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INDIGENOUS NATIONALISM ON THE WIND RIVER INDIAN RESERVATION,  
1851-1938

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BRANDI LYNN HILTON-HAGEMANN  
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INDIGENOUS NATIONALISM ON THE WIND RIVER INDIAN RESERVATION,  
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A DISSERTATION APPROVED FOR THE  
DEPARTMENT OF HISTORY

BY

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Dr. Warren Metcalf, Chair

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Dr. Joshua Piker

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Dr. David Wrobel

---

Dr. Lindsay Robertson

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Dr. Maria-Elena Diaz

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To my husband Josh – without your unwavering support, profound wisdom and unbreakable faith in me this dissertation would have never been possible.

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## **Abstract**

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This dissertation seeks to alter the ways in which scholars address indigenous group formation. Instead of adhering to the rather pervasive, and anthropologically based, band/tribe/nation approach, this work argues that historians should address indigenous peoples as "tribal nations," a phrase that reflects both their unique place within the United States as "nations within" and their sovereign status. To do so, I have created a loose set of six characteristics that all tribal nations exhibit including territory, citizens/members, political authority, language, cultural representations and a shared history. Each chapter in this dissertation addresses one of these traits. Additionally, this work argues that to study indigenous peoples in isolation, or give primacy to indigenous reactions to non-Native actions, tends to give the impression that Native peoples are static, unwilling or unable to adapt and change. Therefore, the second part of the tribal nation model includes four forces of influence (internal demand, other tribal nations, the federal government and non-Native outsiders) who certainly promoted change, both good and bad, throughout the history of the tribal nation, but I give primacy, when possible to Native-Native interactions.

Together, the six characteristics and four forces of change provide a model that can be applied to almost any tribal nation. This process of analysis allows scholars to better study indigenous people and create meaningful "tribal histories" that place Native people at the center of the narrative and underscore their resilience. To demonstrate the utility of this model, I have chosen to study the Northern Arapaho and Eastern Shoshone because of their unique position as two distinct tribal nations who live on the same reservation, yet are so very different. In the end, this dissertation demonstrates the

efficacy of the tribal nation model and encourages scholars to reassess the ways in which they discuss indigenous peoples and their histories.

## Introduction

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In the summer of 1883, Wyoming residents anxiously awaited the arrival of a very important visitor. Making his way toward Yellowstone Park, Chester A. Arthur, the President of the United States, scheduled a few brief stops in the territory as part of his sojourn through the West. Social commentators lauded the tour as a standing endorsement for the region, because the President's arrival could "advertise its advantages and resources...but will also give tone to and make it fashionable to come to the Rocky Mountains when the president of the United States comes here for his vacation."<sup>1</sup> But Arthur intended to visit with residents beyond the settled areas of Cheyenne, the Wyoming capital and epicenter of politics and high culture in the territory, as he requested an audience with the Eastern Shoshone and Northern Arapaho, two indigenous nations, who lived on the Shoshone Agency in central Wyoming.

After much fanfare and celebration in the territorial capital, President Arthur and his entourage traveled into the "very heart of Indian country." Frontiersman Edward Farlow later remembered the intense security detail that followed the convoy, as "troops were brought from Fort Russell, Camp Carlin, Fort Sanders, Fort Steele, and Fort Washakie and a detachment was stationed at each stage station along the entire route."<sup>2</sup> Fear of an attack, undoubtedly bolstered by both factual and fantastic accounts of Indian depredations in the West, did little to deter the President's vacation plans. Once settled at Fort Washakie, the presidential party organized a great feast and invited all of the surrounding inhabitants, Native and non-Native, to attend. When reflecting upon the

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<sup>1</sup> Lola Homsher, "President Arthur Made West Happy by Yellowstone Trip," Grace Raymond Hebard Collection, acc. no. 400008, Box 10, American Heritage Center, University of Wyoming, Laramie, Wyoming. (Hereafter, GRHC, Box 10).

<sup>2</sup> Edward J. Farlow, *Wind River Adventures: My Life in Frontier Wyoming* (Glendo, WY: High Plains Press, 1998), 77.

occasion years later, those in attendance insisted that the highlight of this presidential visit, came not in the form of dramatic faux-battles or colorful shawl and wolf dances, but in an exchange between the leaders of three distinct nations.

After a hearty meal and several dazzling performances by Native dancers and military personnel, a crowd of nearly two thousand spectators gathered closer to hear their representatives speak. First, Chief Washakie, leader of the Eastern Shoshone, warmly welcomed President Arthur to his home. Likewise, Northern Arapaho chiefs Black Coal and Sharp Nose addressed the President through an interpreter. As a sign of their appreciation for his visit to their reservation, the indigenous leaders offered the president an untamed, black and white stallion.<sup>3</sup> Awed by the gift, Arthur graciously accepted the horse and responded in kind, with colorful blankets for the indigenous leaders. At this gathering, the men of three distinct nations did not speak of treaties or boundaries, yet the equal exchange of presents, mutual admiration and respect, illustrate the complex interaction between indigenous nations and the United States government. On the surface, this Wyoming celebration appears exceedingly rare, as indigenous peoples seldom received presidential visits. At the same time, this encounter represented the ongoing process of nationhood for indigenous people, as they met with United States representatives and mediated their precarious place as “domestic, dependent nations” within the larger federal system.

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<sup>3</sup> Spectators later remembered that the President stood awed at the gift and asked his companions, “What shall I do?” General Sheridan replied “Why take it, take it! It is a very nice pony.” The President shipped the horse by train to Washington D.C. and later allowed his niece to ride it down Pennsylvania Avenue. “President Arthur’s Visit to the Reservation,” John Roberts Collection, acc. no. 00037, Box 1, Folder 6, American Heritage Center, University of Wyoming, Laramie, Wyoming. (Hereafter abbreviated JRC, Box 1, Folder 6).

Just one year earlier, at the Sorbonne University in Paris, Ernest Renan assessed the global state of nationalism in his now famous lecture, “What is a Nation?” [Qu’est-ce qu’une nation?]. The renowned philosopher and intellectual recognized that the subject of nationalism pervaded the era’s political dialogue, as war distorted state boundaries and countries gained new territory, but struggled to manage their growing empires. Renan believed that the parameters of nationhood had been distorted by even the most informed politicians, as they sought to address the spectrum of group organization in an ever changing world. In March 1882, Renan stood before a university audience and asserted that the purpose of his talk was to “analyse with you an idea which, though seemingly clear, lends itself to the most dangerous misunderstandings.”<sup>4</sup> Tantalizing his audience, Renan recounted the earliest expressions of nationalism, when and why European nations developed, and to whom this type of social organization applied. And though he maintained a rather serious and historically grounded analysis throughout, when defining the word “nation” he rather passionately proclaimed, “A nation is a soul, a spiritual principle. Two things, which in truth are but one, constitute this soul or spiritual principle. One lies in the past, one in the present... The nation, like the individual, is the culmination of a long past of endeavors, sacrifices and devotions.”<sup>5</sup> At the time, Renan received critical acclaim, as his ideas resonated with European audiences, whose nations in were in the process of solidifying their international political prowess.

But what then, of the people who did not belong to the industrialized nations of the world? Despite his poetic definition of a nation, Renan found no room in his

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<sup>4</sup> Ernest Renan, “What is a Nation?” in *Becoming National: A Reader*, ed. Geoff Eley and Ronald Grigor Suny, (New York: Oxford University Press, 1996), 42.

<sup>5</sup> Renan, “What is a Nation?” 52.

analysis for such organizations. In fact, the French philosopher cogently argued that a “far graver mistake” in the discourse on nationalism, was that “race is confused with nation and a sovereignty analogous to that of really existing peoples is attributed to ethnographic or, rather, linguistic groups.”<sup>6</sup> Despite his florid description of a nation, Renan’s harsh and exclusionist view is reflective of the predominant mentality regarding colonized peoples. Indeed, as Renan pontificated about a nationalist (European) past, Native American nations, like the Eastern Shoshone and Northern Arapaho, halfway across the world, fought for their precarious place as “nations within,” by courting an American president while on his vacation.<sup>7</sup> Given Renan’s fame, and the dominant ethnocentric mentality regarding non-white peoples, scholars of nationalism perpetuated this exclusionist view, which provided no room for a dialogue about the status of indigenous nations. Ironically, Renan’s working definition of a nation, which included “the possession in common of a rich legacy of memories...present day consent, the desire to live together, [and] the will to perpetuate the value of the heritage that one has received in an undivided form,” nicely accommodates the uniqueness of both Native American political and cultural proclivities. So why, then, have so few contemporary nationalism scholars challenged Renan, and applied their rhetoric to indigenous peoples? At the same time, why have so few indigenous scholars dared to employ the rhetoric of nationalism?

### **Divergent Methods**

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<sup>6</sup> Renan, “What is a Nation?” 42.

<sup>7</sup> Here, I refer Vine Deloria, Jr.’s work *The Nations Within*, in which he systematically addresses the precarious place of indigenous peoples in the American federal system. See Vine Deloria, Jr., *The Nations Within: The Past and Future of American Indian Sovereignty* (Austin: University of Texas Press, 1984).

Over the years, Native American scholars typically applied one of two rather divergent methods in addressing indigenous group formation and organization. The first, and far more prevalent approach, utilizes an inherently evolutionary analysis, one derived from cultural anthropologists, in which the history of Native peoples begins with band formation.<sup>8</sup> Considered the most “primitive” of social organizations, a *band*, or small group of approximately twenty-five to fifty individuals bound through kinship, lives autonomously and subsists primarily through hunting and gathering. Band members imbue an informally acknowledged leader – usually depicted as apolitical – with the authority to act as the arbiter of domestic disputes. In time, the band, under the influence of a variety of internal and external forces, matures into a *tribe* with more rigid social and political organization.

The term “tribe” is deeply ingrained into the historical lexicon, and is used almost universally to describe seemingly organized indigenous peoples. Anthropologist Morton H. Fried’s influential work, *The Notion of Tribe*, provides critical analysis of the term and the difficulties associated with its usage. In his work, Fried argued that the word “tribe” is problematic because like other social constructs, its meaning is “taken for granted, but cannot withstand close scrutiny without fragmenting into contradictory packets of significance or dissolving in vagueness.”<sup>9</sup> In fact, throughout *The Notion of Tribe*, Fried asked his readers “Do tribes exist?” seeking to demonstrate the ambiguity

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<sup>8</sup> The list of scholars who embrace this methodology is quite long, and contains well renowned historians and anthropologists, including Frederick Hoxie, Clara Sue Kidwell and Peter Iverson, to name just a few. For the purposes of my research, Wyoming scholars who rely heavily upon the band/tribe/nation approach include, Virginia Cole Trenholm in *The Arapahoes, Our People* (Norman: University of Oklahoma Press, 1970) as well as her coauthored *The Shoshonis: Sentinels of the Rockies* (Norman: University of Oklahoma Press, 1964) with Maurine Carley. More recently, Henry Edwin Stamm, IV’s book *People of the Wind River: The Eastern Shoshones, 1825-1900* (Norman: University of Oklahoma Press, 1999), relies on this approach as well.

<sup>9</sup> Morton Fried, *The Notion of Tribe* (Menlo Park, California: Cummings Publishing Company, 1975), 1.

of the social construct. Unfortunately, after a fairly complex overview of the many iterations of the word, Fried offered no satisfactory definition. Instead, he concluded that “Tribe is a word that may be said to live in multiplex and changing real environments and its use is under constant adaptive pressure.”<sup>10</sup> In turning to the anthropological orthodoxy, most cultural anthropologists describe a *tribe* as a group comprised of a few thousand people, linked together through kinship networks and shared cultural and religious practices. Members of the tribe recognize the authority of an informal group of elders or a singular political authority, a chief.<sup>11</sup> Beyond these basic characteristics, tribes vary drastically in language patterns, familial relationships, gender roles, political strategies and defensive practices.

The final, and most advanced, sociopolitical organization in this predominant hierarchy is the state or nation. In general, a *nation* embodies a large population, and connects its members together through a highly centralized government, shared laws and practices, and personal commitment by its citizens. Like *tribe*, a *nation* is difficult to define because it can apply to a vast array of organized individuals, depending on the inclusivity or exclusivity of any one definition. Despite Renan’s attempt to deconstruct the seemingly clear process of state formation, the concept of nationhood remains shrouded in mystery and misunderstanding one hundred and thirty years later. To be sure, scholars of the past century have critically reassessed the national paradigm, and literature written in the last three decades alone revitalized the study of nationalism, as scholars from multiple disciplines across the globe, recast our understanding of

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<sup>10</sup> Fried, *The Notion of Tribe*, 8.

<sup>11</sup> In this anthropological hierarchy, a chiefdom or an offshoot of the tribe category, relies upon the centralized political authority of a chief, rather than a council of elders. In the Wind River case, scholars argue that the Northern Arapaho illustrated the traits of a tribe, the Eastern Shoshone, a chiefdom, with Washakie as their leader.



nationhood in a post-Cold War world.<sup>12</sup> At the same time, Benedict Anderson, one of the most influential nationalism scholars today, asserts that “Nation, nationality, nationalism – all have proved notoriously difficult to define, let alone analyse.”<sup>13</sup> To better describe this type of social organization, nationalism scholars, including Anderson, turn to the components of a nation – that is, they create definitions based on what they consider to be the necessary elements of nationhood. These include, but are not limited to: ancestral heritage, culture, language, citizens, territorial boundaries, political organizations, societally accepted laws, and sovereignty. Yet, in this hierarchy of sociopolitical organizations, Native American groups rarely meet the qualifications necessary to be considered *nations*, because of their legal subordination within the United States. Instead, they are often relegated as *tribes*, stuck in the evolutionary hierarchy, forever reaching for the final stage of group advancement.

Academic literature can only bear part of the responsibility for the proliferation of the terms *band*, *tribe* and *nation* and their hierarchical applications. These social categories did not first appear in scholarly works, but rather, they were part of a global vernacular, one that sought to rank peoples of the world. Anthropologist Raymond Fogelson explains, “In earlier eras, when American Indians were still regarded as possessing considerable autonomy, military power, and political might, the term ‘nation’ was frequently applied to Native American politics. When the balance of power shifted and Native Americans were considered as dependent nations or wards of the

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<sup>12</sup> Of the many volumes to consider on the subject of nations and nationalism see Benedict Anderson, *Imagined Communities: Reflections on the Origins and Spread of Nationalism*, 2<sup>nd</sup> ed. (New York: Verso, 2006); Ernest Gellner, *Nations and Nationalism*, 2<sup>nd</sup> ed. (Ithaca: Cornell University Press, 2006); Anthony D. Smith, *Nationalism: Theory, Ideology, History* (Cambridge: Polity Press, 2001); Eric Hobsbawm, *Nations and Nationalism since 1780: Programme, Myth, Reality* (Cambridge: Cambridge University Press, 1990); and John A. Armstrong *Nations Before Nationalism* (Chapel Hill: University of North Carolina Press, 1982).

<sup>13</sup> Anderson, *Imagined Communities*, 3.

U.S. government, the term ‘tribe’ became more widespread.”<sup>14</sup> In addition to the fluidity and longevity of the terms themselves within American society, anthropological studies and tribal histories of the first three-quarters of the twentieth century further reinforced such societal stratification.<sup>15</sup>

A generation ago, Native American scholars began to question the efficacy of the band-tribe-nation approach. Emerging out of a scholarly movement known as New Indian History, academics sought to change the ways in which scholarship addressed the Native American past. Proponents of this alternative methodology, advocated for more comprehensive and indigenously centered studies, in which the past became a tale of endurance and adaptation, not defeat and decline. Out of this movement, significant shifts within the scholarship include, the extension of the Native American narrative well into the twentieth century, a focus on Indian-Indian relationships, an analysis of pre-Columbian societies, and in general, a reevaluation of every aspect of Native American political, social and cultural life.<sup>16</sup> Anthropologist John H. Moore became one of the first New Indian historians to critically evaluate the band-tribe-nation approach,

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<sup>14</sup> Raymond D. Fogelson, “Perspectives on Native American Identity,” in *Studying Native America: Problems and Prospects*, ed. Russell Thornton, (Madison: University of Wisconsin Press, 1998), 51.

<sup>15</sup> In 1979, anthropologist James Clifton argued that tribal histories were a “distinctive genre now grown obsolete.” In a scathing review of this type of scholarship, Clifton outlined the many pitfalls of tribal histories and strongly advocated for their replacement with the ethnohistorical methodology. James Clifton, “The Tribal History – An Obsolete Paradigm,” *American Indian Culture and Research Journal* 3, no. 4 (1979): 81-100.

While perhaps justified in his analysis of the genre, Clifton’s failed to account for the possible cooptation of ethnohistory into the creation of tribal histories. As R. David Edmunds argues, when done well, tribal histories can become “the standard reference works on the individual tribes and serve as the basis for educational materials within the modern tribal communities.” R. David Edmunds, “Native Americans, New Voices: American Indian History, 1895-1995,” *The American Historical Review* 100, no. 3 (1995): 723.

<sup>16</sup> For more information about the dramatic historiographical shift within the field, please see, Robert F. Berkhofer, Jr. “The Political Context of a New Indian History,” *Pacific Historical Review* 40, no. 3 (1971): 357-382; Edmunds, “Native Americans, New Voices,” 717-740; Nicolas G. Rosenthal, “Beyond the New Indian History: Recent Trends in the Historiography on the Native Peoples of North America,” *History Compass* 4/5 (2006): 962-974.

in his 1987 work, *The Cheyenne Nation*. In his book, Moore addresses previous usages of both “tribe” and “nation,” and directly refutes Morton Fried’s assessment of the terminology in *The Notion of Tribe*. Specifically, Moore objects to Fried’s dismissal of “tribal traits,” and the assertion that bands only become tribes through contact with other, more “superior” nations. True to the tenets of New Indian History, Moore’s study, through the use of indigenous sources and ethnohistorical practices, places Native people and their understanding of group organization at the fore of his analysis.

Instead of stunted social climbers, Moore argues that the Cheyenne, and other indigenous groups, were (and are) organic organizations. Undoubtedly influenced by the work of Ernest Renan, Moore explains,

“A nation is like a biological individual. It is *born* from the shared needs of possibly diverse people who group together out of self-interest. A nation has a *maturation* during which it tends toward uniformity of behavior...But inevitably nations, like all social institutions, *die*, and they are fragmented into diverse groups that ultimately become other nations, with different languages, religions, and political structures. But only the nation dies; the people and their culture do not.”<sup>17</sup>

In Moore’s analysis, this process of death and rebirth, known to the scholarly community as ethnogenesis, completes and reinforces the cyclical nature of the nationhood process. By writing Native American history in this way, Moore and other scholars also make an intimate connection with indigenous forms of recording the past.<sup>18</sup> Furthermore, Moore complements this cyclical understanding of the Native American past with an all-encompassing definition of indigenous nations, one that

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<sup>17</sup> John H. Moore, *The Cheyenne Nation: A Social and Demographic History* (Lincoln: University of Nebraska Press, 1987), 14. (emphasis original)

<sup>18</sup> Plains Indian buffalo counts are, of course, the most prevalent example of the cyclical nature of Native record keeping, but other tribal nations employed similar styles. The Hopi, for example, believe that they survived the destruction of their world three times, each characterized by different circumstances, and recounted as three complete life cycles, or stories. Please see Frank Waters, *Book of the Hopi* (New York: Penguin Books, 1977).

includes citizenship, territory, political unity and a shared language. In defining tribal nations by these four components, Moore not only makes a connection with the larger body of nationalism scholarship, but also provides future historians with a model that can apply to other groups besides the Cheyenne.

While perhaps the first, John Moore was not the only scholar to suggest a reassessment of indigenous organization, though few others directly employ the rhetoric of nationalism. In a position paper for Native American Educational Services, Robert K. Thomas proposed that indigenous peoples, as a singular entity, had to possess four characteristics to survive. They include, “a distinct language...a unique religion...a tie to a particular piece of land... [and] a sacred history which tells you who you are and why you must survive as a people.”<sup>19</sup> Rather than a competing philosophy, Thomas’s analysis provides a nice companion to Moore’s argument. While reflecting some crossover (territory and language), Thomas’s addition of religion and a sacred history, provides a more well-rounded – and culturally sensitive – list of national traits. Unfortunately, Thomas did not explore this vein of research or publish further on the subject. He did, however, speak with historian Tom Holm on several occasions, and together, they refined a more nuanced approach to Native American social organization before Thomas’s death in 1991.

Along with co-authors J. Diane Pearson and Ben Chavis, Holm adapted Thomas’s key elements of Native society into a “Peoplehood Matrix.” Seeking to construct a central methodology, or paradigm for American Indian Studies scholars, Holm and his coauthors argue that the Peoplehood Matrix as “a disciplinary model...is

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<sup>19</sup> Robert K. Thomas, “Language and Culture: Persistence, Change and Dissolution of Tribal Society,” in *American Indian Tribes in the 21<sup>st</sup> Century* (Chicago: Native American Education Services, Inc., 1986), 71.

universal to all Native American tribes and nations and possibly to all indigenous groups.”<sup>20</sup> The authors utilize all four of Thomas’s essential characteristics – language, a sacred history, territory and religion – and believe that together they reflect “a much more accurate picture of the ways in which Native Americans act, react, pass along knowledge and connect with the ordinary as well as the supernatural worlds.” While in this matrix, no one element is more important than the rest, together the four characteristics provide a vehicle for the creation of a more comprehensive study of indigenous group formation, and illustrate an important shift within the historical literature. Today, an increasing number of scholars note the problems with the band-tribe-nation approach, especially indigenous people’s position of eventual stasis within the academic literature. Most recently, Holm and his fellow co-authors have argued that the band-tribe-nation approach is damaging, not just because of the “narrow definitions” of such social categories, but because this evolutionary approach to indigenous organization has “served to excuse colonialism and justify the unilateral abrogation of Native American treaties by the United States.”<sup>21</sup> As part of a larger effort to decolonize not only the past of Native peoples, but also the methodologies that scholars use to study indigenous society, the model created by Holm and his contemporaries contributes to more than one movement occurring within the field.<sup>22</sup>

Despite these steps toward a more nuanced study of the Native American past, a central question remains: “Does the term “nation” apply to organized indigenous

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<sup>20</sup> Tom Holm, et. al., “Peoplehood: A Model for the Extension of Sovereignty in American Indian Studies,” *Wicazo Sa Review* 18, no. 1 (Spring 2003): 12.

<sup>21</sup> Holm, et. al., “Peoplehood,” 16.

<sup>22</sup> See Linda Tuhiwai Smith, *Decolonizing Methodologies: Research and Indigenous Peoples* (Dunedin: University of Otago Press, 1999, and Maureen Konkle, *Writing Indian Nations: Native Intellectuals and the Politics of Historiography, 1827-1863* (Chapel Hill: University of North Carolina Press, 2004).

groups?” An increasing number of scholars argue in favor of such terminology, though the expression remains problematic and generates resistance within the field of nationalism studies, whose scholars point to the legal subordination of Native peoples in the United States. Twenty-five years ago, John Moore proposed a novel solution to this conundrum, with the phrase “tribal nation.” Moore explains, “My use of the term ‘tribal nation’ . . . then, is intended to help bridge the supposed evolutionary gap between ‘tribes’ and the more complex ‘nations’ that have a state structure.”<sup>23</sup> Moore’s innovative adoption of the phrase recognizes the unique position of Native Americans, as both sovereign and subject to federal authority. In using the phrase “tribal nation,” Moore and other scholars, myself included, assert that indigenous groups exhibit national behaviors, while at the same time they hold a unique place within the American political system.<sup>24</sup>

Reflecting the paradigmatic shift in the study of indigenous history, this work will maintain two basic assertions about Native American peoples and their history. First, like other nationalism scholars, I have created a definition of a *tribal nation* based not on rigid criteria, but upon a loose set of six key elements: territory, citizenship, political organization, language, cultural practices and a shared history. To begin, all tribal nations claim territory or landscapes that are historically or spiritually important.<sup>25</sup> Indigenous peoples’ sense of belonging to a specific place is often indicative of their relationship to either ancestral or contemporary homelands, though that is not always

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<sup>23</sup> Moore, *The Cheyenne Nation*, 16.

<sup>24</sup> For these reasons, I have adopted the label “tribal nation” throughout this work, while recognizing that any designation placed upon indigenous peoples – beside what they call themselves – is an artificial and inherently flawed descriptor.

<sup>25</sup> This process of belonging and claiming territory is different from non-Native concepts of land ownership. For more on this subject see, Keith Basso, *Wisdom Sits in Places: Landscape and Language Among the Western Apache* (Albuquerque: University of New Mexico Press, 1996).

the case. For example, Native peoples, like the Lakota, claim both their contemporary reservation, and special or sacred places, like the Black Hills. Tribal nations are also comprised of citizens, who remain committed to the group, and connect to the tribal nation through membership, identity and belonging.<sup>26</sup> In turn, citizens of the tribal nation look to a group of revered leaders, or in some cases one particularly gifted or well respected individual, and instill them with political authority and power. As part of a larger political organization, citizens place their faith in leaders, who enforce laws, act militarily, and make decisions, which should reflect the desires of the people.<sup>27</sup>

Members of a tribal nation share a common language, a vehicle through which they can communicate, conduct business, discuss religious and/or cultural practices and a sacred history. Robert Thomas and Tom Holm have both pointed out the interconnectivity of these three key elements, as language fosters a sense of belonging through storytelling, indigenous record keeping and even dance. These cultural bonds of nationalism are essential, because when spoken in the tribal nation's dialect, a sacred history provides more than a record of the past, it also gives "each member of the group

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<sup>26</sup> The federal government irreparably complicated the notion of citizenship with the passage of the Dawes General Allotment Act in 1887, which dictated membership in a tribal nation based not on indigenous criteria, but on blood quantum.

<sup>27</sup> John Moore refers to this key element as "political unity," though I do not think that this phrase does the component justice. In many cases, including the leadership patterns of the Arapaho and Shoshone, tribal nations were far from united, especially regarding political maneuvers, negotiation with the federal government, and military or war-making decisions. At the same time, Robert K. Thomas and Tom Holm fail to recognize the importance of political leadership in their models. Holm, et al., argue that sovereignty is "inherent" to such organized people, and while I agree that tribal nations are, by their very nature, sovereign, I would also argue that sovereignty it is not an aura that simply surrounds indigenous people. Rather, Native leaders, both historical and contemporary, generated expressions of political and cultural sovereignty for specific purposes, and also deflected multifaceted attacks to the sovereignty of their tribal nations.

Additionally, the "Peoplehood Matrix" purposefully attempts to "transcend the notions of statehood, nationalism, gender, ethnicity, and sectarian membership" (11). To do so would remove Native peoples from conversations about their role within larger American systems. In particular, the American federal government is not ready to transcend these colonial boundaries, and in recognizing this sad reality, tribal nations have embraced the nomenclature as their own.

an understanding of where they come from...details kinship structures, the meaning of ceremonies as well as when they should be performed, and how the group fits within a particular environment.”<sup>28</sup> While no one element is more or less important than the others, together they compose a malleable and all-encompassing definition of a tribal nation.

This work will also recognize the influence of both Ernest Renan and John Moore, as I see indigenous organizations as biological entities. In doing so, I have adopted John Moore’s cyclical approach to Native history, in which a study of the past reveals that tribal nations are born, grow, die and become reborn through the process of ethnogenesis. This organizational structure is appropriate, though not without limitations. Specifically, this vein of scholarship tends to isolate Native peoples from the larger historical narrative, as previous scholars have failed to fully recognize and address the forces of change that surely affect all tribal nations. John Moore’s “life cycle” approach to the past, for example, is useful, because it allows scholars to craft a more comprehensive narrative of the history of tribal nations. But at the same time, in his application, Moore often minimizes the environmental and societal conditions that encourage growth (or generate crisis) during the life cycle of a tribal nation.

Similarly, the “Peoplehood Matrix,” created by Tom Holm and his co-authors, provides a useful and holistic understanding of “peoplehood.” Yet, the authors offer little indication as to how individuals of a “peoplehood” adapt to societal change, or how these alterations can affect the nature of a “peoplehood.” Indeed, on the subject the authors explain that most people “tend to view change as a terribly painful process that rarely takes place without damaging society or culture. Even well thought out, perfectly

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<sup>28</sup> Holm, et.al., “Peoplehood,” 14.



rational changes can cause serious injury to peoples, especially if one or more of the four factors of peoplehood is attacked.”<sup>29</sup> While certainly true, change is also an evitable part of human life. Instead of recognizing that change can be damaging to Native peoples, I think that we need to identify and address the myriad of ways in which indigenous people have adapted to ever changing environments and explore what forces promoted change within the tribal nation.

Addressing this particular void in the existing scholarship, this study focuses on four major forces of change: internal demand, interaction with other tribal nations, negotiation with the federal government, and involvement with non-Native outsiders. First, and perhaps most importantly, tribal nations are not static entities. Indeed, citizens of tribal nations often seek out and encourage change when it appears in the best interest of the group. At the same time, internal divisions and factionalism can also create crisis and, in extreme cases, even bring about the demise of the tribal nation.

Second, contact with other tribal nations plays an integral role in prompting both change and turmoil, yet it is perhaps one of the most understudied facets of indigenous history.<sup>30</sup> Before the rise of New Indian History, a sense of timelessness and absolutism pervaded most discussions regarding indigenous cooperation and conflict. Through this lens, Native people secured either permanent allies or enemies, leaving no middle ground for conditional relationships, changes over time, or the possibility of extant circumstance that warranted occasional military aggression or enmity.<sup>31</sup> Recently, an

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<sup>29</sup> Holm, et.al, “Peoplehood,” 19.

<sup>30</sup> In fact, few scholars have adequately addressed the call for Native-Native studies first vocalized by Robert Berkhofer in 1971. Please see Berkhofer, “The Political Context of a New Indian History,” 357-382.

<sup>31</sup> For example, Karl Jacoby, in his recent work, *Shadows at Dawn*, explains that in the borderlands, “From the American vantage point, violence between the Papago, Mexicans, and Apaches had little to do with scarce resources or cultural conceptions of power and vengeance – and everything to do with

increasing number of academics have addressed this void in the scholarship, including historian Frank Rzeckowski, in his work, *Uniting the Tribe*. Rzeckowski explores the complicated world of Native-Native interaction in his study of the fluidity of tribal nations on the Northern Plains. *Uniting the Tribes* notes the inaccuracies of previous scholarship that depict Native peoples as “effectively marooned on landlocked reservation islands, with both friendly and hostile contact interdicted by American officials.” Instead, the author argues that the reservation system of the Northern Plains was “surprisingly ineffective at restricting Indians’ ability to travel, communicate, and meet with members of other tribes.”<sup>32</sup> Through these encounters, Native Americans mediated conflict, exchanged cultural practices including the Sun Dance and peyotism, and made and remade relationships with other tribal nations.

The third force of change, negotiation with the federal government, is by far the most thoroughly documented facet of Native American history. The National Archives, and their many regional repositories, teem with official correspondence and documents generated about indigenous people and their homelands. While this research provides the basis for most historical accounts of Native Americans, New Indian Historians and adherents of the ethnohistorical methodology, strongly encourage scholars to move beyond these records in the creation of a more comprehensive exploration of the country’s indigenous past. At the same time, studies like Francis Paul Prucha’s *The Great Father*, based primarily upon this one relationship, stand as an impressive

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unalterable traits of these communities.” Please see, Karl Jacoby, *Shadows at Dawn: A Borderlands Massacre and the Violence of History* (New York: Penguin Press, 2008), 101.

<sup>32</sup> Frank Rzeckowski, *Uniting the Tribes: The Rise and Fall of Pan-Indian Community on the Crow Reservation* (Lawrence: University Press of Kansas, 2012), 5,169. Rzeckowski also indicates that, ironically, by reducing competition between tribal nations for land and other resources, reservations “did seemingly eliminate many of the sources of tension that had previously produced hostility between different Indian communities.”

account of the Native past at the federal level, and can be useful in its assessment of indigenous legal subordination.<sup>33</sup> I do not deny the importance of encounters between tribal nations and the federal government, but rather seek to minimize this relationship, when possible, and address it as just one of the four major forces of influence.

The final force of change is that of indigenous involvement with non-Native outsiders. This relationship, mediated on an ad hoc basis, came in many forms, including religious missionaries, explorers, traders, settlers, school teachers, doctors, land speculators, agency superintendents, anthropologists, tourists, Wild West Show promoters, film makers, etc. Though diverse, the role of non-Native outsiders is important, because it demonstrates that Native communities were not isolated, and in fact, indigenous people frequently interacted, on many levels, with everyday Americans. While often the subject of historical narratives, contact between indigenous people and non-Native outsiders is an essential, though perhaps less constant, force of change for tribal nations. Together, these four forces of influence connect tribal nations to a world far beyond the bounds of their own communities, and prompt both growth, and even periodic crises, which effectively shape and reshape the tribal nations. Of course, the true test of this model, which accommodates both an indigenous understanding of the past and a historical framework rooted in preexisting scholarship, is its application. Seeking a tribal nation both rich in culture and political prowess, I selected not one, but two, indigenous groups, the Northern Arapaho and Eastern Shoshone, located on the Wind River Indian Reservation in Wyoming.

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<sup>33</sup> Francis Paul Prucha, *The Great Father: The United States Government and the American Indians* (Lincoln: University of Nebraska Press, 1984.)

Today, the Northern Arapaho and Eastern Shoshone live on the seventh largest Indian reservation in the country, a space more vast than the Pine Ridge Reservation in South Dakota. As one of the 565 federally recognized tribal nations, they maintain one of the top 25 largest reservation populations, yet, few people are aware of their existence, their culture or their colorful past. It is this relative obscurity that I find compelling as a historian. Wyoming Indians live in rural areas of the least populated state in the country, and have enjoyed a measure of isolation unknown to most of America's indigenous groups. As such, limited contact with the state's non-Native residents, allowed for the creation of a unique reservation community, one that magnified a rather extraordinary Native-Native relationship. Using the Arapaho and Shoshone of the Wind River Indian Reservation as a case study, I will assess the ramifications of their prolonged interaction, as well as other forces of change, including internal demand, and involvement with the federal government and non-Native outsiders. In doing so, an analysis of the Wind River historical narrative illustrates that that these organized indigenous peoples are today, and have always been, tribal nations who demonstrate similar, but culturally unique, national traits, including territory, citizenship, political organization, language, cultural practices and a shared history. While perhaps a seemingly complex case in which to apply this model, my decision to study the Wind River tribal nations is reflective of both my time in Wyoming and the depth of their rich history.

### **Birth of Nations - Paths to the Wind River**

To begin, the Arapaho and Shoshone took radically different paths to the Wind River. Several hundred years ago, a large group of Shoshonean speakers inhabited a

vast region of the West, known as the Great Basin. Following a serious drought that profoundly affected the area, these people participated in a great migration about 1350, in which they split apart from one another, creating their own tribal nations.<sup>34</sup> Some stayed in the basin, while others traveled to the Southern Plains, and a branch, known as the Eastern Shoshone, claimed an area on the northwestern plains of the Rocky Mountains.<sup>35</sup> Though separated geographically, the three groups remained in contact and shared linguistic and cultural ties. Oral reports and archeological evidence indicate that by 1700, former residents of the Great Basin extended as far north as present day Alberta, and as far south as the southeastern slope of the Rocky Mountains.<sup>36</sup> The dispersal and migration of the Shoshone ultimately provided them with access to sources of power and prosperity, yet the arrival of European explorers onto the Plains from northern Mexico challenged their dominance of the region.

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<sup>34</sup> According to the Shoshone, this moment might have been the creation of their current tribal nation, but the creation of their people began long ago, when the world was once covered in water. Long ago, a great flood overcame all dry land, except one spot, high on a mountain top. The Great Spirit, or Aꞓpo, grew weary of a life of water and sent a crow to seek out and bring back more dirt so that the world could be remade. But the crow returned unsuccessful in his mission. Turning to the smaller birds of the earth, he said, “Come, I will now hear which one of you has a good heart and good sense.” He found that the Chickadee was the only one that had any sense and was good-hearted.” The Great Spirit asked the little chickadee to go find dirt and bring back what he could. When the loyal bird returned with a beak full of soil, the Great Spirit made the Shoshone and all other people, the earth and the sky.

In some versions of this story, the animal sent to find more soil is a muskrat who succeeds, but dies in the process. Please see, Dimitri Shimkin, “Eastern Shoshone,” in *Great Basin*, ed. Warren L. D’Azevedo, vol. 11 of *Handbook of North American Indians* (Washington, D.C.: Smithsonian Institution, 1986), 638; H.H. St. Clair and Robert Lowie, “Shoshone and Comanche Tales,” *The Journal of American Folklore*, 22, no. 85 (Jul-Sept. 1909): 273. Several other versions of the Shoshone origin story exist. I have relied upon this one, because I was directed here by Reba Teran and other Shoshone people. In addition, the stories published in this article were co-authored by well-known anthropologist Robert Lowie and respected Shoshone member H. H. St. Clair, which gives it more credibility than other sources. Other versions can be found in Shimkin, “Eastern Shoshone,” 638; and James R. Dow, Roger L. Welsch, and Susan D. Dow, eds., *Wyoming Folklore: Reminiscences, Folktales, Beliefs, Customs, and Folk Speech* (Lincoln: University of Nebraska Press, 2010), 162. On the matter of creation, Reba Teran explained to me that the story has largely been lost by her people. As the curator of the Shoshone Cultural Center, she was conducting research and talking with elders at the time of our time of our interview, in the hope of remaking the connection between the Shoshone and this story. Reba Teran, interviewed by author, Ft. Washakie, Wyoming, February 29, 2008.

<sup>35</sup> Colin Calloway, *One Vast Winter Count: The Native American West Before Lewis and Clark* (Lincoln: University of Nebraska Press, 2003), 59; Stamm, *People of the Wind River*, 4.

<sup>36</sup> Calloway, “Snake Frontiers,” 84.

As Spanish conquistadors pushed into Shoshone territory, they brought with them guns, deadly microorganisms, and horses. Studies of this “Columbian Exchange” indicate that these non-Native newcomers left an indelible imprint upon the region, one usually marked by death and despair. But, as historian Pekka Hämäläinen points out, “the Plains Indian horse culture represents the ultimate anomaly – ecological imperialism working to Indians’ advantage.”<sup>37</sup> Horses, once acquired, provided indigenous people with the ability to trade, travel, hunt and wage war more effectively, especially on the Great Plains.<sup>38</sup> The region, replete with fertile grasslands, became a prime area for grazing animals, and allowed for the relatively easy adoption of the horse, though this move forever altered the socio-economic and environmental conditions of the Plains.

Initially concentrated in the southwest, horses spread northward via vast Native trade networks. Though it is difficult to determine when the Shoshone first acquired the animals, it is clear, that they were one of the first northern tribal nations to do so. Reasonable estimates suggest that near the turn of the eighteenth century, Comanche allies brought the creatures to the Shoshone Rendezvous, an annual gathering of indigenous people for trade, reunion and celebration.<sup>39</sup> Eastern Shoshone woman Reba Teran explains, “so we acquired them [horses] in the early 1700s and then we began pushing all the other bands or like our enemy tribes, we began pushing them away.”<sup>40</sup> In explaining the tribal nation’s memory of the acquisition, Teran clearly notes the

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<sup>37</sup> Pekka Hämäläinen, “The Rise and Fall of Plains Indian Horse Cultures,” *The Journal of American History* 90, no. 3 (December 2003), 833.

<sup>38</sup> The Plains, commonly described as the region from the Mississippi River valley west through the Rocky Mountains, north to Manitoba, Saskatchewan and Alberta, Canada and south into Texas, consists primarily of fertile grassland.

<sup>39</sup> Calloway, *One Vast Winter Count*, 294; Frank Gilbert Roe, *The Indian and the Horse* (Norman: University of Oklahoma Press, 1955), 126.

<sup>40</sup> Reba Teran, interview by author, Ft. Washakie, Wyoming, February 29, 2008.

important connection between horses and power. Before the arrival of horses, most tribal nations relied upon dogs as their primary means of transportation, but horses allowed the Shoshone to increase their mobility, as well as their effectiveness at hunting and waging war, thereby securing their claim to the region. It took nearly a century for a strong horse culture to develop on the Northern Plains, as the weather and lack of winter forage problematized their full adoption.<sup>41</sup> Despite these limitations, the Shoshone, one of the first groups to perfect the practice of equine management, became renowned horse traders on the Northern Plains. Considered the “chief distributors of them [horses] all over the Northwest,” the Shoshones’ commanded a rather violent reign over the region, but one that was also relatively short lived.<sup>42</sup>

By the 1740s, the distinction between cultures with horses and those without clearly divided tribal nations. As major actors in the region’s horse trade, the Shoshones controlled a vast area of the Northern Plains, which in turn led to the creation of considerable enmity between indigenous peoples. Soon, even their allies recognized that the Shoshone were “not friendly with any tribe. It is said that in 1741 they had entirely ruined seventeen villages, killed all the men and the old women, made slaves of the young women and sold them on the coast for horses and merchandise.”<sup>43</sup> While perhaps overstated, Shoshonean military dominance allowed them to raid neighboring villages, acquire additional horses and even slave labor, and produced socio-economic rivalries between the tribal nations of the Northern Plains. Their dominance would not last, however, as the Shoshone slowly lost their equestrian advantage to other tribal nations

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<sup>41</sup> William Swagerty, “History of the United States Plains Until 1850,” in *Plains*, ed. Raymond DeMallie, vol. 13 of *Handbook of North American Indians* (Washington, D.C.: Smithsonian Institution, 2001), 258.

<sup>42</sup> Roe, *The Indian and the Horse*, 308.

<sup>43</sup> Swagerty, “History of the United States,” 268.

including the Blackfeet, who managed to acquire large quantities of horses, in addition to guns from British traders.<sup>44</sup>

Emerging as a fierce warrior society, the Blackfeet, in alliance with the Gros Ventre, Cree, and Assiniboine, relentlessly targeted the Shoshone. Unable to successfully fend off their attackers or reach British traders who peddled guns to western tribal nations, the Eastern Shoshone retreated from the horse trade and into the Rocky Mountain ranges of Wyoming and Idaho between 1750 and 1780. Compounding the devastation felt by the Shoshone, a smallpox epidemic decimated their numbers in the late eighteenth century. Many reports regarding the Eastern Shoshone after the 1780s suggest that the tribal nation was a “timid” group who relied upon the Rocky Mountains for refuge. At the turn of the century, fur trader Alexander Henry wrote, “The Snakes [Shoshone] are a miserable, defenseless nation, who never venture abroad. The Piegans call them old women, whom they can kill with sticks and stones.”<sup>45</sup> Though he thoroughly debased the Shoshone’s reputation to the non-Native world, Henry, unlike most other travelers who encountered the tribal nation, did note their previous dominance. “They take great delight in relating their adventures in war,” he said, “and are so vivid in rehearsing every detail of the fray that they seem to be fighting the battle over again.”<sup>46</sup> Given the spectacular rise and fall of the Shoshone, their historical legacy might have forever been remembered as one of decline and defeat. Instead, they achieved an entirely different notoriety when Meriwether Lewis and

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<sup>44</sup> Calloway, *One Vast Winter Count*, 297; John C. Ewers, *The Horse in Blackfoot Indian Culture*, (Washington, D.C.: United States Government Printing Office, 1955), 171-173.

<sup>45</sup> *The Manuscript Journals of Alexander Henry*, ed. Elliott Coues, vol. 2 of *New Light on the Early History of the Greater Northwest: The Manuscript Journals of Alexander Henry and David Thompson, 1799-1814* (New York: Francis P. Harper, 1897), 726.

<sup>46</sup> Coues, ed., *New Light*, 726-727.



William Clark arrived in Shoshone territory in August of 1805 seeking a Native guide on their voyage westward.<sup>47</sup> As the Shoshone, namely Sacagawea, achieved newfound fame in their Rocky Mountain retreat, other tribal nations including the Blackfeet, Lakota and Arapaho vied for a stronghold on the Northern Plains.

It is unknown exactly when the Arapaho migrated to the Northern Plains, but it is likely that they settled in the region by the early eighteenth century.<sup>48</sup> The Arapaho eventually established military supremacy with their Cheyenne and Lakota allies, a move that coincided with the Shoshone retreat, deep within the high mountains of Wyoming. By 1800, fur trader Pierre-Antoine Tabeau reported that the Arapaho were shrewd traders who had become rich in horses.<sup>49</sup> Together, the Arapaho and Cheyenne positioned themselves in the Central Plains, and by the 1830s, they began to successfully monopolize access to trade at the newly established Bent's Fort on the

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<sup>47</sup> Stamm, *People of the Wind River*, 7; Calloway, *One Vast Winter Count*, 300.

<sup>48</sup> Again, while the Arapaho participated in a later migration to the region and eventually split off into two distinct tribal nations, they remember their earliest days through stories of creation, not migration. According to Arapaho legend, in the beginning there was no land, only water. An old man, known to the Arapaho as Flat Pipe, tired of the aquatic life and called for help. As a flock of ducks flew by, ten or twelve of them heard his plea and agreed to assist him in remaking the world. The ducks dove deep into the water, and returned several days later with only a bit of mud stuck to their bills and claws. While this was more soil than Flat Pipe had before, he was not satisfied. Later, a turtle swam by and the old man summoned him to see if the turtle could dive down and bring back more soil than the ducks. The turtle obliged, and upon his return the old man took the mud off of the turtle's four feet. Flat Pipe waited until the clay dried, and then he "blew the fine dust in four directions...The dry land was in the shape of a turtle and beyond it was the great water, and wherever, as he threw it, the earth did not fall down, there were rivers and lakes."<sup>48</sup> The old man then picked up some of the malleable new land and sculpted four figures, two men and two women, thereby creating the Arapaho people.

Unlike the many versions of the Shoshone creation story, the Arapaho have always maintained a specific account of this tale, and tell it frequently. I first heard it during an Arapaho language class at the University of Wyoming. The story has been published on numerous occasions and a whole host of publications including the tribal nation website. Told by Dr. Pius Moss, an elder of the Arapaho tribal nation, in this iteration Moss incorporates the story into the larger historical narrative of his people, but ends the creation section with "as far as we're concerned that's how land was established and that's how creation was established." Please also see, Dorsey and Kroeber, *Traditions of the Arapaho*, 4-6.

<sup>49</sup> Loretta Fowler, "Arapaho," in *Plains*, ed. Raymond J. DeMallie, vol. 13 of *Handbook of North American Indians*, (Washington, D.C.: Smithsonian Institution, 2001), 840.

Arkansas River.<sup>50</sup> Acting as intermediaries between traders and tribal nations, the Cheyenne and Arapaho soon became highly specialized negotiators and intermittent allies with the Lakota, Dakota, Kiowa, Blackfeet, Gros Ventre, Comanche, Jicarilla Apache and the Taos Pueblo.<sup>51</sup>

But in the early nineteenth century, the Great Plains trade network also produced volatile and even dysfunctional relationships.<sup>52</sup> Bonds between tribal nations developed and dissolved, while alliances among the Arapaho and other tribal nations proved fragile. By the 1820s, the westward migration of Americans provided disruption, but also significant business opportunities, for Cheyenne and Arapaho traders who exchanged bison robes for guns. Strengthening their position on the Great Plains, the allied tribal nations finally secured a strong allegiance with the Lakota in the 1840s, and together they became, according to one historian, “participants in the only true success story of Plains Indian equestrianism.” Seeking additional horses to trade, Plains Indian tribal nations, including the Blackfeet, Lakota, Arapaho and Cheyenne, sponsored horse

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<sup>50</sup> Hämäläinen, “The Rise and Fall of Plains Indian Horse Culture,” 840.

<sup>51</sup> *The Wind River Indian Reservation – Yesterday and Today: The Legends, the Land, the People*, (1972), Loretta Fowler Papers, acc. no. 11403, Box 12, American Heritage Center, University of Wyoming, Laramie, Wyoming. (Hereafter: LFC, Box 12.) Hämäläinen, “The Rise and Fall of Plains Indian Horse Culture,” 840.

<sup>52</sup> In response to the turmoil, tribal nations disassociated with less powerful groups, seeking strong alliances in tough times. In turn, years of brutal assault and reprisal, perpetuated a profound and constant rhetoric of “hereditary” or even “ancient” enmity, as indigenous peoples struggled to describe violent clashes between cultures. Most often, socio-economic conditions, not traditional rifts, created the animosity between tribal nations. In this way, the Arapaho and Shoshone provide a stunning example of enmity through contact. At different times, both tribal nations demonstrated their equestrian prowess on the Northern Plains through trade and warfare. Different in their cultures, languages and traditions, both tribal nations skillfully raised and traded horses, and claimed a vast portion of the region. While the two could have become powerful allies, the competitive environment of the Northern Plains, during the eighteenth and nineteenth centuries, allowed, instead, for the creation of profound and lasting hatred.

Even the names that the Arapaho and Shoshone have for each other indicate some of this historical hostility. For example, the Shoshone word for the Arapaho is *sa’ideka’*, which means dog eaters, an inherently derogatory term. The Arapaho responded in kind, calling the Shoshone *sosni’iiteen*, which is a derivative of the word *siisiyein* meaning snake village. Using the phraseology “Snakes,” or those who “Slither in the Grass,” the Arapaho and other tribal nations implied that Shoshone flee from danger.

wars in which they raided weaker communities.<sup>53</sup> For more than half a century, war raged on the Northern Plains, primarily spawned by a perpetual lack of horses and the individual pursuit of wealth and status. While the raids initially focused upon the acquisition of horses and slaves, “in practice they led to frequent and bloody clashes, which sparked deadly counterattacks as the relatives tried to avenge their dead.”<sup>54</sup>

The reduction of the once vast buffalo herds further problematized this volatile existence. By the 1840s, bison numbers fell in a steady decline, as indigenous people ignored traditional practices that prevented overhunting. Instead, they killed the beasts for their robes, seeking to exchange them for guns and ammunition in American markets. Reducing the number of bison on the Plains also created widespread starvation, as tribal nations ineffectively managed American encroachment, trade and dispossession. By the mid-nineteenth century, as settlers and the United States military sought to “conquer” the West, Plains Indian nations, “Exhausted by starvation, disease, and decades of fighting...could rally only weak resistance against the encroaching Americans.”<sup>55</sup> As the long arm of the United States federal government reached out to indigenous peoples of the West, the Arapaho and Shoshone interacted with the powerful newcomers, but did so in dissimilar ways. Taking far different paths to their reservation home in the Wind River Valley of Wyoming, the Arapaho and Shoshone discovered that the reservation system would ultimately bind them together and at times powerfully magnify their antagonistic past.

### **Studying the Wind River**

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<sup>53</sup> For more information see Elliott West, *The Way to the West: Essays on the Central Plains* (Albuquerque: University of New Mexico Press, 1995).

<sup>54</sup> Hämäläinen, “The Rise and Fall of Plains Indian Horse Culture,” 852.

<sup>55</sup> Hämäläinen, “The Rise and Fall of Plains Indian Horse Culture,” 853.

By the end of the century, the Arapaho and Shoshone attracted scholarly attention, as their history and cultural practices lured anthropologists to the Wind River. In the summer of 1892, ethnographer James Mooney visited the Wyoming reservation. Though intently focused on the Northern Arapaho, and their participation in the Ghost Dance, Mooney also noted the social organization, kinship networks and linguistic patterns of the tribal nation. This background sketch of the Arapaho people provided the academic community with its first look at the inhabitants of the Wind River.<sup>56</sup> Eight years later, Alfred Kroeber, a cultural anthropologist, entered the reservation and developed the first full length academic study of the Northern Arapaho, as well as their relatives the Southern Arapaho and the Gros Ventre. Unlike Mooney, Kroeber spent several months on the Wind River, studying Arapaho linguistic patterns, ceremonies, clothing, tools and social behaviors. The young anthropologist, fascinated by the mechanics of Arapaho religious practices and the symbolism of their dress, overlooked many less nuanced aspects of Arapaho life.<sup>57</sup> The tribal nations' lack of sufficient food and poor health, for example, failed to pique Kroeber's interest. Certainly influenced by the era in which they lived, men like Mooney and Kroeber believed that all Native Americans, not just the Arapaho and Shoshone, teetered on the verge of extinction. In visiting the reservation, they believed that it was their responsibility to record the last remnants of a dying race, lest they would disappear forever.<sup>58</sup> In doing so,

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<sup>56</sup> James Mooney, *The Ghost-Dance Religion and the Sioux Outbreak of 1890* (Washington, D.C.: Fourteenth Annual Report of the Bureau of American Ethnology, 1896).

<sup>57</sup> See Alfred Kroeber, *The Arapaho*, in the *Bulletin of the American Museum of Natural History* 18, (1902-1907).

<sup>58</sup> James Mooney and Alfred Kroeber were not the only "salvage anthropologists" to visit the Wind River. George Dorsey studied the Arapaho in 1901 and later published *The Arapaho Sun Dance: The Ceremony of the Offerings Lodge* (Chicago: Field Columbian Museum, Publication no. 75, Anthropological Series no. 4, 1903). Dorsey also co-authored a work with Kroeber titled *Traditions of the Arapaho* (Chicago: Field Columbian Museum, Publication no. 81, Anthropological Series no. 5, 1903). Ten years later,

contemporary reservation issues, fell beyond the purview of their research. Though early scholars of the Wind River failed to recognize the resilience and determination of their subjects, these works provided a solid foundation for the creation of subsequent academic studies of the Arapaho and Shoshone.

Yet, scholarly interest in Wind River inhabitants waned until a University of Wyoming professor delighted in the stories of two famous Shoshones. In the 1920s, college professor, suffragette and prolific author Grace Raymond Hebard began a thorough research campaign to reveal the identity and burial site of Lewis and Clark's Native guide, Sacagawea. Additionally, Hebard created a biography of legendary Shoshone Chief Washakie, whom she labeled "the foremost indian [sic] of the Trans-mississippi West."<sup>59</sup> While working on these two projects, the author contacted the families of pioneers and settlers near the Wind River, previous Indian Agents, and contemporary reservation residents, in addition to locating countless pages of government documents. Ultimately, Hebard's biographies, *Washakie* (1930) and *Sacajawea: Guide and Interpreter of Lewis and Clark* (1932), provide a highly romanticized depiction of the Old West and its Native inhabitants. Today, Hebard's work is heavily scrutinized, particularly her findings regarding the identity of Sacajawea, as critics claim that the author manipulated her sources to produce a specific narrative regarding the Shoshone guide. Regardless of her questionable research

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Robert Lowie arrived on the Wind River to study Shoshone religious practices. His work, like that of Kroeber, Dorsey and Mooney, reflected a disinterest in the state of contemporary residents in favor of anthropological view of a "dying race." See Lowie, "Notes on Shoshonean Ethnology," *Anthropological Papers of the American Museum of Natural History*, 20, part 3 (1924): 185-314 and "Sundance of the Shoshoni, Ute and Hidatsa," *Anthropological Papers of the American Museum of Natural History*, 16, part 5 (1919): 387-431.

<sup>59</sup> Hebard, notorious for her sensationalist historical style, advanced the study of these two iconic figures, but also problematized further research opportunities in this area. Grace Raymond Hebard, *Washakie: Chief of the Shoshones* (1930; reprint, Lincoln: University of Nebraska Press, 1995), 21.

practices, Hebard firmly established the popularity of two Wind River inhabitants and renewed both academic and lay interest in the reservation.

In the 1930s and 1940s, two noted scholars visited the reservation. First, anthropologist and non-cloistered nun Sister Marie Inez Hilger lived with the Northern Arapaho from 1935 to 1942. Hilger held a Ph.D. in anthropology from the Catholic University of America, and reported health and living conditions of Arapaho children from both an academic and religious viewpoint. Her work provided, for the first time, an intimate look into the lives of Arapaho women, as well as a Native perspective on child rearing practices.<sup>60</sup> Additionally, an anthropologist from the University of California-Berkeley, Demitri Shimkin, toured the reservation and wrote one of the first modern studies of the Eastern Shoshone. Shimkin's work narrated nineteenth century Shoshone history, and placed them amongst the powerful tribal nations of an earlier era. Unlike his predecessors, however, Shimkin also hinted at the larger, contemporary implications of their organizational structure and their enduring relationships with non-Native settlers and the United States government.<sup>61</sup>

By the 1950s, people no longer viewed Native Americans as a race doomed for extinction. Instead, they became a curiosity of the American West, a fascination that could be studied (and romanticized) for the masses. Scholars of the Wind River shifted their focus accordingly, yet preexisting literature influenced even the most objective academic, as the reservation's historiography established two very clear precedents that even modern historians still struggle to overcome. First, scholars of the Wind River

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<sup>60</sup> Sister Inez Hilger, *Arapaho Child Life and Its Cultural Background* (Washington D.C.: Smithsonian Institute Bureau of American Ethnology Bulletin no. 148, 1952).

