quite enough Indians of [their] own.”<sup>54</sup>

Additionally, the press cemented the Crees’ identity as strictly “Canadian,” continually addressing them as wards of another government. In January of 1891, the *River Press* contended that the Cree should be treated as any other foreign nation:

If an armed band of white men from Canada, England, France, Germany or any other country, was to invade our state and create alarm, how quick there would be some action taken by the federal government. Then why are armed foreign Indians allowed to do this very thing...?<sup>55</sup>

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Popular Media,” in *Selling the Indian: Commercializing and Appropriating American Indian Cultures*, ed. Carter Jones Meyer and Diana Royer (Tucson: University of Arizona Press, 2001), 78; Mary Ann Weston, *Native Americans in the News: Images of Indians in the Twentieth Century Press* (Westport: Greenwood, 1996), 11.

<sup>51</sup> Untitled, *The Kalispell Bee*, Kalispell, MT, 8 May 1901, [chroniclingamerica.com](http://chroniclingamerica.com); “Tom Miles Wants to Deport Cree Indians,” *The Butte Inter Mountain*, 19 July 1902, [chroniclingamerica.com](http://chroniclingamerica.com); “A Cry from the North,” *The River Press*, 16 July 1890, [montananewspapers.org](http://montananewspapers.org); “Coast Towns are Excited” *The Kalispell Bee*, 6 January 1903, [chroniclingamerica.com](http://chroniclingamerica.com).

<sup>52</sup> Martha Harroun Foster, *We Know Who We Are: Métis Identity in a Montana Community* (Norman: University of Oklahoma Press, 2006), 165-66.

<sup>53</sup> “Those Cree Indians,” *The River Press*, 21 January 1891, [montananewspapers.org](http://montananewspapers.org).

<sup>54</sup> “Cree Indians,” *The New North-West*, Deer Lodge, MT, 30 April 1892, [chroniclingamerica.com](http://chroniclingamerica.com).

<sup>55</sup> “Those Cree Indians,” *The River Press*, 21 January 1891, [montananewspapers.org](http://montananewspapers.org).

The Crees' "Canadian" identity prevented them from signing land cession treaties with the American government, thereby also preventing them from being viewed in a paternalistic way as the responsibility of Uncle Sam.

More than just publishing complaints of the Cree's presence, settlers used the press as a medium for their lively and heated debates about the state of border control and how best to solve the perceived problem. In 1885, newspapers quickly reported that the commonly used border patrol method of informally pushing Canadian Indians back across the border was not going to be used in the case of the Cree:

The capture of these Indians is especially interesting as illustrating a point of international law which has long been administered less in accordance with established legal principles than with the time honored idea of the '*greatest convenience as far as the Indian is concerned.*' This lax principle has given way it seems to more enlightened ideas.<sup>56</sup>

The report explained that the War Department had instructed Fort Assiniboine troops not to push the Cree back across the border. With no government action, several borderlands policy ideas emerged. *The River Press* suggested creating a reciprocity agreement with Canada whereby both countries could cross the line to retrieve their "own" Indians.<sup>57</sup> One reporter suggested that treating the Cree so poorly or perhaps jailing them for a time might "convince them that the sunshine is just as bright north as south of the international boundary."<sup>58</sup> Settlers heeded this advice and actively prevented the Cree from holding cultural ceremonies, obtaining employment, or travelling through their privately owned ranches.

The most common solution suggested was to turn to vigilante justice. In August of 1895, *The Anaconda Standard* editor wrote that because both governments refused to do anything,

the people will act... 400 men, mounted and armed, will be prepared and willing to move against the thieving Crees, to drive them back to Canada... if the Crees are all killed

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<sup>56</sup> Emphasis added. "The Captured Crees," *The River Press*, 30 December 1885, [chroniclingamerica.com](http://chroniclingamerica.com).

<sup>57</sup> Untitled, *The River Press*, 23 December 1885, [chroniclingamerica.com](http://chroniclingamerica.com).

<sup>58</sup> "City and State," *The River Press*, 12 May 1897, [montananewspapers.org](http://montananewspapers.org).

before they reach Canada no question will be raised by the Canadian government.... Drive them out and let the diplomats settle it afterwards.<sup>59</sup>

Reporters threatened that if the government would not solve the problem, settlers would.

In August of 1890, the *River Press* put forth the most inventive proposal. They believed that if Montana could persuade Canadian Mormons to convince the Cree to join them north of the line, it would solve two “problems” at once. Montana would no longer have to worry about the Cree and “the hungry devils would soon eat the Mormons out of house and home and thus settle the Mormon question to the Queen’s taste.”<sup>60</sup>

Out of these debates, settlers circulated petitions and called on politicians to take action. An 1891 Fort Benton article, for example, called on Montana’s first governor, Joseph K. Toole, to stop “those renegades” from wandering around the state.<sup>61</sup> In 1894, the Kalispell County Attorney sent a petition to Governor Rickards signed by residents of Tobacco Plains, Swan Lake, and other localities claiming, without evidence, that the Cree had committed burglary, larceny, and murderous assaults.<sup>62</sup>

Officials listened to settler complaints, and even relied on those settlers to provide detailed information regarding the Cree. In 1891, for instance, three settlers – H. L. Billings, H. W. Kraus, and John Gleason – requested military assistance to deal with the band of 300 Cree camped at Wolf Creek. The military requested further communication with the settlers to ascertain if the group “belong[ed] to the United States or Canada, their number, if armed and mounted, the direction they seem[ed] to be traveling, their conduct toward settlers, and such other reliable information as [they could] gather.”<sup>63</sup>

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<sup>59</sup> Untitled, *The Anaconda Standard*, 4 August 1895, [chroniclingamerica.com](http://chroniclingamerica.com).

<sup>60</sup> Untitled, *The River Press*, 20 August 1890, [montananewspapers.org](http://montananewspapers.org).

<sup>61</sup> “We Are on the Warpath,” *The River Press*, 21 January 1891, [montananewspapers.org](http://montananewspapers.org).

<sup>62</sup> “They Are Not Wanted,” *The Anaconda Standard*, 23 November 1894, [chroniclingamerica.com](http://chroniclingamerica.com).

<sup>63</sup> “Cree Indians Collecting,” *The Helena Independent*, 18 January 1891, [chroniclingamerica.com](http://chroniclingamerica.com).

Thomas O. Miles, a rancher in Silver Bow County, was the settler who played the most prominent role in the eventual Cree deportation. Miles first complained to Governor Toole in November of 1891. Miles explained that around 15 lodges of Crees had set up winter camp near his house (two miles south of Silver Bow Canyon), which he apparently had not seen in his 21 years of living there. He complained that between 100 and 120 of the Crees' horses were on his winter range and had scared off his own livestock. He emphasized that he was a "resident and a tax payer of this place," and suggested that if the Cree were "British or Canadian Indians," then they should be compelled to return to the Dominion.<sup>64</sup> Not unlike the Cree, Miles had also moved from north of the border. He was born in New Brunswick in 1844 and had moved to Montana in 1866.<sup>65</sup> The Cree who had lived, traded, and hunted in Montana for decades might have found Miles' assertions comical, if they were not so dangerous.

Miles wrote endless letters to politicians and Montanan officials reciprocated. He developed a network of political and business allies who provided him with powerful connections and access to high-level intergovernmental correspondence concerning the Cree. In January of 1892, U. S. Attorney for the District of Montana L. D. Weed assured Miles, "I hope to be able to assist you in ridding yourselves of this nuisance."<sup>66</sup> Weed subsequently pressured the U. S. Secretary of State to urge Canadian authorities to take back their wards.<sup>67</sup> Miles drew information from Governor Toole and T.C. Powers, a powerful Montanan merchant, who forwarded Miles' correspondence to the U.S. Senate.<sup>68</sup> The federal government drew on settlers to help them understand the perceived problem and to shape its policy response.

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<sup>64</sup> Thomas O. Miles to J. K. Toole, 22 November 1891, MC 35a, box 2, file 15, MHS.

<sup>65</sup> Michael A. Leeson, *History of Montana 1739-1885: A History of Its Discovery and Settlement* (Chicago: Warner, Beers & Company, 1885), 1346.

<sup>66</sup> L. D. Weed to Thomas O. Miles et al., 17 January 1892, SC 475, file 1, MHS.

<sup>67</sup> L. D. Weed to U. S. Secretary of State, 18 January 1892, SC 475, file 1, MHS.

<sup>68</sup> T. [C?]. Power to Thomas Miles, 20 April 1892, SC 475, file 1, MHS.

Miles' continual pressure initiated an official deportation. On April 26, 1892, *The Helena Independent* celebrated that after much correspondence, the Canadian Government had agreed to take back the Cree.<sup>69</sup> Yet, it would take another four years for the deportation to occur.

### *1.6 Preparing for the Deportation*

Arranging for the deportation stretched from 1892 to 1896 because no branch of government wanted to lead efforts or take on the expense of a deportation. The state of Montana argued that the federal government was responsible for the deportation. Various branches of the federal government argued amongst themselves, and the War Department contended that they had not heard complaints of any Cree depredations, and were contrarily informed that the Cree were employed in cutting wood, laundry, and other jobs by the citizens along the line and would be "greatly missed" if forced to leave the country.<sup>70</sup>

As local pressure to rid Montana of the Cree mounted, Governor Rickards sought every available avenue to quell settler unrest. In 1895, he urged the state Legislative Assembly to take action and explained that his attempts to get Washington to act had failed because there was "no well-defined precedents to govern [the federal government's] action in a case of this character."<sup>71</sup> When the state failed to act, Rickards travelled to Washington to meet with federal officials.<sup>72</sup> Rickards stressed to the Secretary of State that the patience of Montanan settlers had run out. He emphasized that the Cree were "an intolerant nuisance," and urged the "supreme importance" of a deportation plan.<sup>73</sup> Finally, the United States Senate Committee on Relations with Canada

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<sup>69</sup> "Will Take Them Back," *The Helena Independent*, 26 April 1892, [chroniclingamerica.com](http://chroniclingamerica.com).

<sup>70</sup> J. C. Bat[?]s to the Dakota Assistant Adjutant General, 18 February 1892, MC 46, vol. 5, p. 233-34, MHS; "To Get Rid of Poor Lo," *The Anaconda Standard*, 30 June 1893, [chroniclingamerica.com](http://chroniclingamerica.com).

<sup>71</sup> "The Message," unknown newspaper, n.d., RG 10, vol. 3863, file 84, 138, pt. 1, LAC.

<sup>72</sup> Michel Hogue, "Crossing the Line: Race, Nationality, and the Deportation of the 'Canadian' Crees in the Canada – U.S. 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), 160.

<sup>73</sup> Governor Rickards to Richard Olney, 21 January 1896, RG 10, vol. 3863, file 84, 138, pt. 1, LAC.



agreed to reopen negotiations with Canadian authorities to receive the Cree, and assured Rickards that they would devise legislation to gather the Cree and deliver them to the international line.<sup>74</sup>

The American government asked Canada to set a date and location for the transfer of the Cree. To reach a decision, the Canadian Superintendent General of Indian Affairs, Hayter Reed, asked A. E. Forget, the Commissioner for the North-west Territories, to consult past Pay Sheets and other sources to determine how many wards had gone to the United States since the Rebellion.<sup>75</sup> In total, Forget estimated that 905 Canadian Indians had left permanently for the U.S. after the Resistance: 494 to Montana, 263 to North Dakota, and 148 to an undetermined location. Of the 494 who relocated to Montana, 388 were Cree and 105 were Assiniboinés and Stonies.<sup>76</sup> These numbers roughly matched the Governor's estimation of 500 Canadian Indians in Montana.<sup>77</sup> According to North-west Mounted Police (NWMP) Superintendent R. Burton Deane, the Canadian government cooperated with American authorities in the deportation "in order to oblige the Government of the United States."<sup>78</sup> On April 1, 1896, His Excellency approved the report governing the transfer of Canadian Indian refugees from Montana to Canada.<sup>79</sup>

On May 13, 1896, Governor Rickards received communication from Washington that President Cleveland had signed the bill for Congress to appropriate \$5,000 "to remove from the

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<sup>74</sup> US Senate Committee on Relations with Canada to John E. Rickards, 24 January 1896, quoted in "To Oust the Crees," *The Anaconda Standard*, 31 January 1896, [chroniclingamerica.com](http://chroniclingamerica.com).

<sup>75</sup> Hayter Reed to A. E. Forget, 17 February 1896, RG 10, vol. 3863, file 84, 138, pt. 1, LAC.

<sup>76</sup> "Return showing, approximately, the number of Canadian Indians who have entered the United States territory, since 1885, (inclusive) and not returned," RG 10, vol. 3863, file 84, 138, pt. 1, LAC.

<sup>77</sup> "Memorandum for the Information of the Superintendent General of Indian Affairs," RG 10, vol. 3863, file 84, 138, pt. 1, LAC.

<sup>78</sup> "Repatriation of Refugee Indians," M 313, Glenbow.

<sup>79</sup> "Extract from a Report of the Committee of the Honourable the Privy Council, approved by His Excellency on the 1st April 1896," RG 10, vol. 3863, file 84, 138, pt. 1, LAC.

state of Montana and to deliver at the International boundary line, the refugee Canadian Cree Indians.”<sup>80</sup> The deportation was officially underway.

### *1.7 Resistance to the Deportation*

While Canada and the United States worked together to plan the deportation, the Cree took several actions to resist their imminent removal or try to ensure fair treatment once back in Canada. Little Bear, Buffalo Coat (Atimoyoo), and around 100 Crees had been travelling with the “Montana’s Wildest West Show” out of state, but once back in Montana, they weighed their options.<sup>81</sup> They decided to try and ensure amnesty for their leaders north of the line. They asked a Havre circuit court commissioner to write to Hayter Reed on their behalf. The commissioner explained to Reed that the Cree would go willingly over the line if he would grant eight of their men amnesty, including Little Bear and Buffalo Coat.<sup>82</sup> Reed replied that because international negotiations for their return were currently underway, the “Department [did] not deem it advisable to deal with them directly.”<sup>83</sup>

In response to this evasive message from the DIA, Buffalo Coat pursued legal action to resist the deportation. He consulted a legal advisor and on June 20, 1896, handed Judge Benton a petition claiming that American soldiers had illegally confined him and his band near Great Falls. The petition stated that they had been residents of the United States since 1885 and that around 60 of their children were born south of the line. Buffalo Coat requested the judge to issue a writ of habeas corpus to end the confinement and prevent the deportation.<sup>84</sup> Judge Benton

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<sup>80</sup> “It Is Done,” *The Anaconda Standard*, 14 May 1896, [chroniclingamerica.com](http://chroniclingamerica.com); Senate Reports vol. 4, no. 821, 54th Congress 1<sup>st</sup> Session, 1895-96, M 311, Glenbow.

<sup>81</sup> Elizabeth Sperry, “The Politics of Performance: Montana’s Landless Indians and Beveridge’s Montana Wildest West Show,” *The Magazine of Western History* 62, no. 2 (2012): 48-64.

<sup>82</sup> The other men included Kah-keesh-shick-kah-wash-bay-wo, Kee-nah-bay-zhick-new, Long Ha[??] (Chay-kick-new), Mah-Chop, By-pah-mish-o-wa, and Say-o-kee-zhay. George W. Sweet to the Canadian Commissioner of Indian Affairs, 1 May 1896, RG 10, vol. 3863, file 84, 138, pt. 1, LAC.

<sup>83</sup> Hayter Reed to George W. Sweet, 6 May 1896, RG 10, vol. 3863, file 84, 138, pt. 1, LAC.

<sup>84</sup> Hogue, “Crossing the Line,” 155.

dismissed the habeas corpus case after the defendants claimed that state or district courts had no jurisdiction over them because they were carrying out orders on behalf of the federal government.<sup>85</sup>

Others tried to avoid the deportation by evading troops. According to one reporter, many Cree escaped to Idaho after hearing of the imminent deportation.<sup>86</sup> The *Great Falls Leader* reported that in mid-May, 300 Cree were in the city, but three weeks later less than 100 remained because the rest had fled.<sup>87</sup> One reporter stated that according to the “half-breeds,” the Cree would flee to the mountains or resort to armed resistance if authorities tried to deport them.<sup>88</sup>

The separated Cree bands, including those at Garrison, at the Crow Reservation, at Great Falls under Buffalo Coat, and at Basin under Little Bear, worked to communicate with one another to make collective decisions.<sup>89</sup> On June 16, the Cree at Great Falls met to discuss what to tell Commissioner Forget when he visited them at Fort Assiniboine, but concluded that they would not respond to Forget until they met with the other bands around the state.<sup>90</sup> Little Bear also reportedly visited the Cree bands in southern Montana to inform them that the Canadian government had assured them amnesty (albeit not for those guilty of homicide outside of warlike conflict).<sup>91</sup>

The Cree also used defection from deportation camps as a strategy of resistance to the removal. Interpreter Peter Hourie noted that several people deserted from the deportee camp he

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<sup>85</sup> “Case Doesn’t Stick,” *The Anaconda Standard*, 24 June 1896, [chroniclingamerica.com](http://chroniclingamerica.com).

<sup>86</sup> “The Canadian Crees,” *The River Press*, 20 May 1896, [montananewspapers.org](http://montananewspapers.org).

<sup>87</sup> “After the Crees” *The Lethbridge News*, Lethbridge, NWT, 10 June 1896, Provincial Archives of Alberta, reel 70, 474.

<sup>88</sup> “Buffalo Coat Will Resist,” n.d., RG 10, vol. 3863, file 84, 138, pt. 1 – MIKAN no. 2061709, pg. 127-128, LAC, Ottawa, ON.

<sup>89</sup> “Crees Under Guard,” *The Anaconda Standard*, 19 June 1896, [chroniclingamerica.com](http://chroniclingamerica.com).

<sup>90</sup> “Crees Getting Ready,” *The River Press*, 17 June 1896, [montananewspapers.org](http://montananewspapers.org).

<sup>91</sup> “Arrested For Murder” *The Ravalli Republican*, Stevensville, MT, 8 July 1896, [chroniclingamerica.com](http://chroniclingamerica.com); Hayter Reed to Commissioner Forget, 20 May 1896, RG 10, vol. 3863, file 84, 138, pt. 1, LAC.

was supervising: one on August 31, four on September 1, and on September 3, 1896, three men and two women deserted.<sup>92</sup> Similarly, NWMP Superintendent Deane reported the names of those who escaped the NWMP's custody after crossing the line: O. Ke-seen escaped with 3 horses, The Rook escaped with 1 horse, Moon-e-yas escaped with 4 horses, and Con-te-tip-a-o, with 3 horses, and Son of Holding escaped.<sup>93</sup>

The last resort of opposition to the deportation was suicide. American soldiers had taken a man named Day Bow to the train at Great Falls in the second deportation delivery. Day Bow shot himself and died one or two days after. He was involved in the 1885 events at Frog Lake, and reportedly remarked that he might as well take his own life because he would be killed in Canada anyway.<sup>94</sup> The Cree used what little means were available to them to try and prevent the 1896 deportation.

### *1.8 The Deportations*

The deportation occurred in stages from many starting points because the Cree lived in several different locations. A series of official deportations occurred between June 20 and August 7, 1896.<sup>95</sup> The first train arrived in Lethbridge, Alberta on June 20 carrying 88 Cree adults, 17 children under 12, six babies in arms, and their 174 horses.<sup>96</sup> Once arrived, the NWMP separated them into two groups: those wishing to go to Battleford and eastbound locations, and those going to Edmonton and westbound locations. NWMP Superintendent Deane instructed the Cree to sort their belongings that had been “thrown indiscriminately into open coal cars [and

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<sup>92</sup> Peter Hourie to the Indian Commissioner at Regina, 7 September 1896, RG 10, vol. 3863, file 84, 138, pt. 1, LAC.

<sup>93</sup> R. Burton Deane to Major Sanno, 26 September 1896, RG 10, vol. 3863, file 84, 138, pt. 1, LAC.

<sup>94</sup> R. Burton Deane to NWMP Commissioner at Regina, 26 June 1896, RG 10, vol. 3863, file 84, 138, pt. 1, LAC.

<sup>95</sup> Dominion of Canada, Annual Report of the Department of Indian Affairs for the Year Ended 30th June 1896, Report of Commissioner A. E. Forget (Ottawa: 1897).

<sup>96</sup> R. Burton Deane to NWMP Commissioner at Regina, 26 June 1896, RG 10, vol. 3863, file 84, 138, pt. 1, LAC; The railway bill contrarily indicates that 110 people were on this train. “The Dominion Government in Account with The Alberta Railway and Coal Company, June 20,” RG 10, vol. 3863, file 84, 138, pt. 1, LAC.

thus] everything had perforce to be literally pitched out on the prairie pell mell.”<sup>97</sup> The railway bill reveals this group brought 18,000 lbs of wagons and carts, 650 lbs of tents and tepees, eight cars carrying horses, and 5,000 lbs of baggage with them to Canada.<sup>98</sup> A second group arrived on June 22, including 51 adults, 26 children under 12, six babies in arms, and 181 horses.<sup>99</sup> The Cree in this group unloaded their belongings and joined either the eastbound or westbound camps.<sup>100</sup>

On June 25, the third and final trainload arrived with Little Bear, Lucky Man, 69 other people, and three cars of “miscellaneous plunder.”<sup>101</sup> The veterinary surgeon inspected their 340 horses at the border and the NWMP drove them northward. The Cree already in Lethbridge and heading to Edmonton requested to wait until Little Bear’s group arrived because they wanted to see their relatives before they left.<sup>102</sup>

The first three deportations exhausted the \$5,000 Congress had appropriated for the task. The remainder of the deportations had to occur over land. American authorities continued to marshal the Cree at Glasgow, Havre, and Anaconda, and detained them in makeshift camps awaiting deportation.<sup>103</sup> The physical conditions of these groups varied drastically. According to NWMP Superintendent Deane, the band of 57 Cree with 145 horses in the fourth deportation was superior to the previous bands: “They were nearly all well-to-do; their horses were above the average of the ordinary Indian Cayuse; their transport and camp equipment were in better trim,

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<sup>97</sup> R. Burton Deane to NWMP Commissioner at Regina, 26 June 1896.

