



The Dispossessed: The Ojibwa and Métis of Northwest North Dakota

By Gregory S. Camp

American Indian policy has long been likened to a swinging pendulum, alternating sometimes wildly between extremes. At times the product of well-meaning politicians and reformers, American Indian policy has been subject generally to poor implementation and the vicissitudes (alternations) of change, often leaving those whom the policy was meant to benefit in a state of confusion or worse. Members of the Turtle Mountain band of Chippewa Indians have faced some of the worst examples of government mishandling of their needs in the last century.¹ A combination of white settlement on their lands, forced removal through the Dawes Act and related legislation, and federal attempts to terminate their status as a tribe, created a challenge of Olympian proportions.² The forced emigration of the Ojibwa from their reservation was just the beginning of the difficulties they would endure.

The **Turtle Mountain Indian Reservation** is located in north-central North Dakota along the Manitoba border. Created in 1882, the reservation comprised some twenty-two townships—most of present-day Rolette County—and was carved out of the tribe's massive ten-million-acre claim.³ The federal government had recognized the validity of this claim as early as the 1870s.⁴ The 1882 reservation was created by President Chester Arthur's executive order. Two years later, in 1884, the reservation was reduced to a mere two townships in size when field agent Cyrus Beede suggested that the mixed-blood population there was Canadian in origin.⁵ In the space of two short years, the Turtle Mountain Ojibwa and **Métis** watched their land-holdings shrink from ten million acres to just over forty-six thousand. To make matters worse, no compensation had yet been provided to the tribe for their original claim.

The railroads and settlers interested in the northern plains were thrilled to hear that the General Land Office had authorized white settlement on the original ten-million-acre claim. Headlines exclaiming "Opened at Last!" gleefully proclaimed the unilateral government decision in newspapers such as the *Grand Forks Herald* and the *St. Paul Pioneer Press*.⁶ For the Ojibwas in the

area, it was a disaster, as newcomers increasingly populated lands over which they once had held sway. Throughout the 1880s, the Ojibwas, under the leadership of chiefs **Little Shell III** and **Red Thunder**, fought to reinstate their reservation to its original size and to obtain just compensation for the rest of their massive claim.⁷ Also of intense interest to the band was the reinstatement to tribal rolls of many mixed-bloods who had been wrongly considered to be Canadian. In 1885, field inspector J.C. Clements wrote that trying to decide who belonged to the tribe or not was very nearly impossible. His suggestion was to consider all of the Métis in or near the Turtle Mountains to be tribal members.⁸ To do otherwise, Clements rightly perceived, would involve much time and trouble. Deciding who originated where would take years of effort and more money than Washington was willing to spend. Of course, reinstating mixed-bloods would mean that the reservation would have to be restored to the twenty-two townships it originally contained, something by then very difficult given the swell of white settlers onto Ojibwa lands.

The Turtle Mountain band's opposition to the unilateral disposition of their recognized claims did not go unnoticed in Washington, D.C. In 1890, the

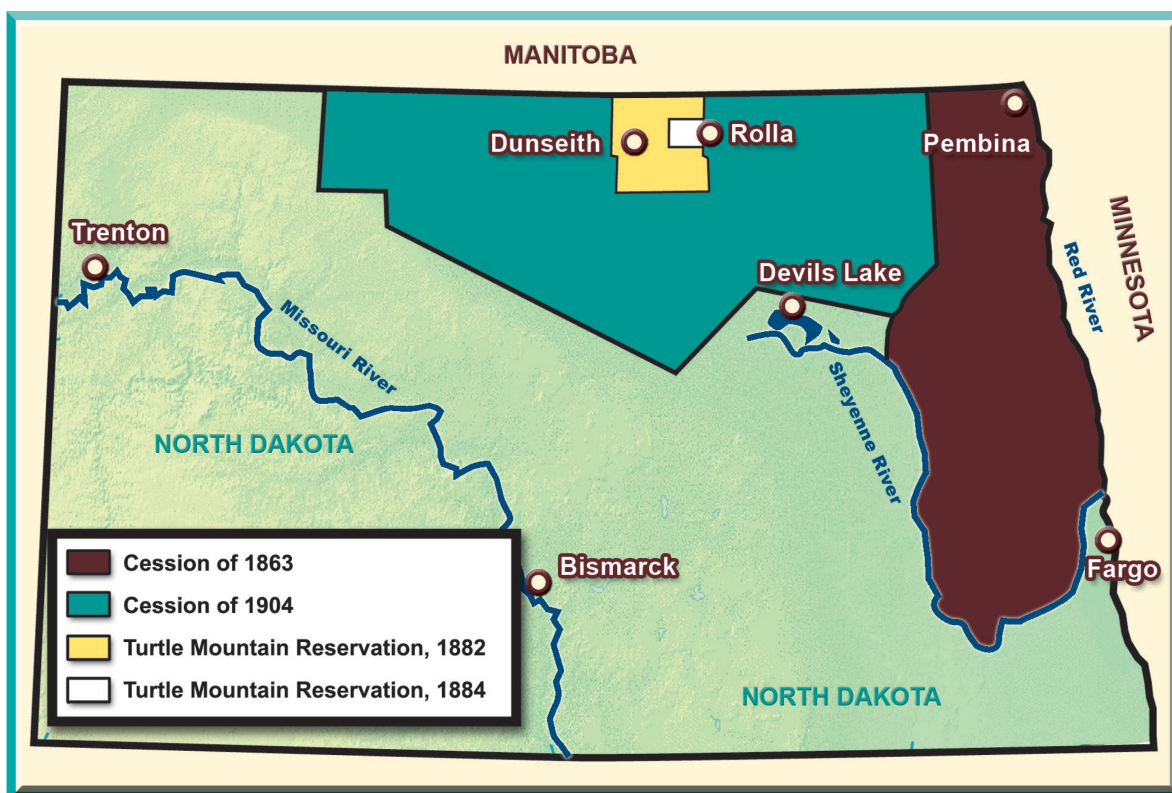


Figure 1. Chippewa Land Cessions in North Dakota. (Graphic by Cassie Theurer based on Stanley N. Murray)

House Committee on Indian Affairs determined what it considered a sound plan to deal with the “Dakota Chippewa problem.” The plan involved sending a three-man delegation (which became known as the “Commission of 1890”) to visit the White Earth Chippewa reservation in Minnesota to obtain support for removing the Turtle Mountain band there. White Earth was home to the Red Lake and Pembina Ojibwa bands, the latter being relatives of the Turtle Mountain band. The idea was that it would be easier for the federal and state governments to remove the band to live with their kinsmen than to settle lengthy battles over money and reservation size. What was not considered, however, was that the Turtle Mountain people had long since come to consider the northern plains their home, that they had lived there for a century, and that they already had federal government recognition of their claims to Turtle Mountain lands. When the Commission of 1890 visited Little Shell, Red Thunder, and the tribal council, they found little interest in removal. Having been rebuffed,

the federal government created yet another commission, named for Senator Porter McCumber, to deal with the issue.

