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Refugee Canadian Cree Indians

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IN THE SENATE OF THE UNITED STATES.

APRIL 29, 1896.—Ordered to be printed.

Mr. SHERMAN, from the Committee on Foreign Relations, submitted the following

REPORT:

[To accompany amendment of Mr. Carter to H. R. 8293.]

The Committee on Foreign Relations have considered the proposed amendment to the bill (H. R. 8293) "making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1896, and for prior years, and for other purposes," appropriating \$5,000, or so much thereof as may be necessary, to remove from the State of Montana, and to deliver to the Canadian authorities at the international boundary line, the refugee Canadian Cree Indians, and recommend the passage of the same.

The recommendation of the Secretary of State, with accompanying papers, is herewith submitted.

DEPARTMENT OF STATE,
Washington, April 29, 1896.

SIR: I have the honor to acknowledge yours of the 29th instant.

House Ex. Doc. No. 341, Fiftieth Congress, first session, shows the circumstances under which the Canadian Cree Indians first crossed the boundary line of the State of Montana and something of their history since that time. Your remaining inquiries will, I believe, be fully answered by certain correspondence, copies of which are hereto annexed.

It will be observed that the Canadian authorities have now for the second time agreed to accept and take charge of these refugee Indians upon their being delivered to them at the frontier. A third offer of the same kind can hardly be expected, and in my judgment it would be a great mistake if the present favorable disposition of the Canadian authorities were not at once availed of. The number of Indians to be deported is said to now amount to something like 500.

Undoubtedly they can be removed by the President, with such aid from the Army as may be necessary, more expeditiously and cheaply than any other way. But he is at present without any authority to take any steps in the matter and without any funds to meet the necessary expenditures. I recommend, therefore, that you obtain appropriate legislation, if practicable, either by independent bill or resolution, or by some amendment to an appropriation bill. The legislation should expressly authorize the President to remove and deliver the Indians, with the aid of the Army, if necessary, and should appropriate a sum not exceeding \$5,000 to defray the necessary charges.

I am, very truly, yours,

RICHARD OLNEY.

Hon. THOMAS H. CARTER,
United States Senate.

THE STATE OF MONTANA, EXECUTIVE OFFICE,
Helena, January 21, 1896.

SIR: This office has had previous correspondence with the Department of State in relation to the presence of a number of Cree Indians in our State. These Indians, as you may know, are wards of the British Government, and generally referred to as

refugees of the Riel rebellion. In default of a reservation and the restrictions of the Federal Government they have become an intolerable nuisance, constantly violating our game laws, foraging upon our herds, and not infrequently looting isolated cabins. The patience of our people has been sorely tried, and I have at times feared that bloodshed would result. The police power of the State is not equal to the task of protecting the people from these marauding bands. This condition of affairs can not be allowed to continue indefinitely.

I desire to call your attention to the very serious fact that the number of these Crees in our State is increasing very rapidly through accessions annually from their relatives in Canada.

Investigation shows that only about 100 of them crossed our border as refugees at the close of the Riel rebellion.

In a letter bearing date November 1, 1887, from J. D. C. Atkins, Commissioner of Indian Affairs, addressed to the Secretary of the Interior, he said: "The fugitives number about 200—men, women, and children." I learn from a conference with their chief, "Little White Bear," that they number now about 500. Hence we should not only get rid of these now annoying us, but prevent others from coming.

The question of supreme importance is the adoption of some plan by which these Indians can be deported across the boundary line to the British Possessions from whence they came.

Let me indulge the hope that you can in some manner afford us relief in this matter.

I have the honor to be, yours, very respectfully,

J. E. RICKARDS, *Governor of Montana.*

Hon. RICHARD OLNEY,
Secretary of State, Washington, D. C.

DEPARTMENT OF STATE, *January 30, 1896.*

SIR: I have the honor to acknowledge the receipt of your letter of the 21st instant, relative to making arrangements for the removal of certain British Cree Indians from Montana to the Dominion of Canada.

In reply, I inclose for your information a copy of a note to this Department, dated April 6, 1892, from the British ambassador at this capital, from which it appears that the authorities of the Dominion of Canada were then willing to receive the above-named Indians. A copy of the note was sent to your predecessor, but the Department is not informed as to why it was not acted upon at that time.