<sup>98</sup> “The Dominion Government in Account with The Alberta Railway and Coal Company, June 20.”

<sup>99</sup> R. Burton Deane to NWMP Commissioner at Regina, 26 June 1896; The railway bill contrarily indicates that 96 people were on this train. “The Dominion Government in Account with The Alberta Railway and Coal Company, June 21,” RG 10, vol. 3863, file 84, 138, pt. 1, LAC.

<sup>100</sup> R. Burton Deane to NWMP Commissioner at Regina, 26 June 1896.

<sup>101</sup> R. Burton Deane to NWMP Commissioner at Regina, 26 June 1896.

<sup>102</sup> R. Burton Deane to NWMP Commissioner at Regina, 26 June 1896.

<sup>103</sup> Untitled, *The Anaconda Standard*, 9 July 1896, [chroniclingamerica.com](http://chroniclingamerica.com); “Thirty More Oe ‘Em,” *The Anaconda Standard*, 13 July 1896, [chroniclingamerica.com](http://chroniclingamerica.com); “Western Montana News,” *The Anaconda Standard*, 18 July 1896, [chroniclingamerica.com](http://chroniclingamerica.com).

and their habits were cleaner.”<sup>104</sup> In contrast, the final group rounded up at Missoula, numbering around 192, were ill and not well supplied.<sup>105</sup> Measles appeared to infect the group and some members of the band had contracted bronchitis.<sup>106</sup> One night during the trek, troops forced the Cree to camp on ground covered with six inches of water.<sup>107</sup> Deane reported that he tried to ask the group which reserves they wished to be transferred to, “but Satan had apparently entered into them, and they would give no information at all.”<sup>108</sup> Despite knowing their condition, Deane threatened to withhold food to make the group cooperate and march across the border.<sup>109</sup>

In total, Peter Hourie, an interpreter for the NWMP during the entirety of the deportation, recorded that 523 people were forced into Canada, but seven deserted, resulting in a total of 516 deportees.<sup>110</sup>

### *1.9 Problems with the Deportation*

The complexity of identities involved in the deportation resulted in many instances of confusion. The Cree bands included Métis individuals, other First Nations individuals from intermarriage, and American-born Cree. As historian Benjamin Hoy argues, “Congress’ [deportation] orders assumed clarity of tribal identity, race, and nationality that simply did not exist.”<sup>111</sup>

Reports indicate that American troops accidentally deported several Métis people. One reporter exclaimed there were “many French and half-breeds” who protested being included

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<sup>104</sup> “Repatriation of Refugee Indians,” M 313, Glenbow.

<sup>105</sup> “Repatriation of Refugee Indians,” M 313, Glenbow.

<sup>106</sup> R. Burton Deane to the NWMP Commissioner, 7 August 1896, RG 10, vol. 3863, file 84, 138, pt. 1, LAC.

<sup>107</sup> “Extract from letter of Supt. Deane, N. W. M. P., dated Lethbridge, 14<sup>th</sup> August, 1896, to the Commissioner, N. W. M. P., Regina,” RG 10, vol. 3863, file 84, 138, pt. 1, LAC.

<sup>108</sup> R. Burton Deane to the NWMP Commissioner, 7 August 1896.

<sup>109</sup> R. Burton Deane to the NWMP Commissioner, 7 August 1896.

<sup>110</sup> Peter Hourie to the Indian Commissioner at Regina, 7 September 1896, RG 10, vol. 3863, file 84, 138, pt. 1, LAC.

<sup>111</sup> Hoy, “A Border without Guards,” 95.

among the deportees at Missoula, “but bad company [would] send them over the line.”<sup>112</sup>

Superintendent Deane commented on confusing Métis peoples for Cree: an “English half-breed” named Isbisker was visiting Montana from Calgary but was accidentally rounded up and “landed destitute on the boundary,”<sup>113</sup> and “an old French half-breed and his wife” who had taken scrip in Canada in exchange for their Aboriginal title were forced to leave without bringing their horses or belongings.<sup>114</sup> Further, a number of individuals captured in the round-up were released because they were Gros Ventres, Ojibwa, or Assiniboine.<sup>115</sup>

Louis Thomas’ case reveals the ramifications of incorrectly categorizing people by nationality. Thomas was cutting cordwood at a sawmill near Fort Custer when an American soldier detained him for deportation. He and his wife, with their horses, were assembled in the third deportation group. On the train, Thomas explained to the lieutenant that he was a United States citizen and had a ranch north of the Missouri. His mother was a “half-breed,” his grandfather was Cree, and his father lived in Dakota. The lieutenant signed a note testifying to his wrongful deportation, and Thomas delivered this note to the NWMP who “gave him sufficient grub to carry him to the Boundary and wished him ‘God-speed.’”<sup>116</sup>

Similarly, officials mistook American citizen Aleck Swain as a Canadian Cree. He explained the mistake to an American officer at Great Falls who allowed him to take his 11 horses back out of the train cars, and to leave his wife and family in Montana. However, his tent, bedding, and other belongings had already been packed in the train cars so he was told that he

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<sup>112</sup> “Deporting the Crees,” *The Manitoba Free Press*, 3 August 1896, RG 10, vol. 3863, file 84, 138, pt. 1, LAC.

<sup>113</sup> “Extract from letter of Supt. Deane, N. W. M. P., dated Lethbridge, 14<sup>th</sup> August, 1896.”

<sup>114</sup> “Extract from letter of Supt. Deane, N. W. M. P., dated Lethbridge, 14<sup>th</sup> August, 1896.”

<sup>115</sup> Hogue, “Crossing the Line,” 162.

<sup>116</sup> “Repatriation of Refugee Indians,” M 313, Glenbow.

would have to travel to Canada to receive his items.<sup>117</sup> The deportation process was chaotic and confusing for all involved.

### *1.10 Conclusion*

Political geographer David Newman argues that borders are dynamic institutions and thus must be studied as a “‘bottom up’ process of change.”<sup>118</sup> This chapter has shown that international border policies in the late-nineteenth century were not simply a result of governmental ideals, but grew out of the opinions, decisions, and actions of Indigenous peoples and settlers living in the borderlands regions. The case of the Cree deportation reaffirms historians Benjamin Hoy, and Benjamin H. Johnson and Andrew R. Graybill’s assertions that borderlands policies and histories are reflective of their unique regional histories, economies, and politics.<sup>119</sup> The Cree posed a complex situation to American politicians, military officials, and Indian Agents, reflected by the different agencies passing on the responsibility of the Cree to one another. The resulting jurisdictional disorder meant that the Cree were never certain of their next move. The position of the Cree as a foreign, non-white, obstacle to development led to significant settler unrest and local debates about international policy. Settlers pressured politicians to take action and politicians listened. Despite several instances of resistance, the American government deported the Cree in the summer of 1896. Defining who was “Canadian” and “Cree” proved more difficult than anticipated, and the confusion only continued when most of the Cree returned to the United States the following year.

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<sup>117</sup> R. Burton Deane to NWMP Commissioner at Regina, 26 June 1896.

<sup>118</sup> David Newman, “On Borders and Power: A Theoretical Framework,” *Journal of Borderlands Studies* 18, no. 1 (2003): 15.

<sup>119</sup> Benjamin Hoy, “A Border without Guards”; Benjamin H. Johnson and Andrew R. Graybill, “Borders and Their Historians in North America,” in *Bridging National Borders in North America: Transnational and Comparative Histories*, ed. Benjamin H. Johnson and Andrew R. Graybill (Durham: Duke University Press, 2010), 1–29.



## **Chapter 2: Cree Mobility and Diplomacy in the Canada-US Borderlands, 1896-1916**

When the deported Crees arrived in the North-west Territories in the summer of 1896, they faced an ill-prepared government grappling with what to do. To Canadian Indian Commissioner Amedee Forget, one thing was clear – Canada should not withhold treaty rights from the Cree. Forget warned the Department of Indian Affairs (DIA) that through the Cree’s “years of struggle to maintain a precarious livelihood among a white frontier population,” several individuals had “acquired a sufficiently intimate knowledge of law.”<sup>1</sup> Forget was right. The Cree navigated living in the Canada-U.S. borderlands in the late-nineteenth and early-twentieth centuries by understanding settler institutions and developing strategies to best survive alongside or within them.

The Cree’s return puzzled the Canadian government who tried to uphold the façade of a well-controlled border. Cree mobility continued into the twentieth century, as did new ideas about border control solutions. While the Canadian and American governments had confined many Indigenous groups to reserves/ reservations, Cree persistence and diplomatic efforts continued to force both countries to reevaluate the effectiveness of their border and Indian Affairs policies. Most of the Cree deportees returned to the United States. They had to negotiate not only with Canadian and American settlers and officials, but also other Indigenous groups as they crossed borders into established Indian Reservations. It was through these sustained relationships, alliances with white men, and proficient diplomatic strategies that the Cree eventually gained access to land in 1916 on the newly created Rocky Boy Indian Reservation in northern Montana.

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<sup>1</sup> Commissioner Forget to The Deputy of the Superintendent General of Indian Affairs, 30 September 1896, RG 10, vol. 3863, file 84, 138, pt. 1, Library and Archives Canada (hereafter LAC), Ottawa, ON.

## *2.1 Status in Canada*

Who were these recent arrivals? American or Canadian Indians? Refugees? Migrants? Rebels? In order to control the recently delivered deportees, Canada sought to define them. DIA Superintendent Hayter Reed originally instructed Amedee Forget to treat the deportees as “rebel Indians” and withhold their annuities. Forget, the Commissioner in the NorthWest Territories, convinced the Superintendent to change his mind. Forget estimated that although the term “refugees” had been applied to the entire group, only a third of the Crees deported to Canada had actually participated in the 1885 Rebellion. He stressed it would be impossible to determine who these individuals were.<sup>2</sup> Forget also reminded Reed that the department had restored the treaty rights of other “rebels” in 1889.<sup>3</sup> Superintendent Reed conceded to Forget’s concerns. The deportees would receive full annuities.<sup>4</sup>

Even with the Canadian government’s decision to restore the rights of the deported Crees, life as a “Canadian Indian” was precarious. Poor treatment and unfulfilled promises only increased the distrust the Cree had of the Canadian government. The North-West Mounted Police (NWMP) immediately arrested and jailed Chiefs Little Bear and Lucky Man for the 1885 murders at Frog Lake after they arrived in Lethbridge, NWT, despite earlier promises of

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<sup>2</sup> I used the term “Rebellion” here because Forget used that term. Hayter Reed, “Extract from official letter to A. E. Forget Esq. dated 4<sup>th</sup> Sept 1896,” RG 10, vol. 3863, file 84, 138, pt. 1, LAC; Hayter Reed to A. E. Forget, 12 October 1896, RG 10, vol. 3863, file 84, 138, pt. 1, LAC.

<sup>3</sup> Commissioner Forget to The Deputy of the Superintendent General of Indian Affairs, 30 September 1896.

<sup>4</sup> Forget argued there were 4 classes of deportees: 1) those who left Canada before 1885 and played no part in the Rebellion; 2) those who were alleged participants in the Rebellion and left during or after but were granted Amnesty in 1886 and subsequently had all rights restored; 3) those who had travelled south of the line “from time to time” since 1885, but, in many cases, had not lived in the United States for more than a couple years and thus “have an indisputable and unbroken right to their annuity”; and 4) those who did not participate in the Rebellion and were previously with Foremost Man at Maple Creek. Hayter Reed to A. E. Forget, 12 October 1896.

amnesty. The NWMP released the chiefs from the Regina jail only after they failed to provide sufficient evidence for a conviction.<sup>5</sup>

Cost efficiency and a desire to discourage long term mobility drove Indian policy. Canada would accept the Cree deportees, but stationed them on existing reserves in the west so that existing department employees, rather than new ones, could supervise them. Superintendent Reed believed that splitting up the Cree among “their brethren who thought it proper to remain at home” would discourage mobility. He also felt that splitting them up would reduce the “confidence inspired by numbers, the sympathy existing between them, and their common experiences” which could work against the department’s “efforts to get them to forget the past.”<sup>6</sup> Thus the NWMP and Indian Agents divided the deportees among seven different reserves.<sup>7</sup> Only one group did not join existing non-deportee reserve populations. The DIA allowed 100 people camped altogether at Wolf Creek, NWT, to stay together and sent them to the Hobbema Agency (Maskwacis).<sup>8</sup> This group of deportees, including Chief Little Bear, took up the former Bobtail reserve, eventually termed its current name, Montana Band.

At Hobbema, Little Bear was dissatisfied with conditions and given the pattern of false promises, he wanted to obtain a guarantee for his band’s future. In February 1897, he travelled to Ottawa with Methodist missionary Rev. John McDougall as his interpreter to speak with federal

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<sup>5</sup> The Canadian government contended that the two chiefs were not covered by the amnesty because the events at Frog Lake had not occurred in actual battle. The men were released from prison in Regina, NWT, only after the key witness, the Cree widow of Indian Agent Thomas Quinn, would not identify them as the murderers. Brenden Rensink, *Native but Foreign: Indigenous Immigrants and Refugees in the North American Borderlands* (College Station: Texas A&M University Press, 2018), 111.

<sup>6</sup> Number of Crees sent to each location: 190 to Hobbema, 13 to Battleford, 130 to Muscowpetung’s, 17 to Crooked Lake, 22 to Duck Lake, 12 to Touchwood Hills, and 10 to Carlton. Dominion of Canada, Annual Report of the Department of Indian Affairs for the Year Ended 30<sup>th</sup> June, 1896 (Ottawa: 1897); Hayter Reed to A. E. Forget, 25 July 1896, RG 10, vol. 3863, file 84, 138, pt. 1, LAC.

<sup>7</sup> Forget, 22 September 1896, in Dominion of Canada, Annual Report of the Department of Indian Affairs for the Year Ended 30<sup>th</sup> June, 1896.

<sup>8</sup> Hayter Reed to A. E. Forget, 25 July 1896.

officials. On his way east, he spoke to a *Nor'-Wester* reporter. Little Bear told the reporter that the Prime Minister had slighted his people, and he intended to meet with the government to guarantee assistance for his community.<sup>9</sup> Little Bear met with the Minister of the Interior in Ottawa and according to the *Winnipeg Free Press*, returned to the west happy that his band would get annuities and rations.<sup>10</sup> Happiness, however, remained fleeting. By June 1897, Little Bear requested that the DIA transfer him from Hobbema to the Onion Lake reserve where his brother, Peter Thunder, lived. The agent believed Little Bear's physical health, loss of respect from the young men in his band, and his desire to reunite with his kin motivated his desire to relocate.<sup>11</sup>

## 2.2 Return to Montana

Less than a year after the deportation, Cree families began returning to Montana in significant numbers. The Fort Benton *River Press* lamented, "the deported Crees have returned with the robin and other signs of springtime."<sup>12</sup> According to Chief Stick, some deportees returned to Montana because "they liked the United States better than Canada," while others stayed in Canada because they believed that if they returned, American troops would force them back yet again.<sup>13</sup> Similar to how they crossed the line in 1885, the deportees returned to Montana throughout 1897 as smaller bands and families.<sup>14</sup> The Montana Band roll at Hobbema decreased

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<sup>9</sup> "Little Bear," *The Edmonton Bulletin*, Edmonton, AB, 8 February 1897, peel.library.ualberta.ca.

<sup>10</sup> "Canadian News," *The Brandon Mail*, Brandon, MB, 11 February 1897, peel.library.ualberta.ca; "Local News," *The Edmonton Bulletin*, 1 March 1897, peel.library.ualberta.ca.

<sup>11</sup> W. S. Grant to the Indian Commissioner at Regina, 20 July 1897, RG 10, vol. 3981, file 159, 453, LAC.

<sup>12</sup> "City and State," *The River Press*, Fort Benton, MT, 12 May 1897, montananewspapers.org.

<sup>13</sup> Chief Stick Interview C-5, interview by Joe Small, 20 September 1974, Rocky Boy Archive (hereafter RBA), Box Elder, MT.

<sup>14</sup> Commissioner Forget to the Secretary of the Department of Indian Affairs, 8 November 1897, RG 10, vol. 3863, file 84, 138, pt. 1, LAC; W. S. Grant to the Indian Commissioner at Winnipeg, 6 November 1897, RG 10, vol. 3863, file 84, 138, pt. 1, LAC.

from 129 members in 1897 to only 47 the following year.<sup>15</sup> Cree camps re-established themselves in Montana on the outskirts of cities and grew in population as more deportees returned. In October 1897, Chief Little Bear finished his 47-day trip south and joined the 75 Crees already camped at Great Falls.<sup>16</sup>

The Canadian Pass System, an informal policy first proposed in 1883 to require reserve populations to obtain a signed permit from an Indian Agent before travelling off their reserve, sought to limit Indigenous mobility. In practice, Canadian agents used the system when possible but were limited in time and resources. Further, because Canadian Law did not clearly define the Pass System, the DIA could claim limited authority over Indigenous peoples leaving Canada. Canadian officials knew the deportees were returning to Montana but claimed they had no way of stopping it because Canada had no legislation to confine populations to their reserves or to the country.

One particular case highlights the ineffectiveness of the border and the lengths to which federal governments went to uphold the appearance of an organized, coherent border system. At the same time as deportees were returning to the US, Canadian and American officials engaged in extensive correspondence to secure permission for one Cree man to temporarily return to Montana. At the end of 1897, a man named All Talk wanted to cross the border on “a purely business trip” to secure payment from a railway company that owed him money, to look into his horses that he left south of the line, and to find out what happened to his friend who shot himself during the deportation.<sup>17</sup> Realizing that All Talk would likely cross the line with or without permission, Forget asked the Governor of Montana to issue a permit, thus suggesting to the Cree

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<sup>15</sup> Dominion of Canada, Annual Report of the Department of Indian Affairs for the Year Ended 30<sup>th</sup> June, 1898 (Ottawa: 1898).

<sup>16</sup> “Crees Are Coming Back,” *The Anaconda Standard*, Anaconda, MT, 16 October 1897, [chroniclingamerica.com](http://chroniclingamerica.com).

<sup>17</sup> Rev. John McDougall to Regina, 4 December 1896, RG 10, vol. 3863, file 84, 138, pt. 1, LAC.

that permission to cross was indeed required.<sup>18</sup> The approach gained little traction. When Governor Rickards dismissed the request as a federal rather than state concern, Forget sent queries to the Bureau of Indian Affairs and the War Department.<sup>19</sup> On March 6, 1897, after three months of correspondence, All Talk had the necessary permissions to visit Montana to conduct his business.<sup>20</sup>

All Talk's temporary visit to Montana reveals the obtuse ways that federal control operated along the border. While hundreds of Cree crossed back and forth into Montana without permission, a single man's temporary visit captured the attention of the highest levels of government in both countries. By the end of the process, All Talk's visit had drawn feedback from regional and national segments of Indian Affairs in Canada and the United States and leading politicians in Montana. The war department had even weighed in. Officials continued to make these border enforcement decisions as if hundreds of Cree had not already crossed back into Montana without asking permission. All Talk's case highlights the inconsistent and case-by-case nature of policing Indigenous mobility.

### *2.3 Continued Cross-Border Movement and Attempts at Border Control*

The state of Montana remained the home base for the Cree under Chief Little Bear into the twentieth century, solidifying the Cree as a First Nation intersected by the 49<sup>th</sup> parallel. This also split families up as some members decided to remain in Canada while others returned to Montana. Little Bear, for example, returned to Montana but his sister and some of his cousins stayed north of the line.<sup>21</sup> Historian David McCrady argues that by the end of the nineteenth

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<sup>18</sup> Commissioner Forget to Governor Rickards, 16 December 1896, RG 10, vol. 3863, file 84, 138, pt. 1, LAC.

<sup>19</sup> Governor Rickards to Commissioner Forget, 22 December 1896, RG 10, vol. 3863, file 84, 138, pt. 1, LAC; Hayter Reed to the US Commissioner of Indian Affairs, 14 January 1897, RG 10, vol. 3863, file 84, 138, pt. 1, LAC; D. M. Browning to Hayter Reed, 25 February 1897, RG 10, vol. 3863, file 84, 138, pt. 1, LAC.

<sup>20</sup> D. M. Browning to Hayter Reed, 5 February 1897, RG 10, vol. 3863, file 84, 138, pt. 1, LAC; Superintendent General of Indian Affairs to Commissioner Forget, 6 March 1897, RG 10, vol. 3863, file 84, 138, pt. 1, LAC.