The **McCumber Commission** had as its chief tasks quieting Ojibwa land-title disputes, creating finalized reservation boundaries, and paying the band for the original ten-million-acre claim. The approach, however, was difficult and controversial from the start. McCumber and his commission had met with Major John Waugh who supervised both Turtle Mountain and Fort Totten reservations, in an effort to come to grips with the problem. Along with Turtle Mountain reservation Farmer-in-Charge and sub-agency head Ernst Brenner, Waugh painted a picture of the Turtle Mountain band in great disarray and controlled by Canadian interests. Having received this erroneous information, Senator McCumber announced upon arrival in Belcourt that he would not be meeting with the tribal council or chiefs Little Shell and Red Thunder. Instead, with the aid of Brenner

and Waugh, McCumber created a “**Council of Thirty-two**,” which was composed of sixteen full-bloods and sixteen mixed-bloods whom the Senator was assured were “American.” Shut out of the proceedings, Little Shell and the legitimate tribal council sought legal counsel from attorneys **John Bottineau** and **John Burke**, future governor of North Dakota. Both men worked diligently for the Turtle Mountain band, but McCumber told

the lawyers they would be arrested if they set foot on the reservation.

The McCumber Commission essentially dictated terms to the Council of Thirty-two for the Turtle Mountain band. In the end, the commission proposed and obtained the following: no increase in the size of the reservation unless it be located somewhere else, no reinstatement of Métis dropped



Figures 2, 3, 4, & 5. Negotiating the land claim, treaty rights, and reservation size were (top left) Little Shell III, the third leader by that name; (top right) Red Thunder, a chief of the Turtle Mountain band; (bottom left) Senator Porter James McCumber, who set out the terms of the agreement that bears his name and that finalized the reduction in tribal lands; and (bottom right) subagent and Farmer-in-Charge Ernst Brenner, who, with Agent John Waugh and the handpicked “Council of Thirty-Two,” used a more restrictive definition than the tribe did to determine who was a tribal member and who was not. (*SHSND B0307, SHSND D0498, SHSND 113-173, SHSND C139c*)

from the tribal rolls, and payment of one million dollars for the ten-million-acre claim.⁹ The last item gave the Agreement of 1892 its sardonic nickname: the **Ten-Cent Treaty**.¹⁰ Little Shell, John Bottineau, and John Burke continued to resist this agreement until the death of Little Shell in 1900. In 1904 Congress acted upon the Agreement of 1892 and it became law. It was at this point that provisions of the Dawes Act of 1887 were applied to the Turtle Mountain band which now had full tribal status.¹¹

American Indian policy had undergone a fundamental change in 1887 with the passage of the **General Allotment Act**, popularly known as the **Dawes Act**, for Senator Henry Dawes of Massachusetts. In simple terms, this new policy provided tribal members with individual land allotments carved out of existing reservation lands; enforced compulsory, school-based education for the young; and insisted on affiliation with a Christian church for as many as possible. The Dawes Act's most salient feature, distribution of existing reservation land, was to provide one hundred and sixty acres per male adult head of household, eighty acres for females, and forty acres for each child. Additional lands would be held in reserve until the children reached adulthood. Moreover, all lands distributed in this manner would be held in trust for twenty-five years, allowing reservation residents to assimilate into white culture. Unfortunately, this trust-patent time would very quickly be reduced to a matter of a couple of years, even months. Indian lands held in trust by the federal government are not subject to state laws, including property taxes, but are subject to limitations on the use of land, such as mortgage or sale.

Nearly two decades after the passage of the Dawes Act, the Turtle Mountain Ojibwa struggled to maintain themselves on the northern plains against commissions and a flood of white settlers. The Dawes Act had been amended, shortening the trust period from twenty-five years to a period determined at the discretion of the Department of the Interior through the **Bureau of Indian Affairs** (BIA). Trust periods could be shortened if the government deemed an Indian in trust status "competent." This determination was supposed to

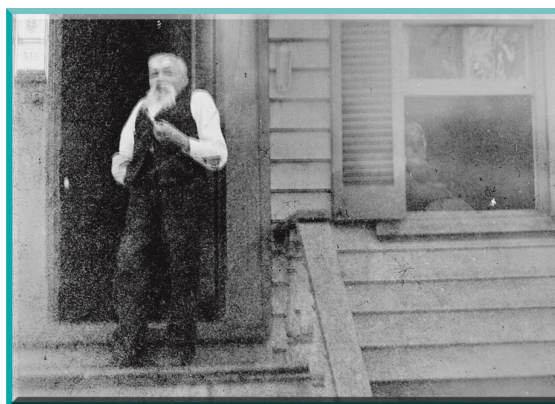


Figure 6. John Bottineau on the steps of campaign headquarters, lawyer for the Turtle Mountain Chippewa, who was barred from meetings with the Senator McCumber and Council of Thirty-two. (SHSND D0517)

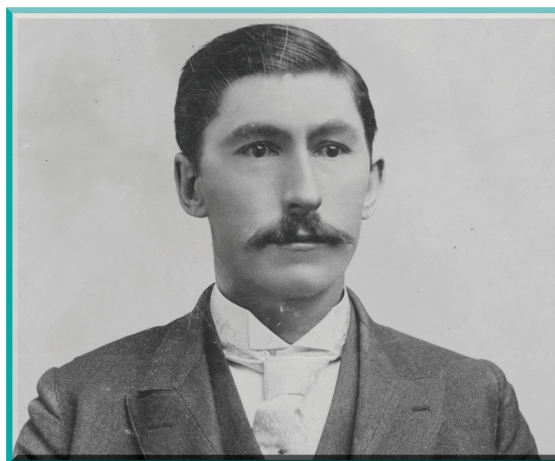


Figure 7. John Burke, lawyer from Rolette County working with Bottineau and the tribe on their land and treaty claims. Both were barred from the meeting with McCumber. John Burke later became governor of North Dakota. (SHSND A0326)

involve a competency commission that would visit each reservation, interview each prospective "competent" Indian, and then decide if the trust status for these individuals could be terminated.¹² If an individual was deemed competent, the land held in trust for that person would convert to patent-in-fee-simple status, or outright ownership of the land. For groups like the Turtle Mountain band, there were problems from the start, and they had to do with something Little Shell long had pointed out: Not enough land to go around.

