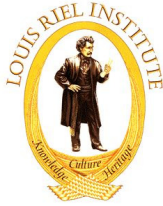


Genesis of the Turtle Mountain Band



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It is the intent of this article to trace the genesis of the Turtle Mountain Band of Chippewa/Cree/ Metis as an offshoot of the Pembina Band of Chippewa.

In the fur trade era Alexander Henry the Younger was situated at Pembina and trading with Chief Tabashaw, Little Shell, Old Wild Rice and others from 1801 to 1804. Many of his French Canadian and Metis voyageurs intermarried with these Chippewa people during that time. Henry himself married the daughter of Ah-ne-him-ish (Cottonwood) in 1801.

The historical record indicates that Chief Little Shell I was killed in a battle with the Dakota at Devil's Lake in 1808. His son, Little Shell II was too young to become chief at that time. Subsequently, Makadeshib (Black Duck) becomes the chief.¹ Black Duck village is reported to be located at Stump Lake, to the east of Devil's Lake. Black Duck was active in north Dakota as well as in what is now Manitoba. On April 25, 1816 the trader at Brandon House record noted that:

Capt. Grant and Black Duck came here with a quantity of furs Traded part with them & they took notes for 27 skins to be paid them at the Forks where they are going to next month they went away [I gave] them 2 gal mixed rum and a little wheat, Barley and potatoes for seed as they have houses and gardens half way to Portage la Prairie.²(HBCA B/22/a/19)

The Plains Ojibway also resided in villages along the Assiniboine from White Horse Plains to Brandon House. These Ojibway were in fact all part of the White Horse Plain Buffalo hunt and entered the high plains to hunt together with the Half-Breeds. Thus, while Cuthbert Grant was using the young men among the Metis for his challenges to the Hudson's Bay Company, he was also drawing in young warriors from among the Portage

¹ Michael K. Keplin of Turtle Mountain reports that: Black Duck had distinguished himself in warfare against Dakota Chief Wa-nah-ta at Red Lake. His daughter Okimahkwe "Great Woman" (Makadeshib) was born 1824. He notes that she was one of the wives of Little Shell III and was ten years older. She died before Aug 01, 1889 in the Turtle Mountain Chippewa Reservation, Dakota Territory.

² The Ojibway and Metis women cultivated gardens including the ones at the Half Way Bank summer village on the Assiniboine River.

Bands.

By 1815, Little Shell II had become chief and negotiated treaties for the group up until his death in 1874. His son, Little Shell III then assumed leadership of the group from 1875 until his death in 1900. This group was intermarried with the Metis along Red River and the Assiniboine to Baie St. Paul (Saulteaux Village), St. Francois Xavier and Fort Ellice. At one point when Jean Baptiste Wilkie was the chief of the Metis group they had a fortified village at Woods End near Towner, North Dakota. This was subsequently attacked and destroyed by the Dakota. Wilkie had also built a mound south of Devil's Lake along the Sheyenne River to demark the border between the Chippewa/Metis and the Dakota. The groups met numerous times in the vicinity of Devil's Lake to negotiate treaties which were continually being broken. The Metis/Chippewa group asserted its hunting rights when they defeated the Dakota at the Battle of the Grand Coteau near Dog Den Butte in 1851.

For decades these people had been hunting to the west along the Missouri Coteau, into the Milk River region of Montana, and the Cypress Hills area of Saskatchewan and Alberta. They were also significantly intermarried with the Plains Cree and Assiniboine (Nakota) people.

Kieth Richotte Jr., an enrolled member of Turtle Mountain Band, outlines the following Turtle Mountain Band development:³

Throughout the nineteenth century the role of head chief more or less passed through the hands of one family, with each successive leader adopting the name of Little Shell (or Little Clam in some of the literature).⁴ The Little Shell leaders were renowned for their strength and bravery.