<sup>61</sup> Demitri Shimkin, "Dynamics of Recent Wind River Shoshone History," in *American Anthropologist*, 44, no.3 (July-Sept.1942): 451-462 and "Wind River Ethnogeography," *Anthropological Records* 5, no. 4 (1947): 245-288.

preserved and maintained the distinction between residents of the reservation. Though government officials repeatedly treated the Arapaho and Shoshone as two, seemingly inseparable cultural components of a united reservation, historians studied them as distinct entities. This trend, certainly facilitated by previous anthropological scholarship, allowed for the creation of more in-depth tribal histories. But, by adhering to this standard, scholars of the past sixty years continued to discuss the Arapaho and Shoshone separately, negating the complex multi-national nature of the Wind River community.

Additionally, many Wind River narratives of the past half century end near or around the year 1900. This unfortunate pattern, also established by turn of the century anthropologists, perpetuates the notion that Native peoples are relics, or indigenous entities of days past, who have largely vanished from the western landscape.<sup>62</sup> To counter such trite and simplistic interpretations of Native Americans, tribal nations and progressive scholars across the country denounced such caricatures that depicted indigenous peoples as static, or seemingly unable or unwilling to transition into the twentieth century. Some tribal nations, including those on the Wind River, attempted to correct this declensionist version of their past through the publication of literature sponsored and written by their citizens.<sup>63</sup>

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<sup>62</sup> One Wind River scholar in particular, Virginia Cole Trenholm, adhered to these both of these trends. Her coauthored work, *The Shoshonis: Sentinels of the Rockies*, and her own book *The Arapahoes, Our People*, both fall into the quintessential tribal history genre described by James Clifton. Both address individual tribal nations, with no indication that these people live on a multi-tribal reservation, and both end near the year 1900.

<sup>63</sup> As part of a curriculum development workshop for Wind River schools, the tribal nations published *The Wind River Reservation – Yesterday and Today: The Legends, the Land, the People* in 1972. This small but mighty work is based upon the research of anthropologists and historians, but was created in consultation with Arapaho and Shoshone elders, and contains a wealth of information about the Wind River. Breaking from tradition, their narrative acknowledges the relationship between the Arapaho and Shoshone as equal members of the reservation and does not, of course, end near the turn of the 20<sup>th</sup>

During the 1960s, notions of indigenous of traditionalism and modernity clashed in the minds of everyday Americans. Changes within the historical community, led by academics like Robert Berkhofer, James Clifton and Loretta Fowler, among others, further cracked this simplistic scholarship mold. Fowler first visited the Wind River in 1967, as an anthropology graduate student from the University of Illinois-Urbana. For ten years, she spent time on the reservation, became enmeshed in Arapaho society, and created an impressive work on Arapaho culture and politics. Unlike previous scholars, Fowler recognized the importance of not only the reservation past, but also contemporary issues that Wind River residents faced. Her definitive work, *Arapahoe Politics* (1982), provides the first comprehensive look at the Arapaho people, and is a foundational book for all other reservation studies. Unfortunately, after this publication, historical interest in the Wind River people once again declined. In the 1990s and early 2000s, a non-academic publishing renaissance of sorts took place as previously unpublished memoirs, journals and family stories flourished.<sup>64</sup> Wind River literature from non-academic sources abounded, introducing readers from around the world to the reservation and its remarkable inhabitants.<sup>65</sup> For scholars, these works are

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century. Unfortunately, it did not receive widespread attention or make a significant impact to the overall study of Native Americans at the time, but is used today as an invaluable resource for Wind River scholars.

<sup>64</sup> Of the many newly published or reprinted items see Grace Coolidge, *Teepee Neighbors* (1917; reprint, Whitefish, MT: Kessinger Publishing, 2010); Edward J. Farlow, *Wind River Adventures*; Elinor Roberts Markley and Beatrice Crofts, *Walk Softly This is God's Country: Sixty-Six years on the Wind River Indian Reservation* (Lander, WY: Mortimore Publishing, 1997); Edwin Chalcraft, *Assimilation's Agent: My Life as a Superintendent in the Indian Boarding School System* (Lincoln: University of Nebraska Press, 2004); and Virginia Sutter, *Tell Me Grandmother: Traditions, Stories and Cultures of Arapaho People* (Boulder: University Press of Colorado, 2004). Anthropologist Jeffrey Anderson continued this trend by publishing Arapaho stories in a quasi-biography of the elder, Old Man Sage in *One Hundred Years of Old Man Sage: An Arapaho Life* (Lincoln: University of Nebraska Press, 2003).

<sup>65</sup> Author of Wind River fiction, Margaret Coel, certainly propelled forward the popularity and mystery of the reservation through her bestselling novels. Some of my favorites include, *Girl with the Braided Hair*, *Wife of Moon*, and *The Silent Spirit* (published by Berkley Publishing Penguin Books in New York) which contain within them historical evidence and factual elements of the Wind River past.



simultaneously invaluable and frustrating, as these anecdotes and memories are rarely corroborated with citations and easily accessible references. Still, these works recently revealed to scholars the memories of everyday people who experienced and recorded life on the Wind River more than a century ago.

Beginning in 1991, academic interest in the reservation also grew, as renowned American Indian scholar Colin Calloway published a call for action in an issue of the *Annals of Wyoming*. In his article, “Indian History in Wyoming: Needs and Opportunities for Study,” Calloway jokingly suggested that his proposal could also be named, “Things that need to be done even though I’m not doing them myself.” This thoughtful analysis of Wind River historiography provides readers with an outline of existing scholarship and indicates the many areas in serious need of development. Assessing the voids in the historical literature, Calloway suggests a shift away from the dominant “Indian/White” dichotomy, a reevaluation of dominant biographies including Sacajawea and Chief Washakie, a reexamination of reservation life and an assessment of the importance of the vast natural resources found in central Wyoming. He writes, “Perhaps more than anything else we need to move the study of Indian history in Wyoming into the twentieth century.”<sup>66</sup> In response to his call, the reservation began to attract scholars from a variety of disciplines. In the late 1990s and early 2000s, academics published articles about numerous reservation topics, both historical and contemporary, including language revitalization programs, indigenous water rights,

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<sup>66</sup> Colin Calloway, “Indian History in Wyoming: Needs and Opportunities for Study,” *Annals of Wyoming* 63 (Fall 1991): 125-130.

labor, and military service.<sup>67</sup> In addition to these works, three monographs and a textbook style survey of the Wind River enhanced the reservation's historiography.<sup>68</sup>

In part, this study responds to Colin Calloway's call to action, offered more than twenty years ago. By connecting the Arapaho and Shoshone together as two parts of a dynamic reservation community, I emphasize a more Indian-Indian focused approach to the history of the Wind River, and will begin to fill that void in the existing scholarship. At the same time, I recognize that the Arapaho and Shoshone have not, and do not, live in isolation. Accordingly, this work will also examine the four forces of change (internal demand, and interaction with other tribal nations, the federal government, and

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<sup>67</sup> See Andrew Cowell, "Bilingual Curriculum among the Northern Arapaho: Oral Tradition, Literacy, and Performance," *The American Indian Quarterly* 26, no. 1 (Winter 2002): 24-43; Michael Massie, "Same Decision, Different Results? Indian Water Rights and the Wind River Case," *Annals of Wyoming* 63, no. 4 (1991): 164-167; Garth Massey, "Making Sense of Work on the Wind River Indian Reservation," *The American Indian Quarterly* 28, no. 3 (2004): 786-816; Brian Hosmer, "'Dollar a Day and Glad to Have It': Work Relief on the Wind River Reservation as Memory," in *Native Pathways: American Indian Culture and Economic Development in the Twentieth Century*, ed. Bryan Hosmer and Colleen O'Neill (Boulder: University Press of Colorado, 2004): 283-307; Colin Calloway, "Snake Frontier: The Eastern Shoshones in the Eighteenth Century," *Annals of Wyoming* 63, no. 3 (Summer 1991): 83-92; Jere Franco, "Going the Distance: World War II and the Wind River Reservation," *Wyoming History Journal* 68, no. 2 (1996): 14-21.

<sup>68</sup> First, Henry Stamm's *People of the Wind River* (1999), is one of the first modern historical monograph to focus solely on the Eastern Shoshone. His work explores the pre-reservation and foundational reservation years, looking at Shoshone negotiations with the federal government on issues of land, religion, schooling and livestock. While informative, *Peoples of the Wind River* discusses the Shoshone exclusively and also fails to move beyond the 19<sup>th</sup> century. Jeffery Anderson's *Four Hills of Life* (2008) delves deeply into Northern Arapaho culture. This anthropological study Arapaho lifeways including their age graded society and keepers of knowledge. But like other studies, only focuses on the Arapaho providing little indication that another tribal nation lives on the Wind River. Providing a completely different perspective to the historiography, Geoffrey O'Gara's *What You See in Clear Water* (2000), offers a journalist's account of issues of water, and water rights between the Arapaho and Shoshone people and their non-Native neighbors. As in most places in the Northern Plains, water rights and downstream usage are hotly contested issues, and the Wind River is no different in that regard. O'Gara artfully grafts the more contemporary issue onto the Wind River historical narrative. While providing no groundbreaking historical research, his monograph nicely connects both historical and contemporary issues together in a readable account of the Wind River. Finally, Janet Flynn's textbook style analysis of reservation governance, *Tribal Government: Wind River Reservation* (1998), was written for a high school audience and endorsed by the Arapaho and Shoshone tribal nations. In writing the book, Flynn hoped that pupils in schools across the state could become more intimately familiar with the history and government systems of Wyoming Indians. One final book of note is Sarah Wiles's beautiful pictorial study of the Wind River, *Arapaho Journeys* (2011). Wiles is an adopted Arapaho, and her work is a thirty year love of labor as she photographed and recorded stories told by members of the tribal nation. Though not a monograph, her work is a moving account of Northern Arapaho people in the twentieth century.

non-Native outsiders), but give primacy, when possible, to the Arapaho/Shoshone relationship. I am also committed to bringing the study of the Wind River into the 20<sup>th</sup> century. In fact, a majority of this work focuses on the turn of the 20<sup>th</sup> century, as the Arapaho and Shoshone adapted to the changing environment of a new American era. Finally, this study assesses the Arapaho and Shoshone people, not as bands or tribes on an evolutionary trajectory, but as tribal nations.

Accordingly, each chapter in this work highlights one of the key components of indigenous nationalism. By organizing my study in this way, both thematically and chronologically, I emphasize Arapaho and Shoshone expressions of tribal nationalism, while, at the same time, I recognize that these national traits supersede such temporal boundaries. Chapter 1 examines the reduction of Arapaho and Shoshone territorial claims through various treaties negotiated between 1851 and 1878. During this era, both tribal nations expressed their desire to remain on or near the Wind River Valley in central Wyoming, a place of spiritual and bodily fulfillment. By 1878, the contested nature of the region, and no small amount of governmental interference, allowed for a most unlikely outcome, Arapaho and Shoshone cohabitation of the Wind River.

Chapter 2 explores the challenges and rewards of reservation life for Arapaho and Shoshone citizens, during their first twenty years together on the Shoshone Agency. While establishing reservation communities, Wind River inhabitants combatted starvation and assimilationist pressures in the form of agricultural pursuits, Christianity, boarding school education, and eventually land allotment. Though both tribal nations constantly advocated for Arapaho removal to a separate reservation, only land cession negotiations in 1891 inadvertently adjudicated the dispute, as federal officials

acknowledged both Shoshone and Arapaho claims to the reservation. Chapter 3 assesses a dramatic shift in political authority on the Shoshone Agency, as the death of chieftain leadership necessitated new forms of reservation governance. Slowly, both tribal nations adopted business councils, in which a group of recognized leaders managed the affairs of the tribal nations. A series of land cession councils, during the turn of the twentieth century, tested the resolve of councilmembers as they relinquished nearly half of their reservation, a disputed decision that prompted considerable dissatisfaction. Only the violent death of a Shoshone councilman, in 1907, stabilized the reservation as the leaders of both tribal nations reasserted their control over a greatly diminished reservation land base.

Chapter 4 analyzes the role of language as it pertains to indigenous politics. Rather than the dialects spoken by the Arapaho and Shoshone, this chapter assesses the language of politics, or a new dialogue of legalese, land leasing and federal finance, employed on the reservation by Arapaho and Shoshone leaders, who formed a Joint Business Council to better manage reservation-wide affairs in 1907. This governing body utilized the language of politics as they negotiated land leases for natural resources extraction, established programs to care for the infirm and elderly, and reassessed the reservation's education system. Though Office of Indian Affairs personnel frequently attempted to thwart Arapaho and Shoshone political advancement, by the 1920s, the tribal nations had achieved a fair measure of self-determination on the Wind River.

Chapter 5 describes a process of cultural revitalization that took place on the Wind River, as both tribal nations encouraged the proliferation of Native dance and

performances on, and off, the reservation. While the Shoshone participated in celebrations of their culture closer to home, the Arapaho, with the help of show promoter Edward Farlow, attracted the attention of Wyoming event planners, and even the notice of Hollywood film producers. Eventually, the declining popularity of Wild West shows, and the rise of western tourism, drew unwelcome audiences to the Wind River, as cultural relics, not performers, attracted non-Native attention. Finally, Chapter 6 illustrates the power and utility of history, as both tribal nations employed recollections of their past when addressing sweeping changes in federal Indian policy. During the administration of John Collier, one of the most controversial Commissioners of Indian Affairs, indigenous people across the country contemplated the pinnacle of his policy reforms, the Indian Reorganization Act. From 1913 to 1938, the Arapaho and Shoshone recalled their past experiences with the federal government and the shared histories of their people, as they filed Court of Claims cases, assessed federal Indian policy and charted a course for the future of their reservation.

## Chapter 1 - Contested Space

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For centuries, the rugged beauty of the Wind River Valley astounded both its inhabitants and wayward travelers. In the summer of 1842, John C. Frémont led an expedition through the Rocky Mountains in order to assess the feasibility of an overland communication line between the Atlantic and the Pacific. As his group travelled throughout the region, Frémont recorded his experiences, and said of the Wind River, “Around us, the whole scene had one main, striking feature, which was that of terrible convulsion. Parallel to its length, the ridge was split into chasms and fissures; between which rose the thin lofty walls terminated with slender minarets and columns...the portion over which we traveled this morning was as rough as imagination could picture it, and to us seemed equally beautiful.”<sup>1</sup> The clashing imagery of terribly rough terrain and the intrinsic beauty of such a place, characterizes many descriptions of the Wind River Valley and its surrounding mountains. Though terrifyingly daunting, the Wind River Mountains provided a measure of security, as well as beauty, to its occupants.

A variety of indigenous peoples found solace in this harsh and seemingly uninhabitable region at the time of Frémont’s expedition. The Shoshone, Arapaho, Cheyenne, Crow, and Lakota often visited the area in search of shelter or food, as they followed bison herds across the Northern Plains. Shoshone cultural historian Reba Terran illustrates the complexity of this place, “This is our beloved valley... [but] we had to fight for our hunting territory. And before the buffalo were wiped out we didn’t have to fight as hard because, you know, if you have got thousands, millions of buffalo to eat you’re not gonna worry about where you are going to get food. So the Plains

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<sup>1</sup> Quoted in John C. Van Tramp, *Prairie and Rocky Mountain Adventures: or, Life in the West* (St Louis, MO: Published and Sold Exclusively by Subscription by H. Miller, 1860), 382-383.

people were satisfied with their buffalo.” As the number of bison dwindled and settlers pushed farther into the American West, this region evolved into a fiercely contested space. Terran describes the changing era, “when the buffalo were wiped out, there was no food for the Plains Indians and they began encroaching onto this territory because they needed food also, and so that is where that, the dynamics of the fighting, got worse.”<sup>2</sup> The practice of establishing and maintaining territorial boundaries devolved into fierce battles between tribal nations who struggled to defend their claim to the region.

For these tribal nations, the Wind River Valley was not simply a parcel of land. To them, the area represented a home, a place of spiritual and bodily fulfillment. The rugged mountains and pristine streams held within them memories, history, and a sense of belonging. As tribal nations left, or were forced out the region, their physical dislocation generated emotional distress, as well as a strong desire to return to the Wind River. Anthropologist Keith Basso describes the complex relationship between people and place, as well as the emotional disruption of dislocation. Basso explains that only after people are removed or “set adrift” from familiar surroundings, do they recognize the importance of place and belonging. “On these unnerving occasions,” he writes, “sense of place may assert itself in pressing and powerful ways...It is then we come to see that attachments to places may be nothing less than profound, and when these attachments are threatened we may feel threatened as well.”<sup>3</sup> The contested nature of the Wind River, a by-product of considerable disruption on the Northern Plains, threatened the lifeways of thousands of Native peoples by the mid-nineteenth century.

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<sup>2</sup> Reba Terran, interviewed by author, Ft. Washakie, Wyoming, February 29, 2008.

<sup>3</sup> Basso, *Wisdom Sits in Places*, xiii.

The arrival of United States settlers to the area further complicated the struggle over this contested space. In the 1850s, Indian Agents arrived in the American West and proposed a series of treaties intended to officially designate Native homelands. Government officials did not understand the contested nature of some indigenous spaces, however. The Wind River Valley, as well as other locations in the American West, did not belong to one group alone. In the end, boundaries created through treaties further complicated, rather than alleviated, tension between tribal nations. Some indigenous communities responded with overt displays of aggression and rejected unwanted intrusions upon their land. Other tribal leaders developed working relationships with government representatives in order to secure desired regions through peace, not war.

In 1851, Shoshone and Arapaho leaders pondered the costs and benefits of each approach. The Eastern Shoshone eventually chose a path of limited cooperation, while the Northern Arapaho decided to resist. These divergent paths exemplify the precarious position of tribal nations on the Northern Plains in the mid-nineteenth century. The contested nature of geographic spaces precluded wholesale peace agreements, easily defined boundaries or even lasting alliances. Between 1851 and 1878, the Northern Arapaho and Eastern Shoshone tribal nations endured a series of crises, as conflict with the federal government, non-Native outsiders and one another tore at the fabric of their societies. In response, the two tribal nations adapted to a rapidly changing world, preserved a cultural identity and political presence, and negotiated for a piece of the Wind River. By 1878, this complicated balancing act achieved an undesired and seemingly impossible result: shared cohabitation on a contested space. Though not by



their design, the Arapaho and Shoshone both secured a part of their beloved valley, but for the next sixty years, the contested nature of the Wind River remained as both tribal nations continually established and maintained their claim to the area.

### **Life on the Plains**

Treaty negotiators met with the Lakota, Cheyenne, Arapaho, Shoshone, Crow, and other indigenous groups at Fort Laramie in 1851. The purpose of this meeting, an unprecedented gathering of tribal nations and government agents, was twofold. First, federal officials and Native leaders discussed various territorial claims on the Northern Plains. Seeking to create a legal document that would bind tribal nations to demarcated zones, federal officials relentlessly questioned Native leaders about geographic boundaries and landmarks. In addition, representatives from each tribal nation agreed to allow limited access to their territories, including safe passage for settlers and military personnel.<sup>4</sup> In accordance with the Fort Laramie treaty, the Arapaho, and their allies the Cheyenne, stayed in an area “Between the Rivers,” an expanse roughly from the Platte River to the north and the Arkansas River to the south, from the foothills of the Rocky Mountains to the head waters of the Republican River in the east.<sup>5</sup> At the treaty council, the Arapaho and Cheyenne promised to refrain from attacking United States citizens and even allowed for the construction of military posts on their land.<sup>6</sup>

Despite this treaty, white settlers encroached onto Arapaho territory. Settlers and miners flooded the area when gold was discovered near Pikes Peak in 1858, disrupting

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<sup>4</sup> “Treaty of Fort Laramie with Sioux, etc., 1851,” in *Indian Affairs: Laws and Treaties*, ed. Charles J. Kappler, (Washington: Government Printing Office, 1904), 594-596.

<sup>5</sup> Trenholm, *The Arapahoes, Our People*, 136-138. “Treaty of Fort Laramie,” ed. Charles J. Kappler, *Indian Affairs*, 595.

<sup>6</sup> Loretta Fowler, *Arapahoe Politics, 1851-1978: Symbols in Crises of Authority* (Lincoln: University of Nebraska Press, 1982), 28-32; Trenholm, *The Arapahoes*, 135-138.

game in an important Arapaho hunting locale. As the threat of violence increased, an irreparable crisis gripped the Arapaho tribal nation. Political differences eventually split the Arapaho into two factions, Northern and Southern. The two groups agreed to live separately, but still came together at certain moments of the year, mainly for religious ceremonies.<sup>7</sup> Even this arrangement would not last, as turmoil between the factions, heightened by unpleasant encounters with unwelcome settlers, severed the already difficult relationship. The Northern Arapaho traveled north into Wyoming and Montana, further allying themselves with the Lakota and Northern Cheyenne, while the Southern Arapaho stayed in Colorado and attempted to mediate encounters with the arriving settlers.<sup>8</sup>

The immediate ramifications of this decision profoundly affected the Southern Arapaho. Under the weight of an increasing non-Native presence in Colorado, the Southern Arapaho, with a few members of the Cheyenne, signed the Fort Wise Treaty in 1861, effectively rescinding their previous claim to the region. They accepted a reservation on the Sand Creek and relocated there in the hope of avoiding further confrontations. This treaty deeply upset the Northern Arapaho, as federal negotiators failed to recognize the divide between the Northern and Southern factions. By signing the treaty without consulting Northern Arapaho leaders, the Southern faction effectively surrendered all claims to the area. In response, the Northern Arapaho further disassociated themselves from the affairs of their Southern relatives, and strengthened their bond with the Lakota and Cheyenne, but trouble persisted. In 1862, the discovery of gold in Montana, led to increased clashes between the Northern Arapaho and Euro-

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<sup>7</sup> Fowler, *Arapahoe Politics*, 42-45.

<sup>8</sup> Fowler, "Arapaho," 840-862.

American settlers, while the Southern Arapaho fared no better. Devastated by a brutal massacre at Sand Creek on November 29, 1864, they accepted a small reservation and moved to Indian Territory.

By 1865, the Northern Arapaho faced an uncertain future. They held no federally recognized land rights on the Northern Plains, they could no longer subsist on unpredictable seasonal hunts, their Southern relatives relocated to Indian Territory, and the war against Anglo American settlers had taken its toll. Indian Agent for the Colorado Superintendency, S.G. Colley, reported to his superiors that in council with the Northern Arapaho, “they do not appear to have any definite plan...I do not know what to do with them. They are poor and hungry. I have given them something, and got for them what I could of the commanding officers, but it is beg, beg, all the time.”<sup>9</sup> Other signers of the Fort Laramie Treaty fared no better in the ten years following the council. Annuity compensation, promised in the treaty, trickled in slowly or failed to arrive entirely. Native leaders repeatedly requested their annuities, not handouts, but Indian Agents like Colley failed to distinguish the two and protested the appalling state of their Indian “wards.”

In the late 1850s, Indian Agents at posts across the American West bemoaned the state of tribal nations. These reports, often embellished for dramatic flair, illustrated not only the often difficult living conditions of American Indians, but also nineteenth century racial attitudes toward indigenous peoples. Throughout the United States, government personnel frequently met with tribal nations and tried to implement federal policies. By the mid-nineteenth century, their guiding principle, articulated in the 1860

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<sup>9</sup> *Annual Report of the Commissioner of Indian Affairs for 1863* (Washington: Government Printing Office, 1864), 131. (hereafter *RCIA*)

Annual Report of the Commissioner of Indian Affairs, divided tribal nations into two categories: those with whom the United States had treaties, and those without.<sup>10</sup> It was the Commissioner's desire to maintain contact with those not bound by treaty negotiations. "Our intercourse with those tribes with whom we have no treaties," he wrote, "is limited to impressing upon them the necessity of maintaining friendly relations with the whites, and assuring them that acts of violence and rapine will be sure to draw upon them severe chastisement."<sup>11</sup> Encouraging additional negotiations with indigenous peoples, the Commissioner sent Indian Agents across the Northern Plains to conduct a second wave of treaty councils, as he believed the outdated 1851 treaty failed to effectively contain Native peoples. In the 1860s, agents endeavored to narrow territorial boundaries through treaties, while strengthening ties with "friendly" tribal nations and extending the period of annuity payments and supplies over a period of fifteen years.

With this policy direction in mind, Utah Territorial Agent Benjamin Davies traveled toward the Eastern Shoshone camp in 1860. By the time of Davies's arrival, Washakie, a revered leader and powerful figure in the tribal nation, led the Eastern Shoshone. The precise details of Washakie's birth and early life are lost to historians, but by 1843, it is clear that he was a prominent subchief in the tribal nation. The establishment of Fort Bridger that year, and the subsequent and long-lasting friendship between Jim Bridger and Washakie, furthered supported the young Shoshone's rise to power. Bridger encouraged Washakie to develop relationships with federal agents and Mormon missionaries who passed through his trading post, and when treaty council

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<sup>10</sup> *RCIA for 1860*, 4-6.

<sup>11</sup> *RCIA for 1860*, 4.

negotiators invited the Eastern Shoshone to participate in the 1851 Fort Laramie Treaty, Bridger implored Washakie to attend. His presence at the treaty council favorably impressed federal agents and further solidified Washakie's place among his own people. His advance to chieftain of the Shoshone did not remain uncontested, however. Internecine struggles for authority punctuate Shoshone history throughout the 1850s, but in the end, Washakie's involvement in the Treaty of Fort Laramie, as well as his relationship with influential men including Brigham Young and Jim Bridger, ultimately secured his place as the leader of the tribal nation.<sup>12</sup> By the early 1860s, Shoshones and government officials both recognized his status and touted him as a valuable asset.

As Davies travelled westward from Fort Bridger, a majority of the Eastern Shoshone lived in winters camps throughout the Wind River Valley. The area provided shelter from encroaching winter storms, as well as fresh water, and access to fish and wild game. Armed with federal Indian policy, two wagons driven by mules, provisions, clothing, and ammunition, Davies made his way to the Valley and sought an additional treaty with the Eastern Shoshone.<sup>13</sup> In reporting to his superiors, Davies heroically described his role as the man who "saved hundreds of lives among the naked, wretched inhabitants of these desolate wilds."<sup>14</sup> But, the described – and most likely exaggerated – condition of the Shoshones must be put into proper context.<sup>15</sup> At the time Washakie and his people met with Agent Davies, November of 1860, the seasonal snowfall and vicious Wyoming winds prohibited hunting and travel. They subsisted on relatively

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<sup>12</sup> For more information about Washakie please see, Trenholm and Carley, *The Shoshonis*, 105-121; Stamm, *People of the Wind River*, 25-46; and Hebard, *Washakie*, 55-73.

<sup>13</sup> Benjamin Davies to William P. Dole, Commissioner of Indian Affairs (here after CIA), June 30, 1861, GRHC, Box 60, Folder 3.

<sup>14</sup> Benjamin Davies to William P. Dole, CIA, June 30, 1861, GRHC, Box 60, Folder 3.

<sup>15</sup> At one point, Agent Davies insisted that, "These are unquestionably the poorest Indians on the continent." One must wonder how many Native peoples he encountered to qualify this exaggerated statement!

scarce, but not deficient stores of food as their environment suggested frugality rather than poverty. Every winter, inhabitants of the Wind River Valley endured fierce winds, sub-zero temperatures, and even, as Davies reported, an “immense depth of the snow, which in some places was said to be as much as fifty feet.” This area, a wintering ground that the Shoshones seasonally inhabited and thrived on for many years, concerned and bewildered Davies.<sup>16</sup> The brutal winter weather did not deter the agent in completing his mission, however.

Washakie and his advisors openly welcomed Davies into their winter encampment, and actively pursued additional negotiations. By the spring of 1861, the tribal nation successfully secured a subagency, created specifically for the Shoshone, that would distributed the annuity goods, promised in the 1851 treaty, to the Shoshone, Ute, Paiute, and other regional bands.<sup>17</sup> Despite the “deplorable” condition in which he found the Shoshone, Davies lived with them for several months, and positively reported, the “Indians are now all peaceable and entirely friendly with the whites, and are likely to remain so, unless the interference of white men causes disturbances to spring up among them.”<sup>18</sup> This favorable report prompted additional treaty negotiations between the Shoshone and the United States government.

In the fall of 1861, Henry Martin, Davies’ successor, reported his additional councils with Washakie to the Commissioner of Indian Affairs. Martin indicated that Washakie, in addition to a few Ute leaders, “express their willingness to cede to the United States all the lands they claim in this Territory, with the exception of reservations necessary for their homes; and ask, in return, that the United States shall

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<sup>16</sup> Benjamin Davies to William P. Dole, CIA, June 30, 1861, GRHC, Box 60, Folder 3.

<sup>17</sup> Stamm, *People of the Wind River*, 38.

<sup>18</sup> Benjamin Davies to William P. Dole, CIA, June 30, 1861, GRHC, Box 60, Folder 3.

make them annual presents of blankets, beads, paint, calico, ammunition, &c., with occasional supplies of beef and flour sufficient to make them comfortable.”<sup>19</sup>

Washakie’s apparent desire to move his people onto a reservation requires a bit more analysis, however. First, during a period of rather intense struggle for leadership of the Eastern Shoshone, Washakie’s rivals appeared noticeably absent from this and other meetings with Agency officials. Anglo-Americans in the Utah Territory, including Jim Bridger, frequently elevated Washakie’s status, regardless of his actual rank, within the Shoshone tribal nation. This practice infuriated other leaders who vied for a position of authority and refused to participate in treaty negotiations. In response to Washakie’s ascension to power, the tribal nation fractured as a few leaders and their followers broke off from the larger group, effectively solidifying a more unified citizenry behind Washakie. In addition, Arapaho, Crow and Lakota encroachment onto the Wind River, a region coveted by the Shoshone, as well as several brutal raids perpetuated by these tribal nations, necessitated, in Washakie’s mind, additional treaty negotiations and, more importantly, federal protection.

In order to maneuver into a more favorable negotiating position, Washakie befriended Indian Agent Luther Mann. Mann arrived at Fort Bridger in late December of 1861 and served as acting Indian Agent to the Shoshone until 1869, though it was not immediately apparent that the two would become friends.<sup>20</sup> In his first report to the Commissioner of Indian Affairs, Mann described the perilous position of those in the area “Large numbers of the Shoshones, in conjunction with the Bannocks...have been

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<sup>19</sup> Henry Martin to William P. Dole, CIA, October 1, 1861, in Dale L. Morgan, ed., “Washakie and the Shoshoni: A Selection of Documents from the Records of the Utah Superintendency of Indian Affairs,” *Annals of Wyoming* 25, pt.1 (July 1953): 215.

<sup>20</sup> Hebard, *Washakie*, 136.

committing upon the emigrants travelling to California and Washington some of the most brutal murders ever perpetrated upon this continent.” But Mann absolved Washakie and his followers of these heinous crimes, “Washakie, the head chief of the Shoshones, and his band, have abstained from any acts of violence or theft which have characterized a larger portion of the tribe.” Mann also indicated the potential for more violence, as “Large herds of stock have been stolen and driven off by predatory bands of Shoshones, during the present season, none of which have as yet been chastised for their stealing propensities, thereby emboldening them to commit further acts of theft and violence upon the whites living or travelling through this country.”<sup>21</sup> This requisite report to his superiors benefitted Washakie and his Shoshones in a number of ways.

First, Mann blamed other Shoshone leaders and additional tribal nations for the attacks, maintaining Washakie’s status as a peaceful leader and not a target for governmental retribution. Mann also elevated Washakie’s status by making him an informer, of sorts, as he successfully warned surrounding settlers of the potential for further acts of violence, based on information gathered through conversations with Washakie. Finally, Mann attempted to reward the leader and his people with the first of many requests to establish a Shoshone reservation, “I cannot too strongly urge upon the department the necessity of placing the Shoshones upon a reservation to be located at one of the three points, viz: The Wind River valley, which is said to be one of the finest valleys in the mountains.”<sup>22</sup> These factors, in conjunction with the established rhetoric of the Office of Indian Affairs, prompted additional treaty negotiations with the

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<sup>21</sup> Luther Mann to James D. Doty, Superintendent of Indian Affairs, Utah Territory, (hereafter SIA-UT), September 20, 1862, GRHC, Box 60, Folder 3.

<sup>22</sup> Luther Mann to James D. Doty, SIA-UT, September 20, 1862, GRHC, Box 60, Folder 3.



Shoshone. Unfortunately, Mann and Washakie could not prevent the brutal escalation of Indian/American conflict in Utah Territory, however.

In January 1863, Colonel Patrick Connor attacked the winter camp of Shoshone chief Bear Hunter and a mix of Bannock Indians near the Utah/Idaho border.<sup>23</sup> The ensuing massacre, retribution for an attack against miners near Salt Lake City, decimated the Native population. At Bear River, aggressive forces, supported by militant federal policies and Civil War armaments, brutalized unsuspecting Native peoples. According to Indian Agent James Doty, surviving Bannocks counted a loss of 225 men, women and children with nearly 160 captives.<sup>24</sup> This number is certainly low, as historians today suggest a total of more than 300 dead in the attack. Like Sand Creek the following year, this episode illustrates the sheer brutality of American retribution, but this story is typically lost amid the numerous theaters of the Civil War era.<sup>25</sup> In his official report, Doty brushed off the incident stating “Their camp was well filled with provisions, bacon, sugar, coffee &c. and various other articles, all of which had obviously been taken from Trains which they had robbed during the past season.”<sup>26</sup> Federal officials supported this overwhelming demonstration of violence, while women and children stood in the corpse-strewn field where their loved ones met their demise.<sup>27</sup>

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<sup>23</sup> Washakie thought of Bear Hunter as both a friend and an ally. Though politically distinct groups, Washakie’s and Bear Hunter’s followers shared cultural bonds as well as linguistic and kinship ties and news of the brutal massacre at Bear River clearly disheartened those who remained at Fort Bridger. See Stamm, *People of the Wind River*, 43.

<sup>24</sup> James Doty to William Dole, CIA, February 16, 1863, in Morgan, “Washakie and the Shoshoni,” pt. 7, 197; Trenholm and Carley, *The Shoshonis*, 197.

<sup>25</sup> The Shoshone descendants of those lost in 1863, fought for preservation of the site. In 1932, the area was designated an Idaho State Battle Ground, but has recently been renamed a “massacre” and the Fort Hall Shoshoni-Bannocks overtook management of the site. Ned Blackhawk, *Violence over the Land: Indians and Empires in the Early American West* (Cambridge: Harvard University Press, 2006), 263-264.

<sup>26</sup> James Doty to William Dole, CIA, February 16, 1863, in Morgan, “Washakie and the Shoshoni,” pt. 7, 197.

<sup>27</sup> Blackhawk, *Violence over the Land*, 263-264.

The death of these “thieves” sparked periodic retaliation, but eventually halted persistent Indian raiding and further prompted additional treaty negotiations.

### **Fort Bridger Treaty 1863**

Above all else, an expanding Anglo-American population into the American West initiated the Fort Bridger Treaty. The Homestead Act of 1862 sparked an unparalleled migration of settlers onto Indian lands, and government officials reasoned that outbreaks of violence could not be tolerated if settlements were to develop. On July 2, 1863, agents James Doty and Luther Mann met with various factions of the Shoshone and their leaders, nearly one thousand people in total.<sup>28</sup> The two principal chiefs, Washakie and Wanapitz, declared perpetual peace with the United States, and agreed to allow telegraph and overland stage lines to pass through their territory.<sup>29</sup> The treaty signers also permitted the future construction of a railroad from the eastern plains, west to the Pacific Ocean. For their inconvenience the Shoshone received \$10,000 in annuities distributed over the course of twenty years, as well as immediate provisions and clothing in the amount of \$6,000.<sup>30</sup> Noticeably absent from this document is mention of a permanent Shoshone settlement. Instead, the treaty roughly designated Shoshone territory by geographic markers: the Snake River to the north, the Wind River Mountains and the north fork of the Platte River to the east, the Uintah Mountains to the south, and the western boundary left undefined.<sup>31</sup> The Shoshone agreed to these geographical borders because they contained both sacred and utilitarian spaces

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<sup>28</sup> James Doty and Luther Mann to William Dole, CIA, July 3, 1863 in Morgan, “Washakie and the Shoshoni,” pt. 7, 204.

<sup>29</sup> “Treaty with the Eastern Shoshoni, 1863,” *United States Statues at Large*, 43<sup>rd</sup> Congress, 1873-1875, vol. 18, part 3, 685-686.

<sup>30</sup> “Treaty with the Eastern Shoshoni, 1863,” *United States Statues at Large*, 685-686.

<sup>31</sup> “Treaty with the Eastern Shoshoni, 1863,” *United States Statues at Large*, 685-686.

including the Wind River Mountains and western hunting grounds. Despite Agent Mann's recommendation, and Washakie's apparent willingness, the treaty did not make allowances for a reservation, however.

Several factors inhibited reservation development, including numerous claims to the Wind River Valley. According to the Fort Laramie Treaty of 1851, part of the region belonged to the Crow, who inhabited the Valley infrequently, but maintained a presence in the area. The Cheyenne, Arapaho and Lakota also claimed hunting rights along the Bighorn Mountain range, and increasingly raided Shoshone settlements, asserting their military dominance. Additionally, the discovery of gold in the region sparked a sizeable increase in the number of miners and businessmen near the Wind River. Author of *Crazy Horse: A Lakota Life* Kingsley Bray explains the instability of the region, as Crazy Horse, "Loosely cooperating with the northern Arapahos, whose chiefs were pursuing a negotiated join-use zone on the Wind River...pressed raids against the Shoshones. They also harried new American mining settlements near South Pass."<sup>32</sup> The contested nature of the space complicated treaty negotiations, and generated considerable violence between conflicting interests.

Despite their efforts, Indian Agents could not mediate the many conflicts between settlers and tribal nations. In the mid-1860s, the federal government, embroiled in a bitter Civil War, lacked the oversight and manpower to coordinate any large scale stabilizing efforts. Instead, they sent agents from the Office of Indian Affairs (OIA), armed with federal policy and very little money to arbitrate disputes. In response to the weakened federal presence in the American West, tribal nations, including the Arapaho, frequently raided fledgling white settlements and attacked their rivals' camps with the

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<sup>32</sup> Kingsley M. Bray, *Crazy Horse: A Lakota Life* (Norman: University of Oklahoma Press, 2006), 129.

help of their Lakota and Cheyenne allies. In addition, settlers easily migrated onto Native lands at an alarming rate, violating treaties and aggravating Indians, in search of riches all but promised to them by land speculators and boosters. Many agents believed that the longer Indians remained outside of the reservation system the potential for violence would further escalate beyond their control. Luther Mann, a perpetual advocate for a Shoshone reservation, wrote in his 1864 annual report, of the impact of white intruders. The Shoshone hunting grounds, “being in a section of country where the whites, during the last year, have been in search of gold, their game is becoming exceedingly scarce, much of it having been killed and a great deal of it driven from the country; hence it will be absolutely necessary in the future to feed them during the winter months.” Mann rationalized that since the Shoshone gathered to receive rations during the winter, “some suitable measures [should] be taken to locate them upon a reservation where they might be protected by the government until they could be taught to take care of themselves.”<sup>33</sup> Mann’s repeated requests to establish a permanent reservation for Washakie and his people originated not only from the increase in white settlers, but also from a paternalistic desire to “civilize” the Shoshone people.

This policy did not originate with Mann, or even the OIA, but rather from a concentrated, nation-wide effort to do something with the indigenous population in America. Agent Mann embodied this ideology and acted accordingly, campaigning for a reservation on which “civilizing elements” could better influence the Shoshone. On September 28, 1865, he wrote, “If they are not provided with such a home, they are destined to remain outside of those influences which are calculated to civilize or

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<sup>33</sup> Luther Mann to O.H. Irish, SIA-UT, October 5, 1864, in Morgan, “Washakie and the Shoshoni,” pt. 9, 200.

christianize [sic] them, as has been done in many parts of our country to tribes not one whit more susceptible of being rendered useful members of society.” He insisted that, “Wild Indians, like wild horses, must be corralled upon reservations. There they can be brought to work, and soon will become a self-supporting people, earning their own living by their industry, instead of trying to pick up a bare subsistence [sic].”<sup>34</sup> These impassioned requests went unheeded, as several obstacles on the local and federal levels continued to block the path toward a Shoshone reservation.

Turmoil abounded throughout the Northern Plains, wrought by three primary factors: trade, wealth and territory. Seeking access to northern trade centers in which Native people exchanged buffalo robes for guns and supplies, tribal nations migrated throughout the region, often leading to violent confrontations at both Native and non-Native encampments. Second, Indians and Anglo-Americans alike wanted to increase their personal wealth. Anglo-American miners tore into the hills and valleys of the West in search of gold and other precious minerals, while Native people ransacked villages and counted coup, increasing their societal power and wealth. Finally, and most importantly, the process of defending or gaining hunting territories, as well as sacred and utilitarian spaces, perpetuated a state of near-constant battle, as tribal nations vied for access to the Wind River region.<sup>35</sup>

In 1864, Lakota warriors, along with their Arapaho and Cheyenne allies, repeatedly sacked Shoshone winter camps on the Wind River. In October, Utah Superintendent of Indian Affairs, Oliver Irish, wrote to the Commissioner that a large number of Shoshone people sought refuge at Fort Bridger in response to the attacks.

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<sup>34</sup> Luther Mann to O.H. Irish, SIA-UT, September 28, 1865, GRHC, Box 60, Folder 3.

<sup>35</sup> Frank Rzeckowski provides a compelling analysis of the era, and the relationship between the Crow and Lakota in his work, *Uniting the Tribes*.

After receiving their annual provisions, Washakie told Irish that his people would not start their fall hunt because “they are affraid [sic] of the Souixs [sic], and that they will leave their families in the vicinity of Ft. Bridger for safety, and will hunt in that neighborhood and do the best they can.”<sup>36</sup> The Lakota did not limit their attacks to the Shoshone, however. Miners, overland travelers and anyone else who crossed their path, faced Lakota ire, as warriors attempted to reclaim a large portion of northeastern Wyoming. While the Shoshone fled to Fort Bridger, the Crow, who maintained treaty rights to the region, retreated to the west side of the Big Horn Mountains, under the threat of Lakota attack.<sup>37</sup>

The Shoshone did not stay away from the Wind River for long, and once again they faced their rival’s aggression. In the summer of 1865, Lakota and Cheyenne warriors invaded Washakie’s camp near the Sweetwater River. As they raided the camp for horses, one of the warriors killed Washakie’s son, Nan-nag-gai (Snow Bird), and mutilated his body in front of his father.<sup>38</sup> As they rode away, Washakie gathered his warriors for retribution, as this act of overt aggression negated any promises of peace stipulated in previous treaties. When Agent Mann witnessed Shoshone preparations for battle, he hastily sent a missive to Utah Superintendent of Indian Affairs, O.H. Irish, “I learned this morning that a large party of the ShoShonees [sic] are preparing to leave that Agency for the purpose of fighting the hostile Indians who are Engaged in committing depredations on the Overland Mail Line and Telegraph Lines. Shall I permit

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<sup>36</sup> O.H. Irish to William Dole, CIA, October 13, 1864, in Morgan, “Washakie and the Shoshoni,” pt. 9, 199.

<sup>37</sup> Stamm, *People of the Wind River*, 48.

<sup>38</sup> Trenholm and Carley, *The Shoshonis*, 214.

them to leave?”<sup>39</sup> Irish, who had recently bemoaned Lakota attacks to the area’s communication routes, quickly replied, “I am willing they should fight the bad Indians. Let them be good Soldiers that the Great Father may think well of them.”<sup>40</sup> When the Shoshone returned victorious, Washakie’s willingness to “fight the bad Indians,” regardless of his ulterior motives, earned him the respect of area Indian Agents. Irish requested that a large medal be given to the chief for his service as “There is no more deserving Chief Among all the Indians.”<sup>41</sup> But Washakie’s perpetual cooperation with Indian Agents earned him more than a large silver medallion, as the Shoshone inched one step closer toward negotiating for the Wind River.<sup>42</sup>

Agent Mann utilized this recent demonstration of good will in his 1866 annual report. As usual, Mann requested a reservation for the Shoshone, but painted Washakie and his people in a better light. Instead of destitute and poverty stricken, the Shoshone, in Mann’s estimation, were good people deserving of a home of their own. He simply stated, “The valley of the Wind River mountains is the territory which the tribe have selected for their home, and this is the place where such a reservation should be set apart and an agency established.” Mann closed his report with an impassioned plea for “Washakee [sic] and his tribe [who] deserve a permanent and exclusive reservation in the valley of the Wind river [sic], and I pray you let them have it at once.”<sup>43</sup> Yet, the OIA once again ignored his request. Stalwart in his pursuit, Mann relentlessly sought a reservation again the next year.

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<sup>39</sup> O.H. Irish to William Dole, CIA, August 4, 1865, in Morgan, “Washakie and the Shoshoni” pt. 9, 210.

<sup>40</sup> O.H. Irish to William Dole, CIA, August 4, 1865, in Morgan, “Washakie and the Shoshoni” pt. 9, 210.

<sup>41</sup> O.H. Irish to D.N. Cooley, CIA, March 2, 1866, in Morgan, “Washakie and the Shoshoni,” pt. 9, 218.

<sup>42</sup> Hebard, *Washakie*, 112.

<sup>43</sup> Luther Mann to F.H. Head, SIA-UT, September 15, 1866, in Morgan, “Washakie and the Shoshoni,” pt. 9, 223-224.

Washakie and the Shoshone grew restless as they struggled to stay on the Wind River under the constant threat of brutal attack. They frequently implored Agent Mann to conduct treaty negotiations for the Wind River, as rival tribal nations continually threatened their home, and Washakie adamantly believed that treaties, not warfare against a far superior force, would best secure their place in the region. To Mann, a reservation for the Shoshone did not simply mean that they would hold title to the Wind River. It also meant it a major victory for the Agent professionally. Not only would he become a reservation agent, but Mann could also quit traipsing around the Rocky Mountains, risking life and limb to find Washakie and his people. The chief used this knowledge to his advantage, and much to Mann's dismay, the Shoshone became more and more difficult to find as the plan to secure a reservation languished.

By 1867, the Lakota and their allies, united under the leadership of Chief Red Cloud, gained control of a vast portion of the Northern Plains, as they attacked settlers and tribal nations in the area. The Crow no longer claimed the Wind River, as they were sufficiently pushed out by the Lakota. In response, Mann attempted a new strategy, and played off the fear of "hostile Indians" in some of his reports. If the Shoshones moved onto the Wind River, he reasoned, "Their occupancy of the valley, with suitable protection from the government, would prevent the raiding war parties of Sioux from interfering with the development of the mines just discovered and being open in the vicinity of South Pass, where, within a few days, a large party of miners were driven away by a small band of hostile Indians after three or more of their number had been inhumanely murdered."<sup>44</sup> In other words, if the Shoshone received their reservation,

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<sup>44</sup> Luther Mann to F.H. Head, SIA-UT, July 29, 1867, in Morgan, "Washakie and the Shoshoni," pt. 10, 58.



they would serve as a buffer between hostile Indians and settlers in the region.

Successfully persuaded by this rationale, the United States government treated with the Shoshone less than a year later.

### **Fort Bridger Treaty 1868**

At the national level, Union Pacific railroad crews marched across the Nebraska prairie in the summer of 1867. By January 1868, trains ferried passengers to the new boom town of Cheyenne, Wyoming, and linking the West and the East became a tangible reality for government officials. Unwavering in their mission, Americans believed that violent skirmishes and free ranging Indians could no longer be tolerated. Accordingly, how to “civilize” the Indians became a major concern for the Commissioner of Indian Affairs. It was not good enough, in his estimation, to confine them on reservations of their own. Instead, the Commissioner insisted in his 1868 annual report, that it was the government’s “right” and it’s “duty” to “solve the Indian question definitely and decisively.”<sup>45</sup> In a self-serving and paternalistic manifesto, titled “Shall Our Indians Be Civilized? And How?” the commissioner outlined a plan in which Indian Agents should “proceed by the cheapest and nearest route to the desired end, and could, therefore, justify ourselves in ignoring the natural as well as the conventional rights of the Indians, if they stand in the way, and as their lawful masters, assign them their status and their tasks, or put them out of their own way and ours by extermination with the sword, starvation, or by any other method.” Commissioner N.G. Taylor also encouraged Agents to achieve this end through the “simplest, easiest, and most economical way possible.”<sup>46</sup> At the heart of this policy, an emphasis on education,

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<sup>45</sup> *RCIA for 1868*, 16.

<sup>46</sup> *RCIA for 1868*, 16.

farming and Christianity led the way to civilization, not extermination through war and starvation.

Coinciding with this more forceful direction in Indian policy, the United States Congress established a different treaty making process in 1867. Headed by a newly created Indian Peace Commission, the group, comprised of army officers and civilians, met and negotiated with resistant tribal nations, as well as those still at peace with the government. As the Peace Commission traveled throughout the country in the summer of 1868, they sought not to define new boundaries, but remove Native people to reservations, or, if possible, to Indian Territory. In anticipation of treaty negotiations at Fort Bridger, Luther Mann invited Shoshone and Bannock Indians to the post in May of 1868. After several days of feasting, ninety-six Shoshone lodges, in addition to nearly sixty Bannock families, met officials on July 3 to sign a treaty of peace with the United States. This treaty, by far the most important to the Shoshone people, secured the Wind River Valley as their permanent home. The document stipulated unconditional peace between the United States and the Shoshone. Additionally, the government agreed to provide annuity payments and clothing as well as a teacher, carpenter, miller, engineer, blacksmith and farmer, and the equipment necessary to assist the Shoshone in agricultural endeavors.<sup>47</sup> In return, the Shoshone relinquished their claim to the area surrounding Fort Bridger.

After nearly seven years of negotiation, the Shoshone finally secured their “beloved valley.” At the council Washakie proclaimed, “I am laughing because I am happy. Because my heart is good...When we want to grow something to eat and hunt I

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<sup>47</sup> *The Wind River Reservation - Yesterday and Today*, LFC, Box 12.

want the Wind River Country.”<sup>48</sup> Government officials hoped that this legal document marked the end of an era in which Indians enjoyed the unfettered ability to roam the plains, stalk buffalo herds and raise their families on the open prairie. Chief Washakie, and the generations of Shoshone leadership that followed him, however, recognized different opportunities provided through treaty negotiations. The creation of a Shoshone Agency and the establishment of treaty sanctioned leadership enabled them to express legal sovereignty over their land and resources.

Federal officials wanted the Shoshone to relocate to their newly created reservation and begin farming as soon as possible. On the other hand, Washakie purposely delayed their departure from Fort Bridger, because the Shoshone used the Wind River primarily as a winter camp and seasonal hunting ground, not a permanent residence. In addition, the leader sagely recognized that the Lakota threat had not diminished with the signing of treaty documents. Washakie appeared quite adamant about this stipulation, reportedly saying to the Commission, “You have heard what I want. The Wind river [sic] Country is the one for me. We may not for one, two or three years be able to till the ground. The Sioux may trouble us. But when the Sioux are taken care of, we can do well...I want for my home the valley of Wind river and lands on its tributaries as far east as the Popo-aggie, and want the privilege of going over the mountains to hunt where I please.”<sup>49</sup> The Commission conceded that the Shoshones could delay their relocation to the reservation pending the construction of agency buildings and other shops, but once they were built, Shoshone occupation was to be

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<sup>48</sup> “Treaty with the Shoshonee and Bannacks, July 3, 1868,” *United States Statutes at Large*, 40<sup>th</sup> Congress, 1867-1869, vol. 15, 674.

<sup>49</sup> Brevet Major General C.C. Augur to President of the Indian Peace Commission, October 4, 1868, in Morgan, “Washakie and the Shoshoni,” pt. 10, 81.

immediate and permanent.<sup>50</sup> One final provision of the 1868 treaty that greatly impacted the future of the Shoshone, was that the Shoshone Agency

is set apart for the absolute and undisturbed use and occupation of the Shoshonee [sic] Indians herein named, and for such other friendly nations or individual Indians as from time to time they may be willing, with the consent of the United States, to admit amongst them; and the United States now solemnly agrees that no persons except those herein designated and authorized so to do, and except such officers, agents, and employees of the government...shall ever be permitted to pass over, settle upon, or reside in the territory described in this article for the use of said Indians.<sup>51</sup>

This provision indicated that the Shoshone were to retain complete sovereignty over their land, effectively settling any contested rights of occupancy. In reality, it failed to do so. Less than ten years later, the Arapaho arrived on the Wind River and challenged the Shoshone's claim to the area.

The Indian Peace Commission actually hosted several councils on the Northern Plains in the summer of 1868, including a meeting with more than 150 Arapaho and Cheyenne lodges camped near Fort Laramie.<sup>52</sup> In many ways, their allegiance with the Lakota had not been profitable, and the Arapaho and Cheyenne, anxious to sever their ties to the rebellious tribal nation, wanted to secure a treaty with the United States. Their previous involvement with the Lakota weakened their bargaining power, however, and the final agreement was not as favorable as the one made with the Shoshones. According to their treaty stipulations, if the Arapaho and Cheyenne agreed to unconditional peace, they would be rewarded with agricultural and education assistance, clothing and other provisions, as well as annuity goods and rations for those

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<sup>50</sup> "Treaty with the Shoshonee and Bannacks, July 3, 1868," *United States Statutes at Large*, 40<sup>th</sup> Congress, 1867-1869, vol. 15, 673-674.

<sup>51</sup> "Treaty with the Shoshonee and Bannacks, July 3, 1868," *United States Statutes at Large*, 40<sup>th</sup> Congress, 1867-1869, vol. 15, 674.

<sup>52</sup> Fowler, *Arapahoe Politics*, 46.

who settled on a reservation.<sup>53</sup> Perhaps the most distressing part of the treaty for the Northern Arapaho, was the condition that “within one year from this date they will attach themselves permanently either to the agency provided for them near the mouth of Medicine Lodge Creek, or to the agency about to be established on the Missouri River, near Fort Randall, or to the Crow agency near Otter Creek, on the Yellowstone River.”<sup>54</sup> The Northern Arapaho found these possible reservation locations unsuitable, because they wanted to remain near the Wind River. Instead, tribal leaders looked toward army officers for help in securing a reservation on their old hunting grounds in west-central Wyoming.

### **Creating a Reservation**

Even though the Shoshone now held title to the Wind River, their lifestyle changed very little in the year following the treaty. From July 1868 until the summer of 1869, the reservation served only as a part time home. The Shoshone continued to practice cyclical nomadism, in which they gathered at the Wind River Valley in the late winter months (November to April) in preparation for travel to their buffalo hunting grounds in the Big Horn Basin. During the summer, the Shoshone dispersed. Some went to Fort Bridger to trade, while others scattered throughout the region to hunt and gather forage for the winter. With autumn’s arrival, the Shoshone slowly filtered back to the Wind River for the fall buffalo hunt and the establishment of winter camps.<sup>55</sup> In the Wind River Valley, the landscape remained unaffected as the federal government

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<sup>53</sup> “Treaty with the Northern Cheyenne and Northern Arapaho, 1868,” ed. Charles J. Kappler *Indian Affairs: Laws and Treaties*, (Washington: Government Printing Office, 1904), 1012-1013.

<sup>54</sup> “Treaty with the Northern Cheyenne and Northern Arapaho, 1868,” ed. Charles J. Kappler *Indian Affairs: Laws and Treaties*, (Washington: Government Printing Office, 1904), 1012-1013.

<sup>55</sup> Demitri Shimkin, *Wind River Ethnogeography* (Berkeley: University of California Press, 1947), 267-269.

erected no agency buildings, houses, barns or other signs of development in 1869. In part, Washakie's reluctance to settle permanently on the Wind River rested on this lack of activity. In addition, the Shoshone enjoyed the freedom of mobility, and wished to continue receiving their rations from Washakie's old friend Jim Bridger. Their agent, Luther Mann, also continued to work out of Fort Bridger as he oversaw the development of the Shoshone Agency.

Intense outbreaks of violence, perpetuated by the Lakota and their allies, also restricted the Shoshone's movements and further complicated the creation of a Wind River reservation community. Agent Mann noted the frequent attacks against the Shoshone in his 1868 report, but rather than viewing these Indian raids as a competition over contested territory and resources, Mann noted the "enmity existing between them [the Shoshone] and the Nez Perces, Crows, Sioux, Cheyennes, and Arapahoes [which] is of long duration."<sup>56</sup> The agent tried to underplay the severity of the situation, by calling the raids a "temporary setback to the peaceful occupation of the reservation allotted to the Indians of this agency."<sup>57</sup> His report ultimately failed to illustrate how their enmity powerfully affected the region and did little to address the fears of white miners and settlers who often lived in a state of perpetual terror near the newly established reservation or the angst of frustrated Shoshones who attempted to reside in the area.