When the Turtle Mountain allotment of land began in 1905, it quickly became apparent that the reservation was too small to provide everyone with a parcel of land within the reservation boundaries. The vast majority of the Turtle Mountain allotments would therefore have to be made on the public domain, and much of those at a considerable distance from the reservation. Individual allotments on the public domain were scattered over the two Dakotas and Montana, with the bulk located on public domain in northeast Montana and western North Dakota near Trenton. The Minot Land Office recorded that 390 Turtle Mountain band members had taken land allotments across northwestern North Dakota. In Montana, the Great Falls Land Office noted 142 Turtle Mountain allottees, while the Lewiston Land Office recorded seven.¹³

With the increased exodus of band members from the Turtle Mountain area, there was an upswing in white settlers entering the area. By 1910, when the Turtle Mountain reservation was finally taken out of subagency status and accorded full-agency status, the number of whites in the immediate area had more than tripled. As an agency in its own

right, the Turtle Mountain reservation was set to meet its first agent, Stephen Janus.

Janus was the quintessential Indian Office employee, thoroughly convinced that the **allotment system** was best for Native Americans in general and for the Turtle Mountain band in particular. During his tenure, 1910–1914, he oversaw allotment, disbursal, and a speeded-up **fee-patent issuance**. (Fee patents gave “competent” allottees the power to decide whether to keep or sell the land.) The 1910 tribal census enumerated a population of 229 full-bloods and 2,546 mixed-bloods, most of whom lived off-reservation. The scattering of allottees over North Dakota and into Montana required Janus to travel from the reservation headquarters in Belcourt to allottees in distant parts of North Dakota and Montana to make thorough reports on the status of band members scattered over an immense area. Janus often complained to his superiors about the inordinate amount of time spent simply in travel.¹⁴ As became apparent in his later correspondence and reports, Janus opted to keep in touch with band members via mail, though some could not read.

Figure 8. Captioned simply **Chippewa Indians**, this family with small children and two dogs, Red River oxcart, and horse, has loaded their worldly goods in the cart and is on the move. With accelerated loss of trustee status, followed by accelerated loss of land, many families moved in with other family members who still had land, both in the Trenton area and back in Rolette County. (SHSND A2472-2)



It appears that for much of his time as agency head, Janus simply ignored signs that something was terribly wrong with allotment. The mounting numbers of Indian peoples who had their lands transferred from trust status to fee patent, and who then lost their land outright did not dissuade Janus from continuing the policy. On a number of occasions when competency commissions visited the Turtle Mountain Reservation office in Belcourt, they relied solely on the Indian agent's word on a given Indian's "competency" to receive fee-patent ownership of his or her land; many never were interviewed. One of the reasons for consulting only the agent, of course, was the sheer distances involved in traveling to some band members on their land allotments at great remove from the reservation.

The transfer from trust status to fee patent was typically made without the allottees' knowledge or acquiescence. Many allottees first learned of the change in their land status upon being visited by the local sheriff and told that taxes were due on their land and were to be paid in full. Many of these allottees responded by saying their land was held in trust, only to be informed that the transfer to fee-patent status had taken place a year or eighteen months earlier. Lacking the means to pay outstanding taxes, many allottees then were forced into selling their land to cover back taxes and moving on.¹⁵ More often than not, moving on meant a return to the Turtle Mountain area, to take up residence on relatives' lands. Those returning to Turtle Mountain increased its population to the point of overcrowding, beginning under the Janus administration.

In 1915 Roger Craige (1915–1919) replaced Stephen Janus as agent of the Turtle Mountain reservation. His earliest reports expressed concern at the amount of land that went quickly from fee-patent status to the property of someone else, usually a neighboring white settler. Like Janus before him, Craige came to Turtle Mountain a true believer in the efficacy of fee-patent issuance, although he was sobered by seeing the results of that policy.¹⁶



Figure 9. Wonegut and wife Chippewa. (SHSND A0149-2)

As President Woodrow Wilson's Commissioner of Indian Affairs, Cato Sells was given wide latitude to make the Dawes Act work. By 1917, even the most optimistic proponent of issuing fee patents recognized that something was terribly wrong. But, unwilling to back away from the cornerstone of American Indian policy, Dawes Act supporters tried to provide a solution to force the system to work. The policy change depended on the mixed-bloods for its success, but sadly served mostly to hasten their loss of land. In what became known as the "Declaration of Policy," the 1917 change proclaimed all tribal members of one-half white blood or more automatically to be "competent" and thus capable of understanding [and entering upon] land ownership in fee-patent status.¹⁷ Hundreds of Turtle Mountain members pleaded to have their land kept in trust status, only to be rebuffed by the 1917 interpretation of policy. The result for Turtle Mountain was a loss of land, in the neighborhood of 90 percent, largely of off-reservation lands.

When Roger Craige left the reservation in 1919, Henry McQuigg replaced him. McQuigg was openly appalled at what he saw as the wholesale failure of the Declaration of Policy and in a broader context, the failure of Dawes Act era laws and philosophy. McQuigg reported that tribal members

both on and off the reservation were quickly selling their trust lands, thereby losing much of the tribal land base.¹⁸

Mixed-bloods were not the only tribal members to lose land. Although not on the same scale, full-blood members who had been declared “competent,” also saw their landholdings disappear as a result of liberal fee-patent dispersal. By 1920, the Turtle Mountain agency rolls revealed that of a total full-blood population of 166, fully 112 had their lands in fee-patent or restricted fee-patent status.¹⁹ There had been some attempts to protect the full-bloods at Turtle Mountain, which explains why their landholdings didn’t disappear as quickly as their mixed-blood counterparts’. But the overall effect was nonetheless devastating: upwards of 90 percent of the band’s total enrollment, on the reservation and at Trenton, had lost their land through tax sales, mortgage defaults, or outright sales. The greatest economic commodity the band had, its land, was evaporating like morning fog before a July sun.

When Fort Buford was established (1866), Turtle Mountain Chippewa hunters long had been visitors to the area. The Missouri and Yellowstone river confluence was a popular hunting and trading area for a number of tribes, and the

Chippewa and Métis were no exception. Indeed, the Métis had ranged deep into North Dakota since the 1820s, so this region was quite familiar to them. Over the decades, both mixed- and full-bloods came to the area to hunt and later, to trade. By the 1890s, the Dawes Commission decided to allot 6,698 acres of public domain in the Trenton area, thus beginning the building of a new Indian community.