<sup>21</sup> Florence Standing Rock S-11, interview by Patricia Scott, 10 July 1975, RBA.

century, the international border “became impermeable to aboriginal movement.”<sup>22</sup> This was not the case, however, for the Cree. Fred Huntley, born in 1890 at Fort Assiniboine, spent many years moving around Montana and Canada. He recalled, “I was just always going from place to place ... You see me here today, probably tomorrow I might be in Helena, I might be some place in Billings or some place in Browning, part of Canada and that.”<sup>23</sup> Chief Stick also spoke about the ease of cross-border travel: “In those days there were no custom offices where you had to report. One could cross the line anywhere.”<sup>24</sup> For the Cree, the border was far from closed by the turn of the twentieth century.

While the conditions that had driven the Cree to cross the border in the nineteenth century had disappeared (ie. bison), a lack of permanent settlement in Montana and the separation of kin ensured that cross-border travel continued. Cree families crossed the line to visit their families, and many people residing in Montana also travelled to Canada to obtain scrip – certificates redeemable in cash or land in exchange for rights to land.<sup>25</sup> While initially intended to apply to the Métis, the DIA allowed treaty Indians to withdraw from treaty and receive scrip if they had any lineal descent from a European ancestor.<sup>26</sup> The eventual Rocky Boy Reservation roll compiled in 1917 shows numerous individuals who travelled to Canada only to receive scrip cash before returning south of the line.<sup>27</sup> John B. Nomee, for instance, reported he was born in 1859 in Qu’Appelle, SK, and had lived in Montana since 1875 except three short visits to

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<sup>22</sup> David McCrady, *Living with Strangers: The Nineteenth-Century Sioux and the Canadian-American Borderlands* (Toronto: University of Toronto Press, 2006), 4.

<sup>23</sup> Fred Huntley H-1, interview by Tom Dahlen, 8 May 1975, RBA.

<sup>24</sup> Chief Stick Interview C-5, 20 March 1975, RBA.

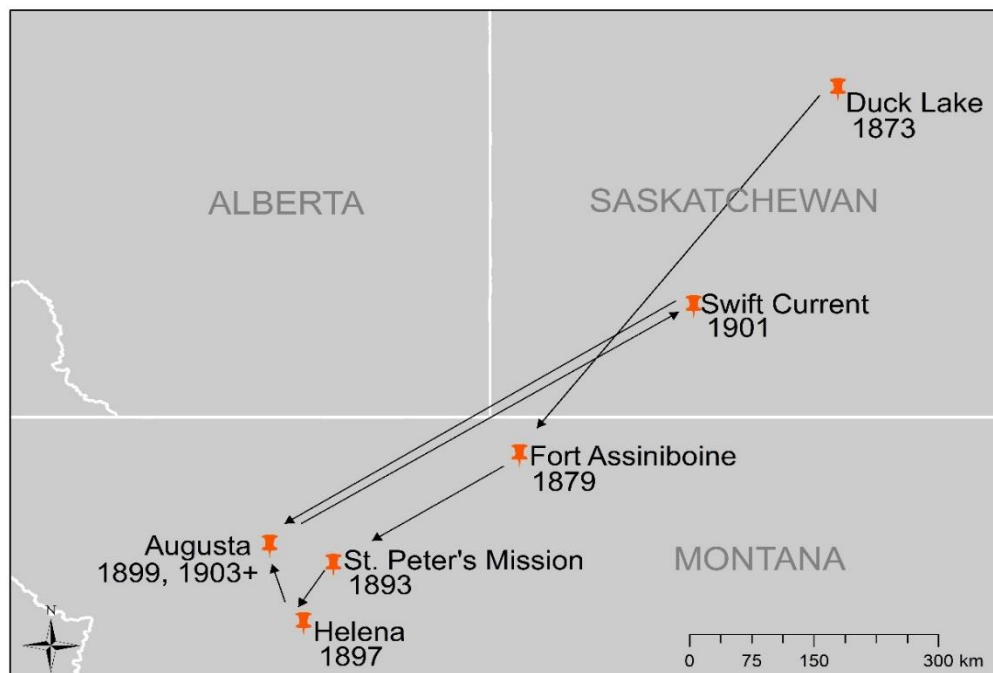
<sup>25</sup> Michel Hogue, “Between Race and Nation: The Creation of a Metis Borderland on the Northern Plains,” in *Bridging National Borders in North America: Transnational and Comparative Histories*, ed. Benjamin H. Johnson and Andrew R. Graybill (Durham: Duke University Press, 2010), 59.

<sup>26</sup> Michel Hogue, *Metis and the Medicine Line: Creating a Border and Dividing a People* (Chapel Hill, NC: University of North Carolina Press, 2015), 190.

<sup>27</sup> Tentative Roll of Rocky Boy Indians, 30 May 1917, M 7937, Glenbow Archives (hereafter Glenbow), Calgary, AB.

Canada including one in 1894 when he travelled to collect Canadian scrip which he sold for \$100.<sup>28</sup>

Women are rarely mentioned in state-created records concerning the Cree in Montana, but the 1917 roll provides the birth locations of children, allowing for a picture of the mothers' mobility, including crossing the international line. Figure 2.1 below shows the movements of Millie Courchane based on the 1917 roll data. Courchane was listed as 44 years old in 1917, with the tribal designation Cree-Chippewa and 1/8 French. As the map indicates, she was born in 1873 at Duck Lake, SK and her first memory was at Fort Assiniboine during its construction in 1879. In 1893, she married James Courchane Sr. (born at Stump Lake, ND) at St. Peter's Mission, MT, with whom she had six children. Their first two children were born in Helena (1897) and Augusta (1899), MT, followed by her third child who was born in Swift Current, SK (1901). Her remaining three children were born in Augusta, MT (1903, 1905, 1908).<sup>29</sup>



Map by Tyla Betke, Historical GIS Laboratory, University of Saskatchewan, 2019.

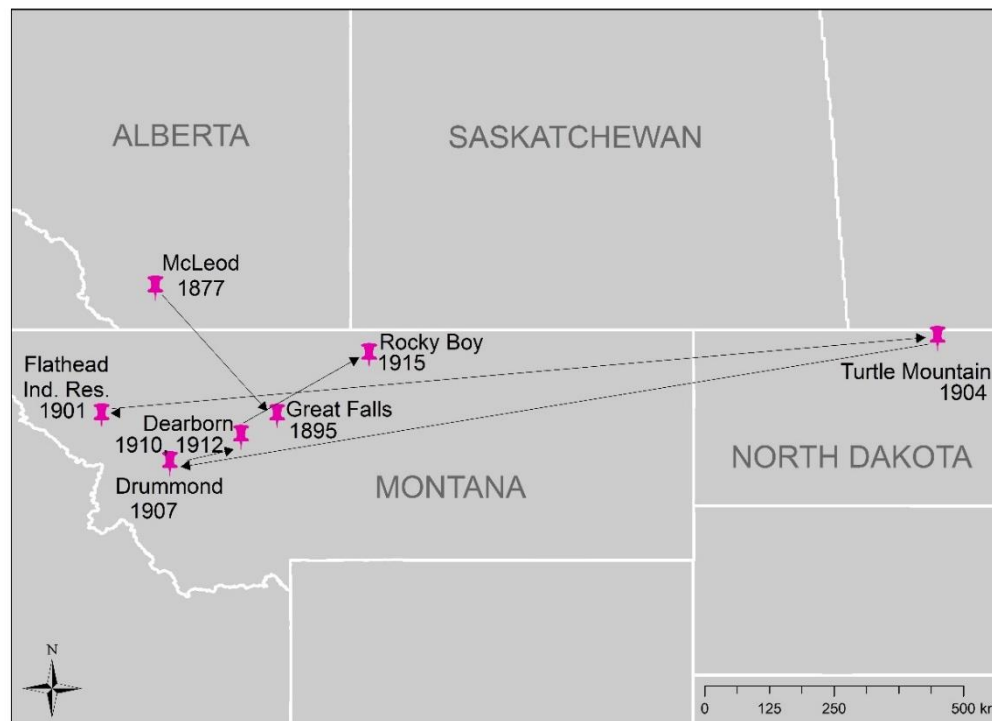
*Figure 2.1 Millie Courchane Mobility (1917 Tentative Roll)*

<sup>28</sup> "Family History," document accompanying 1917 Rocky Boy Roll, M 7937, 44, Glenbow.

<sup>29</sup> "Family History," document accompanying 1917 Rocky Boy Roll, 28.



Veronica Nomee's information reveals similar cross-border movement, as well as interstate travel. In the 1917 roll, Nomee was listed as 40 years old and ½ Cree, ½ Chippewa. As Figure 2.2 below shows, she was born in 1877 at McLeod, Alberta, and was at Great Falls, MT, in 1895 for her marriage to John B. Nomee (born in Qu'Appelle, SK). Her six children were born in the following locations: Flathead Ind. Res. (1901), Turtle Mountain, ND (1904), Drummond, MT (1907), Dearborn, MT (1910, 1912), and Rocky Boy camp (1915).<sup>30</sup>



Map by Tyla Betke, Historical GIS Laboratory, University of Saskatchewan, 2019.

*Figure 2.2 Veronica Nomee Mobility (1917 Tentative Roll)*

With the Cree back in Montana, and border crossing continuing, settlers and politicians returned to the same exaggerated concerns as pre-deportation – namely, that the Cree were dangerous foreign nuisances. Thomas Miles, the rancher whose complaints played a major role in the 1896 deportation, again protested to politicians about Cree camps on his land in May

<sup>30</sup> “Family History,” document accompanying 1917 Rocky Boy Roll, 45.

1897.<sup>31</sup> Canadian and American officials continued to consider additional border control solutions especially in 1902 and 1903 when the Cree were afflicted with smallpox and officials worried that cross-border travel would increase the spread of the disease.

Officials knew that another deportation would not be any more successful. In contrast to the earlier suggestions that focused around vigilante justice and forced removal, post-deportation strategies centered around the creative use of existing policies. In Canada, Commissioner Laird suggested that while there was no legislation to confine people on reserves, agents could nonetheless “keep other Indians off reserves as trespassers” and therefore stop Indigenous peoples arriving from the United States from visiting Canadian reserves.<sup>32</sup> An Ottawa Law clerk explained that Canadian Criminal Law permitted the arrest of an individual deemed a “loose, idle or disorderly person or vagrant,” if they had “no visible means” of supporting themselves, or if they have “no peaceable calling.”<sup>33</sup> Canadian agents could easily apply these laws to the Cree who had no land on either side of the line.

In Montana, officials similarly looked to laws already in place. In December 1902, Customs Collector C. M. Webster threatened to seize 500 horses, on which the Cree had not paid duty, unless the Cree agreed to leave the country.<sup>34</sup> He expected that the Cree would agree to return to Canada because they would not have the money to pay the duty and would be unable to survive without their horses. The Cree, however, maintained that customs duties did not apply to their horses because they were born in Montana. Although the horses’ parents were likely smuggled in, as the *Butte Inter Mountain* elucidated, “one cannot hold a cayuse for the sins of his

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<sup>31</sup> Thomas O. Miles to R. B. Smith, 20 May 1897, MC 35a, box 24, Montana Historical Society (hereafter MHS), Helena, MT.

<sup>32</sup> Indian Commissioner for MB and the NWT to the Secretary of the Department of Indian Affairs, 15 November 1902, RG 10, vol. 3797, file 47, 554-2, LAC.

<sup>33</sup> Law Clerk [Raymond?] R[???]es, “United States Indians in Canada,” 28 November 1902, RG 10, vol. 3797, file 47, 554-2, LAC.

<sup>34</sup> “Drive Them to Canada,” *The Dillon Tribune*, Dillon, MT, 19 December 1902, montananewspapers.org.

forefathers.”<sup>35</sup> Webster did not foresee the futility of his plan. Like most officials, Webster did not anticipate the Cree’s understanding of American laws to challenge his threats.

With no way for customs to handle the issue, the State of Montana enacted its own state law intended to encourage the Cree to leave. In March 1903, the Montanan Legislative Assembly authorized every constable, sheriff, and peace officer in Montana to arrest any Indian found off their reservation in possession of a firearm or ammunition. *The River Press* emphasized, “while the provisions of the law do not designate between Indians... it is intended to apply particularly to the thieving bands of Canadian Crees which infest northern Montana.”<sup>36</sup> With no reservation, the Cree would now technically always be breaking the law if they possessed a gun, which they needed for hunting. Officials hoped this law would necessitate the Cree’s “voluntary” return to Canada.

Montanan Congressman Joseph M. Dixon proposed the most extreme legal action. In 1903, he introduced a resolution in Congress to assess the feasibility of a fence to run along the Canada-U.S. border. Dixon wanted a wire fence to mark the 49<sup>th</sup> parallel from Point Roberts in the west to Lake of the Woods in the east. The fence would be equipped with telephone wires and cutting it would warn the revenue officials’ offices. *The Argonaut* imagined, “when a Chinaman strikes it, he will recoil with a wild yell.”<sup>37</sup> Dixon’s resolution stated that the fence would not only help regulate Chinese immigration and the collection of duties, it would also protect citizens from being “harassed and annoyed” by Cree and other Canadian Indians.<sup>38</sup>

George M. Hatch, an immigration inspector and customs collector stationed at the Coutts border

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<sup>35</sup> “The Cree Nuisance,” *The Butte Inter Mountain*, Butte, MT, 5 January 1903, [chroniclingamerica.com](http://chroniclingamerica.com).

<sup>36</sup> “Relating to Carrying Weapons,” *The River Press*, 18 March 1903, [chroniclingamerica.com](http://chroniclingamerica.com).

<sup>37</sup> “The Argonaut – Jan 25 – San Francisco,” newspaper clipping, MSS No. 55, box 109, University of Montana Mansfield Archives (hereafter UMMA), Missoula, MT.

<sup>38</sup> “To Fence Boundary Line,” *The River Press*, 23 December 1903, [chroniclingamerica.com](http://chroniclingamerica.com).

port, credited himself with the idea. Hatch told the *Big Timber Pioneer* that he happened to be on the same train as Congressman Dixon. Hatch reportedly told Dixon about the difficulties he faced trying to cover 400 miles of international boundary and suggested the fence as a solution.<sup>39</sup> Hatch complained that while other administrative affairs used modern methods, “the boundary [was] left as it was 50 years ago.”<sup>40</sup> Unsurprisingly, representatives whose constituents did not live along the border did not see the benefit of such a plan and Dixon’s resolution died in the House.

## 2.4 Survival

Despite settlers and politicians actively working against their existence, the Cree stayed in Montana. In order to survive, the Cree continued to live split in small bands around the state. In May 1902, *The Montanian and Chronicle* described the different locations of the Cree:

The greater portion of the Crees are in the vicinity of Havre, and Little Bear, the chief makes his home in that vicinity. A large camp lies across the river from Great Falls, another camp makes a home upon the garbage dump at Butte. Another occupies the same position on the outskirts of Anaconda, and the remainder are scattered through the state in the vicinity of various garbage barrels.<sup>41</sup>

Little Bear’s son, Four Souls, explained in a 1983 interview that Havre acted as a sort of dividing line between two groups of Cree: “from Havre east there were some Cree... those Crees were known as eastern people – Downstream people.... and Havre west, they were known as Upstream people. They roamed back and forth between Havre, Great Falls, Helena.”<sup>42</sup>

The Cree also negotiated with other tribes to live on their reservations. Historian Frank Rzeckowski documents the Cree experience on the Crow Reservation. He explains that the

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<sup>39</sup> “Anent Boundary Fence,” *Big Timber Pioneer*, Big Timber, MT, 28 January 1904, MSS No. 55, box 109, UMMA.

<sup>40</sup> George M. Hatch to Joseph M. Dixon, 6 January 1903, MSS No. 55, box 5, file 7, UMMA.

<sup>41</sup> “Crees Must Move On,” *The Montanian and Chronicle*, Choteau, MT, 9 May 1902, montananewspapers.org.

<sup>42</sup> Four Souls Interview, interview assisted by Angela Thompson, 3 May 1983, OH 541, MHS.

large irrigation project on the reservation resulted in a warmer welcome than on other reservations with precarious economies. Crows also hired Crees as construction and agricultural workers.<sup>43</sup> By the 1900s, Cree families camped on the western edge of the reservation in the Pryor district which allowed access to a transportation network from nearby Billings for Cree families who continued to travel to Canada.<sup>44</sup> Through tribal councils, the Crows adopted several Crees in the early 1900s and by 1912, at least seven Cree women had married Crow men.<sup>45</sup> Crees also married members of the Flathead Reservation where 50 to 60 Crees lived by the spring of 1912.<sup>46</sup> Intermarriage strengthened Cree connections and provided at least temporary homes.

With no secure land base, most families were constantly on the move. George Watson recalled, “it was hard not knowing when to move next, because wherever we moved to, people did not want us.”<sup>47</sup> Politicians often described Cree movement as aimless or wandering, yet Cree movements were intentional and aligned with their strategies of survival. Most often, the Cree moved to find work. Fred Huntley explained that people always “had to follow the season of the work see so that’s how they traveled back and forth.”<sup>48</sup> Men found most wage labour working for farmers shearing sheep, building fences, and haying. Finding other wage work was especially hard as the Cree faced racist systemic barriers. For example, when a man named Young Boy found employment in Great Falls, his white employer stipulated that he must join a labor union before getting more work. When he tried to join the union, Young Boy was told that Indians could not join unions.<sup>49</sup> Despite these limitations, the Cree found work where they could. Men

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<sup>43</sup> Frank Rzeckowski, *Uniting the Tribes: The Rise and Fall of Pan-Indian Community on the Crow Reservation* (Lawrence: University Press of Kansas, 2012), 144.

<sup>44</sup> Rzeckowski, *Uniting the Tribes*, 162.

<sup>45</sup> Rzeckowski, *Uniting the Tribes*, 163.

<sup>46</sup> Superintendent of Flathead Agency to U. S. Commissioner of Indian Affairs, 8 March 1912, M 311, Glenbow.

<sup>47</sup> George Watson W-1, interview, 1975, RBA.

<sup>48</sup> Fred Huntley H-3, interview by George Denny and Tom Dahlen, 8 May 1975, RBA.

<sup>49</sup> Frank Linderman, *My Injuns, the Chippewa and Cree* (1924), MSS No. 7, box 41, file 5, UMMA; W. M. Bole to Cato Sells, 23 May 1914, MSS No. 7, box 42, file 3, UMMA.

worked on a ditch at the forks of the Yellowstone River in 1906. Two years later, Little Bear secured work for his band gathering pine cones for the National Forestry Service.<sup>50</sup>

Other less-formal labour was integral for Cree survival in Montana, especially the labour performed by women. Women sold beadwork on purses, moccasins, and belts, and spent time walking down back alleys gathering scraps of food.<sup>51</sup> They also sold pulled wool and pelts, chairs and hangers made of horns, and polished horns to passengers at the train stations.<sup>52</sup> George Watson Sr. emphasized, “we lived on what the women made.”<sup>53</sup> The Cree also traded with other Indigenous groups. In 1910, for example, John Gopher sold wood to the Crows in exchange for cash, flour, or food.<sup>54</sup> Additionally, after the state enacted bounty rewards, the Cree cashed in. In 1905, *The Havre Herald* reported that Little Bear was the first person to bring in wolf scalps and in 1914, Little Bear’s band had reportedly set a record in the state’s bounty laws by killing seven coyotes and 150 pups in just nine days, earning \$471.<sup>55</sup>

Cultural ceremonies provided another avenue for raising funds and a reason for consistent mobility. Little Bear regularly made deals with local governments to allow the Cree to perform dances and charge settlers to attend. Businessmen supported these events because they drew visitors to their town. The Cree favoured the events because it allowed them to bypass the state’s ban on their cultural ceremonies and offered an opportunity to raise funds. In 1901, Little Bear

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<sup>50</sup> Jim Gopher G-1, interview by WtD, 23 June 1975, RBA; “State News Notes,” *The Whitefish Pilot*, Whitefish, MT, 20 November 1908, [chroniclingamerica.com](http://chroniclingamerica.com).

<sup>51</sup> Florence Standing Rock S-11, interview by Patricia Scott, 10 July 1975, RBA; George Watson W-1, interview, 1975, RBA.

<sup>52</sup> “City and State,” *The River Press*, 4 May 1910, [chroniclingamerica.com](http://chroniclingamerica.com); Untitled, *The Anaconda Standard*, 10 October 1898, [chroniclingamerica.com](http://chroniclingamerica.com).

<sup>53</sup> George Watson W-1, interview, 1975, RBA.

<sup>54</sup> Jim Gopher G-1, interview by WtD, 23 June 1975, RBA.

<sup>55</sup> “Local Mention,” *The Havre Herald*, Havre, MT, 4 May 1905, [chroniclingamerica.com](http://chroniclingamerica.com); “Montana News Brieflets” *The River Press*, 20 May 1914, [chroniclingamerica.com](http://chroniclingamerica.com).

organized a Sun Dance and around 800 people from several First Nations participated. His band charged adults 50c to watch. Children paid 10c or 25c depending on their age.<sup>56</sup>

Settler interest in Indigenous performances often overcame opposition from the American Bureau of Indian Affairs (BIA). In 1908, the Committee for the Helena Fourth of July Celebration paid the band to “put on an Indian show and a Sun Dance.” The band made another \$50 in 1910 while performing at the North Montana Roundup Association’s gathering.<sup>57</sup>

Opposition, however, remained. In 1914, BIA Commissioner Cato Sells expressed his concerns about the continuation of the Sun Dance. He feared it stirred up “old ideas of the wild life” and weakened the tribe’s interest in agricultural. For Little Bear, protection of the Sun Dance was a fundamental part of religious freedom and cultural expression.<sup>58</sup> He argued, “you do not deny to the Catholics the right to forego eating meat during Lent, then why do you object to our going without eating and drinking for two days and nights, at the same time dancing in our own way.”<sup>59</sup> The Cree continued to practice spiritual and cultural ceremonies despite a shifting set of residences and periodic interference from the BIA.