The increasing dissatisfaction of Washakie and his people troubled Agent Mann. The establishment of a reservation for the Shoshone was a considerable personal and professional achievement for the civil servant. But, Mann often possessed few resources

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<sup>56</sup> *RCIA for 1868*, 157.

<sup>57</sup> *RCIA for 1868*, 158.

and even less political power to curtail violence or resolve conflicts on or near the Shoshones' land. He lacked an agency near the Wind River through which to operate, and to complicate matters further, the creation of Wyoming Territory in July of 1868 altered the political structure of the entire region. Mann now reported to J.A. Campbell, the newly appointed territorial governor of Wyoming. Campbell, the ex-officio Superintendent of Indian Affairs, was not a stranger to the volatility of the American West. Among the items addressed in his opening message to the first meeting of the territorial legislature, the new governor set his sights on ending violence in the Wind River.<sup>58</sup> Mann, seeking powerful allies, joined Campbell to achieve this ambitious goal.

Mann and Campbell initially met with area settlers, as frequent skirmishes with the Lakota and their allies indirectly tainted the Shoshone's reputation. In 1868, Mann talked with South Pass miners and settlers, informing them that other hostile parties, not their Shoshone neighbors, instigated the many attacks. In doing so, he hoped to reassure "the miners that the best feeling existed between these Indians [the Shoshone] and the whites, and that their presence in the valley would be protection against any more raids by the Sioux, which proved true, all hostilities having ceased against the miners until after the Shoshone had returned to this agency."<sup>59</sup> This brief respite from Indian raids had very little to do with the Shoshone's arrival. Rather, the Lakota and their allies had moved off of the Wind River in search of their own winter grounds, effectively halting the violence. Like clockwork, the raids began again in the spring of 1869. Still, miners in the Sweetwater region, and Agent Mann, recognized the convenience of a Shoshone buffer in the Wind River Valley.

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<sup>58</sup> TA Larson, *History of Wyoming*, 2<sup>nd</sup> ed. (Lincoln: University of Nebraska Press, 1978), 72-73.

<sup>59</sup> Luther Mann to F.H. Head, SIA-UT, September 12, 1868, in Morgan "Washakie and the Shoshoni," pt. 10, 74.

Renewed attacks in the spring, prompted residents of local mining towns to demand more action of their new governor. They begged Campbell to send troops or militia protection to the region. The irony of this situation, of course, is that they also desperately wanted Indians to settle in their community, for their own, self-serving purposes. Governor Campbell chronicled the incredible changes taking place in the Wind River Valley in the summer of 1869 in a letter to the Commissioner of Indian Affairs. He wrote first of Agent Mann, who planned to leave Fort Bridger for the expressed purpose of establishing his agency, a project eleven months in the making. Additionally, General Christopher Augur, a territorial asset and witness to the 1868 Fort Bridger Treaty, set out for the Sweetwater mining district to protect the agency in its infancy, and the settlers in that region, from further Lakota depredations. Though many forces converged on the Wind River Valley, Washakie and his people did not visit the proposed agency that summer, and planned to return only for annuity goods and to set winter camps in late autumn. Campbell also addressed this pattern of behavior, as he laid out his plans for the Wind River. He insisted upon the Commissioner that “It is very desirable that these indians [sic] be induced to settle on this reservation, not only in order that they may be prepared to carry out their part of the treaty, but also because the presence of these indians [sic] will serve to assist in protecting the Wind river valley and the miners on the Sweetwater from the Sioux.”<sup>60</sup> True to the plan, General Augur arrived with protection for the region and established a post, named Camp Augur, on the Big Popo Aggie River. But despite the presence of troops in the area, the attacks continued unabated.<sup>61</sup>

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<sup>60</sup> J.A. Campbell to Ely Parker, CIA, June 10, 1869, quoted in Hebard, *Washakie*, 133.

<sup>61</sup> Stamm, *People of the Wind River*, 55.



For Mann, establishing an agency proved far more difficult than he could have envisioned. Ultimately, constant raiding prevented the agent from creating a permanent settlement on the reservation that summer.<sup>62</sup> Inadequate supplies undermined his report with Washakie and frustrated his ability to provide the provisions stipulated in the 1868 treaty. He insisted that “Nothing but a strict and liberal fulfillment of the agreement with the Indians can secure their perfect quietude.”<sup>63</sup> Mann also feared the fracturing of the Shoshone as a result of his inadequacies. He reported that the separation of some Shoshones, under the authority of a new leader, complicated the delicate power structure of the tribal nation. During this transitory phase, Washakie recognized that he was losing the confidence of his people, as relocation to the Wind River proved less satisfactory than promised. In 1869, the Shoshone also suffered several crushing defeats to the Lakota and other rival tribal nations, as they attempted to defend their homelands, further weakening Washakie’s authority within the tribal nation. In response, a few younger warriors started to push in on his leadership position.

According to biographer Grace Raymond Hebard, Washakie knew of the dissention within his ranks. In response to challenges of his authority, Washakie mounted his horse and left without telling anyone of his plans. After “two moons” he returned with seven scalps and told his challengers that he had come upon a band of “hostiles.” Seeking to defend his honor, Washakie took each scalp as a trophy, or a memento of the battle. In dramatic flair he supposedly shouted, “Let him who can do a greater feat than this claim the chieftainship. Let him who would take my place count as

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<sup>62</sup> Mann scouted the region for an agency location but continued operating out of Fort Bridger until J.H. Patterson replaced him in July of 1869, replaced due to a change in policy.

<sup>63</sup> Luther Mann to J.A. Campbell, July 24, 1869, GRHC, Box 60, Folder 3.

many scalps.”<sup>64</sup> As Hebard recounted the event, only an extraordinary display of military might and bravery ensured the chief his position among the Shoshone. While tantalizing, this apocryphal story belies the real relationship that Washakie shared with his people. By all accounts, the Shoshone citizenry revered their leader because of his ability to protect and provide for them. The alliances that he fostered with Jim Bridger, Indian Agents, and even the surrounding Anglo-American communities ensured their safety and their claim to the Wind River. Though they struggled in the years following the 1868 treaty, it is far more likely that a few young, rebel warriors dared to challenge his leadership position, rather than the full-blown crisis of authority that Hebard described. In the months that followed Mann’s departure, Washakie successfully reaffirmed his position within the tribal nation, as he negotiated their permanent move to the Wind River, though the process remained difficult.

Following an unexpected change in OIA personnel, Washakie adamantly refused to permanently relocate to the reservation until the government built agency structures. The Shoshone leader told their new agent that “the Indians had carried out their part of the treaty, and by that treaty they were not compelled to go to the reservation.”<sup>65</sup> In return, the new agent, J.H. Patterson refused, under Campbell’s order, to issue any gifts or rations. He told Washakie and other subchiefs that all annuities must be received only at Camp Augur until they fully established the Shoshone Agency. Washakie return to Patterson the next day and threatened that if “the United States did not comply with the treaty...he supposed that the only way to obtain any presents was

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<sup>64</sup> Hebard, *Washakie*, 137.

<sup>65</sup> J.H. Patterson to Ely Parker, CIA, September 18, 1869, GRHC, Box 60, Folder 3.

‘to steal a few horses and kill a few white men.’”<sup>66</sup> Certainly, part of this conflict surrounded the dismissal of Agent Mann. Washakie and Mann maintained a strong relationship during the eight years he worked at Fort Bridger, and the leader considered him part of the Shoshone kinship network. They worked diligently to negotiate a settlement for the Wind River Valley, and the Shoshone credited Mann for the treaty of 1868 and the successful acquisition of their homeland. Quickly, they found his replacement sorely inadequate, and refused to relocate until the new agent satisfied their demands.

### **The Arapaho Challenge**

While the Shoshone lauded their claim over the Wind River, the treaty at Fort Bridger did very little to deter other tribal nations from entering the region. Beginning in May 1869, military personnel reported several Arapaho families camped near the Wind River Valley. They did not seem anxious to engage the Shoshone in battle, yet their very presence alarmed and annoyed Washakie and his people. The Arapaho, who also met with the Peace Commission in 1868, agreed to settle on a reservation within the next year. This time frame put Arapaho leaders in a predicament. The proposed reservation locations (near Medicine Lodge Creek, an agency near Fort Randall, or with the Crow at Otter Creek) sat outside the Arapahos’ pattern of cyclical nomadism. They were, of course, rather convenient places for Indian Agents, however.<sup>67</sup> Arapaho leaders distanced themselves from their Lakota allies, and visited with military officials in the hope of securing a reservation closer to the Cheyenne on the Northern Plains.

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<sup>66</sup> J.H. Patterson to Ely Parker, CIA, September 18, 1869, GRHC, Box 60, Folder 3.

<sup>67</sup> “Treaty with the Northern Cheyenne and Northern Arapaho, 1868,” ed. Charles J. Kappler, 1012-1013.

Initially, Arapaho chiefs Medicine Man and Black Bear visited the commanding officer at Fort Fetterman. Eventually, they contacted General Augur at the Wind River, and offered to provide assistance in investigating attacks against troops and white settlements in the area. In return, the general agreed to help facilitate an arrangement between the Arapaho and Shoshone.<sup>68</sup> He wrote to Agent Mann and J.A. Campbell, stating the Arapahos' intentions, but preliminary attempts at securing a lasting peace ended poorly. First, Washakie refused to meet with the Arapaho to discuss the matter. He told Mann that "he could not understand why the Arapahoes, who had for years allied with the Sioux and Cheyennes against him, should now suddenly wish to join him – the weaker against their old friends." Upon additional consideration, "He remembered [Arapaho Chief] Friday as a friend of his youth and seemed favorably impressed because the proposition had his name associated with it. He desire[d] to meet their delegation, and when he can see their faces, says he can understand their intentions."<sup>69</sup> But Agent Mann left his post at Fort Bridger before the meeting could be arranged, and his successor Agent Patterson did not revisit the subject.

In October 1869, Governor Campbell instructed Agent Patterson to organize a conference between Washakie and Arapaho chiefs Medicine Man, Sorrel Horse, and Friday. Patterson contacted General Augur who facilitated the transportation of the Arapaho into the Wind River Valley. But, Washakie failed to appear for the meeting. It is possible that he left in a sign of protest, unwilling to negotiate with the Arapaho. It is also likely, that Washakie left with a group of Shoshone men to conduct their last fall

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<sup>68</sup> Fowler, *Arapahoe Politics*, 47.

<sup>69</sup> Luther Mann to J.A. Campbell, July 24, 1869, GRHC, Box 60, Folder 3.

hunt of the year in the Big Horn Mountains.<sup>70</sup> Campbell came down from Cheyenne and conducted the meeting in Washakie's absence. The Arapaho asked for clothing and provisions, as well as arms and ammunition to see them through the winter. Campbell believed that the Arapaho were "very humble, and complain of their poverty and neglected condition." Above all else they expressed a desire to "join the Shoshone and go on the Reservation with them."<sup>71</sup> This was a surprising request, and perhaps a rhetorical flourish of Campbell's. The Arapaho might have wanted to *temporarily* reside on the reservation with the Shoshone, but the end goal for the Arapaho had always been a reservation of their own *near* the Shoshone, not with them. Also, the Arapaho would have known that Washakie and his people would never agree to a jointly shared reservation, considering the years of torment that preceded this gathering. In all likelihood, Campbell either misunderstood the Arapahos' intentions or he distorted reality in the name of convenience. Either way, the territorial governor inadvertently instigated the notion that the Arapaho and Shoshone *could* and perhaps even *should* live on the same reservation.

Arapaho and Shoshone leaders finally met at Camp Brown in February 1870, with little result.<sup>72</sup> Washakie agreed to a lasting peace with the Arapaho, and even allowed them passage through Shoshone lands, but he absolutely denied them permission to settle on the Wind River permanently.<sup>73</sup> Indian Agent Lieutenant G.W. Fleming (Patterson's replacement), reported that "after a great deal of talk" he managed

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<sup>70</sup> Stamm, *People of the Wind River*, 57.

<sup>71</sup> J A Campbell to Ely Parker, CIA, November 20, 1869, GRHC, Box 60, Folder 3.

<sup>72</sup> Camp Augur was moved to the Little Wind River and renamed Camp Brown on March 28, 1870, in honor of Captain Frederick Brown who died in the Fetterman Massacre. Trenholm and Carley, *The Shoshonis*, 227.

<sup>73</sup> G.W. Fleming to J.A. Campbell, February 7 1870, GRHC, Box 60, Folder 3.

to work out a temporary peace between the two tribal nations. He had hoped for a quick and easy solution, in which they would agree to share the Wind River, but the Arapaho wanted a reservation of their own, and Washakie passionately refused such a plan. Instead, Fleming “promised them [the Arapaho] nothing...knowing that it was the desire of the Government to settle them upon the [Shoshone’s] reservation.” Government officials believed that the placement of the Arapaho at the Shoshone Agency would be a perfect solution, because it eliminated the costly and painstaking process of creating an additional reservation. From the outside, it appeared as though the Shoshone had plenty of land, and since the Arapaho wanted to live in the area anyway, why not put them together? Washakie vehemently rejected this notion, because the Shoshone proudly claimed the region as their own and did not want to share it with their former attackers. Additionally, the Arapaho desperately wanted a reservation of their own, but they were running out of time. Settling with the Shoshone was not ideal, but it temporarily solved a pressing problem, as they refused relocation to the Crow Agency, or in South Dakota.

For Washakie, the threat of Arapaho relocation lifted less than two months later, when the Arapaho attacked a mining camp near the agency. The Shoshone permitted the existence of nearly 5,000 white squatters on the southern side of the reservation. While skirmishes periodically occurred between the Shoshone and settlers in that area, for the most part, the two groups limited contact with one another, and remained on friendly terms. Following the arrival of the Arapaho, miners agitated for stronger protection, and in March, a restless group of young Arapaho warriors raided a mining camp near Atlantic City. In response to the March attack, a mob of more than 250 settlers, with the

help of a few Shoshones, brutalized two peaceful Arapaho camps on the road to Lander. This outbreak of violence, in conjunction with a feeble peace agreement with the Shoshone, prompted the departure of the Arapaho from the Wind River in search of safer accommodations.<sup>74</sup>

Chiefs Medicine Man, Friday, Littleshield and Sharp Nose led their people to Fort Fetterman and later wintered at Fort Laramie in 1870. Scarcity of game and the absence of a reservation prompted an unwanted move to the Red Cloud Agency in South Dakota. The Arapahos' stay with the Lakota was not a pleasant one. Chief Red Cloud and his people tried to dominate the Arapaho, who stayed away from the agency as much as possible. In 1872 and 1873, Arapaho hunting parties violently clashed with Anglo-American settlers, tarnishing their reputation with federal officials. Black Coal sought help from the agency and military officers in the region, to secure provisions and continue reservation negotiations. In turn, Governor Campbell worked with the Arapaho, and attempted to negotiate a position for them somewhere else in Wyoming. Campbell suggested to the Commissioner of Indian Affairs, that "Under the circumstances perhaps the only thing left to permit them to occupy is the country about Casper, provided a definitely ascertained portion of that country North of the North Platte can be set aside for them." However, Arapaho leaders deemed this location unacceptable, as it was, in their estimation, far too close to their former Lakota allies. But as more settlers moved into the area, the Arapaho faced fewer and fewer options.<sup>75</sup>

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<sup>74</sup> Fowler, *Arapahoe Politics*, 48; Trenholm, *The Arapahoes, Our People*, 231.

<sup>75</sup> J.A. Campbell to Ely Parker, CIA, May 7, 1870, James K. Moore Collection, acc. no. 00051, Box 13, Folder 21, American Heritage Center, University of Wyoming, Laramie, Wyoming. (Hereafter JKMC, Box 13, Folder 21. In his letter to the CIA, Campbell also noted that "there are objections to this proposition among which are the proximity to the Sioux, the fact that the proposed reservation is on the unceded Indian lands of the Sioux, and the possible sterility of the soil; on which latter point however inquiries can be made before any definite arrangements are entered into."

As the Arapaho desperately sought a reservation of their own, the Shoshone continually resisted relocation to theirs. Washakie preemptively moved off the Wind River in anticipation of Lakota attacks in the spring of 1870. Until the government held up its end of the 1868 treaty, (i.e. agency buildings and proper provisions), Washakie insisted that he would not permanently locate on the Wind River. Agent Fleming's 1870 report indicated that the Shoshone "seem willing to remain on the reservation and farm whenever the Government carries into effect their treaty, and can give them the necessary protection. They insist that their agency is still at [Fort] Bridger until the promised buildings are erected, and farming implements furnished them to work with."<sup>76</sup> Once again, Washakie preferred the comfort of the established Fort Bridger over the remoteness of the Wind River. By November of 1870, the Shoshone Agency operated out of Camp Brown where the Shoshone returned to receive their annual goods and set up winter camps.<sup>77</sup>

By the early 1870s, the Shoshone, with yet another new Indian Agent, successfully, but seasonally, inhabited the Wind River. Yet, the problem of reservation squatters persisted. After touring the region with General Augur, Governor Campbell reported to the Commissioner of Indian Affairs, that "Many complications are arising on account of the failure of the government to carry out the terms of the Treaty. During our visit to the Valley we found that settlers were and had been crowding onto it taking up claims and on some instances cultivating the soil and raising vegetables &c, to sell to the miners in the Sweetwater Gold Mines." Campbell blamed the "fact that nothing has been done towards carrying out the Treaty – [which] has led to the assumption that the

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<sup>76</sup> G.W. Fleming to J.A. Campbell, July 11, 1870, GRHC, Box 60, Folder 3.

<sup>77</sup> Stamm, *People of the Wind River*, 62.



Government did not intend to directly observe it and that settlers would be permitted to occupy the land.”<sup>78</sup> In part, their existence relied upon the beneficence of Washakie, but mostly the illegal residents remained because of the ineptitude of military personnel at Camp Brown, and the resilient determination of the settlers. In February 1870, Campbell informed the Secretary of the Interior that only the use of military force would permanently remove the white miners and settlers from the area. At the same time, Campbell hoped that if he fulfilled the 1868 treaty obligations, (including the promised but not yet delivered annuities, rations, and agency buildings) that the Shoshones would be willing to make a land cession for the area already occupied by Anglo-American interests.

### **Brunot Agreement**

On June 1, 1872, Congress authorized Felix Brunot, chairman of the Board of Indian Commissioners, to negotiate with Washakie and the Shoshone. Initially, Brunot attempted to arrange a trade: the southern part of the reservation which miners already occupied, for a section north of the reservation’s current boundary. Washakie rejected this proposal for several reasons. First, he believed that the land north of the reservation belonged to the Crow, and above all else, the Shoshone leader did not want to make additional enemies with the surrounding tribal nations. In addition, Washakie thought the land was unsuitable for hunting or subsistence farming, which negated its feasibility for long term residence. He also pointed to the unfulfilled promises of the 1868 treaty, and deplored the poor condition of agency buildings and the current state of reservation affairs. Expressing a desire for more agency structures, including homes in which his

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<sup>78</sup> J.A. Campbell to Ely Parker, CIA, August 5, 1869, Letters Received by the Office of Indian Affairs, 1824-1881 - Wyoming Superintendency, National Archives, Washington, D.C., microfilm 890, reel 953. (Hereafter LR-WS).

people could live, Washakie explained, “I would like to have houses here. I do not like to live in lodges.” While bemoaning their transitory shelters, the leader also reminded federal officials of their necessity, “I am afraid of the Sioux. They come here and hunt for scalps in this valley.” By connecting permanent buildings with security, Washakie subtly reminded treaty negotiators of the ramifications of unfulfilled promises. As a show of good faith, Washakie agreed to reside more permanently on the reservation, if the government provided the Shoshone with more fortified structures and homes.<sup>79</sup>

With regard to the proposed treaty, instead of an exchange, Washakie wished to “sell the land for cattle.” The Shoshone leader and his people planned to “corral them and milk them. We would herd them like we do our horses.”<sup>80</sup> Brunot did not expect this response and protested that he only had the authority to exchange land for the area in question. To barter cattle for reservation acreage seemed, to Brunot, an unequal trade in favor of the government. To test Washakie’s resolve on the issue, Brunot offered \$5,000 worth of cattle for five years, a pittance for the land.<sup>81</sup> After consulting with other subchiefs, Washakie accepted. Stunned by this turn of events, Brunot asked the other leaders to voice their agreement. Still unsatisfied, he requested that treaty negotiations continue the following day to ensure that the Shoshone did not change their minds.<sup>82</sup>

Brunot probably believed he had just negotiated the theft of Indian lands, but the Shoshone viewed the cession differently. They did not want the land north of the

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<sup>79</sup> “Council with Shoshone Indians,” September 28, 1872, GRHC, Box 10, Folder 9.

<sup>80</sup> Hebard, *Washakie*, 142.

<sup>81</sup> In 1950, the Indian Claims Commission revisited this land cession and termed the price “inadequate and unconscionable.” The Shoshone won a considerable settlement, and each enrolled Shoshone received \$377, net amount. Virginia Cole Trenholm, “The Shoshones and the Great Father,” *Bits and Pieces* 4, no. 4 (1968): 1.

<sup>82</sup> “Council with Shoshone Indians,” September 28, 1872, GRHC, Box 10, Folder 9.

reservation. While Brunot and other government officials viewed it as unoccupied, and therefore available, Washakie knew that the Crow claimed the land in question. Their peace with the Crow remained intact, and Washakie wanted to keep it that way. The Shoshone also needed cattle more than additional and unwanted territory. The acquisition of cattle allowed the Shoshone to raise food for their families and develop the reservation on their own terms. Pressure to farm the reservation appeared constantly, but ranching, a profession successfully adopted by white settlers in the area, proved a viable alternative to working the land. Finally, removing squatters from the reservation, or removing the reservation from the settlers as it were, reduced tension between the Shoshone and the surrounding community.

In a powerful demonstration of political self-rule, Washakie negotiated his first land cession. On September 26, 1872, Felix Brunot, Washakie, his subchiefs Bazil and Norkuk, along with one hundred nineteen Shoshone men signed the “Brunot Cession.” In the agreement, the Shoshone ceded the southern portion of their reservation, nearly one-third their total acreage, in exchange for \$25,000 in cattle to be distributed over a period of five years. In addition, Washakie received a salary of five hundred dollars a year for five years.<sup>83</sup> This discretionary fund allowed Washakie to fulfill reciprocal obligations to his people, and oversee the establishment of cattle ranching on the Wind River. Unfortunately, the endeavor proved more difficult than Washakie originally envisioned. The Shoshone struggled to keep their livestock under control and on their reservation. Constant raids by Lakota and Cheyenne bands reduced the herd’s number and perpetually angered Washakie. By moving permanently onto the reservation and

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<sup>83</sup> “1874 Congressional Ratification of the Brunot Cession Agreement of September 1872,” *United States Statutes at Large*, 43<sup>rd</sup> Congress, 1873-1875, vol. 18, part 3, 291-292.

securing his herd, the Shoshone leader finally committed his people to fulltime residency on the Wind River. But in order to assure the safety of his people, Washakie and his warriors dedicated their time to the establishment of military control over their new home.

### **Bates Battle of 1874**

On the Wind River, the year 1874 started just like so many others. In the spring, a group of errant Arapaho warriors, joined by other Lakota and Cheyenne rebels, raided Shoshone camps for cattle and supplies. However, these raids, in conjunction with the arrival of General Philip Sheridan to the reservation, sparked a unique series of events that led to an epic clash between the Arapaho and Shoshone. Though sent to inspect Fort Washakie (previously named Camp Brown), Sheridan planned to relax and fish in the mountains over the Fourth of July weekend. But he arrived, just as word of the Arapaho's proximity to the reservation reached the Shoshone Agency. Sheridan, a battle-tested general of the Civil War, had considerable experience brutally suppressing Indian uprisings, and upon hearing the news, he eagerly changed his holiday plans. Nelson Yarnall, a blacksmith for the agency, quipped that Sheridan cancelled the fishing trip "and suggested that it might be well instead to send out a scouting party, and try to fish up some of the hostile Indians who had been making so much trouble."<sup>84</sup> Sadly, the Arapahos camped near the Wind River were not responsible for the recent attacks. In addition, Arapaho leaders adamantly denounced their former ties to the Lakota, but in a moment of extreme prejudice and patriotic fervor it did not matter.

In late June, two Shoshone youths first spotted the unwanted camp, and stole away from the site with two Arapaho horses. Upon their return to the agency, the young

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<sup>84</sup> Nelson Yarnall, "Captain Bates' Fight With the Arapahoes," GRHC, Box 58, Folder 5.

men reported the location of the Arapaho camps on the “No Wood,” a branch of the Bighorn River approximately 90 miles from Fort Washakie.<sup>85</sup> In response, General Sheridan named Captain A.E. Bates commanding officer of the mission, and the agency prepared for battle. Bates enlisted Washakie’s help, and together they secured somewhere between 125 and 166 warriors. Twenty-five to thirty Shoshone men also enlisted as scouts for ninety days under the command of Lieutenant Robert H. Young.<sup>86</sup> The cavalry, with the newly recruited Shoshone warriors, travelled under cover of nightfall, and reached the Arapaho camp on July 3<sup>rd</sup>. From their vantage on the ridge above, Yarnall and the others could see tepees “close together and in a circle, between the open points of the ridge. The circle of tepees formed a sort of corral in which a great many of their ponies were picketed, in some instances 5 or 6 ponies being tied to one pin.”<sup>87</sup> With their target in sight, the Shoshone prepared for war.

Dr. Thomas Maghee, the post surgeon, later recounted the bustle of activity before the battle. The warriors hurried about “donning their war dresses and mounting their war ponies. Galloping to the immediate vicinity, the cavalry dismounted...The tumult was now getting beyond all bounds and, in order not to lose the advantage, a charge on the run was ordered. In the fated village all was silent as death, the inhabitants quietly sleeping.”<sup>88</sup> Arapaho horses, startled by the attack, pulled free of their tethers and stampeded. The disorder that followed reached near pandemonium, as

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<sup>85</sup> Yarnall, “Captain Bates’ Fight,” 1, GRHC, Box 58, Folder 5.

<sup>86</sup> The number of Shoshones who participated in this fight varies considerably depending on whose account you read. According to the blacksmith, Nelson Yarnall, the number is considerably lower than that of the account of the Post Surgeon Dr. Thomas G. Maghee. Loretta Fowler favored a higher number, reporting 160 Shoshone warriors in her book, *Arapahoe Politics*. See Fowler, *Arapahoe Politics*, 50, “Record of the Medical History of Fort Washakie,” from A.F.C. Greene, JRC, Box 1, Folder 6.; Yarnall, “Captain Bates’ Fight,” GRHC, Box 58, Folder 5; James Patten, “Bates’ Famous Battle,” GRHC, Box 58, Folder 5.

<sup>87</sup> Yarnall, “Captain Bates’ Fight,” 3, GRHC, Box 58, Folder 5.

<sup>88</sup> Dr. Thomas Maghee, “Report of Medical History of Fort Washakie,” JRC, Box 1, Folder 6.

the unsuspecting targets fiercely joined the fight. Bullets flew through the air, children and unarmed women fled as the gulch filled with smoke. Gunfire crackled through the stillness of the morning, as the Arapaho struggled to maintain a defensible position by climbing up the cliffs near the camp hoping to gain the advantage of firing down upon their attackers.<sup>89</sup> The battle lasted approximately four hours, and ended when Captain Bates and Washakie retreated from the area, as smoke signals, presumably to the Lakota or Cheyenne in the area, hastened the retreat.

Though the Arapaho boasted nearly 200 warriors, the attack clearly damaged their camp. By army estimates, twenty-four Arapahos lay dead and two hundred horses captured. Bates and his men suffered far fewer losses, including the two Shoshones who died and three who lay wounded, as well as two cavalry privates dead, two wounded.<sup>90</sup> Once the cavalry and Shoshone returned to camp, news of their victory spread throughout the region. Indian Agent, James Irwin, praised the bravery of the Shoshone warriors and justified the attack in his report to the Commissioner of Indian Affairs. Military commanders did not speak as highly of their Indian companions, however. General Edward Ord blamed the “partial victory” on the Shoshone because “their shouts and yells prevented a complete surprise of the enemy, and, with the exception of Washakie and his best men, [they] failed to co-operate with the troops.”<sup>91</sup> Captain R.A. Torrey echoed this sentiment in his report. He placed the Arapaho’s survival with “the failure of the Shoshones to perform the part allotted, the enemy obtained possession of a high sandstone bluff...which made a most admirable position for defense and

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<sup>89</sup> O’Gara, *What You See in Clear Water*, 16-17.

<sup>90</sup> Maghee, “Report of Medical History,” JRC Box 1, Folder 6. Again these numbers vary depending on whose account you read.

<sup>91</sup> Brigadier-General Ord to Geo. D. Ruggles, July 28, 1874, GRHC, Box 60, Folder 4.

commanding the village.”<sup>92</sup> In fact, nearly every ranking officer believed that the Shoshone performed inadequately.

Upon further analysis, these negative remarks illustrate the divergent military goals of the Shoshone and the United States Cavalry. Washakie and his men eagerly trained with American military forces, learning defensive tactics and drills. This experience enabled the Shoshone to hone their military skills so that they could effectively defend their homelands, and earn war honors in battles against the Arapaho, Lakota and Cheyenne. Status earned in battle did not require total submission from their opponents, however, and Washakie sagely recognized that honorable behavior on the battlefield directly influenced the Shoshone’s relationship with surrounding tribal nations. The Shoshone did not press their advantage or attempt to crush their enemies, a practice that United States Cavalry units in the American West frequently employed.<sup>93</sup> Indeed, the savage attacks at Bear River and Sand Creek, illustrate the brutality of some American military commanders, including General Philip Sheridan who once famously stated, “The only good Indian I ever saw was a dead Indian.”

In their defense, Agent Irwin spoke highly of Shoshone warriors later that fall. After talking with Washakie, as well as looking over the reports of Bates, Torrey and Ord, Irwin wrote to the Commissioner of Indian Affairs, “I would say with all respect to Capt. Bates who is a gentleman, and a soldier, that he did not give those Indians who did fight, and stood by him, the credit they deserved.”<sup>94</sup> Recognizing their sacrifice, he noted “the fact that they lost in killed and wounded just as many as the white soldier did,” fully blaming the sloppy commanding style of Captain Bates. In the end, Irwin

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<sup>92</sup> R.A. Torrey to the Assistant Adjutant General, July 7, 1874, GRHC, Box 60, Folder 4.

<sup>93</sup> Shimkin, “Eastern Shoshone,” 325.

<sup>94</sup> James Irwin to Edward Smith, CIA, September 18, 1874, GRHC, Box 60, Folder 4.

and Washakie determined that Bates failed to secure the trust of the Shoshone, who said “they became alarmed at Bates’ desperate charging and firing, and believed he would kill them as soon as Arapahos, as their man had no distinguishing marks between them, and that it was an up hill [sic] business to fight the Arapahoes, and watch their dangerous friend.”<sup>95</sup> Local settlers in the area also praised the Shoshone for their contributions to the fight. An “eye witness” to the battle wrote a letter to the editor of the *Cheyenne Daily Leader* complimenting Washakie and his warriors.<sup>96</sup> Another settler remarked that “it is rather an encouraging thing to hear that the vagabond Arrapahoes [sic] have been severely chastised by the Shoshone.” The author went on to encourage further military behavior in the hope that “we shall be able to chronicle more conflicts between these dusky nomads, and that victory may perch upon the medicine pole of the Shoshone every time they meet their red enemies.”<sup>97</sup> Over the next year, miners and settlers in the area praised the Shoshone on a job well done and even encouraged more military pursuits.

This decisive victory signaled the beginning of a new era on the Wind River. For a time, Shoshone military prowess, with the help of government personnel in the area, kept raiding parties at bay. In turn, citizens of the tribal nation finally agreed to settle on their reservation permanently, and began farming in fulfillment of their treaty stipulations. For the Arapaho, however, the defeat at Bates Battle devastated their immediate plans for a reservation in Wyoming. Disheartened by the attack, the Arapaho once again retreated from the Wind River, and made their way back to the Red Cloud Agency. Agent Irwin reported that for the Arapaho, “This is no doubt the worst

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<sup>95</sup> James Irwin to Edward Smith, CIA, September 18, 1874, GRHC, Box 60, Folder 4.

<sup>96</sup> *Cheyenne Daily Leader*, August 5, 1874, pg. 4 col 2.

<sup>97</sup> *Cheyenne Daily Leader*, October 20, 1875, pg. 4 col. 2.



punishment they have ever received.” Failing to recognize the devastation of this loss, the Agent cast aside all responsibility for their wellbeing and callously added, “but they have brought it upon themselves and richly deserve it. It is hard to say what may follow. If they can get sufficient reinforcement they may give us a severe visit before snow files. I would respectfully suggest that in the interest of humanity and civilization those Indians be compelled to go and live on the reservation.”<sup>98</sup> Despite his fears of retaliation, the Arapaho were in no position to strike. Indeed, the year 1874 is referred to, even today, as “The Year They Killed the Arapahoes” by their Cheyenne and Lakota allies.<sup>99</sup> In many ways the Bates Battle signified a turning point for the Arapaho, a moment of crisis, in which they adapted to their bleak situation and united under a common goal: a Wyoming reservation.

### **A Temporary Solution**

Over the next two years the Arapaho struggled to survive. Any alliance with the Lakota seemed out of the question, considering their increased attacks against military personnel and settler communities. Without a reservation of their own, and no remaining Native alliances, the Arapaho faced a bleak future. In 1875, depleted rations at the Red Cloud Agency could scarcely provide for the Lakota people, let alone the Arapaho. In a show of good faith, Arapaho chiefs joined military camps and avoided alliances with Cheyenne and Lakota rebels. During the stunning clash of United States and Native forces at the Battle of the Little Big Horn, the Arapaho distanced themselves from the fight. An Arapaho later told anthropologist Sister Inez Hilger, “We were afraid of the Sioux and Cheyennes. The Sioux fought Custer. The Arapahoes took up the cause

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<sup>98</sup> James Irwin to Edward P. Smith, acting CIA, July 6, 1874, GRHC, Box 60, Folder 4.

<sup>99</sup> Fowler, *Arapahoe Politics*, 52

of Custer.”<sup>100</sup> In reality, very few Arapaho warriors fought on either side. For the most part, the leadership of the tribal nation kept their people out of battle, in an attempt to foster a budding relationship with military personnel in the American West, and it worked. Their unwillingness to join the Lakota at the Battle of the Little Big Horn, considerably improved their standing with the military community.

In the winter of 1876, the Arapaho secured a powerful ally, General George Crook. The military commander passed through the area, recruiting Indian scouts in an upcoming campaign against errant Lakota and Cheyenne rebels who refused to return to their reservations. Head chiefs Sharp Nose, Black Coal, Six Feathers, White Horse, Old Eagle and Yellow Bear eagerly joined.<sup>101</sup> The position of Indian Scout afforded the Arapaho a place of good standing with the United States military, as well as a constant source of food and supplies. For their assistance, the scouts received clothing, provisions, guns, ammunition, and a secure camp near Fort Robinson, Nebraska. They also achieved an elevated status within the tribe, as both warriors and politicians, through their interaction with military officers.<sup>102</sup> By working with, rather than against the military, the Arapaho avoided the threat of removal to undesired reservation locations, or to Indian Territory with their southern relatives. Arguably the most important benefit of working for Crook, however, was the opportunity to develop an alliance with the powerful general, and the face-time to negotiate for a reservation on their own terms. By autumn of the following year, the Arapahos achieved a modicum of success in their campaign for a reservation, as General Crook secured positions for a few Arapaho leaders, as part of a delegation to Washington D.C.

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<sup>100</sup> Quoted in Fowler, *Arapahoe Politics*, 56.

<sup>101</sup> Fowler, *Arapahoe Politics*, 59.

<sup>102</sup> Fowler, *Arapahoe Politics*, 59-61.

At the meeting, Black Coal and Sharp Nose, the two chiefs chosen to speak for the Arapaho, requested a reservation in Wyoming. The leaders resisted any attempts at removal to Indian Territory with their southern relatives, an increasing threat from Indian Agents as they failed to settle on one of the proffered locations. At the delegation both leaders spoke passionately for their people, as they emphasized the Arapaho commitment to peace with the United States, and a need to remain near their seasonal hunting grounds. Black Coal expressed his desire to remain on the Northern Plains, “The Great Spirit put us on this earth and gave us the ground to live on. I claim the country where I came from just as my friends here. I was born there and all that ground belongs to me the same as the property here belongs to your people...you ought to take pity upon us and give us good land, so that we can remain upon it and call it our home.”<sup>103</sup> Both Black Coal and Sharp Nose recognized that they could no longer negotiate for the perfect location. They wanted to stop wandering the region without government support, and needed a reservation immediately. Given this pressing situation, the two leaders adopted a rhetorical strategy already articulated by Governor Campbell and numerous Indian Agents, as they requested permission to settle with the Shoshone. The long time ramifications of this strategy forever altered the Arapaho/Shoshone relationship.

At the delegation, both Black Coal and Sharp Nose expressed a desire to move onto the Wind River. Black Coal stated that the Arapaho “would like to join the Snakes [Shoshone] – the Snakes are a small tribe...We cannot talk their language but make ourselves understood by signs; after a while we will learn to talk their language a little;

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<sup>103</sup> “Sioux-Delegation” transcripts, 10-12, LFC, Box 8.

and we will get along very well.”<sup>104</sup> He recognized their recent antagonism, but insisted that the two tribal nations could live peaceably. Similarly, Sharp Nose praised the Shoshone as a “small tribe and friendly, and we desire to be with them. You ought to give me good land, where I can make my home...we are a small tribe, and what I want to join these Snakes for is that they are a small tribe and I am a small tribe.”<sup>105</sup> The actual extent of their peacemaking efforts is questionable, given the Bates Battle just three years prior, but much can be learned from their requests. Sharp Nose and Black Coal both mentioned the relative size of the Arapaho and Shoshone tribal nations as justification for their position on the Wind River. The Shoshone possessed a rather large reservation in the 1870s. By pointing out the Shoshones’ population, the leaders implied that there would be plenty of room on the Wind River for the Arapaho. The chiefs also recognized the tarnished past between the Arapaho and Shoshone, but insisted that they could settle these difference. More importantly, the leaders avoided discussing the permanency of this request, as they bargained for more time to negotiate their final reservation location. On the other hand, federal officials believed that the tribal nation’s move to the Wind River could be a simple and final solution to the “Arapaho problem.”

Arapaho oral histories indicate that Black Coal and Sharp Nose intended their time at the Shoshone Agency to be brief. Accordingly, they obtained permission, from Washakie and the Shoshone, for only a short stay on the way to their new home. Arapaho language instructor, Wayne C’Hair explains, that in 1877, “The Arapahos were brought here by the U.S. Calvary. But first we asked Washakie, Chief Washakie, if we could stay here for a while, until we got our own reservation and he said ‘Yeah that

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<sup>104</sup> “Sioux-Delegation” transcripts, 12, LFC, Box 8.

<sup>105</sup> “Sioux-Delegation” transcripts, 4-5, LFC, Box 8.

would be good.’”<sup>106</sup> In fact, two delegations courted Washakie and the Shoshone. First, Arapaho chiefs Sharp Nose, Friday (a friend from Washakie’s youth) and Medicine Man first counseled with the Shoshone about the matter, and the Arapaho eventually secured temporary permission.<sup>107</sup> Former Shoshone Agent James Irwin, then stationed at the Red Cloud Agency, also travelled to the Wind River and sought permission from Washakie. Irwin reported that, at first, he faced overwhelming resistance from the Shoshone about the Arapahos’ temporary placement, as they initially believed that the Agent simply wanted to secure peace between the two tribal nations. Irwin “told them [the Shoshone] distinctly that the President had not the remotest thought of placing the Arapahoes on the reservation of the Shoshones – that that was not the design of the government at all. That all that was desired was for the Shoshones to make peace with said tribe – and that the Department would have a piece of land, near the mouth of the Sweetwater set apart for the Arapahoes.”<sup>108</sup> These assurances, along with the insistence that the Arapaho would starve to death if not located temporarily with the Shoshone, pressured Washakie into allowing the Arapaho onto the reservation.

Agent Irwin then reported to the Commissioner of Indian Affairs, regarding the situation. He explained, “They [the Arapahos] and the Shoshones both understand that the Arapahoes are to hunt this winter and be located on or near the Sweetwater in the spring.”<sup>109</sup> Privately, Irwin expressed his distaste for this plan, in a letter to Shoshone Agent James Patten, “The Arapahoes should have a reservation but the government has

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<sup>106</sup> Wayne C’Hair, interview by author, Riverton, Wyoming, February 28, 2008; Reba Teran, interview by author, Ft. Washakie, Wyoming, February 29, 2008.

<sup>107</sup> Trenholm, “The Shoshones and the Great White Father,” 1; Scott Dewey transcripts, March 27, 1977, 4, LFC, Box 1.

<sup>108</sup> James Patten to Gov. Hoyt, February 21, 1878. LR-WS, microfilm 890, reel 953.

<sup>109</sup> James Irwin to Ezra A. Hayt, CIA, October 27, 1877, LFC, Box 8.

no right to filch it off the Shoshones and I would like you to tell the Shoshones to spurn any such proposition as an outrage upon them and their rights.”<sup>110</sup> Irwin, who facilitated the Arapaho’s removal from the Red Cloud Agency, advised Patten to “protect the Shoshones from all incroachments [sic] in every direction.”<sup>111</sup> In conducting his own investigation, James Patten confirmed his suspicions, as he located deception within the highest ranks of the OIA, including the fraudulent claims made by the Commissioner of Indian Affairs, Ezra Hayt, in his 1877 annual report. Hayt noted that “permission was given the Northern Arapahoes to join the Shoshones on the Wind River reserve in Wyoming. In a formal council held last month by Agent Irwin with the Shoshones, their consent to the arrangement desired by the Arapahoes was obtained, and the removal of the latter is now in progress.”<sup>112</sup> Both Patten and Irwin denounced the Commissioner’s report as entirely fraudulent, as it implied the Arapahos permanent relocation to the Wind River.

Patten incredulously wrote to the Commissioner, “Now certainly there has been a mistake made some where as Dr. Irwin wrote to me personally,” about the Shoshone and Arapaho situation. In their correspondence, Irwin told Patten that the placement of the Arapaho onto the Shoshone Agency “must not be without the Shoshones are agreed, and even then it is not fair – The Shoshones Reservation belongs to them, as much as any man’s farm belongs to him.”<sup>113</sup> Irwin warned the Commissioner that ill feelings existed between the Arapaho and Shoshone, and that their cohabitation would place unnecessary strain upon the two tribal nations. Showing very little regard for these

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<sup>110</sup> James Patten to Gov. Hoyt, February 21, 1878. LR-WS, microfilm 890, reel 953.

<sup>111</sup> James Patten to E.A. Hayt, February 21, 1878, LR-WS, microfilm 890, reel 956.

<sup>112</sup> *RCIA for 1877*, 19-20.

<sup>113</sup> James Patten to E.A. Hayt, February 21, 1878, LR-WS, microfilm 890, reel 956.

concerns, Commissioner Hayt ignored the repeated protests of Arapaho and Shoshone leaders, as well as the objections of Agents Patten and Irwin, believing that joint occupation simply, and economically, resolved the situation.

Both Agent James Patten, and former Shoshone Agent James Irwin, recognized the criminality of the Arapahos “temporary” relocation to the Wind River. The language of the Fort Bridger Treaty of 1868, expressly allowed for cohabitation of the Wind River, but only “for such other *friendly* nations or individual Indians as from time to time they may be willing, with the consent of the United States, to admit amongst them.”<sup>114</sup> In this case, the Shoshone refused to share their reservation and did not consider the Arapaho among their “friendly nations,” yet the government, driven by the simplicity of this plan, arranged to move the Arapaho to the Wind River. Today, Shoshone oral histories clearly recount the fraudulent claims made by government officials. Cultural historian, Reba Teran, iterates the remembered Shoshone perspective as one in which, “The Government was the one that pulled the trick on us. They were the ones who deceived us... they come along in 1878 and the Arapaho were coming through...and they asked if they could stop here.”<sup>115</sup> The Shoshone remember Arapaho arrival as one of the most pivotal events in reservation history, as a time in which government interference and deception changed everything. Initially, agents pressured Washakie into allowing the Arapaho a longer stay than previously agreed upon, and slowly the hope of Arapaho relocation faded away. Though the number of claims upon the Wind River Valley diminished from 1851 to 1878, the region remained a fiercely contested space long after the Arapahos’ arrival.

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<sup>114</sup> “Treaty with the Shoshonee and Bannacks, July 3, 1868,” *United States Statutes at Large*, 40<sup>th</sup> Congress, 1867-1869, vol. 15, 674. Emphasis added.

<sup>115</sup> Reba Teran, interview by author, February 29, 2008.

## **Chapter 2 – Reservation Life**

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On October 31, 1877, most of the Northern Arapaho, under the guidance of Chief Sharp Nose, moved to the Shoshone Agency.<sup>1</sup> Before they arrived, Indian Agent James Patten refuted the practicality of the Arapaho's temporary stay, and feared that violence would erupt as "a large majority of the [Shoshone] tribe, including Washakie the Chief, and nearly all the leading men...strongly object to their coming, and of dividing their reservation with any other tribe."<sup>2</sup> But still they came, forced onward by government agents and circumstance. On March 18, 1878, Chief Black Coal and the remaining Arapaho finally settled on the Wind River. First person accounts indicate that the later arrivals created quite an uproar among the Shoshone, as women secured their children and a few men even prepared for battle. Agent Patten noted, "The Arapahoes also became frightened at one time by observing demonstrations in the Shoshone village, at a distance, which they thought meant trouble. They believed it the more readily, as they had heard it rumored before they left home, that Washakie had said that if the Arapahoes came to the reservation without a proper escort, that he would fire on them, and everything considered it is remarkable that trouble was avoided." Instrumental in deescalating the situation, Washakie and Patten rushed out to prevent an impromptu battle between the two parties.<sup>3</sup> To avoid further confrontations, the Shoshone Agent located the Arapaho to an area near the junction of the Big Wind and Little Wind Rivers on the eastern edge of the reservation.<sup>4</sup>

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<sup>1</sup> H.R. Lemly to Adjutant General, November 27, 1877, LFC, Box 8.

<sup>2</sup> James Patten to Gov. Hoyt, February 21, 1878. LR-WS, microfilm 890, reel 953.

<sup>3</sup> James Patten to E.A. Hayt, CIA, March 18, 1878, GRHC, Box 60, Folder 4; *The Wind River Reservation – Yesterday and Today*, 10, LFC, Box 1.

<sup>4</sup> Robert P. Porter, *Report on Indians Taxed and Indians Not Taxed in the United States at the Eleventh Census: 1890*, (Washington, D.C.: Government Printing Office, 1894), 633.



This encounter lingered over the valley as a bad omen, however, as the two tribal nations negotiated their cohabitation. The Arapaho and Shoshone citizenry, unfamiliar with the complicated bureaucracy of the federal government, struggled to understand the necessity of their situation. Frontiersman Edward Farlow recounted in his memoir, “I was there when the Arapahos were coming in and it was hard for the Shoshone to keep from fighting them. Had it not been for the great Chief Washakie and his complete control over them, they would have driven the Arapahos off the reservation in a short time.”<sup>5</sup> Rather than encourage violence, Washakie frequently met with Agent Patten, and forcefully objected to the presence of Arapaho people on his reservation. The chief pledged continual peace with the Shoshone’s former enemy, but denied the Arapaho any land rights to the Wind River, and became increasingly alarmed when they established settlements on the eastern edge of the reservation.<sup>6</sup> Believing that the Arapaho would bring trouble to the Wind River, Washakie voiced his concerns about the actual length of the proposed, “temporary,” stay and requested that the “interlopers” be removed to their own reservation, as soon as possible.

Complicating matters further, both tribal nations faced increased pressure to adopt a more “American” lifestyle. Assimilationist ideologies permeated the reservation, through their Indian Agents, in three general areas: agriculture, Christianity and education. These three foci, Office of Indian Affairs personnel believed, would break Native Americans of their “barbarous” ways and bring them into the fold of “American” life. In 1887, Congress passed the General Allotment (or Dawes) Act,

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<sup>5</sup> Farlow, *Wind River Adventures*, 161.

<sup>6</sup>The chief frequently recited promises made at a meeting between Shoshone leaders and Red Cloud Agent James Irwin the previous fall, at which Irwin assured the Shoshone people that the government “had not the remotest thought of placing the Arapahoes on the reservation of the Shoshones.” James Patten to E.A. Hayt, February 21, 1878, LR-WS, microfilm 890, reel 956.

adding private property ownership to the list of civilizing influences on the Wind River, and other reservation across the country. After years of indeterminate status on the reservation, the Arapaho accepted allotments, thereby securing their hold of reservation lands, a move that enraged Washakie and the Shoshone people. Only the inadvertent adjudication of the matter by federal officials during land cession negotiations in 1891, tempered, but did not permanently resolve the dispute.

In general, Arapaho and Shoshone people struggled greatly during their first twenty years together on the Wind River, the darkest period in reservation history. During this era, the leaders of both tribal nations constantly negotiated with federal officials on behalf of their people, but it was the citizenry, at the behest of their leaders, who endured difficult reservation conditions, uneasy alliances and assimilationist policies. Unfortunately, the lives of these everyday inhabitants are almost completely lost to historians today. However, we can infer, from surviving stories of earliest days of the reservation, the overwhelming support that Arapaho and Shoshone citizens gave their leaders, as well as a glimpse of daily life for the members of both tribal nations. Throughout this early reservation era, people of the Wind River forged reservation communities, combatted assimilationist policies, and adapted to stark changes to their way of life. Though linked by these common experiences, the Arapaho and Shoshone also found that the instability of this era often placed them at cross purposes.

From 1878 to 1891, the Arapaho and Shoshone employed a variety of strategies to combat reservation destitution. At times, the two tribal nations joined together, hoping that cooperation would better protect their interests. Often, however, the Arapaho and Shoshone instigated calculated campaigns against their neighbors, as they

competed over resources and land. Despite, or perhaps because of, the difficult history between them, the Arapaho and Shoshone relationship changed during this period. Facing dire circumstances, the rival tribal nations ultimately forged an uneasy alliance when faced with assimilation policies, starvation, and disease. Though the tenuous ties that bound the Arapaho and Shoshone together often frayed, the two tribal nations maintained a working relationship with each other, as they dealt with social reformers, negotiated with federal officials and developed a strategy for mutual survival.

### **Farming**

In the 1870s, the Shoshone first attempted farming. Seasonal hunts ensured their subsistence, so the Shoshone farmed, not because they truly yearned to work the ground, but because they sought to fulfill their treaty obligations. Local men, including a frontiersman, Finn Burnett, accepted paid positions on the reservation to assist in the Shoshones' agricultural endeavors. Burnett, the "boss farmer," later recounted to biographer Robert B. David, the Shoshones' first agricultural experiment. "The long-awaited plows and harness arrived for the use of those on the reservation. On an appointed day, the Shoshoni began to arrive at the office of the agent to learn the white man's methods of plowing. The entire proceeding was amusing to the Indians. Helped by white men, they finally had the horses harnessed to the plows, and all drove to the field where they formed a long line." The Shoshone waited, tense with anticipation. According to the plan, as Burnett described it, the Shoshone held for a signal on which they would lead the plows down the field. But, as a great yell echoed across the open prairie, "There was pandemonium everywhere. Here, a pony balked; there, a plow bit too deeply. In another place, three teams came together in a crashing mess of flying

scraps and whirling handles, while beyond the mixup could be seen a dozen pairs of horses running away with broken harness flying, and plows leaping behind them.” Much to the dismay of their agency tutors, the Shoshone “were treating the spectacle with great amusement. Laughing uproariously, they were betting which team of runaways would be leading at the farthest limits of the field.”<sup>7</sup> This ridiculous episode further convinced the Shoshone that farming should be left up to agency personnel.

Despite the comedic start to the Shoshones’ agricultural experiment, certain lands proved quite fertile. With agency assistance and half wild ponies, the Shoshone harvested a bumper crop in 1872.<sup>8</sup> Several factors limited Shoshone agricultural success, however. Infrequent attacks by Lakota, Arapaho and Cheyenne warriors, as well as unpredictable weather patterns, grasshoppers, and a waning desire for the venture, deterred agricultural efforts. In 1872, Agent James Irwin reported to the Commissioner of Indian Affairs that although Washakie wanted “to settle down to farm, raise stock and have schools as the government was to have him do so...it would place his people in a defenseless attitude and subject them perhaps to a massacre, and in parting with this really venerable Chief, he requested me to ‘talk protection all the time.’”<sup>9</sup> Additionally, the limited Wyoming planting season interfered with Shoshone summer buffalo hunts. To the Shoshone, agricultural endeavors represented a contractual obligation with the United States government, not a new and exciting lifestyle. Seasonal hunts ensured Shoshone survival during harsh winters, while unpredictable reservation crops only supplemented their diet. From an agency farmer’s standpoint, this seasonal practice seemed irresponsible, and Farmer Finn Burnett

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<sup>7</sup> Robert B. David, *Finn Burnett, Frontiersman* (Glendale, CA: Arthur H. Clark Co., 1937), 260-262.

<sup>8</sup> Shimkin, “Dynamics of Recent Wind River Shoshone History,” 453.

<sup>9</sup> James Irwin to F.A. Walker, CIA, February 16, 1872, GRHC, Box 60 Folder 3.

watched the Shoshone “packed up their belongings, hitched their travois behind their ponies and departed in a body to pursue their annual summer hunting.”<sup>10</sup> Indeed, for the first few years, agency staff ensured the success of the crops while the Shoshone left the region.

The auspicious beginning of Shoshone Agency agricultural endeavors would not last, however. Just three years after their first successful harvest, Agent James Irwin noted in his annual report, that Wind River “agricultural prospects have been blighted the last two years by grasshoppers, but the determination of the Indians as a tribe to farm and raise stock is still firm.”<sup>11</sup> Despite Irwin’s optimism, the Shoshones’ newly found dedication to farming actually stemmed from a shortage of food that plagued the reservation in the late 1870s. A vast decrease of buffalo on the Northern Plains, due in large part to extermination efforts promoted by the federal government, limited the success of Shoshone seasonal hunts. The once supplemental agricultural plots on the Wind River now ensured the survival of the Shoshone each winter.<sup>12</sup> The vast decrease of buffalo became especially evident during the 1880s, as the number of creatures killed by the Shoshone decreased from 2400 in 1882, to only ten by 1885. In recognizing the barriers to successful agriculture, the Shoshone also turned to cattle ranching in order to supplement their dwindling food plots.

Like farming, Shoshone cattle ranching experienced several setbacks, however. From the time they received their herd in 1874, cattle mixed freely with animals from the surrounding non-Native communities. Without fences, the Shoshone herd trampled semi-permanent settlements and created considerable havoc for reservation inhabitants.

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<sup>10</sup> David, *Finn Burnett*, 262.

<sup>11</sup> *RCIA for 1875*, 376.

<sup>12</sup> See Shimkin, “Dynamics of Recent Wind River Shoshone History,” 454.

Despite Washakie's insistence that the cattle could be herded "just like their horses," the livestock appeared, to outsiders, beyond Shoshone ranchers' control. In his annual report to the Commissioner of Indian Affairs, Agent Sanderson Martin noted that the Shoshone's cattle "were turned loose – improperly branded, if branded at all – into the charge of wild Indians who did not know the value of them, and, as a natural, if not an intended, consequence, were soon lost in the white man's herd."<sup>13</sup> While thoroughly berating their stock grower skills, Agent Martin did not blame the Shoshone alone. He also noted that a number of rustlers, who lived near the reservation, undoubtedly stole some of the Shoshones' cattle. Martin recommended that another herd be distributed to the tribal nation so that they could learn to become stock growers on the Wind River.<sup>14</sup> Dishonest cattlemen and thieves probably reduced the cattle herd, but in times of famine, hungry Shoshones also slaughtered the animals. Upon their agent's recommendation, the Shoshone welcomed additional cattle, both to raise and to eat.

The Arapahos' arrival in 1878 further exacerbated food shortages already plaguing the reservation. Non-productive subsistence farming and the addition of another tribal nation, strained the Shoshones' already insufficient supply of food. To remedy this increasingly difficult problem, government agents encouraged the Arapaho to immediately adopt an agrarian lifestyle. In doing so, they believed that Native farmers would curb the effects of poor ration distribution, while reinforcing their assimilation from "savages" to western farmers. The Arapaho welcomed the chance to farm at the delegation to Washington in 1877. Arapaho leader Sharp Nose stated, "I want to get now cows, plows and wagons, and I want to get my annuities sent there [the

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<sup>13</sup> *RCIA for 1885*, 211.