In 1884, the Great Northern Railroad founded the town of **Trenton** in northwestern North Dakota. This railroad town attracted white settlers and a growing number of Turtle Mountain band allottees. The new town served as a center for regional Ojibwa and Métis culture. In the 1890s and early 1900s, Trenton flourished while the railroad was the main employer of its Native American and white populations. By the mid-1890s, Trenton boasted a number of mercantile, grocery stores, and a blacksmith. Besides working for the railroad and farming, Ojibwa and Métis were selling wood and coal to area businesses. For a time these allottees, protected by trust-patent status, were able to enjoy reasonable prosperity if they combined farming with other ventures near Fort Buford or Trenton. However, faith and hope in the railroad proved ill-placed. By 1900, business declined and unemployment rose, as did sales of Ojibwa land in

Figure 10. Trenton, North Dakota, 1909. Until shortly after 1900, Trenton’s white residents and Turtle Mountain band allottees could make a good living by combining work for the railroad, farming, and selling wood and coal to area businesses. By 1910 many who had migrated there from Turtle Mountain had moved back to Rolette County to live on relatives’ land. Trenton was and remains a center for Ojibwa and Métis culture. (SHSND 0032-WI-10-03)



the area. Some chose to pack up and move back to the reservation to take up residence on a relative's land allotment.²⁰

This migration from eastern Montana and western North Dakota back to the Turtle Mountain region became a common occurrence after 1910, as hard economic times and distance from home stirred the band members with a desire to return. Throughout the 1920s, reports of growing poverty and destitution among the band were heard in Washington. Other tribes across the American West were similarly affected, and these conditions resulted in increased calls for reform in Indian policy. A 1928 Brookings Institution study commissioned by the BIA titled *The Problem of Indian Administration* (known as the *Meriam Report*) chronicled horrendous problems and conditions on reservations across the United States.²¹

During the 1920s, increased poverty among tribal members—both on and off the reservation—strained county funds in both Williams and Rolette counties. In Rolette County between 1916 and 1926, the annual cost of relief grew from \$2,644.25 to \$17,304.02, with over 75 percent of those on the relief rolls fee-patent recipients who had lost their landholdings. BIA regional supervisor Fred Campbell, who worked at both Trenton and Belcourt, observed, “Next to the Blackfeet, the people in this reservation are the poorest in District #4.”²²

When the Great Depression began to ravage North Dakota, the Turtle Mountain band and its far-flung allottees were already in the midst of some of the worst poverty in the nation. With the election of Franklin Roosevelt and the promise of a new administration interested in Indian policy reform, some thought that at last the wrongs of the last several decades could be in some minor degree righted. And to be sure, when the Wheeler-Howard Act, known as the **“Indian New Deal”** or **Indian Reorganization Act** (IRA), became law in 1934, it did end most of the assault on tribal government, customs, religion, and economic independence of the Dawes Act era.²³

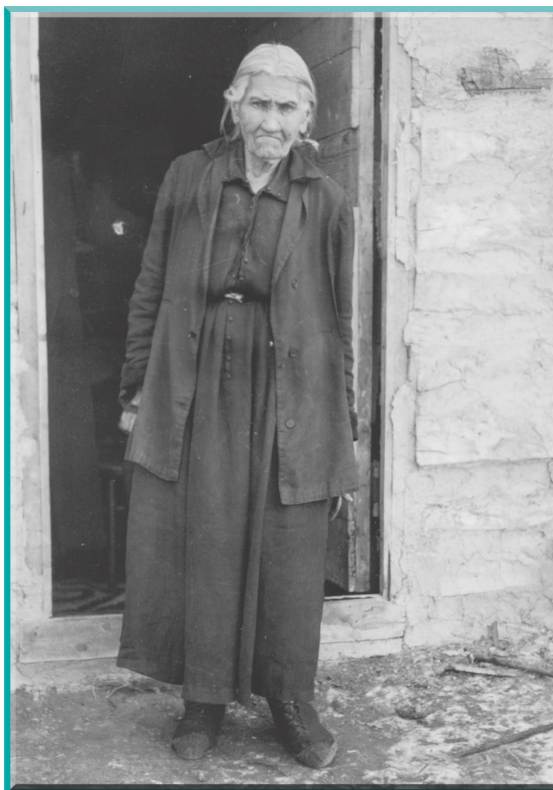


Figure 11. Ninety-one year old woman, 1939. By 1939, this woman had experienced the coming of the reservation, reduction of tribal lands, allotment under the Dawes Act, dispersal of tribal members, new settlement in Trenton, land loss via the declaration of policy, and the so-called Indian New Deal. (Walter G. Fahlgren Report, January 20, 1940, SHSND)

The premise behind BIA Director John Collier's Indian Reorganization Act was to try to reverse over a half-century of destruction of tribalism and loss of land. Doubtless these were admirable goals, but for Turtle Mountain Ojibwa, the act was to prove too little, too late. The IRA allowed individual reservations to vote on whether or not they wished to be governed under its provisions, supposedly with no repercussions from the federal government. Turtle Mountain band members at Belcourt and at Trenton were to find out that such was not the case.

The Turtle Mountain band perceived the IRA to be much like previous federal Indian policies, and thought it for the most part a serpentine route to a questionable outcome. In 1932 the Turtle Mountain band's constitution and bylaws had been

approved by Congress. These documents still recognized the hereditary Little Shell leaders.²⁴ After a short “campaign” and public meetings explaining the ramifications of the Indian Reorganization Act, a vote was held in June 1935. It is clear from the newspaper accounts and from Agent John Balmer’s correspondence to Washington, D.C., that there was general confusion about what exactly the electorate were voting upon. Many were not sure if a “Yes” vote or a “No” vote would approve or disapprove being governed under IRA provisions. Only 807 of the 1,181 eligible voters cast a ballot. On the reservation, the vote was overwhelmingly against being governed by the IRA provisions by more than a two-to-one margin.