Oral history recollections of pre-reservation Cree history in Montana allow for a visual representation of Cree mobility and work against the “aimless wandering narrative” often pedalled by settlers by describing families’ reasons for moving. Figure 2.3 and 2.4 below show the mobility of Frank Caplette and Jim Denny, as told in oral history interviews.

Canada and the United States had created a border and stationed men to enforce it. As oral histories and the accompanying maps demonstrate, however, the Cree continued to exert

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<sup>56</sup> The Havre newspaper reported that after the dance was closed to the public, the Cree planned to hold a private dance. “Cree Indians Hold a Sun Dance for the Cash There Is in It,” *Butte Inter Mountain*, 17 June 1901, [chroniclingamerica.com](http://chroniclingamerica.com).

<sup>57</sup> John Galen Carter, diary entry, SC 1978, file 1, MHS; “Statement of Account,” *The River Press*, 18 May 1910, [chroniclingamerica.com](http://chroniclingamerica.com).

<sup>58</sup> Cato Sells to William M. Bole, 18 April 1914, MSS No. 7, box 42, file 28, UMMA.

<sup>59</sup> Little Bear to Cato Sells, 24 April 1914, M7937, Glenbow.

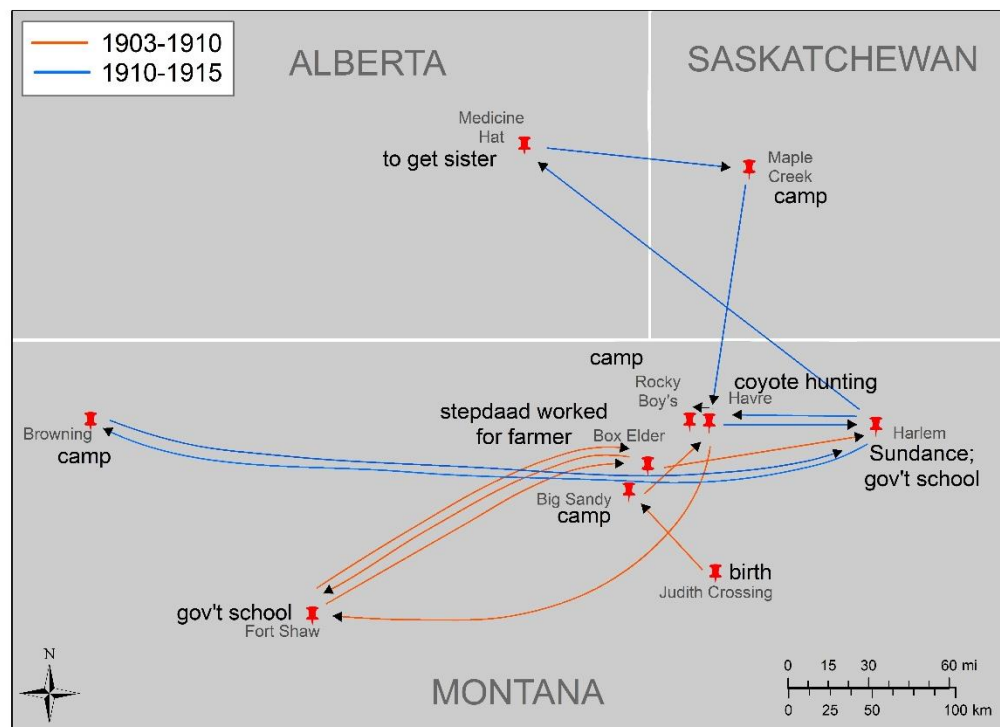
their own conceptions of territory and culture well into the twentieth century. They made intentional movements to create economic opportunities and to foster kinship connections. National borders mattered but borders alone did not erode the deep senses of belonging the Cree maintained on both sides of the line.

Frank Caplette was born at the Judith Crossing of the Missouri River in 1902. Caplette's early life saw frequent mobility. By the time he had turned eight, he had resided at Big Sandy, Havre, Fort Shaw, and Box Elder. Education and economics drove many of these early movements. Havre provided opportunities for coyote hunting while seasonal work putting up hay and herding sheep provided Caplette's step father with work near Box Elder. In 1910, his family travelled to Harlem for a Sundance, where his stepdad also found work. By age 11, Caplette had added Medicine Hat, Maple Creek, and Harlem to the places he had visited or lived. He recalled travelling to Medicine Hat with his mother to get his sister that had moved there, and then back to Havre when his mother did not like living in Maple Creek. In 1911, he attended another government school at Harlem. A separation from her husband prompted Caplette's mother to move the family to Browning for the winter of 1911-12, and a Sundance brought them to Harlem in the spring. The family camped at Havre by 1914 and then finally, after Bucket and Spread Wing came to tell them the good news that the Chippewa and Cree would get land, Caplette moved to Beaver Creek on the old Fort Assiniboine land.<sup>60</sup>

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<sup>60</sup> Frank Caplette C-3, interview by Joe Small and Walter Denny, 6 February 1976, RBA.



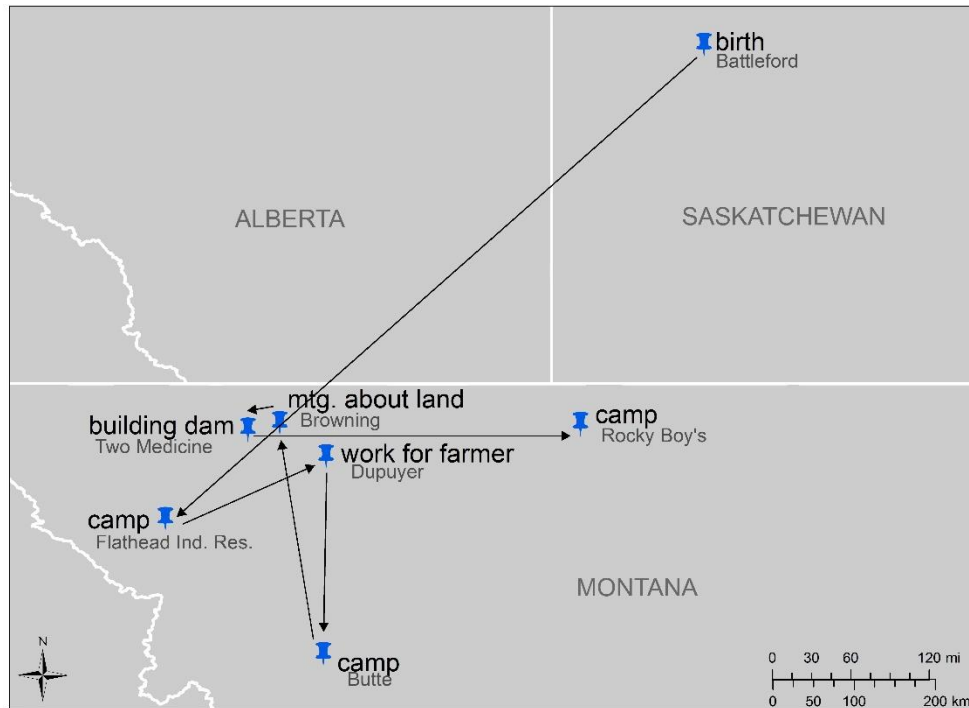


Map by Tyla Betke, Historical GIS Laboratory, University of Saskatchewan, 2019.

*Figure 2.3 Frank Caplette Mobility (Oral History)*

Jim Denny's life began north of the border. He was born in 1889 in Battleford, Saskatchewan. He was living on the Flathead Reservation in 1896, where several Crees gained permission to camp from members of that reservation. Over the next sixteen years he lived at Dupuyer helping a farmer put up hay, next at Butte, and then at Two Medicine working on a dam. He also travelled to Browning in 1909 to attend a meeting about the Cree getting land. By 1915, like many other families who heard that the Cree would get land, Denny camped at the old Fort Assiniboine military land.<sup>61</sup>

<sup>61</sup> Jim Denny D-3, interview, RBA.



*Figure 2.4 Jim Denny Mobility (Oral History)*

The maps depicting Jim Denny and Frank Caplette’s own recollections of their travels throughout Montana and across the 49<sup>th</sup> parallel show that Cree families remained mobile in order to survive without recognition or a land base.

### *2.5 Cree Diplomacy*

The Cree in Montana faced a unique situation: they were struggling to survive and gain land in a country they had called home for decades, but where locals and officials had labelled them as foreign. The eventual creation of the Rocky Boy Indian Reservation in 1916 was the result not only of Cree survival in the borderlands, but also of their distinctive diplomatic efforts. I use the term “diplomatic” with its international connotations intentionally – the Cree Nation exists within the colonial boundaries of both Canada and the United States. As Andrae Marak and Gary Van Valen argue, “the fact that Indigenous people came to form nations within

nations... automatically makes their lived experience transnational.”<sup>62</sup> Further, the Cree were unlike their Indigenous counterparts with established American reservations and Canadian reserves. Until 1916, Little Bear’s Cree were not recognized as the wards of either state, existing outside of a government-ward relationship. The Cree developed deliberate strategies to best navigate their position as borderlands people with Little Bear taking the lead on many initiatives.

Chief Little Bear holds a complicated historiographical position. Accounts of his life confined to his time in Canada position him as the ill-tempered, rebellious son of Chief Big Bear. One of the most common misconceptions about Little Bear is that he acted in the 1885 Resistance to aid the Métis. Historians have argued that Little Bear attacked the Frog Lake settlers because he had “become enamoured with the idea that the Cree should heed the appeals of Louis Riel,” and have attributed the alcohol content in stolen liquid painkiller as the final reason for the attack because it made Little Bear and his men “increasingly turbulent.”<sup>63</sup> Without situating Frog Lake in the context of severe government abuse and starvation (as explained in the Introduction), it is easy to define Little Bear as “restless,” a “hothead,” “recalcitrant,” or “insolent and overbearing.”<sup>64</sup>

Further, historians have emphasized these negative traits in an effort to contrast Little Bear with his father. In Hugh Dempsey’s biography on Big Bear, for instance, he argues Little Bear was less intelligent and less political than his father: “[Little Bear’s] approach was diametrically opposite to that of Big Bear, who, with the insight and intelligence of a skillful

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<sup>62</sup> Andrae Marak and Gary Van Valen, “Introduction: Transnational Indians of the North American West,” in *Transnational Indians of the North American West*, ed. Clarissa Confer, Andrae Marak, and Laura Tuennerman (College Station: Texas A&M University Press: 2015), 10.

<sup>63</sup> Hans Peterson, “Imasees and His Band: Canadian Refugees after the North-West Rebellion,” *Western Canadian Journal of Anthropology* 8, no. 1 (1978): 24; J. R. Miller, *Big Bear (Mistahimusqua)* (Toronto: ECW Press, 1996), 105.

<sup>64</sup> Miller, *Big Bear*, 97; Hugh Dempsey, *Big Bear: The End of Freedom* (Vancouver: Greystone Books, 1984), 62, 124, 133, 87.

politician, saw the situation in its true light. He did not hate either the white man or the government, for they were facts of life."<sup>65</sup>

The history of Little Bear's leadership following the 1885 Resistance paints a much different picture of the chief. Instead of a warlike, white-hating rebel, historical evidence shows Little Bear was a determined and skilled negotiator, adding him to the list of other skilled Indigenous leaders navigating their positions in the borderlands. Beth Ladow's work reveals how Sitting Bull, "a strategist and negotiator," worked to "improve his people's position in the complex political landscape of the medicine line."<sup>66</sup> Similarly, McCrady argues that nineteenth-century Sioux leaders pragmatically used their position in the borderlands to test whether the Canadian or American government would result in improved livelihoods.<sup>67</sup> Like the Sioux, Little Bear and the Cree developed unique strategies to achieve their goals.

### *2.6 Diplomacy: Dispelling Stereotypes*

Cree diplomatic efforts focused around four main strategies to advance their position in the Canada-US borderlands, especially after the 1896 deportation: dispelling stereotypes, pledging allegiance to either country, emphasizing their relations with the American Chippewa, and forming strategic alliances with prominent white settlers. First, the Cree knew that settler society used the press to consistently condemn them and spread racist falsehoods, a topic covered in chapter one. They also knew that negative public sentiment worked against their goal of receiving land in Montana.

To counteract these stereotypes, the Cree gave interviews to local presses where they provided reassurances of their lawfulness and commitment to temperance. In 1898 for example,

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<sup>65</sup> Dempsey, *Big Bear*, 81.

<sup>66</sup> Beth LaDow, "Sanctuary: Native Border Crossings and the North American West," *American Review of Canadian Studies* 31 (2001): 25.

<sup>67</sup> McCrady, *Living with Strangers*, 3.

when Holy Altar and Sitting Horse were trying to get American citizenship, they assured reporters they were “Good Indians” and “Good Indians never drink whiskey.”<sup>68</sup> Little Bear also consistently worked to prove that he never drank liquor. The *Havre Eagle* reported, “it is his boast that he has never tasted ‘fire water,’ and he does all in his power to prevent his people from getting it.”<sup>69</sup> When Little Bear negotiated with the Helena Commercial club for his band to perform at their Lewis & Clark festival in April 1908, he insisted that a clause be added to the contract to provide police protection from intoxicants getting to his band.<sup>70</sup> In October 1912 after five of his band members were charged with disturbing the peace, they were let go after Little Bear pledged to expel any band members who would drink liquor or “raise Cain” in the future.<sup>71</sup> Little Bear deliberately worked to be known as the chief who hated alcohol and was devoted to peace.

### *2.7 Diplomacy: Association with the Chippewa*

Knowing that the stigma of their apparent Canadian identity was hindering their ability to deal with American officials and gain the sympathy of American settlers, the Cree took advantage of their close proximity with an “American” tribe of Chippewas under their chief Rocky Boy (Asiniweyin, Stone Child/ Man).<sup>72</sup> The Cree and Chippewa had long been associated with each other since they both hunted bison in present-day Montana and Canada.<sup>73</sup> Historian Martha Harroun Foster explains that the Rocky Boy band was likely comprised of Pembina and Turtle Mountain Chippewas who had moved northwest around the 1870s, coming into closer

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<sup>68</sup> “Full-Blooded Crees,” *The Anaconda Standard*, 31 July 1898, [chroniclingamerica.com](http://chroniclingamerica.com).

<sup>69</sup> “Additional Locals,” *The Dupuyer Acantha*, Dupuyer, MT, 13 July 1899, [chroniclingamerica.com](http://chroniclingamerica.com).

<sup>70</sup> “Montana Brieflets,” *The River Press*, 15 April 1908, [chroniclingamerica.com](http://chroniclingamerica.com).

<sup>71</sup> “Indians on a Tear,” *The Missoulian*, Missoula, MT, 29 October 1912, [chroniclingamerica.com](http://chroniclingamerica.com).

<sup>72</sup> Phillip Well-Off-Man, “A History of Rocky Boy’s Indian Reservation,” (PhD diss., Montana State University, 1974), 3.

<sup>73</sup> Untitled History, n.d., Rocky Boy Community History, Stone Child College Library (hereafter SCCL), Box Elder, MT.

proximity with the Plains Cree.<sup>74</sup> There were also family relations between chiefs Rocky Boy and Little Bear; accounts differ but include Rocky Boy being married to either a cousin or aunt of Little Bear, and Little Bear's grandmother, Ocepihk (Root), being Rocky Boy's mother-in-law.<sup>75</sup> Historians disagree on when and why Little Bear's and Rocky Boy's bands began intermingling. Burt, Dusenberry, and Dempsey depict the relationship as a "matter of expedience" and a "political alliance" formed in the early 1900s.<sup>76</sup> Rensink argues the camps were independent, but joined for legal efforts.<sup>77</sup> In contrast, Nicholas Vrooman argues that Rocky Boy's family moved to join Big Bear's Band in the 1870s, and describes Rocky Boy as a member of Little Bear's band who assumed leadership of peoples excluded from the Turtle Mountain treaties in North Dakota.<sup>78</sup>

Regardless of when Little Bear and Rocky Boy's bands began living together, it is clear that the Cree knew the advantages of these relationships. As early as 1902, the Cree were reported in camps with Chippewas at Anaconda, near Havre, and at Boundary Creek, and they immediately began taking advantage of this close proximity.<sup>79</sup> In November of that year, officials reported that Crees were claiming to be Chippewas to try and receive government

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<sup>74</sup> Martha Harroun Foster, *We Know Who We Are: Métis Identity in a Montana Community* (Norman: University of Oklahoma Press, 2006), 176.

<sup>75</sup> Foster, *We Know Who We Are*, 176; Nicholas C. P. Vrooman, "*The Whole Country Was . . . 'One Robe'*": *The Little Shell Tribe's America* (Helena: Drumlummon Institute, 2012), 280.

<sup>76</sup> Verne Dusenberry, "Montana's Displaced Persons: The Rocky Boy Indians," *The Montana Magazine of History* 4, no. 1 (Winter 1954): 10; Larry Burt, "Nowhere Left to Go: Montana's Crees, Metis, and Chippewas and the Creation of Rocky Boy's Reservation," *Great Plains Quarterly* 7, no. 3 (Summer 1987): 203-04; James Dempsey, "Little Bear's Band: Canadian or American Indians?" *Alberta History* 41, no. 4 (1993), 7.

<sup>77</sup> Rensink, *Native but Foreign*, 3.

<sup>78</sup> Vrooman, "*The Whole Country Was . . . 'One Robe,'*" 278-79. Vrooman does not provide primary citations here.

<sup>79</sup> "No Reservation," *The Butte Inter Mountain*, May 14, 1902, [chroniclingamerica.com](http://chroniclingamerica.com); "Small Pox Infected," *The Kalispell Bee*, Kalispell, MT, 28 October 1902, [chroniclingamerica.com](http://chroniclingamerica.com); W. H. Irwin to Macleod Commanding Officer, 7 November 1902, RG 10, vol. 3797, file 47, 554-2, LAC; J. A. McGibbon to Macleod Commanding Officer, 3 November 1902, RG 10, vol. 3797, file 47, 554-2, LAC.

rations.<sup>80</sup> It must have been increasingly evident that disguising their supposed Canadian identity by claiming to be Chippewa could be advantageous for the Cree living south of the 49<sup>th</sup> parallel.

In contrast to the advantages noticed by the Cree, Rocky Boy's band often felt the negative impact of their association. In 1909, land in northeastern Montana in Valley County was to be set aside for Rocky Boy's landless band. In April of that year, an allotting agent created a roll of Rocky Boy's band to ensure the appropriated funds would be used for the American Chippewa individuals entitled to it. The list numbered 120 Chippewas and 17 "Canadian Indians that are affiliated with Rocky Boy's Indians."<sup>81</sup> According to the clerk, there were a number of Canadian Crees across Montana, "but very few are affiliated with Rocky Boy's band of Chippewas."<sup>82</sup> Despite this assurance, settlers believed government officials simply were not aware that Rocky Boy's band was comprised of "renegade Canadian Indians."<sup>83</sup> The president of the Great Northern railway, Louis W. Hill, drafted a protest against the "taking from the white man the best class of Montana agricultural land to give to *alien* Indians."<sup>84</sup> The Indian Department denied the claim that the band were Canadian Crees, but the protest worked. The Interior Department let the Valley County land open to white settlement, and sent the Rocky Boy band, including several Crees, to take up temporary homes on the Montana Blackfeet Reservation.<sup>85</sup> For these reasons, Rocky Boy focused on finding his Chippewas, and not the Cree, a home.<sup>86</sup>

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<sup>80</sup> "Up to Uncle Sam," *The Kalispell Bee*, 7 November 1902, [chroniclingamerica.com](http://chroniclingamerica.com).

<sup>81</sup> U. S. Interior Department, Office of Indian Affairs, "Census of Rocky Boy's Band of Chippewa Indians of Montana by T. W. Wheat, Clerk, Allotting Service, April 8 to 14, inclusive, 1909," SC 903, MHS.

<sup>82</sup> Thralls W. Wheat to the Commissioner of Indian Affairs, 20 April 1909, SC 903, MHS.

<sup>83</sup> "Choice of the Congress," *The Billings Gazette*, Billings, MT, 29 October 1909, [chroniclingamerica.com](http://chroniclingamerica.com).

<sup>84</sup> Emphasis added. "Save Land For Settlers," *The River Press*, 3 November 1909, [chroniclingamerica.com](http://chroniclingamerica.com).

<sup>85</sup> "Secretary of the Interior Ballinger Relieves a Bad Situation," *Williston Graphic*, Williams County, ND, 11 November 1909, [chroniclingamerica.com](http://chroniclingamerica.com); "Chippewas on Blackfeet Reservation," *The Choteau Acantha*, Choteau, MT, 18 November 1909, [montananewspapers.org](http://montananewspapers.org).

<sup>86</sup> Rensink, *Native but Foreign*, 176.