<sup>14</sup> *RCIA for 1885*, 211.

Shoshone Agency], and my grub...I want a good piece of ground to raise a crop.”<sup>15</sup>

Arguably, these desires reflected the negotiating strategies of Sharp Nose and Black Coal at the delegation, rather than a true yearning to farm. In part, they based their reticence to become yeoman farmers on the intermittent success of the Shoshone, but also the short growing season and limited access to water.

Regardless, Arapaho citizens conducted their own agricultural experiments as soon as they arrived on the Shoshone Agency. In doing so, leaders of the tribal nation hoped to demonstrate their cooperation with government agents and be rewarded with a reservation of their own. But, because of insufficient Wyoming rainfall, the Arapaho’s initial attempts at farming failed. In Wyoming, Anglo-American settlers, and later Wind River inhabitants, deemed crop production nearly impossible without the use of irrigation ditches, but this subject raised serious concerns about water rights issues on the reservation. Area settlers enjoyed downstream flows from rivers that passed through the Wind River Valley. Additional strain on the water supply, potentially threatened these non-indigenous communities.<sup>16</sup> The 1868 Fort Bridger Treaty stated that the Shoshone (and by extension the Arapaho) held the right to use waters originating from, and those that flowed through, their lands. Without proper training and education however, these ditches were of little use to the Shoshone and Arapaho agricultural projects.<sup>17</sup>

In many ways, cohabitation complicated life on the Wind River. Limited resources compounded an already strained relationship, and their Indian Agent, James

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<sup>15</sup> “Sioux-Delegation” transcripts, 5, LFC, Box 8.

<sup>16</sup> For more information on the contested nature of water rights between the reservation and surrounding communities please see, Geoffrey O’Gara, *What You See in Clear Water*.

<sup>17</sup> A.F.C. Greene, “Irrigation Development on the Wind River Indian Reservation,” LFC, Box 9.

Patten, ignored repeated requests for additional supplies. In the summer of 1878, the Arapaho and Shoshone turned to Wyoming territorial governor, John W. Hoyt. On a trip across the state, Hoyt stopped on the reservation to better acquaint himself with Wyoming's Native population, and addressed the grievances of the Arapaho and Shoshone people.<sup>18</sup> In meeting separately with the leaders of the tribal nations, Hoyt assessed the state of the reservation and later reported the conditions to the Secretary of the Interior. At the meeting, Arapaho and Shoshone leaders expressed frustration with their agent, and the lack of provisions and services that government officials had previously guaranteed. Washakie reminded Hoyt that "The white man's government promised that if we, the Shoshones, would be content with the little patch allowed us, it would keep us well supplied with everything necessary to comfortable living, and would see that no white man should cross our borders for our game, or for anything that is ours. *But it has not kept its word!*"<sup>19</sup> Likewise, Black Coal expressed frustration with Arapaho living conditions, and questioned their agent's qualifications, as he viewed Patten as "a good man, but he talks crooked and does not understand the Indian business. We fear he keeps for himself what belongs to us." The Arapaho chief also professed considerable annoyance at the government, who "promised us a separate agency; but we are still under the Shoshone agent."<sup>20</sup> These requests for sovereign borders and, in the Arapaho case, a land base of their own, underscored the perpetual struggle between indigenous leaders and reservation agents, for the benefit of their citizenry.

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<sup>18</sup> Larson, *History of Wyoming*, 135.

<sup>19</sup> Quoted in Hebard, *Washakie*, 213. (emphasis original)

<sup>20</sup> John W. Hoyt to Carl Schurz, Secretary of the Interior, July 17, 1878, LR-WS microfilm 890 reel 956.



In council with Hoyt, Washakie and Black Coal also demanded basic staples necessary for survival. First, the Shoshone leader reflected upon his tenure in the area, and protested, that despite all of his people's hard work, the government,

“does not protect us in our rights. It leaves us without the promised seed, without tools for cultivating the land, without implements for harvesting our crops, without breeding animals better than ours, without the food we still lack, after all we can do, without the many comforts we cannot produce, without the schools we so much need for our children. I say again, *the government does not keep its word!* And so, after all we can get by cultivating the land, and by hunting and fishing, we are sometimes nearly starved.”<sup>21</sup>

Black Coal also pointed out the commitment of his people to work on the reservation, but only if the agreed upon resources arrived. He insisted, “My people are much hungry and must sell furs and even their ponies for food that was promised us. That is not right... We were to have farming tools and be taught how to till the land; but we have almost no implements at all, and there is no one to teach us how to work.”<sup>22</sup> This meeting with Hoyt, allowed chieftain leadership to protest the plight of their people, but unfortunately the territorial governor did little to alleviate their situation.

Starvation constantly plagued Shoshone Agency residents throughout the 1880s. Compounding this problem, the OIA permitted the allotment of half rations in times of shortage. Agent Irwin warned his superiors that the Arapaho's arrival placed additional strain on his food supplies, creating a perpetual shortage. In fact, during their first year on the reservation, the Arapaho moved closer to the agency in a “famished condition.” To better accommodate the new arrivals, Irwin “called upon F.G. Burnett to furnish...an additional amount of fresh beef, equal to 20% of the whole quantity,” in

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<sup>21</sup> Quoted in Hebard, *Washakie*, 213. (emphasis original)

<sup>22</sup> John W. Hoyt to Carl Schurz, Secretary of the Interior, July 17, 1878, LR-WS microfilm 890 reel 956.

addition to twenty-five percent more flour for both tribal nations.<sup>23</sup> Still, Irwin continued to receive insufficient supplies. In 1883, he issued a weekly ration of only four pounds of beef, one and a half pounds of flour, three ounces bacon, one and a third ounces of beans, two and a quarter ounces of coffee, two and three-quarter ounces sugar and three-fifths an ounce of baking powder per person.<sup>24</sup> Arapaho elder Arlo Amos described to Loretta Fowler, the provisions given to the tribal nations on ration day, when “They’d go in a line and get a big slab [of] bacon, salt bacon...beans, and hominy, and tea, and sugar, salt, flour, baking powder – all of that.”<sup>25</sup>

For the Arapaho and Shoshone people, these rations often meant the difference between starvation and survival. Leaders from both tribal nations recognized the importance of ration day, not only to their very existence, but also to their social networks. In times of famine, agency officials and reservation leaders distributed rations themselves, in an attempt to prevent outbreaks of violence between Arapaho and Shoshone citizens.<sup>26</sup> Eventually, indigenous leaders cooperatively took charge of ration distribution entirely, to maintain peace on ration days. By distributing the supplies themselves, the leaders divided food equitably and provided additional care for the orphaned and elderly. This right of distribution, proved difficult to obtain, however, and only cooperation between the Arapaho and Shoshone ensured their control over the food distribution process.<sup>27</sup>

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<sup>23</sup> James Irwin to E.A. Hayt, April 8, 1878, GRHC, Box 60 Folder 4.

<sup>24</sup> James Irwin to Commissioner of Indian Affairs, November 21, 1883, LFC, Box 8.

<sup>25</sup> Arlo Amos transcripts, January 14, 1973, LFC Box 1.

<sup>26</sup> James Patten to Commissioner of Indian Affairs, February 21, 1878, LR-WS, microfilm 890, reel 956.

<sup>27</sup> Sanderson Martin to Commissioner of Indian Affairs, May 20, 1885 LFC Box 9, Folder 6 and James Patten to Commissioner of Indian Affairs, January 14, 1878, LR-WS, microfilm 890, reel 956.

These measures alone did not curb starvation on the reservation. In 1883, Arapaho and Shoshone leaders addressed their concerns directly to the Commissioner of Indian Affairs. In protest, Washakie, Sharp Nose and Black Coal wrote “the amount of beef we are now receiving, about five pounds for each person a week, is not sufficient to keep our people from suffering with hunger...our Agent who says he is issuing all he is allowed to and for that reason we apply to you.”<sup>28</sup> The leaders threatened to leave the reservation if their demands went unfulfilled, concluding, “we will be compelled to leave our gardens at least a number of us and subsist ourselves and families by hunting, leaving fewer people to live on the beef supplied at the Agency, in order that all may have enough to eat. But we all hope you will have pity on us and give us more beef.”<sup>29</sup> This tactic worked, in part, because trips away from the reservation perpetually annoyed their Indian Agents, who insisted that Shoshone seasonal hunts reduced the number of able-bodied farmers for their crops. In addition, Shoshone Agency personnel accused some Arapahos, including Chief Sharp Nose, of venturing outside the reservation to pester settler communities. Residents in the nearby towns of Riverton and Lander constantly complained that rambunctious Indians moonlighted as cattle rustlers.<sup>30</sup> Though unsubstantiated, Sharp Nose probably led many of these expeditions seeking additional food supplies as well as an outlet for the frustrations of Arapaho youth. Visitors from other reservations further complicated farming schedules and reduced resources. Agent Patten, fed up with these practices, recommended in his annual report “that Congress pass a law prohibiting all persons, including Indians, from

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<sup>28</sup> Washakie, et. al. to Commissioner of Indian Affairs, August 3, 1883, LFC, Box 8.

<sup>29</sup> Washakie, et. al. to Commissioner of Indian Affairs, August 3, 1883, LFC, Box 8.

<sup>30</sup> John Hunton, *John Hunton's Diary*, ed. L.G. Flannery, vol. 6, 1885-1889 (Glendale, CA: Arthur H. Clark Co., 1970), 99.

hunting and killing buffalo during the months of March, April, May, June, July, August, September, and October.”<sup>31</sup> Needless to say, Congress ignored his request and the Arapaho and Shoshone continued to travel at their own will.

Despite their best efforts, leaders could not avoid times of near starvation. The struggles of the 1880s, a period remembered as a time of great suffering by people on the reservation today, threatened to dismantle the Arapaho and Shoshone tribal nations. Male cultural and political identity, closely linked with military prowess and superb hunting skills, weakened under the reservation system. The vast reduction of buffalo on the Northern Plains and the near abandonment of the practice of raiding enemy tribal nations, prohibited men from demonstrating martial skills. Arapaho and Shoshone leaders recognized this crisis of masculinity, and secured wage work opportunities for men on the reservation. These jobs provided a meager wage, but allowed workers to express their male identity, and secure positions of hierarchical authority within the tribal nation. Agency officials selected chiefs as foreman to manage their workers. Although usually better paid, most leaders used their earnings to support others. Arapaho workers served as policemen, military scouts, general laborers, and farmers, and usually earned between \$5 and \$30 per month.<sup>32</sup>

The Shoshone also engaged in wage work on the reservation. They served as military scouts, interpreters and farmers, but Washakie prevented his men from acting as policemen. According to Agent Patten, Washakie expressly “refused to engage in the service, claiming that the wages were too small and that the Shoshones did not need a

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<sup>31</sup> *RCIA for 1878*, 151. For more information on the practice of visiting, please see Frank Rzeckowski, *Uniting the Tribes*, 79-128; Philip Deloria, *Indians in Unexpected Places* (Lawrence: University Press of Kansas, 2004), 52-108.

<sup>32</sup> “Roster of Agency Employees, 1879-88,” LFC, Box 10.

police force.” Patten then implied that Washakie believed that tribal leaders actively policed the Shoshone people, and doled out punishments, when necessary. Washakie’s refusal to participate in the force preserved the Shoshonean way of justice, and ensured a system of hierarchical authority on his side of the reservation. In the 1880s, the chief attempted to rid the entire Wind River of a police force, as he “endeavored to dissuade the Arapahoes from keeping up their force on their part, and says the ‘Shoshones are not white people.’”<sup>33</sup> The barb against Anglo-American (and perhaps even Arapaho) justice systems indicated to Agent Patten that the Shoshone simply did not need a police force. At the same time, Arapaho chiefs continued to encourage the employment of certain Indian policemen, under close supervision.<sup>34</sup>

During these early days on the reservation, agency officials believed that farming and reservation employment would imprint civilization upon Arapaho and Shoshone men. As such, women’s lives changed very little during their first few years on the reservation. In general, women were not as affected by the pressures of colonization, because reservation life afforded them similar lifestyles and responsibilities, including positions as indigenous healers, religious practitioners and keepers of the home.<sup>35</sup> Initial assimilation attempts focused on male occupations, not necessarily women’s roles on the reservation, ensuring their place within Arapaho and Shoshone society. As assimilationist efforts escalated on reservations nationwide, Native women preserved cultural practices and defended their homes from Christian missionaries and educators, who sought to infiltrate the most intimate areas of their

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<sup>33</sup> *RCIA for 1879*, 167-168.

<sup>34</sup> Fowler, *Arapahoe Politics*, 85.

<sup>35</sup> Julie Stidolph, “The Hand that Rocks the Cradle: Assimilation Policy and the Women of the Wind River Reservation, 1890-1930,” M.A. Thesis, University of Wyoming, 2008.

lives. Though they detested unwanted intrusions into their homes, the Arapaho and Shoshone also stood on the brink of starvation. Hoping to achieve more stable reservation conditions, leaders of both tribal nations eventually encouraged contact with missionaries and even advocated for reservation schools, hoping to secure powerful allies during such difficult times.

## **Religion**

In the early 1880s, Arapaho and Shoshone leaders first turned to religious interests on the reservation for food and monetary support. This rather creative way of obtaining special provisions, ensured their peoples' survival, but this generosity came with a price. Christian institutions expected Wind River Indians to adopt their faith, and renounce previous religious beliefs. The Arapaho and Shoshone befriended missionaries, but expressed hesitation about total conversion. Throughout the early reservation period, both tribal nations maintained a complicated balance between indigenous and Christian belief systems. Arapaho and Shoshone leaders convinced religious institutions that their people wanted to learn the ways of Christianity, and in return, the missionaries generously donated provisions. On the eastern side of the reservation, the Arapahos' geographic proximity to Catholic missionaries prompted interaction, while in the west, the Episcopalian ministry placed Reverend John Roberts with the Shoshone.

Father John Jutz, the first Catholic priest to live on the reservation, arrived in 1884. Initially, Jutz hoped to secure a large number of potential converts by preaching to both Arapaho and Shoshone citizens. The geographical distance between the two, and John Roberts' arrival a year earlier, and subsequent establishment on the western side of

the reservation, ultimately precluded sustained Catholic/Shoshone interaction.

Undeterred, Jutz located near Arapaho leader Black Coal's camp. He later recalled his first days on the reservation, "I began at once to pitch my tent and to put up an altar for Mass on the following morning. Chief Black Coal was my next door neighbor, so I invited him and his two wives and two children to watch me during mass." Jutz noted the stark contrast of Catholic and Arapaho practices on the first night of his stay, as he "was awakened by the sound of a big bass drum and the ghostly incantations of the medicine men who were plying their skill at the home of a sick woman. I can hear that wierd [sic] incantation to this very day, it left such an indelible impression upon my memory."<sup>36</sup> It is perhaps this first encounter with the Arapaho faith that prompted Father Jutz to seek a better understanding of their culture. Accordingly, Jutz incorporated the Arapaho language into his religious services, and encouraged his successors to study the Arapaho culture, as they built their mission, St. Stephen's.

Over time, a unique relationship developed between the Arapaho and Catholic missionaries. The intense religiosity of Arapaho people did not weaken, despite their involvement with the priests.<sup>37</sup> Rather, anthropologist Jeffrey Anderson argues, the Arapaho internalized the Christian message and developed a unique system of pluralism. They appropriated Christian symbols and practices, and placed them among their own traditions, without fully converting to the new belief system.<sup>38</sup> In doing so, the Arapaho people ensured the survival of their own faith, as well as the continued

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<sup>36</sup> Quoted in Rev. Patrick A. McGovern, ed., *History of the Diocese of Cheyenne*, (Diocese of Cheyenne, 1941), 199-200.

<sup>37</sup> For more information on Arapaho religious practices and beliefs please see Dorsey and Kroeber, *Traditions of the Arapaho*; Dorsey, *The Arapaho Sun Dance*; Mooney, *The Ghost-Dance Religion and the Sioux Outbreak of 1890*; Kroeber, *The Arapaho*.

<sup>38</sup> Anderson, *The Four Hills of Life*, 316.

presence of missionaries at St. Stephen's. Surprisingly, the missionaries did not pursue the idea of total conversion as part of their assimilationist campaign. Instead, Arapaho and Catholic leaders reinforced the syncretism of their cultures through religious services and the creation of a boarding school at St. Stephen's in 1884. On several occasions, the mission hosted religious gatherings for the Arapaho, which included dinner and Indian dancing. While these celebrations ensured the continued melding of the Christian and Arapaho cultures, for members of the tribal nation, Catholic gatherings also lessened the burdens of starvation, while allowing them to participate in more traditional social activities, including dancing. On one such occasion, the Sisters of Charity, reported,

“At 2 p.m. all were called to the large and handsome dining-room, where 200 Arapahoe Indians were assembled to partake of a feast prepared by the untiring and devoted Sisters...the Indians requested to be allowed to show their appreciation and respect for the occasion by having one of their exceedingly picturesque dances in costumes...the Indian dance lasted for about two hours in the afternoon, to the delight of the Sisters, who had never before witnessed such as scene.”<sup>39</sup>

While the scope of the Catholics' support cannot be confirmed, an irritated Indian Agent, Thomas Jones, reported that the Arapaho received about \$15,000 in cash, supplies and other provisions during the 1880s.<sup>40</sup> These feasts served both Catholic and Arapaho interests, however. Catholic priests and sisters, in corroboration with Arapaho leaders, amassed a large number of followers and boasted high attendance at their boarding school. While for the Arapaho, the church sanctioned fantastic displays of their culture and reduced the threat of starvation.

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<sup>39</sup> *History of the Sisters of Charity of Leavenworth, Kansas* (Kansas City: Hudson-Kimberly Publishing, 1898), 415.

<sup>40</sup> Thomas Jones to Commissioner of Indian Affairs, June 11, 1887, LFC, Box 8.



Arapaho leaders actively pursued Catholic missionaries, not only as benefactors, but also as important allies in the fight for control over their part of the reservation. The Arapaho held the full attention of the priests, who worked and lived on the eastern side of the Shoshone Agency. By actively participating in the Catholic faith and boarding school education, Arapahos demonstrated their willingness to assimilate. However, leaders accepted assimilationist practices only on their own terms. The syncretism of the Arapaho and Catholic faiths, as well as the tribal nation's influence at St. Stephen's boarding school, illustrates their control over the assimilation process. Additionally, Arapaho leaders recognized the importance of non-Native allies, and hoped that their relationship with the priests at St. Stephen's would aid in the campaign for their own reservation.

Unlike the Arapaho, Shoshone people initially avoided sustained contact with religious missionaries. Washakie recognized the necessity of forming relationships with men like John Roberts, but rejected the message of Christian conversion. In general, the Shoshone accepted the major tenants of the Christian faith, including humility and good will towards others, but they did not fully embrace a pluralistic religious system, like that of the Arapaho. Anthropologist Dimitiri Shimkin noted some instances, in which Shoshone and Christian beliefs merged, including alterations to the symbolism of certain indigenous dances. Shimkin suggested, for example, that the lessons of Christianity had permeated Shoshone society and led to the "profound re-orientation of the Sun Dance. Thus the center pole became a cross symbolic of Christ, the twelve poles of the twelve apostles, etc." Besides this observation, Shimkin failed to note further instances of transference, and admitted that "Other institutions were much less

affected.”<sup>41</sup> The Shoshone experience with Christian missionaries is markedly different than that of the Arapaho, and can be attributed, in part, to the differences in Catholic and Episcopalian practices.

From the time of his arrival onto the reservation, John Roberts’ struggled to gather a following.<sup>42</sup> The Episcopal Church, well aware of Catholic interest in the region, preemptively sent the reverend, ahead of Father Jutz, to secure a position for missionaries on the Wind River. Roberts reached the reservation during a particularly frigid winter in 1882-1883, as part of an eight day mail route from Cheyenne to Fort Washakie.<sup>43</sup> Upon his arrival, Roberts befriended Agent James Irwin, to whom he submitted plans for a makeshift boarding school. Irwin, a staunch anti-Catholic, reinforced Episcopalian preeminence on the reservation. The agent positively reported of Roberts to the Commissioner of Indian Affairs in August 1883, “He is a young, energetic man, and has rendered efficient service in the school of which he is now principal. A church building in the near future is prospect.”<sup>44</sup> Despite his enthusiasm, Roberts struggled to gain Shoshone converts. His arrival in the dead of winter, precluded Shoshone travel, and though Washakie and his people professed interest in a reservation boarding school, they dismissed Roberts’ Christian message. He hosted several feasts and attempted to learn the Shoshone and Arapaho languages, but between 1883 and 1890 he gained few converts.

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<sup>41</sup> Shimkin, “Recent Wind River Shoshone History,” 458-459.

<sup>42</sup> For additional information on the life of John Roberts see Markley and Crofts, *Walk Softly, This is God’s Country*.

<sup>43</sup> Sarah Emilia Olden, *Shoshone Folk Lore: as discovered from the Rev. John Roberts, a hidden hero, in the Wind River Indian reservation in Wyoming*, (Milwaukee, Wis.: Morehouse Publishing Co., 1923) 65-66, and Stamm, *People of the Wind River*, 217.

<sup>44</sup> *RCIA of 1883*, 314.

In 1889, Sherman Coolidge, an Episcopalian minister with Arapaho lineage, arrived on the Wind River to assist Roberts. As a young boy, Coolidge, (his Arapaho name Runs-on-Top) lived with his family on the Northern Plains. When Bannocks attacked his village, he and his brother hid in the bushes to escape harm. Military officers eventually found the two boys and placed them with separate white families. Runs-on-Top's adopted father, Lt. Charles A. Coolidge, and his wife Sophie, renamed their son Sherman, and encouraged his assimilation and education. As a young man, Sherman attended theological classes at Hobart College in Geneva, New York, and following the completion of his studies, he returned to the Wind River.<sup>45</sup> Roberts, with Sherman's help, hoped to attract more Arapaho converts, as well as increase Shoshone participation at the Episcopal mission. Initially, Coolidge attracted considerable Arapaho interest as his namesake, that of a famous great-grandfather, secured the attention of the Arapaho people. To better facilitate Arapaho Episcopalians, Coolidge moved away from Roberts Mission, and near the camps of Sharp Nose, White Horse and Black Coal. His success languished however, as the Catholic missionaries at St. Stephen's maintained a powerful hold over the Arapaho people. Roberts remained stalwart in his mission to encourage Shoshone conversion, and fostered a stronger relationship with Washakie. By the 1890s, the elderly chief became more interested in Roberts' message, and eventually he befriended the reverend. Roberts baptized numerous Shoshones, including Washakie, and in 1900, the reverend presided over the chief's funeral.<sup>46</sup> In later years, members of the Shoshone community increasingly

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<sup>45</sup> Coolidge, *Teepee Neighbors*, xviii, xx.

<sup>46</sup> Hebard, *Washakie*, 246-249.

converted to Christianity, as Roberts' religious message slowly infiltrated the Shoshone, and boarding school graduates assumed positions of leadership within the tribal nation.

## **Education**

Missionaries like Reverend John Roberts and Father John Jutz constantly reinforced their religious message with boarding school education. Reservation leaders supported these efforts for several reasons. During treaty negotiations with government officials, both Arapaho and Shoshone chiefs expressed a profound interest in the education of their children. In 1868, and again at the Brunot Cession in 1872, Washakie requested the establishment of government schools. At the 1877 Dakota Sioux delegation, Arapaho chiefs intimated similar desires. Sharp Nose voiced his support of education, "I want a good school house, and a good white man, to teach my children, so that they can learn fast."<sup>47</sup> For Arapaho and Shoshone leaders, education of their children ensured a better understanding of the dominant, non-Native culture, and further prepared the next generation of leadership. As part of reservation negotiations, their acceptance of education was conditional, however. Arapaho and Shoshone parents sought on-reservation government schools, which provided a solid education for children, near their homes. But, the procrastination of Shoshone Agency personnel in creating these schools frustrated the Arapaho and Shoshone.

Desperate to prove their cooperation with government officials, Arapaho parents sent their children to the Carlisle Indian School in 1881. In council with Agent James Patten, chiefs Sharp Nose, Black Coal, Little Wolf, White Horse, Scarface and Wolf Moccasin stressed the symbolism of sending their children away from the reservation. Sharp Nose and White Horse gave their sons pipes of peace, which represented the

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<sup>47</sup> "Sioux-Delegation" transcript, 5, LFC, Box 8.

Arapahos' intentions to live quietly on the reservation. These objects infused their children's trip with meaning and purpose.<sup>48</sup> Additionally, Black Coal wanted officials in Washington to understand the significance of the trip, as the Arapaho parents "have given our children, whom we love, into their hands. We wish also to assure you by this that we never more want to go on the warpath, but always live in peace."<sup>49</sup> Arapaho leaders believed that the act of sending their children to off reservation boarding schools reinforced their ties with government officials, and would help them secure their own agency. Tragically, several children died or developed illnesses while in Pennsylvania. Of the thirteen who left, only five children returned home alive.<sup>50</sup>

Arapaho people, devastated by the loss of their children, strongly advocated for on-reservation boarding schools. Parents, who lost children or family members to the larger boarding school system, fully rejected further attempts to send their children away. Instead, the Arapaho and Shoshone welcomed missionaries, including Rev. John Roberts and Fr. John Jutz, because they provided an opportunity for safer, on-reservation boarding school education. Upon his arrival, Jutz constructed a mission house with a chapel, kitchen, dining room and living quarters. Jutz, and later his successor, Father Paul Ponziglione, operated from this facility until 1888, when workers completed a more substantial convent.<sup>51</sup> The Sisters of Charity opened a grade school in January 1888, on the site, and taught nearly ninety children, most of them Arapahos, the

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<sup>48</sup> Fowler, *Arapahoe Politics*, 73-74.

<sup>49</sup> James Patten to Commissioner of Indian Affairs, February 28, 1881, National Archives and Records Administration – I, Record Group 75, General Records of the Bureau of Indian Affairs, 1801-1952, Letters Received by the Office of Indian Affairs, Wyoming Superintendency, File 8780. (Hereafter, NARA-I, LR-WS)

<sup>50</sup> James Patten to Commissioner of Indian Affairs, February 28, 1881, NARA-I, LR-WS, File 8780. The Shoshone did not support off-reservation education, and only sent two children with the Arapaho in 1881.

<sup>51</sup> McGovern, *History of the Diocese of Cheyenne*, 201.

first year.<sup>52</sup> Likewise, John Roberts educated and boarded Shoshone children at a small log cabin in 1883. Three years later, completion of a new government school allowed for the accommodation of eighty-six pupils under Roberts' tutelage.

From these humble beginnings, the reservation education system grew. After a fire destroyed Roberts' government school in 1890, Washakie donated one-hundred sixty acres of land for the purpose of establishing another, larger institution. Roberts, and agency personnel, encouraged both Shoshone and Arapaho students to attend the new, more modern facilities. The entire school campus consisted of classrooms, a gym, school offices, a large three story building that housed female residents, the kitchen and dining hall, as well as an additional building for male students, faculty and staff.<sup>53</sup>

Shoshone Agent, John Fosher, noted in his annual report the tireless efforts of Roberts to educate Wind River youth, "The Government Boarding School at this Agency has been successfully managed by Superintendent Roberts, who has devoted his entire time and energy faithfully to the work."<sup>54</sup> Boarding school educators like Roberts, sought to create a learning environment in which Native children would not, and could not, return to their former, "uncivilized" existence. While life at the new government school, or at St. Stephen's, did not traumatize children as severely as life at Carlisle, school officials on the reservation rigorously sought to assimilate, as well as educate their students.

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<sup>52</sup> *The Wind River Indian Reservation - Yesterday and Today*, 41.

<sup>53</sup> *The Wind River Indian Reservation - Yesterday and Today*, 37.

<sup>54</sup> Annual Report to the Commissioner of Indian Affairs, 1891, National Archives and Records Administration-VIII, Record Group 75, Wind River Files, General Records, Entry 4, Annual Reports, 1890-1909, Box 1. (Hereafter, NARA-VIII, RG 75, GR, Entry 4, AR, 1890-1909, Box 1.)

Assimilationist educators hoped to expedite the cultural evolution of Native children through boarding school education.<sup>55</sup> The first priority of Indian educators was to remove children from their “primitive” environment. Native children across the country relocated to off reservation boarding schools in places like Carlisle, Pennsylvania, Geneva, Nebraska, and in Salem, Oregon. Boarding schools on reservations employed similar tactics, closer to home. On the Wind River, pupils lived at the school and attended classes five days a week. Some schools allowed children to return to their parents on the weekends; others did not, in favor of continually reinforced assimilationist education. Additional measures included cutting students’ hair, dressing them in “civilized” clothing, performing military drills and changing pupils’ names, all which served to reinforce the rejection of one lifeway and the embracement of another.

Once at the school, educators constantly reinforced the importance of learning English. The adoption of the English language ensured that students heard and understood the dual foci of Christianity and American life. This task often proved difficult, as some Native children actively resisted using the English language. With much dissatisfaction, Agent Fosher lamented “the difficulty inducing the Indian Children to speak the English Language, many read and write well but will not talk yet understand what is said to them.”<sup>56</sup> Boarding school graduate, Arlo Amos, vividly remembered the strict enforcement of English only education, “Kids never talked Indian. You’d get in trouble, you’d get whipped. Shoshones and Arapahoes; you

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<sup>55</sup> For a more complete look at Native boarding school education see David Wallace Adams, *Education for Extinction: American Indians and the Boarding School Experience, 1875-1928* (Lawrence: University Press of Kansas, 1995).

<sup>56</sup> Annual Report to the Commissioner of Indian Affairs, 1891, NARA-VIII, RG 75, GR, Entry 4, AR, 1890-1909, Box 1.

couldn't have chance to learn Shoshone. And Shoshones didn't have chance to learn Arapahoe. No Indian talk in school."<sup>57</sup> In this strictly enforced English only environment, educators taught the basics including reading, writing, arithmetic, science, and history.

Beyond traditional elementary education, boarding school instructors sought to individualize Native children through work. Boys engaged in manual labor and developed skills including carpentry, masonry, blacksmithing, and farming. On the Wind River, educators taught male students dairy farming, ranching, and carpentry. The boarding school dairy farm became a self-sustaining facility, while the carpentry shop ensured the maintenance of school buildings.<sup>58</sup> Female children also worked inside the school, cooking and cleaning, essentially developing the skills of a good American housewife. The purpose of this gendered education was to prepare Native children for life in an industrialized American society. Educators believed that these jobs would instill in their students the importance of individualism, and encourage them to seek a life beyond the reservation system. Few pupils left the reservation at the end of the nineteenth century, however, as most stayed and established homes near their families.

Near the Wind River, several outsiders questioned the productivity of these on-reservation boarding schools. Wyoming state legislator, Robert C. Morris remarked, "With but few exceptions, those Indians who have been educated at the schools here and returned to their homes are not an improvement on those Indians without education." The schools ultimately fail to complete their mission, Morris declared, because "On their return to their parents they paint their faces and wear the blanket, and

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<sup>57</sup> Arlo Amos transcript, January 14, 1973, 7, LFC, Box 1.

<sup>58</sup> *The Wind River Indian Reservation – Yesterday and Today*, 37.



do just what the other members of the family and tribe do.”<sup>59</sup> In the end, Morris ignored the many Native benefits of on-reservation education, seeing instead, the digression of his state’s indigenous inhabitants. But this opinion, guided by nineteenth century racist ideologies, overlooked the fact that by 1890, a considerable number of Arapaho and Shoshone children could read, write, speak and understand English. Additionally, their experience with non-Native educators enabled former students to effectively engage with their agency superintendent and government officials. Accordingly, at the turn of the twentieth century, Arapaho and Shoshone leaders relied heavily upon the skills of their boarding school educated population.

Boarding school education on the Wind River also produced two unintended consequences. First, on-reservation boarding school education ensured the prolonged separation of Arapaho and Shoshone students. On the Wind River, the widespread segregation of Arapaho and Shoshone children existed, because they often attended different schools and lived in different regions of the reservation. As evidenced by Amos’ account, even those who attended the same school could not attempt to learn their neighbors’ language or culture. This distinct separation ensured the continued division of Arapaho and Shoshone people, and effectively precluded the creation of a unified reservation community. More importantly, instead of detribalizing the indigenous communities of the Wind River, this education system allowed the Arapaho and Shoshone to appropriate boarding school education as part of a larger campaign to manage reservation affairs. When tribal leaders disapproved of educational practices, they complained to agency officials, and pressured parents to withdraw their students.

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<sup>59</sup> Robert C. Morris, *Collections of the Wyoming Historical Society* (Cheyenne: The Wyoming Historical Society, 1897), 99.

A strong friendship formed between Roberts and Washakie in the 1890s, which secured Shoshone cooperation at the Government Boarding School. Very few instances of dissention surfaced during his long tenure with the Shoshone people. The Arapaho, on the other hand, frequently meddled in their children's education. In 1886, Arapaho parents protested the size of their school, and refused to send more students to St. Stephen's until the missionaries could secure additional space.<sup>60</sup> In 1887, Father Paul Ponziglione complained to his superiors that St. Stephen's began the year with several boarders, "but the opposition shown against our school by our own [Arapaho] chief and his click [sic] has kept the parents from bringing in their children." Arapaho leaders supported this show of force with the threat that they could easily enroll their children at the Government Boarding School. Ponziglione noted that "our Chief [Black Coal] is influenced by the party belonging to the Protestant School at the Agency, who as far as they can will not allow us to have any children at our own school."<sup>61</sup> Relations between the Arapaho and St. Stephen's employees improved very little over the next five years. In 1892, the director of the Bureau of Catholic Indian Missions instructed St. Stephen's personnel that "rather than sacrifice the school and our interests among the Indians in your section, I would advise you to take immediate steps towards establishing friendly relations with the Indian Chief Black Coal."<sup>62</sup> Reservation leaders ensured the success or failure of boarding school educators, however, the threat of off-reservation boarding schools somewhat tempered this powerful hold. Additionally, the Arapaho desperately

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<sup>60</sup> Proceedings of council held between Agent Thomas Jones and Black Coal, et. al. January 21, 1886," LFC, Box 8.

<sup>61</sup> Paul M. Ponziglione to Rev. J.A. Stephens, February 26, 1887, LFC, Box 10.

<sup>62</sup> J.A. Stephens to Rev. Phillip Turnell, May 23, 1892, LFC, Box 10.

sought advocates in the on-going campaign to secure their own reservation, and ultimately mended the rift at St. Stephen's.

### **“A Little Piece of Land”**

The Arapaho campaign for a separate reservation escalated between 1880 and 1885, as they became increasingly impatient and disaffected with life on the Shoshone Agency. The Arapaho people, tired of the harassment they faced from the Shoshone, demanded that their leaders relocate the tribal nation to a new reservation. At the same time, Arapaho chieftain leadership faced an awkward position of authority, as they sought to secure the safety and wellbeing of their people, while at the same time appeasing federal agents. By adapting to reservation life, Arapaho leaders enjoyed a measure of maneuverability during negotiations, as attempts at farming, adoption of Christian religious practices and engagement with on-reservation boarding schools all demonstrated their willingness to work with government officials. In return, they expected to be relocated to the reservation promised to them by government representatives. With cunning and tenacity, Arapaho leaders worked within a highly bureaucratic system of political hierarchy and legal technicalities, while remaining true to their constituency, but during this period, the tribal nation also suffered the frustration and disappointment of several unsuccessful attempts to leave the Wind River.

From 1878 to 1885, Arapaho tribal leaders approached their campaign for autonomy from several angles. First and foremost, they projected a specific image to government officials. They wanted to be recognized as “good Indians,” who sought peace and easily adapted to non-Native practices. To outsiders, it appeared as though

they repeatedly accepted acculturation into modern America. Tribal leaders accompanied this “good Indian” image with the suggestion that although they maintained a well behaved and peaceful existence now, they once terrorized the Northern Plains. The Arapaho proudly remembered the dominance of their warrior society, one that promoted violence in protection of their families and homelands. In a letter to “President Washington,” the Arapaho used the juxtaposition of peace and violence against their Shoshone neighbors. Arapaho leaders expressed the necessity of a reservation of their own, because the Shoshone appeared belligerent, and a terrible influence on the Arapahos who remained “good Indians.”<sup>63</sup> Additionally, the Arapaho leaders pointed to the increased propensity for violence between the Arapaho and Shoshone the longer they remained on the Wind River together.

Both Indian Agents and the surrounding white community knew that the Shoshone posed little threat. When this strategy failed to prompt government action, the Arapaho played off Anglo-Americans fears of Indian depredations, particularly fear of the Lakota. Several Lakota and Teton Sioux visitors arrived in 1881, reuniting with their allies to recount war exploits of yesteryear and participate in cultural celebrations. Their presence sufficiently alarmed settlers in communities surrounding the reservation. The Arapaho maintained their willingness to adapt to reservation life and assimilating influences, but these visits served to sharpened their “good Indian” image by contrasting the Arapaho to the former behavior of their more rebellious friends. Much to the Arapahos’ good humor, these visits also infuriated Washakie. Mary Jackson English, the daughter of a military officer at Fort Washakie, remembered that “The old chief [Washakie] was furious when he heard that they [the Lakota] were coming again,

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<sup>63</sup> Cyrus White Horse to the Commissioner of Indian Affairs, August 12, 1884, LFC, Box 8.

and that Red Cloud, his hated enemy, would be with them...The idea of having this detested tribe come up to be feted and made much of was too irritating to the Shoshone, and all they wanted was an opening which they would not be slow in taking advantage of.”<sup>64</sup> Though angered, the Shoshone did not instigate episodes of violence during this, or other visits, from the Lakota or other tribal nations.

Still, these visitors unsettled area communities. News of settler anxiety reached the territorial capital, and the *Cheyenne Daily Leader* reported that “It is hoped that Col. Jones [the Shoshone agent] will succeed in keeping the troublesome marauding Sioux off the reservation. They are a dangerous disturbing element and have several times caused trouble with the Arapahoes.”<sup>65</sup> In retrospect, playing off settler fears of Indian depredations might have hurt, rather than aided, their cause. One could reason, that if the Arapaho attracted an unscrupulous element to their reservation, other Wyoming residents certainly would not welcome the Arapaho. In addition, settler land claims continued to gobble up available land in the state. The goal of securing a reservation in Wyoming grew increasingly difficult to achieve. When these strategies failed to produce the desired result, Arapaho leaders turned toward General George Crook for support. Crook, a constant advocate for the Arapaho since their military service with him 1876, had promised Arapaho scouts assistance in securing a reservation. Arapaho leaders hoped that Crook would act as a witness to their good behavior, and use his influence as a military general to sway the OIA. Nearly two decades after his initial involvement

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<sup>64</sup> Mary Jackson English, “Prairie Sketches, or Fugitive Recollections of an Army Girl of 1899,” in *Western Americana: Frontier History of the Trans-Mississippi West, 1550-1900* (New Haven: Research Publications, Inc., 1975), 61.

<sup>65</sup> “The Wyoming Indians,” *Cheyenne Daily Leader*, May 17, 1889.

with the tribal nation, in 1884 Crook did not immediately rush to the Arapahos' aid. As continued pleas for a reservation went unanswered tribal leaders grew desperate.

At the same time, Shoshone Agency personnel, including Agent Colonel Thomas Jones, repeatedly thwarted Arapaho efforts. In his 1885 annual report to the Commissioner of Indian Affairs, Jones acknowledged the past history between the two groups, "The Shoshones and Arapahoes who occupy this reserve, being different in languages, habits and dispositions, and having been enemies in battle in the past, has rendered it absolutely necessary for me to study them closely, with the view of removing all obstacles in the way of their living amicably and in harmony together." Noting the results of his hard work, he proudly stated "I am glad to report that this feeling has to a great extent disappeared, not only with the children but with the parents."<sup>66</sup> This view of the Arapaho and Shoshone relationship is only semi-accurate. On several occasions, during their first fifteen years together, the Arapaho and Shoshone worked cooperatively to achieve specific reservation goals. Yet, neither party had forgotten the long history between them, or wanted to permanently share the Wind River. Agent Jones, and other government officials, simply refused to address Arapaho demands for a reservation, preferring instead to boast of the harmony between the two tribal nations. Washakie's frequent protests of the Arapaho presence also fell on deaf ears.

In 1885, a large contingent of the Arapaho visited their new Indian Agent. Sanderson Martin, a former trading house operator in Philadelphia and special investigator for the Department of Justice, inherited the mismanaged and disorganized agency. Martin espoused very little patience for Arapaho and Shoshone requests, and

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<sup>66</sup> *RCIA for 1885*, 210.

believed in guiding the reservation with a firm hand.<sup>67</sup> After several attempts to persuade Martin to relocate them to a reservation of their own, Martin brutally informed the council chiefs that, “You can not [sic] go to Powder River. Here you must stay and die. So must your children.”<sup>68</sup> Martin chided those Arapaho present, over one hundred in number, for their persistent behavior and instructed them to “go to work or starve.” The agent reminded the Arapaho, that at the delegation of 1877, they requested a place with the Shoshone, and then commanded them to go back to their fields, to “go to work and stop begging.”<sup>69</sup> The brutal repression of their request deeply disappointed the Arapaho. Martin crushed nearly two decades of reservation negotiations with governmental officials and Indian Agents. The Arapaho returned to their fields, disheartened but not defeated. Their leaders regrouped and shifted focus towards securing federally recognized land rights to the Wind River instead.

### **Allotment**

The General Allotment Act of 1887 dramatically changed life on the Wind River for Arapaho and Shoshone citizens. Author of the bill Senator Henry L. Dawes promoted the act with his faith in the civilizing influence of private property ownership. He once famously stated that to be civilized meant to “cultivate the ground, live in houses, ride in Studebaker wagons, send children to school, drink whiskey [and] own property.” This very narrowly construed vision of life tormented American Indians, as the Dawes Act (named for its sponsor) sub-divided lands, claimed by tribal nations. The Commissioner of Indian Affairs promoted the act as part of the continued assimilation efforts ongoing across the country. In his 1887 annual report, Commissioner Atkins

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<sup>67</sup> Stamm, *People of the Wind River*, 177-178.

<sup>68</sup> Sanderson Martin to Commissioner of Indian Affairs, May 20, 1885, LFC, Box 9, Folder 6.

<sup>69</sup> Sanderson Martin to Commissioner of Indian Affairs, May 20, 1885, LFC, Box 9, Folder 6.

lamented that the “progress of the Indian towards civilization has been disappointingly slow...So long as tribal relations are maintained so long will individual responsibility and welfare be swallowed up in that of the whole, and the weaker less aspiring, and more ignorant of the tribe will be the victims of the more designing, shrewd, selfish, and ambitious head men.”<sup>70</sup> The Dawes Act provided individual land ownership for all who qualified, but Atkins hoped that it would also lead to the individualization of Native peoples, and decrease the influence of chieftain leaders.

The language of the act is fairly straightforward. All lands belonging to Native peoples on reservations would be allotted “in severalty to any Indian located thereon.”<sup>71</sup> Several different factors determined land plot distribution. Heads of households with families received one-quarter section. The act allotted single people over the age of eighteen, and orphan children under the age of eighteen, one-eighth of a section. After twenty-five years, a title could be issued for the land, and at that time, the owner would be held accountable to the laws and regulations of their state. With obtainment of title to the land, owners would also be offered United States citizenship.<sup>72</sup> Commissioner Atkins believed that this particular facet of the act “should be a pleasing and encouraging prospect to all Indians who by experience or education have risen to a plane above that of absolute barbarism.”<sup>73</sup> Clearly negating any notion of existing indigenous citizenship or belonging to a tribal nation, Commissioner Atkins and promoters of the Allotment Act ignored the deep roots of indigenous nationalism and the cultural ties which individual land ownership could not sever. At the same time, the

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<sup>70</sup> *RCIA of 1887*, IX.

<sup>71</sup> *The Statutes at Large of the United States* vol. 24 (Washington: Government Printing Office, 1887), 388.

<sup>72</sup> *Statues*, vol. 24, 388.

<sup>73</sup> *RCIA of 1887*, VIII.



creation of Dawes Rolls, or the official census of indigenous peoples on reservations across the country sponsored by the Act, set a permanent record of citizenship, one based on blood quantum rather than indigenous qualifications, which forever altered the nature citizenship for tribal nations.<sup>74</sup>

The Dawes Act did accelerate the assimilation process, however, as Indian Agents attempted to facilitate the disintegration of indigenous organizations. Under this new policy, Indian Agents purposefully interacted with individual Indians, rather than the collective tribal nation. The Commissioner of Indian Affairs noted that the allotment process would not immediately alter the character of Native peoples as the “distance between barbarism and civilization is too long to be passed over speedily. Idleness, improvidence, ignorance, and superstition cannot by law be transformed into industry, thrift, intelligence, and Christianity.” Rather, the Allotment Act aided the causes of missionaries, philanthropists, and government agents who conducted assimilationist campaigns on reservations across the country.<sup>75</sup> The Allotment Act did more than simply reinforce assimilation policies; it devastated Native homelands. Once Indian Agents allotted land to each eligible member of the tribal nation, the “surplus lands” could then be sold to non-Native interests. All agricultural land, with or without irrigation, released to the United States government was held for exclusive purchase by “actual and bona fide settlers only in tracts not exceeding one hundred and sixty acres to any one person.”<sup>76</sup> The proceeds from these sales, held in trust by the United States Treasury at three percent interest, could be used for the welfare of the tribal nation, at

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<sup>74</sup> For more information on this subject see, Jesse T. Schreier, “Indian or Freedman?: Enrollment, Race and Identity in the Choctaw Nation, 1896-1907,” *Western Historical Quarterly* 42, no. 4 (2011): 459-479.

<sup>75</sup> *RCIA of 1887*, VI.

<sup>76</sup> *Statutes*, vol. 24, 390.

their Indian Agent's discretion. More importantly, Native property owners could not sell their allotments. Only after an individual land owner held title for twenty five years could he then sell the land. Settlers from surrounding areas hungrily eyed prime grazing land on reservations, as Indian Agents surveyed areas across the country.

Not all government officials supported this plan. Albert Kneale, a lifelong agent for the OIA, wrote of the many fallacies of the allotment process. For example, once surveyors arrived on reservations, they proceeded to mark land, in many cases, by the simplest methods possible. Kneale remarked that "Little pains were taken to ascertain, before a tract was allotted, whether some Indian had already taken possession of and was occupying that particular tract...The allotting agent could easily have acquainted himself with the facts and made the allotments in harmony with the existing conditions. But as has been said, that would have entailed labor."<sup>77</sup> Surveyor ineptitude in mapping plots also plagued Indian lands, including the Uintah and Ouray reservation, where Kneale witnessed allotment first hand. "Little regard was given to the value of the tract being assigned," he explained, "on paper, one tract looked much like another. As a result, tracts were allotted that had no soil. Other tracts were allotted that were highly impregnated with alkali."<sup>78</sup> These practices frustrated honest Indian Agents and defrauded thousands of Native people.

On the Wind River, several factors dictated where the Shoshone and Arapaho sought their allotments. The security of Fort Washakie, the water supply of the Big Wind and Little Wind Rivers, as well as close proximity to agency buildings, made the southern and western portions of the reservation more desirable. The northeastern

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<sup>77</sup> Albert H. Kneale, *Indian Agent* (Caldwell, Idaho: The Caxton Printers, Ltd., 1950), 109.

<sup>78</sup> Kneale, *Indian Agent*, 109-110.

portion of the reservation, or the “surplus” area remained relatively free of Indian residents. Arapaho leaders viewed the Allotment Act as both an opportunity to secure a federally recognized claim to the Wind River, and an attempt by the United States government to limit their sovereign rights. Arapaho ranch owner Gary Collins explains, the Allotment Act,

“was a ploy or an effort to divide up lands to go to each tribal member head of household, similar to a homestead, like the Homestead Act...the intent on paper I believe officially was to provide segments of land to have tribes have ownership over a portion of the earth which was totally contrary to tradition. We own everything together, no one owns just those elk, or the sky or the water, we all participate in using that resource.”<sup>79</sup>

Though the Allotment Act conflicted with Arapaho patterns of ownership, chieftain leaders recognized the opportunity that allotment provided. By accepting individual parcels of land, the Arapaho would hold a federally recognized claim to a part of the Shoshone Agency, thereby securing their sovereignty over half of the Wind River.

Accordingly, Arapaho leaders wasted no time in accepting their allotments and encouraging their citizenry to do the same. Chiefs Black Coal, Sharp Nose, Eagle Head and White Horse requested that the allotment process begin immediately. Through negotiations with government agents in 1888, the Arapaho not only received title to parcels of land, but also additional cattle and cash incentives for agreeing to the process so quickly. Surprised and probably naïve to the motivation of the chiefs, the government gladly allotted land to Arapaho people. Former Arapaho councilman Scott Dewey explained the importance of the allotment process, “When that [allotment]

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<sup>79</sup> Gary Collins, interview by author, Laramie, Wyoming, February 25, 2008.

happened we were considered full-fledged owners of this reservation.”<sup>80</sup> Previously squatters, the Arapahos now claimed half of the Wind River.

News of Arapaho allotment enraged Washakie and the Shoshone people. Quietly, the Shoshone leader and his men counseled with their Indian Agent in an attempt to oust the Arapaho from the reservation, but Agent Thomas Jones informed them, that since the Arapaho now held land allotments, they would be nearly impossible to remove. The Agent suggested instead, that the Shoshone quickly secure their own allotments, lest the Arapaho claim prime Shoshone grazing lands.<sup>81</sup> Disheartened by this news, the tribal nation grudgingly met with the Arapaho and “after mature deliberations,” they petitioned for “both tribes of Indians to have our lands allotted under the existing acts and laws of Congress.”<sup>82</sup> Privately, Washakie abhorred this plan, viewing all of the Wind River as Shoshone land. At the same time, the leader recognized that his people desperately needed the cattle and cash incentives that accompanied allotment. The Shoshones saw the Arapahos’ movements as underhanded, while the Arapaho believed they had narrowly averted an attempt to be forcibly removed from the reservation. Between 1887 and 1891, the Arapaho and Shoshone fought bitterly about their land claims on the reservation. The Shoshone sought just compensation for the Arapahos’ allotments, while at the same time, the Arapaho justified their existence on the Wind River with promises that they received at the Sioux delegation in 1877. Finally, land cession negotiations in 1891, temporarily adjudicated

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<sup>80</sup> Scott Dewey, March 27, 1977, LFC, Box 10.

<sup>81</sup> Proceedings of council meeting May 8, 1888 found in Thomas Jones to Commissioner of Indian Affairs, LFC, Box 8.

<sup>82</sup> Washakie, et al. to Commissioner of Indian Affairs, May 8 1888, LFC, Box 8.

the contested nature of Arapaho land ownership, as government officials recognized both Shoshone and Arapaho sovereignty of the Wind River.

### **1891 Cession**

In 1891, the matter of Arapaho allotment still troubled Washakie. To begin the year, the Shoshone leader wrote a scathing letter of protest to the President of the United States, regarding Arapaho claims to part of his reservation. He emphatically stated:

This Reservation belongs solely to the Shoshone Indians and we do not concede that the Arapaho have a right to one foot of the land on this Reservation. We are willing to sell a part of this Reservation to the Govt for the Arapahos but until such arrangements are made we protest against any improvements that will in any way give the Arapahos a right to any of the land.

At the time the Arapahos came to this Res. we did not tell them they could come here and to stay nor did we give them any land. They and the Sioux had been fighting the soldiers and got whipped; they came up here and we have allowed them to live here since, thinking they could not hurt the land by living on it, we do not think that this would give them any right to the land.<sup>83</sup>

Washakie and his advisors closed their letter of rebuke with the affirmation that “We do not object to the Arapahoe having an agency of their own, near to us, but we do seriously object to them having an agency or anything else built on our land that will give them any right to any land on this reservation.”<sup>84</sup> Still bitter about the measures taken by Arapaho leaders during allotment, Washakie repeatedly protested their occupancy on the reservation.

In fact, the subject of a separate Arapaho agency appeared frequently in letters to government officials that year, as the Arapaho also voiced concerns about their treatment at the Shoshone Agency. As full-fledged members of the Wind River community, Arapahos sought agency buildings closer to their allotments. Black Coal

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<sup>83</sup> Chief Washakie et al. to Commissioner of Indian Affairs, January 31, 1891, LFC, Box 8.

<sup>84</sup> Chief Washakie et al. to Commissioner of Indian Affairs, January 31, 1891, LFC, Box 8.

and several subchiefs protested that his people “are supplied with small rations at the Shoshone Agency, only beef and flour, nothing else. For this, we have to travel 60 miles once a week, to go and come back. This kills our ponies, and takes up 4 days of the week of our time.”<sup>85</sup> To remedy this problem, Arapaho leaders negotiated with Shoshone Agency personnel to establish an Arapaho sub-agency on the eastern side of the reservation. Ultimately, the arrival of government agents to conduct land cession agreements in 1891, problematized the Arapaho and Shoshone relationship, but provided a vehicle through which leaders from both tribal nations could voice their grievances.

Land cession negotiations provided the perfect forum for the Arapaho and Shoshone to address their numerous complaints about the reservation. Cession meetings began in October of 1891, with three commissioners and several reservation leaders present. In separate councils with Shoshone and Arapaho leaders, federal agents attempted to secure a large land cession, nearly half of the Shoshone Agency. In general, Arapaho and Shoshone leaders considered this proposed land deal for several reasons. First, during negotiations, commissioners reminded both tribal nations that their treaty annuities would soon expire, in 1899 for the Arapaho and 1900 for the Shoshone. Commissioners also assured treaty participants that trespassers would not pester them, if the reservation were smaller. This guarantee held considerable appeal, as the permeability of Shoshone Agency borders perpetually frustrated both tribal nations. Recognizing this problem, United States military personnel at Fort Washakie constantly monitored the border regions of the reservation, with little result.

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<sup>85</sup> Black Coal et. al. to the Secretary of States, September 29, 1890, LFC, Box 8.

On at least one occasion, Shoshone citizens failed to appreciate the military's half-hearted attempts to patrol the reservation and took matters into their own hands. Arapaho elder Arlo Amos recounted an instance in which "[The] Shoshones... made a raid on the settlers, homesteaders; I don't know how many they killed. 'This is Indian land,' they said, 'you get the hell out of here,' they said, and they kill them."<sup>86</sup> Though, greatly exaggerated in this case, outbursts of violence certainly occurred on both sides of the reservation, as settler communities and their livestock ignored the boundaries of the reservation. Additionally, a number of non-Native residents illegally occupied land on the Shoshone Agency. In 1890, Indian Agent John Fosher recorded thirty two non-Native occupants who claimed land that was the "best on the reserve." One year later that number had increased to thirty-five.<sup>87</sup>

After brief negotiations with land cession agents, Washakie agreed to a proposed land cession of the northeastern portion of the reservation. But, the leader also insisted that this cession would be his last. Washakie remarked that in 1872, he "sold Lander, and all that part south. I now sell that big piece [pointing to the land north and east] I want the government to now let me alone. After a while I'll have no land for my children."<sup>88</sup> In large part, the Shoshone chief agreed to this land reduction because only Arapahos lived on the northeast section of the reservation. Washakie also recognized that the well needed windfall of cash and cattle, could prevent another decade of starvation. Additional ration distribution would curb the effects of non-productive

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<sup>86</sup> Arlo Amos transcript, January 14, 1973, 3, LFC, Box 1.

<sup>87</sup> Annual Report to the Commissioner of Indian Affairs, 1890, 1891, NARA-VIII, RG 75, GR, Entry 4, AR, 1890-1909, Box1.

<sup>88</sup> Land Cession transcripts 1891, in J.D. Woodruff to T.J. Morgan, CIA, December 15, 1891, LFC, Box 9, Folder 6.

subsistence farming and meager seasonal hunting, on which his people currently survived.

The Arapaho proved far more recalcitrant in their negotiations. In their initial communication with land agents, Arapaho leaders denounced the cession and instead listed a series of complaints. Chief Black Coal insisted, “The Indian Department sent us here, and we always thought we had as much right as the Shoshones. Now, Washakie claims that we have not as much right as the Shoshones. We did not come here of our own accord, the Department sent us here...The Arapahoes want the Reservation divided between them and the Shoshones.”<sup>89</sup> In addition, leaders wanted more plentiful rations, the ability to slaughter their own cattle, and payment in full for previous treaty agreements. Commissioner J.D. Woodruff protested that he did not have the authority to legally divide the reservation, or remedy their other grievances, but rather he sought the permission of Arapaho leaders, as residents of the Shoshone Agency, to cede the land in question.