The Department has now recalled the subject to the attention of the British embassy with the request that the authorities of the Dominion of Canada may be informed of your readiness to deliver the Indians to them, and that this Government may be informed as to when and where Her Majesty's authorities will be ready to receive them.

The Department expects an early response to its inquiries, and it is hoped that the authorities of Montana will be prepared to take prompt action if a favorable reply shall be received from the embassy.

I have the honor to be, sir, your obedient servant,

RICHARD OLNEY.

The GOVERNOR OF MONTANA,
Helena, Mont.

STATE OF MONTANA, EXECUTIVE OFFICE,
Helena, April 8, 1896.

SIR: I have the honor to inclose herewith communication received from the honorable commissioner of Indian affairs, Northwest Territories, relative to the matter of the removal of the Cree Indians from the State of Montana. Your attention is called to the willingness of the Canadian Government to receive these Indians provided they are delivered to its agents no later than the 10th of May at Coufts Station, on the Great Falls and Canada Railway. This being an international matter the authority to deliver these Indians to the Canadian authorities rests wholly in the Federal Government, and does not repose in the State of Montana. I earnestly request that your Department take up this matter with the Canadian authorities with a view to acting on the plan proposed by the commissioner, and see that the Cree Indians are delivered as suggested.

With great respect, yours, very truly,

J. E. RICKARDS, *Governor of Montana.*

The SECRETARY OF STATE,
Washington, D. C.

OFFICE COMMISSIONER OF INDIAN AFFAIRS,
NORTHWEST TERRITORIES,
Regina, April 1, 1896.

SIR: With reference to negotiations which have recently been pending between the United States Federal authorities and the Government of the Dominion of Canada relative to the removal from the State of Montana of certain refugee Cree Indians who entered the territory of that State during and since the Canadian Northwest rebellion of 1885, I have the honor to inform you that the Dominion Government having decided to cooperate with that of Washington in bringing about this end, I have been instructed to place myself in communication with you for this purpose.

I should therefore be pleased to learn whether your arrangements for the delivery of these persons at the international boundary will admit of such being done not later than, say, May 10 next, and at Coutts Station, on the Great Falls and Canada Railway. I may say that if you can secure their being brought to that point by rail it will very greatly facilitate the transfer being effectively made, as I would take them on immediately by the same train to Lethbridge, a distance of about 50 miles toward the interior, thus minimizing the chance of straggling parties breaking away from the main body and returning secretly to the South.

We are desirous of effecting the transfer at the earliest possible date, in order that they may be distributed to their various reserves in time for agricultural operations.

In conclusion I would invite your attention to the fact that not a few of those who passed from this country to your territory as Indians have during the interval changed their status by legal process provided by laws of the Dominion governing the discharge of half-breeds from our Indian treaties. Many of these persons are now therefore not Indians in the eye of the law, as while residing abroad they applied for, through attorneys, and received from the Dominion Government, certificates of the termination of their disabilities as treaty Indians. These persons having now resided for ten years (more or less) on United States soil (principally in Choteau County, Mont., I believe), it is assumed that it is not the intention of the United States Government to disturb them.

I send you, under separate cover, a map which may be of service to you in this connection.

I have the honor to be, sir, your obedient servant,

A. E. FORGET, *Commissioner.*

The GOVERNOR OF THE STATE OF MONTANA,
Helena, Mont., United States of America.

BRITISH EMBASSY,
Washington, April 23, 1896.

SIR: With reference to your note, No. 309, of January 30 last, relative to the desirability of effecting the removal of certain Cree Indians from Montana to Canadian territory, I have the honor to inform you that I am in receipt of a dispatch from the Governor-General of Canada, expressing the willingness of his Government to cooperate with the State authorities for that purpose.

His excellency states that when the necessary arrangements have been made, the Canadian department of Indian affairs will communicate with the governor of Montana as to the manner and time to be appointed for the removal of the Indians.

I have the honor to be, with the highest consideration, sir,

Your most obedient, humble servant,

JULIAN PAUNCEFOTE.

Hon. R. OLNEY, etc.

[House Ex. Doc. No. 341, Fiftieth Congress, first session.]

DEPARTMENT OF THE INTERIOR,
Washington, May 31, 1888.