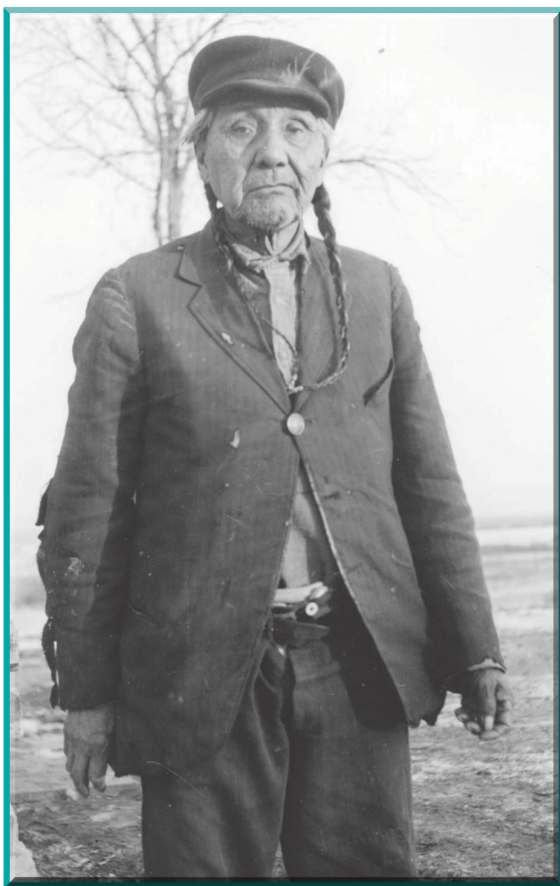


Figure 12. As noted in the *Fahlgren Report* (1940), “This man’s home was not warm enough for winter, so he lives with another family now. He receives rations.” An Ojibwa commented, “Oh we are trying to live on these rations. It has been a long time since any of us have had enough to eat.” (*SHSND Fahlgren Report*)

Enraged that Turtle Mountain did not vote in favor of the proposed changes, John Collier announced to John Balmer that because a majority of the 1,181 did not vote against the act, the vote was null and void. Collier then announced that the “No” vote in fact would be changed to a “Yes” vote. Understandably, the Turtle Mountain band was angry at this turn of events and immediately lodged a protest with the BIA, the Department of the Interior, and President Franklin Roosevelt. When the president heard of the heavy-handed approach of his BIA director, he rescinded Collier’s action and returned the vote to its original outcome. Collier, thus chastised, sent a terse, angry telegram to John Balmer which read simply, “Turtle Mountain voted itself out.”²⁵

Collier saw in the Turtle Mountain band something of a test case. The Dawes Act wreaked destruction on the tribe, but the band had nonetheless offered the best resistance they could against it, and had, despite horrible poverty that put large numbers of tribal members on the Rolette and Williams County assistance rolls, managed to survive.²⁶ When the band offered understandable caution about the IRA, Collier saw it as a rejection of his entire plan and him personally rather than merely as tribal suspicion of anything coming out of Washington. The band engaged in subsequent votes on the IRA, but always voted it down.²⁷

Between 1937 and 1944, North Dakota Governor John Moses launched a series of investigations of the poverty at Turtle Mountain.²⁸ One investigation, the *Fahlgren Report*, is replete with interviews, horror stories, and the most heart-wrenching photographs of the poverty suffered at both the Turtle Mountain area and in the Trenton district. It is perhaps one of the most honest appraisals of reservation conditions of its period anywhere in the nation. Sadly, it resulted in little or no positive action.

The Fahlgren investigation was a comprehensive report of the general conditions on and near the Turtle Mountain reservation, as well as Fahlgren’s observations at Grahams Island and Trenton. The report reads like a litany of one BIA failure after another. Governor Moses was angry when he read

it and saw the photographic evidence. Both in the Dawes Act era and the IRA period, the federal government continually assured the state's governors that conditions on reservations were acceptable, though some changes were needed. Conditions were, to say the least, less than "acceptable," and Governor Moses was determined to advertise the damage he witnessed in his travels. Such reports often are dismissed as overreactions. In this case, that was not so.²⁹

One of the federal government's suggestions was that the scattered Turtle Mountain band in and near Belcourt, as well as those band members in the Trenton area be relocated where there would be good farmable land. Fahlgren surveyed Rolette, Bottineau, and Williams counties as well as north-east Montana, and areas near the Wind River Reservation of the Eastern Shoshones and Northern Araphahoes in Wyoming, but could find no suitable land to purchase for the landless Turtle Mountain Ojibwa.³⁰

At virtually the same time as the debate on the IRA, the Bureau of Indian Affairs was mulling over the possibility of purchasing landholdings in western North Dakota and eastern Montana in trust for the Trenton-area Turtle Mountain Ojibwa. The idea was to return to a policy under which land was protected from tax sales, mortgages, and leases, in an effort to bolster the income and standard of living of area allottees.³¹

The 1935–1936 proposal to extend landholdings—and irrigated ones, at that—met with considerable favor amongst those affected. Trenton had become a center of Ojibwa and Métis culture ever since allotment in the region had taken place. In late 1935, the federal government, along with state officials, had debated the wisdom of establishing what in effect was a second Ojibwa reservation in the state: the result was the **"Trenton Plan."** The goal was to provide economic stimulus to an economically depressed area. Nonetheless, the reservation still counted the Trenton-area band members whenever tribal rolls were taken. Indeed, both state and federal governments had considered



Figure 13. New log rehabilitation house (1939).

Most homes on and off the reservation were small and rundown, with inadequate heat. Needs were so great and widespread that not everyone who needed better housing could get it. Water also was a problem. In the drought, wells had run dry. (SHSND Fahlgren Report)

the Trenton area something of an Ojibwa colony, even though the area received little or no aid from Washington or from tribal headquarters.³²

Probably the most help the Trenton-area Ojibwa received from the federal government was through the **Works Project Administration** (WPA) and the **Civilian Conservation Corps** (CCC). The latter underwent a change during the time of John Collier so that one portion of it was specifically geared to destitute Native Americans. Originally called the Indian Emergency Conservation Work (IECW), in 1937 it was renamed the **Civilian Conservation Corps—Indian Division** (CCC-ID). Short-term work was made available across the state for necessary construction projects. Nationally the CCC-ID employed some eighty-five thousand Native Americans and had a budget of about thirty million dollars.³³ Along with the Farm Security Administration (FSA), the program helped to ease the horrendous poverty in both the Turtle Mountain and Trenton areas. Food rations were made available to enrollees, though not in sufficient amounts to ease malnutrition and indeed, starvation, among tribal members across the state.