After looking over the proposed the land cession, the Arapaho initially rejected the entire agreement outright, as many Arapaho families lived on the proposed section. Chief Plenty Bear blatantly stated, “We don’t agree with the east boundary. We won’t sell that land.”<sup>90</sup> Woodruff insisted that the Shoshones already accepted the terms of the land cession, and that the Arapahos should reconsider the proposal. After a lengthy discussion with other Arapaho leaders, Black Coal announced that “The Arapahoes were sent here by the government, and we now claim that we have as much right here as

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<sup>89</sup> Land Cession transcripts 1891, in J.D. Woodruff to T.J. Morgan, CIA, December 15, 1891, LFC, Box 9, Folder 6.

<sup>90</sup> Land Cession transcripts 1891, in J.D. Woodruff to T.J. Morgan, CIA, December 15, 1891, LFC, Box 9, Folder 6.



the Shoshones. We are willing to sell the land north and east of the Wind River but don't want to sell any more." In signing the land cession, the Arapaho and Shoshone agreed to reduce the Shoshone Agency from two million acres to 700,000, more than half of their total area. For their land, the Arapaho and Shoshone would receive a sum of \$600,000 to be distributed in annual payments. Congress denied ratification of the land cession, however, on the grounds that the area ceded was too small. Undaunted commissioners pressed for larger land cessions throughout the 1890s.

During their first two decades on the reservation, the Arapaho and Shoshone people forged reservation communities, established a measure of self-rule, and preserved their cultural heritage, while adapting to reservation conditions. Under the guidance of their leaders, the Arapaho and Shoshone citizenry attempted to develop agricultural plots to curb the effects of poor ration distribution and starvation. They also sent their children to reservation boarding schools, and participated in religious services with Catholic and Episcopalian missionaries. These efforts ensured a measure of comfort and stability on their reservation, and ultimately guaranteed their survival. On several occasions, the two tribal nations joined together, as increased cooperation better protected their interests.

At the same time, instability plagued the reservation. After government officials refused to relocate the Arapaho to their own reservation, citizens of the tribal nation accepted allotments on the Wind River to better secure their land holdings. In response, the Shoshone bitterly resented Arapaho allotment, and demanded that the "interlopers" pay for their portion of the reservation, or be removed. By taking allotments, the Arapaho secured their place on the reservation and expected to be recognized as joint

occupants of the Wind River. During land cession negotiations in 1891, government officials inadvertently adjudicated the dispute, as they acknowledged both Shoshone and Arapaho sovereignty over the reservation. Disagreements between Arapaho and Shoshone people continued, however, as government officials pressed for additional land cessions in the 1890s. The death of chieftain leadership and the establishment of business councils at the turn of the twentieth century, further complicated interactions between Arapaho and Shoshone leaders. As the two tribal nations entered the twentieth century, the Arapaho and Shoshone citizenry increasingly relied upon their leaders to protect their families and homes, cultures and rights.

### Chapter 3 – Political Authority

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Hidden amidst the catchy tourist slogans, modern facilities and steamy mist, is a nearly forgotten symbol. At the Bah Guewana, or “Smoking Waters,” near present day Thermopolis, a Shoshone emblem stands resolute against the ever modernizing tourist destination. In the image, the crossed poles of a tepee contain within its familiar lines six symbols: an eagle, a tree, a buffalo, the sun, a cloud of moisture and a set of twelve lines. According to the Sh’oshone, each component represents a cardinal direction, as well as a portion of their worldview. In explaining the image, Shoshone historian Herman St. Clair wrote that the eagle represents migratory birds that leave the north in the fall and return each spring. The green tree in the east symbolizes Mother Earth and the food that she provides. In the south, the Shoshone placed a red buffalo, a staple food source and provider of shelter and clothing, while in the west the white sun stands for purity.

Alone, these four elements depict the basic necessities of life for the Shoshone people. They also surround the icon for the springs, or the additional twelve lines and cloud of moisture in the middle of the tepee. St. Clair explained, the top four lines “are green for Mother Earth and the pure water which springs from her... The red bars signify that the buffalo and other meat animals drank of the water and were very healthy... [and] The yellow lines recall that the birds use the water below the springs to stop on during their migration, because it never freezes.”<sup>1</sup> While these colored lines further illuminate the importance of the four elements, their shape also implies a deeper meaning. The cone-like formation of the lines “signifies the belief... that the water

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<sup>1</sup> Herman St. Clair, “The Legend of the Symbol of the Big Springs,” quoted in Dorothy G. Milek, *The Gift of Bah Guewana: A History of Wyoming’s Hot Springs State Park* (Cheyenne, WY: Frontier Printing, Inc., 1985), 10.

comes from deep in the earth and brings to the surface health giving elements that can be transferred to man or animal to give him health and relief from pain.”<sup>2</sup> Shoshones remember that more than a century ago, the eagle, tree, buffalo, sun and hot springs coexisted near the Owl Creek, making it a popular destination for them, as well as other Native visitors.

As non-Native settlers pushed into the region and bison herds dwindled, the Shoshone, and their Arapaho neighbors, visited the hot springs less frequently, but still touted their healing powers. Though not constant occupants, the two tribal nations still claimed the Bah Guewana and surrounding area, but by the end of the nineteenth century, an onslaught of homesteaders and policy changes from the Office of Indian Affairs threatened this hold. By the 1880s, Wind River residents struggled to survive harsh Wyoming winters with meager rations and reduced kills from seasonal buffalo hunts. Allotment further challenged Arapaho and Shoshone control over their reservation lands. Once each eligible member of the tribal nations received an allotment, federal agents began to sell off the “surplus land.” Additionally, during the 1890s, agents repeatedly sought land cessions of various pieces of the Wind River, further reducing the Arapaho and Shoshone land base, and in 1896, they came for the hot springs.

The proposed land cession appeared quite small to federal agents, only ten acres. The value of the land in question however, played a critical role in the agreement, as government officials wanted the tribal nations’ healing waters. The Arapaho and Shoshone believed that the coveted land, a portion of the far northeastern side of the

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<sup>2</sup> St. Clair, “The Legend of the Symbol of the Big Springs,” quoted in Milek, *The Gift of Bah Guewana*, 10.

reservation, held spiritual and medicinal powers and were reluctant to cede the region. At the same time, this land cession meeting marked a unique shift in reservation business, because rather than negotiating with Arapaho and Shoshone chiefs, Indian Agents met organized business councils. In fact, negotiating the cession of the hot springs became one of the first orders of business for the newly formed Arapaho and Shoshone governing bodies. The meeting signified a clear departure from previous interactions between the Office of Indian Affairs and the two tribal nations, yet historians often overlook this relatively small land cession.

While reminiscent of previous negotiations, at this meeting twelve men, six Arapaho and six Shoshone, sat at the table. By organizing themselves in this way, the twelve councilmen became equal partners in the decision to cede the hot springs to the United States government. At the same time, their staging represents yet another anomaly. In the past, the Arapaho and Shoshone demanded separate council with OIA personnel, but at this meeting they agreed to sit together as one. Though prominent leaders, including Shoshone Chief Washakie and the Arapaho Chief Sharp Nose, acted as spokesmen, participants from both councils contributed during negotiations. Members of the new governing bodies did not always interact naturally with one other, and the transition from chieftain leadership to business councils was not seamless. The instability of the business councils became particularly evident, when disagreements arose during negotiations. At one point, the meeting devolved into a brief verbal battle between the Arapaho and Shoshone, during which bickering ensued and councilmen cast out malicious accusations. But in the end, members of both councils set inexperience and rivalries aside and represented their tribal nations, conducting a

critical land sale. Each councilman realized the importance of the ten acres at stake. They knew of the legends, the water's healing powers and the cultural significance of the region, yet both councils also recognized that their people suffered from starvation. The proceeds from this land sale would ensure that the Arapaho and Shoshone received additional rations and cattle to supplement their dwindling herds. Despite the difficulty of the decision, the tension within the councils and the awkward adjustments in leadership practices, Arapaho and Shoshone councilmen sat together and effectively negotiated the land cession in 1896.

From 1893 to 1907, both tribal nations radically transformed the nature of political authority on the Wind River. While Arapaho and Shoshone people revered, and vested authority in, political, military and cultural leaders, the death of powerful chieftain leadership and the increased need for self-determination, in an era of assimilation programs and allotment, tested indigenous forms of governance. In the wake of these challenges, the Arapaho and Shoshone adapted their leadership styles to better accommodate and operate within the bureaucratized system of the federal government. By forming business councils, the Arapaho and Shoshone hoped to better manage new challenges in the twentieth century. Members of these councils negotiated land cessions, curbed the brutal effects of starvation and assimilation, and effectively handled reservation affairs. As the first expression of the new political authority on the reservation, the hot springs agreement demonstrates a clear shift in leadership styles, and hints at the many challenges of reservation governance.

## Healing Waters

Known as “The World’s Largest Mineral Hot Springs,” the Bah Guewana has attracted visitors for many centuries, probably even millennia. The water of the springs flows at an astounding 18,600,000 gallons every twenty four hours, at a temperature of approximately 135° F. Originating from a thermal artesian basin, filled by the snow melt from the Owl Creek Mountains, the water is heated deep within the earth. After experiencing the waters, countless Native and non-Native visitors have touted the springs’ medicinal powers. In addition to the hydrotherapy of the warm churning water, the springs contain at least twenty-nine minerals, including iron, calcium, magnesium, sodium, potassium, chloride, and hydrogen sulfide. This combination soothes the pain of arthritis and rheumatism, though some have touted other possible uses. Suggested applications of the springs include ingesting the waters to cure ulcers and other digestive problems, while a select few believe that, if applied topically, the minerals in the hot springs might even cure acne.<sup>3</sup>

Arapaho visitors to the region believe that the springs were a gift from the Great Spirit, or Hóuu, to heal and sustain their people.<sup>4</sup> In July 1903, an Arapaho elder recorded the legendary story of the Owl Creek hot springs for the *Thermopolis Record*. In describing the old man, the newspaper reported that “The snows of nearly five score winters had whitened the locks of the old Arapahoe, and the wild winds of many

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<sup>3</sup> Milek, *Bah Guewana*, 3,179.

<sup>4</sup> The Northern Arapaho refer to this higher power as the Great Spirit, Flat Pipe, our creator, and as hóuu, which also means crow in the Arapaho language. Historical records, and the Arapaho people, differ on the preferred term, but for the purposes of this study, I have relied upon either Great Spirit, the commonly used English description by most Arapaho today, or the Arapaho word Hóuu. Please see the “Dictionary of the Northern Arapaho Language,” compiled by Wayne C’Hair in cooperation with the Northern Arapaho; Jeffery Anderson, “The Poetics of Tropes and Dreams in Arapaho Ghost Dance Songs,” in *New Perspectives on Native North America: Cultures, Histories, and Representations*, eds. Sergei Kan, et. al., (Lincoln: University of Nebraska Press, 2006), 142; and Dorsey and Kroeber, *Traditions of the Arapaho*.

autumns had colored his face...but time had not bowed his head nor stooped his shoulders, nor diminished the fire of his eye.”<sup>5</sup> In giving his account, the storyteller sat with several Arapaho children who wanted “to hear one of the legends of their people that the old medicine man knew so well.” According to the elder, Hóuu stood on a mountain top and overlooked the land below. He saw large herds of buffalo grazing lazily on hillsides, antelope wandering the plains, and big horn sheep on the craggy mountain cliffs, all there for the Arapaho. In surveying the breathtaking scene, “His heart swelled with pride for he loved his people. But a sadness overcame him. Nature had done much for them but they had many physical ills that human skill could not cure.”<sup>6</sup>

To help his people, the Great Spirit called together a council of deities, who decided to create a special stream whose waters would cure mankind’s afflictions. In creating the spring, Hóuu found a cave, “whose depths had never yet been reached. In its hidden chambers he placed the things that will cure the ills of men...He kindled the mysterious fires that water will not quench, and he caused a living stream to issue from the cavern.” The Arapaho heard of their Great Father’s generosity, and rushed to the spring to witness the power of the healing waters. In closing his story, the Arapaho elder explained, “The tradition of our people tells us that, though human eyes can not [sic] see him, the God of the Medicine forever stands guard on the flat topped hill that shelters the spring where he had used the most subtle of his arts.”<sup>7</sup> Though not always

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<sup>5</sup> “An Indian Legend: How the Big Horn Hot Springs Were Created,” *Laramie Boomerang*, July 28, 1903. The account of this story is supported, in part, by Dorothy Milek’s *The Gift of Bah Guewana* as well as James and Susan Dow, *Wyoming Folklore*, 175.

<sup>6</sup> “An Indian Legend: How the Big Horn Hot Springs Were Created,” *Laramie Boomerang*, July 28, 1903.

<sup>7</sup> “An Indian Legend: How the Big Horn Hot Springs Were Created,” *Laramie Boomerang*, July 28, 1903.



permanent residents of the region, the Arapaho visited the hot springs, when possible, to harness the power of the healing water and give thanks to the deity who helped heal the sick and wounded.

According to Shoshone legend, the hot springs are part of a great ocean that once covered the Big Horn Basin. Ancient Shoshones visited the shores of the sea to fish and hunt, but the animals were too clever, and the water too deep. The tribal nation prayed to the Great Spirit, or A□po, to save them from starvation and “Suddenly the waters of the great inland sea began to lower. Down they went, with the Indians following, until they were so low the fish were piled on top of each other. It was easy then to eat fish.”<sup>8</sup> The Shoshone stood in awe of the river that roared through a crack in the mountain, the last remnant of the great sea. Unbeknownst to the Shoshone, A□po saved another part of the magnificent ocean, deep within the recesses of a cliff. One day, two lovers walked near the rushing river as a gust of wind blew an eagle feather out of the woman’s hair. The couple chased the feather down a deep canyon and when it finally fell softly to the ground, they picked it up and looked around. At once, “They saw steam and other wonders, but knowing then that the Great Spirit had led them there for that very purpose they feared not to investigate. The water of the springs were hot but smelled clean and they bathed in one of the springs...The whole tribe presently moved down there where they became famous for their strength and endurance.”<sup>9</sup> In negotiating for the Wind River, Shoshone leadership ensured the acquisition of the hot springs at the far northeastern edge of their reservation. Once permanently positioned

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<sup>8</sup> Dow, et. al., *Wyoming Folklore*, 177-178.

<sup>9</sup> Dow, et. al., *Wyoming Folklore*, 178.

on the Wind River, Shoshones visited the hot springs frequently, and boasted of their “healing waters.”

By the 1870s, the Shoshone people made fewer pilgrimages to the region, but still touted the medicinal powers of the scalding water. Arapaho settlement on the eastern edge of the reservation limited Shoshone mobility to a certain extent, as did the day long excursion to the waters, and increased pressure from agency officials to utilize reservation doctors. In 1875, Thomas Maghee, the post surgeon at Ft. Washakie, travelled to the springs after hearing about their healing qualities. Maghee followed a well-worn trail to the mouth of the Owl Creek and saw a large spring which gushed from a butte. Though the mineral deposits sounded hollow under his horse’s feet, Maghee found the area solid enough to bear considerable weight. On two sides of the spring, high cliffs surrounded a large pool of hot churning water. The sulfuric smell and acidic taste suggested to Maghee, that the waters originated from a subterranean geyser. The post surgeon collected water samples at the springs, and later confirmed the plentiful mineral qualities in the “healing waters.”<sup>10</sup> Following the publication of Maghee’s report, in addition to increased non-Native tourism into the region, federal agents attempted to wrest the hot springs out of Native hands.

Accordingly, in 1891 commissioners proposed a substantial reduction of the reservation at a land cession council.<sup>11</sup> Officials sought the relinquishment of nearly half of the Shoshone Agency, including a large portion of the northeastern side, which contained the Bah Guewana. During cession negotiations, Chief Washakie adamantly

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<sup>10</sup> Milek, *The Gift of Bah Guewana*, 1;Trenholm and Carley, *The Shoshoni*, 288-289.

<sup>11</sup> Please see Chapter 2 for more detail.

stated, “I do not want to sell the Owl Creek hot springs.”<sup>12</sup> Despite Commissioner J.D. Woodruff’s assurances that if the Shoshone ceded the springs, “every one [sic], whites and Indians, shall be free alike to bathe there,” Washakie remained steadfast, as he recognized the intrinsic value of the land.<sup>13</sup> Arapaho chiefs Black Coal and Sharp Nose also protested the sale. When asked by Black Coal who would eventually occupy the area, Commissioner Woodruff replied, “The Great Father told us to reserve a section around the hot springs a mile square, that is to be free to everybody. This goes in with all the rest of the Reservation that is sold.” Chief Sharp Nose objected, “That is a great spring, and worth a great deal of money. No other Indians [have] sold as much land as this, and that is worth a great deal of money. We had a talk about the north part, but we did not hear or understand about that on the east.”<sup>14</sup> Eventually, Arapaho and Shoshone leaders agreed to the land cession hoping that cash and cattle incentives would ease reservation starvation, but Congress failed to ratify the agreement, and the Shoshone and Arapaho retained the hot springs and surrounding area.

Undeterred, the Office of Indian Affairs sent James McLaughlin to negotiate the sale of the Owl Creek hot springs five years later.<sup>15</sup> Before conducting cession negotiations, McLaughlin suggested that Arapaho and Shoshone representatives ride out to the hot springs, and examine the region they considered selling. The agent later

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<sup>12</sup> Land Cession transcripts 1891, in J.D. Woodruff to T.J. Morgan, CIA, December 15, 1891, LFC, Box 9, Folder 6.

<sup>13</sup> Land Cession transcripts 1891, in J.D. Woodruff to T.J. Morgan, CIA, December 15, 1891, LFC, Box 9, Folder 6.

<sup>14</sup> Land Cession transcripts 1891, in J.D. Woodruff to T.J. Morgan, CIA, December 15, 1891, LFC, Box 9, Folder 6.

<sup>15</sup> McLaughlin is perhaps best well known for his work on the Pine Ridge Reservation in South Dakota, and his order for the arrest of Sitting Bull. In general, the agent espoused a firm hand with tribal nations, and viewed most indigenous practices as obstacles to his primary goal of assimilation. For more information on Agent James McLaughlin, please James McLaughlin, *My Friend the Indian* (Boston and New York: Houghton and Mifflin, Co., 1910).

reminisced, “All through the magnificence of the Red Cañon [sic] I went with the Indians, and promised them that if the agreement was made, the right should be reserved to them and their children forever, of bathing in the thermal baths that their forefathers had used. I separated from them at the mouth of Owl Creek, and returned to the agency by another route, appointing to meet them at the agency in council on the following Monday.”<sup>16</sup> Returning from his journey, McLaughlin described the springs and the surrounding area to his superiors, “This spring is truly wonderful; the surface is about 30 feet across, circular in form a seething, boiling cauldron, with a temperature of 132° F...The water of this spring is said to possess wonderful curative properties and to be very beneficial for rheumatic and other ailments, and although the temperature is 132° it is not unpleasant to drink, and with salt and pepper added tastes very much like fresh chicken broth.”<sup>17</sup> Culinary appeal aside, the springs attracted men like McLaughlin because he saw the area as one of several untapped natural wonders in the American West.

In closing his report, McLaughlin specifically noted the tourist potential of the region, “It is really such a grand work of nature that I believe, when the transportation problem has been solved in that country, it will rival the Yellowstone Park and the Grand Cañon [sic] of the Colorado as an attraction for lovers of scenic grandeur.”<sup>18</sup> Settlers from the surrounding community also acknowledged the potential tourist venture, and diverted some of the water through crudely designed ditches and surrounded them, creating makeshift tent walled spas. These, water thieves, squatters

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<sup>16</sup> McLaughlin, *My Friend the Indian*, 299.

<sup>17</sup> James McLaughlin, *Agreement with Certain Tribes of Indians*, Senate Executive Document no. 247, 54<sup>th</sup> Congress, 1<sup>st</sup> session, (3354), 2.

<sup>18</sup> McLaughlin, *My Friend the Indian*, 297.

and amateur entrepreneurs advertised their version of the hot springs baths with names like “Hotel de Sagebrush,” and lured unsuspecting visitors, in search of cures for their physical ailments, to the region.<sup>19</sup>

In council with the Arapaho and Shoshone, McLaughlin argued that the land around the hot springs held little monetary value. Other than the springs’ healing properties and cultural significance, the Agent insisted that they could not subsist on the land. Little game roamed for the Arapaho and Shoshone to hunt, and the proposed region was not arable for farming. With these limitations in mind, McLaughlin acknowledged the medicinal and spiritual value of the land to Wind River residents, and proposed an agreement in which the federal government held title to the land, but allowed all who visited it unrestricted use. In selling the land, McLaughlin argued, the Arapaho and Shoshone would help the government to improve the area surrounding the hot springs and make it a destination for all people, Native and non-Native alike. As part of his pitch, McLaughlin revealed that the government had authorized him to offer \$50,000, but upon visiting the springs, he believed that the tribal nations deserved \$60,000 for the ten acre section. Though perhaps under fair market value, the proposed payment for the Owl Creek hot springs marks a considerable improvement from other land negotiations.<sup>20</sup>

As part of McLaughlin’s offer, the Arapaho and Shoshone would share \$10,000 a year for six years. But instead of getting cash in hand, Shoshone Agency personnel

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<sup>19</sup> Milek, *Bah Guewana*, 23; O’Gara, *What You See in Clear Water*, 10.

<sup>20</sup>In signing the Brunot Agreement in 1872, the Shoshone ceded more than 700,000 acres for a paltry sum of \$25,000. At three and a half cents an acre, this land deal represented little more than blatant theft. In 1896, McLaughlin’s offer, \$60,000 for ten acres, was far more reasonable. In 1950, the Indian Claims Commission revisited the Brunot land cession and termed the price “inadequate and unconscionable.” The Shoshone won a considerable settlement, and each enrolled citizen received \$377, net amount. Trenholm, “The Shoshones and the Great Father,” 1.

would spend the money for the “civilization, industrial education, and subsistence of the Indians.”<sup>21</sup> The Arapaho and Shoshone agreed to these terms, but Washakie argued that the two tribal nations should each immediately receive \$30,000. McLaughlin refused. “I can not [sic] negotiate with you for this tract as separate tribes,” he argued, “but as one, as you are known to the Great Father as one people. I came to negotiate with you as one people, and you must agree among yourselves.”<sup>22</sup> In this case, McLaughlin may not have had the authority to treat separately with the two tribal nations, or, as in the past, he might have refused as a matter of bureaucratic convenience. Either way, this land cession established an unfortunate precedent in which government officials negated the cultural and political distinctiveness of the Arapaho and Shoshone. Indeed, throughout most of the twentieth century, the Office of Indian Affairs grouped the two tribal nations together, treating them as monolithic Indians because they lived on the same reservation.

Unable to negotiate separately, Washakie and Sharp Nose briefly bickered about their payment for the springs. Sharp Nose suggested that their first year’s payment should be distributed in cattle, not rations. Washakie grumbled “I am afraid it will be as it was in former times. The two tribes would fail to agree...I was the first to come here, and I think I ought to be the first to get what I want.” Sharp Nose replied “All my friends are here. We are going to make this treaty all good...The first year \$5,000 in cash to the Shoshones and \$5,000 to the Arapahoes. Our cash to be paid to the agent, and he to buy cattle for the tribe with it.” With this compromise, Washakie, Sharp Nose and McLaughlin agreed to the terms, and upon signing the land cession the Shoshone

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<sup>21</sup> McLaughlin, *Agreement with Certain Tribes of Indians*, 9.

<sup>22</sup> McLaughlin, *Agreement with Certain Tribes of Indians*, 10-11.

leader stated, “I have given you the springs; my heart feels good.”<sup>23</sup> Overall, the 1896 land cession marked a new beginning in reservation politics. While the Arapaho presence on the Wind River remained contested, from this moment on, government officials, and even the Shoshone, treated the Arapaho as equal partners on the reservation. The use of councils at the 1896 land cession also represented a shift in leadership practices, one away from chieftain leadership. Though Washakie and Sharp Nose acted as spokesmen, a council of leaders made the final decision regarding this, and subsequent, land cessions. During the next ten years, these councils developed, as they accommodated traditional leadership practices and thwarted detribalization attempts.

### **Death of Chieftain Leadership and the Rise of Tribal Councils**

Initially, reservation leadership weakened, however, as prominent Arapaho and Shoshone chiefs died. During their impressive tenures, Washakie, Black Coal and Sharp Nose witnessed the extraordinary transformation of the Northern Plains, as homesteaders encroached onto their lands, buffalo herds neared extinction, and new technology rapidly spread across the American West. These leaders facilitated their people’s transition to reservation life, adapted to assimilationist pressures and negotiated shared cohabitation on contested ground. In the decades prior, Wind River residents struggled to survive the damning effects of starvation, assimilation and detribalization. Strong chieftain leaders preserved a sense of cultural identity and maintained the unity of their tribal nations in these difficult times. As their health declined, chieftain leaders feared the total deterioration of the Arapaho and Shoshone tribal nations. While others leaders consulted and assisted these men, Black Coal, Sharp

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<sup>23</sup> McLaughlin, *Agreement with Certain Tribes of Indians*, 11.

Nose and Washakie retained a powerful hold over the Wind River and the respect of agents from the Office of Indian Affairs. The death of Black Coal first heralded the impending changes to the structure of political authority on the reservation.

On a cold December day in 1893, Reverend John Roberts presided over Black Coal's funeral. At the service, Roberts remarked that the chief "deserves the name of 'The Unknown Hero.' He was always a staunch supporter of the government and accompanied several expeditions of U.S. Troops against the hostile Sioux and Cheyennes." The reverend remembered Black Coal as a "man of unusual stature and strength, of superior intelligence and sterling worth."<sup>24</sup> Even the *Cheyenne Daily Leader*, who heard of his passing, eulogized the Arapaho leader as a man who "was much beloved by the whole tribe and had the respect and confidence of all the whites who knew him."<sup>25</sup> Reservation doctor, Julius Schuelke, attended to Black Coal and in his last moments, and "When informed that his end was approaching, he asked to be taken back to his home on the reservation, where he might die among his own people, whom he loved as his own children."<sup>26</sup> The Arapaho buried Black Coal at the tribal cemetery, about eighteen miles from Fort Washakie, and an obelisk erected on the site marks his grave. Sharp Nose retained leadership of the Arapaho, and subchief Plenty Bear assumed a stronger position with the tribal nation.

Following Black Coal's death, the Arapaho began to restructure their style of leadership, yet the link between authority and culture remained. Arapaho constituents still expected their leaders to be courageous and formidable, and heroic deeds in battle earned an individual respect. Leaders at the turn of the twentieth century needed to

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<sup>24</sup> "Black Coal – Last War Chief of the Northern Arapahoes," JRC, Box 2, Folder 21.

<sup>25</sup> *Cheyenne Daily Leader*, December 26, 1893, 3.

<sup>26</sup> *Cheyenne Daily Leader*, December 26, 1893, 3.



demonstrate these character traits, as well as the ability to successfully fight battles with words not with weapons. In creating the first council, six subchiefs, Sharp Nose, Plenty Bear, Eagle Head, Tallow, Old Man Elk, and Bull Gun, formed a coalition, known as the “Chief’s Council,” to lead the Arapaho people. These men, all aged and respected members of the tribal nation, had previously served as scouts and possessed the proper credentials to lead in the Arapaho’s age graded society.<sup>27</sup>

Government officials wholeheartedly encouraged the creation of this, and of other councils. Addendums to the Allotment Act in 1891 and again in 1894, allowed for the formation of such business councils that would make decisions on behalf of the entire tribal nation.<sup>28</sup> Indian Agents believed that these small, representative councils would be easier to negotiate with, and even control. In meeting with a few select individuals, federal officials believed that the members could be persuaded to act in certain ways, without the pressure of the larger tribal nation. Likewise, these councils, without the guiding influence of a strong chieftain leader, appeared more susceptible to coercion. In selecting members for their councils, constituents often chose individual councilmen by majority vote, a process also promoted by reservation agents for several reasons. First, as elected officials, their decisions represented the desires of the larger tribal nation, thereby ending prolonged negotiations and feasts with the entire group during councils with representatives from the Office of Indian Affairs. Additionally,

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<sup>27</sup> For more information about the role that age and experience played in Arapaho society, please see Fowler, *Arapahoe Politics*, 99-100.

<sup>28</sup> *United States Statutes at Large*, vol. 26, p. 795; vol.28, ps. 304-305. This process is not unique to the Wind River. Across the nation, indigenous leaders organized themselves into councils in order to better handle reservation affairs. For more information about this subject, please see Frederick E. Hoxie, “From Prison to Homeland: The Cheyenne River Indian Reservation before WWII,” *South Dakota History* 10, no. 1 (Winter 1979): 1-24; Peter Iverson, *The Diné: A History of the Navajos* (Albuquerque: University of New Mexico Press, 2002), 97-136; and Frederick E. Hoxie, *Parading Through History: The Making of the Crow Nation in America, 1805-1935* (Cambridge: Cambridge University Press, 1995), 238-265.

government officials believed that a small business council would effectively detribalize indigenous peoples. For many, small democratic organizations comprised of elected officials, symbolized the fruition of the assimilation process. For the Northern Arapaho however, the Chief's Council replaced chieftain leadership in title, not in practice. To outsiders, Black Coal and Sharp Nose acted as the authoritative leaders of the tribal nation, but in reality, both men frequently counseled with other individuals and while acting as representatives for the entire tribal nation. The formation of a Chief's Council, then, represented an effort by Arapaho leaders to meld a non-Native governing style within a familiar manner of leadership.

The voting patterns of the Arapaho clearly demonstrate this process. Members of the first business council, who served from 1893 until 1897, were all between the ages of forty-two and fifty-eight, all boasted impressive feats in battle, and maintained reputations as courageous and generous individuals.<sup>29</sup> These men, already natural leaders in Arapaho society, easily adapted their practices to form a business council of representatives. Once elected, members of the Arapaho business council served long terms until illness or death prevented their participation, and only those worthy of the position earned the votes for the office. An Arapaho councilman in the 1970s, Arlo Amos, explained that to become a business council member, a man illustrated that he was a "brave man and do all things that protect... Well, then the first council – councilmen – they elect, like Sharp Nose."<sup>30</sup> Already established leaders, Sharp Nose, Plenty Bear and other subchiefs received a large percentage of the Arapaho votes and easily transitioned into the role of business council member.

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<sup>29</sup> Fowler, *Arapahoe Politics*, 99.

<sup>30</sup> Arlo Amos transcript, May 28, 1975, LFC, Box 10.

Sharp Nose's declining health complicated this conversion, however. The councilman maintained a working relationship with government officials, and while other Arapaho leaders earned the respect of the tribal nation, they struggled to establish a foothold in the complicated bureaucracy of the American political system. Compounding this problem, Indian Agents manipulated the inexperience of certain leaders, exacerbating the impact of Sharp Nose's decline. Sensing the end, Sharp Nose called upon his friend Sitting Eagle and passed along his final words of wisdom, "My friend, I am dying of my battle wounds. Watch out for our children and yourselves, stay together, as the Arapahoe have always been together since our beginning – beware of the stranger and his strange ways."<sup>31</sup> With these departing words, Sharp Nose died at his home on the north side of the Little Wind River, on June 12, 1901.<sup>32</sup> The *Laramie Boomerang* reported his death and burial "according to ancient Indian custom in a rocky gorge near his home," and though the chief could lead no more, the advice he gave Sitting Eagle endured.<sup>33</sup> The Chief's Council mourned the loss of two charismatic leaders, but remained committed to Arapaho unity in the face of non-Native interference, a guiding principle of the Arapaho business council well into the twentieth century.<sup>34</sup>

The Shoshone also felt the impact of weakened leadership, as Washakie's health declined. The elderly chief, in his nineties at the end of the nineteenth century, struggled to mount his horse or travel about the reservation. Compounding his reduced mobility, a

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<sup>31</sup> Charles Little Ant, quoted in *The Wind River Indian Reservation - Yesterday and Today*, 12, LFC, Box 1.

<sup>32</sup> *The Wind River Indian Reservation - Yesterday and Today*, 12, LFC, Box 1.

<sup>33</sup> *Laramie Boomerang*, June 15, 1901, pg. 8.

<sup>34</sup> The difficult reality of this mission quickly became apparent during the land cession pressures in 1904, a subject explored in more detail later in this chapter. At this negotiation, agents coerced Arapaho and Shoshone council members into relinquishing nearly half of their reservation for non-Native settlement.

sandstorm permanently blinded the old leader on a trip to visit his friend and reservation post trader, J.K. Moore, at Fort Washakie.<sup>35</sup> A prolonged illness, possibly a series of strokes, further deteriorated the chief's health, and on February 20, 1900, Washakie died. Clough Overton, a 1<sup>st</sup> Lieutenant at Fort Washakie, issued a General Order reporting the loss and announced the chief's funeral. Overton said of Washakie, "His countenance was one of rugged strength mingled with kindness. His military service is an unbroken record for gallantry...Washakie was a great man, for he was a brave man and a good man...he will never be forgotten so long as the mountains and streams of Wyoming which were his home, bear his name."<sup>36</sup> A great procession followed Washakie to his final resting place as mourners, Shoshone and Arapaho, military and civilian, attended the service.

The *Lander Clipper* reported the solemn occasion as "the remains of Chief Washakie were laid to rest in the cemetery at Fort Washakie with full military honors...Troop E, First cavalry, U.S.A., formed and began the march to the late chief's residence...and when the casket was carried out the troops presented sabere [sic]. A stripped wagon was used to carry the remains in lieu of a casion [sic], and the coffin was placed thereon with a large American flag over it, and the procession started for the cemetery with Troop E. under command of Lieutenant Clough Overton acting as escort." Reverend John Roberts presided over the service with Reverend Sherman Coolidge's assistance. Following the memorial, "the coffin was lowered into the grave and the troop fired three volleys over it and Bugler Veirbloom blew taps and the last

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<sup>35</sup> Trenholm and Carley, *The Shoshonis*, 291.

<sup>36</sup> Quoted in Hebard, *Washakie*, 283.

rites were over.”<sup>37</sup> Nearly two thousand people paid their respects to the man who served as the authoritative leader of the Eastern Shoshone for more than fifty years.

A chasm remained in the wake of the great chief’s death. Indeed, Washakie’s leadership of the Shoshone was so strong that he left no clear successor to fill his position. Washakie’s son, Dick Washakie seemed to be the heir apparent, however, a period of factionalism consumed the Shoshone, and leadership remained contested. Five months after the venerable chief’s death, one hundred and twenty Shoshones petitioned the Office of Indian Affairs to choose a new head chief. “We are now left without a head to look to,” they wrote. “It is now with us like a man with many tongues talking at once.”<sup>38</sup> In the months that followed, profound sadness and bitter infighting deeply unsettled the Shoshone community. Former Arapaho councilman Scott Dewey remembered, “As far as we know there’s no [chief], after Washakie died in 1900, there was no subsequent chiefs. The chieftainship died with Washakie.”<sup>39</sup> In the absence of chieftain leadership, the Shoshone attempted to form a business council, similar to that of the Arapaho.

This move was not unprecedented or surprising. In 1893, the Shoshone briefly formed a business council, with Washakie as their spokesman. The elderly chief, joined by Muyahooyal, Bahugooshia, Tonevook, Hebah, and Wahwannibiddie comprised the council to negotiate the lease of unoccupied grazing land on the reservation.<sup>40</sup> Three years later, Washakie led a different collection of Shoshone members during the hot springs land cession in 1896. The revolving list of Shoshones who acted as “council

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<sup>37</sup> Reprinted in *Cheyenne Daily Sun-Leader*, February 28, 1900, 2.

<sup>38</sup> Fowler, *Arapahoe Politics*, 104.

<sup>39</sup> Scott Dewey transcript, March 27, 1988, 3, LFC, Box 8, Folder 1.

<sup>40</sup> Fowler, *Arapahoe Politics*, 323; *RCIA for 1894*, 337.

members” indicates that the tribal nation placed primacy on Washakie’s ability to guide reservation affairs. At the same time, different members provided the necessary skills and/or experience for a given situation. The supporting roles of other Shoshone councilmen only tangentially affected negotiations, however, and also established a pattern of short tenures in office. While Arapahos served long periods as business councilmen, the Shoshone exchanged members frequently, even replacing dissatisfactory participants with mid-term elections. Additionally, the Shoshone utilized elders, as well as younger males, in the formation of political decisions, preferring a variety of perspectives to the unanimity of the Arapahos’ age-graded system. After Washakie’s death, council leadership, and even membership qualifications caused rifts within the Shoshone tribal nation. Two dominant factions challenged the legitimacy of certain members, and periods of violence frequently disrupted reservation business.

Disputes regarding leadership qualifications bitterly divided the Shoshone people. Dick Washakie, son of the former chief, garnered considerable support. Tradition and family lineage legitimized his ascension into a leadership position, however, George Terry, the son of a Mormon missionary and Shoshone woman challenged the younger Washakie’s authority. Terry, an educated Shoshone, grew up on the Wind River and in Draper, Utah, where his father, Joshua Terry, served as a Mormon missionary and confidant of Brigham Young. The elder Terry arrived in Utah in 1851, and acted as a liaison between the Mormon Church and indigenous peoples of the Great Basin. While working with the Eastern Shoshone, Joshua Terry befriended Chief Washakie and received permission to marry a Shoshone woman, Ann

Greasewood, George's mother.<sup>41</sup> Joshua Terry ensured his son received an education in Utah and on the reservation, fully supporting a bicultural heritage. Throughout the latter half of the nineteenth century, the Terry family remained in close contact with Washakie, and by 1890, George became one of Washakie's advisors.

As an adult, George Terry became a valuable asset to the Shoshone. He worked as a storekeeper and trader on the reservation, he married a Shoshone woman, Kate Enos, and he acted as a close friend and advisor to Washakie. Terry spoke eloquently to Indian Agents and government officials at the 1891 and 1896 land cession councils, and was one of the first Shoshones to sign the 1896 land deal. (Washakie and Dick Washakie were the first two to sign.) Following Washakie's death, Terry filled a position on the loosely organized Shoshone business council, and almost immediately, assumed the role of council spokesman. This move effectively subverted Dick Washakie's ascension to the position and angered numerous Shoshones who believed the great chief's son should lead the council. Terry's qualifications certainly ensured him a position on the Shoshone business council, but not the spokesman, according to many Shoshone citizens. Ultimately, Terry successfully maintained his superior role by forming a relationship with Shoshone Agent H.G. Nickerson (1898-1902) who propelled Terry's political career.

At the same time, complaints and dissatisfaction marred Nickerson's term as Indian Agent on the Wind River. Disruption within the Shoshone Council provided Nickerson with a perfect opportunity to ensure that a more "progressive" leader remained in office, namely Terry. During his four years as Agent, Nickerson attempted to augment the authority of men like George Terry, who appeared more willing to make

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<sup>41</sup> Nora Hall Lund, *Parshall Terry Family History* (reprint ed., Salt Lake City, 1963).

drastic alterations to the reservation, and subvert the control of men who opposed the agent's aggressive plans. George Terry recognized the necessity of allies like Nickerson, but did not always support the agent's agenda. In July 1901, Terry wrote to the Indian Rights Association in protest, asking the organization to investigate "crooked" activities at the agency.<sup>42</sup> This inquiry did not uncover illegal activities, and eventually the accusations faded away. Though he sometimes disagreed with Nickerson's practices, the Shoshone leader and his council developed a mutually beneficial relationship with the Agent. Arapaho leaders, on the other hand, constantly attracted Nickerson's ire.

The Chief's Council galled Nickerson, as he recognized the many similarities to previous styles of Arapaho leadership. The Agent, had a penchant for annoying Arapaho tribal leaders whom he believed refused to convert to a more "civilized" political organization, and tried, on several occasions, to undermine the council's authority. The Arapaho did not take this matter lightly, and enlisted religious allies in a campaign to oust Nickerson from office. In February, 1902, officials of the Bureau of Catholic Missions protested to the Office of Indian Affairs about Agent Nickerson's allegedly unethical practices. Catholic leaders "set out as reasons why he should not be retained in office his ungovernable temper, his harsh and tyrannical treatment of the Indians, and his abusive and profane language both to man and woman, causing turbulence and friction all through his term of office, with the result that this management of Agency affairs has been anything but a stress."<sup>43</sup> Undeterred, Nickerson

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<sup>42</sup> George Terry to Indian Rights Association, July 22, 1901, Indian Rights Association Papers, Series IA, Microfilm, 802, reel 15.

<sup>43</sup> William Ketcham to Commissioner of Indian Affairs, February 11, 1902, LFC, Box 3, Folder 7.



continued to aggravate reservation leaders, as they prepared for a delegation to Washington D.C. later that year.

In addition to his surly temperament, Arapahos protested his seemingly close relationship with the Shoshone business council. In selecting individuals for a delegation to Washington, D.C., for example, Nickerson prevented the Arapaho from choosing their own representatives. Instead, he picked members that he believed should act for the tribal nation. St. Stephen's personnel also relayed this aggravation to their superiors, as Nickerson delayed the Arapahos' departure because he "got permission to take along a delegation of Shoshone Indians. I understand that the 3 chosen are friends."<sup>44</sup> Nickerson selected George Terry, Charles Lahoe, and Shoyo as Shoshone representatives, two of whom were not actually councilmen. Terry's relationship with Nickerson reaped benefits, but also enemies, during the Agent's time at the Wind River. While not always Nickerson's supporter, Terry clearly benefitted from his relationship with the corrupt agent, in this case, securing a last minute delegation to Washington with the Arapaho. Despite his relative success at the position, Terry attracted several enemies, as Shoshone factions contested the leader's legitimacy and repeatedly questioned his qualifications and authority. In 1902, the Office of Indian Affairs replaced H.G. Nickerson with H.E. Wadsworth, who espoused a far less aggressive political agenda.

With a new Agent, the Arapaho council once again operated harmoniously, while conflicts on the Shoshone side of the reservation intensified. In 1903, Agent Wadsworth explained the volatile situation in a letter to the Commissioner of Indian Affairs, "Ever since the death of that grand old man, Washakie, Chief of the Shoshoni,

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<sup>44</sup> J.B. Sifton to William Ketcham, February 11, 1902, LFC, Box 3, Folder 7.

there has been a continual struggle in that tribe between the two principal factions thereof, for supremacy in the affairs of that people. Although Chiefs are no longer recognized by the Department, the Indians still consider certain ones as such, and this distinction is eagerly sought and hardly fought for.”<sup>45</sup> Wadsworth believed that given the disruption following the chief’s death, this practice was to be expected, however, more recent outbreaks of violence placed all reservation inhabitants in harm’s way. The agent noted that strife among the Shoshone “assumes a more serious phase as time goes on. Two severe encounters took place just before I took charge of this agency, and two weeks afterwards, a pitched battle between the two factions occurred right at the agency, lasting nearly all night, and resulting in the pounding of two of the combatants, one nearly fatally. This has, of course, stirred all members of that tribe to a fever heat, and the final outcome is uncertain.”<sup>46</sup> Wadsworth concluded that only additional troops to Fort Washakie could ensure the safety of Wind River people.

During the transition from chieftain leadership to business councils, the instability of reservation affairs complicated the Arapaho and Shoshone relationship. The volatility of the Shoshone council, especially the constant infighting, disrupted reservation business and perpetually annoyed Arapaho leaders. Though each tribal council managed their own affairs, the shared status of the reservation necessitated the infrequent meeting of both councils to make larger, reservation wide decisions. Indian

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<sup>45</sup> H.E. Wadsworth to Commissioner of Indian Affairs, August 4, 1903, Letter Books and Records, United States Office of Indian Affairs, Shoshone Agency, Volume 1, Yale Collection of Western Americana, Beinecke Rare Book and Manuscript Library. Call # WAMSS S-2205. (Hereafter, USOIA, Shoshone, BRBML, Vol. 1)

<sup>46</sup> H.E. Wadsworth to Commissioner of Indian Affairs, August 4, 1903, USOIA, Shoshone, BRBML, Vol. 1.

Agent James McLaughlin's reappearance in 1904 further complicated the transition in political authority, as land cession agents sought more than half of the Wind River.

### **Land Cession of 1904**

In 1904, James McLaughlin returned to the Wind River to negotiate another cession of reservation land. Like the previous agreement in 1896, McLaughlin professed a commitment to treating the Arapaho and Shoshone fairly, but indicated that a recent Supreme Court decision limited their negotiating power. The case to which he referred, *Lone Wolf v. Hitchcock*, involved a Kiowa leader, Lone Wolf, who claimed that under the Medicine Lodge Treaty, the United States defrauded Native Americans of land. The Supreme Court ruled against Lone Wolf, and declared that the United States held plenary power, or nearly unlimited federal authority, to alter a tribal nation's land base.<sup>47</sup> This ruling affected Native peoples across the country, as Indian Agents unilaterally sold the "surplus lands," created by the General Allotment Act of 1887, for non-Native homesteading. On the Wind River, McLaughlin's presence, and the proposed land cession, was little more than a courtesy extended to the Arapaho and Shoshone, as the 1904 negotiations merely allowed councils to help the Office of Indian Affairs decide which surplus sections to sell, and when to open Arapaho and Shoshone land for settlement.

In mid-April of 1904, Arapaho and Shoshone camps formed near their agency to discuss the land cession. Though councils now guided the majority of reservation business, a decision of this magnitude required the participation of nearly all reservation inhabitants. As they gathered together, Agent H.E. Wadsworth issued double rations,

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<sup>47</sup> Charles F. Wilkinson, *American Indians, Time and the Law* (New Haven: Yale University Press, 1987), 24-25.

with which the two tribal nations hosted a great feast before the land cession council. Edward Farlow, a Wyoming settler, later recalled the scene, as Shoshone and Arapaho people first gathered near the agency that spring. “While the negotiations were going on,” he wrote, “the entire personnel of both tribes were camped around the agency and the young folks had a good time.”<sup>48</sup> Following the great feast, McLaughlin outlined the proposed land cession on maps of the reservation, and Arapaho and Shoshone leaders carefully considered the region in question. Farlow witnessed the great council, “The proceedings went on very slowly. The first day or so was spent in getting the boundaries of the land they proposed to sell laid out. Many very solemn speeches were made by the leading Indians who wished to impress upon the rest of the tribe that the Indians should not be hasty and should give the matter very grave study before acting.”<sup>49</sup> With the proposed boundaries clearly demarcated, James McLaughlin explained the land cession terms to council participants.

First, the Indian Agent insisted that the Arapaho and Shoshone could not possibly maintain their large reservation, as numerous white settlers clamored for arable land. With this assertion in mind, the agent recommended the sale of 1.48 million acres of “surplus lands,” created by allotment, on the northeastern side of the Wind River. In 1891, the Arapaho and Shoshone had agreed to cede the land in question, but Congress refused to ratify the agreement on the grounds that the area was too small. McLaughlin’s proposal in 1904, added 180,000 acres to the previously approved cession, but the agent maintained that the Arapaho and Shoshone would still hold title

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<sup>48</sup> Farlow, *Wind River Adventures*, 165.

<sup>49</sup> Farlow, *Wind River Adventures*, 165.

to “the garden spot of that section of the country.”<sup>50</sup> For their signatures, the United States government would compensate the tribal nations with nearly one million dollars in cash and supplies. McLaughlin told the councils that in formulating the agreement, he ensured that Wind River inhabitants retained prime farming and grazing land “three-fourths of which is irrigable land, [and] allows 490 acres each for the 1,650 Indians now belonging on the reservation.”<sup>51</sup>

When given an opportunity to speak, Arapaho leaders initially objected, not only to the quantity of land, but also of the area in question. Lone Bear, acting spokesman for the Arapaho, gave a brief comment and then deferred to the rest of his council in making the final decision. In his opening speech, the leader simply stated, “I understand what he comes for, and I will let him know what I think of it, and I will tell what part of the Reservation I want to sell.”<sup>52</sup> The leader left the cession council shortly after this statement, as he received news that his wife had fallen ill and returned home to tend to her care. In Lone Bear’s absence, Reverend Sherman Coolidge and the remaining Arapaho councilmen ineffectively negotiated their position. They expressed disapproval about the region to be ceded, because several Arapaho families lived in the northern country. McLaughlin countered this resistance, protesting that “by including any portion of the lands north of the Big Wind River or east of the Big Popo-Agie [sic] River in the diminished reservation it would only be a short time until the whites would be clamoring to have it open to settlement.”<sup>53</sup> Frustrated with their unfavorable negotiating position, many Arapaho leaders refused to participate, and left the land cession council.

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<sup>50</sup> James McLaughlin to the Secretary of the Interior, April 25, 1904, in *United States Statutes at Large*, vol. 33, H.R. Rep No 3700, 58<sup>th</sup> Congress, 3<sup>rd</sup> Session, pg. 15-19.

<sup>51</sup> James McLaughlin to the Secretary of the Interior, April 25, 1904, in *Statutes*, vol. 33, 15-19.

<sup>52</sup> James McLaughlin to the Secretary of the Interior, April 25, 1904, in *Statutes*, vol. 33, 15-19.

<sup>53</sup> James McLaughlin to the Secretary of the Interior, April 25, 1904, in *Statutes*, vol. 33, 15-19.

In Arapaho political culture, when a councilman abandons his post, the action symbolizes his dissatisfaction with the subject matter or atmosphere of the meeting. In doing so, departing council members break the quorum, thereby halting negotiations. At the 1904 land cession council however, leaders vacated their positions and government officials simply sought signatures from the remaining Arapahos present, a move that rankled the Arapaho business council.

Probably unaware of this Arapaho custom, McLaughlin continued negotiations. In his memoirs, the agent noted an apparent disparity in the caliber of spokesmen who participated in the council, however. “The Arapahoes were as strong numerically, as the Shoshones,” he wrote, “but the latter had the advantage of a spokesman whose gift of language and acquirements made him a man to be regarded with some respect. His name was George Terry, a mixed blood, an elder of the Mormon church and a talker of some ability.”<sup>54</sup> The Arapaho boasted several loquacious speakers, however most of them left the council before given a chance to comment on the proposed land deal. Practically running the show, the Shoshone leader proved far more willing to negotiate. In presenting his opening comments, Terry eloquently stated the business at hand,

Major McLaughlin, our worthy Agent, Ladies and Gentlemen: This is no little bargain we are entering into. It is not like selling a wagon, a horse, or something of that nature, but it is something we are parting with forever, and can never recover again. These lands that we are about to dispose of have been our lands for ages. They have been our lands by inheritance for many, many years before the white man came this way. These same lands have been our lands by conquest. Our fathers fought with every nation that came near them and came off victorious, and from that day to this, they held this land as their own. These lands are our lands by treaty stipulation. We have given up vast tracts for the little tract of land called the Wind River Reservation.<sup>55</sup>

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<sup>54</sup> McLaughlin, *My Friend the Indian*, 296.

<sup>55</sup> James McLaughlin to the Secretary of the Interior, April 25, 1904, in *Statutes*, vol. 33, 15-19.

Terry indicated that the Shoshone council recognized the opportunities presented by Agent McLaughlin, but fully appreciated the magnitude of their decision. After considerable negotiation, the Shoshone approved of the land cession, because they did not live on the area in question and recognized that McLaughlin and government officials adamantly sought control of the region. Above all else, approving parties believed, as McLaughlin did, that in ceding the land, they would reduce the crushing weight of non-Native settlers that squeezed in around the unmarked boundaries of their home. According to the treaty, the Big Wind River now acted as a clear line of demarcation between reservation inhabitants and the surrounding non-Native communities.

On April 21, 1904, McLaughlin secured the signatures of 282 council participants, the necessary majority of men older than eighteen years. A considerable disparity of voters existed, however. Of the 247 eligible Shoshones, 202 signed the document, while only 80 of the 237 Arapahos signed. In agreeing to the land cession, the Shoshone and Arapaho received \$50 per capita for each member of the two tribal nations, \$150,000 to build an irrigation system, \$50,000 in livestock, \$50,000 for a school fund, and the Office of Indian Affairs placed the remainder of the settlement into a newly created general welfare fund.<sup>56</sup> Government agents planned to sell Wind River land at \$1.50 an acre for the first year, \$1.25 an acre for the four years after the first, and no less than \$1.00 an acre after five years. During negotiations the Arapaho gained few concessions, except for a promise that individuals currently living on the ceded portion, or “diminished reservation” would receive adequate payment for their land.

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<sup>56</sup> Land Cession Agreement of 1904, *U.S. Statutes at Large*, 58<sup>th</sup> Congress, session 3, 1903-1905, vol. 33, pt. 1, 1018.

In a speech approving the land cession, one of the remaining Arapahos, Sherman Coolidge, pointed out possible benefits of the agreement. Coolidge stated, “I am glad that Major McLaughlin has come to us to purchase a portion of our reservation. The proposed ceded portion has not been used by us except for grazing purposes, and I think the cash money will be of more value among the Arapahoes and Shoshones.” Above all else, Coolidge thought that the funds from the land cession would prove invaluable to reservation development, “We need the money that we will get from the sale of these lands for improvements on the unceded portion, and to feed and clothe our poor people and children. I think the sooner the deal is made and completed, the better for all.”<sup>57</sup> Many Arapahos did not share Coolidge’s sentiments, and denounced his unsanctioned actions for the tribal nation. After the council, Arapaho leaders wrote scathing letters to the Office of Indian Affairs, protesting McLaughlin’s dishonest negotiating practices, which secured so few Arapaho votes.<sup>58</sup>

On the other hand, the Shoshone thanked government agents for the chance to negotiate the terms of sale for their “surplus lands.” Though McLaughlin called these types of negotiations “bread and beef treaties,” George Terry wanted all government officials present to be aware of a new age in the political leadership of the Wind River.<sup>59</sup> Terry concluded his land cession remarks by telling McLaughlin, “Now, Major, We all thank you very much for the feast, but we want it understood, that we do not give our consent to your agreement because you have filled us with beef, bacon, sugar,

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<sup>57</sup> James McLaughlin to the Secretary of the Interior, April 25, 1904, in *Statutes*, vol. 33, 15-19.

<sup>58</sup> This agreement is particularly problematic because if given the chance to negotiate separately, the Arapaho would have defeated the cession of their lands. However, because of the precedent set at the 1896 land cession of the Owl Creek hot springs, McLaughlin and other personnel from the Office of Indian Affairs refused to deal with the Arapaho and Shoshone separately further escalating the latent tension between the two tribal nations.

<sup>59</sup> Farlow, *Wind River Adventures*, 165.



flour and coffee. It has gone upon record that all the white man has to do, to get the consent of the Indian to anything he desires, is to fill him up with what he likes. I want it to go on record, that notwithstanding the fact that we have been feasted, we have considered this bill in a sober and thoughtful manner.”<sup>60</sup> In concluding the cession council, McLaughlin returned to Washington, D.C., and less than a year later Congress ratified the agreement, effectively preparing the way for non-Native settlement.

The *Natrona Country Tribune* reported the treaty on April 28, 1904. The newspaper announced that upon its approval, the agreement released “to public settlement one million four hundred and eighty thousand acres of land in the Wind River Reservation in Wyoming, the opening to occur in June 1906.”<sup>61</sup> Though relatively excited about the news, the *Tribune* warned that potential settlers must choose their homesteads wisely, “As a very little of the land is valuable without irrigation it is not expected that there will be a great rush to secure the land but rather to get water rights.”<sup>62</sup> As one might expect, once homesteaders rushed onto the region, even the most willing councilmen and their constituents began to regret the land cession.

### **Troubles**

Complaints surfaced almost immediately after the land cession council. While most of the Shoshones approved of the land sale, many Arapahos believed that McLaughlin deceived them, and deplored his underhanded tactics to secure the necessary signatures. When Congress approved the land cession the following March, Lone Bear, who was largely absent from negotiations, immediately objected. On March 6, 1905, he wrote, “We think treaty ratified by Congress not agree with original treaty

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<sup>60</sup> James McLaughlin to the Secretary of the Interior, April 25, 1904, in *Statutes*, vol. 33, 15-19.

<sup>61</sup> *The Natrona County Tribune*, April 28, 1904.

<sup>62</sup> *The Natrona County Tribune*, April 28, 1904.

signed by tribe.”<sup>63</sup> Indeed, Arapaho business councilmen repeatedly protested the land cession to their agent. Wadsworth funneled their complaints to the Office of Indian Affairs, but dismissed their significance to his superiors. “Very little attention is being paid to the complaints and kicks of these old men,” he wrote on August 9, 1905. “I am very much gratified to see that their influence is rapidly dissipating. The sooner these peoples are made to understand that progress is the order of the day for the individual without reference to their wishes or to the influences of the tribe, the better it will be for all, and the more strength will be given to the efforts being made by these young men who are now trying to follow the white man’s way.”<sup>64</sup> When their efforts to address the land cession failed to instigate serious change, Arapaho councilmen sought the aid of St. Stephen’s personnel and renewed a familiar request - they wanted off of the Wind River.