Cree oral histories maintain that although intermarriage was frequent, the Chippewa and Cree remained separate tribes. Early twentieth-century settler society, however, was rarely able to see the nuances of this relationship.<sup>87</sup> By 1912, newspapers variably referred to the group as “Rocky Boy and his band of 200 nomadic Cree Indians,” or “Chief Little Bear’s band of Chippewas and Crees.”<sup>88</sup> Little Bear purposely confused the differences between his and Rocky Boy’s bands; in December 1913, he told a judge at Lewistown that he wanted a reservation for his band of 575 “pure-blood Indians, Chippewas.”<sup>89</sup> By associating with a band accepted as “American,” Little Bear successfully blurred the tribal categories of Cree and Chippewa and the national identities of American and Canadian, lessening the damaging stigma attached to his and his band’s name.

### *2.8 Diplomacy: Allegiance to Each Country*

Maintaining alliances with each country provided the third major diplomatic strategy the Cree employed. Legal recognition (“Status Indian” in Canada) could only be achieved in one country.<sup>90</sup> Because the Cree were not confined to a reserve/ reservation on either side of the international boundary, they could, and did, deal with both countries to see which government would offer the best outcome for their livelihoods and futures.

To best deal with American settlers and officials, the Cree’s strategically sought to further weaken their public association with Canada by stressing their allegiance to the United States. Little Bear consistently emphasized his band’s historical connections to the land to

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<sup>87</sup> Fred Huntley H-1, interview by Tom Dahlen, 8 May 1975, RBA; Malcolm Mitchell recalled that the country from Malta to Great Falls was considered Cree country, and “up to the Rock Mountains” was considered Chippewa. Malcolm Mitchell, interview, 3 May 1974, RBA.

<sup>88</sup> “The Rocky Boy Nuisance,” *The River Press*, 27 November 1912, [chroniclingamerica.com](http://chroniclingamerica.com); “Montana News Brieflets,” *The River Press*, 25 February 1914, [chroniclingamerica.com](http://chroniclingamerica.com).

<sup>89</sup> “Gossip of the Town,” *Fergus County Democrat*, Lewistown, MT, 30 December 1913, [chroniclingamerica.com](http://chroniclingamerica.com).

<sup>90</sup> Benjamin Hoy, “A Border without Guards: First Nations and the Enforcement of National Space,” *Journal of the Canadian Historical Association* 25, no. 2 (2014), 108.



legitimize their claim to living south of the line. In June 1912, Little Bear told a settler that his mother was born in the United States, and that as long as he could remember, Uncle Sam had taken care of him.<sup>91</sup> He explained, “This why I like for the Americans to Rule over us than any other nation thats why I want Uncle Sam to pick but Some good land where we shall make our homes & settle down.”<sup>92</sup> In 1913, he claimed to a judge that his father was the biggest chief in Canada, but “he belonged to the American side, and so did his forefathers.”<sup>93</sup> Novelist Frank Bird Linderman’s 1924 book *My Injuns, the Chippewa and Cree*, provides evidence as to how far Little Bear went to express his distain for Canada and commitment to the United States:

Cree hatred for Canada was unbelievable [sic]. Little Bear the Cree chief once told me in confidence that if the White Father in Washington would lend him rifles and plenty of ammunition he would take Canada and give it all the [sic] the United States as a present.<sup>94</sup>

Little Bear worked to bolster Americans’ sense of patriotism in the hopes that they would see the Cree as American Indians deserving of assistance and land.

Little Bear also worked to elicit sympathy from American settlers by focusing on the brutality and unfairness of the Canadian government. This required no embellishments. Canada had promised amnesty to Little Bear and Lucky Man before their deportation. As soon as they crossed the line, Canadian agents arrested and jailed them. When the deportees returned to Montana, Little Bear spoke to a Great Falls reporter who wrote, “the old chief has no words of kindness for the government of the queen. He, with his subjects, were lured across the line, he says, under the promise of protection.”<sup>95</sup> Little Bear told the paper he was sent to a barren tract of land where it was impossible to make a living. He even brought back a sample of the poor-

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<sup>91</sup> Little Bear to Frank B. Linderman, 11 June 1912, MSS No. 7, box 42, file 18, UMMA.

<sup>92</sup> Little Bear to Frank B. Linderman, 11 June 1912.

<sup>93</sup> “Gossip of the Town,” *Fergus County Democrat*, 30 December 1913, [chroniclingamerica.com](http://chroniclingamerica.com).

<sup>94</sup> Frank Linderman, *My Injuns, the Chippewa and Cree*.

<sup>95</sup> “Creeps Are Coming Back,” *The Anaconda Standard*, 16 October 1897, [chroniclingamerica.com](http://chroniclingamerica.com).

quality flour rations Canadian Indian agents distributed to them to show reporters just how impossible it would be for them to survive north of the line.

While Little Bear's efforts remained focused on negotiating with American officials, he was not done dealing with the Canadian government. As non-wards of either country, he kept his options open to secure the best deal possible for his people. In 1905, Little Bear appealed to Canada for permission to move back with some of his followers. According to a Great Falls newspaper article, Little Bear wanted to live in Canada because over the last two or three years, his band nearly starved. Despite successfully finding work, their precarious position made starvation in Montana a reality. Many of their horses perished and they had no game to hunt (made even more difficult after the 1903 ban against Indians carrying guns off-reservation).<sup>96</sup> Little Bear wrote to the Canadian Secretary of the Interior that he was "anxious to return to Canada."<sup>97</sup>

Comparing Little Bear's letters to officials on either side of the border reveals how he adapted his strategies for the national government to which he appealed. The same Canadian connections he downplayed to Americans were the connections he emphasized when writing to Canada. In his 1905 request to return sent to the Secretary of the Interior, Little Bear stressed his ties, both historical and familial, to the north. He wrote, "I am getting old and want to end my days in the land of my birth, and among those with whom I was associated in years gone by."<sup>98</sup> The result of his negotiations came with an Order-in-Council on July 22, 1905 permitting Little

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<sup>96</sup> "Crees Will Leave State," *Fergus County Argus*, Lewistown, MT, 6 October 1905, [chroniclingamerica.com](http://chroniclingamerica.com).

<sup>97</sup> Little Bear to the Canadian Secretary of the Interior, 10 February 1905, M7937, Glenbow; It is not always clear whether Little Bear himself actually wrote the letters signed by him and oral histories disagree if Little Bear was ever able to fluently speak or write in English. Oral histories do reveal that Little Bear used interpreters such as his relative Peter Kenniwash.

<sup>98</sup> Little Bear to the Canadian Secretary of the Interior, 10 February 1905.

Bear and “sober and industrious Indians” to return to the Onion Lake Reserve.<sup>99</sup> Little Bear appealed this decision, citing concerns about the poor quality land at Onion Lake. He wrote that he would be ready to come to Canada in the spring, if the following three conditions were met: 1) that the “full bloods” get a reservation with better land than that at Onion Lake; 2) that the department provide annuities owed to them since leaving Canada and continue to help them when necessary as guaranteed in treaty; and 3) that he and his people who have “white blood” receive scrip and the privileges of other Canadian citizens.<sup>100</sup> Commissioner Laird would not agree to these conditions and Little Bear decided to remain in Montana.<sup>101</sup> He also applied to return to Canada in 1908 and 1911, but again, the Cree decided against the terms Canada was willing to offer.<sup>102</sup> The Cree evidently thought it more desirable to press their luck for securing land in Montana than return to Canada. Stressing these familial and historical ties to Canada was entirely different from his contemporary dealings with the United States, who he assured were his closest allies, and the nation he would prefer “rule over” them.

### *2.9 Diplomacy: Alliances with Settlers*

The final and most important diplomatic strategy employed by Little Bear to acquire lands was to form alliances with prominent white settlers. These relationships have led to the persistent idea that the Cree finally obtained land in the United States as a result of white men’s actions. In 1942, Montanan Senator William Cowan wrote a history of the group and argued,

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<sup>99</sup> A. E. St. Louis, untitled, RG 10, vol. 3863, file 84, 138, pt. 2, LAC. The Commissioner originally said they had to go to Onion Lake. It was later recorded that they were able to return to their previous reserves which included Onion Lake. Commissioner Laird to Little Bear, 8 August 1905, M7937, Glenbow.

<sup>100</sup> Little Bear to Frank Oliver, 7 November 1905, Glenbow.

<sup>101</sup> Commissioner D. Laird to Chief Little Bear, 24 January 1906, M7937, Glenbow; “Then and Now,” *Fergus County Argus*, 17 November 1905, [chroniclingamerica.com](http://chroniclingamerica.com).

<sup>102</sup> Little Bear also applied to return to Canada again in 1908 and 1911. In 1911, the DIA determined that the order-in-council was still in effect if the band agreed to its terms, but Little Bear again decided not to return. Little Bear to Department of Indian Affairs J. D. McLean, 30 March 1908, M7937, Glenbow; W. Sibbal to [???], 1 February 1911, M7937, Glenbow; J. D. McLean to W. Sibbal, 10 February 1911, RG 10, vol. 3863, file 84, 138, pt. 1, LAC.

“some of our benevolent and public spirited citizens began to devise ways and means to secure for these people a place upon America[n] soil...”<sup>103</sup> Early historians of the Cree in Montana continued this notion, arguing that “the leaders in this campaign were not Indians but whites” and attributing the creation of the reservation “to the everlasting credit of a few leading Montana citizens and a few far-sighted Army officers and government officials.”<sup>104</sup> Recent historians have challenged this characterization and the Rocky Boy Reservation’s own self-published 2008 history book describes the white men as “most instrumental by *assisting* in making [Little Bear and Rocky Boy’s] vision a reality.”<sup>105</sup> In this way, the actions of white men are accurately framed within the two chiefs’ vision and fight for land.

Little Bear knew that having close white settler friends could help change the minds of the wider public, and that voting citizens had more sway with government officials. The three men with whom the Cree most closely aligned were Frank Bird Linderman, William Bole, and Theodore Gibson, all of whom provided useful connections to the Cree. Linderman, who the Cree called *koski-siko-kaht* (“wears glasses”) was a well-connected businessman and former state legislator.<sup>106</sup> Linderman was also a writer who could pen well-crafted articles to magazines or letters to politicians in support of the Cree. William Bole was the editor of the *Great Falls Tribune*. This position allowed the Cree to have an ally among the press, a medium that was used

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<sup>103</sup> William Cowan, “Rocky Boy Indians,” 22 July 1942, M4 369, D970.3.C874, Glenbow.

<sup>104</sup> John C. Ewers, “Ethnological Report on the Chippewa Cree Tribe of the Rocky Boy Reservation and the Little Shell Band of Indians,” in *Chippewa Indians VI of American Indian Ethnohistory*, ed. David A. Horr (New York: Garland, 1974), 114; Dusenberry, “Montana’s Displaced Persons,” 1-2; Similarly, Wessel argued that “the sympathy of a growing number of white citizens kept the hope of a permanent home for Rocky Boy alive.” Thomas R. Wessel, *A History of the Rocky Boy’s Indian Reservation* (Bozeman: Montana State University), 24.

<sup>105</sup> Foster, *We Know Who We Are*, 217; Hogue, *Metis and the Medicine Line*, 219; Rensink, *Native but Foreign*, 179; Emphasis added. Ed Stamper, Helen Windy Boy, and Ken Morsette, eds, *The History of the Chippewa Cree of Rocky Boy’s Indian Reservation* (Box Elder, MT: Stone Child College, 2008), 3.

<sup>106</sup> C. M. Russell to Henry L. Myers, 11 January 1913, MSS No. 7, box 42, file 25, UMMA; Steven Lyn Williams, “Smudging the Book: The Role of Cultural Authority in Tribal Historical Narratives and Revitalization at Rocky Boy,” (PhD diss., University of Iowa, 2012), 41-42.

almost exclusively against them. Bole published articles that painted the Cree in a positive light and in support of their fight to get land. Finally, Theodore Gibson was the son of Senator Paris Gibson and had useful political connections.

The Cree used these alliances frequently. Requests for favours included writing letters to government officials to receive rations, running campaigns to elicit donations of food and clothing, and testifying to their good character. In November 1913, for instance, Bole sent the band rice, sugar, beans, and flour, and convinced the County Commissioners to buy them \$25 worth of groceries.<sup>107</sup> These friendships required consistent effort to maintain. According to Bole, Little Bear's band visited him around three times each day in 1913, "and each time they wish something done."<sup>108</sup> Mrs. Standing Rock, the granddaughter of Little Bear, remembered stories about her father acting as an interpreter for Chief Little Bear and travelling to cities all around Montana requesting "white people" to "send letters to Washington asking if the Indians could get [a] reservation."<sup>109</sup> Characterizing settlers' efforts as random philanthropic actions dismisses the ways in which the Cree began and maintained the friendships that elicited charity.

Linderman was especially effective at eliciting sympathy from settlers. After officials in Washington initially objected to providing land for the band, Linderman wrote to the BIA:

I could tell you stories that are true that would make you ashamed of your American Citizenship. New born babies have frozen to death this winter, and their mothers have perished too... If this Government cannot and will not find a country for these people, then why in Heaven's name will they not send a squad of regular soldiers to the camps and shoot them.<sup>110</sup>

Linderman also threatened to publish articles in the press that would harshly criticize politicians unless they took action favourable to the Cree. In January 1916, for instance, he wrote to Senator

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<sup>107</sup> W. M. Bole to F. B. Linderman, 14 November 1913, MSS No. 7, box 42, file 3, UMMA.

<sup>108</sup> W. M. Bole to F. B. Linderman, 14 November 1913.

<sup>109</sup> Florence Standing Rock S-11, interview by Patricia Scott, 10 July 1975, RBA.

<sup>110</sup> Frank B. Linderman to Cato Sells, 1 March 1916, MSS No. 7, box 42, file 28, UMMA.

Myers, “If we cannot get relief this session I am going to offer for publication in magazines illustrated articles, and try to arouse the people outside of Montana...”<sup>111</sup> When Myers did not respond satisfactorily, Linderman wrote again, “Will you look into this at once for me, or shall I go ahead and see what I can do through the magazines?”<sup>112</sup>

Just as the historical evidence makes clear that the Cree knew the strategic advantages of associating with the Chippewa, they also knew the advantages of white friendships. One strong evidence of this awareness is that Little Bear kept proof that white people held positive opinions of him. A 1901 newspaper reported that Little Bear was on his way to the Snake River Reservation in Idaho and carried letters “testifying to his good character and behavior from many old-timers in Montana.”<sup>113</sup> There are also examples of Little Bear using his friendships directly when it was advantageous. For instance, when the Fort Belknap Superintendent informed Little Bear that assistance to his band would be cut off, Little Bear told him “he had influential friends in this state and in Washington and that if matters were not to his liking that it was only necessary for him to write a letter and his wishes would be complied with.”<sup>114</sup> Their white allies with voting rights provided the Cree with more clout to deal with officials.

### *2.10 Final Fight for Land*

The Crees’ white allies played their most important role in the final years fighting for land south of the line. According to the Rocky Boy’s community history, another Chippewa Chief, Pah-nah-to, was also seeking land and first established the idea of creating homes on the abandoned Fort Assiniboine military base. When Pah-nah-to knew he was nearing his death in

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<sup>111</sup> Frank B. Linderman to Henry L. Myers, 25 January 1916, MSS No. 7, box 42, file 19, UMMA.

<sup>112</sup> Frank B. Linderman to Senator Henry L. Myers, 9 February 1916, MSS No. 7, box 42, file 19, UMMA.

<sup>113</sup> “Town, County and State,” *Fergus County Argus*, 10 July 1901, [chroniclingamerica.com](http://chroniclingamerica.com).

<sup>114</sup> Fort Belknap Indian Superintendent to Commissioner of Indian Affairs, 2 May 1916, No. 2058, box 3, file 2, Montana State University Burlingame Archives (hereafter MSUBA), Bozeman, MT.

1912, he told Little Bear to try and get the land in the Bear Paw Mountains (*ah-si-ni-wah-chi-sik*) for the Chippewa and the Cree.<sup>115</sup> At the end of that year, the Indian Office sent Supervisor Fred Baker to investigate settling the state's remaining landless Indians on a reservation.<sup>116</sup> Baker submitted his report recommending that part of the Fort Assiniboine land become a new Indian Reservation. Interestingly, Baker asked Linderman to use his influence to get the law passed, noting how the government had "dilly dallied" on the issues.<sup>117</sup> The fact that Baker, a government agent, asked Linderman to persuade politicians is a testament to the influence settlers like Linderman had.

The following August, Linderman organized a meeting between Little Bear and Secretary of the Interior Franklin K. Lane at the Placer Hotel in Helena. Chief Stick recalled this meeting in 1975. He said:

I was just a kid, but I was there and heard what was said. When they started to talk, the official started out with a sarcastic and unbusiness-like attitude. Then Little Bear told him to listen. He had a lot of people who were roaming around Montana with no place to stay. In the beginning this was the Indian's land and the white man came and took it away. God gave the Indians this land, so they weren't going to settle for just anything. They were going to select a good place to stay."<sup>118</sup>

Little Bear rejected the idea of moving to the Blackfeet Reservation where many of Rocky Boy's band had lived owing to the lack of sustenance available and an unwelcoming Indian Agent, and insisted that the Cree receive their own land. He also wanted assurance that the land would not be taxed because white men had already become rich off Indigenous lands.<sup>119</sup>

While negotiations continued, the Department of the Interior allowed Little Bear and Rocky Boy's bands to camp on the Fort Assiniboine lands by 1913. In May of 1915, they hired a

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<sup>115</sup> Stamper et al., *The History of the Chippewa Cree*, 13-14.

<sup>116</sup> F. A. Baker to Frank B. Linderman, 6 December 1912, MSS No. 7, box 42, file 32, UMMA.

<sup>117</sup> F. A. Baker to Frank B. Linderman, 6 December 1912.

<sup>118</sup> Chief Stick Interview C-5, 27 August 1974, RBA.

<sup>119</sup> "Old Indian Chief," *Cut Bank Pioneer Press*, Cut Bank, MT, 8 August 1913, [chroniclingamerica.com](http://chroniclingamerica.com).

government farmer-in-charge to help the bands with farming.<sup>120</sup> Families began establishing themselves on what would be their new reservation (an inspector reported 318 people there in March 1916) at the same time as Washington received numerous petitions from Havre and Great Falls residents against the idea of creating an Indian Reservation.<sup>121</sup> Havre citizens even travelled to Washington to protest the Cree receiving land so close to the city.<sup>122</sup> William Bole followed the Havre residents to speak in favour of the plan, and to suggest that the Chippewa and Cree be given the southern, mountainous portion, furthest away from Havre (and poorest for agriculture).<sup>123</sup>

After extensive correspondence with the Crees' white allies, Senator Myers put forth a bill to open the abandoned military land to white settlement, with a mountainous portion set aside as an Indian Reservation. He originally did not include any of the land for the Chippewa or Cree, but added it in after fearing presidential veto of the entire bill.<sup>124</sup> Myers made it clear that he did not support a reservation for the Cree because they were entitled to one; he supported a reservation so there would be "a place where they may be corralled, so as to keep them from wandering around over the country aimlessly and bothering people."<sup>125</sup> Finally, on September 7, 1916, Public Law 261 established a 50, 035 acre reservation for "Rocky Boy's band of Chippewas and such other homeless Indians in the State of Montana."<sup>126</sup> The bill was not passed

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<sup>120</sup> Vrooman, "*The Whole Country Was . . . 'One Robe,'*" 299.

<sup>121</sup> E. B. Linnen, Report of the Fort Belknap Reservation, 3 March 1916, No. 2058, box 4, file 4, MSUBA.

<sup>122</sup> Second Assistant Commissioner to Little Bear, 2 June 1914, M7937, Glenbow; Agent McFatridge to F. B. Linderman, 9 December 1913, MSS No. 7, box 42, file 32, UMMA; Foster explains that in addition to racial motivations, Havre citizens feared that a new Indian Reservation would mean less land on the county tax rolls. Foster, *We Know Who We Are*, 217.

<sup>123</sup> *History of Rocky Boy's Indian Reservation*, n.d., Rocky Boy Community History, SCCL, Box Elder, MT.

<sup>124</sup> Henry L. Myers to Frank B. Linderman, 1 February 1916, MSS No. 7, box 42, file 19, UMMA.

<sup>125</sup> Henry L. Myers to Frank B. Linderman, 1 February 1916.

<sup>126</sup> Statues at Large of the United States of America, Vol. XXXIX, 739, in Ewers, "Ethnological Report," 130.



soon enough for Rocky Boy to learn that his band would receive land. On April 18, 1916, Rocky Boy died after succumbing to tuberculosis.<sup>127</sup>

### *2.11 Conclusion*

Cree oral histories of their pre-reservation experience in the Canada-US borderlands focus as much on starvation, discrimination, and poverty as they do on determination and political ingenuity. William Denny Sr. expressed, “why we have this reservation, it was our elders who made it possible for us,” and Cecelia Corcoron remarked, “what strength our old people had. And they all helped one another in those times.”<sup>128</sup> Despite holding a precarious position as non-ward Indigenous peoples in the early-twentieth century, the Cree used their status to their advantage. They cultivated and maintained beneficial relationships and characterized their identities and historic connections to place according to their unique situations. These efforts led to the establishment of the Rocky Boy’s Reservation and the official recognition of Crees as American Indians. Yet, at the risk of portraying this story as a linear narrative with a wholly positive end, it is important to note that the reservation did not mark the end of suffering for the Cree. Little Bear spent much of his life before his death in 1921 travelling around Montana collecting support and donations for his band who were not provided the necessary implements to farm on the new reservation.<sup>129</sup> Their status as American Indians also meant that the American government now had an unprecedented amount of control over them; colonial definitions of indigeneity and belonging severely influenced who would and would not benefit from membership on the new reservation.