After his investigation of conditions among allottees across the state and in eastern Montana, Fahlgren made a few general suggestions. Most were rather commonsense ideas, including pur-

chasing additional livestock and poultry, seeking out better sources of water, purchasing additional tracts of off-reservation land, and offering better health services.³⁴ Of course, all of these things long had been recognized as needs, but it was not until Fahlgren's report to Governor Moses that they received the serious consideration they deserved. By then, however, the political winds had changed. Collier had resigned, and leadership from the BIA and Department of the Interior was nearly absent. Control of Indian affairs from 1945 through 1950 defaulted to Congress, which favored an end to federal supervision and controls over Indians. The new policy being debated in Congress as the IRA replacement was an ominous creation called "termination."³⁵

Simply put, **termination policy** was meant to create independence for tribes the federal government deemed ready to be completely severed from wardship status. Although not as brutish as the Declaration of Policy in 1917, termination nonetheless would eliminate tribal status under certain conditions. Even the federal government

recognized that not all tribes were ready, and set up a three-stage system whereby tribes would be categorized according to their readiness for termination. In the first category were those tribes thought ready to terminate tribal status, among them the Menominees of Wisconsin, Klamath of Oregon, Potawatomi of Kansas and Nebraska, and the Turtle Mountain band of Ojibwas. The Bulova Watch Company, however, had a defense factory in nearby Rolla, North Dakota, which received federal incentives that would decrease if termination occurred. Bulova threatened to close the factory, thereby adding pressure on federal government planners to reconsider the status of the Turtle Mountain band.³⁶

The Turtle Mountain band took action to block termination. Petitions were submitted to leaders in the House and Senate in Washington, D.C. The Turtle Mountain reservation and its members would suffer untold economic distress if Congress were to pass a bill that would terminate their status as a tribe. As it turned out, the government seemed already to have made up its mind. Failures in ter-



Figure 14. The small and rundown log cabin in which one family with a number of young children lived until January 1940. Rations did not include milk for children and infants. Families could not afford both food and clothing, and they barely stayed alive on rations. Most children did not have underwear and had rags wrapped around their feet. (SHSND Fahlgren Report)

mination policy for terminated tribes, resistance from tribes slated for termination, and dawning Congressional awareness of these failures ultimately caused Congress, the President, and the BIA to reconsider termination of tribes previously deemed ready for similar administrative action.³⁷ The irony is that the Turtle Mountain band's refusal to be part of Collier's reorganization plan in the 1930s and 1940s first convinced some legislators that the band was indeed ready for termination despite the fact that the Turtle Mountain band was living in abject poverty as a result of previous policies meant to "free" tribes from government control. In northwest North Dakota there were a series of newspaper articles in support of and in opposition to termination policy, but none as memorable as those in opposition written by Robert Cory in February 1954 in the *Minot Daily News*.

Long considered one of northwest North Dakota's elder statesmen of journalism, Cory was thorough about the poverty found on the Turtle Mountain reservation and public domain allotments, and what he saw as the debacle of termination. Cory laid out the problems of termination of tribal status and more importantly, how the people affected perceived the policy. Articles bearing titles such as "Turtle Mountain Folk Watch Washington: What Price Must They Pay for Freedom?", "Their Eyes are Wondering, Questioning, Fearing. . .", and "If Humble Surroundings Make Presidents, Opportunities of the T-M Children are Great" give an indication of the author's viewpoint.³⁸ Cory's impassioned overage fell on deaf ears. In 1953, Congress prepared to pass a termination policy bill.³⁹

For the Turtle Mountain Ojibwa, the failure of termination policy among other tribes proved to be the ultimate salvation from being subjected to it. The Klamaths and Menominees, Alabamas, Kosatis, Wyandots, Peorias, Ottawas, and several small bands of Southern Paiute and Ute Indians had their tribal status terminated by 1961, but bills to remove tribal status from Turtle Mountain Chippewa and other groups slated for termination were defeated or blocked in Congress. Reacting to tribal backlash and petitions against termina-



Figure 15. This mother and three children had lived in the old log cabin (previous page) and were taken in by a neighbor who had a warmer house. The mother received \$18.00 a month "Aid to Dependent Children," which would not take care of one person's basic needs, let alone those of a family. (SHSND Fahlgren Report)

tion, Department of Interior Secretary Fred Seaton decreed in 1958 that no further actions toward termination would be undertaken without consent of the Indian tribes being considered for it.⁴⁰

By 1958, there were moratoriums on implementing termination policies across the northern plains. In northwest North Dakota and eastern Montana, opposition was vociferous (a loud outcry). Journalists who had written pieces supportive of termination and politicians who had advocated it as the solution to failures of the reservation system ceased their support of it when it became clear by the 1960s and 1970s that the devastation wrought under this plan was far beyond what anyone anticipated.

Indian policy of the 1970s and after was "**self-determination.**" As set out in legislation and in various Supreme Court decisions, self-determination implies a combination of reaffirmation of the sovereignty of tribes as nations within the U.S. and tribal rights to assert cultural, political, and economic authority, with the right of self-government. For the Turtle Mountain band, self-determination was what impelled the tribal council to pass Ordinance 28 on March 25, 1975, establishing the **Trenton Indian Service Area** (TISA) as political subdivision of the Turtle Mountain band, with its

own by-laws and an administrative board, elected by enrolled members living in the Trenton area.⁴¹ The ever-flowing, if muddled, currents of federal Indian policy continue to be watched vigilantly and warily. For the Trenton-area Ojibwa and their relatives at Turtle Mountain the suffering visited upon them under the various Indian policies from the beginning of the reservation era into the twentieth century simply had to be endured. For as the Turtle Mountain people had found out from hard experience over the past century, good intentions do not mean justice.