The Shoshones’ seemingly unabashed willingness to surrender half of the reservation further infuriated the Arapaho. Facing the dual aggravations of the Shoshone’s blasé attitude and their agent’s cavalier behavior, Lone Wolf turned to Father J. B. Sifton, of the St. Stephen’s mission, for help. Sifton agreed to translate a letter for the Arapaho council, requesting a separate reservation, away from the Shoshone. The priest reported to his superiors, that although their actions might be rash, Sifton did communicate the Arapahos’ desire “to be transferred to some other section of Wyoming, the ‘Powder River,’ where they might have an agency of their own. Incidentally they made some very bitter remarks and complaints against their present agent, Maj. Wadsworth... [including] accusations of ‘thief,’ ‘liar,’ ‘enemy of the

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<sup>63</sup> Lone Bear to Commissioner of Indian Affairs, March 6, 1905, USOIA, Shoshone, BRBML, Vol. 3.

<sup>64</sup> Wadsworth to Commissioner of Indian Affairs, August 9, 1905 USOIA, Shoshone, BRBML, Vol. 3.

Indian.”<sup>65</sup> Compliant in their request, Sifton sensed an impending reprimand for his part in their campaign to leave the Wind River. Preempting the rebuke, Sifton explained to Wadsworth that since “I am able to converse with the Arapahoes in their own tongue, they very frequently apply to me to write their letters for them, and I always make it a point to accommodate them as much as possible.”<sup>66</sup> On this particular occasion however, Father Sifton attracted considerable ire from Agent Wadsworth as the Arapaho protested his leadership of the Wind River and requested their own reservation.

The Office of Indian Affairs forwarded a copy of the offending correspondence to Wadsworth, who attempted to contradict their depiction of the reservation. The Agent wrote to the Commissioner of Indian Affairs, “The suggestion made by them [the Arapaho] that they have a separate reservation and another agent, meets with no favor whatever with the very great majority of their tribe, and such a proposition would meet no support whatever outside of their own coterie.”<sup>67</sup> Invoking a supposed generational gap between Arapaho leadership and their constituents, Wadsworth remarked that the Arapaho “have become established here, they have become allotted and the younger members of the tribe are going ahead and improving their farms with the understanding that this is to be their permanent home. They are perfectly satisfied, as they have the best part of this state for their reservation.”<sup>68</sup> Undeterred, the Arapaho remained on the Wind River, but sought a meeting with Inspector McLaughlin to adequately address their grievances regarding the land cession council.

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<sup>65</sup> J.B. Sifton to Rev. William Ketcham, July 2, 1905, LFC, Box 6, Folder 1.

<sup>66</sup> Father J.B. Sifton to Rev. William Ketcham, July 2, 1905, LFC, Box 6, Folder 1.

<sup>67</sup> Wadsworth to Commissioner of Indian Affairs, August 9, 1905, USOIA, Shoshone, BRBML, Vol. 3.

<sup>68</sup> Wadsworth to Commissioner of Indian Affairs, August 9, 1905, USOIA, Shoshone, BRBML, Vol. 3.

In 1906, Agent Wadsworth continued to agitate Arapaho councilmen. At the same time that homesteaders greedily rushed onto Native lands, the provisions allocated to the Arapaho and Shoshone failed to arrive. Compounding these problems, Wadsworth drastically reduced rations in an attempt to encourage production from Arapaho and Shoshone farmers. In the summer of 1906, the agent wrote, “The most important innovation, namely, that of withholding rations from all able-bodied Indians, has been in my opinion, the greatest incentive to individual effort that has ever been brought to bear upon these people.” In reducing the number of inhabitants receiving rations from more than 1500 to 450, Wadsworth only allowed assistance to “the old and infirm, and the women and children who have no other means of support.”<sup>69</sup> By that December, elders Runs Across River and Stone Breaker joined council members Lone Bear, Little Wolf, Tallow and Yellow Calf in demanding a delegation to Washington and a meeting with McLaughlin.

Justifying their need for a delegation, the Arapaho business council outlined the many fallacies with the 1904 agreement. They angrily protested that several Arapahos had not received their \$50 per capita payments. Additionally, Arapaho leaders objected to the development of the Riverton Township on the eastern border of the reservation, a provision they vehemently disagreed with while present at the land cession. Council members believed that a non-Native border town so close to their side of the reservation spelled disaster, and insisted that they meet with McLaughlin to address these grievances. In passing their objections on to his superiors, Wadsworth tried to minimize Arapaho dissatisfaction with the 1904 land cession. The agent insisted, “Practically all

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<sup>69</sup> H.E. Wadsworth to Commissioner of Indian Affairs, August 15, 1906, USOIA, Shoshone, BRBML, Vol. 4.

of the Shoshoni and a large majority of the Arapaho, including all the younger and progressive members of the tribe, were heartily in favor of such a treaty, and signed the same.”<sup>70</sup> With regards to the establishment of Riverton, Wadsworth blamed the Arapaho council that contained, “A few of the old Arapahos, who had opposed the allotment of land in severalty [and] also opposed the ratification of this treaty, finally withdrawing from the council.... These disaffected Arapaho have had much to say about the treaty, and some of them refusing to accept their allotments when the allotting agent was engaged in that work, have been compelled to see white men file on lands.”<sup>71</sup> Despite these assurances, the Office of Indian Affairs finally agreed to meet with the Arapaho council, and a delegation of leaders left for Washington in 1907.<sup>72</sup>

Notwithstanding the near constant Arapaho protest, homesteaders pushed toward the reservation. Boosters marketed Wind River land with an array of fantastic claims. The *Norfolk Daily News* published a “Homeseeker’s Map and Guide of the Rich and Famous: Shoshoni Reservation in Wyoming,” that contained a fair bit of fiction, as well as fact. For a mere thirty-five cents, the reader could acquaint herself with the best land open for settlement, including some of the “richest area of varied wealth undeveloped and unclaimed in the world.”<sup>73</sup> The authors touted several very real benefits of reservation lands, including exceptional grass for stock grazing, miles of

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<sup>70</sup> H.E. Wadsworth to the Commissioner of Indian Affairs, January 22, 1907, National Archives and Records Administration-I, Record Group 75, Letters Received by the Office of Indian Affairs, 1881-1907, Box 3483, Letter 9869. (Hereafter, NARA I, RG 75, LR 1881-1907, Box 3438, Letter 9869).

<sup>71</sup> H.E. Wadsworth to the Commissioner of Indian Affairs, January 22, 1907, NARA I, RG 75, LR 1881-1907, Box 3438, Letter 9869.

<sup>72</sup> Lone Bear et. al. to Commissioner of Indian Affairs, December 17, 1906, USOIA, Shoshone, BRBML, Vol. 4.

<sup>73</sup> “Homeseeker’s Map and Guide of the Rich and Famous: Shoshoni Reservation in Wyoming – Opened to Settlement by U.S. Government,” *Norfolk Daily News*, August 15, 1906, BRBML. See also F.S. Smith and E.R. Wynn, “The Shoshone Indian Reservation, Fremont County: A Land of Boundless Mineral and Agricultural Wealth, and Marvelous Scenic Beauty,” (Lander, Wyoming: Smith and Wynn, 1906).

coal and oil deep within the earth for extraction, the majesty of the Wind River range and an unrivaled view of the Rocky Mountains. At the same time, the authors ignored the less attractive aspects of central Wyoming – the weather, miles of un-arable land, and unpredictable seasonal rainfalls – making even the most skeptical financier willing to invest in the Wind River.

In doing his part, Agent Wadsworth prepared the way for incoming homesteaders by attempting to secure a continued military presence at Fort Washakie. The War Department placed the post on a “temporary list” at the conclusion of the Indian Wars, because it was difficult to transport supplies into the region. In addition, Fort D.A. Russell in Cheyenne and Fort Mackenzie in Sheridan provided the necessary protection to Wyoming residents. In 1905, pending serious intervention, the War Department planned to evacuate Fort Washakie, leaving the Wind River without military support. Wadsworth sought to retain the troops’ service, not only for the protection of the agency, but also because military personnel were the primary purchasers of Native-made wares and surplus food. The agent reported that “During the present fiscal year [1905], the Indians have supplied the post with all of the farm produce necessary for its consumption, and only a small number, comparatively of the Indian farmers have begun to properly cultivate their lands.”<sup>74</sup> Wadsworth feared that if the War Department vacated Fort Washakie, he would be unable to ensure fair market value for the crops that the Arapaho and Shoshone harvested. In addition to these concerns, Wadsworth noted the impending flood of homesteaders to the region, and reminded the Commissioner of Indian Affairs, “These Indians have lately signed a

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<sup>74</sup> H.E. Wadsworth to the Commissioner of Indian Affairs, February 10, 1905, USOIA, Shoshone, BRBML, Vol. 3.

treaty with this Department, throwing open to settlement about one million and a half acres of their reservation lands. This will result in thousands of land seekers inspecting and overrunning this section for many months, and if no other protection is afforded than the half-dozen Indian police now available, it is hard to even approximate the lawlessness which must follow.”<sup>75</sup> Fort Washakie remained on the list of “temporary” posts, but in accordance with Wadsworth’s requests, the War Department continued its military presence at the Shoshone Agency.

Just as Wadsworth predicted, lawlessness increased as settlers moved near the reservation. In September 1906, the agent explained in his annual report, “On account of the rapid settling up of lands lately ceded, of this reservation, new towns are springing up near Indian settlements and the troubles resultant from the illicit sale of whiskey to Indians promises to assume serious proportions, unless additional police force may be authorized.”<sup>76</sup> As it was, Arapaho and Shoshone policemen relied heavily on Fort Washakie personnel to investigate reported crimes on the reservation. The increasing crime rate, fueled, in part, by liquor consumption and Native dissatisfaction, troubled reservation inhabitants. Of particular alarm, a band of vigilantes, targeting land cession signers and their families, arose on the reservation. Their actions, including stalking and threats of violence, concerned Agency personnel and Arapaho and Shoshone business councilmen, as the mob sought retribution for the relinquishment of Wind River lands.

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<sup>75</sup> H.E. Wadsworth to the Commissioner of Indian Affairs, February 10, 1905, USOIA, Shoshone, BRBML, Vol. 3.

<sup>76</sup> H.E. Wadsworth to the Commissioner of Indian Affairs, September 13, 1906, USOIA, Shoshone, BRBML, Vol. 4.

On December 20, 1906, the vigilantes came for George Terry. In the early morning hours, neighbors spotted the light of a raging fire on the Terry homestead. Chief Clerk E.E. Eisenhart arrived on the scene, investigated the fire and later reported the incident to Agent Wadsworth who was away on holiday at the time of the incident. The clerk stated, “Last night about 1 o’clock fire was seen at George Terry’s place. It was then under such headway that it could not be stopped.”<sup>77</sup> Among the charred remains, “Two stacks of hay, the barn, 4 horses belonging to Mr. Terry, [and] the tribal stallion was also burned so badly as to make it necessary to shoot him.” Thankfully, the Shoshone councilman and his family were not home when the unknown person or persons set the fire, though the damage was extensive. In assessing the situation, Eisenhart suggested that the agency make “up a purse for Mr. Terry as we feel that he has had more than his share of hard luck.”<sup>78</sup> Though no hard evidence connected the vigilantes to this crime, rumors swept the reservation. While Terry had escaped bodily harm in this attack, many believed that he was a targeted man.

Only a short time later, tragedy struck George Terry again, this time fatally. On the night of January 11, 1907, Terry and the Shoshone business council met to finalize plans for a delegation trip with the Arapaho to Washington D.C., for which they would leave later that week. At the meeting’s conclusion, Terry exited an agency building, when at least three people overpowered the councilman and repeatedly struck him with an iron bar until he died. They then cut his body into several pieces and fled the scene. A passerby found Terry’s body shortly after the attack and called for help. Chief Clerk Eisenhart notified Wadsworth, and then called upon the agency physician to conduct an

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<sup>77</sup> E.E. Eisenhart to H.E. Wadsworth, December 21, 1906, USOIA, Shoshone, BRBML, Vol. 6.

<sup>78</sup> E.E. Eisenhart to H.E. Wadsworth, December 21, 1906, USOIA, Shoshone, BRBML, Vol. 6.



autopsy. The physician/coroner later released the body to Terry's wife, Kate, who promptly took him to Draper, Utah for burial.

Letters poured into the agency from across the country, as news of Terry's death spread. Newspapers from Buffalo, New York to Los Angeles, California reported the attack, and predicted an impending uprising on the Wind River.<sup>79</sup> In part, the paranoia of a Native outbreak of violence stems not just from the murder of George Terry, but a mainstream American understanding that reservations supposedly tamed and pacified wild indigenous peoples. As Philip Deloria explains, "The outbreak to be feared, then, was not so much the promise of widespread violence, as it was the eruption of resistant forms...both old and new."<sup>80</sup> While radically overstated in the national press, tension on the reservation did escalate in the days following Terry's murder. Reverend John Roberts experienced the armament of the Wind River first hand, when returning home from a funeral in an adjacent town. On the road to the reservation, the reverend encountered a sentry of four Wind River Indians.<sup>81</sup> Upon a given signal they started to close in around his buggy, and, scared for his life, Roberts turned around and headed back to town. He later wrote to his superiors, "I feared for Mrs. Roberts and the children who were alone at the Mission. And remembering from what had been intimated to me...I feared for the safety of my family."<sup>82</sup> Roberts contacted Agent Wadsworth, who sent troops to the mission and issued an armed escort from Fort Washakie to bring the reverend safely onto the Wind River.

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<sup>79</sup> "Shoshone Chief Killed," *The Illustrated Buffalo Express*, January 13, 1907, 1.

<sup>80</sup> For more information regarding non-Native interpretations of violence on reservation see, Deloria, *Indians in Unexpected Places*, 41.

<sup>81</sup> Roberts does not say if they were Arapaho or Shoshone.

<sup>82</sup> Reverend John Roberts to James B. Funsten, January, 1907, quoted in Markely and Crofts, *Walk Softly, This is God's Country*, 19.

In a state of heightened security, reservation inhabitants all desperately wanted to know who killed George Terry. Immediately after his body was discovered, wild accusations spread across the reservation. The Shoshone initially suspected unscrupulous Arapahos, especially those who resented the land cession, of the brutal crime, as did several members of the Agency personnel and Wyoming media outlets. The *Wind River Mountaineer* boldly claimed on January 18, “Action of Indians Cause Uneasiness” and “Terry was Murdered Because He Favored Treaty, and Others Will Probably Follow Him.”<sup>83</sup> In the article, the *Mountaineer* reported, “the murder of George Terry at the Agency last week was but the beginning of the extermination of those on the reservation who were instrumental in the [1904] treaty.”<sup>84</sup> In light of this news, Agent Wadsworth received several telegrams from messengers on his return to the Wind River, “urging [him] not to return to the reservation, as Terry had been murdered by those who had opposed the treaty, and that I, with others who had been concerned in the matter, had been slated for the same fate.”<sup>85</sup> Undeterred, the Agent returned to the reservation to sort out the matter, but cautiously left his family behind.

In speaking with several Arapahos, both Reverend John Roberts and Agent Wadsworth dismissed accusations of Arapaho culpability. Roberts reported to his superiors, “The disaffected ones among the lower Arapahoes, whom I especially feared, on account of the Treaty, disclaim all sinister purposes.”<sup>86</sup> Similarly, Wadsworth dismissed Arapaho guilt, even though the Shoshone, “Believing that the Arapaho were

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<sup>83</sup> “Action of Indians Cause Uneasiness,” *Wind River Mountaineer*, January 18, 1907, 1.

<sup>84</sup> “Action of Indians Cause Uneasiness,” *Wind River Mountaineer*, January 18, 1907, 1.

<sup>85</sup> H.E. Wadsworth to the Commissioner of Indian Affairs, January 22, 1907, NARA I, RG 75, LR 1881-1907, Box 3438, Letter 9869.

<sup>86</sup> Reverend John Roberts to James B. Funsten, January, 1907, quoted in Markely and Crofts, *Walk Softly, This is God’s Country*, 19.

responsible for the death of their head councilman...were anxious to fight it out at once. From my knowledge of the case I am not of the opinion that the murder was committed by Arapahos at all." Positing a different scenario, the Agent suggested, "The more reasonable theory, to me, is that some personal enemies of Terry's did the deed, and to divert suspicion from themselves contrived to throw it upon those who were known to be unfriendly to Terry and others who favored the treaty above mentioned."<sup>87</sup> Distrusting the inexperienced Wind River police force, or even Fort Washakie personnel, to investigate, Wadsworth called for additional help.

In mid-January, Agent Wadsworth notified the Department of Justice of Terry's death, and requested the help of a special investigator to solve the murder. Though the crime rocked the stability of the Wind River, the Department of Justice drug its feet in assigning a special investigator. Finally, Special Agent Jesse E. Flanders, from the Office of Indian Affairs, arrived on the Wind River on April 13, 1907, three months after George Terry's murder. Wadsworth, eager to assist in the criminal investigation, passed along "the impression that no clues of value have been found and that the perpetrators will never be discovered." He proudly reported, "I am satisfied that the parties responsible for the killing have now decided that no effort will be made to locate them, and if a total stranger is sent here to look into the matter I feel sure that the task will be a comparatively easy one."<sup>88</sup> By the time Flanders arrived at the Shoshone Agency, potential clues and evidence appeared long gone, but the violent murder lingered, fresh in the minds of Wind River residents.

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<sup>87</sup> H.E. Wadsworth to the Commissioner of Indian Affairs, January 22, 1907, NARA I, RG 75, LR 1881-1907, Box 3438, Letter 9869.

<sup>88</sup> H.E. Wadsworth to the Commissioner of Indian Affairs, March 23, 1907, NARA I, RG 75, LR 1881-1907, Box 3557, Letter 30549.

It took Jesse Flanders only one week to solve the murder and secure a confession from the guilty parties. Though his final report did not indicate specific investigation and interrogation tactics, Wadsworth and other agency personnel seemed pleased with Flanders's expedited methods, which purportedly closed the case. On April 20, 1907, Flanders and Wadsworth announced the successful arrest of two Shoshone brothers, James and John McAdams. Flanders later told his superiors, that John McAdams made a confession "to the sheriff of this county and several other parties, including myself, that he held Terry while Bat Enos, George Enos and Charlie Meyers...beat him to death with an iron bar." When the investigator inquired into John McAdams's motive for killing Terry, he stated, "that Terry had threatened to kill him while at a dance sometime before the murder and for the further reason that Terry had recently been elected delegate...to Washington to expedite the disbursement of the first installment of funds due them for the sale of land recently ceded by them."<sup>89</sup> Flanders questioned the supposed coconspirators, but each had a strong alibi for the night in question.

With a confession, the case appeared solved however, new evidence complicated Flanders's findings. A witness stepped forward, and told the investigator that he saw the two McAdams brothers, with an unidentified woman, near the agency just minutes before Terry's death. Suspicious of this report, Flanders investigated further and revealed that James McAdams and Kate Terry, the deceased's wife, were having an affair. Flanders believed that Kate Terry was the unidentified woman spotted by the witness, however, he could not prove this suspicion. Since John McAdams did

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<sup>89</sup> Jesse Flanders to the Commissioner of Indian Affairs, May 2, 1907, NARA I, RG 75, LR 1881-1907, Box 3628, Letter 44101.

not implicate his brother in the murder, and the investigator had no crime with which to charge James, Flanders eventually released the suspected murderer.<sup>90</sup> News of the affair, and of course the confession, convinced Wadsworth of John McAdams' guilt. The agent commended Flanders's hard work and expressed hope that peace would return to the reservation. Wadsworth told the Commissioner of Indian Affairs, "In my opinion Mr. Flanders has shown judgment and ability in his investigation...The clearing up of this case will go a long ways towards controlling the lawless element in this section, and will be a wholesome object lesson to prospective evil-doers."<sup>91</sup> The case was far from over, however.

At the United States District Court in Cheyenne, a Grand Jury indicted John McAdams indicted and held him over for trial in November. His family secured council, who immediately questioned the legality of McAdams' confession. Assistant District Attorney, Edward T. Clark, regretfully reported to Flanders and Wadsworth in October, "the only evidence against McAdam[s] was that of a confession of the perpetration of the crime, made by him and involving three other parties." Since the three coconspirators maintained legitimate alibis, "it will be readily understood that the confession cannot be substantiated in that regard at least, and it would appear that unless corroborating evidence may be secured against McAdam[s] there is very little likelihood of an indictment being obtained."<sup>92</sup> Flanders and Wadsworth watched as their case disintegrated on November 15, 1907, when the U.S. District Court in Cheyenne,

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<sup>90</sup> Jesse Flanders to the Commissioner of Indian Affairs, May 2, 1907, NARA I, RG 75, LR 1881-1907, Box 3628, Letter 44101.

<sup>91</sup> H.E. Wadsworth to the Commissioner of Indian Affairs, May 3, 1907, NARA I, RG 75, LR 1881-1907, Box 3628, Letter 44154.

<sup>92</sup> Attorney General Charles Bonaparte to the Secretary of the Interior, October 3, 1907, National Archives and Records Administration-I, Record Group 75, Central Classified Files, 1907-1939, Shoshone Agency, Entry 121, Box 33, Folder 81858-07. (Hereafter, NARA I, RG 75, CCF, 1907-1939, Shoshone, Entry 121, Box 33, Folder 81858-07).

Wyoming, found that the case of *U.S. v. John McAdams* lacked sufficient evidence, and released the defendant.<sup>93</sup> On December 14, 1907, John McAdams returned to his family a free man. His brother James, his new sister-in-law Kate, his wife and children as well as numerous other supporters celebrated his release with a party at his home.<sup>94</sup>

Today, the brutal death of George Terry remains an unsolved crime. The likely perpetrator, a cold and calculating housewife, charmed her lover and his brother into beating her spouse to death. Yet, so many questions remained unanswered, so many leads left unexplored. Perhaps the most compelling facet of his death is the immediate and overwhelming suspicion that the Arapaho committed the crime, and that their likely motivation was Terry's participation in the 1904 land cession. Clearly the relinquishment of half of the reservation deeply unsettled the Wind River community, but would the disaffected parties resort to murder? And if so, why stop with the death of George Terry? In today's modern era of forensic investigation, one can suggest at least ten other possible suspects, each with their own motivation for wanting George Terry dead. Yet in 1907, the case seemed simple, the evidence scant and the conviction botched. Today, the nagging question remains, what if the McAdams brothers did not kill George Terry? Perhaps we will never know, but the mystery still lingers on the reservation and as Agent Wadsworth predicted, "It will be a long time, however, before these Indians will get over this affair."<sup>95</sup>

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<sup>93</sup> U.S. District Court Record Books, 1907, NARA-VIII, Record Group 21, General Records, Entry 1, Clerk's Minute Books, 1899-1948.

<sup>94</sup> Health and Sanitation Records, National Archives and Records Administration-VIII, Record Group 75, Administrative Records, Entry 8, General Administrative Records, 1890-1960, Box 68. (Hereafter, NARA-VIII, RG 75, AR, Entry 8, GAR, 1890-1960, Box 68).

<sup>95</sup> H.E. Wadsworth to the Commissioner of Indian Affairs, January 22, 1907, NARA I, RG 75, LR 1881-1907, Box 3438, Letter 9869.

During the period from 1893 to 1907, the transition from chieftain leadership to business councils did not occur immediately or easily. For the Arapaho, the death of revered chief Black Coal in 1893 necessitated a change in political authority. Though Sharp Nose retained the position of spokesman, other prominent figures in the Arapaho community joined the ranks of the first business council. On the other hand, the Shoshone continued to rely heavily upon the leadership of their elderly chief, Washakie. They formed a loosely organized council for the 1896 land cession, and periodically utilized these council members, but Washakie fully managed reservation affairs. After the chief's death in 1901, the Shoshone faced a crisis of authority. Rival factions fought for control of the Shoshone business council, and intimidation and brutality marred the western side of the reservation, as powerful Shoshone men attempted to command the political organization. Only the spectacular murder of Shoshone spokesman George Terry, in 1907, stymied the vicious cycle and stabilized the reservation. In Terry's absence, the Shoshone business council elected a new spokesman, and continued to conduct reservation business with the Arapaho, promoting a new era in reservation politics. Though they often struggled, these councils expressed sovereignty over their land and resources. They incorporated traditional leadership practices into a democratic form of governance, and after nearly forty years on the Wind River, the Shoshone and Arapaho achieved a considerable measure of self-determination.

## **Chapter 4 – Language of Politics**

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On a cold winter's night in 1908, nearly one hundred and ten Arapaho and Shoshone people gathered to watch their tribal councils in action. The subject of the evening's meeting, an oil lease to a non-Native businessman, troubled council members and their constituents. Curious spectators filled an agency meeting room, and awaited a decision on their reservation's future. Earlier in the week, Arapaho and Shoshone leaders met individually to discuss the proposed lease, and the evening meeting allowed council members of both tribal nations to come together and question the hopeful speculators and negotiate leasing terms. Their agent, H.E. Wadsworth, believed that the meeting would be short, and that the council would vote favorably for natural resource leasing, as they had done, earlier that year. But Wadsworth underestimated the tenacity of Arapaho and Shoshone councilmen that wintery night. The meeting lasted for two days, as the councils questioned how their agent spent leasing revenues, debated the merits of continuing land leases, and reaffirmed their position of reservation authority to their agent, their constituents and prospective businessmen.

In his opening remarks, Arapaho councilman Sitting Eagle set the tone for the two day event. Pointing to their impatient agent and prospective business associates, Sitting Eagle said "You are the white men and we are the Shoshone and Arapaho, we are not children and we are not playing."<sup>1</sup> Indeed, reservation land holdings were not the playthings of the Arapaho and Shoshone business councils. But more than emphasizing this point, Sitting Eagle's words also clearly defined the parameters of reservation business negotiations, as he rhetorically placed the "white men" in direct

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<sup>1</sup> Joint Business Council Minutes, December 11, 1908, NARA-VIII, RG 75, AR, Entry 8, GAR, 1890-1960, Box 5.



opposition to the Arapaho and Shoshone. This discursive strategy, frequently employed by Wind River councilmen at subsequent meetings, generated an “us versus them” mentality that effectively drew Arapaho and Shoshone leaders closer in the goal of reservation development. Though councilmen from both tribal nations espoused different cultural practices, social systems, and even political mindsets, the desire to solve reservation problems surpassed their lingering animosity. That December, business councils denied Wadsworth’s repeated requests for a vote on the land leases until each member agreed to the terms and locations of the new venture. The councils eventually reached full consensus, after two days of negotiation, fully illustrating Arapaho and Shoshone dedication to the management of reservation lands. This council meeting, one of the first conducted by the newly created Joint Business Council, demonstrated the shifting political mentality and rhetoric employed by Wind River leaders.

Perhaps more than any other time in reservation history, at the turn of the twentieth century, language – not just the dialects that council members spoke but the words they employed – played a key role in political negotiations. At council meetings, long standing Arapaho interpreter, Thomas Crispin, spoke for elderly councilmen when they requested his services, as did Shoshone councilman and interpreter Charles Lahoe. But, by the early 1900s, a growing number of Arapaho and Shoshone leaders were bilingual. Facilitated by the half century of sustained contact with English speakers and assimilationist pressure to participate in boarding school education, the increased use of both indigenous languages and English, influenced reservation business in three ways. First, when councilmen like Sitting Eagle wished to powerfully demonstrate a point, the

use of well-crafted English phrases illustrated both competency regarding business decisions and clarity of thought. In addition, when councilmen needed to speak privately, the Arapaho and Shoshone languages, of which their agents exhibited little knowledge, provided the perfect cover of secrecy. Finally, bilingualism allowed Wind River leaders to walk in both worlds. They could utilize their English skills, honed while in attendance at reservation boarding schools, to communicate and conduct business with non-Native peoples. At the same time, Arapaho and Shoshone leaders spoke their native languages with their families, when storytelling or during cultural ceremonies, and applauded educators who fostered such bilingualism in their schools. By the turn of the twentieth century, assimilation and necessity inadvertently created a flourishing bilingual culture on the Wind River.

At the same time, the federal government also adopted a new discursive strategy in the twentieth century, one of guardianship rather than assimilation. Earlier attempts to “kill the Indian to save the man,” failed to rid the nation of indigenous people. In turn, policy makers of the early twentieth century extended guardianship over tribal nations and their land holdings, in the hope of finding the “proper place” for American Indians.<sup>2</sup> Of course, the doctrine of guardianship was not new. As early as the 1831 Supreme Court ruling in *Cherokee Nation v. Georgia*, the federal government viewed its relationship with tribal nations as “that of a ward to his guardian.”<sup>3</sup> However, several decades of assimilation tempered this guardian mentality. Allotment, or more

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<sup>2</sup> Frederick Hoxie fully articulates these concepts in his book, *A Final Promise: The Campaign to Assimilate Indians, 1880-1920* (Lincoln: University of Nebraska Press, 1984), 212-238. Hoxie attributes the rising racial tension of the South and Far West, as well as the ethnic pressures of immigrant populations in urban centers, for this shift in American racial thought. In attempting to develop a new American empire, policy makers sought to find the “proper place” for ethnic minorities on the fringes of society. In other words, if Native Americans did not measure up to other American citizens, their rights could, and even should, be limited.

<sup>3</sup> Quoted in Hoxie, *A Final Promise*, 214.

specifically the land rights and citizenship that accompanied allotment, also problematized the official guardianship role of the Office of Indian Affairs. Reestablishing this policy doctrine, the federal government employed the rhetoric of Native backwardness, and asserted their guardianship over tribal nations through a series of court cases at the turn of the twentieth century.<sup>4</sup>

The Arapaho and Shoshone, like other tribal nations, did not need a guardian. Rather, they wanted an ally who could help them maneuver the complicated bureaucracy of the Office of Indian Affairs. Instead, Wind River business councils found that their government appointed agents actively attempted to subordinate their authority, and sought only to stabilize, not revitalize, reservation communities. Corrupt agents, in bed with non-Native businessmen, further complicated Arapaho and Shoshone affairs. In facing these challenges, Wind River business councils of the early twentieth century employed the language of politics to generate several critical developments. First, councilmen sought more control over reservation land, particularly in the form of land leases for natural resource extraction. Additionally, Arapaho and Shoshone leaders sought to maintain sovereign borders, as well as improve living conditions on the reservation. This meant, above all else, a reassessment of the reservation's education system and of the care given to the infirm and elderly. As a powerful current of political expression enveloped the Wind River, reservation leaders facilitated the rejuvenation of their communities, paid for, in part, with land leases and the extraction of oil from the earth by non-Native businessmen

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<sup>4</sup> These cases include, *U.S. v. Mullin*, *Hitchcock v. Big Boy*, *Marchie Tiger v. Western Investment Company*, and *Lone Wolf v. Hitchcock*.

## Nature's Bounty

Many Wind River inhabitants knew that oil flowed through the underground veins of their reservation. Even before permanently settling in the region, both tribal nations travelled to the oil fields of central Wyoming and used nature's bounty for fuel and medicinal purposes. The journey, however, could be difficult, as craggy mountain bluffs and roaring rivers deterred fainthearted visitors. Indeed, the surface oil pools and deep mineral beds of the Wind River mountain range lay untapped for most of the nineteenth century. Explorer of the American West, Benjamin Bonneville, became one of the first Anglo-Americans to see the Wyoming oil fields in the 1830s. Bonneville heard of the oil beds while travelling through Wyoming, and located one after a considerable search through the Wind River foothills. Travelers in his party collected samples from the pool "to use as an ointment for the backs of their horses, and as a balsam for their own pains and aches."<sup>5</sup> The explorer made note of the find, but remained steadfast on his trailblazing expedition to Oregon Territory. Others soon followed Bonneville, however, as hunters and trappers increasingly passed through the area. In the 1860s, industrious pioneers sunk crudely made test wells in central Wyoming, and successfully marketed the oil to the Union Pacific Railroad.<sup>6</sup> After the railroad's completion, a wild variety of entrepreneurs became interested in the mineral wealth that could be found on Arapaho and Shoshone lands.

Wind River leaders acknowledged the potential profitability of their resources, but lacked the wherewithal to extract the minerals themselves. At the same time, non-Native companies appeared reticent in working with the tribal nations. Rather than

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<sup>5</sup> Washington Irving, *The Adventures of Captain Bonneville* (New York: John B. Alden, 1896), 236.

<sup>6</sup> E. G. Woodruff, "The Lander Oil Field, Fremont County," *United States Geological Survey, Bulletin* 452 (Washington, D.C.: Government Printing Office, 1911), 32.

negotiating for oil leases, most aspiring businessmen simply set up shop illegally, on or near the reservation. As early as 1890, the Shoshone, concerned by the increasing presence of unwelcome speculators, implored Chief Washakie to meet with their reservation agent, John Fosher. Washakie told the agent that he had recently travelled to a flowing oil spring, a few miles from the agency, to find a non-Native settler occupying the land. The chief requested that the Office of Indian Affairs take immediate action in removing the squatter, and that they reserve the land for Shoshone occupation.<sup>7</sup> The Commissioner of Indian Affairs, in consultation with Agent Fosher, agreed to remove the non-Native interloper from the site and decided, “If the spring can be utilized for the common benefit of the tribe, it should not be awarded to any particular Indian, but if it can be used for the benefit of an individual only, Washakie may be permitted to select it.”<sup>8</sup> This favorable decision by OIA personnel, in conjunction with steadily increasing non-Native interest in the mineral wealth of the reservation, encouraged Shoshone and Arapaho leaders to begin a lasting foray into the oil business.

In 1891, Shoshone and Arapaho chiefs agreed to grant their first oil lease.<sup>9</sup> The leasee, a Dutch immigrant named Asmus Boysen of Gray, Iowa, dutifully worked the claim, but did not give his full attention to the prospect.<sup>10</sup> The Arapaho and Shoshone

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<sup>7</sup> This particular oil spring, like most on the Shoshone Agency, is located on the western side of the reservation where a majority of the Shoshones live.

<sup>8</sup> T.J. Morgan (CIA) to John Fosher, March 25, 1890, GRHC, Box 60, Folder 4.

<sup>9</sup> This is one of many decisions that had to be made jointly, despite the location of the lease on the Shoshone side of the reservation. This practice of joint decision making, often detested by both councils, became increasingly common during the 1890s, as government agents refused to negotiate with the two governments separately.

<sup>10</sup> Boysen later traded in his lease for 640 acres near the mouth of the Wind River, on which he attempted to build a hydroelectric dam. Like his previous wildcat ventures, Boysen underestimated the amount of time and money the dam would require. Though it powered his copper mine for several years, an accidental flood destroyed the Burlington Northern tracks nearby. The railroad empire sued Boysen and

received meager financial returns from Boysen's lackluster work, and expressed to their agent considerable frustration about the leasing process. Specifically, Arapaho and Shoshone chiefs frequently questioned their agent about the skillset of the men to whom they leased ground, what natural resources reservation speculators extracted, and how their Indian Agent spent the royalties. Despite the minimal success of their first venture, reservation leaders agreed to lease land to additional prospectors in the late 1890s.

Often, these leases proved at best difficult to manage, and at worst unmitigated disasters. Following the approval of the Boysen lease in 1891, reservation leaders adopted a standard formula to their leasing agreements, but one that yielded few returns. Under contract, the leasee held extraction rights to the area for ten years, and paid the tribal nations ten percent of their net earnings. The Arapaho and Shoshone required the lease holder to work the claim diligently, and employ Wind River workers for all possible tasks. Finally, to gauge the progress of the claim, they required the leasee to submit reports to the Secretary of the Interior every three months.<sup>11</sup> Several non-Native lease holders buried nearly all of their profits within expense reports for machinery and labor, effectively stemming the tribal nations' windfall. In addition, businessmen typically refused to hire Arapaho and Shoshone workers, insisting that they lacked experience. As profits from land leases failed to materialize, the Arapaho and Shoshone initially refused to renew certain leases and denied the requests of additional prospectors. At other times, they indiscriminately granted oil leases in the hope of striking it rich, but in general, the sporadic granting of oil leases mirrored the turmoil of

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shut down his operation. Workers finally tore down most of the dam in 1948. On the reservation, his legacy remains, as the reservoir between Shoshoni and Thermopolis still bears his namesake.

<sup>11</sup> "Lease for Prospecting for Coal, etc., Wind River Indian Reservation," 56<sup>th</sup> Congress, 1<sup>st</sup> Session, 1900, Document no. 247.

the newly organized business councils, as the failing health of elderly chiefs complicated reservation business, and inexperience plagued rising leaders.

The death of chieftain leadership at the turn of the twentieth century forever altered the ways in which the two tribal nations conducted reservation business. Within a decade, Shoshone Chief Washakie, as well as Arapaho chiefs Black Coal and Sharp Nose, succumbed to old age.<sup>12</sup> In response, respected members of the Arapaho and Shoshone communities formed six member councils, which convened regularly to discuss matters related to the affairs of the individual tribal nations. While effective in handling the concerns of the Arapaho and Shoshone people, land leases and other reservation-wide issues increasingly necessitated the participation of representatives from both tribal nations. As a result, members of the Arapaho and Shoshone councils created the Joint Business Council, or JBC, in 1907. Though similar councils had assembled infrequently during the 1890s, the JBC became the first permanent entity of its kind. Above all else, this new council endeavored to address larger, reservation concerns, especially the leasing of land for coal and oil extraction. Initially, historical rivalries and vast cultural differences problematized the council's rapport. But, by the early 1910s, a unifying desire to gain control over reservation affairs alleviated some of this tension. The addition of common business goals, as well as shared enemies in the form of a corrupt Indian Agent (H.E. Wadsworth) and dishonest lease holders, further improved their relationship.

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<sup>12</sup> Black Coal died in 1893, Washakie in 1900, and Sharp Nose in 1901. The death of these three men left an indelible imprint on Arapaho and Shoshone reservation communities. The three chiefs witnessed vast changes to their way of life in the 19<sup>th</sup> century, established reservation communities on the Wind River, and negotiated numerous federal policies, including assimilation and allotment. The void left by their deaths proved difficult to fill, especially in Washakie's case. Please see Chapter 3 for more details.

### **“They May Strike Something”**

In the spring of 1907, the newly formed Joint Business Council suspended all land leases and requested legal advice from the OIA. By May, a familiar face arrived on the Wind River to help the JBC modify their land lease contract. Agent James McLaughlin, negotiator of the 1896 and 1904 land cessions, greeted the Arapaho and Shoshone councilmen as old friends. At a gathering of the JBC, the agent applauded the tribal nations on their commitment to reservation development, and spoke of the countless possibilities provided by natural resource extraction. McLaughlin briefly discussed the Osage of Indian Territory, who experienced unparalleled success from their oil wells, and expressed hope that the Arapaho and Shoshone would witness the same fortune.<sup>13</sup> On the subject of leasing contracts however, McLaughlin provided little assistance. He recommended that the councils require their businessmen to supply a preliminary report detailing their projected findings, as well as sufficient financial data to assure the councils that the leasee held enough capital to successfully operate a producing oil well or coal bed. Like earlier contracts, new Wind River agreements required the employment of Arapaho and Shoshone labor whenever possible, quarterly statements to the Secretary of the Interior, due diligence to the claim and ten percent of the profit. On this final point, Arapaho and Shoshone leaders eagerly proposed an addendum increasing their profit margin to twenty percent of the output, but McLaughlin balked at the idea and argued that businessmen simply would not pay a

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<sup>13</sup> Minutes of the Joint Business Council, May 11, 1907, NARA-VIII, RG 75, AR, Entry 8, GAR, 1890-1960, Box 5. The astounding success of the Osage oil wells, including the millions of dollars netted from the earth, encouraged both OIA personnel and reservation inhabitants across the United States. At the same time, the Osage oil boom provides a cautionary tale of greed, corruption and murder, one certainly not mention by McLaughlin at this meeting. For more on the subject, please see Terry P. Wilson, *The Underground Reservation: Osage Oil* (Lincoln: University of Nebraska Press, 1985) and Donald Fixico, *The Invasion of Indian Country in the Twentieth Century: American Capitalism and Tribal Natural Resources* (Boulder: University Press of Colorado, 1998).



higher rate of return. After considerable debate on this issue, council members grudgingly accepted ten percent.

This meeting also clearly revealed the divergent business approaches embraced by the two tribal nations. In general, the Shoshone enthusiastically supported the leasing process, and did so for several reasons. First, as Councilman Edmore LeClair excitedly proclaimed “I think it will be a great thing for us to be getting money from a thousand or two thousand feet under the surface.”<sup>14</sup> The notion that financial prosperity, no matter how great, resided just under the soles of their feet encouraged the council members, and for good reason. By the early twentieth century, Wind River residents faced financial destitution. Bad weather, low crop yields and non-existent reservation employment burdened the Arapaho and Shoshone people. Compounding these difficult conditions, their Indian Agent, H.E. Wadsworth, held tightly to the limited congressional appropriations that the two tribal nations received, and provided only meager assistance to needy families. With few economic opportunities available in central Wyoming, both tribal councils recognized that the badly needed funds from oil and coal revenues could support Wind River development and reduce the lingering effects of reservation poverty. Councilman LeClair further hoped that “When they get to prospecting this country there will be a great deal of work for all of our young people.”<sup>15</sup> Both Shoshone and Arapaho councilmen welcomed additional employment opportunities for Wind River residents, as a way to gain valuable jobsite training. These

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<sup>14</sup> Minutes of the Joint Business Council, May 11, 1907, NARA-VIII, RG 75, AR, Entry 8, GAR, 1890-1960, Box 5.

<sup>15</sup> Minutes of the Joint Business Council, May 11, 1907, NARA-VIII, RG 75, AR, Entry 8, GAR, 1890-1960, Box 5.

positions not only gave the workers with a steady income, but provided the tribal nations with members who possessed expertise in the coal and oil businesses.

The Arapaho acknowledged these potential benefits of natural resource extraction, but were far more hesitant to revisit the land leasing issue. Previous encounters with Agent McLaughlin, specifically the 1904 land cession, tempered their enthusiasm and called into question the necessity of giving non-Natives land use and rights. Additionally, their perpetual nemesis, Agent H.E. Wadsworth, strongly advocated for the tribal nations to support land leasing, which in turn further distanced the Arapaho from the venture. Ultimately, Arapaho council member William Shakespeare reported to Agent McLaughlin that though many on his council disagreed with the plan, they would support a few land leases on the Shoshone side of the reservation.<sup>16</sup> Shakespeare indicated that several Arapaho leaders believed that they “cannot get anything out of this coal, oil, gas, etc., ourselves, [but] if anyone comes here and wants to lease it, it will be all right with us.”<sup>17</sup> The lukewarm approval by the Arapaho council most likely developed with the understanding that after McLaughlin left, the issue could be revisited.<sup>18</sup> With a more defined contract in hand, the JBC resumed granting land contracts.

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<sup>16</sup> Shakespeare also reported that the council would turn the decision over to the younger members of the JBC, a statement, most likely a barb, against the Shoshone council comprised, at that time, of men that Arapaho leaders believed were too young for the office. It is equally likely that the Arapaho leaders pointed to their age, not that of the Shoshone members, in suggesting the fruitless nature of their attempts. Many “older” Arapaho members believed that it would take several generations to make a profit on land leasing. By suggesting that they “cannot get anything out of this...ourselves,” the councilmen could be asserting the belief that the current council would not reap the rewards of their labor on this particular business venture.

<sup>17</sup> Minutes of the Joint Business Council, May 11, 1907, NARA-VIII, RG 75, AR, Entry 8, GAR, 1890-1960, Box 5.

<sup>18</sup> The fact that the work of drilling for natural resources would occur on the Shoshone side of the reservation certainly eased the difficulty of their decision as well.

In 1908, there existed no shortage of eager applicants for reservation leases. In fact, the decision to lease reservation land nicely coincided with a rush of settlers into the area ceded by the Shoshone and Arapaho in 1904. By late summer, the Joint Business Council had agreed to lease more than 50,000 acres of reservation land for oil and coal development. Agent Wadsworth prophesized in his annual report that “While it is possible and even probable that some of these leases are entire speculative in character, I think a large majority of them are boni fide [sic]...From present indications a prolific oil field will be developed upon the reservation within the next few years.”<sup>19</sup> The agent estimated that the income from the existing leases would equal at least eight thousand dollars, a vast increase from years prior. But in many ways, the intensification of land leasing on the reservation further complicated the lives of Arapaho and Shoshone councilmen. Learning from their previous lease experiences, Wind River leaders reasoned that to fully mediate the increased natural resource production on their lands, they needed to take a more active role as land holders and entrepreneurs. In doing so, they demanded access to reservation account books and sought to control the distribution of their oil royalties. In response, Agent Wadsworth attempted to thwart their efforts at handling reservation finances. When he inadequately addressed their concerns regarding oil revenues, Arapaho and Shoshone leaders questioned the trustworthiness of their agent.

In the fall of 1908, a JBC investigation into reservation finances uncovered the unscrupulous behavior, and abuses of federal authority, perpetrated by Agent Wadsworth. In part, the scandal stemmed from the unsystematic practice of leasing

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<sup>19</sup> Annual Report to the Commissioner of Indian Affairs, 1908, NARA-VIII, RG 75, AR, Entry 8, GAR, 1890-1960, Box 1.

individually held land plots. The tribal nations, as a whole, owned most of the land leased in 1908.<sup>20</sup> Accordingly, the JBC mediated nearly all of the reservation land leases for coal and oil production, and encouraged individual land holders to consult the JBC before signing land leases. Wadsworth, on the other hand, strongly advocated for the detribalization of the Arapaho and Shoshone, and believed that individual land holders should partake in the economic opportunities provided by non-Native businessmen. He contradicted the advice of Arapaho and Shoshone councilmen, and facilitated several individual land leases. Once Arapaho or Shoshone families leased their land, however, Wadsworth held the money in a trust account instead of paying them in cash. When reservation members demanded payment for leasing their allotments, the agent issued script, a legal tender redeemable only at non-Native stores.<sup>21</sup>

Additionally, Wadsworth promoted a lease agreement that required no annual payment for land usage, only a percentage of the net profit. Many entrepreneurs who worked Wind River claims successfully buried profits in expense reports, effectively reducing Arapaho and Shoshone earnings. This contract, with Wadsworth's assistance, also allowed unscrupulous speculators to lease Wind River land for free. Instead of working the claim themselves, these dishonest businessmen subleased their plots to larger, more established companies. The speculator earned a handsome fee for his part, as did agency employees complicit in the deal for their insider information, while the

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<sup>20</sup> This land, the remnants produced by the Allotment Act of 1887, had not yet been sold as "surplus" land to non-Native interests and was held communally by the tribal nations.

<sup>21</sup> Individual land holders increasingly refused to lease their land to enterprising businessmen for this reason. Their contracts, negotiated by lawyers or Indian Agents, not council members, included a base rent payment, and a small percentage of the profits. Those who attempted to circumvent the authority of the JBC, and negotiate their own leases, were usually dissatisfied or swindled.

tribal nations received none of the revenue. Arapaho and Shoshone frustrations reached a breaking point in late 1908, after each enrolled member received a meager six dollar per capita payment from the more than 50,000 acres leased for natural resource extraction. Council leaders suspected that Wadsworth diverted a majority of their oil revenues to the salaries of “agency employees,” including payments to some, who never actually worked on the reservation.<sup>22</sup>

Tribal leaders combated these exploitative practices by sending a delegation to Washington, D.C. In a meeting with the Commissioner of Indian Affairs, Arapaho and Shoshone councilmen protested their lack of control over reservation finances, specifically lease revenues, as well as the inadequate wages paid to Native employees on the reservation and the fiscal irresponsibility of their agent. The delegation secured a one dollar raise in employee wages, but failed to otherwise sway the Commissioner, who supported Wadsworth’s guardianship over reservation income, as well as his position of authority on the Wind River. In December 1908, Wadsworth and the JBC bitterly clashed, as the agent pressured the tribal nations to grant a large number of land leases. In response, the Arapaho forcefully suggested that the JBC temporarily halt land leases in order to stabilize reservation affairs, and passionately argued for changes to the leasing system. They suggested that the next generation of educated Wind River leaders would be in a far greater position to handle the business of coal and oil extraction. “We have made many leases and we may be doing wrong,” Yellow Calf insisted, as he listed Arapaho concerns. “Our children will be brighter than we are and when they are all the

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<sup>22</sup> Fowler, *Arapahoe Politics*, 131-133.

land we have [will be] leased away.”<sup>23</sup> When Arapaho councilmen recited this familiar argument, the Shoshone countered their hesitance with the immediate benefits of natural resource extraction.<sup>24</sup>

Shoshone chairman Joe Lejeunesse protested, “They may strike coal, they may strike oil, they may strike gas, they may strike copper. There is all kinds of things like that and they may strike something.”<sup>25</sup> In doing so, the Shoshone leader knew that the enthusiasm for resource extraction often proved contagious. The potential uses for oil revenues, including better educational facilities and monetary assistance to the infirm and elderly, usually persuaded the Arapaho to approve or renew leases, regardless of their concerns. At this particular meeting, however, the Arapaho remained unconvinced. As the JBC endured a very long day of negotiation, Shoshone councilmember Dick Washakie reminded his Arapaho peers, that “There is none of us on this reservation that have money enough to buy the machinery to work that mine with and get money out of it.”<sup>26</sup> Both the Arapaho and Shoshone councils knew the oil leases held the promise of a better future, but the complications of the past year deterred immediate approval of additional leases. Agent Wadsworth dismissed the councilmen’s grievances and agitated for a quick vote. His impatience further aggravated the council, who knew that their agent wholeheartedly supported tribal leases because oil companies called upon him to

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<sup>23</sup> Minutes of the Joint Business Council, December 11, 1908, NARA-VIII, RG 75, AR, Entry 8, GAR, 1890-1960, Box 5.

<sup>24</sup> The issue of land ownership and control perpetually worried Arapaho councilmen. Following the hotly contested 1904 land cession in which the two tribal nations ceded a large portion of the Arapaho side of the reservation to the federal government, any alterations to land holdings troubled the Arapaho council, and they almost always responded with hesitancy. By halting land leases, the Arapaho councilmen believed that they could regain control over reservation lands, and oust those who had performed unfavorably.

<sup>25</sup> Joint Business Council Minutes, June 8, 1914, NARA-VIII, RG 75, AR, Entry 8, General Correspondence Files, 1890-1960, Box 6.

<sup>26</sup> Minutes of the Joint Business Council, December 11, 1908, NARA-VIII, RG 75, AR, Entry 8, GAR, 1890-1960, Box 5.

act as their reservation liaison, and paid the agent handsomely for his assistance. Making a stand before their agent, their constituents, and their prospective business associates, JBC members negotiated every finite detail of the land leasing process, extending their winter meeting for two long days. Finally, the JBC gave their approval for the land lease, and in the process secured a major victory in the battle for control of reservation lands.

### **Scandals**

In 1909, the relationship between Wadsworth and the JBC failed to improve. Arapaho and Shoshone council members questioned their agent's fiscal responsibility, and in turn, Wadsworth attempted to subvert the authority of Arapaho and Shoshone leaders, while at the same time he clamored for additional land leases. When the tribal nations received a mere five dollars per capita payment in 1909, tension between the JBC and Wadsworth escalated. In examining accounting records, JBC councilmen discovered that Wadsworth spent the bulk of their oil revenues on a telephone line to the agency that year, and they forcefully requested a new agent.<sup>27</sup> In response, Wadsworth launched a two year campaign to disband the individual Arapaho and Shoshone councils, as well as the JBC. Wadsworth first requested that the OIA provide documentary evidence outlining his role as a "guardian" of the Arapaho and Shoshone. According to these documents, the agent could oversee the election of council members, determine the matters submitted to the business councils, report his concerns regarding unworthy councilmen, and suggest that certain office holders be removed. Though fairly influential, Wadsworth hoped for the approval to depose leaders from office or shut down the councils completely. In February 1910, Wadsworth suggested that the

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<sup>27</sup> Fowler, *Arapahoe Politics*, 133.

“time has come to do away entirely with this so-called ‘business committee’ or ‘business council.’”<sup>28</sup> Seeking proof that the council members were an unnecessary indulgence, the disgruntled agent insisted that the election process on the Wind River was “always more or less a farce” in which incompetent leaders assumed positions of authority.<sup>29</sup>

Wadsworth targeted Wind River voting patterns because they differed significantly from Anglo-American elections. Though he believed that councilmen rigged elections to produce a specific outcome, in reality, they reflected indigenous forms of governance, not deception. Arapaho leaders, for instance, earned their offices by a near majority vote every election, an anomaly in mainstream American society. This pattern did not indicate voter fraud, rather the citizenry’s overwhelming support for leaders who earned the position through a lifetime of dedication to their people. Arapaho councilmen embodied certain traits including honesty, bravery, generosity and a deep understanding of Arapaho culture, all achieved through years of study and good deeds. Often, Arapaho leaders managed long terms until death or illness prevented them from sitting on the council.<sup>30</sup> On the other hand, the Shoshone substituted leaders nearly every term, a characteristic that annoyed both the Arapaho and Agent Wadsworth.<sup>31</sup> Shoshone constituents sought a variety of perspectives, and elected leaders of different ages to fill council seats. In some cases, inexperienced councilmen proved incapable of the task, and in turn the Shoshone called for midterm elections to remove incompetent

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<sup>28</sup> H.E. Wadsworth to the Commissioner of Indian Affairs, February 2, 1910, NARA-VIII, RG 75, AR, Entry 8, GAR, 1890-1960, Box 5.

<sup>29</sup> H.E. Wadsworth to the Commissioner of Indian Affairs, February 2, 1910, NARA-VIII, RG 75, AR, Entry 8, GAR, 1890-1960, Box 5.

<sup>30</sup> For information regarding Arapaho political patterns see Fowler, *Arapahoe Politics*, 135-138.

<sup>31</sup> During the early 20<sup>th</sup> century, the Shoshone were even prone to calling midterm elections to oust councilmen from office. Culturally, the Arapaho could not understand this process, while Agent Wadsworth and other OIA personnel found the multiple elections and unapproved councilmen irksome.



office holders. The frequent exchange of Shoshone leaders vexed Wadsworth, who pointed to this practice as further proof that the Shoshone did not understand the purpose of elections. Wadsworth's accusations of voter fraud indicated his obliviousness to Arapaho and Shoshone leadership patterns, rather than genuine mismanagement by the councils.

Ultimately, the Office of Indian Affairs denied Wadsworth's request to disband the councils on the grounds of voter fraud. Though sympathetic to his situation, the Commissioner of Indian Affairs explained that "the reasons given...are not sufficient to justify it in recommending to the Secretary of the Interior that such action be had."<sup>32</sup> Undeterred, Wadsworth objected the existence of the councils in his 1910 annual report. First, the agent criticized the members that comprised both councils, calling them the "greatest hindrances to the individual advancement of these people." Rebuking the very character of Arapaho and Shoshone leaders, Wadsworth declared that the councils "are seldom composed of progressive, representative men, but of those who generally would rather talk than work."<sup>33</sup> Though Arapaho and Shoshone leaders received the brunt of his ire, few escaped Agent Wadsworth sweeping vilification of Wind River politics.

In a fit of bad judgment, Wadsworth also criticized the policies of the OIA. The agent accused the Commissioner of Indian Affairs and his personnel of permitting the regression of the Shoshone and Arapaho, because though they might adhere "to the position that [they are] the guardian of these people and their property," Wadsworth argued that the OIA's failure to disband the councils illustrated their lack of dedication

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<sup>32</sup> F.H. Abbott (Assistant CIA) to H.E. Wadsworth, February 25, 1910, NARA-VIII, RG 75, AR, Entry 8, GAR, 1890-1960, Box 5.

<sup>33</sup> Annual Report to the Commissioner of Indian Affairs, 1910, NARA-VIII, RG 75, AR, Entry 8, GAR, 1890-1960, Box 1.

to the advancement of indigenous people. In a final dramatic flourish, Wadsworth denounced the entire political system protesting that “If these people are able to handle their own affairs...then the guardianship supposed to be exercised over them and their property by the Government is absurd. If they are not competent to handle their own affairs, then these councils are unnecessary and the reference to them of important matters for settlement is absurd.”<sup>34</sup> In adamantly protesting the councils, Wadsworth hoped to emphasize the OIA sponsored process of detribalization and illustrate his seemingly untenable situation, but the Commissioner of Indian Affairs once again denied his request to disband the councils.<sup>35</sup>

In response to Wadsworth’s attack, Arapaho and Shoshone leaders formed a united front. Though not unprecedented, this tactic had rarely worked in the past. Even when successful, an uneasy truce usually lasted just long enough to serve the two tribal nations before their cultural differences drove them apart.<sup>36</sup> The JBC, a powerful vehicle for change on the reservation, had already begun to change this pattern, as it required the active participation of both Arapaho and Shoshone leaders. Shared goals also drew the tribal nations together, as they sought to increase income from tribal leases, secure the distribution of revenue from natural resource extraction, and protect

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<sup>34</sup> Annual Report to the Commissioner of Indian Affairs, 1910, NARA-VIII, RG 75, AR, Entry 8, GAR, 1890-1960, Box 1.