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<sup>127</sup> “Rocky Boy Passes to Happy Hunting Ground,” *The Enterprise*, Harlem, MT, 27 April 1916, [chroniclingamerica.com](http://chroniclingamerica.com).

<sup>128</sup> William Denny Sr., n.d., OH 543, MHS; Cecelia Corcoron C-8, interview by Patricia Scott, transcribed by Mona Galbavy, 17 October 1974, RBA.

<sup>129</sup> Burt, “Nowhere Left to Go,” 207.

### **Chapter 3: Defining Membership on the Rocky Boy Reservation, 1917**

In 1914, Isabelle Duran, a first cousin of Cree Chief Little Bear, moved with her Mexican husband Tom Duran to a camp on the abandoned Fort Assiniboine military reservation. Crees across Montana had received the good news that state representatives were working to establish the land as the new home for the Rocky Boy Chippewa band and other “landless Indians” of the state. As Isabelle soon discovered, however, Congress’ bill sometimes had the opposite effect – creating homelessness rather than alleviating it.

For the next three years, Isabelle, Tom, and Isabelle’s two children from her former marriage lived together on the reservation. When the Bureau of Indian Affairs (BIA) sent an agent to create an official reservation membership list in May 1917, the agent reported that Isabelle had been with the Rocky Boy Indians for the previous 14 years. He listed her as ½ Cree and ½ Chippewa and recorded that she and her husband had “a good log cabin and a good sized field under cultivation.”<sup>1</sup> Despite Isabelle’s clear connections to the people for whom the bill was supposedly aimed, the agent eliminated the entire family from the final roll. Isabelle was denied membership among her kin and denied any rights to the land she and her husband had cultivated.

The Cree and the American government worked within very different frameworks of identity and belonging. For families like the Duran’s, such differences mattered a great deal. They could define rights to land, status, annuities, and belonging. Nothing about these categories, moreover, was common sense. This chapter illustrates the problematic nature in which the American government created the Rocky Boy Indian Reservation, highlighting the difficulties that arise when governments define individuals according to their own definitions of nation, tribe, and race. It also demonstrates the effects that limited land and resources had on the internal

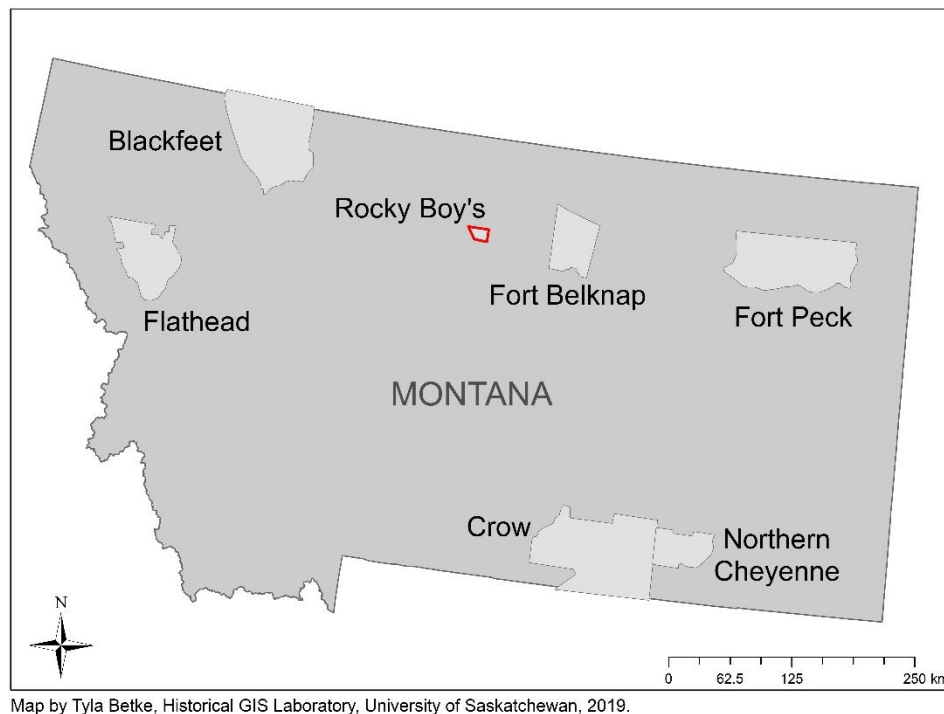
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<sup>1</sup> “Family History,” document accompanying 1917 Rocky Boy Roll, M 7937, 54, Glenbow Archives (hereafter Glenbow), Calgary, AB.

dynamics within Indigenous communities and the ways in which Indigenous communities resisted the imposition of government definitions of belonging.

### *3.1 Defining Identity*

Unlike most reservations formed by treaties between Indigenous nations and the American government, an Act of Congress created the Rocky Boy Indian Reservation. The language of the bill, signed into law on September 7, 1916, guaranteed that defining membership on the new reservation would be fraught with confusion. The bill set aside 56,035 acres of land, pictured below in Figure 3.1, creating the final and smallest reservation in Montana for “Rocky Boy’s Band of Chippewas and such other homeless Indians in the State of Montana as the Secretary of the Interior may see fit to locate thereon.”<sup>2</sup> Unsurprisingly, the vagueness of this language created significant problems for the BIA to establish an official roll of the reservation.



Map by Tyla Betke, Historical GIS Laboratory, University of Saskatchewan, 2019.

*Figure 3.1 Rocky Boy's Indian Reservation*

<sup>2</sup> The Act of September 7, 1916 (39 Stat. L. 739), quoted in Cato Sells to Franklin K. Lane, 27 March 1917, Major James McLaughlin Papers (hereafter McLaughlin Papers), roll 8, frame 175-76, Assumption Abbey Archives (hereafter AAA), Richardton, ND.

Cree families applying for membership on the new reservation held ideas about belonging and membership that did not align with the BIA's goals. The historical alliances among the Cree, Saulteaux, and Assiniboiné produced significant cultural overlap and multilingual bands.<sup>3</sup> Cree scholar Neal McLeod critiques historians' attempts to assign nationalist tribal identities to people with complex identities and genealogies, and points to the fluidity of Cree band structures.<sup>4</sup> As multi-tribal peoples joined their bands, the Cree had distinct ways of maintaining their Cree identities as was the case for Little Bear's Cree. This band, especially after years of surviving in the borderlands with no permanent reservation, had members with multi-ethnic backgrounds. To acculturate these people into their community, the Cree had established practices described by Brenda Macdougall as protocols to "naturalize them as relatives, thereby forging deep and personal levels of trust and responsibility."<sup>5</sup> The American government's restrictive notions of belonging did not allow for these overlapping identities that the Cree had maintained for generations.

Cree leadership was also more fluid than settler governments were willing to accept. Cree oral histories collected by Steven Lyn Williams describe several headmen of nineteenth and early twentieth century Cree bands.<sup>6</sup> The American government, in contrast, assumed single leadership. They saw Chief Little Bear as the head of the Cree in Montana, particularly after the death of Rocky Boy.

The reality was far less clear. In January 1916, Little Bear described his wishes for future leadership: "As for my self I do not desire to be chief. I am just trying to help my people in the

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<sup>3</sup> McLeod, "Plains Cree Identity: Borderlands, Ambiguous Genealogies and Narrative Irony," *The Canadian Journal of Native Studies* 20, no. 2 (2000): 438-39.

<sup>4</sup> McLeod, "Plains Cree Identity," 444, 449.

<sup>5</sup> Brenda Macdougall, *One of the Family: Metis Culture in Nineteenth Century Northwestern Saskatchewan* (Vancouver: UBC Press, 2010), 10.

<sup>6</sup> Steven Lyn Williams Williams, "Smudging the Book: The Role of Cultural Authority in Tribal Historical Narratives and Revitalization at Rocky Boy," (PhD diss., University of Iowa, 2012), 41-42.

cause for me doing so much talking to you people [settlers].”<sup>7</sup> Headman and interpreter Pete Kenniwash echoed this sentiment shortly after Rocky Boy died. He wrote, “whenever there is any council I always tell the people here that Little Bear is not wishing to be a chief, but at the other hand he is the only man who is able to talk to the government for our children and for us.”<sup>8</sup> Little Bear’s political ingenuity, described in chapter two, made him the obvious choice for officials to recognize as leader of the new reservation.

Settler governments’ definitions of belonging, as it applied to Indigenous communities, stemmed from their distinct priorities. The reserve/ reservation systems in Canada and the United States sought to solidify and simplify Indigenous identities.<sup>9</sup> The BIA wanted Indigenous peoples’ identities to be fixed in time for easier administration and desired clear lists of the individuals entitled to specific rights. They aimed to ascribe racial and tribal identities to Indigenous peoples by relying on “blood quantum.” Blood quantum was a way to classify who belonged by measuring their supposed “purity of blood,” by tracing the generational distance between an individual and their “fullblood” ancestor.<sup>10</sup> In practice, the designation of “fullblood” often measured ethnic difference as much as it measured perceived heritage. Especially during the creation of the initial rolls, federal officials used spoken language, dress, and lifestyle as proxies for genetic makeup.

To make matters even more confusing, the Cree themselves began to use the language of blood quantum to describe their own identities. They did not, however, work within the “purity

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<sup>7</sup> Little Bear to Frank B. Linderman, 14 January 1916, MSS No. 7, box 42, file 18, University of Montana Mansfield Archives (hereafter UMMA), Missoula, MT.

<sup>8</sup> Pete Kanawas to Frank B. Linderman, 14 June 1916, MSS No. 7, box 42, file 15, UMMA.

<sup>9</sup> Mcleod, “Plains Cree Identity,” 441.

<sup>10</sup> Hogue further explains, “The idea of blood quantum, though firmly rooted in notions of biological difference, also imagined Indigenous blood and identity as susceptible to dilution, as something that would decline with each succeeding instance of outsider marriage and procreation. As Indians were defined (or bred) out of existence, others could claim their lands and resources.” Michel Hogue, *Metis and the Medicine Line: Creating a Border and Dividing a People* (Chapel Hill, NC: University of North Carolina Press, 2015), 6-7.

of blood” framework like the BIA. James Denney explained that the government used the term ‘mixed blood’ to mean people who were “part Indian and part white,” but to the Cree, “the term mixed blood [was] a person like Wolf Child who is part Gros Ven and part Cree... because we have mixed blood in us.”<sup>11</sup> The Cree used the word “halfbreed” to describe someone who was “half white man and half Indian,” which was more often indicated by appearance, language, and lifestyle rather than genetic makeup. This distinction helps explain why the Cree often used the term “long braids” as synonymous with “fullblood.”<sup>12</sup>

Cree kinship networks continued to span the 49<sup>th</sup> parallel despite both countries’ attempts to limit Indigenous cross-border mobility and assign national identities to transnational communities. The BIA also saw identity as defined by their imposed geographic boundaries which the Cree’s kinship connections challenged. In 1916 the population of Montana Band, the Hobbema Agency reserve in Alberta created for the Cree deportees in 1896, numbered 76, and other kin lived on several Western Canadian reserves. As Cree families like Isabelle Duran’s established themselves on what would be the new reservation in Montana, kin from Canada began joining them. Little Bear’s settler friend and ally Frank Linderman warned the chief to stop inviting his Canadian family to come to Montana. Linderman cautioned, “If you do you will only make your chances to make a living smaller for you will never get any more land.”<sup>13</sup> The reservation intended to provide a permanent home for “landless Indians” in Montana, but kin in Canada also tried to capitalize on their transnational connections, the bill’s vague language, and the inability of Montanan officials to determine definitive national identities of the Cree.

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<sup>11</sup> Tribal Meeting Minutes, 14 January 1947, Rocky Boy’s Agency, RS 266, box 13, file 6, Montana Historical Society (hereafter MHS), Helena, MT.

<sup>12</sup> Tribal Meeting Minutes, 14 January 1947.

<sup>13</sup> Frank B. Linderman to Little Bear, Rocky Boy, and Pete Kinnewash, 10 July 1915, MSS No. 7, box 42, file 18, UMMA.

These drastically different worldviews and ways of conceptualizing identity often necessitated that Indigenous communities adapt their definitions of belonging in the face of colonialism. Limited land and sustenance had deep impacts on these decisions. Brenda Macdougall's work shows how Métis families had to make difficult, often life-and-death decisions about belonging in times of food shortages, despite their belief in *wahkootowin* which emphasizes "relatedness with all beings."<sup>14</sup> Martha Harroun Foster describes how in the context of extreme poverty and desperation to finalize a reservation, factions within the Turtle Mountain community in North Dakota conceded to the government's more restrictive definitions of membership, which excluded Canadian-born Métis.<sup>15</sup> Frank Rzeczkowski documents a similar situation on the Crow Reservation in Montana. He argues that before the reservation era, Crow bands welcomed additional members to increase their support networks and ability to control and defend homelands. After the introduction of reservations, however, more band members meant more people to share a finite amount of tribal resources, which affected the Crow's decision against adopting part of Little Bear's band in 1913.<sup>16</sup> Hogue's analysis of the Fort Belknap Enrollment Commission in 1921 reveals how on that reservation, economic scarcity led to a "much narrower basis for belonging."<sup>17</sup>

Like other Indigenous peoples, the Cree had to adapt different strategies and markers of belonging within both Canadian and American Indian Policy. Mcleod argues that the reservation system in Canada especially influenced bands with complex and overlapping identities to proclaim a singular tribal identity such as "Cree" or "Saulteaux."<sup>18</sup> In Montana, before it became

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<sup>14</sup> Macdougall, *One of the Family*, 3, 10.

<sup>15</sup> Martha Harroun Foster, *We Know Who We Are: Métis Identity in a Montana Community* (Norman: University of Oklahoma Press, 2006), 170.

<sup>16</sup> Frank Rzeczkowski, *Uniting the Tribes: The Rise and Fall of Pan-Indian Community on the Crow Reservation* (Lawrence: University Press of Kansas, 2012), 190.

<sup>17</sup> Hogue, *Metis and the Medicine Line*, 206-07.

<sup>18</sup> Mcleod, "Plains Cree Identity," 438-39.

evident that the Cree would achieve recognition and land, there was not the same need to define who did and did not belong to Little Bear's band. Their Plains Cree composition continued to change overtime as it always had as bands moved freely within their larger alliance network.<sup>19</sup> However, with the new reservation of limited land created in 1916, membership decisions became crucial for survival. Little Bear's band understood that more enrollees meant more people with whom to divide the 56, 035 acres. Little Bear and Rocky Boy particularly disagreed on the issue of admitting families they termed "halfbreed" onto the reservation.

Little Bear believed that certain Métis people should be allowed to join the reservation. It is well documented that many Métis families came with the Cree who entered Montana in 1885, and many other Métis families living south of the line realized the only way to be recognized as Indigenous was to align themselves with tribal identities including Little Bear's Cree and Rocky Boy's Chippewa bands.<sup>20</sup> In early 1916, Little Bear wrote about people he termed "halfbreeds," "I would like to see them to there rite same as we are I main some of our close relation."<sup>21</sup>

Rocky Boy did not hold the same views. Shortly before his death in April 1916, Rocky Boy warned Linderman about Little Bear's efforts to get "half Breeds" onto the reservation. He besought, "we are enough Indians here with out the half Breeds for this little piece of land." He argued it should be up to his Chippewa tribe to decide membership on the new reservation, and claimed that he and the women in his band were scared of the "half-breeds."<sup>22</sup> These issues continued through 1916 as the bands began to realize what a life on a reservation would entail including limited rations distributed by the government-appointed farmer-in-charge. In December 1916, Baptiste Samatte and 30 undersigned members of the bands created a petition to

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<sup>19</sup> Mcleod, "Plains Cree Identity," 441.

<sup>20</sup> James Gopher Interview, n.d., OH 542, MHS; Foster, *We Know Who We Are*, 177.

<sup>21</sup> Little Bear to Frank B. Linderman, 9 February 1916, MSS No. 7, box 42, file 18, UMMA.

<sup>22</sup> Rocky Boy to Frank B. Linderman, 1 April 1916, MSS No. 7, box 42, file 24, UMMA.



deny 13 “halfbreed” families who, in their opinion, had no right to rations that were rightfully theirs.<sup>23</sup> The limited land and rations available to reservation members made distinctions between band members of different ethnic backgrounds a new necessity for the Cree.

### *3.2 Creating the Roll*

The drastic differences between Cree and settler understandings of identity did not stop the BIA from using their own definitions when gathering information from people who applied for membership on the reservation. The man they chose for the job was Major James McLaughlin. While unfamiliar with Little Bear and Rocky Boy’s bands, McLaughlin was an experienced member of the BIA. He worked as an Indian Agent in North Dakota from 1876 to 1895, and as an Indian Inspector from 1895 until his death in 1923. He is best known for ordering the arrest of Chief Sitting Bull in 1890.<sup>24</sup> In April 1917, BIA Commissioner Cato Sells gave instructions to McLaughlin to travel to Montana and record an official enrollment of the Rocky Boy’s Indian Reservation. Until this time there was no enforcement of who could and could not live on the reservation signed into law eight months earlier, which is why people like Isabelle Duran moved and lived there freely. Sells admitted he did not have enough information about the group to provide any detailed instructions about who to enroll, but nevertheless instructed McLaughlin to enroll only “such Indians... as [were] actually entitled to membership in the band,” either because they were an “original member” of the band, or because they fell “within the category of ‘other homeless Indians in the State of Montana.’”<sup>25</sup> Sells also warned McLaughlin of the Canadian Crees who had drifted from Canada in hopes of being enrolled.<sup>26</sup>

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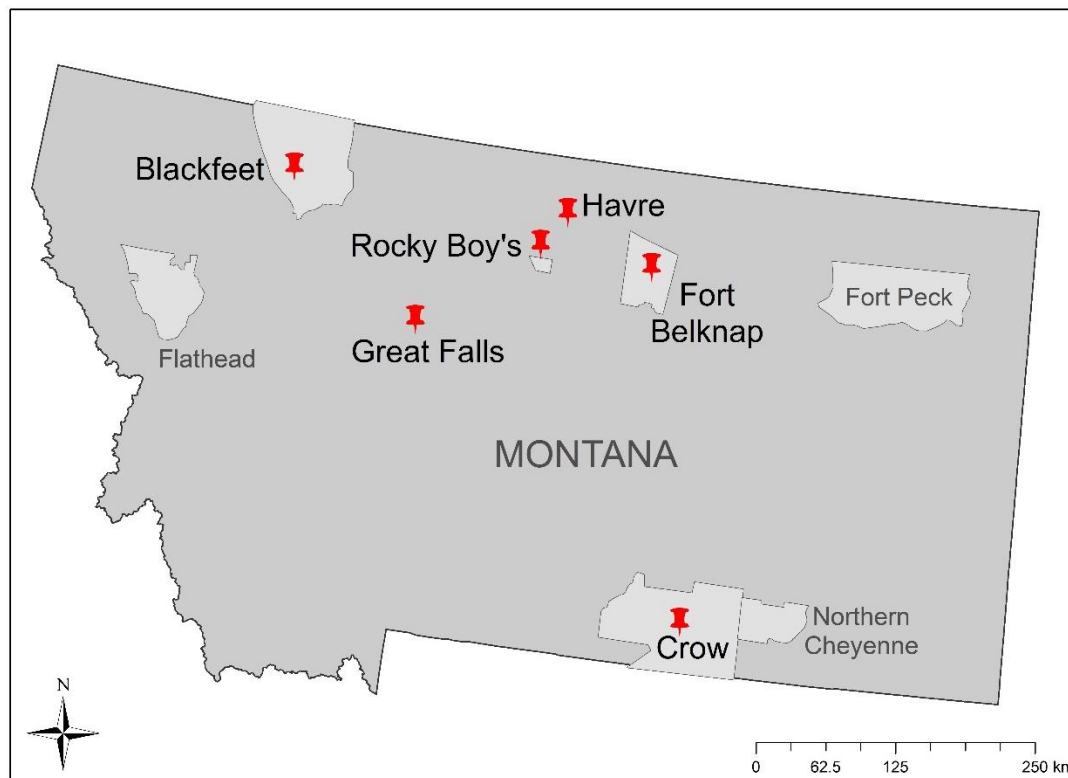
<sup>23</sup> Baptist Samatte and 30 undersigners to Frank B. Linderman, 28 December 1916, MSS No. 7, box 42, file 27, UMMA; These people labelled “halfbreeds” in this 1916 petition were listed as varied tribal identities in the 1917 roll. “Family History,” document accompanying 1917 Rocky Boy Roll.

<sup>24</sup> Collection Introduction, McLaughlin Papers, roll 8, AAA.

<sup>25</sup> Cato Sells to James McLaughlin, 2 April 1917, McLaughlin Papers, roll 8, frame 179-181, AAA.

<sup>26</sup> Cato Sells to James McLaughlin, 2 April 1917.

McLaughlin's 1917 roll would ultimately decide the fates of individuals and families. Getting one's name on the roll meant being officially recognized as an American Indian and having legal rights to land. It also ensured the recognition of enrollees' descendants. Despite this importance, the roll was created in a haphazard fashion under the constraints of the BIA's limited resources. McLaughlin travelled around Montana to the different camps of Chippewa and Cree, or as McLaughlin worded it, he spent "three weeks hunting up and enrolling the wandering... Rocky Boy and Little Bear Indians."<sup>27</sup> He visited Fort Belknap, Great Falls, Crow Reservation, Blackfeet Reservation, Havre, and families already living on the reservation.<sup>28</sup>



Map by Tyla Betke, Historical GIS Laboratory, University of Saskatchewan, 2019.