The most famous exploit of Little Shell I might also have been the one he may have least wanted to remember. During a fight with Dakota warriors, Little Shell I's favorite son was killed and scalped and a large medal was stolen from the body. Upon realizing the tragedy, Little Shell I rushed toward the Dakota warriors, shot one down, cut off his head, and shook it at the enemies. The sequence of actions turned the tide in the battle and the Ojibwe fought on until the Dakota fled.⁵

John Tanner, a white captive who lived among the Plains-Ojibwe for several decades around the turn of the nineteenth century, stated that the death of the eldest Little Shell had been foretold. Little Shell extended an invitation to Tanner to accompany the tribal leader to his home encampment near Devils Lake in what is now east central North Dakota. A tribal member and friend of Little Shell, Se-gwun-oons, predicted the death

³ Kieth Steven Richotte Jr., "'We the Indians of the Turtle Mountain Reservation...': Rethinking Tribal Constitutionalism Beyond the Colonialist/Revolutionary Dialectic." University of Minnesota Ph. D. dissertation, 2009: 53-55.

⁴ Other Ojibwe bands, including woodland bands, determined their leadership through hereditary channels. However, this was not the only method for determining leadership within the larger Ojibwe collective. Meyer, *White Earth Tragedy*, 22-23.

⁵ Tanner, Falcon, 159-60 and Warren, *History*, 354-55.

of the tribal leader at Devils Lake. Nonetheless, Se-gwun-oons accompanied his friend to the encampment. Both suffered the same fate. Tanner described Little Shell I's "stout" body as being full of arrows and detailed a grisly scene in which none survived (except one tribal member of dubious courage).⁶ According to the Tanner, the tragedy dampened the spirits of the people. "Thus died [Little Shell], the last of the considerable men of his age belonging to the Ojibbeways [sic] of Red River. Our village seemed desolate after the recent loss of so many men."⁷

The best summation of the early life of Little Shell II is found in the unpublished dissertation of historian John Morrison Shaw. According to Shaw, Black Duck, whose own encampment was a little southeast of Devils Lake, assumed the leadership role upon the elder Little Shell's death in 1808.⁸ By 1815 Little Shell II was able to shoulder the mantle of leadership for the community.⁹ Little Shell II played a part in the treaty history of the Ojibwe in the middle of the nineteenth century. His son, Little Shell III, played an integral role in the establishment of the Turtle Mountain reservation and the early pursuit of a tribal claim against the federal government.

In 1850, Major Woods reconnoitred the "North-Western Frontier of the Territory of Minnesota" at the behest of Secretary of War,¹⁰ acting as an advance man for the treaty-making expeditions to come. He described his meeting with the Chippewa Métis Indians at Pembina:

I urged them to organize themselves into a band, and appoint their chiefs that they might have some order and government amongst themselves with chiefs ...; that as they were, if the United States had any business to transact with them, there was no person to address from whom *the wishes of the people could be obtained, &c., &c.*

They came back the next day in a body, and informed me that they had agreed upon the men I had nominated to them.

"Sakikwanel," in English "Green feather," to be *principal chief*
"Majekkwadjiwau," in English "End of the Current," to be 1st 2nd
chief
"Kakakanawakkagan," in English "Long Legs," to be 2d chief.

These are the men they selected, with my assistance, for their chiefs. I did not feel authorized to appoint them, and intended to do it conditionally and submit their *credentials* to the Governor of Minnesota Territory, and the Superintendent of Indian Affairs therein; but finding that a conditional exercise of authority in the matter would only give rise to further dissensions [sic], I presented these chiefs with *appointments*, in writing, dating the 24th of August, '49, and gave each of them a medal.

⁶ Tanner, Falcon, 170-71.

⁷ Ibid.

⁸ Shaw, "In Order That Justice," 68.

⁹ Ibid., 77.

¹⁰ Major Samuel Woods, *Pembina Settlement*, Executive Document No. 51, House of Representatives, 31st Congress, 1st Session.

Major Woods also organized the French people he identified as half-breeds:

On the 24th of August these people had returned from their Spring hunt, and about 200 of the hunters came to see me. They had appointed four men as their speakers. *I told them that in virtue of their Indian extraction, those living on our side of the line were regarded as being in possession of the Indians' right upon our soil;* that they were on our frontiers treated as component parts of the Indian tribes; that they either came under the Indians' laws or regulations, or formed such for themselves. I urged them to organize themselves into a band under a council or chiefs, invested with ample authority to act in their name, in all matters which might arise to affect their interests ... The next day they returned in about the same numbers, and presented me with nine names as the committee they had selected for the future government of the half-breed population within our borders.

The Metis presented the following names as their elected chiefs and councillors: J.B. Wilkie, Jean B. Dumont, Baptiste Valle, Edward Harmon, Joseph Laverdure, Joseph Nolin, Antoine Azure, Robert Montour, and Baptiste Lafournaise.