<sup>35</sup> In large part, Wadsworth’s tirade stems from his belief in the necessity of detribalization, or the practice of fostering individual Native citizens who were not beholden to the larger “tribal” organization. Wadsworth correctly assumed that the Arapaho and Shoshone business councils mirrored older, culturally rooted forms of governance, and that the members of both tribal nations relied heavily upon these organizations to guide reservation affairs and even preserve cultural practices. At the same time, he failed to recognize their entrenchment within Arapaho and Shoshone society and the unwillingness of the people – and the OIA for that matter – to disband them, because they played a critical role in reservation politics and society.

<sup>36</sup> Arapaho and Shoshone chiefs negotiated ration distribution, farming practices, and early education matters together. Though these episodes in the 1880s and early 1890s produced improved reservation conditions, allotment, the attempted Arapaho eviction at the hands of the Shoshone, and cultural disagreements prevented lasting alliances. Please see Chapter Two for more details.

their reservation and its inhabitants from destitution and unwelcome outsiders. During the 1910s, both Arapaho and Shoshone councilmen quieted their dissent and overcame cultural differences, though at times, conflicts did arise. In disagreement, council members either agreed to a compromise, or if a controversial issue could not be resolved, individual leaders left the meeting, breaking the quorum and effectively tabling the issue for a later date. Though typically an Arapaho practice, the Shoshone also adopted this tactic to avoid all out bickering in front of their agent and guests of the council. Former Arapaho councilman, Gary Collins, explains that this practice still continues today, “many times they sit down and get into a controversial issue and there might be eight people there for a quorum and one person might not like what is going on so he will get up and leave and break the quorum. It stops the business.”<sup>37</sup>

At the same time, a few obstacles threatened the apparent unity of the JBC in the 1910s. Culturally, the Arapaho and Shoshone remained distinct peoples. They lived on different sides of the reservation, and bad roads limited contact between council members outside of the agency. Past conflicts, including age old rivalries over the Wind River, Shoshone attempts to remove the Arapaho from the reservation, and Arapaho allotment, all picked at the new alliances that kept the two tribal nations’ political systems intact.<sup>38</sup> To their credit, councilmen of the 1910s recognized the damage that these differences could inflict upon the increasing power that the business councils wielded. Instead of succumbing to the characteristics that divided them, Arapaho and Shoshone leaders politically supported each other’s displays of cultural expression,

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<sup>37</sup> Gary Collins, interview by author, Laramie, WY, February 25, 2008.

<sup>38</sup> Many of the councilmen, alive during an earlier reservation era, clearly remembered the recent Wind River past. Though they struggled mightily to appear united, snarky references to past grievances punctuate business council minutes in times of disagreement. Usually a break in the quorum or a quickly changed topic followed these outbursts.

businesses, and even legal claims to secure just compensation for past grievances committed by the United States government.

Despite the astounding unification of the two tribal nations, Agent Wadsworth doubted the strength of their newly formed bond. He remained steadfast in his attack against the Wind River business councils, and waited for the right moment to test the commitment of these reservation neighbors. A potential scandal, in 1911, provided Wadsworth with the perfect opportunity to loudly voice his doubts about the Arapaho and Shoshone councils. The end result, however, proved far less than satisfactory for the disgruntled agent. The incident occurred at the January 1911 meeting of the Arapaho Business Council, when a prospector by the name of G.A. Case spoke to the councilmembers. Case, an independent business owner, hoped to secure Arapaho support for an oil lease that would be considered at the next JBC meeting. According to council members later interviewed about the incident, the Arapaho explained that they appreciated Case's respect for their council, but to fully secure their support, they suggested that he donate a small monetary gift to the Arapaho for a feast that they planned to host later in the year. Case happily agreed. When Wadsworth heard of the prospector's "bribe" he greedily held onto the news and revealed the deception at the Shoshone council meeting later that week, in a blatant attempt to unsettle the newly formed alliance between JBC members. Much to the agent's surprise, Shoshone councilman George Washakie causally remarked that Charles Lahoe, a representative for the Hudson Coal Company and former Shoshone councilmember, had recently approached the Shoshone business council with a similar proposition, which they accepted. Unsuccessful in his campaign to divide the JBC, an infuriated Wadsworth

reported the “bribes” to the Commissioner of Indian Affairs and demanded a full scale investigation into the “corrupt” business practices of the JBC’s members.<sup>39</sup>

At the heart of this issue, rests Wadsworth’s continued unfamiliarity with Arapaho and Shoshone customs. Though the agent served ten years as superintendent of the Wind River, he repeatedly failed to fully understand or appreciate the persistence of Arapaho and Shoshone styles of leadership. In this case, the practice of reciprocity and gift giving, long predated the reservation era. Indeed, the exchange of goods and/or services characterized interactions between residents of the Wind River for most of the nineteenth century. Far from a “bribe,” Case’s and Lahoe’s offers of small payments, between twenty-five and thirty dollars, symbolized an exchange between business operators and the councils. In approaching the councilmen for support, both Case and Lahoe recognized the customary practice of reciprocity, and honored the tribal nations by participating in this cultural exchange. Wadsworth, on the other hand, believed that the “scandal” would finally cause the disbanding of the loathsome Wind River councils.

Indeed, Wadsworth made such a fuss that three separate investigations explored every detail of the “bribery scandal.” First, the Indian Rights Association sent a special investigator to interview members of both councils, residents of the reservation and even the Arapahoe town grocer. Above all else, the organization wanted to make sure that Arapaho and Shoshone land interests were not compromised by these “fraudulent methods.”<sup>40</sup> Additionally, the Department of the Interior dispatched two different inspectors to scrutinize the situation. In May 1911, investigator Will Tilden provided

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<sup>39</sup> The entire case file can be found in H.E. Wadsworth to CIA, May 27, 1911, NARA-VIII, RG 75, AR, Entry 8, GAR, 1890-1960, Box 5.

<sup>40</sup> S.M. Brosius, Agent of the Indian Rights Association to Commissioner of Indian Affairs, March 7, 1911, NARA-III, RG 75, AR, Entry 8, GAR, 1890-1960, Box 5.

supplemental information about the composition and decision making practices of the individual councils, as well as the JBC. After observing the councils and interviewing a wide range of community members, Tilden declared that “the time has not come when the business council can be abolished,” but added conclusively that guardianship of the Arapaho and Shoshone must remain as “there is no doubt in my mind that [the JBC] ought to be abolished at the first practicable moment.”<sup>41</sup>

A second inspector, Joe H. Norris, complimented Tilden’s report by delving into the lingering bribery charges. Norris interviewed each member of the JBC, and sought an understanding of the events in question, as well as the decision making practices that created this situation. The inspector reported, with distaste, that council leaders explained to him, that when leases are presented to the council they typically grant them to “the first man that asks us to do him a favor, we feel that we ought to do it because he came first.”<sup>42</sup> Rather than interrogating the financial standing of an applicant or their ability to develop the land properly, the councils, Norris believed, simply approved the first lease they considered on each section of ground. The hundreds of pages of council minutes from 1910, 1911 and 1912, prove that this was simply not the case, as both individual councils and the JBC thoroughly explored the qualifications and financial standing of Case, Lahoe, and many other potential speculators.

In fact, council members maintained fairly specific criteria in seeking qualified lease holders. All too often, tension percolated between council members and Agent Wadsworth, because the criteria that Arapaho and Shoshone leaders sought differed greatly from their Agent’s. Certainly Arapaho and Shoshone councilmen did not

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<sup>41</sup> “Report of Will M. Tipton,” LFC, Box 10, Folder 2.

<sup>42</sup> “Report of Joe H. Norris,” LFC, Box 10, Folder 2.

randomly approve the first lease that passed before them, however, they frequently granted leases to corporations and individuals who first visited the general Arapaho and Shoshone councils to present their proposals. More specifically, the actions of Case and Lahoe, though galling to men like Wadsworth and Norris, proved to the councils that the potential lease holder would respect the tribal nations and honor their contracts, thereby securing Shoshone and Arapaho support for their leases.

On the subject of the alleged “bribes,” Norris reported the incident fairly. He explained to the Commissioner of Indian Affairs that “Case came first to them [the Arapaho council] and asked them to sign a lease to him, and they felt that because he was the first he should have the preference.” With regard to Case’s monetary gift, he stated that “persons seeking favors in the way of leases from the Business Council have been in the habit of making small presents to the Indians...such presents or donations, [were] no doubt given for the sole purpose of gaining favor and influencing the action of the Council.”<sup>43</sup> Norris disapproved of this practice, because he believed that men like Case and Lahoe secured land leases without proving their financial stability, but concluded that the Arapaho and Shoshone accepted a gift, rather than solicited a bribe, from the enterprising businessmen. Fully adhering to the guardianship rhetoric of the Office of Indian Affairs, Norris recommended that the councils remain, but that the “Superintendent in charge of the Reservation should, at all times, have the supreme control over all matters involving the business administration of affairs.”<sup>44</sup> This report officially closed the investigation, much to Agent Wadsworth’s disapproval.

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<sup>43</sup> “Report of Joe H. Norris,” LFC, Box 10, Folder 2.

<sup>44</sup> “Report of Joe H. Norris,” LFC, Box 10, Folder 2.

The bribery scandal of 1911 signaled an end to Agent Wadsworth's tenure on the Wind River. In his final report as Superintendent of the Shoshone Agency, Wadsworth criticized the very existence of the business councils. Regardless of the Department of the Interior's findings, he doubted the competence of the councilmen, condemned Arapaho and Shoshone political organizations, voting practices, and decision making processes. By August of 1912, the Office of Indian Affairs had heard enough, and replaced Wadsworth with Department of the Interior investigator Joe Norris. By and large Norris supported the council's lease making practices, while at the same time he exercised his "guardianship" over the Arapaho and Shoshone. Both tribal nations wholeheartedly supported this change in the administration, and celebrated their considerable victory over a vicious political opponent.

Indeed, Joe Norris became one of the most beloved agents on the Wind River. As acting superintendent, he restructured their leasing contracts, so that the Arapaho and Shoshone could increase profit margins. Previous leases signed with the JBC required payment only after businessmen extracted and sold coal or oil from reservation grounds. Norris suggested, and the council eagerly approved, an addendum to this clause, in which any leasee who produced nothing from the land paid fifteen cents an acre for the first year, forty cents the second, and seventy-five cents the third for the use of the land.<sup>45</sup> Norris supported the increased dispersal of lease money to Arapaho and Shoshone families through per capita payments, and promoted the continued presence of the JBC. The Agent imposed fines for the trespassing stock of surrounding non-Native ranchers and persuaded the Arapaho and Shoshone to diversify their leases by

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<sup>45</sup> Joint Business Council Minutes, March 7, 1913, NARA-VIII, RG 75, AR, Entry 8, General Correspondence Files, 1890-1960, Box 6.



encouraging area stock growers to rent pasturage for their sheep and cattle. In four years, the agent collected more than \$100,000 in fines, as most of the money came from area stockmen who previously allowed their cattle to roam freely on reservation lands. In the mid-1910s, the Arapaho and Shoshone finally enjoyed their first taste of prosperity, largely through the efforts of the JBC and their agent, Joe Norris. The perpetual hope that the next lease could sustain this newly acquired financial stability drove the councils to lease more land and illustrated the carefully hidden desperation of Wind River leaders. Far from seeking fame and fortune, JBC members badly wanted to secure at least enough capital to care for reservation inhabitants, including the infirm and elderly, as well as increase monetary support for their children's education.

### **Dependent Populations**

Other reservation-wide issues occupied the JBC's agenda, though none more frequently than oil leases.<sup>46</sup> The social welfare of the reservation's dependent population, including the elderly and infirm, as well as Arapaho and Shoshone children, concerned council members. This portion of the reservation community became inextricably linked to discussions of oil revenues, as Arapaho and Shoshone councilmen hoped to better support these people with increased per capita payments. In promoting land leases, both Arapaho and Shoshone leaders frequently voiced their concerns about reservation dependents. Arapaho leader Yellow Calf iterated the JBC's position, when considering a lease renewal in 1914. "There are a good many Indians that are not able to make their living," he reminded his peers and their agent. "Blind, crippled, disabled at

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<sup>46</sup> Often, the subject of reservation dependents arose in JBC meetings only in connection to issues of land leasing.

work, that this money will be an awful good thing for them.”<sup>47</sup> In fact, councilmen repeatedly renewed this sentiment throughout the 1910s, as federal assistance to the unemployed reservation population dwindled.

In addressing this situation, Arapaho and Shoshone leaders acknowledged their cultural obligation to care for the less fortunate members of their society, a pattern forged in the pre-reservation era, and one that still continues today. For example, Arapaho councilman, Lone Bear, argued that on the issue of rations and federal assistance, “The old people do not get much benefit, whereas if they would give this lease money that is derived from the leases in per capita payments, then the old and blind and crippled would have a benefit from this lease money as well as the young ones.”<sup>48</sup> It is important to note that old, blind and crippled individuals represented only a minority of the Wind River’s population. At the same time, anthropologist Loretta Fowler argues that while infirm and elderly people did live on the reservation, references to these dependent members of society were largely metaphorical. By placing emphasis upon the less fortunate, council leaders reinforced the necessity of increased reservation income, and their reciprocal responsibility to their constituents.<sup>49</sup>

The JBC’s perpetual adversary, Agent H.E. Wadsworth, espoused a laissez faire approach to the Wind River’s elderly population. In the summer of 1906, the agent reduced rations to an all-time low and proudly reported to the Commissioner of Indian Affairs, “The most important innovation, namely, that of withholding rations from all able-bodied Indians, has been in my opinion, the greatest incentive to individual effort

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<sup>47</sup> Minutes of the Joint Business Council, January 23, 1913, NARA-VIII, AR, RG 75, General Correspondence Files, 1890-1960, Entry 8, Box 6.

<sup>48</sup> Minutes of the Joint Business Council, January 14, 1914, NARA-VIII, RG 75, AR, Entry 8, GAR, 1890-1960, Box 5.

<sup>49</sup> Fowler, *Arapahoe Politics*, 140.

that has ever been brought to bear upon these people.” In denying those whom he believed did not deserve rations, Wadsworth only allowed assistance to “the old and infirm, and the women and children who have no other means of support.”<sup>50</sup> When the JBC questioned his criteria and protested this cruel practice, Wadsworth suggested that the tribal nations “encourage the selling of allotments held by old, decrepit and non-competent Indians. The proceeds from these sales could be made available for the support of the parties concerned.”<sup>51</sup> In Wadsworth’s estimation, this practice would reap rewards in three ways. First, the proceeds from the sale of reservation lands would benefit the destitute members of the Wind River community. Additionally, homesteaders clamoring for Indian allotments could choose from a broader array of sections, and finally, if land sales could support the infirm and elderly, “The issue of rations to these people could then be discontinued, and the gratuity feature in the handling of these Indians gradually eliminated.”<sup>52</sup> Naturally, the Arapaho and Shoshone business councils denounced Wadsworth’s suggestions, and their dissatisfaction with the agent steadily grew, until his removal from office in 1912.

Under Norris’s administration (1912-1916), care of the infirm and elderly became a top priority. The agent coordinated relief efforts with the Episcopal and Catholic missionaries, and in “consultation with the leading and well posted Indians, we made up a list of all those Indians who were absolutely destitute and who might, through no particular fault of their own, have absolutely nothing to subsist upon and

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<sup>50</sup> H.E. Wadsworth to Commissioner of Indian Affairs, August 15, 1906, USOIA, Shoshone, BRBML, Vol. 4.

<sup>51</sup> H.E. Wadsworth to Commissioner of Indian Affairs, October 27, 1909, emphasis original, NARA-VIII, RG 75, AR, Entry 8, GAR, 1890-1960, Box 5.

<sup>52</sup> H.E. Wadsworth to Commissioner of Indian Affairs, October 27, 1909, emphasis original, NARA-VIII, RG 75, AR, Entry 8, GAR, 1890-1960, Box 5.

insufficient clothing.”<sup>53</sup> The forty-five Arapaho and Shoshone citizens who comprised Norris’s list, received rations including coffee, sugar, rice, bacon, tea, crackers, and blankets. Non-Native residents who lived on or near the reservation offered their support as well, and asked Agent Norris to contact them if their Indian friends and neighbors needed additional assistance. Even after Norris left the Wind River, the practice of care continued, through religious organizations, members of the tribal nation and the local non-Native communities. In addition to care for the infirm and elderly, the plight of reservation youth and their education systems occupied a small but constant portion of the JBC agenda.

Concerns regarding Arapaho and Shoshone children, another part of the reservation’s dependent population, frequently engaged the individual councils and to a lesser extent the JBC. While discussions of school curriculum and enrollment typically took place at the individual council meetings, the use of OIA funds for reservation school development, fell under the purview of the JBC. When educational matters came before the council, reservation leaders preferred to quickly handle the business, fully in favor of improving reservation education. More than anything else, this practice reflected the unwavering support of the Wind River’s dependent populations, as well as on-reservation education, as opposed to distant boarding schools. Despite the astounding unity espoused by Arapaho and Shoshone councilmen in the 1910s, the reservation’s education systems problematized their relationship, because the two tribal nations maintained fairly different and mostly segregated schools.

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<sup>53</sup> Joe Norris to the Commissioner of Indian Affairs, January 20, 1915, NARA-VIII, AR, Entry 8, GAR, 1890-1960, Box 5.

## **Education Reassessed**

At the turn of the twentieth century, two primary institutions educated Wind River youth.<sup>54</sup> The Wind River Government Boarding School, operated by Reverend John Roberts, taught a large majority of the Shoshone children, as well as an increasing number of Arapaho pupils. Additionally, St. Stephen's Mission, the reservation's Catholic boarding school, housed a sizable portion of the Arapaho youth. Dissatisfaction with the priests at St. Stephen's in the 1890s, created considerable tension between boarding school personnel and Arapaho parents. Yet, Arapahos continued to support the Catholic school, as they had few alternatives. The geographic distance from the government school, located thirty miles from St. Stephen's and Arapaho communities, deterred dissatisfied parents. On principle, the Arapaho simply refused the only other alternative, off reservation boarding schools. Many still remembered the devastating attempt by tribal leaders in the early 1880s to send Arapaho children to Carlisle Indian School in Pennsylvania. Several died while in attendance, casting a long shadow of fear upon Arapaho families, who subsequently proved unwilling to send their children far from home in the name of education.

In 1910, Episcopal Reverend Nathaniel Thomas offered an educational solution to Arapaho parents. Thomas recognized their dissatisfaction with Catholic educators, and proposed the creation of a new school to the Arapaho council, the JBC, potential benefactors and the Episcopal Church. In his estimation, the Wind River, specifically the Arapaho people, needed a school that would take a "new departure in Indian

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<sup>54</sup> Other educational institutions including a Shoshone Indian Mission Boarding School and Fort Washakie School, operated briefly during this period, but retained few students and closed within several years of their inception.

education and development.”<sup>55</sup> Initially, this move divided reservation Episcopalians into two factions, those who remained loyal to Reverend Roberts and those seeking change on the reservation. Attempting to quell the dissent, Thomas insisted that the school’s mission would be to convert Arapaho Catholics to the Episcopalian faith through the education of their children, not to oust Reverend Roberts from his post as the Episcopal leader of the Wind River. Once fully outlined, the Shoshones and many non-Native congregates supported the proposal, but Shoshone councilmen initially refused to fund the venture as they largely favored the government school near Fort Washakie. Additionally, the Arapaho council also wanted Thomas to raise a majority of the school’s funds before they would commit to the project.<sup>56</sup>

Undeterred, the ambitious Reverend sought generous benefactors to fund the construction of a school for reservation children. The Episcopal Church only tangentially supported his venture because, after all, there already was an Episcopal school on the reservation. In soliciting funds for the proposed school building, Thomas sent letters to “patrons of Indian work” in the East, begging for donations.<sup>57</sup> Finally, the Office of Indian Affairs agreed to co-sponsor the school, but full financial support failed to emerge until an endowment made by Mrs. Baird Sumner Cooper, a Philadelphia woman who once visited the reservation, provided the capital for the school’s construction.<sup>58</sup> With adequate support to build a school house and dormitory, Thomas pleaded with the councils, and the JBC finally agreed to donate the land in order to better educate reservation children.

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<sup>55</sup> Quoted in *The Wind River Indian Reservation – Yesterday and Today*, 39, LFC, Box 1.

<sup>56</sup> Nathaniel S. Thomas, *Building an Indian Village: St. Michael’s Mission, Ethete, Wyoming* (1920), 10-11; *The Wind River Indian Reservation – Yesterday and Today*, 39, LFC, Box

<sup>57</sup> Nathaniel S. Thomas to Mrs. John Markoe, July 12, 1911, LFC, Box 12, Folder 18.

<sup>58</sup> Thomas, *Building an Indian Village*, 14.

The newly created St. Michael's Mission school began accepting pupils in 1912. Reverend Thomas boasted a rather progressive educational philosophy and curriculum, one that both tribal nations applauded, but certain government officials disapproved. Designing the school around a circular meeting place, Thomas encouraged his students to feel at home and even erected a teepee in the center of St. Michael's campus to ease their transition. The reverend invited his student's parents to visit the school frequently and suggested that the Arapaho gather at the center of his school to host dances and festivals for their children. He hoped that one day, the tribal nation could create a headquarters on the school grounds "in which the tribe will be frequently gathered to discuss the welfare of the young people."<sup>59</sup> Naturally, this type of communal education appealed to the Arapaho people, who loathed the time away from their children. Over the next four years, several parents removed their children from St. Stephen's and the government boarding school, eager to participate at St. Michael's Mission.

The initially success of Thomas' school did not please all reservation inhabitants, however. Though popular Shoshone Agent Joe Norris (1912-1916) encouraged the active participation of Arapaho parents in their children's education, his successor, E.A. Hutchinson, (1917-1922) sought to dismantle the entire operation. Shortly after accepting his post at the Shoshone Agency, Hutchinson penned a complaint to the Office of Indian Affairs, regarding the "School Situation on the Shoshone Reservation." The Agent protested that St. Michael's personnel used unethical tactics including "much solicitation and a series of feasts prior to the opening of school...[and] have held out to the members of the Arapahoe Tribe the promise that

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<sup>59</sup> Thomas, *Building an Indian Village*, 14.

this new mission school was established for their exclusive use, as their home.”<sup>60</sup> In Hutchinson’s estimation this practice created three interrelated problems. First, the agent believed that a decrease in the number of students enrolled at the Government Boarding School could result in a reduction of federal funding given to the tribal nations for educational purposes. The second problem, of a more serious magnitude, was the encampment of numerous parents who left their allotments and took up residence near St. Michael’s. Hutchinson protested that “Besides interfering with my policy of having the Indians reside upon and improve their allotments, the centralization into large camps is conducive to loose morals and encourages the Indians to indulge in gambling.”<sup>61</sup> Finally, the Superintendent protested St. Michael’s practices, because despite his best efforts to encourage the intermingling of the Arapaho and Shoshone, the school catered primarily to the Arapaho people. Fearing that this segregation would “aggravate their tribal differences” he suggested that an investigation into St. Michael’s be conducted immediately.<sup>62</sup>

Upon Hutchinson’s request, the Chief Supervisor of Indian Schools, O.H. Lipps, visited St. Michael’s in the spring of 1918. In general, Lipps applauded many of the practices at the school, and approved of the fundamental principles guiding its missionaries and teachers. Though generally favorable, the report also generated

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<sup>60</sup> E.A. Hutchinson to Cato Sells (CIA), October 29, 1917, NARA I, RG 75, CCF, 1907-1939, Shoshone Agency, Box 283, Folder 92981-17-803.

<sup>61</sup> E.A. Hutchinson to Cato Sells (CIA), October 29, 1917, NARA I, RG 75, CCF, 1907-1939, Shoshone Agency, Box 283, Folder 92981-17-803. Hutchinson’s campaign against gambling was a constant source of aggravation for the Arapaho and Shoshone. Games of chance predated the reservation era, and while the Agent advocated for the “eradication of this evil,” in general the practice appeared harmless to councilmembers, especially those who periodically gambled themselves. Though often a clandestine affair, the gathering of Arapaho people so close to the school appears to have increased its occurrence and provided Hutchinson with more evidence with which to vilify St. Michael’s.

<sup>62</sup> E.A. Hutchinson to Cato Sells (CIA), October 29, 1917, NARA I, RG 75, CCF, 1907-1939, Shoshone Agency, Box 283, Folder 92981-17-803.



changes based upon two points of contention. First, Lipps discouraged the existence of Arapaho parents camped so close to their children. Fearing that parents living in these camps hampered the reformation efforts of the mission school, the Supervisor suggested the addition of small cottages, built on the school grounds, to house up to twelve girls or boys and a “house-mother” to watch over the students. In addition, Lipps protested the proliferation of Arapaho cultural practices at St. Michael’s. After a long conversation with headmaster Royal H. Balcom, Lipps determined that although the school leader adopted the policy of “making the Indian a good Indian,” his tactics were, at best, unorthodox. Balcom erected a teepee in the center of St. Michael’s campus, encouraged his students to speak in the Arapaho language, and allowed pupils to wear Native apparel, practices certainly discouraged at other reservation boarding schools. Though Lipps disapproved of these behaviors, headmaster Balcom refused to bow to the pressure of the Chief Supervisor of Indian Schools or the Shoshone Agent.<sup>63</sup>

At the end of his report, Lipps commented on the natural segregation of Arapaho and Shoshone children. As a mere afterthought, Lipps noted his confusion, though he voiced no protest to this practice. Instead he issued a warning, “I fear, however, that it will result in accentuating the old animosity that has long existed in a more or less dormant state between these two tribes. It certainly must be confusing to the Indian mind to see the same Christian church supporting two schools on the same reservation –

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<sup>63</sup> A.H. Lipps to Cato Sells (CIA), March 25, 1918, NARA I, RG 75, CCF, 1907-1939, Shoshone, Box 288, Folder 27488-18-816.2. This political tug-of-war is certainly not unique to the Shoshone Agency. During the first two decades of the twentieth century, OIA personnel questioned the efficacy of off-reservation boarding schools, and advocated for the reassessment and organizing control of on-reservation schools to better manage the education of Native American youth. Please see Adams, *Education for Extinction*.

one for the Shoshoni and one for the Arapahoe.”<sup>64</sup> Though perplexed by this practice, Lipps did not suggest the immediate desegregation of the two Episcopal schools, but argued that if slight changes could be made, he would fully support the continued attendance of children to St. Michael’s.

Unbeknownst to Lipps, the Shoshone fully supported the mission of St. Michael’s school. A budding relationship between the two tribal nations, thanks, in large part, to the creation of the Joint Business Council, prompted increased cooperation between the Shoshone and Arapaho. The tribal nation generously agreed to donate the land for St. Michael’s Mission, a parcel that existed on their side of the reservation.<sup>65</sup> In addition, Shoshone leaders encouraged the festivals and celebrations held at St. Michael’s. In part, their nonplussed attitude stemmed from their satisfaction with the Government Boarding School. The Shoshone, fiercely loyal to Reverend Roberts, supported his mission, and in return he encouraged the tribal nation to hold their own dances and feasts at his school. Parents visited their children frequently, and stayed near the school when necessary, just as the Arapaho did near St. Michael’s. Far from creating additional animosity, the natural segregation of reservation children, in the eyes of both Arapaho and Shoshone councilmen reflected the preexisting division of reservation lands and the individualized care necessary for the children’s education. Indeed, both tribal nations heartily encouraged missionaries to develop these cultural bonds.

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<sup>64</sup> A.H. Lipps to Cato Sells (CIA), March 25, 1918, NARA I, RG 75, CCF, 1907-1939, Shoshone, Box 288, Folder 27488-18-816.2.

<sup>65</sup> Though the Arapaho would have preferred a location closer to their own communities, Thomas wanted to locate his school in close proximity to Reverend Roberts and the Government Boarding School. The Shoshone tribal council graciously agreed to the school’s location, but there exists some historical contention as to who exactly owned the land. In seeking a community nearer to their children, the Arapaho formed the township of Ethete, derived from the Arapaho word “iiOeti” which means “good.”

Upon receiving Lipp's report, Commissioner of Indian Affairs Cato Sells sent a pointed letter to Nathaniel Thomas.<sup>66</sup> Sells informed the reverend that "some features in your general plan...are not in entire accord with the general policy of civilization and education of these Indians."<sup>67</sup> Suggesting immediate changes to the attire of the students, the allowance of indigenous languages, and the existence of Arapaho parents on school grounds, Sells outlined the critiques of Lipps' report. In closing his letter, the Commissioner cautioned Thomas that "Discrimination in small ways against the Shoshones should be avoided, both by my representatives within the reservation and by your people at the Mission."<sup>68</sup> Needless to say, the report did not sit well with Thomas, now the acting Episcopal Bishop of Wyoming. The Commissioner's pointed comments regarding St. Michael's school, including the allowance of Arapaho clothing, long hair, and use of their Native language, prompted a scathing sixteen page response co-authored with Arapaho councilman Lone Bear. The authors denounced the criticisms made by "some one [sic] who really knows very little of our deeper purposes, and whose observation has been quite superficial."<sup>69</sup> In defense of his practices and the school, Thomas sent several pictures depicting life at St. Michael's, a full biography of Headmaster Balcom, and a carefully worded justification for each "offense" charged by the Commissioner and by extension Lipps.

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<sup>66</sup> Sells maintained a fairly progressive view about Indian education during his eight years as Commissioner of Indian Affairs. He once magnanimously stated that "We can not [sic] solve the Indian problem without Indians. We can not [sic] educate their children unless they are kept alive." Quoted in Adams, *Education for Extinction*, 124. At the same time, Sells professed a strong stance on the quality and style of education necessary to improve the condition of America's indigenous population, and disapproved of Thomas and Balcom's techniques.

<sup>67</sup> Cato Sells (CIA) to Reverend Nathaniel S. Thomas, October 3, 1918, NARA I, RG 75, CCF 1907-1939, Shoshone, Box 288, Folder 27488-18-816.2.

<sup>68</sup> Cato Sells (CIA) to Reverend Nathaniel S. Thomas, October 3, 1918, NARA I, RG 75, CCF 1907-1939, Shoshone, Box 288, Folder 27488-18-816.2

<sup>69</sup> Cato Sells (CIA) to Reverend Nathaniel S. Thomas, October 3, 1918, NARA I, RG 75, CCF 1907-1939, Shoshone, Box 288, Folder 27488-18-816.2; Nathaniel S. Thomas to Cato Sells (CIA), October 9, 1918, NARA I, RG 75, CCF, 1907-1939, Box 288, Folder 27488-18-816.2.

On the subject of Arapaho and Shoshone relations, Thomas clearly articulated the school's position, adamantly protesting that "Each tribe takes pride in its own life and traditions." Thomas insisted that the school did not "wish to perpetuate a hereditary antipathy between the two tribes," and furthermore he argued, "the Shoshone have no grievance."<sup>70</sup> In noting the differences between the two tribal nations, Thomas made a compelling argument for the sustained segregation of Arapaho and Shoshone students. How might a Shoshone child learn in an Arapaho-centered environment, he questioned. And could an Arapaho pupil flourish in an educational system geared toward Shoshone customs? As such, Thomas believed their natural segregation was acceptable, and even necessary. For Cato Sells, the duality of a Wind River education system based upon cultural differences appeared problematic, but for reservation educators and pupils, the preexisting system worked efficiently, even if it did segregate Arapaho and Shoshone children. Refuting the suspicions of Agent Hutchinson and Commissioner Sells, Bishop Thomas, Headmaster Balcom, and other Wind River educators dismissed the perceived hostility between the two tribal nations.

Indeed, the Shoshone took little interests in the affairs of the Arapaho school, as one final example clearly illustrates. In 1917, St. Michael's popularity with Arapaho pupils necessitated the construction of additional cottage type dormitories. Seeking OIA funding, the Arapaho business council brought the issue to the JBC for consideration. At the October JBC meeting, the Arapaho proposed that Agent Hutchinson hold a petition to allow government funds to aid in the construction project at St. Michael's. Hutchinson agreed, but later complained to the Commissioner of Indian Affairs that

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<sup>70</sup> Nathaniel S. Thomas to Cato Sells (CIA), October 9, 1918, NARA I, RG 75, CCF, 1907-1939, Box 288, Folder 27488-18-816.2.

although the Arapaho councilmen signed the document, the Shoshone refused.<sup>71</sup>

Angered by the apathetic and uncooperative Shoshone councilmen, the agent insisted that cultural differences clearly prompted their noncompliance. In reality, the Shoshone viewed this episode from an entirely different perspective. The councilmen simply did not believe that it was their responsibility to sign the document. Education largely fell under the purview of the individual tribal councils, and Shoshone leaders saw their participation in Arapaho business as largely unnecessary and unwanted. When the councils reconvened, all of the tribal leaders, both Shoshone and Arapaho, signed the document, and the Arapaho easily received additional government funding for St. Michael's school.

Irony abounds in this discussion of segregated reservation schools. Forty years earlier, few government officials bothered to acknowledge the Arapaho and Shoshone relationship, or recognize their cultural distinctiveness, but in the 1910s, sensitive government officials now accepted their long history and avoided the creation of animosity at all costs. These concerns would have been more useful when the federal government unceremoniously placed the Arapaho on the Shoshone's reservation. The Arapaho struggled to survive their first few years on the Wind River, under the near constant threat of eviction at the hands of the Shoshone. In turn, the Shoshone, who secured their reservation through a treaty with the United States government, hesitantly welcomed the Arapaho on a temporary basis and then watched as their former enemies accepted allotments to half of their reservation. After thirty years of managing these grievances and making tenuous alliances, the Arapaho and Shoshone finally managed to

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<sup>71</sup> E.A. Hutchinson to CIA, October 29, 1917, NARA I, RG 75, CCF, 1907-1939, Shoshone, Box 283, Folder 92981-17-803.

establish a working relationship, while at the same time, government officials finally recognized this historical rivalry.

Together, Shoshone and Arapaho councilmen achieved an unprecedented measure of political growth at the turn of the twentieth century. They combatted political interference by corrupt government agents, improved reservation living conditions, and refused to be infantilized by self-serving outsiders. Arapaho and Shoshone leaders fought for their people, and for the right to govern their land and resources. In turn, the extant reservation population supported productive leaders, removed from office those who failed to promote reservation progress, and, at times, even flourished under the ever-changing reservation system. These councilmen not only wielded considerable political power, but also fostered the redefinition of Arapaho and Shoshone communities, both politically and culturally, at the beginning of a new century. Members of the Arapaho and Shoshone business councils also encouraged outward displays of cultural expression by hosting feasts and dances, and supporting pluralistic forms of reservation education. This trend continued throughout the 1920s, as reservation leaders actively supported Arapaho and Shoshone involvement in town celebrations, state fairs, and even in a major motion picture. Their participation, witnessed by Wyoming residents, American movie goers, military personnel and even European royalty, tested the pervasive notion that American Indians were a destitute minority population effectively confined to reservations, and brought the spotlight, both literally and figuratively, upon the “little known Indians of Wyoming.”

## Chapter 5 – Cultural Representations

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In August 1923, Francis Sitting Eagle happily wrote to Agent Rueben Hass of his travels beyond the reservation. “Yesterday they took us to the Park, biggest Park they got. Sure enough we saw all kinds of animals from the different places of the world... White people didn’t care about Wild Animals after we got in. The hole [sic] crowd just come together where we were, and follow us every place we go. We had to step on there [sic] toe[s] and run over them.”<sup>1</sup> To Francis Sitting Eagle’s mutual amusement and discomfort, other patrons of Chicago’s Lincoln Park found the Arapaho Indian and his friends a far more entertaining sight than the lions and monkeys of the zoo cages. The entourage, traveling to London by way of Chicago and New York City, attempted a brief tour of the famous destination during their five hour layover in the windy city, but the gathering crowd restricted the Indians’ view and movements. While the Arapaho studiously inspected foreign creatures, including elephants and monkeys, Chicago’s tourists blatantly stared at Francis Sitting Eagle, his wife, and the twenty other members of the Arapaho troupe. Perhaps the headbands or beaded apparel worn by the group initially attracted their stares. Or, was it the sound of the lyrical but foreign Arapaho language, preceding their arrival that piqued the attention of visitors to the zoo that day. Regardless, the episode became a noteworthy entry, in a fascinating account of Francis Sitting Eagle’s travels abroad.

Though remarkable, the Chicago incident is reflective of a much larger trend on the Wind River. During the first three decades of the twentieth century, Arapaho and Shoshone performers increasingly displayed their cultural heritage beyond the confines

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<sup>1</sup> Francis Sitting Eagle to Rueben P. Haas, August 31, 1923, NARA-VIII, RG 75, AR, Wind River, Entry 8, GAR 1890-1960, Box 51.

of their reservation. Participating in a vast array of events, from border town celebrations on the Fourth of July to trips to the Chicago zoo, these entertainers attracted non-Native crowds who watched their cultural performances in awe, and paid handsomely for the right to do so. Arapaho and Shoshone leaders actively encouraged such opportunities for two reasons. First, councilmen insisted that their performers represent not just Indianness, but more specifically, the tribal nation. Their shows brought the unique cultural characteristics of the Arapaho and Shoshone people to the masses and in doing so, dancers from both tribal nations re-popularized dwindling cultural practices. They revitalized long forgotten dances, reinforced their indigenous languages through song and connected to their history through the creation of dance regalia. This movement solidified Arapaho and Shoshone cultural identities, tarnished by several decades of assimilationist pressure and OIA restrictions. Together, reservation leaders and event participants preserved their cultural heritage, and actively promoted not just its proliferation, but its popularity, beyond the Wind River. As historian L.G. Moses explains, their actions outside the reservation did little to reduce the significance of this movement, as “ethnic identity need not be preserved through isolation; it may also be promoted through contact.”<sup>2</sup> In this case, dancing for non-Native audiences reaffirmed the bonds of nationalism for citizens of both tribal nations.

Additionally, Arapaho and Shoshone leaders sought to cast aside negative stereotypes regarding Indians in general, and the tribal nations, more specifically. At this time, most Americans understood racial difference on an evolutionary spectrum, on which people of Euro-American decent ranked highest, while Chinese, Hispanic, Native

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<sup>2</sup> L.G. Moses, *Wild West Shows and the Images of American Indians, 1883-1933* (Albuquerque: University of New Mexico Press, 1996), 279.



American and African American people slid down the ranks, supposedly belonging to cultures of lesser intelligence and backward behaviors. In the early twentieth century, the Office of Indian Affairs supported this notion. Federal agents deemed indigenous people unfit for modern life, as “their susceptibility to alcoholism and their ignorance – made them ‘dependent’ people whose personal freedoms might legitimately be curbed by their guardians,” or agents.<sup>3</sup> This debased mentality regarding Native people permeated the Wind River, as the rising border towns of Riverton and Lander, brought Wyoming Indians and their non-Native neighbors into sustained contact for the first time. Signs proclaiming “No Indians or Dog Allowed,” and derogatory comments from town citizens regarding Native drunkenness, troubled reservation leaders. As such, Wind River councilmembers selected performers who demonstrated extensive knowledge of their past, exhibited strong moral fiber, especially temperance, and usually spoke English as fluently as their Native tongue. These individuals then demonstrated to Wyoming residents, state officials, philanthropists and movie producers that friendly, courteous, articulate Indians from the Wind River had adapted to the modernizing influences of mainstream American society, but still celebrated their vibrant cultural heritage. Ultimately, Arapaho and Shoshone performers demonstrated the strength of their indigenous cultures, as well as the fortitude of tribal nationalism at a time when Anglo-Americans only recognized singularly unique individuals for their remarkable accomplishments. This process of preserving, and even reforming, their ethnic identities was not an easy one, but a cause, most argued, that was well worth the fight.

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<sup>3</sup> Hoxie, *A Final Promise*, 230.

## **“Playing Indian”<sup>4</sup>**

Between 1883 and 1920, Americans flocked to Wild West Shows seeking the thrill of a staged, prairie adventure. Anxious spectators wanted to see American Indians on the “war path,” chasing stage coaches or performing extravagant dances. While entertainers like Buffalo Bill Cody and Pawnee Bill brought the rugged individualism of the West to crowds across the country and abroad, audiences most often craved the sight of indigenous performers, who participated in a multitude of shows, at venues large and small. In addition to the incredibly famous Buffalo Bill style Wild West shows, Native people participated in expositions including several World’s Fairs between 1893 and 1904, as well as more localized events including the Dallas State Fair, Cheyenne Frontier Days and the Louisiana Purchase Centennial.<sup>5</sup> While at times, event organizers hoped to demonstrate the effectiveness of assimilationist reforms with Native exhibits, by and large American audiences preferred demonstrations from exotic, untamed Indians. This pervasive fascination with Native peoples provided American Indians with a unique opportunity to preserve a specific ethnic identity and broadcast it to willing audiences.

Out of this western performance era, “Show Indians” emerged in American pop culture. These American Indian entertainers, received wages for “playing Indian,” and projected the most popular, though stereotypical, imagery of Native culture. At a variety of venues, indigenous performers donned magnificent headdresses, rode horses or

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<sup>4</sup> The title of this section is derived, in part, from Philip Deloria’s *Playing Indian*, but also from the descriptions of performers and dancers on the Wind River, and elsewhere, who spoke of their role as an indigenous performer for non-Native audiences.

<sup>5</sup> The Centennial was actually part of the St. Louis World’s Fair in 1904. For more information on Native participation, see, Robert A. Trennert, Jr. “Selling Indian Education at World’s Fairs and Expositions, 1893-1904,” *American Indian Quarterly* 11, no. 3 (Summer 1987): 203-220.

danced in shows that arguably minimized their cultural existence to that of hand signals and a few carefully placed interjections, including the infamous greeting: “how.”<sup>6</sup> While these performers often displayed their indigenous apparel or danced for the amusement of a culturally insensitive crowd, Show Indians achieved a fair measure of authenticity at Wild West shows and received tangible benefits for their participation. In general, fairs, shows and expositions provided a unique, off reservation employment opportunity for Native peoples. Performers travelled to different towns, across the nation and even to Europe. They received a salary for their part in the show, and gained a rare opportunity for cultural self-expression. Historian L.G. Moses argues that “It would be wrong therefore to see the Show Indians as dupes or pawns or even victims. It would be better to approach them as persons who earned a fairly good living between the era of the Dawes Act and the Indian New Deal playing themselves, re-creating a very small portion of their histories, and enjoying it.”<sup>7</sup> In turn, the success of famous Show Indians further encouraged Native people across the country to join a performance troupe or hold local celebrations of their own, to earn a little money and perform dances declared subversive by assimilationist reformers.

At the turn of the twentieth century, indigenous performers attracted not only vast audiences, but also very powerful critics. Reformers and Office of Indian Affairs personnel implemented widespread, but ultimately futile, campaigns against Wild West Shows, and by extension Indian dancing. Ironically, just as the American public clamored for a glimpse of the “wild Indian,” government agents and moral crusaders

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<sup>6</sup> Certain performers, including Buffalo Bill, sought to step beyond these simplistic interpretations. Others relied upon the common misperceptions that audience members held regarding their Native performers, firmly establishing stereotypical images of Native peoples that still linger today.

<sup>7</sup> Moses, *Wild West Shows*, 279.

fiercely protested Native participation at such events.<sup>8</sup> In fact, the vast popularity of Wild West Shows, expositions and fairs further prompted displays of indigenous culture on reservations across the country, a reality that OIA personnel deplored. In response, Commissioner of Indian Affairs, T. J. Morgan, clearly outlined a strict policy against Native performances in 1892. “It is unwise for Indians to be allowed to appear before the public exhibiting their savage characteristics,” the Commissioner argued. “It tends to create in their minds the idea that what the white man particularly admires is that which really is a mark of their degradation.”<sup>9</sup> In reality, OIA personnel feared not the non-Native perception of American Indians, but rather how their participation in these performances would hinder the assimilationist efforts, conducted en masse, on reservation across the country. The Commissioner insisted that dancing and other types indigenous performance “tends to foster a roaming spirit; it brings them, almost of necessity, into contact with the low and degraded white man, encourages vice, and begets the false ideas of civilized life; it takes them from home, breaks up any habits that may be forming of ordinary industry, and has a tendency to awaken a spirit of restlessness among those that remain behind.”<sup>10</sup> In most cases, these fears proved unfounded. At the same time, the popularity of famous Show Indians did thwart assimilationist attempts to suppress cultural expression, as indigenous performers, at all levels, increasingly used fairs, expositions and shows to solidify a new, and uniquely ethnic, cultural identity.

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<sup>8</sup> Clyde Ellis, *A Dancing People: Powwow Culture on the Southern Plains* (Lawrence: University Press of Kansas, 2003), 16.

<sup>9</sup> *RCIA for 1892*, 105-106.

<sup>10</sup> *RCIA for 1892*, 105-106.

Most often, this process of identity reformation occurred as Native people participated in the vibrant and increasingly adaptable cultural practice of dance. Though different in their iterations, indigenous dancers from tribal nations across the country generally represented the defiant spirit of American Indians. While certain performances, particularly those of the “Wild West” variety, attempted to characterize indigenous peoples as static and uncivilized, dancers proudly exhibited the legacy of their cultures at these events. In taking a very public path of resistance, the mere presence of indigenous performers, also directly refuted notions of American Indians as a “dying race,” and instead fostered an image of cultural exuberance, both on reservations and in the non-Native world. Additionally, Show Indians and local performers portrayed a specific cultural consciousness to their audiences. Historian L.G. Moses explains that through their involvement in these events, indigenous performers accepted dual roles of show participants as well as “spokespersons for the right of Indians to be themselves.”<sup>11</sup> By participating in local dances, fairs, expositions and shows, American Indians across the country actively promoted a very specific cultural representation for spectators to behold.<sup>12</sup>

In reality, most Native Americans did not participate in Wild West Shows. Rather, the desire to perform, fueled by the popularity of Show Indians, encouraged tribal nations, including the Arapaho and Shoshone, to hold dances and festivals of their own on or near their Agency. Curiously, reservation missionaries and even border town residents, encouraged Wind River indigenous performances, despite pervasive notions

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<sup>11</sup> L.G. Moses, “Interpreting the Wild West, 1883-1914,” in *Between Indian and White Worlds: The Cultural Broker*, ed. Margaret Connell Szasz (Norman: University of Oklahoma Press, 1994), 177.

<sup>12</sup> While their spectators may not have fully understood or appreciated the subtle (and not so subtle) differences in indigenous dancing, the attire worn, the songs sung and even the steps made, dancers differed from tribal nation to tribal nation.

of racial inferiority, and actively supported Arapaho and Shoshone dancing for non-Native enjoyment.<sup>13</sup> Outsiders marveled at the skill and agility of these performers and eagerly supported their shows, much to the dismay of Shoshone Agency personnel. By the early twentieth century, invitations from across the country, requested Arapaho and Shoshone dancers for a whole host of events, including Cheyenne Frontier Days, the opening of National Parks, political rallies, expositions and parades. Through their participation in these events, Wind River performers attracted increasingly diverse audiences, and in the 1920s, the notice of Hollywood producers. Perhaps more than any other venue, Arapaho participation in the moving picture, *The Covered Wagon*, secured a vast audience upon which they proudly projected their national iconography.

### **Dancing on the Wind River**

Few anticipated the popularity of Arapaho and Shoshone dances near the Wind River, let alone their success in Hollywood. During the last two decades of the nineteenth century, Indian Agents devised repressive measures to thwart indigenous cultural practices, especially dancing, on reservations across the country. With the full support of the Commissioner of Indian Affairs, Shoshone Agents verbally discouraged dancing, particularly the Sun Dance, as it appeared destructive to Native bodies, and because when dancing, the Arapaho and Shoshone “neglected their work.”<sup>14</sup> OIA personnel also targeted reservation parents, as they enforced compulsory boarding

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<sup>13</sup> In general, missionary organizations belonged to a group of individuals who fiercely protested displays of Native culture. On reservations across the country, religious groups sought to reform Native peoples, beginning at a very young age, and inculcate in them strong Christian values. They wanted Native peoples to denounce previous religious and cultural practices and ultimately hoped to kill off the last vestiges of Indianness. The Wind River situation is curious, because by and large religious officials allowed, and sometimes encouraged, displays of Arapaho and Shoshone culture, fostering the syncretism of Native and non-Native systems.

<sup>14</sup> Agent John Fosher to T.J. Morgan (CIA), August 17, 1891, NARA-VIII, RG 75, GR, Entry 4, AR, 1890-1909, Box 1. Other threats included, at times, a reduction in rations and even jail time.

school education and attempted to stem the distribution of cultural knowledge, from respected elders and spiritual leaders, to Arapaho and Shoshone youth.<sup>15</sup> Upon completion of their education, Arapaho and Shoshone teenagers often felt out of place and even ostracized by their communities. This directionless existence, a byproduct of assimilationist campaigns generated by government agents, perpetuated the disparity between young and old on the Wind River. During this rather bleak and difficult time, an unsuspected, unifying force appeared, as a prophet with an inspiring message brought together not only young and old, but also Arapaho and Shoshone on the reservation.

News of Wovoka, the Paiute Ghost Dance messiah, reached Wind River residents through a group of Bannocks in 1889. The Shoshone, who maintained close ties with the onetime residents of the Wind River, welcomed them warmly and implored their old friends to explain the dance and its purpose. Arapaho chiefs, familiar with the new dance, had yet to see it performed and requested a meeting with the Bannocks as well, to gather additional information about the practice. Inspired by the Bannocks' account, a group of Shoshones quickly prepared to depart for Paiute country, seeking firsthand knowledge of the dance that, through supernatural means, could remove the non-Native threat from their lands and bring deceased relatives back to life. Arapaho elders hastily obtained permission from Washakie to send Sherman Sage, a confidant of

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<sup>15</sup> Arguably, the education systems on the Wind River provided many more opportunities for cultural expression than those of off reservation boarding schools. At the same time, by taking children out of Arapaho and Shoshone homes, cultural bonds failed to fully develop. Few job opportunities existed on the reservation for educated youth, as non-Native businessmen often refused to hire Arapaho and Shoshone workers. Many simply returned to their family allotments and began farming. At the same time, once political leaders recognized the very real benefits of bilingual, educated adults, the service of boarding school graduates became invaluable. Fowler, *Arapahoe Politics*, 121-122.

Black Coal's, with the five Shoshones departing for Wovoka's camp, so that they too, could learn the movements of the dance and better understand its meaning.

In Mason Valley, the delegation watched a Ghost Dance in awe. After dancing all night, Wovoka met with the Wind River Indians and told them that in two years (or in the fall of 1891) they would meet their dead relatives. He encouraged the group to quickly return to their reservation and dance often because, "the dance moves the dead."<sup>16</sup> Back on the Wind River, the Arapaho and Shoshone eagerly adopted the Ghost Dance. Elders encouraged younger members to participate, effectively bringing them back into the fold of the tribal nations. In general, the Arapaho and Shoshone adopted the dance because, like most other participants, they yearned for a day in which they could see long lost loved ones and live in a world free of oppression. The two tribal nations found common ground in this new faith and shared a temporary cultural bond through their separate, but nearly identical performances of the dance.

Not everyone on the reservation supported the Ghost Dance, however. Chief Washakie initially dismissed the new faith and even discouraged Shoshone participation in it, while Tawunasia, one of Washakie's confidants, actively encouraged its proliferation on the Wind River.<sup>17</sup> Similarly, Arapaho chiefs Sharp Nose and Yellow Calf became two of the most dedicated Ghost Dance parishioners, while Black Coal doubted the movement and even sponsored a second delegation to Nevada, so that the Arapaho could further investigate the sudden popularity of the dance. Naturally, their agent, John Fosher, abhorred the dance and tirelessly, but unsuccessfully, attempted to

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<sup>16</sup> Mooney, *Ghost Dance Religion*, 807-808; Anderson, *One Hundred Years of Old Man Sage*, 60.

<sup>17</sup> Stamm, *People of the Wind River*, 247.



suppress Wind River participation in the “craze.” In response to criticism from skeptics, Wind River believers often held their lodges, or dances, in secret.<sup>18</sup>

Anthropologist James Mooney visited the Wind River in 1892 and questioned Agent Fosher, as well as several Arapaho and Shoshone leaders, about the Ghost Dance. Fosher insisted that the tribal nations did not take part in the dance because he had explained to them “how foolish it was and had strictly forbidden it, and that in consequence the Indians had abandoned it.”<sup>19</sup> Mooney remained unconvinced and continued to seek out performances of the Ghost Dance on the Wind River that summer. When interviewed, Shoshone leaders explained that they became skeptical of the benefits of the dance and no longer participated. In fact, at the time of Mooney’s arrival, most of the Shoshone discounted the Ghost Dance, because the messiah’s new world failed to appear, as predicted in the autumn of 1891. Additionally, the influential Chief Washakie increasingly discouraged the dance and while some still practiced the faith, most of the Shoshone no longer subscribed to the religion.<sup>20</sup>

The Arapaho, on the other hand, appeared to Mooney far more steadfast in their beliefs, yet they professed abstinence to their agent and the scholar. He confirmed these suspicions when, one night during his stay, Mooney and his agency interpreter received an invitation from the Arapaho elders to visit their camp. He later reported of his encounter, “We started [over], and had gone but a short distance when we heard from a neighboring hill the familiar measured cadence of the ghost songs. On turning with a

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<sup>18</sup> Fowler, *Arapahoe Politics*, 122.

<sup>19</sup> Mooney, *Ghost Dance Religion*, 809. Fosher’s annual report to the Commissioner of Indian Affairs echoes the same mentality, see Agent John Fosher to T.J. Morgan (CIA), August 17, 1891, NARA-VIII, RG 75, GR, Entry 4, AR, 1890-1909, Box 1.

<sup>20</sup> The brutal suppression of Lakota Ghost Dancers in the winter of 1890, at Wounded Knee, certainly quelled some of the enthusiasm for the movement as well.

questioning look to my interpreter...he quietly said: 'Yes; they are dancing the Ghost dance. That's something I have never reported, and I never will. It is their religion and they have a right to it.' Not wishing to be an accomplice in crime, I did not go over to the dance."<sup>21</sup> The Arapaho eventually turned away from the Ghost Dance, but continued to hide their cultural practices, as did the Shoshone, to ensure the preservation of their heritage.

At other times, Arapaho and Shoshone dances were far from clandestine. Religious organizations, including the Catholic Sisters of Charity and the Wind River Episcopal mission, directed by Revered John Roberts, often encouraged Native dances. For example, under the auspices of cultural pluralism, the Sisters of Charity and the Arapaho celebrated their diversity at a feast in 1884. The Sisters later wrote of the event, "the Indians requested to be allowed to show their appreciation and respect for the occasion by having one of their exceedingly picturesque dances in costumes...the Indian dance lasted for about two hours in the afternoon, to the delight of the Sisters, who had never before witnessed such a scene."<sup>22</sup> Additionally, the Shoshone infused their dances with Christian messages, a practice that garnered the support of religious officials, namely Reverend Roberts. The Episcopal leader ultimately earned the Shoshones' respect, though his tolerance of such cultural practices, including the Sun Dance.<sup>23</sup>

By 1906, even the residents of Lander, a booming reservation border town, encouraged the Arapaho and Shoshone to participate in their Fourth of July celebration. Event coordinators proudly boasted that, "Lander will have a Celebration on the 3<sup>rd</sup> and

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<sup>21</sup> Mooney, *Ghost Dance Religion*, 809. Trenholm and Carley, *The Shoshoni*, 297.

<sup>22</sup> *History of the Sisters of Charity*, 415.

<sup>23</sup> Shimkin, "Dynamics of Recent Wind River Shoshone History," 458-459.

4<sup>th</sup> of July, 1906, never before known,” and solicited Arapaho and Shoshone involvement in several events. Wind River Indians joined the parade, at which they appeared between the local infantry unit and the fire department and participated in a contest, in which the “Best dressed Indian” won a two dollar and fifty cent prize.<sup>24</sup> In fact, celebrating the Fourth of July became the ideal setting for displays of cultural representation. Part of a far larger movement sweeping the country, the Arapaho and Shoshone adopted the patriotic celebration and infused the holiday with their own indigenous practices, thereby increasing the number of spectators and opportunities to perform dances for an audience.