*Figure 3.2 McLaughlin's Enrollment Tour, May 1917*

<sup>27</sup> James McLaughlin to Major E.W. Estep, 22 May 1917, McLaughlin Papers, roll 8, frame 274, AAA.

<sup>28</sup> James McLaughlin to Franklin K. Lane, 12 May 1917, McLaughlin Papers, roll 8, frame 240, AAA.

Crees around the state travelled great distances to apply for enrollment. Jim Gopher remembered travelling with many others to Great Falls and then to Browning to get their names on the rolls.<sup>29</sup> At each of his stops, McLaughlin asked applicants (often through an interpreter) a set list of questions and recorded a tentative list of enrollees. He asked each head of household their families' age, birth place, blood quantum, and family history. He also asked if they had previously lived in Canada, were beneficiaries of Canadian scrip or land, or had proven up on a homestead in the United States.<sup>30</sup> These questions reflected the factors of a person's life the BIA believed were relevant to determine belonging.

Given the varied locations of Crees and Chippewas throughout the state, McLaughlin was unable to meet with every person who wished to be enrolled on the reservation. When he went to the Crow Agency where members of Little Bear's and Rocky Boy's bands were camped, for example, a man named Chief Goes Out was living away from the agency headquarters. Chief Goes Out learned he needed to meet McLaughlin at headquarters but telegraphed the agent saying he did not have money to travel and apply for membership.<sup>31</sup>

McLaughlin relied on third-party informants for individuals he could not visit. Because he did not visit the Flathead Reservation, McLaughlin instead asked the Superintendent of the Flathead Agency to mail him biographical information of individuals residing there that should be enrolled at Rocky Boy. It is unclear how the Superintendent made these decisions or gathered the information.<sup>32</sup> Applicants also told McLaughlin about their kin and friends who should be added. Applicant James Denney, for example, told McLaughlin about ten people living at

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<sup>29</sup> Jim Gopher G-1, interview by WtD, 23 June 1975, Rocky Boy Archive (hereafter RBA), Box Elder, MT.

<sup>30</sup> "Interrogatories Propounded to Applicants for Enrollment as Rocky Boy Indians," n.d., McLaughlin Papers, roll 8, frame 182, AAA.

<sup>31</sup> Chief Goes Out to Crow Superintendent Estep, 26 May 1917, McLaughlin Papers, roll 8, frame 275, AAA.

<sup>32</sup> James McLaughlin to Superintendent at Flathead, 23 May 1917, McLaughlin Papers, roll 8, frame 281-82, AAA.

Helena, another city he did not visit, who should be added to the roll. McLaughlin sent the list to Helena resident Frank Linderman to verify Denney's request.<sup>33</sup> Linderman confirmed Denney's list and added that there were nine or ten people at Flathead and one near Malta who were missing but should be enrolled.<sup>34</sup> Further, several people were away hunting coyotes when McLaughlin visited the reservation to enroll those already living there. The Rocky Boy farmer-in-charge, Roger St. Pierre, continued to send McLaughlin short biographical family histories of potential enrollees after he had left the state.<sup>35</sup> The result of McLaughlin's Montana tour, including several visits at key camp locations and personal correspondence, was an assembled tentative roll of 658 people.

### *3.3 The Roll: Issues and Analysis*

McLaughlin's 1917 tentative roll and the accompanying "Family History" document reveal substantial information about the Cree's experience in the Canada-U.S. borderlands leading up to 1917. Yet, it is important to emphasize that the roll only provides the information McLaughlin recorded and is reflective of the unfeasibility of attempting to concretely define identities of a transnational and ethnically fluid population.

McLaughlin faced systemic problems. Historians have documented Indigenous distrust of census enumerators and government officials.<sup>36</sup> The fear of retribution under which Big Bear's band continued to live for their association with the Resistance likely amplified this challenge. Further, enrollees had a real incentive to provide McLaughlin with false information, especially

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<sup>33</sup> James McLaughlin to Linderman, 23 May 1917, McLaughlin Papers, roll 8, frame 276-77, AAA.

<sup>34</sup> Frank B. Linderman to James McLaughlin, 27 May 1917, McLaughlin Papers, roll 8, frame 287, AAA.

<sup>35</sup> Roger St Pierre to James McLaughlin, 11 June 1917, McLaughlin Papers, roll 8, frame 386, AAA; Roger St Pierre to James McLaughlin, 25 September 1917, McLaughlin Papers, roll 8, frame 492, AAA.

<sup>36</sup> Benjamin Hoy, "Uncertain Counts: The Struggle to Enumerate First Nations in Canada and the United States, 1870-1911," *Ethnohistory* 62, no. 4 (2015): 729-750; Michelle Hamilton, "'Anyone Not on the List Might as Well be Dead': Aboriginal Peoples and the Censuses of Canada, 1851-1916," *Journal of the Canadian Historical Association* 18, no. 1 (2007): 57-79; Nancy Shoemaker, "The Census as Civilizer: American Indian Household Structure in the 1900 and 1910 U.S. Censuses," *Historical Methods* 25, no. 1 (1992): 4-11.

concerning their connection with Canada. If the American government chose to prioritize membership for people they deemed “American Indians” (which was to be expected after decades of systemic discrimination for not being “American,” enough), respondents could try and increase chances of enrollment by claiming American birth and minimizing or completely omitting their time spent in Canada. This seems to be the case for the many respondents who assured McLaughlin that while they had visited Canada on occasion to visit kin or receive scrip, they immediately returned south of the line after their brief trips.

Even Little Bear, whose movements were well-known in Canada, told McLaughlin he had lived in Montana continuously for the previous 34 years (since 1883), except for one year when he lived on the Wind Reservation in Wyoming.<sup>37</sup> This version of his life story does not account for his time spent in the North-west Territories before the turn of the century, including Frog Lake in 1884-85 and his time at Hobbema and Onion Lake in 1896-1898.

Another reason for inconsistencies in the roll is that applicants did not always know the answers to McLaughlin’s questions, especially birth location. In 1975, Fred Huntly described the difficulties of using birthplace as an indicator of national identity:

“...at one time there wasn’t no line between here and there, Indians can just go all over... I tell you its pretty darn hard to tell which Indian belonged on the other side, which one belongs on this side. And some of them you ask them where their born. Well when the cherries were ripe, I was born way out maybe on that side of that big river out in there. Well how in the hell can you find what country so there you are. So lot’s of them don’t know where.”<sup>38</sup>

Jim Gopher similarly remembered that some people did not know their birthdates.<sup>39</sup> Thus specific geographic and temporal information contained in the roll may have been an approximation provided by respondents in order to answer all of McLaughlin’s questions. After

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<sup>37</sup> “Family History,” document accompanying 1917 Rocky Boy Roll, 3.

<sup>38</sup> Fred Huntley H-3, interview by George Denny and Tom Dahlen, 8 May 1975, RBA.

<sup>39</sup> Jim Gopher G-1, interview by WtD, 23 June 23 1975, RBA.

extreme precarity with no land south of the line, applicants would not have wanted incomplete information to jeopardize their chances of reservation enrollment.

Inconsistent record keeping, even when taken by the same government, emphasizes the difficulty of reconstructing Cree mobility and belonging. The tribe column of a 1915 Census taken of the families already living on the reservation site is barely legible, but it appears that almost everyone was documented as Chippewa or Chippewa Cree. This designation is a marked contrast to the variety of tribal identities recorded in McLaughlin's 1917 roll. For example, John Gopher was listed as Chippewa Cree in 1915 but in 1917, he was recorded as ½ Cree and ½ Assiniboine.<sup>40</sup> Angelique Des Joiles went from being described as Cree to fullblood Chippewa, and Mary Murphy went from "Full Cree" to "3/4 Chippewa" from the 1915 Census to the 1917 roll.<sup>41</sup> These differences are unsurprising given that the government required enrollees to categorize their identities in ways that were incongruent with their own notions of identity and belonging. The age column also shows inconsistency, with few individuals' ages actually being two to three years older in 1917 than in 1915. For instance, couple John Gopher and Horn Woman were recorded as 50 and 37 years old, respectively, but two years later in 1917, John was listed as 58 years old and Horn Woman as 44 years old.<sup>42</sup> These inconsistencies act as a reminder that the 1917 roll, despite its seemingly confident appearance with neatly defined columns, is as flawed as any government source attempting to categorize a complex group of people.

For all its limitations, the 1917 roll presents the most comprehensive data of the families labelled the "Montana Cree." The roll clearly shows the extensive geographic origins of those

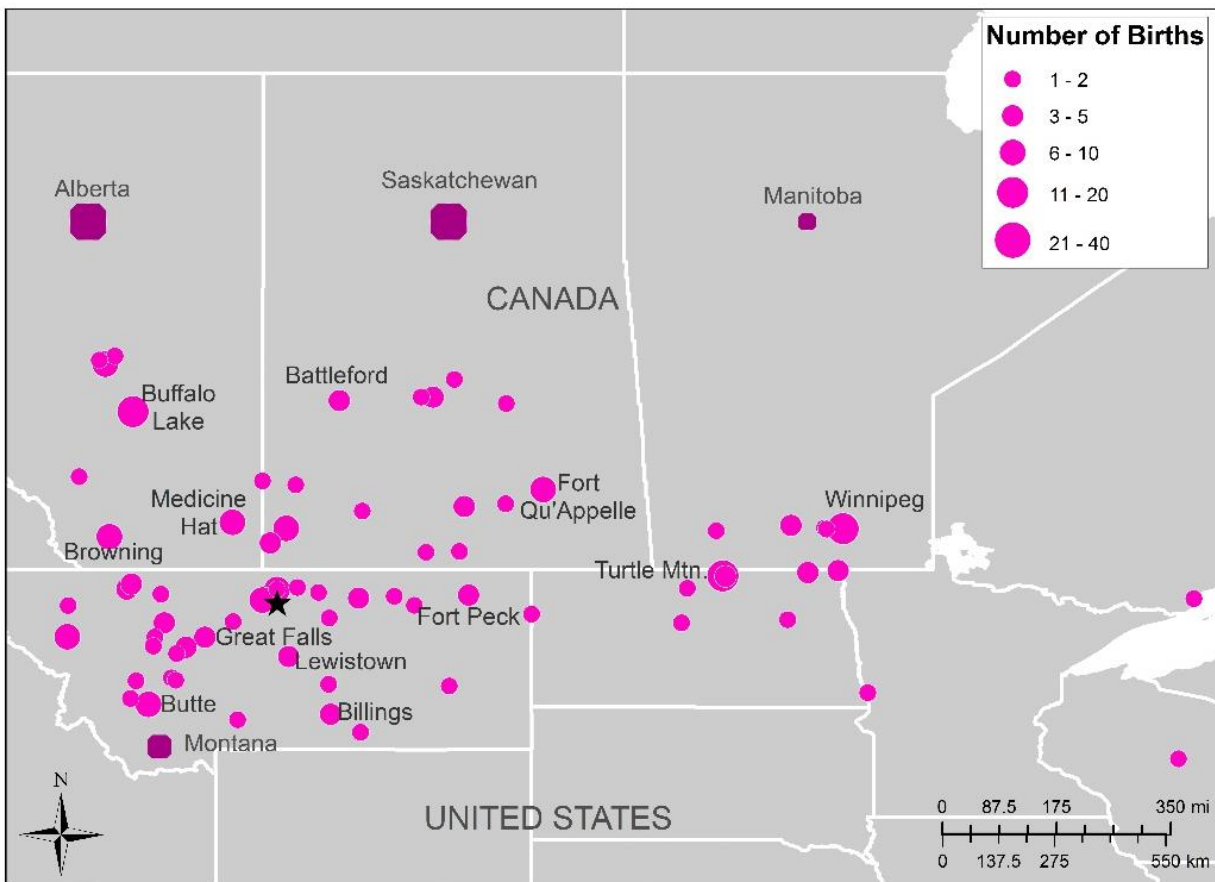
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<sup>40</sup> "Family History," document accompanying 1917 Rocky Boy Roll, 8; "Census of the Chi[ppewa] and Cree Indians of Box Elder Agency," family 28, entries 75 to 81, M 7937, Glenbow.

<sup>41</sup> C. L. Ellis, "Memorandum regarding Indians on the Blackfeet Indian Reservation, Montana," spring 1915, McLaughlin Papers, roll 8, frame 267-72, AAA; "Family History," document accompanying 1917 Rocky Boy Roll, 85; Ellis, "Memorandum regarding Indians on the Blackfeet Indian Reservation, Montana"; "Family History," 96.

<sup>42</sup> "Family History," document accompanying 1917 Rocky Boy Roll, 8; "Census of the Chi[ppewa] and Cree Indians," family 28, entries 75 to 81.

who applied for membership at Rocky Boy. Figure 3.3 below shows the birth locations of the 295 adults listed on the 1917 tentative roll with given birth locations.<sup>43</sup> This vast spread demonstrates that while these enrollees may have found themselves in similar situations in Montana in 1917 with no recognized rights to their indigeneity or to land, they were not a homogenous group in terms of geographic origin. The black star on the map represents the newly created Rocky Boy Reservation, the spot where all the enrollees, born across eight present-day provinces and states, applied to live. It is no wonder that McLaughlin had such a difficult time distinguishing exactly who these enrollees were.



Eight enrollee's birth locations were 'Canada' and are not mapped here. Rounded square symbols represent non-specific birth locations.

Map by Tyla Betke, Historical GIS Laboratory, University of Saskatchewan, 2019.

*Figure 3.3 1917 Rocky Boy Tentative Roll Adult Birth Locations*

<sup>43</sup> “Adults” for the purpose of data analysis does not mean all individuals 18 and older. Some heads-of-households and/or their spouses were under the age of 18 but were still counted as adults for this analysis. Children 18 years and older were not included as adults if they were enrolled in their parents’ households.

The majority of respondents reported Canadian birth (172 or 58.3% Canadian-born, and 123 or 41.7% American-born). Considering the incentive to report an American birth, it can be assumed that the number of Canadian-born applicants was even higher than the reported almost two-thirds. Alberta, Saskatchewan, and Montana comprised over three-quarters of the reported adult birth locations, representing 18.6%, 28.5% and 31%, respectively. Other birth locations included Alberta, Manitoba, Ontario, simply 'Canada,' North Dakota, Minnesota, and Wyoming. Over one-third (35%) of married couples that applied for band membership were born in different countries. This detail points to the transnational or cross-border nature of these relationships and families.

Given the history of ethnic merging within the bands, the tribal category of McLaughlin's roll is perhaps the most interesting category of historical analysis. It is also, however, the most problematic given the competing ideas of identity at play. It is unclear what (if any) instructions McLaughlin provided to enrollees when asking them about their tribal make-up. It appears as though some people responded according to their own understandings of their tribal identity, while others' identities were clearly recorded according to blood quantum. For example, Little Bear responded that he was "fullblood" Cree. According to the genetic definition of tribal identity, Little Bear would not be "fullblood" Cree because his father Big Bear was the son of a Saulteaux (Ojibway, Chippewa) chief.<sup>44</sup> Little Bear's identification as simply Cree is in line with his long and widely used self-identity as a Cree chief. For Little Bear, then, he was answering McLaughlin's question in accordance with Cree concepts of identity.

Other applicants definitely relied on blood quantum to report their tribal identities. Most entries with multiple ethnicities used fractions (ie. "2/4 Cree, 1/4 Assiniboine, 1/4 French") and

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<sup>44</sup> Mcleod, "Plains Cree Identity," 444.



many applicants' identities included references to actual blood, such as "with a slight strain of French blood." Applicant Louis Flamand's note to McLaughlin also shows that individuals turned to government officials for blood quantum clarification. Flamand, aged 74, wrote in to McLaughlin about his tribal identity in May 1917. He explained that his father was Cree and French and his mother was Chippewa and French. He instructed, "now you can tell how much Chippewa Blood that I got in me."<sup>45</sup> Flamand, like many respondents, assumed that it was "Chippewa blood" in particular that could guarantee enrollees' rights to the new reservation.

Some historians have attempted to use the tribal information from the 1917 roll to form arguments about the tribal and cultural makeup of Little Bear's and Rocky Boy's bands. Nicholas Vrooman even criticizes historians for simplifying identity by naming Little Bear as Cree because of his multi-ethnic heritage (and he calls Chief Big Bear, a well-known Cree chief, a "Chippewa chief").<sup>46</sup> However, blood quantum was not how the Cree defined themselves and their kin, and so using a source framed in blood quantum such as the 1917 roll to make such arguments is contrary to Indigenous identity formation.

Instead, the roll can provide insight into the tribal identities McLaughlin recorded and had to work with when it came time to make final enrollment decisions. McLaughlin included a tribal description for 287 individuals on the tentative roll. While the BIA expected to enroll Chippewas and knew some Crees would apply, they did not account for the diversity and fluidity of the "landless Indians" who sought enrollment. 12 different First Nations identities appeared throughout the roll: Arapahoe, Assiniboine, Blackfeet/(foot), Chippewa, Cree, Flathead, Gros Ventre, Iroquois, Mandan, Piegan, Shoshone, and Sioux. Non-Indigenous identities included

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<sup>45</sup> Louis Flamand Sr. to James McLaughlin, 11 May 1917, marriage cards, M 7937, Glenbow.

<sup>46</sup> Nicholas C. P. Vrooman, *"The Whole Country Was . . . 'One Robe'": The Little Shell Tribe's America* (Helena: Drumlummon Institute, 2012), 251, 254.

white, French, German, Irish, and Scotch. 34 different combinations of tribal or ethnic identities appeared across 287 individuals.<sup>47</sup>

The table below shows that only slightly more than a quarter appeared as both Cree and Chippewa, despite settler descriptions of the group as a wholly amalgamated Chippewa-Cree tribe. Unsurprisingly, over two-thirds of respondents reported being at least 1/4 Chippewa, which just like an American birth location, respondents had an incentive to claim. Assiniboiné and Blackfeet were the most frequent tribal identities after Chippewa and Cree, with 20.2% and 8.4% of people recorded, respectively. Less than a quarter of respondents were recorded as fullblood, either Cree or Chippewa, emphasizing the complex genealogies of these people.

*Table 3.1 Tribal Category of the 1917 Rocky Boy Tentative Roll*

<b>Tribal Category<sup>48</sup></b>	<b>Number of Individuals</b>	<b>Percent of Total<sup>49</sup></b>
Fullblood Cree	23	8%
Fullblood Chippewa	36	12.5%
At least ¼ Cree	162	56%
At least ¼ Chippewa	196	68%
At least ¼ white	119	41.5%
At least ¼ Cree <i>and</i> Chippewa	79	27.5%
At least ¼ Assiniboiné	58	20.2%
At least ¼ Blackfeet	24	8.4%

The tribal category of the 1917 roll also highlights the high rates of intermarriage among borderlands Indigenous nations; most couples reported different tribal identities. Even the leaders of each tribe intermarried: in 1898 at Havre, Cree Chief Little Bear married Alberta-born Bad Face who was listed as ½ Blackfeet and ½ white, and in 1913 at the new reservation site Chippewa Chief Rocky Boy married Saskatchewan-born Voice, recorded as fullblood Cree.<sup>50</sup>

<sup>47</sup> For this analysis I considered white to be French, Scotch, Irish, and German and white, and I didn't differ by "amounts." For example, I considered "½ Cree, ¼ Chippewa, and ¼ French" to be the same as "½ Chippewa, ¼ Cree, and ¼ French," because both people were Cree, Chippewa, and French.

<sup>48</sup> Only designations of at least ¼ were used and any mention of a "slight strain" was not taken into consideration.

<sup>49</sup> Percent of total number of individuals whose tribal category was listed.

<sup>50</sup> "Family History," document accompanying 1917 Rocky Boy Roll, 53; "Family History," 3, 15.

The appearance of other nations in the 1917 roll reflects the mobility of the Cree and Chippewa and reiterates that being Cree, or a member of a Cree band, did not necessitate being exclusively Cree by ethnic heritage, language, or culture.

Thus, while the roll carries a sense of confidence to it with its neat columns full of data for respondents, in reality it provided the BIA with very little useful information about where people actually belonged from a racial, geographic, cultural, linguistic, or self-identification point of view. It did tell McLaughlin that his job of eliminating applicants to create a final roll would be far from an easy task.

### *3.4 Eliminating Enrollees*

The tentative roll of 658 people included those who applied for membership directly to McLaughlin and people whose names settlers and agents forwarded for consideration. The next step was for McLaughlin to eliminate enrollees and create a final roll.<sup>51</sup> Congress had only allocated 56,035 acres of land for the new reservation, a space too small to support a population of over 650. McLaughlin had to significantly reduce the number for the final roll. Despite the incompatibility of the two frameworks of identity and belonging, the BIA had almost complete control over determining who would ultimately have membership and rights to Rocky Boy's Reservation. McLaughlin met with Little Bear, farmer-in-charge Roger St. Pierre, and headmen of the Cree and Chippewa during his time in Montana, but it is unclear how much influence they had on the final roll.<sup>52</sup> McLaughlin reduced the roll from a population of 658 to only 452.

McLaughlin had no set instructions about how to choose who to eliminate, so it was ultimately up to him to decide. Should he consider birth country? Tribe? Kinship? He had all of

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<sup>51</sup> Nicholas Vrooman wrote that Roger St. Pierre, the Farmer in Charge, "whittled down" the original list of 658 submitted by Little Bear. Vrooman, *"The Whole Country Was . . . 'One Robe,'" 301*. However, McLaughlin's papers show that he (and not St. Pierre) was responsible for creating the tentative roll and eliminating enrollees.