Mr. Wilky [Wilkie], the first on the list, is the president of the committee. He is a French half-breed, of a good character, well disposed toward the United States, and intelligent. The other eight of the council are men the most esteemed in the country, and friendly toward the United States. They say it is their wish to become agriculturalists. ... Their desire for a military post is urged ...

As the letter of the Secretary of the Interior to the President, in relation to that frontier, was sent me with my instructions, I ventured to suggest to them that the United States contemplated opening that country for settlement. To do which it would be necessary, first, to extinguish the Indian title. ... The half-breeds are delighted at such a prospect, and would readily acquiesce in reasonable treaty stipulations for the country. The Indians are more phlegmatic of their high appreciation of such a blessing ... The still more distant Indians that have their abode on the Missouri river, ... and Red Lake, ... must be dealt with by expeditions and a vigorous policy.¹¹

The half-breeds are much more numerous than the Indians in this Department. They are mixed bloods of different tribes which have spread themselves from the stony mountains to the Atlantic ocean. We have counted the descendants of thirteen different bands. ... The half-breeds are

¹¹ Major Samuel Woods, *Pembina Settlement*, pages 28-31, *Op. cit.*

mild, generous, polished in their manners, and ready to do a kindness; of great uprightness, not over anxious of becoming rich ... They are generally gay and fond of enjoyment; they affect music, there being but a few, comparatively speaking, who do not play the violin. ... We see but slight dissensions in their families, which are for the most part numerous. ... The half-breeds number over five thousand souls. They first established themselves at Pembina, near the mouth of the river of that name, about 1818, when they had with them a resident Canadian priest.

In 1851, two years after Major Woods had done the groundwork, Governor Alexander Ramsey of Minnesota Territory went to Pembina to make a treaty with the Pembina and Red Lake Chippewa. He was accompanied by an escort of dragoons from Fort Snelling, commanded by Second Lieutenant James L. Corley of the Sixth United States Infantry, and "equipped in excellent style for active service."¹² The expedition's guide was Pierre Bottineau, who sometimes wore a White man's hat and sometimes a half-breed's *chapeau*. The 1851 Treaty Session began September 15 at Norman Kittson's fur trade post at Pembina. According to Willoughby M. Babcock, who recorded the proceedings, "some two hundred and fifty members of the Pembina and Red Lake bands of Chippewa" were present. There may have been a few *Ahnishinahbæó'jibway* who were present as third-party observers; however the Chippewa Métis and French Métis were the Indian principals of the treaty. Babcock wrote that, "in addition there were several hundred half-breeds--the actual occupants of the land in question, who were not slow to press their claims for compensation should the government agree to purchase it," as well as other Indians. Although Woods had informed the half-breeds, two years earlier, that they were to be treated as Indians, at that point the "United States barred them from 'participation in the treaty council', so during the negotiations they stood around the negotiating table."¹³

When Governor Alexander Ramsey went to Pembina in 1851 to sign a treaty (never ratified) with the Ojibwa and Metis of Red Lake and Pembina he used James Tanner and Joseph Nolin as interpreters. J. Wesley Bond documented this meeting:

On Sunday the 14th ... John Black held a service at Kittson's house. The Rev. Mr Tanner also officiated, sang and prayed in English; and this afternoon, he preached in the open air, to the assembled Indians in the Chippewa language. Some of them paid close attention, sitting in a circle upon the ground; while others were listless and wandering, and others stood looking on from a distance, with the dragoons and Half-Breeds.

Mr. Tanner uses the Chippewa testament and hymns, which were translated by his father, who was for many years a prisoner among them, and wrote a book thereon. Mr. Tanner is about thirty-five years of age, and a very superior man for his

¹² Willoughby M. Babcock, *With Ramsey to Pembina, a Treaty-Making Trip in 1851*, in *Minnesota History*, March, 1962.