About the Author

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1. I have opted for use of "Ojibwa" instead of "Chippewa" for most of this paper, as I found in the Trenton area there was far more identification with the former term than the latter.
2. 24 Stat. L. 338; Francis Paul Prucha, *The Great Father: The United States Government and American Indians*, vol. I (Lincoln: University of Nebraska Press, 1984), 666-671; Loring Benton Priest, *Uncle Sam's Stepchildren: The Reformation of United States Indian Policy, 1865-1887* (New York: Octagon Books, 1969; reprint, New Brunswick, New Jersey: Rutgers University Press, 1942), 217-220; Henry E. Fritz, *Movement for Indian Assimilation, 1860-1890* (Philadelphia: University of Pennsylvania Press, 1963), 212-213; Laura Peers, *Ojibwa of Western Canada: 1780 to 1870* (St. Paul: Minnesota Historical Society Press, 1994); Vine Deloria Jr., editor, *American Indian Policy in the Twentieth Century* (Norman: University of Oklahoma Press, 1985).
3. For one of many reports about this issue and the size of the land claim, see *Annual Report of the Commissioner of Indian Affairs Dakota Region* (Washington, D.C.: Government Printing Office, 1849), Dakota section, pp. 950-952 (hereafter CIA); "Outgoing Correspondence, Apr. 8, 1889-Aug. 24, 1892." Turtle Mountain Subgroup, Special Case 110, Record Group (RG) 75, National Archives (NA); Testimony before the Honorable Secretary of the Interior, "Chippewa Indians of Northern Dakota Territory: 'Will the Government Recognize their Claim and Provide for Them?'" John Bottineau, Turtle Mountain Chippewas, Special Case 110 RG 75, NA; and in the same collection, see an 1876 bill in the Senate (S. 669, 44th Congress, 1st session) in favor of sale of said ten-million-acre claim for seventy-five cents per acre.
4. CIA (1873), Executive Documents, Report of the Secretary of Interior, 43d Congress, 1st Session, 1873-74, vol. 4, U.S. Serial Set 1601, 547; CIA (1876), 429; James McLaughlin to Charles Ewing, 22 December 1879, Letters Received by the Office of Indian Affairs, 1824-1881, Devils Lake agency, Dakota Territory, (M471, microcopy 234, roll 284), NA Gregory S. Camp, "'Working Out Their Own Salvation': The Allotment of Land in Severalty and the Turtle Mountain Band, 1870-1920," *American Indian Culture and Research Journal* 14, number 2 (1990): 20-21; Stanley N. Murray, "The Turtle Mountain Chippewa, 1882-1905," *North Dakota History* 51 (Winter 1984): 21.
5. John Hesketh, "History of the Turtle Mountain Chippewa," *Collections of the State Historical Society of North Dakota*, V (1923): 113-114; see also Annual Report of the Bureau of American Ethnology to the Secretary of the Smithsonian Institution, no. 18, pt. 2, 1896-97 (Washington, D.C.: Government Printing Office, 1899), 916. One of the concerns of the federal government was that a number of Canadian Métis had crossed the border in the wake of both Riel Rebellions. There were growing tensions between full-blood Chippewas and American and Canadian Métis at Turtle Mountain over the overcrowding that had occurred. Beede's visit was to address some of the problems, but ultimately proved a disaster for the Turtle Mountain band. For correspondence about this, see "General Land Office Correspondence pertaining to Turtle Mountain Indian Lands, 1880-1884," Turtle Mountain Band of Chippewa Indians, Special Case 110, RG 75, NR.
6. *Grand Forks Daily Herald*, October 5, 1882; *St. Paul Press*, March 18, 1882, 4; see also *Turtle Mountain Star*, July 2, 1891, 1; August 27 1891, 1-2; September 18, 1890, 4; December 24, 1891, 1; and December 31, 1891, for local white opinions of the issue.
7. This Little Shell was the third and most famous Ojibwa chief to have this name.
8. J. C. Clements, Inspector for the Indian Division, to the Commissioner of Indian Affairs, September 2, 1885, Reports of Inspection of the Field Jurisdictions of the Office of Indian Affairs, 1873-1900, Dakota Superintendency, 1874-1900, RG 75 & 48, NA (M1070, roll 10).
9. A reservation along the Milk River in Montana had been suggested, as it was understood that Little Shell and a number of others had relatives in the area. Another place mentioned as a possible site for a new reservation included areas near the Ft. Berthold reservation, something the Mandans, Hidatsas, and Arikaras there were against.
10. Ten million acres divided by \$1 million comes out to a dime an acre. This, at a time when other tribes on the northern plains were receiving between \$1.25 and \$2.50 an acre.
11. "Paper in Agreement with the Turtle Mountain Band of Chippewa Indians in North Dakota," Senate Document 444, in Senate Executive Documents, 56th Congress, 1st session, 1900-1901, U.S. Serial Set 3878, 147-157; see also John Canfield Ewers, *Ethnological Report on the Chippewa Cree Tribe of Rocky Boy Reservation and the Little Shell Band of Indians*, Chippewa Indians, 6, Reports presented before the Indian Claims Commission, docket no. 191 and 221b. (New York: Garland, 1974); Camp, "'Working Out Their Own Salvation,'" 28-29; Murray, "The Turtle Mountain Chippewa," 27-28.
12. See Laurence F. Schmeckebier, *Office of Indian Affairs: Its History, Activities, and Organization* (Baltimore Johns Hopkins University Press, 1927), 148-151; Wilcomb E. Washburn, *The Indian in America* (New York: Harper Colophon Books, 1975), 246.