SIR: I am in receipt of a communication from the Commissioner of Indian Affairs, dated April 18, 1888, calling my attention to the condition of the Cree Indians now near Fort Assiniboine, Mont. In this communication he requests that he be authorized to instruct the agent that these Indians be allowed to come to the agency at Fort Belknap, Mont., and to cultivate such land as they may require to support themselves, and that the agent render them such assistance as he will be able to give without injury to the welfare of his own Indians.

I question my authority to comply with this request in the absence of Congressional action, and I now submit the information in relation to the condition of these Indians in the possession of this Department, in order that Congress may, by legislation, give such authority as it may consider proper in regard to the matter.

In October, 1885, this Department received official information that a band of British Cree Indians, then stated as numbering about 137 souls, had crossed the international boundary line and were located near the Fort Belknap Agency, Mont. They had in their possession property, the character of which clearly indicated that they had been engaged in the then recent outbreak in the British Possessions known as the "Riel rebellion."

This information was laid before the Department of State with the suggestion that some arrangements be made with the Dominion authorities for the return of these Indians to their homes in the British territory. The Secretary of State replied that unless there should be a specific demand from the Dominion authorities, the Indians can not be returned by the United States to Canada, nor can the United States authorities, civil or military, properly connive at their being kidnaped and sent over the line.

On April 26, 1886, the Commissioner of Indian Affairs called the attention of the Department to the destitute condition of these Indians, and requested decision whether the \$50,000 appropriated by act of March 3, 1885 (23 Stat. L., 379), for relieving distress among Indians not having treaty funds, etc., is applicable for the purchase of supplies for them. The Department in reply directed that the facts in the case be reported, and a clause prepared to be submitted to Congress asking for a special appropriation for the purpose. The report and estimate for \$5,000 were sent to the Secretary of the Treasury May 3, 1886, for presentation to Congress. Copies were subsequently, on July 2, 1886, sent by this Department to the Senate and House Committees on Indian Affairs, but no appropriation was made. January 24, 1887, War Department reported a deplorable condition of a portion of these Crees then camped on South Fork of the Sun River, Montana, and urged relief for them; whereupon the Commissioner of Indian Affairs recommended that \$1,000 be taken from the "distress fund" of \$50,000 above referred to. This was submitted by the Department to the President, requesting his authority to so use the amount stated from that fund, and was approved by him February 11, 1887. The War Department was then requested to furnish the Indians with such supplies as were necessary to relieve distress among them, and reimbursement was made out of the \$1,000.

On December 2, 1887, the President was requested, on recommendation of the Commissioner of Indian Affairs, to authorize a further expenditure of \$3,000 from the "distress fund" above referred to for relief of these Indians; approved December 3, 1887. The relief was afforded by the War Department and reimbursement made as in previous case.

There has been reimbursed to the War Department to this date, for supplies furnished those Indians under the authorities above granted, the sum of \$3,374.25.

The commanding officer at Fort Assiniboine, Mont., in report herewith, of February 4, 1888, urges that some disposition be made of these Indians now encamped near that post, numbering 160 souls; says that they have been fed under the direction of the military during winter months; that they earn their living by working and hunting during the summer months; that they are workers, eager to have land assigned to them for cultivation, and have some knowledge of soil tillage; and says the agent at Fort Belknap has signified his willingness to receive and assist these Indians.

General Ruger, commanding the Department of Dakota, in forwarding the report above referred to, says that the Indians should either be compelled to go north of the boundary line or be assigned to the care, if temporarily only, of some agency.

The Commissioner of Indian Affairs, in report of April 18, 1888, while recognizing that the refugees are not native Indians and have no rights on any of our Indian reservations, thinks that humanity demands that they be given a chance to earn their bread, which he says is all they ask. He recommends, as before stated, that he be authorized to direct the Fort Belknap agent to allow them to come to that agency and cultivate as much land as may be required to support themselves, and to render them such assistance as he may be able to give without injury to the welfare of the Indians belonging to that agency; thinks it may be proper that they be informed that they will acquire no rights in or to the soil by reason of the privilege extended to them.

In 1862, when a portion of the Sioux tribe fled to Canada after the Indian massacre in Minnesota, the Canadian Government assigned them to a reservation within her territory, and while since then she has endeavored to persuade them to return to the United States, they still continue to occupy, with the consent of that Government, the reservation set apart for them. I allude to this to show the action of that Government in dealing with Indians from the United States who had fled to her ter-

ritory under circumstances similar to those which induced the Cree Indians to flee to the United States.