¹³ *Ibid*, pages 7-8.

class; he was born on the east side of the Red River, opposite this place; was educated at Mackinaw, and has acted as a missionary among the Indians at Red Lake, for the last five years. He removed to this place a week ago, and intends farming, teaching school, Sic for a livelihood after the conclusion of the treaty. His wife is a Half Breed, and they reside at present, in a lodge in the yard at this place. He is a fluent and earnest speaker, and discourses with great fervor and much eloquence to his Red brethren, and is calculated to do good, if any can be done among them; he has been with them on their buffalo-hunts to the Missouri plains, armed like the rest; and has hunted buffalo and made pemmican all the week, and preached the gospel to them on Sundays...¹⁴

Monday, 15th.— At noon the Indians met, and the treaty commenced in front of the governor's house; his Excellency, with Dr. Foster as his secretary, and others were sitting at a table at the front door; the principal chiefs, braves and head men of the Red Lake and Pembina bands of Chippewas were sitting in low seats in front, while around behind them in a semi-circle stood a numerous crown of Half-Breeds and Indians...The governor opened the council by an address of some length, which was interpreted by the Rev. Mr. Tanner and James¹⁵ Nolin, to them; as also their replies made in return. An old Indian named Clear Weather, replied twice to the governor's remarks...¹⁶

In 1851, after these negotiations with the Chippewa and Metis leaders at Pembina the resulting agreement was never ratified.¹⁷

In mid-century, the negotiations for an unratified treaty helped to legitimize and distinguish Turtle Mountain's leader. In 1851 the federal government appointed Minnesota Territorial Governor Alexander Ramsey as the lead negotiator for a treaty for the acquisition of land in the Red River Valley. An agreement was reached, but the 1851 treaty was never ratified by Congress and did not become law. Nonetheless, the negotiations were meaningful for Turtle Mountain. As the leader of the Turtle Mountain band, an ever-growing subset of the Pembina band, Little Shell II was able to make a name for himself within the larger Pembina community. Ojibwe historian William Warren, writing in the early 1850s, made note of him in his history. "Weesh-e-da-mo [Little Shell II], son of Aissance (Little Clam), late British Ojibway chief of Red River...is a young man, but has already received two American medals, one from the hands of a colonel of our army, and the other from the hands of the Governor of Minnesota Territory. He is recognized by our government as chief of the Pembina section of the Ojibway tribe."¹⁸ Little Shell II's ascension into a place of prominence was an indication of the Turtle Mountain Band's development as both an important

¹⁴ J. Wesley Bond, *Minnesota and Its Resources*. New York: Redfield, 1854: 280.

¹⁵ Ramsey's report says Joseph Nolin.

¹⁶ Op. cit. 281

¹⁷ Richotte 2009: 61-64.

¹⁸ Warren, History, 47-48.

participant in tribal-federal affairs and the growing differentiation between the Turtle Mountain and Pembina bands.

Another mid-century treaty marked the final separation of the Turtle Mountain Band from the Pembina band. In 1863 Ramsey, now a senator was again charged by the federal government with the task of negotiating a treaty for the lands of Ojibwe peoples. Ramsey and the Red Lake contingent of Ojibwe arrived at the treating grounds on the same day in September at the Old Crossing site in west central Minnesota. The next day, Little Shell II brought over a thousand people with him to the negotiation site. The people who followed Little Shell II reflected the demographics and interconnectedness of interests involved in the negotiations. Historian Stanley N. Murray noted, “Of the 1015 Pembina and Turtle Mountain people who gathered at the Old Crossing Treaty site near present-day Crookston, Minnesota, 663 were Métis and only 352 were full-blooded Chippewa.”¹⁹ Ramsey was clearly displeased with the enormity of the party that arrived, stating that such a large group “was not expected or desired at all.”²⁰ Ramsey’s elaborations on the situation suggest contemptuousness on his part, presumably for having to negotiate with and provide for so many extra people. “I had explicitly instructed the messengers sent to summon the Indians to the rendezvous, that I desired the attendance only of their chiefs and principal men – though it was hardly expected this injunction would prevent the Indians from bringing their families.”²¹

Despite Ramsey’s discontent, an agreement was reached after nine days of negotiation. The Old Crossing Treaty of 1863 both ceded approximately eleven million acres in the Red River Valley and established reservations at Red Lake and White Earth, Minnesota.²² The treaty did not create a reservation in the Turtle Mountain region. The federal expectation was that the Pembina Band would move to the White Earth Reservation.²³

Despite the favorable terms for the United States, the Senate decided to amend the treaty a year later in 1864.²⁴ Several of the benefits that the Pembina and Red Lake Bands had negotiated were changed. The money was rearranged so that more would arrive in the form of goods and less in per capita payments. Additionally, the payment period was reduced from twenty years to fifteen. The Métis, whose representation in the 1863 Treaty was great, suffered from a lack of that representation when the 1864 Treaty was signed in Washington D.C.²⁵

¹⁹ Murray, “Turtle Mountain Chippewa,” 19.