13. General Land Office Records, Minot and Williston Offices, State Historical Society of North Dakota; *CIA* (1906), *Annual Reports of the Department of the Interior*, 1906, 59th Congress, 2d Sessions, House of Representatives, Document No. 5, U.S. Serial Set 51 18, 293; Murray, "The Turtle Mountain Chippewa," 32.
14. *Superintendent's Annual Narrative and Statistical Reports from Field Jurisdictions of the Bureau of Indian Affairs, 1907–1935*, Turtle Mountain, 1910–1935 (M101 1, roll 157, NA), "Law and Order," 1–3 (hereafter cited as *SANSR*); *SANSR* (1911), "Allotments," 1; Camp, "Working Out Their Own Salvation"
15. *SANSR* (1914), 174–175; Gregory S. Camp, "The Turtle Mountain Plains-Chippewas and Métis, 1797–1935," Ph.D. dissertation, 1987, University of New Mexico, Albuquerque, 75–182.
16. *SANSR* (1915), "Allotments," 23–24, "Sales," 1; *SANSR* (1916), "Sales," 59–40; *CIA* (1913), 3–5; "A Report on the Bureau of Indian Affairs Fee Patenting and Cancelling Policies, 1900–1942," prepared for the Aberdeen Area Office Rights Protection Branch in Compliance with the Bureau of Indian Affairs 2415 Land Claims Program, 27–28; *SANSR* (1917), "Sales," 1.
17. *CIA* (1917), 3–5; *SANSR* (1917), "Industries," 4–5.
18. *SANSR* (1919), "Industries-Statistical," 1.
19. *CIA* (1914–1920); *SANSR* (1910–11, 1915–17, 1920), "A Report on the Bureau of Indian Affairs, Turtle Mountain Section."
20. *History and Culture of the Turtle Mountain Band of Chippewa*, edited by Patricia F. Poitra and Karen L. Poitra (Bismarck: North Dakota Department of Public Instruction, 1997), 23.
21. Brookings Institution, Washington, D.C., *The Problem of Indian Administration, Report of a Survey Made at the Request of Hubert Work, Secretary of the Interior, and Submitted to Him, February 21, 1928*; with a new introduction by Frank C. Miller (Washington, D.C.: Brookings Institution, Institute for Government Research, 1928; reprint: New York: Johnson Reprint Corporation, 1971), also known as the *Meriam Report*: Hearings Before a Subcommittee on Indian Affairs, *Survey of Conditions of the Indians in the United States*, July 14–17, 1929, and September 20, 1929, Part 7, (Washington, D.C.: Government Printing Office, 1930), 3223–3266.
22. Fred Campbell to Commissioner of Indian Affairs, October 26, 1927, Turtle Mountain Subgroup, Box 509175, National Archives & Records Administration Central Plains Region, Kansas City (hereafter NARA CPR, KC); see also Frederick Hoxie, *A Final Promise: The Campaign to Assimilate the Indians, 1880–1920* (Lincoln: University of Nebraska, 1984) for a fine overview of this pivotal period.
23. "Analysis and Explanation of the Wheeler-Howard Act," Circular letter from John Collier to Superintendents, #86949, Wheeler-Howard Bill file, Turtle Mountain Subgroup, Box 509161, NARA CPR, KC; "Wheeler-Howard Act Correspondence, 1935," decimal file, Box 57 (509159). RG 75, Turtle Mountain Agency, decimal file, circular no. 86949, NARA CPR, KC; Kenneth R. Philip, foreword by Francis Paul Prucha, *John Collier's Crusade for Indian Reform, 1920–1954* (Tucson: University of Arizona Press, 1977), 4–81; see also Lawrence C. Kelly, *Assault on Assimilation: John Collier and the Origins of Indian Policy Reform* (Albuquerque: University of New Mexico Press, 1983); and Graham D. Taylor, *New Deal and American Indian Tribalism: The Administration of the Indian Reorganization Act, 1934–1945* (Lincoln: University of Nebraska Press, 1980).
24. *History and Culture of the Turtle Mountain Band*, 19.
25. Telegram from John Collier to John Balmer, July 1935, Turtle Mountain Subgroup, Box 509161, RG 75, NARA CPR, KC; "Letters Received," Turtle Mountain Subgroup, Box 509161, RG 75, NARA CPR, KC.
26. "Minutes of the Rolette County Board of County Commissioners, February 2–3, 1927," Rolette County Courthouse, Rolla, North Dakota: *Minot Daily News*, June 21, 1934, 1.
27. "Report of the Present Relief Condition of the Turtle Mountain Indians and the Inability of Rolette County to Meet the Situation," 1, January 20, 1940, John Moses Papers, State Historical Society of North Dakota (SHSND), MS Series 30176, Box 5, Folder 13 (hereafter "Fahlgren Report"), SHSND; John Moses Papers, Walter Fahlgren to Thomas Moodie, January 20, 1940, 1–3 (hereafter John Moses Papers); *Minot Daily News*, February 20, 1954, 1–2.
28. John Moses Papers, 1940; see also Donald L. Fixico, *Termination and Relocation: Federal Indian Policy, 1945–1960* (Albuquerque: University of New Mexico Press, 1986); Prucha, *The Great Father*; and Robert M. Utley, *Indian Frontier of the American West, 1846–1890* (Albuquerque: University of New Mexico Press, 1984), for fine overviews of this (and in the case of Prucha and Utley) and earlier policies.
29. John Moses Papers, 1939.
30. Ibid.
31. See also *Fargo Forum*, January 21, 1941, 3, and September 14, 1941, 3.
32. Ibid., 1–2.
33. "Fahlgren Report," 1–3; also see Calvin Gower, "The CCC Indian Division: Aid for Depressed Americans, 1933–1940," *Minnesota History*, 43 (Spring 1972): 3–13; "Fahlgren Report"; "Financial Statement of Rolette County as of June 30, 1939," James Penny, auditor, Rolette County, Rolla, North Dakota, January 16, 1940.
34. "Fahlgren Report," 7.
35. Lawrence C. Kelly, "United States Indian Policies, 1900–1980," 72–79, in *Handbook of North American Indians*, vol. 4, *History of Indian-White Relations* (Washington, D.C.: Smithsonian Institution, 1988, 72–79; Prucha, *The Great Father*, 948–963, 989–992, 999–1005, 1010–1012, 1026–1034, 1042–1059.
36. Kelly, "United States Indian Policies," 76–78; Prucha, *The Great Father*, 1026–1034, 1042–1059, U.S. Congress, Senate, 85th Congress, 1st Session, August 13, 1957, Congressional Record; Fixico, *Termination and Relocation*, 144.
37. Kelly, "United States Indian Policies," 76–78; Fixico, *Termination and Relocation*, 100; see "Termination of Federal Supervision over Certain Tribes of Indians: Joint Hearings Before Subcommittees of the Committees on Interior and Insular Affairs, 83rd Congress, 2nd Session, on Senate Bill 62749 and House Report #7322, part 5 for an indication of 1950s Congressional views on Indian Affairs: Larry W. Burt, *Tribalism in Crisis: Federal Indian Policy, 1953–1961* (Albuquerque: University of New Mexico Press, 1982), 19–28; see also Fixico, *Termination and Relocation*, 91–110, 183–197.
38. Robert Cory's articles appeared in the *Minot Daily News* between February 20, 1954, and February 28, 1954. Robert Cory, "Turtle Mountain Folk Watch Washington: What Price Must they Pay for Freedom?," *Minot Daily News*, February 20, 1954, 1–2; Cory, "Their Eyes are Wondering, Questioning, Fearing," *Minot Daily News*, 7, 9; Cory, "Except to get Tougher: Life Unchanged in 150 Years for the Turtle Mountain Indians," *Minot Daily News*, February 23, 1954, 7; Cory, "If Humble Surroundings Make Presidents, Opportunities of T-M are Great," *Minot Daily News*, February 24, 7; Cory, "T-M People Resentful Over Not Being Consulted on Government's Plans for Their 'Liberation,'" *Minot Daily News*, February 25, 1954, 7; Cory, "Will More Jobs do the Trick? It's Evident, Anyhow, That a Big Turtle Mountain Labor Force Goes Unused," *Minot Daily News*, February 28, 1954, 7.
39. Kelly, "United States Indian Policies," 76–82. Prucha, *The Great Father*, 999–1005, 1026–1034.
40. Termination policy is also a part of the genesis of the most recent policy, self-determination; Prucha, *The Great Father*, 1157–1170
41. *History and Culture of the Turtle Mountain Band*, 20–21.