<sup>52</sup> James McLaughlin to Commissioner Sells, 7 July 1917, McLaughlin Papers, roll 8, frame 406-08, AAA.

this information in the tentative roll to use. A comparison of those accepted and eliminated reveals no patterns to suggest any sort of systematic way he eliminated enrollees. Given the department's warnings about Canadian Indians trying to be enrolled, one may expect that individuals with Canadian birth locations were first to be eliminated. Vrooman cites Gary Botting's work to suggest that the farmer-in-charge at Rocky Boy recorded a disproportionate number of people as under the age of 50 as a way to intentionally exclude those listed as born in post-confederation Canada.<sup>53</sup> However, enrollees born in Canada actually had a slightly better chance of making it on the final roll; of those adults listed as born in Canada on the tentative roll, 76% were approved for the final roll, compared to the 71% of adults born in the US. McLaughlin admitted to Commissioner Sells that many of the older individuals on the final roll were in fact born in Canada, and some had even received scrip there. He justified his decision by emphasizing that these individuals had been in the United States for years and were recognized members of the band.<sup>54</sup>

McLaughlin's lack of consideration of the national origin of the Cree was actually not a departure from previous officials' actions. While American settlers and officials consistently condemned the Cree as a whole for being Canadian, officials looked the other way when convenient. As early as 1913, Superintendent Morgan recommended to the BIA that "perhaps the status of these Indians should not be considered at this time, as a condition exists which the citizens seem to think should be remedied by the Federal Government in some way or another."<sup>55</sup>

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<sup>53</sup> Vrooman, "*The Whole Country Was . . . 'One Robe,'*" 302.

<sup>54</sup> James McLaughlin to Cato Sells, 7 July 1917, McLaughlin Papers, roll 8, frame 406-08, AAA.

<sup>55</sup> Fred C. Moran to Commissioner of Indian Affairs, 21 August 1913, No. 85015, box 10, file 9, Montana State University Burlingame Archives (hereafter MSUBA), Bozeman, MT.

To appease settlers to whom the Cree had apparently “long been a source of annoyance,” Morgan endorsed confining the Cree to a reservation despite their Canadian roots.<sup>56</sup>

Similarly, in 1915 the Superintendent of Fort Belknap Reservation investigated the camps at Fort Assiniboine and recommended that the Cree be included “for administrative reasons,” even though they were not Chippewa members of Rocky Boy’s Band.<sup>57</sup> Officials realized the impossible nature of making decisions based on country of birth. The borderlands turned simple questions into complicated ones. Complicated ideas became unmanageable problems.

The separation of the Cree in Montana into smaller camps did not make McLaughlin’s task any easier. Along with birth location, there is no indication that place of enrollment (ie. smaller camp) affected McLaughlin’s decisions. Thomas Wessel, hired by the Rocky Boy band to write their community history in the 1970s, wrote that the final roll included all those living on the reservation for the previous three years.<sup>58</sup> However, this was not the case, evidenced by Isabelle Duran’s story. She was eliminated despite residing on the reservation. People enrolled at other localities such as Crow Reservation or Browning had no worse chances of being accepted than those already camped on the reservation land. This suggests that McLaughlin did not give preference to one established camp over another.

Nor was there a relationship between being “fullblood” and positive enrollment, despite some previous historians’ assertions that being “mixed” could threaten enrollment eligibility.<sup>59</sup> For instance, Spear and Flank, both “fullblood Cree,” and their five children aged three to 15, were eliminated from the tentative roll.<sup>60</sup> Thus contrary to the beliefs of some respondents

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<sup>56</sup> Superintendent Fred C. Moran to Commissioner of Indian Affairs, 21 August 1913, M7937, Glenbow.

<sup>57</sup> Franklin K. Lane to Representative Stephens, 16 December 1915, MSS No. 7, box 42, file 16, UMMA.

<sup>58</sup> Thomas R. Wessel, *A History of the Rocky Boy’s Indian Reservation* (Bozeman: Montana State University), quoted in Vrooman, “*The Whole Country Was . . . ‘One Robe,’*” 302.

<sup>59</sup> Foster, *We Know Who We Are*, 218.

<sup>60</sup> “Family History,” document accompanying 1917 Rocky Boy Roll, 31.

answering McLaughlin's questions, reporting a fullblood status did not help guarantee enrollment.

While colonial governments set up a system designed to create rigid identities, when it came to applying it, Indigenous histories, genealogies, and identities were not able to neatly fit into the government's desired boxes. McLaughlin began the process by surveying enrollees for desired information but in the end, he found no straight-forward way to determine who should or should not belong on the reservation. Cree band and community structures did not align with a fixed reservation enrollment system. The incompatibility between the government's and the Cree's ideas about identity and belonging allowed for significant interpretation and adjustment by agents tasked with carrying out laws passed in Washington. In this way, McLaughlin had the ability to create a haphazard set of inclusions that neither measured who was Cree or Chippewa, who was American or Canadian, or who had social connections to Rocky Boy and Little Bear's bands, nor did it reflect the ways the community self-identified.

McLaughlin's personal papers from this time, a collection not yet cited by historians who have analyzed the creation of the Rocky Boy Indian Reservation, reveal just how haphazardly he created the final roll. The process through which he decided the rights and futures of Indigenous peoples was not based on kinship or national, racial, and tribal identity. Instead, McLaughlin's correspondence confirms he gave first consideration to persons who he deemed older, homeless, and with no other means of support.<sup>61</sup> Even though the bill specified the reservation was created for Rocky Boy's Indians and other landless Indians in the state, McLaughlin's decisions were based on his subjective assessment of individuals' levels of neediness or his interpretation of their connectedness to Rocky Boy or Little Bear's bands.

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<sup>61</sup> James McLaughlin to Commissioner Sells, 7 July 1917, McLaughlin Papers, roll 8, frame 406-08, AAA.

The BIA's goal to reduce costs (ie. a reduction in band membership) shaped McLaughlin's decision-making. Self-sufficiency and perceived connections to other communities drove decisions around inclusion. McLaughlin eliminated applicants from the final roll for a wide range of reasons. He removed some families because they had established homes (albeit non-inheritable) on other Indian Reservations. Others lost enrollment because they had been in the United States for too few number of years. He denied some children membership because they were enrolled at another reservation with a different parent. He denied other families enrollment because they lived in other localities away from the reservation and were deemed adequately supported by their husbands or sons.<sup>62</sup> Some families lost out on membership because McLaughlin determined they were not associated closely enough with Rocky Boy or Little Bear's bands, even when they were without homes. Some families in this category were Métis who had been left out of treaty negotiations in North Dakota. Such was the case for Theodore and Rose (née Houle) Brien and their three young children, all denied enrollment because McLaughlin deemed them "clearly Turtle Mountains."<sup>63</sup>

The majority of people McLaughlin eliminated were young, able-bodied men, particularly those without families whom he deemed already self-supporting. Commenting on 29-year-old Maxim Ovellete's application, McLaughlin wrote, "He speaks English quite well, is able to care for himself, and in my judgment should not be considered for enrollment."<sup>64</sup> Even Thomas Small, a 25-year old man listed as ½ Chippewa, ¼ Cree, and ¼ Blackfeet, who was born and lived his whole life in Montana, and had "always belonged to Rocky Boy Band" was eliminated. McLaughlin noted Small was working away from the reservation because he was able to find

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<sup>62</sup> James McLaughlin to Commissioner Sells, 7 July 1917.

<sup>63</sup> "Family History," document accompanying 1917 Rocky Boy Roll, 68.

<sup>64</sup> "Family History," document accompanying 1917 Rocky Boy Roll, 71.

employment.<sup>65</sup> Regardless of relationships and connections, blood quantum, or tribal identities, McLaughlin eliminated those he believed could take care of themselves without enrollment.

### *3.5 Implications of the Roll and Resistance*

The creation of the Rocky Boy Reservation roll failed to achieve the BIA's original major aims. It did not clarify the identity of these people and it did not prohibit "Canadian Cree" from receiving recognition in the United States. In July 1917, after McLaughlin had finalized the roll, he claimed to Indian Commissioner Sells that he had consulted "several of the leading Indians" and none had objected to the final roll.<sup>66</sup> This was not the case. Correspondence to the BIA and the Cree's white allies immediately following the roll's creation demonstrate that it caused considerable and understandable frustration. The BIA, through McLaughlin, held the final authority about belonging on the reservation, yet the Cree were not passive in the roll's aftermath.

Individuals were especially frustrated when their family members were approved but they had been eliminated. For example, 22-year-old Rattling Lodge and her husband, 26-year-old Thomas Indian, both listed as ½ Cree and ½ Assiniboine, were eliminated along with their two children. The couple was denied band membership despite each being born in Montana and each of their fathers being approved – Big Wind and Bow, respectively.<sup>67</sup> The couple asked farmer-in-charge Roger St. Pierre to write to McLaughlin about this discrepancy.<sup>68</sup> Cree enrollees expected membership to reflect kinship, but found that was not the case.

Chief Little Bear also voiced concern about the final roll. To do so, he relied on his earlier forms of diplomacy and resistance to government discrimination, as discussed in chapter

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<sup>65</sup> "Family History," document accompanying 1917 Rocky Boy Roll, 46.

<sup>66</sup> James McLaughlin to Commissioner Sells, 7 July 1917.

<sup>67</sup> "Family History," document accompanying 1917 Rocky Boy Roll, 29.

<sup>68</sup> John Parker to James McLaughlin, 26 September 1917, McLaughlin Papers, roll 8, frame 495, AAA.



two. He shared his grievances about government record-keeping and identity creation to Linderman. He explained that his own brother and his family who were born in Montana were left off the roll, along with his nephew whom he had raised and three of his grandsons. Little Bear stressed, “these people have been with me all this while.”<sup>69</sup> He also indicated that while some of his kin had been eliminated, there were people whose names had made it onto the final roll who had previously filed on homesteads and sold them, or women who were married to men currently living on homesteads.<sup>70</sup> Little Bear evidently did not see any logical reasoning for McLaughlin’s decision-making. Deciding who would officially belong on the new reservation was not done in accordance with Cree notions of community, kin, and belonging.

In October 1917, thirteen headmen (Ed Medicine, Big Wind, Joe Big Sky, Baptiste Samatt, Well Off Man, Walking Eagle, Peter Kennewash, Bow, Shorty Young Boy, John Gopher, Chief Goes Out, Fine Bow, and Leon Gardipee) held a council to look over the final roll. They sent a petition to the Indian Commissioner to add 46 names to the roll. These names included people who McLaughlin had eliminated off the tentative roll, as well as new names that were not included in the tentative or final rolls.<sup>71</sup>

I have found no evidence that McLaughlin or the BIA took any measures to reconcile the grievances of those eliminated.

### *3.6 Conclusion*

In 1917, some of Little Bear’s band were affirmed as “American” Indians when they achieved official recognition as members of Rocky Boy’s Reservation. Others had officially become “Canadian” Indians when they joined reserves including the Montana Band at Hobbema.

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<sup>69</sup> Little Bear to Frank B. Linderman, [2/9] March 1918, MSS No. 7, box 42, file 18, UMMA.

<sup>70</sup> Little Bear to Frank B. Linderman, [2/9] March 1918.

<sup>71</sup> Ed Stamper, Helen Windy Boy, and Ken Morsette, eds., *The History of the Chippewa Cree of Rocky Boy’s Indian Reservation* (Box Elder, MT: Stone Child College, 2008), 101-02.

Still others were left yet unclassified because they were denied membership on Rocky Boy's Reservation due to technicalities that McLaughlin identified on a case-by-case basis. As Michel Hogue argued about enrollment on the Fort Belknap Reservation in Montana in 1921, "the specific decisions about enrollment and belonging – about who was Indian – rarely followed fixed criteria." Instead, "such decisions encompassed a multitude of factors, most of which had little to do with blood or race."<sup>72</sup> For the Cree in Montana, the BIA allowed arbitrary decisions to cut down enrollment numbers to be more in line with their reservation size, not to reflect Cree or Chippewa understandings of community or belonging. Men who could find employment in the cities, women whose husbands were enrolled elsewhere, and families who McLaughlin deemed not closely enough connected to Little Bear's band were denied their rights to land and official recognition of their indigeneity.

In the end, defining who belonged on the Rocky Boy's Reservation did not follow either the Cree's or the BIA's intellectual conceptions about identity or membership. Instead, it came down to the BIA's practical considerations of cost efficiency and a single agent's opinion about whether an applicant could survive without the reservation. Unsurprisingly, these decisions had long-lasting effects for Cree families both denied and accepted on the Reservation.

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<sup>72</sup> Hogue, *Metis and the Medicine Line*, 222.

## Epilogue

The creation of the Rocky Boy Indian Reservation in 1916 provided an immediate remedy to some of the decades-long challenges facing Little Bear's Cree. After years of negotiations, they finally had a home to call their own in Montana. Federal recognition, however, continued to run at odds with how the Cree structured their families and communities. Recognition also came with the consequence of increased federal power over their lives, and the rising coercive ability of the government significantly altered families included and excluded from the 1917 Rocky Boy Reservation roll.

Indigenous peoples left off the final roll of the Rocky Boy Reservation continued to live without a permanent land base or recognition of their indigeneity. These people included the over two hundred individuals Major James McLaughlin eliminated from the initial rolls of the new reservation, and those who were left off it completely. In 1927, to better fight for their rights and recognition, Montanan residents established the first official organization under the name "The Abandoned Band of Chippewa Indians." According to historian Vern Dusenberry who interviewed members, the group insisted on being called Chippewa but they were majority Métis.<sup>1</sup> The group later changed to "The Landless Indians of Montana" which had to protest under the identity of their Aboriginal lineage as Chippewas because the American government did not recognize the rights of Métis peoples.<sup>2</sup> Thus although the 1916 creation of the Rocky Boy's Indian Reservation created a home for some, it did not solve the problem for the hundreds of other landless and non-recognized Indigenous families in Montana, today known collectively as the Little Shell Chippewa Tribe. The Little Shell tribe received state recognition in Montana in

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<sup>1</sup> Verne Dusenberry, "Waiting for a Day that Never Comes," *Montana: The Magazine of Western History* 8, no. 2 (spring 1958), 26.

<sup>2</sup> Martha Harroun Foster, *We Know Who We Are: Métis Identity in a Montana Community* (Norman: University of Oklahoma Press, 2006), 211.

2006, but they continue to wait for federal acknowledgement.<sup>3</sup> In June 2019, a bill to federally recognize the Little Shell Tribe of Chippewa Indians passed the U.S. Senate.

### *1935 Adoptions and Subsequent Meetings*

In addition to those excluded from the rolls, the federal government's restrictive notions of belonging and indigeneity also continued to alter the organization of families and community for those approved as members of the new reservation, especially after the passing of the Indian Reorganization Act (IRA) in 1934. The American Bureau of Indian Affairs (BIA) introduced the act to set the principles of self-government and self-determination for reservations. Under the act, bands would pass their own constitutions and create governing bodies. The BIA also promised additional reservation lands to those who adopted the IRA. The Rocky Boy band voted to adopt the act to provide additional land to their growing population.

Problems ensued when the BIA stipulated that in order to receive the land promised to them under the IRA, the band would need to adopt 50 additional families of landless Indians.<sup>4</sup> The BIA hoped this plan could placate the Rocky Boy band's concerns, while also appeasing protests made by the remaining Landless Indians of Montana. The band negotiated the number down to 25. In exchange for adopting these families, they gained the right to add 45,000 acres of purchased land to the Rocky Boy reservation.<sup>5</sup> According to members of the Landless Indians of Montana, the band chose Canadian Cree who came to Montana after 1885 as the adoptees.<sup>6</sup> The adoptees included Frank Caplette, the son of Isabelle Duran whose story I introduced in

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<sup>3</sup> Nicholas C. P. Vrooman, *"The Whole Country Was . . . 'One Robe'": The Little Shell Tribe's America* (Helena: Drumlummon Institute, 2012), 13.

<sup>4</sup> Ed Stamper, Helen Windy Boy, and Ken Morsette, eds, *The History of the Chippewa Cree of Rocky Boy's Indian Reservation* (Box Elder, MT: Stone Child College, 2008), 23.

<sup>5</sup> Walter V. Woehl[??] to Paul Fickinger, 27 November 1946, RS 266, box 13, file 6, Montana Historical Society (hereafter MHS), Helena, MT.

<sup>6</sup> Dusenberry, "Waiting for a Day that Never Comes," 38.

chapter three.<sup>7</sup> By limiting the amount of land available, the American government created tremendous pressure for the Cree to once again alter their own definitions of family and community.

The adoptions went through, but unique bureaucratic complications resulted in only the heads of families gaining band membership. For the next decade, adoptive families joined the reservation but technically only one member of each family was officially enrolled. Recognizing this discrepancy, the BIA sent an agent to attend Tribal Meetings at Rocky Boy in 1946-47 to clarify whether the people who voted to adopt the heads a decade earlier intended to also adopt their families.

Disputes at these tribal meetings about the adoptions reveal that issues of belonging stemming from McLaughlin's enrollment process remained strong. Ideas about identity formation remained fraught with disagreement. Some meeting attendees believed that the adoptees were "halfbreeds," and expressed concern that there were not enough resources to provide for the current "fullblood" population. Big Knife worried,

If I adopt those half breed children here how will my children live? If I tell the United States Government I don't have land for my children to live on, he will say why did you take in more people than you can handle. He tells me I can't buy any more land for your children. What can I do?<sup>8</sup>

Other band members were concerned that the "halfbreed" adoptees would take over reservation affairs.<sup>9</sup> In response, the adoptees pleaded their cases for their families to be adopted. They stressed their kin relations and indigeneity. One adoptee, for example, explained, "you call

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<sup>7</sup> Rocky Boy's Agency Tribal Meeting, 19 December 1946, RS 266, box 13, file 6, MHS.

<sup>8</sup> Rocky Boy's Agency Tribal Meeting, 14 January 1947, RS 266, box 13, file 6, MHS.

<sup>9</sup> Rocky Boy's Agency Tribal Meeting, 14 January 1947.

me a half breed because my hair is cut off,” but “I believe there [are] a lot of people in here [that] don’t have as much Indian blood as I have.”<sup>10</sup>

To make matters even more confusing, the government representative confirmed that the BIA worked within yet another understanding of identity. For the federal government, “the term ‘mixed blood’ refers to the individual who is part Indian and part white, while to [the reservation population] the term ‘mixed blood’ refers to the individual who has more than [one] type of Indian blood...”<sup>11</sup> Determining who belonged on the reservation in 1946-47 was just as complex as it was for McLaughlin in 1917.

The Chippewa-Cree tribe had to alter their own ideas about community and belonging. In January 1948, The Rocky Boy Reservation adopted 106 non-enrolled Indians of Montana into their tribe, in part to ensure that the additional IRA acres would be under the band’s control.<sup>12</sup> They adopted additional members in the face of resource scarcity and colonial policies. Just as the band had to adapt their community structures to obtain the land in the first place, they again had to organize official membership to best work within American Indian Policy and the reservation system.

### *Reunification of the Big Bear Band*

Today, over 130 years since Big Bear’s band separated in 1885, and over 100 years since some members of the band were recognized as “American Indians” on Rocky Boy’s Reservation, the descendants of Big Bear’s band are working to reunify. In August 2018, descendants of the band met at Little Pine First Nation, Saskatchewan, for the first annual Gathering of the Descendants of Big Bear’s band. The newly formed Big Bear Cultural Society, led by Terry

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<sup>10</sup> Rocky Boy’s Agency Tribal Meeting, 19 December 1946.

<sup>11</sup> Rocky Boy’s Agency Tribal Meeting, 14 January 1947.

<sup>12</sup> Resolution 17-53, RS 266, box 13, file 6, MHS.

Atimoyoo, a descendant of Buffalo Coat (Atimoyoo), organized the gathering to bring together Big Bear's band. Descendants travelled from all over Saskatchewan, Alberta, British Columbia, and Montana to meet at Little Pine. I was fortunate to attend this gathering in 2018, and again in July 2019, to hear the oral history testimonies of band descendants and share my historical resources. Elders spoke about the events at Frog Lake in 1885, struggling to survive south of the line, and how the international boundary separated families. They also spoke about Cree resistance and sovereignty. Elders at the first gathering decided that there should be a second gathering the following summer, and the society is currently working to identify more descendants of the band.

The Big Bear Cultural Society is actively working to connect with kin. Despite a century of separation by the Canada-U.S. border, Cree kinship networks have prevailed. Just as Cree families crossed the border in the late nineteenth and early twentieth centuries, Cree descendants of Big Bear's band continue regularly to cross the border to visit kin and attend cultural and ceremonial events. As we have seen in the context of Little Bear's Cree between 1885 and 1916, this resistance to colonial boundaries and policies is not new. The Cree sought avenues to resist the 1896 deportation, circumvented suppression of their cultural practices, continually challenged colonial boundaries, and resisted the characterization of their band as strictly Canadian. The Cree continue to cultivate and maintain relationships beneficial to their political efforts, both with other Indigenous groups and settler populations. They also continue to work to define their identities according to their own worldviews. They are Cree before they are American, Canadian, or "transnational." In the coming years, Big Bear's band descendants currently living across western Canada and Montana hope to define a modern, Indigenous-created identity for their band.

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