²⁰ Message of the President of the United States Transmitting a Treaty between the United States and Chiefs, Headmen, and Warriors of Red Lake and Pembina Bands of Chippewa Indians, Concluded on the 2d of October 1863, 38th Cong. , 1st Sess., 1863 [confidential], 7. (Found at Minnesota Historical Society, Reserve Call #: E151 .R35 v.2:26)

²¹ Ibid.

²² “Treaty Between the United States and the Red Lake and Pembina Bands of Chippewa Indians,” 2 October 1863, *Stats at Large of USA* 13 (1866): 667.

²³ Camp, “Plains-Chippewas and Métis,” 102-03.

²⁴ “Supplementary Articles to the Treaty between the United States and the Red Lake and Pembina Bands of Chippewa Indians,” 12 April 1864, *Stats at Large of USA* 13 (1866): 689.

²⁵ Camp, “Plains-Chippewas and Métis,” 104.

The two Old Crossing Treaties of 1863 and 1864 ceded almost eleven million acres in northwestern Minnesota and in the Dakota Territory to the United States, a large portion of which was the domain of the Pembina Band. The White Earth Reservation, located in west central Minnesota, was supposed to be an oasis where Ojibwe peoples would finally assimilate into an American way of life.²⁶ Although another Pembina chief, Red Bear, did sign both versions of the treaty, Little Shell II only signed the earlier version. While the federal government may have intended that the totality of the Pembina Band would relocate to Minnesota, Little Shell II and his followers were not prepared to leave the Turtle Mountain region. Prior to the Old Crossing Treaties the Turtle Mountain Band was still politically, if perhaps less so practically, a sub-band of the Pembina Band. After the treaties the Little Shell leadership and its followers exerted their rights as an independent band of the larger Ojibwe community and fought for the establishment of their own reservation. In fact, the Turtle Mountain Band came to see the Old Crossing Treaties and land cession as the final severance of their political connection to the larger Pembina Band.²⁷ Around two hundred members of the Pembina Band made their way to the Minnesota reservation. Yet, people of the Turtle Mountain Band were less willing to do so.²⁸

Subsequent to the Old Crossing Treaty and the death of Little shell II, the Turtle Mountain people continued to negotiate for their own reserve: ²⁹

Not long after the negotiations for the Old Crossing Treaty, the people of Turtle Mountain again began to clamour for their own reservation. The community sent another delegation to Washington D.C. in 1874. The trip was destined to be fruitless because of differing health issues of varying severity. The most serious issue was the passing of Little Shell II. The loss of the head chief essentially precluded the possibility of a settled negotiation. Nonetheless, a delegation did make its way to the American capital. The New York Times noted that the nine leaders who made the trip had a meeting with the Commissioner of Indian Affairs on November 21st to discuss possible land cessions, however, “they begged to be excused from a discussion of the subject at present, on the ground that they all had bad head colds, and couldn’t talk today.”³⁰

In 1875 Little Shell II’s son, subsequently named Little Shell III, assumed the mantle of leadership. Not long thereafter the Band both began rejecting annuities from the Old Crossing Treaties, undoubtedly to disassociate themselves with any obligation under the treaty that others were trying to attach to them, and it sent another delegation to Washington D.C.³¹ The 1876 delegation was able to win at least one concession from the federal government. On April 6, 1876 Congress passed a Joint Resolution that

²⁶ Meyer, *The White Earth Tragedy*, 1.

²⁷ Hesketh, *State Historical Society*, 111.

²⁸ Murray, “Turtle Mountain Chippewa,” 21.

²⁹ Richotte 2009: 68-69.

³⁰ “Washington Notes. Chippewa Indians in Consultation with the Commissioner of Indian Affairs,” *New York Times*, November 22, 1874.

³¹ Murray, “Turtle Mountain Chippewa,” 21.

stated that the United States recognized that the Turtle Mountain Band held Indian title over the lands that they claimed.⁶⁶ Nonetheless, this effort, like previous efforts, was not successful in securing a reservation for the people of Turtle Mountain. A Senate bill authorizing a reservation did not pass.³²

³² Ibid., 273.