This band of Cree Indians doubtless is to remain, unless forcibly driven across the border, and even if so driven, will probably return.

I am impressed that some Congressional action should be had without delay to enable this Department to deal with this problem. It is therefore respectfully suggested that authority be granted to place them on lands of some of our own Indians who are willing to receive them, if such can be found; and if not, to set apart a small reservation for their temporary benefit, and that the sum of \$5,000 be appropriated to be used, as far as necessary, to relieve any destitution which may exist among them during the next fiscal year.

For the information of Congress I send herewith a letter from Col. E. S. Otis, Twentieth Infantry, indorsed by Brig. Gen. Thomas H. Ruger; also two letters from the Commissioner of Indian Affairs, dated, respectively, November 1, 1887, and April 18, 1888, all relating to this subject.

I have the honor to be, very respectfully,

WM. F. VILAS, *Secretary.*

THE SPEAKER OF THE HOUSE OF REPRESENTATIVES.

DEPARTMENT OF THE INTERIOR, OFFICE OF INDIAN AFFAIRS,
Washington, April 18, 1888.

SIR: I have the honor to return herewith the report of Col. E. S. Otis, commanding the post of Fort Assiniboine, Mont.—bearing indorsements of the department (Dakota) and division (Missouri) commanders—which was received here by your reference March 1, 1888, regarding the British Cree refugees who fled to this country after the Riel rebellion, and who, it appears, are now encamped near Fort Assiniboine.

The history of this little band of refugees is so well known to the Department as to need no recital.

Colonel Otis thinks that they ought to be placed at some agency and assisted. He speaks in praise of them; says they are workers and eager to have land assigned to them; that they have some knowledge of tillage, and would under favorable conditions raise enough to meet their wants; that they would set a good example to other Indians and be a positive benefit to them; and furthermore, that the agent at Fort Belknap has signified to him his willingness to receive and assist them at his agency.

I am aware that these refugees are not native Indians of the United States, nor have they any rights on any of our Indian reservations, but as a simple act of humanity I think they should be given a chance to earn their bread when that is really all that they ask. They have been wandering about from place to place now for nearly three years, homeless and hopeless, and but for the little assistance they have received from the military (for which reimbursement has been made by this Department) they would certainly have starved to death long ago.

Bad as they may have been at home, they have committed no offense since they have been on our soil, and it is known that some of them have starved to death when they could easily have supplied their wants from the cattle ranges of northern Montana. No complaint has ever been made against them; but, on the contrary, their conduct has called forth the warmest expressions of praise and sympathy from the white people of the Territory.

It is not likely that they will ever go back to the British Possessions, and instead of longer treating them as felons and outcasts to be driven away on sight, I think the dignity of the Government requires that they be given a place somewhere, where they can raise food enough to keep them from starvation at least.

The fact that the agent at Fort Belknap Agency has expressed his willingness to receive and care for them at his agency would seem to indicate that his own Indians would make no objections to having them in their midst, and I therefore have the honor to recommend that this office be authorized to direct him to allow the refugees (numbering, as it appears, 160 souls) to come to his agency and cultivate as much land as they may require to support themselves, and to render them such assistance as he may be able to give without injury to the welfare of his own Indians.

If the Department thinks proper, the refugees can be given to understand that they will acquire no rights in the soil by reason of the privileges extended to them; and they should be told that they will not be fed in idleness, but must earn their own living with what little assistance the agent may be able to give them.

Very respectfully, your obedient servant,

J. D. C. ATKINS, *Commissioner.*

THE SECRETARY OF THE INTERIOR.

FORT ASSINIBOINE, MONT., *February 4, 1888.*

SIR: I have the honor to invite the attention of the proper authorities to the importance and necessity of making some disposition of the band of Cree Indians encamped near this post, having in view their permanent establishment in some designated locality if they are to be permitted to remain on this side of the international boundary line. The band numbers 160 souls.

It arrived here during the summer of 1885, since which time it has been encamped either in this neighborhood or in the vicinity of Fort Shaw. The War Department has been obliged to issue to it subsistence stores to prevent starvation during the winter seasons, but during the warmer months it has earned its food for the most part by working for Government wood contractors and in hunting small game on the prairies. The War Department has now issued to it subsistence stores amounting to \$1,900, of which about one-half was distributed during the winter of 1885-86—stores of the value of \$380 at Fort Shaw, and the remainder during the present winter at this point. These Indians are workers, are eager to have land assigned to them for cultivation, and have some knowledge of soil tillage.

I believe that if placed at some agency and properly assisted they would in propitious seasons raise sufficient produce for their consumption, and would at the same time encourage, by example, other Indians among whom they might be placed to greater exertions in farming. The agent at Fort Belknap has signified to me his willingness to receive and assist these Crees. He has a large amount of land broken up, and it seems to me that should they be sent there in the early spring it would result in mutual benefit to all the Indian bands there assembled.

Very respectfully, your obedient servant,

E. S. OTIS,

Colonel Twentieth Infantry, Commanding.

The ASSISTANT ADJUTANT-GENERAL,
DEPARTMENT OF DAKOTA,
St. Paul, Minn.

[First indorsement.]

HEADQUARTERS DEPARTMENT OF DAKOTA,
St. Paul, Minn., February 13, 1888.

Respectfully forwarded through the headquarters Division of the Missouri.

I concur in the opinion of the commanding officer Fort Assiniboine, and that disposition should be made of these Cree Indians, either by compelling them to go north of the boundary line, or else assigning them to the care, if temporarily only, of some agency. Last fall the commanding officer Fort Assiniboine was directed to put north of the boundary all Cree Canadian Indians who might have joined those allowed asylum on our territory in 1885; also, that none should be permitted hereafter to join them.

It is believed that all those now in the vicinity of Fort Assiniboine were of the original party of refugees.

In this connection attention is invited to the views as expressed by papers heretofore forwarded from these headquarters.

THOS. H. RUGER,
Brigadier-General, Commanding.

[Second indorsement.]

HEADQUARTERS DIVISION OF THE MISSOURI,
Chicago, February 17, 1888.

Respectfully forwarded to the Adjutant-General of the Army.

P. H. SHERIDAN,
Lieutenant-General, Commanding.

DEPARTMENT OF THE INTERIOR, OFFICE OF INDIAN AFFAIRS,
Washington, November 1, 1887.

SIR: I have the honor to acknowledge the receipt of your letter of October 27, 1887, in reply to office letter of October 24, 1887, submitting a memorandum of information concerning the British Cree refugees now in Montana, in which you were pleased to observe as follows:

"The Cree Indians are not native Indians of the United States, and they have no rights on any existing reservation, and are not under the care of any agent of this Department. Heretofore subsistence and other supplies have been provided by the

military authorities to relieve suffering among them, and reimbursement made by this Department upon accounts presented.

"If the military authorities shall find it necessary to furnish these Indians with food and supplies to prevent starvation among them while they continue to remain away from their home and wander about within the territory of the United States this Department will take such action as the facts then reported will warrant, and especially on the question of reimbursement of the expense which may be incurred on that account."

While it is true that these Indians have no rights on this side of the international line, and are not under the care of any agent of the Indian Department, still I regard it as the special province and duty of this office, not only to notice their presence and be watchful of their doings on this side of the line, but to pay suitable regard to the pitiable stories told of their poverty and suffering, especially as they are to some extent related by blood to our Indians, and hold constant communication with them in their wanderings through the country, and I think a generous public sentiment would sustain any efforts that might be made by this Department tending to relieve their sufferings even though they are not natives of our soil; and I think it is fitting that this office should take the initiative in providing some way for their very pressing needs, or at least in proposing such relief. Therefore, I have to respectfully suggest that the case of these refugees be called to the attention of the War Department, and that the Honorable Secretary of War be advised of the willingness of the Department to reimburse any proper expenditure that may be incurred by that Department in furnishing food and supplies to prevent starvation among them, upon the presentation of proper accounts therefor, as expressed in your letter to this office of October 27, 1887.

The fugitives number about 200—men, women, and children—and are reported to be on Dupuyer Creek, about 75 miles northwest from Fort Shaw, Mont., and not far from the Blackfeet Agency, though not, I believe, on the reservation.

I inclose a copy of this report.

Very respectfully, your obedient servant,

J. D. C. ATKINS, *Commissioner*.

The SECRETARY OF THE INTERIOR.