Invitational performances supplemented these yearly, local celebrations, as an increasing number of event planners sought American Indian involvement in their fêtes. With the encouragement of their agent, Joe Norris, the Arapaho and Shoshone also participated in state and local fairs. In 1912, for example, Norris encouraged a group of Wind River Indians to travel to the Wyoming State Fair, in Douglas. In consultation with the Arapaho Business Council, the agent suggested that only those performers who could speak and understand English should participate and insisted to the fair organizers, “you will find each and every one worthy of all the attention that you may give to them.”<sup>25</sup> In addition to providing their transportation, Norris agreed to pay the Wyoming State Fair Board two dollars a day, for the care of the performers, expenditures previous agents would have never allowed. In fact, Norris took a fairly practical approach to Native dancing and indicated in an annual report, “Close personnel observation has been given to these dances and it is believed they should be

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<sup>24</sup> *Wind River Mountaineer*, June 29, 1906, 5; *Wind River Mountaineer*, July 6, 1906, 1.

<sup>25</sup> Joe Norris to Russell Thorpe, President of the Wyoming State Fair, September 23, 1912, NARA-VIII, RG 75, AR, Wind River, Entry 8, GAR, 1890-1960, Box 52.

allowed to indulge in this religious ceremonial so long as they can do so without resulting in damage to their health, crops, cattle or personal affairs.”<sup>26</sup> For Norris, the exclusion of indigenous performances was an unnecessary restriction to Native life.

In 1913, the Arapaho and Shoshone scheduled their Sun Dances to coincide with the Lander Fourth of July festivities. Held annually by both the Arapaho and Shoshone, the Sun Dance marked a time of year in which community spirit and individual achievement coalesced in a three or four day celebration. As both a political and cultural event, the Sun Dance allowed spectators and participants to celebrate the strength and endurance, kinship and community, of the tribal nations.<sup>27</sup> Throughout the first decade of the twentieth century, however, it became increasingly difficult to host such an event, as the Commissioner of Indian Affairs, Cato Sells, forcefully objected to the Sun Dance and the non-Native crowds that the celebration attracted. During his administration, Sells adopted a particularly strict, no tolerance policy with regard to Sun Dances, though supportive Indian Agents and reservation residents subverted his attempts to completely quash the practice.

In the summer of 1913, Shoshone Agent Joe Norris proposed an exception to the Sun Dance ban on the Wind River. Norris insisted that he had witnessed the Arapaho and Shoshone Sun Dances, “and there were no barbarous features in connection therewith except fasting for three nights and two days.” Furthermore, Norris attempted to convince the Commissioner that by allowing the Arapaho and Shoshone a Sun Dance during their Fourth of July celebration, they would be less inclined to participate in “debauchery” and it would successfully keep them “away from outside

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<sup>26</sup> Annual Report, 1914, NARA-VIII, RG 75, AR, Entry 8, GAR, 1890-1960, Box 1.

<sup>27</sup> For more on the Sun Dance, please see, Fowler, *Arapahoe Politics*, 154-155 or Shimkin, “Eastern Shoshone,” in *Handbook*, 327.

wide open towns as much as possible.”<sup>28</sup> Knowing that perhaps only Sells’ feelings towards Indian drinking superseded his disgust for Native dances, Norris hoped to successfully secure permission for the Wind River Sun Dance.<sup>29</sup> Hastily, the Commissioner responded via telegram, that the Office of Indian Affairs “Can not [sic] consistently permit it [on] one reservation and not another therefore can not [sic] recede from order... See no reason why Indians can not [sic] have modern dance instead of sun dance as part of Fourth of July celebration.”<sup>30</sup> Undeterred, the Arapaho and Shoshone simply carried on without OIA permission and Agent Joe Norris turned a blind eye to the festivities.

Recounting the event, the *Lander Eagle* declared, “Indians Enjoy Annual ‘Sun Dance’ at Fort.” The unnamed reporter noted, “the attendance from Lander was only fair,” on this particular holiday, largely due to the fact, that “The pruning given to the original dance by the Indian bureau has taken about all the romance out of the sun festival, which in the past was a most picturesque yearly fete of the Indians.” Bemoaning the OIA’s restriction of skin piercings, the reporter for the *Lander Eagle* compared the reformed Sun Dance to that of the white man’s “bunny hug.” The newspaper grudgingly conceded the moderate success of the event, as the “Indians enjoyed the fete immensely, but now look upon it more as a commercial venture than as

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<sup>28</sup> Telegram from Joe Norris to Cato Sells (CIA) June 28, 1913, NARA I, RG 75, CCF, 1907-1939, Shoshone, Box 13, Folder 7665-13-063.

<sup>29</sup> A year later, Sells delivered an address to Agency Field Supervisors across the country denouncing whiskey as the “greatest menace to the American Indian.” He implored his agents to generate campaigns on their reservations to end the intoxication of Indians and suppress liquor traffic at any cost. The Commissioner’s battle cry, “Let us save the American Indian from the curse of whiskey,” prompted a flurry of activity on reservations and a subsequent crush of letters back to the Office of Indian Affairs about the status of reservation drinking. Though only tangentially related to the issue of Native dancing, the two became intertwined as reservation agents linked Native celebration and intoxication. Cato Sells (CIA) to All Employees of the Indian Service, March 25, 1914, NARA-VIII, RG 75, AR, Entry 8, GAR, 1890-1960, Box 64, Folder 17.

<sup>30</sup> Telegram from Cato Sells (CIA) to Joe Norris, June 30, 1913, NARA I, RG 75, CCF, 1907-1939, Shoshone, Box 13, Folder 7665-13-063.

a religious observation.”<sup>31</sup> Indeed, part of the reason that Wind River residents invited local non-Native communities to this cultural practice, was to secure small spectator fees and donations, used for later feasts and to defray travel expenses for dances beyond the reservation. While the commercialization of the Sun Dance disappointed the Lander reporter, changes to the ceremony in 1913 reflected two political trends in motion on the Wind River.

First, the practice of skin piercing, traditionally part of the Sun Dance, all but vanished in the early twentieth century. In deference to agents who supported their dances, as well as increased pressure from the OIA, Arapaho and Shoshone participants discontinued this part of the ceremony, much to the dismay of gore seeking spectators.<sup>32</sup> The increased commercialization of Arapaho and Shoshone dances also reflected the changing nature of Native performance. As the *Lander Eagle* deftly noticed, the commercialization of Wind River dances indicated the active promotion of Arapaho and Shoshone performers by their tribal nation, as well as the increased profitability of these festivals through spectator fees. One final change to the Sun Dance, implemented by the tribal nations themselves, was the renaming of the ceremony as they actively attempted to shed the increasingly negative connotations of the dance. Arapaho and Shoshone people, in non-Native company, referred to the Sun Dance through a variety of aliases including the “Sage Chicken Dance,” “Wolf Dance,” or “Harvest Dance,” which implied a more innocuous festival, rather than the “pagan ritual” of popular imagination.

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<sup>31</sup> “Indian Enjoy Annual ‘Sun Dance’ at Fort,” *Lander Eagle*, July 3, 1913, 4.

<sup>32</sup> Alfred Kroeber noted the changing practice in 1889, when evidently, the last Arapaho man underwent their piercing as part of the sun dance. Kroeber, *The Arapaho*, 279.

This thin veneer of misdirection did little to sate the concerns of a few Shoshone Agents, or Commissioners of Indian Affairs. In 1917, E.A. Hutchinson noted in his first report as Superintendent of the Shoshone Agency, “These dances, while not called by their original names...[last] for about three days without intermission, causing the Indians to gather from all over the reservation, neglect their crops and dance until they were entirely exhausted. These long-continued dances, under whatever name, have been prohibited.”<sup>33</sup> Though far less supportive of this form of cultural representation than the previous agent, Joe Norris, Hutchinson conceded that the Wind River people should be allowed to participate in their less controversial dances, because “To prohibit them altogether would bar the old Indians from their only form of recreation...In fact, I seriously question whether they [the “old” dances] are near as immoral as the modern dance indulged in by the whites.”<sup>34</sup> Hutchinson’s allowance for dances of any kind did not extend beyond the reservation’s boundaries, however. Consequently, Arapaho and Shoshone tribal nations sought additional supporters for their indigenous performances.

### **Patrons**

As in the past, the Arapaho turned to religious missionaries on the reservation for assistance. In particular, St. Michael’s Mission offered the Arapaho, not only educational services for their children, but also a central gathering place for festivals and feasts. From its inception, in 1912, the school allowed Arapaho parents to visit their children frequently. At the school’s behest, the tribal nation also hosted dances in celebration of the synchronicity of Episcopalian and Arapaho educational and cultural

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<sup>33</sup> Annual Report to the Commissioner of Indian Affairs, 1917, NARA-VIII, RG 75, AR, Entry 8, GAR, 1890-1960, Box 2.

<sup>34</sup> Annual Report to the Commissioner of Indian Affairs, 1917, NARA-VIII, RG 75, AR, Entry 8, GAR, 1890-1960, Box 2.

practices. However, the fairly radical methods espoused by St. Michael's educators, including the allowance of long hair, indigenous dress and the use of Native languages, did not please Shoshone Agent E.A. Hutchinson (1917-1922) or Commissioner of Indian Affairs, Cato Sells. In fact, during Hutchinson's first year on the Wind River, the Agent and Commissioner unsuccessfully launched a fierce campaign to eradicate the educational pluralism found at the school and remove Headmaster Royal Balcom from his post.<sup>35</sup>

When the *Wyoming State Journal* quietly announced on May 16, 1919, "Arapahoes to Hot Town," a second pitched battle between government agents and St. Michael's staff ensued. Though perhaps a passing novelty to the casual *State Journal* reader, news of Arapaho participation at this particular event certainly added to the growing dissonance between the Shoshone Agent and the Episcopal mission. The article in its entirety noted,

Rev. R.H. Balcolm [sic] and Dr. A.L. Corey will accompany a band of Arapahoes to Thermopolis on June 27-29 to attend the big wild west show and buffalo hunt. An Indian village will be transported over the mountains by the old Mexican Pass route and will be the center of attraction for tourists.

Two buffalos have been purchased from the state and these will be turned loose for the Indians who will enjoy an old-fashioned buffalo hunt, such as the younger members of the tribe have never witnesses.<sup>36</sup>

Hutchinson vehemently denounced the school's support of Arapaho cultural practices, including their sponsorship of the Thermopolis event, not to mention Headmaster Balcom's blatant disregard for Agent Hutchinson's authority regarding trips beyond the Wind River. On the other hand, St. Michael's staff knew that Arapaho participants relished this celebration because they could perform beyond the boundaries of the

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<sup>35</sup> Please see Chapter 4.

<sup>36</sup> "Arapahoes to Hot Town," *Wyoming State Journal*, May 16, 1919, pg. 1.



reservation and be part of an event that required not only dancing, but additional entertainment, including life in an Indian village and a buffalo hunt. Indeed, Thermopolis event planners specifically designed their celebration with the Arapaho in mind. But, when Agent Hutchinson heard of the proposed (and not approved) sojourn from the Wind River, he addressed his complaints directly to Commissioner Sells.

Of particular concern to Hutchinson, Arapaho participation in the Thermopolis affair coincided with the eve of Wyoming prohibition. The last “wet” bastion in the Rocky Mountain region, Wyoming resisted prohibition until state legislated temperance began on July 1, 1919. Advertisers touted the Thermopolis celebration, lasting from June 27<sup>th</sup> to the 29<sup>th</sup>, as a “Wild Show for Wild Men,” and promised to welcome prohibition with great style. The addition of Arapaho Indians, perhaps some of the first “wild men” of Wyoming, enthralled festival goers, but greatly angered Agent Hutchinson, who protested to Commissioner Sells, “indications are that this is to be a ‘grand and glorious’ drunk just preceding the passing of John Barleycorn.”<sup>37</sup> In raising the issue of Native temperance, a perpetual crusade of Commissioner Sells, Hutchinson undoubtedly hoped to secure OIA backing to suppress Arapaho participation at this event.

In reality, the Shoshone Agency noted very few instances of drunkenness on the Wind River, before and during prohibition.<sup>38</sup> Annual reports from reservation agents

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<sup>37</sup> E.A. Hutchinson to Cato Sells (CIA), June 2, 1919, NARA I, RG 75, CCF, 1907-1939, Shoshone, Box 288, Folder 27488-18-816.2.

<sup>38</sup> Of more concern to Shoshone Agents, was the use of peyote, which increased on the Wind River throughout the late 1910s. Use of the bean appeared, to agents, particularly pervasive among the Arapaho, who adopted it from their southern relatives in Oklahoma. In tandem with a rise in popularity of the Native American Church, peyote use on the reservation seemed to be confined to religious ceremonies. Wind River agents expressed distaste with its use, but lacked the wherewithal to catch offenders, while the Commissioner of Indian Affairs, Cato Sells, maintained far more tolerance with peyote users than those who imbibed alcohol.

continually noted the infrequent use of liquor by the Arapaho and Shoshone people. In 1917, even Agent Hutchinson reported “Very little liquor is introduced onto this reservation except on rare occasions when some of the Indians go to nearby towns, such as Lander, Hudson and Riverton, all close to the reservation.”<sup>39</sup> The following year, Hutchinson recorded only seven arrests for intoxication.<sup>40</sup> More than a fear of drunkenness and debauchery, Hutchinson deplored Arapaho participation at the Thermopolis event, because St. Michael’s personnel, specifically Headmaster Balcom, subverted his authority on the matter.

The rift between St. Michael’s and Agent Hutchinson began almost immediately after the Hutchinson’s appointment to the office. After several confrontations regarding St. Michael’s educational philosophy and practices, Hutchinson launched a thorough investigation into the Episcopal mission, but ultimately failed to enact drastic changes at the school. The Thermopolis episode, less than a year after Hutchinson’s assault, chafed a raw wound. The Agent protested to Sells that “Neither of them, [Headmaster Balcom or Dr. A.L. Corey] have consulted me in regard to the proposed exodus of the Indians, and in fact they rarely consult me touching matters of administration among the Arapahoe Indians.”<sup>41</sup> The tribal nation, caught up in the jurisdictional infighting between the two agencies, greatly appreciated the effort of their religious allies, but bore the brunt of Hutchinson’s ire, as he insisted that they needed to stay on the reservation because the distance of the celebration from the reservation (eighty miles),

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<sup>39</sup> Annual Report, 1917, NARA-VIII, RG 75, AR, Entry 8, GAR, 1890-1960, Box 2.

<sup>40</sup> Annual Report, 1918, NARA-VIII, RG 75, AR, Entry 8, GAR, 1890-1960, Box 2.

<sup>41</sup> E.A. Hutchinson to Cato Sells (CIA), June 2, 1919, NARA I, RG 75, CCF, 1907-1939, Shoshone, Box 288, Folder 27488-18-816.2.

and the duration of the Arapahos' stay (at least ten days), would interfere with the first cutting of hay on the Wind River, taking valuable workers out of reservation fields.

Finally, Hutchinson denounced Arapaho participation in the Thermopolis event, as part of a larger campaign to prevent the performance of unauthorized dances. Fearing that the "Indians contemplate staging the sun dance for the edification of the crowd," Hutchinson demanded that the Arapaho stay on the reservation. "As a consequence," the Agent wrote to Sells, "the Indians are in an ugly mood, some of them threatening to go whether I consent or not."<sup>42</sup> Hutchinson noted that force might be necessary to keep the Arapaho on the reservation and requested advice from the Commissioner. In response, Sells sent letters to Agent Hutchinson, as well as the Arapaho people and Bishop Nathaniel Thomas, founder of St. Michael's Mission, outlining his preferred course of action. Though Sells applauded Hutchinson's efforts on the Wind River, he warned the agent, "that it would be difficult and unwise to attempt to restrain them should they decide to go which would probably result seriously in consequences."<sup>43</sup> To the Arapaho people, Sell insisted that he had only their best interest in his heart, as he advised against a trip to Thermopolis. The Commissioner explained, "I feel that these so-called 'wild west shows' are detrimental to the best interests of the Indians, who are making most encouraging strides in their civilization, and serve no useful purpose other than satisfying a desire of others for excitement and a perpetuation of old-time customs and practices." In closing, Sells requested that the Arapaho people "take immediate steps to cancel any arrangements you may have made for holding a show at

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<sup>42</sup> E.A. Hutchinson to Cato Sells (CIA), June 2, 1919, NARA I, RG 75, CCF, 1907-1939, Shoshone, Box 288, Folder 27488-18-816.2.

<sup>43</sup> Cato Sells (CIA) to E.A. Hutchinson, June 13, 1919, NARA I, RG 75, CCF, 1907-1939, Shoshone, Box 288, Folder 27488-18-816.2.

Thermopolis.”<sup>44</sup> In his letter to Bishop Nathaniel Thomas, however, the Commissioner adopted a far different tone.

By 1919, Sells and Thomas maintained a fairly adversarial relationship. Sharply phrased criticism and thinly veiled critiques punctuated their correspondence of the past year, especially with regard to the practices at St. Michael’s Mission. Sells informed Thomas that he had received word from “reliable sources” that Headmaster Balcom was “encouraging the Indians to participate in the old time customs, and their connection with the, ‘wild west show’ to be held at Thermopolis, would seem to confirm these reports.” Furthermore, Sells argued to Thomas, “I believe that you fully appreciate the dangers and temptations in attending these shows and the difficulty our superintendents have experienced in discouraging the ‘sun dance’ and others of a similar character, which are so detrimental to the progress of the Indian.”<sup>45</sup> Sells requested that Thomas halt the trip to Thermopolis and maintain a firm hand on the matter of Arapaho and Shoshone cultural performances.

The Arapaho would not be deterred from this incredible opportunity, however. Though event planners frequently requested the presence of Wind River Indians at celebrations and fairs, audiences most often clamored for pulse-pounding chants and vibrantly dressed dancers. The Thermopolis festival, on the other hand, promised to be a far more involved affair, in which not only talented performers, but also everyday Arapahos could be a part. Indifferent about the last wet days in Wyoming, Arapaho participants delighted in the prospect of living in an Indian village that attracted the

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<sup>44</sup> Cato Sells (CIA) to the Arapaho Tribe, June 13, 1919, NARA I, RG 75, CCF, 1907-1939, Shoshone, Box 288, Folder 27488-18-816.2.

<sup>45</sup> Cato Sells (CIA) to Bishop Nathaniel Thomas, June 13, 1919, NARA I, RG 75, CCF, 1907-1939, Shoshone, Box 288, Folder 27488-18-816.2.

interest of non-Native audiences, not to mention the ability to conduct a buffalo hunt. Furthermore, many of the elder members of the tribal nation belonged to what historian L.G. Moses has labeled a “transitional generation.” Moses explains that these members/performers “grew up before the reservations closed in; yet they encountered the governmental programs designed to eradicate native life.”<sup>46</sup> For this “transitional generation,” an opportunity to participate in a festival that honored a lifestyle, one to which they previously belonged, certainly held immense appeal. The Arapaho would also receive payment, though a minimal one, for their services. Agent Hutchinson’s ardent stance regarding dances beyond the Wind River, and the Arapaho’s positive experiences at St. Michael’s, prompted leaders of the tribal nation to exclude their Agent and seek council with the mission as they planned their trip. Once informed, Hutchinson clearly failed to recognize the many tangible benefits of their participation, or the careful selection process through which the Arapaho Business Council handpicked those who would be in attendance at the three day affair.<sup>47</sup>

In the end, despite the fierce resistance generated by Agent Hutchinson and Commissioner Sells, the Arapaho went to “Hot Town.” The *Thermopolis Independent* happily reported on June 27, “The band of Arapahoe Indians from the reservation came in yesterday morning headed by Yellow Calf, Lone Bear and other former warriors. There were about one hundred in the band, and came in twenty wagons. They brought with them all equipment for the village, including teepees, cooking equipment and

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<sup>46</sup> Moses, “Interpreting the Wild West,” 161.

<sup>47</sup> Not all Arapahos received permission to attend this event. Those deemed too rowdy, trouble-prone, or even unpopular did to travel to Thermopolis, though nearly one hundred people made the eighty mile journey. Above all else, Arapaho leaders wanted to display a specific cultural representation to spectators, one of a proud heritage, masculine and domestic skills, and temperance.

everything that goes to make up a typical Indian camp.”<sup>48</sup> Leading the troupe, elders Yellow Calf and Lone Bear also held esteemed positions on the Arapaho Business Council. The veritable spokesmen intrigued spectator crowds with “snake dances,” as did life in the Indian village, however, a last minute pardon by the “state humane officer,” spared the sacrificial buffalo for the hunt, well, at least until the festivities concluded on Monday. As Wyoming residents prepared for their final night of free flowing liquor, the Arapaho in Thermopolis received permission from state officials to shoot the buffalo, but only “by someone who could make a clean kill.”<sup>49</sup> The tribal nation feasted on the mighty beast during their final night in Thermopolis, and as “Cheyenne awoke...with a headache, a yearning thirst, a fuzzy taste in its mouth and not a chance for the morning eye-opener,” the Arapaho traveled back to the Wind River.<sup>50</sup>

Though not included in this particular fête, Shoshone performers did participate in local celebrations and at times, they turned to familiar patrons for support. Longtime friend of the tribal nation, Reverend John Roberts, allowed the Shoshone to hold festivals and dances at the Episcopal mission, though unlike his religious counterparts at St. Michael’s, Roberts simply tolerated Shoshone cultural practices and did not advocate for the tribal nation’s participation in off reservation celebrations. Furthermore, the Shoshone expressed less interest in sending performers beyond the reservation, preferring instead to dance for surrounding non-Native communities, who paid small spectator fees to watch their performances. On occasion, they did receive

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<sup>48</sup> “Wild Show for Wild Men Ready for Start Today,” *Thermopolis Independent*, June 27, 1919, 1.

<sup>49</sup>For the particularly gruesome account of the buffalo’s slaughter and subsequent harvest by the Arapaho please see “Indians Have Buffalo Feast; Arapahoes Have Time of Their Lives, Harking Back to Days Gone By,” *Thermopolis Record*, July 3, 1919, 1.

<sup>50</sup> “City Awoke with a Headache,” *Wyoming State Tribune*, July 1, 1919, 1.

invitations to display their national heritage beyond the reservation and faced resistance from their Indian Agents, who actively quashed such opportunities. In 1921, for example, the publicity director for Yellowstone National Park, Gene Cohn, wanted to borrow a few Shoshones and use them, as both performers and informants, in a publicity campaign designed to lure tourists to the travel destination. In a letter to Agent Hutchinson, Cohn explained, “at present the eastern papers are filled with stories regarding the action of the Sioux Indians in meeting on the question of whether or not to abandon their ancient and so-called ‘Barbaric’ dances...If we could take advantage of this revived interest in Indian matters to get something about the Shoshone’s over in the press it would give me a great opportunity for getting publicity for that region [the southern edge of Yellowstone] and its colorful surroundings.”<sup>51</sup> The publicity director added a series of questions, including “What is and has been the attitude of the Shoshones on the ancient dance?” and “Just what dances have they abandoned?” wishing to, at the very least, generate a discussion with the Shoshone about their customs.

Unfortunately for Cohn, he unwittingly raised a subject that perpetually rankled Hutchinson and other Indian Agents. The Office of Indian Affairs had recently appointed a new Commissioner, Charles Burke, to replace Cato Sells. Like his predecessor, Burke deplored what he viewed as the destructive effects of indigenous dance and other cultural practices. As one of the first orders of business at his new post, the Commissioner compelled agency superintendents across the nation to stand firm on this issue. Utilizing “The Secret Dance File,” or an in-house collection of reports from

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<sup>51</sup> Gene Cohn to Agent E. A. Hutchinson, August 30, 1921, NARA-VIII, RG 75, AR, Wind River, Entry 8, GAR, 1890-1960, Box 4.

agents regarding explicit dances, Burke crafted “Circular No. 1665,” in April of 1921.<sup>52</sup> The Commissioner insisted that it was not “the policy of the Indian Office to denounce all forms of Indian dancing.” In fact, he argued, throughout history, dance was a “medium through which elevated minds may happily unite art, refinement and healthful exercise.” The problem of Indian dancing, as Burke and other reformers understood it, was that Native Americans simply held the wrong kind of dances. Instead of “something in the way of wholesome, educational entertainment,” indigenous people on reservations across the country participated in “disorderly or plainly excessive performance[s] that promote[d] superstitious cruelty, licentiousness, idleness, danger to health, and shiftless indifference to family welfare.”<sup>53</sup> In creating the circular, Burke implored OIA personnel to prevent Indians from performing ceremonies that they considered offensive, namely the Sun Dance.

It is possible, though not likely given his proclivities about the subject, that Agent Hutchinson would have welcomed the opportunity to discuss Shoshone dancing. However, with the additional support of his new Commissioner and “Circular No. 1665,” Hutchinson parroted to the Yellowstone publicity director, that “It has not been the policy of the Department to prohibit all the Indian dances.” At the same time, the Agent remarked, “Such exhibitions [including the one that Cohn proposed] tend to give the public a wrong idea of the existing conditions among the Indians by featuring them as delighting in the atmosphere of the past in exhibitions of his uncivilized state at the expense and in the discouragement of those Indians who are applying themselves to

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<sup>52</sup> Ellis, *A Dancing People*, 14.

<sup>53</sup> Circular No. 1665, issued from the Commissioner of Indian Affairs, April 26, 1921, NARA-VIII, RG 75, AR, Wind River, Entry 8, GAR, 1890-1960, Box 4, Folder 209.



industrial activities.”<sup>54</sup> In this instance, the Shoshone appear to have been largely unaware of the correspondence between Cohn and Hutchinson. While performers for the tribal nation would have undoubtedly enjoyed the opportunity, the Shoshone, for the most part, contented themselves in the creation of, and participation at, festivals on or near the Wind River. Additionally, they did not bemoan the missed opportunity to speak with Cohn at subsequent council meetings.<sup>55</sup>

In fact, between 1906 and 1927, Shoshone performers left the reservation far less often than their Arapaho counterparts. Their absence from state festivals could indicate a lack of desire to travel beyond the reservation, through historical evidence also suggests that the Shoshone directed their attention instead to reservation crops, as their general contentment with local dances kept performers closer to home. This discrepancy can also be attributed to a lasting friendship between the Arapaho people and Edward Farlow, a frontiersman, show promoter and longtime resident of the Wind River.<sup>56</sup> Farlow first became acquainted with the Arapaho and Shoshone in the late 1870s, as he worked for stock grower, Jules Lamoreaux.<sup>57</sup> The cattleman frequently

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<sup>54</sup> Agent E. A. Hutchinson to Gene Cohn, September 7, 1921, NARA-VIII, RG 75, AR, Wind River, Entry 8, GAR, 1890-1960, Box 4.

<sup>55</sup> Willie Ottogary, a “Northwestern” Shoshone and Mormon missionary remarked in his letters of the anticipation and delight of the Fourth of July festivities among the Wind River Shoshone. During a visit to the reservation in the summer of 1925, Ottogary noted, “These Shoshone Indians are good condition...they get pretty time here at Fort Washakie and also they have an Indians dance about three nights.” After celebrating the Fourth at Fort Washakie, several Shoshone performers participated in Lander’s Pioneer Days, and by the middle of July, the tribal nation began preparing for a Sun Dance. Clearly the efforts made by Commissioner Burke and Shoshone Agents could limit Wind River participation at some events beyond the reservation’s border, but did not entirely ban them from going to Lander, or holding Sun Dances. See Willie Ottogary, *The Washakie Letters of Willie Ottogary: Northwestern Shoshone Journalist and Leader, 1906-1929*, ed. Matthew Kreitzer (Logan, UT: Utah State University Press, 2000), 166-170.

<sup>56</sup> Farlow has been credited with creating the Lander Fourth of July festival, and undoubtedly encouraged Arapaho and Shoshone participation at this event. In fact, for many years, he owned the land upon which organizers held the Lander rodeo.

<sup>57</sup> Lamoreaux frequently supplied the Wind River Indian Reservation with beef for the Arapaho and Shoshone, and it is in this capacity that Farlow became well acquainted with both tribal nations. As a sign

visited with Wind River residents, as he delivered beef and hauled freight to and from the region. By the turn of the century, Farlow independently raised cattle on the eastern side of the reservation and befriended several influential Wind River leaders including Shoshone Chief Washakie and Arapaho elder and councilman Goes in Lodge.<sup>58</sup>

In 1912, Shoshone Agent Joe Norris sought Farlow's assistance in transporting a troupe of Arapaho performers to the Wyoming State Fair in Douglas. During this initial collaboration, beautiful performances by Arapaho dancers and Farlow's promotional talents, earned performers of the tribal nation statewide notoriety. With Farlow's assistance and enthusiasm, the Arapaho increasingly performed away from the reservation, at shows in Casper, Rawlins and Fort Collins, not to mention a visit to the annual conclave of the Knights Templar in Denver, Colorado.<sup>59</sup> Alone, Farlow's accomplishments, as part of the Wind River community, are impressive, particularly his respect of, and dedication to, the Arapaho people. But by facilitating cultural performances beyond the Wind River, Farlow also created a vehicle through which the Arapaho could preserve and promote their cultural heritage. Unlike the educators at St. Michael's, Farlow negotiated with personnel at the Shoshone Agency and slowly, Indian Agents recognized that he could be trusted with their charges. By the 1920s, the area rancher had become the Arapahos' most powerful patron. Armed with accolades and glowing reports of Arapaho behavior at these performances, Farlow successfully

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of their life-long relationship with the frontiersman, the Arapaho officially adopted Farlow in 1931. Please see Farlow, *Wind River Adventures*, 73, 174, and 230.

<sup>58</sup> Though Farlow frequently mentioned in his memoirs the friendships of both Arapaho and Shoshone people, he lived on the north fork of the Popo Aggie River. In turn, his close proximity to the Arapaho people allowed for the creation of a strong bond with his Arapaho neighbors.

<sup>59</sup> Astounded by the magnitude of Arapaho participation at this event, Farlow later reported an attendance of 40,000 visitors, including 20,000 plumed knights. On this particular occasion, Farlow recounted, that the spectators around the Arapaho's Wolf Dance wildly surged toward the Arapaho performers. In the process, the audience tore down a fence and only the police could recuse Farlow and dance participants. Farlow, *Wind River Adventures*, 147-148.

convinced Indian Agents to increasingly permit travel beyond the reservation's boundaries and even outside of the state. In turn, these cultural performances successfully solidified the bond between citizens of the tribal nation, as they created a national iconography, one that represented both traditional ways and modern influences. But Edward Farlow was not the only show promoter to support the cultural representations of Wind River Indians.

### *The Covered Wagon*

In 1909, an eighteen year old traveler left the safe confines of his family's Chicago home and boarded a train car seeking the western frontier of his dreams. When the train reached Arapahoe, a growing town on the Shoshone Agency, the young man "stared in amazement at the delegation of long-haired Arapahos wrapped in red and blue blankets...He also saw fifteen or twenty cowboys lining the station platform."<sup>60</sup> Perhaps second, only to a life changing encounter with the infamous western performer William F. Cody, this scene left an indelible imprint on the young life of Tim McCoy. Long before America knew him as the famous cowboy actor, McCoy stood awestruck on a train bound for Lander, Wyoming.<sup>61</sup> That summer, the teenager worked for the Double Diamond Ranch in the Wind River Valley, a job that brought him into frequent contact with Arapaho and Shoshone people. Unfamiliar with the languages of either tribal nation, McCoy quickly learned to communicate with hand gestures, and through

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<sup>60</sup> Ronald McCoy, son of Tim McCoy, "Tim McCoy: The Real/Reel Life of a Wind River Cowboy," written for the Lucius Birch Center for Western Tradition in Dubois, found at <http://www.windriverhistory.org/exhibits/mccoy/Tim%20McCoy%20Wyomingfinal.pdf>, 5-6.

<sup>61</sup> Over the course of his lifetime, McCoy performed in nearly one hundred Hollywood films.

courteous behavior he befriended several Arapahos including George and William Shakespeare and Goes In Lodge.<sup>62</sup>

From this rather inauspicious beginning, the young and ambitious traveler embraced the western lifestyle. After homesteading near the Owl Creek for several years, McCoy eagerly enlisted with the cavalry during World War I. When he returned to Wyoming, Governor Robert Carey appointed the lieutenant colonel to the position of adjutant general for the state. While at this post, McCoy met with a representative from a Hollywood film company, the Famous Players-Lasky Corporation, a chance encounter that would forever change his life. The production firm sought his assistance in locating five hundred Native Americans to be used as extras in a movie based upon Emerson Hough's western novel, *The Covered Wagon*.<sup>63</sup> Hough's story, a riveting tale of the heroism and tragedy experienced by pioneers of the Oregon Trail, required not only a fairly extensive cast of Native Americans of all ages, but also horses, tipis, regalia and someone to organize the entire affair.

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<sup>62</sup> Both served as leaders of the Arapaho business council. Tim McCoy once explained to his son Ron, "the oldtimers were fascinated that a young, green cowboy had not come galloping up in a cloud of dust and insulted them by calling them 'John' and demanding information. Tim sensed that his respectful attitude made them curious, since they seldom encountered that sort of behavior from white men." McCoy, "Tim McCoy," 10.

<sup>63</sup> This was not the first time that a movie production company attempted to employ Arapaho and Shoshone performers, however. In 1920, Sam Thompson, from Yellowstone Productions, Inc., requested permission to enter the reservation and film a few scenes with "Indian boys" for a production of the Charles E. Winter novel, *Ben Warman*. Agent Hutchinson, a perpetual nemesis of the Arapaho and Shoshone, discouraged Thompson from visiting the reservation, and advised, "the settled policy of the Indian Office is to discourage Indians from taking part in any exhibitions which tend to perpetuate the old barbarous customs and degrading influences of the Indian pagan dances, their superstitious medicine men, and all the feathered and painted heraldry of wild indolence." It is possible that Agent Hutchinson frowned upon Arapaho participation in *The Covered Wagon* as well; however, the involvement of both Edward Farlow, a well-respected facilitator of such events, and former resident, war hero, and adjunct general of the state, Tim McCoy, at whose behest the Arapaho became involved, probably assuaged many of his concerns about their participation. Please see Sam M. Thompson to E.A. Hutchinson, June 4, 1920, NARA-VIII, RG 75, AR, Wind River, Entry 8, GAR, 1890-1960, Box 4, and E.A. Hutchinson to Sam Thompson, June 8, 1920, NARA-VIII, AR, Wind River, Entry 8, GAR, 1890-1960, Box 4.

To support such an ensemble, *The Covered Wagon* began with a production budget of \$100,000. But, recognizing the magnitude of their endeavor, the production company quickly increased the allowance to \$500,000, an impressive sum in 1922.<sup>64</sup> When considering his role in the production, McCoy insisted to producers that if he took the job, the Native performers he enlisted, including many of his friends from the Wind River, deserved a fair wage. Accordingly, the Famous Players-Lasky Corporation responded with a generous offer. Since the film, shot on location in Utah, took Wind River residents away from their homes and farms, adult performers earned a daily wage of five dollars, while parents netted an additional fifty cents per child. For every horse in use, the extras earned one dollar a day and an additional dollar for every tipi.<sup>65</sup> In total, a family consisting of a man, woman and one child, with one horse and a tipi, could earn \$87.50 a week. As McCoy later pointed out, the sum was “more than most of them probably saw in a year.”<sup>66</sup> When asked, Arapaho performers needed little convincing to be part of *The Covered Wagon* production. Not only would they be paid

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<sup>64</sup> By the time of post-production, the expense of making the film soared to nearly one million dollars. The end result, an impressive ten reel movie, grossed more than \$3.5 million which secured its place as one of the top grossing films for the entire decade. See Farlow, *Wind River Adventures*, 183.

<sup>65</sup> It is likely that the production company requested people of the Wind River to participate in their production, not because the Famous Players-Lasky Corporation knew and admired their culture, but because they wanted a group of performers who displayed a specific cultural representation. (The company had already been turned down by the Indians of the Fort Hall reservation.) McCoy, as a former resident of the Wind River and the adjunct general of the state, appeared to be an appropriate contact, as the Hollywood production company sought extras for their movie. For more information about the link between Plains Indian culture and stereotypical imagery of Native Americans in popular culture please see John Ewers, “The Emergence of the Plains Indian as the Symbol of the North American Indian,” in *Annual Report of the Smithsonian Institution*, (Washington D.C., 1964).

For more information on the thoroughly explored subject of Native American imagery in film, please see, David Rich Lewis, “Still Native: The Significance of Native Americans in the History of the Twentieth-Century American West,” in *A New Significance: Re-Envisioning the History of the American West*, ed. Clyde A. Milner, (Oxford: Oxford University Press, 1996), 227-228; Deloria, *Indians in Unexpected Places*, 52-108; Moses, *Wild West Shows*, 223-251; Jacquelyn Kilpatrick, *Celluloid Indian: Native Americans and Film* (Lincoln: University of Nebraska Press, 1999); and Peter Rollins and John O’Connor eds. *Hollywood’s Indian: The Portrayal of the Native American in Film* (Lexington: University of Kentucky Press, 1998).

<sup>66</sup> McCoy, “Tim McCoy,” 15.

well for their services, but the movie extras also welcomed the opportunity to travel beyond the reservation, chase Anglo-American actors on horseback and practice the “old ways” without fear of Agency intervention or repression. While on the one hand, their role in the film mimicked other cultural performances in Wyoming, on the other, participation in the film necessitated several weeks away from the reservation and the engagement of a cross section of the tribal nation, including many Arapahos too old, or too young, to perform in state festivals.

In September 1922, McCoy implored Edward Farlow, a frequent travel companion of the Arapaho, to assist him in the transportation and care of the performers.<sup>67</sup> Flattered by the request, Farlow welcomed the opportunity. Together, the two men, with the help of the Arapaho Business Council, recruited nearly seventy Arapaho families for the production, as well as a few Bannocks from the Fort Hall reservation in Idaho.<sup>68</sup> While on location, McCoy directed the performers by day, and Farlow attended to their needs at night. Though frustrated with the painfully slow speed at which the director organized his shots, not to mention the chilly autumn weather, Farlow proudly reported to the Shoshone Agency “the Arapahos have the leading parts in all events so far as they put on a better show than the others.”<sup>69</sup> The sheer magnitude

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<sup>67</sup> It is unclear exactly when Farlow and McCoy became acquainted. Certainly, the two would have come into contact shortly after McCoy’s arrival, given the relatively small circle of ranchers in the Wind River Valley. Though Tim McCoy insisted that he involved both Arapahos and Shoshones in *The Covered Wagon*, reports from the Shoshone Agency indicate that all of the performers were of Arapaho descent. In fact, five former or current Arapaho business councilmen led the troupe to Utah in 1922. Farlow’s own letters back to Agent Haas confirm that no Shoshones belong to *The Covered Wagon* troupe. See Edward Farlow to Rueben Haas, October 27, 1922, NARA-VIII, RG 75, AR, Wind River, Entry 8, GAR, 1890-1060, Box 51.

<sup>68</sup> Like Farlow, McCoy also met and befriended many Shoshones, including Dick and Charlie Washakie, sons of the revered chief. Additionally, though both Farlow and McCoy maintained relationships with members of both tribal nations, they both worked more closely with the Arapaho. McCoy, “Tim McCoy,” 11.

<sup>69</sup> Edward Farlow to Rueben Haas, October 27, 1922, NARA-VIII, RG 75, AR, Wind River, Entry 8, GAR, 1890-1060, Box 51.

of the production continually astounded Farlow and the Wind River Indians, as 175 covered wagons, 700 head of horses and nearly 1200 people milled about the Snake Valley in Utah, costing the production company an estimated \$18,000 per day. When not performing in full regalia, the Arapaho extras and their companions thoroughly enjoyed the “picture shows” given by the production company. Every day, the director sent a cut to Los Angeles for development and screened the previous day’s work that night, often with a rather large Native audience nearby.

By the time production wrapped in late November, most of the Arapaho performers expressed a desire to return to the Wind River. Farlow led the troupe back to the reservation, while McCoy and thirty-five of the Arapaho extras stayed behind to participate in a “prologue,” to the show. On April 10, 1923, Tim McCoy and the Arapaho performers first stood on the stage at Grauman’s Egyptian theater in Hollywood and enthralled audiences, as specific Indians gave their earliest recollections of conflict with Anglo-Americans. Goes-In-Lodge, for example recounted nightly his role as a warrior and later scout for the U.S. Army. In California, the Arapaho actors delighted, for the most part, in the incredible sights and sounds of the non-Native world. McCoy gleefully reported back to the Wind River, that the performers marveled at the vastness of the Pacific Ocean, though the elderly Goes In Lodge appeared troubled by the size of the “big lake.”<sup>70</sup> Homesickness inevitably accompanied the rush of excitement in Hollywood, as the noise and congestion of the big city grew tiresome. After three months of performances, the remaining actors returned to the Wind River.

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<sup>70</sup> McCoy, “Tim McCoy,” 18 and Tim McCoy to Rueben Haas, May 7, 1923, NARA-VIII, RG 75, AR, Wind River, Entry 8, GAR, 1890-1960, Box 51.

Following the successful Hollywood premier, McCoy wanted to give the Arapaho performers and their families on the Wind River an opportunity to experience the motion picture that they helped create. In consultation with Shoshone Agent Paul Haas and producer Jesse Lasky, McCoy convinced the Famous Players-Lasky Corporation to send a print of the film to the reservation, though it would not be released to the national public for several months.<sup>71</sup> Agent Haas delighted in the opportunity to show the film, though, as the production company pointed out, “it would be quite impossible for you to give it [*The Covered Wagon*] the proper setting, the full musical score arrangements, etc.” Despite misgivings about the atmospheric quality surrounding the picture, Haas hoped to share the film with the entire reservation population and devised three different viewings locations, including St. Michael’s school, St. Stephen’s school and even on a train in Riverton. With a stern request “that no out-siders be permitted to review this production at the time you show it,” the Famous Players-Lasky Corporation released the film to Agent Haas, much to the delight of the Wind River Indians.<sup>72</sup>

The success of the Arapaho’s prologue favorably impressed the Famous Players-Lasky Corporation. So much so, that they implored McCoy to gather a performance troupe for the grand opening of *The Covered Wagon* at the Pavilion Theatre in London. A clear departure from previous demonstrations of Arapaho culture, the staged prologue of the Arapaho actors became the ultimate representation of their reconstituted ethnic identity. While performing, McCoy allowed the Arapaho actors to speak freely of their

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<sup>71</sup> Haas fulfilled E.A. Hutchinson’s vacated post as Shoshone Agent in late 1922. Tim McCoy to Paul Haas, May 7, 1923, NARA-VIII, RG 75, AR, Wind River, Entry 8, GAR, 1890-1960, Box 51.

<sup>72</sup> M.S. Wilson to Rueben P. Haas, June 6, 1923, Rueben P. Haas to M.S. Wilson, June 9, 1923, and M.S. Wilson to Rueben P. Haas, June 17, 1923, all in NARA-VIII, RG 75, AR, Wind River, Entry 8, GAR, 1890-1960, Box 51.



encounters with Anglo-Americans, though he did encourage them to do so in sign language, so that he could interpret for dramatic effect. Additionally, he gave the Indians “no standing orders as to how to dress... [instead, he] simply asked them to show the audience how they looked when they felt beautiful.”<sup>73</sup> These avenues of self-expression, allowed Arapaho performers to exemplify the cultural exuberance and rich history of the Arapaho people and in turn, they projected a nation image, one carefully honed through performances of the past two decades.

Several hurdles stood in the way of this repeat performance, however. Indeed, both McCoy and Farlow knew that it would be difficult to convince the Arapaho to travel to the London premiere for several reasons. First, many of the performers, especially those who had just spent several months away from the reservation, did not wish to leave their families, friends and crops. A more troublesome issue, in the eyes of the potential Arapaho travelers, was the journey away from the Wind River. Councilman Yellow Calf explained to Tim McCoy, “It bothers me to go across the Big Water...I have talked with many Sioux who went over to this far country with Buffalo Bill. They tell me that...there is no land and when you look ahead, there is no land.”<sup>74</sup> Indeed, the fear of sailing on the open ocean deterred wary participants far more than the prospect of staying in the city of London or performing for the vast audiences that they would inevitably attract. In the end, the elderly Goes In Lodge, a friend of both Farlow and McCoy, spoke passionately in favor of the journey, agreed to travel with the

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<sup>73</sup> Tim McCoy and Ronald McCoy, *Tim McCoy Remembers the West: An Autobiography* (New York: Doubleday, 1977), 183.

<sup>74</sup> McCoy, *Tim McCoy Remembers the West*, 1-2.

men and convinced several others to do the same.<sup>75</sup> On August 12, 1923, nearly twenty adults and several small children gathered with Farlow at the train platform in Arapahoe, to say their goodbyes and depart for the trip of a lifetime.

Unlike their previous travels to *The Covered Wagon* set in Utah or to Hollywood, the London excursion provided the Arapaho troupe with wealth and even a bit of luxury. The Famous Players-Lasky Corporation agreed to an impressive five dollars a day salary for each Arapaho adult, not to mention, travel on the White Star Line's *R.M.S. Baltic* from New York City to London.<sup>76</sup> Farlow and McCoy also devised several small detours for the group, including a visit to Chicago's Lincoln Park during their five hour layover, on the way to the East Coast. While in New York City, the Arapaho camped in Central Park, however, curious visitors gathered around the Indian village and began lifting the flaps of their tents, necessitating police intervention. Perhaps more than any other tourist attraction, shopping in large department stores, both in New York and London, provided welcome entertainment for the Arapaho performers. Though not necessarily a new experience for the Arapaho, as they had shopped in stores before, both on the reservation and at Riverton or Lander, the size of

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<sup>75</sup> Goes In Lodge was probably in his early eighties when the Arapaho considered this trip to London. It is unclear, however, from the memoirs of both McCoy and Farlow, who exactly convinced the performers to travel, as both of them take the credit. In fact, both men recount nearly the same story: Yellow Calf denounced the idea, several Arapaho men agreed with the councilman and claimed that the trip would be dangerous and unnecessary, and then Goes In Lodge supported the venture and encouraged others to travel. Yet, neither Farlow nor McCoy mentions the other's presence or supporting role in organizing the troupe. In the end, a combination of *The Covered Wagon* cast and new recruits traveled to London, twenty-three people, from nine families in total. See Farlow, *Wind River Adventures*, 188-193; McCoy, *Tim McCoy Remembers the West*, 1-4; and the Famous Players-Lasky Corporation Contract to Rueben Haas, August 8, 1923, NARA-VIII, RG 75, AR, Entry 8, GAR, 1890-1960, Box 51.

<sup>76</sup> McCoy, *Tim McCoy Remembers the West*, 1 and Famous Players-Lasky Corporation Contract to Rueben Haas, August 8, 1923, NARA-VIII, RG 75, AR, Wind River, Entry 8, GAR, 1890-1960, Box 51.

metropolitan department stores, not to mention the seemingly endless merchandise on several floors, enthralled the shoppers.<sup>77</sup>

Before they set sail for England, Farlow contacted the manager of Macy's Department Store. He requested assistance, namely sales clerks and security to hold back the crowds, as he wished to show the Wind River Indians the finest department store in the city. For several hours, the Arapaho admired fine apparel and jewelry, including a pair of ladies silk pajamas that appealed to two of the elderly male performers. After purchasing several items, riding the escalator and posing for numerous pictures, the Arapaho took their first subway ride back to Central Park to pack and prepare for their ocean voyage.<sup>78</sup> Though anxious about travel at sea, the sheer size of the *R.M.S. Baltic* impressed the Arapaho who eagerly explored the vessel. Despite the pervasive unease about their travels abroad, Francis Sitting Eagle happily reported from London, "Hardly any body [sic] got sick on ocean."<sup>79</sup>

For nearly seven months, Tim McCoy, Edward Farlow and the Arapaho troupe performed the prologue for *The Covered Wagon*. Conducting two shows almost every day, the Arapaho enthralled sold out crowds in one of the most popular entertainment venues in the world. They visited Paris, went the top of the Eiffel Tower and toured the Tomb of Napoleon, the Arc de Triomphe, the Tower of London and even Madame Tussaud's Wax Museum. They lived in a hotel for much of their trip, as the rainy London weather prevented a comfortable stay in their camp at the Crystal Palace

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<sup>77</sup> For perhaps the first time in their lives, the Arapaho performers also enjoyed rather immense purchasing power, as Farlow disbursed one thousand dollars in payroll among the Arapaho, with which they could shop or send their money back to the Wind River.

<sup>78</sup> Farlow, *Wind River Adventures*, 196-198.

<sup>79</sup> Francis Sitting Eagle to Rueben Haas, August 31, 1923, NARA-VIII, RG 75, AR, Wind River, Entry 8, GAR, 1890-1960, Box 51.

Grounds and they rode the “tube” to and from the theatre every day. Though by all accounts the performers thoroughly enjoyed their stay in Europe, homesickness and boredom punctuated the final weeks of their visit and finally, on March 1, 1924, Farlow led the Arapaho performers to the *S.S. Cedric*, the ocean liner that would carry them home.

The success, and frankly the longevity of the Arapaho’s prologue, impressed Edward Farlow and Tim McCoy. Initially contracted for only ten weeks, their performances created a perpetually sold out theater, indefinitely prolonging their stay. While the actors reveled in the sights and sounds of Europe, they also took seriously the duality of their role, as not only performers but also cultural ambassadors for the Arapaho people. Farlow and McCoy reported very few instances of drunkenness or dissention from the troupe, while in the employ of the production company. The performers did not, by all accounts, protest the frequent crowds that gathered around them or the many public appearances that the production company demanded, but instead embraced the attention. This trip, primarily lost to the historical narrative of the Wind River, is important, because through their participation, the Arapaho performers became the ultimate representation of their tribal nation. They embodied the persistence, survival and dynamic culture of their people, and proudly shared this heritage with audiences world-wide. For one shining moment, before Tim McCoy became a famous actor, before Edward Farlow published his memoirs in regional newspapers, even before John Collier advocated for the preservation of indigenous cultural practices, twenty eight Arapaho Indians earned the attention and respect of vast national and international audiences, for simply being themselves.

## **Dinwoody Cave**

During the first decades of the twentieth century, non-Native people typically experienced Arapaho and Shoshone culture only through performances beyond the reservation. Celebrations in places like Lander, Douglas, Riverton, Rawlins, Casper and Denver, as well as the prologue performed in Hollywood, London and Paris, attracted families from Ohio, sailors stationed in California, sales clerks working in New York City and royalty living in London, to the very distant world represented by people of the Wind River. At the turn of the century, most of these spectators had never visited central Wyoming, but by the 1930s, the world was becoming a much smaller place. Increased automobility, particularly the escalating popularity of road-trip style vacations, drew non-Native tourists ever closer to the reservation, forever altering the proverbial (and literal) curtain between indigenous performers and thrill seeking spectators. Pursuing uniquely “western” experiences, vacationers now sought something more than representations of indigenous culture, as they possessed the means and opportunity to travel in, on, around and through the many rugged locations previously relegated only to Wild West Shows and American mythology. And they did so, with or without the permission of those who inhabited the very real western landscape.

One such location, a region known as the Dinwoody, is located on the far western edge of the Shoshone Agency. Made long ago by a slow moving glacier, the canyon has a small river flowing through it, on its way to a pristine mountain lake. High above the valley floor, cliffs and caves overlook the gorge, which provides a spectacular view of the Rocky Mountains. Long ago, the Shoshone acknowledged that supernatural

beings dwell in the Dinwoody caves. These pygmy-like creatures, known as Nimina or Nimerigar, protected the Shoshone from harm, but also demanded respect, as they frequently meddled with people's lives. According to Shoshone legend, only a gifted few individuals could even see the Nimina, who remained friendly to the Shoshone, unless mistreated by them.<sup>80</sup> Members of the tribal nation also say that it is nearly impossible to kill the Nimina, although the Arapaho certainly tried. As the story goes, an Arapaho man once deeply insulted the Nimina by calling them unintelligent cannibals. In response, the "little people" tipped their arrows in poison and thereafter mortally wounded any Arapaho who dared to enter their caves.<sup>81</sup> As Shoshone cultural historian Reba Teran explained the legend to me, the story serves as a warning to the Arapaho people, a tribute to the long and periodically contentious relationship between the two tribal nations.<sup>82</sup> But, it is also indicative of the power of cultural places. The Shoshone reserved this space, not just as a home for supernatural beings, but more than that, it was, and still is, a place of memory, a space in which the Shoshone kept a portion of their cultural heritage, to be visited and retold to later generations.

During the late 1920s and early 1930s, in this budding age of automobile transportation, Wyoming residents touted the natural wonders of their state, including the Dinwoody region. Sensitive to the potential revenue that could be generated by the tourist industry, almost every town in Wyoming clamored for visitors and attempted to lure them in with campsites, bathing facilities and even electric lights. In the 1930s, discussions of the value of tourism steadily increased, facilitated, in part, by a questionnaire from the state's highway department that estimated travelers spent an

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<sup>80</sup>Dow, et.al, *Wyoming Folklore*, 167-168.

<sup>81</sup> Olden, *Shoshone Folk Lore*, 9-12

<sup>82</sup> Reba Teran, interviewed by author, Ft. Washakie, Wyoming, February 29, 2008.

astounding \$6 million throughout Wyoming in 1926. But most of the state did see this revenue. Instead, Wyoming residents watched helplessly as tourists passed through their towns on the way to Yellowstone National Park. Across the country, Americans recognized Yellowstone as the Wyoming tourist destination, one that attracted 260,000 visitors in 1929 and more than 300,000 by 1935.<sup>83</sup> Wyoming historian, T.A. Larson, explained, “Every community tried to come up with some gimmick that would hold tourists overnight. Each thought that it had special recreational opportunities and scenery, but the average tourist dashed on to Yellowstone or hurried across the state on Lincoln Highway (aka Highway 30) with scarcely a pause.”<sup>84</sup> Seeking to create effective “tourist traps,” many state officials believed that a New Deal make-work project/tourist mecca would effectively lure vacationers into businesses in eastern and central Wyoming.

Seeking federal support, a state committee actively courted the Works Progress Administration in the spring of 1938. In addition, the Wyoming Supervisor of the Forest Service, the State Geologist and the Director of the State Planning Board traipsed across Wyoming, seeking the perfect destination for their tourist mecca. Though they visited several spots, the group favored the Dinwoody region in central Wyoming. On its own, the area contained remarkable geological formations, as well as extensive petroglyphs drawn on the walls of the caves and an abundance of indigenous artifacts, which assured the group of the vast potential of the site.<sup>85</sup> Thoroughly encouraged by the richness of their find, the state committee eagerly drafted a proposal for a WPA

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<sup>83</sup> Larson, *History of Wyoming*, 424.

<sup>84</sup> Larson, *History of Wyoming*, 424.

<sup>85</sup> Dan Greenburg to Forrest Stone, May 9, 1938, NARA I, RG 75, CCF, 1907-1939, Wind River, Entry 121, Decimal 42, Box 3, Folder 35390-38.

sponsored survey of the region, however, the group failed to consider the Arapaho and Shoshone response to such a project.

Throughout the 1930s, Arapaho and Shoshone performers witnessed a steady decline in the availability of opportunities to travel beyond the Wind River. Both tribal nations secured a permanent spot in an “Indian Village,” as part of Cheyenne Frontier Days, one of the nation’s largest western celebrations. Additionally, Wind River Indians accepted performance opportunities at the Wyoming State Fair and during local Fourth of July festivities, but in general, Americans were no longer interested in Wild West shows. Instead, they wanted to travel throughout the American West, to experience the landscapes and people firsthand. In a spectacular role reversal, tourist now entered the reservation seeking displays of indigenous culture. Burdened by unwelcome visitors, Native Americans longed for the days, in which they sent select ambassadors, beyond the confines of their reservation, to promote their culture to the masses. Consequently, tribal nations struggled to mediate their national image, as reservation poverty and notions of Indian drunkenness, tarnished the cultural representations that they worked so hard to create. If given the opportunity, Arapaho and Shoshone people might have initially discouraged the proposed WPA project for this very reason.

Other Wyoming residents covetously eyed the cultural boon of the Dinwoody region, with little regard for the Native people whose culture the site depicted. In dramatic flair, Robert B. David, an amateur historian and “authority on Wyoming history,” heard of the possible WPA program, and called public attention to the region, in an article for the *Casper Daily Tribune*. David claimed to be the “discoverer” of the caves and provided several photographs of his collection of artifacts, undoubtedly



pilfered from the Dinwoody caves, to newspaper reporters. Advocating for the WPA project, David lamented, “The burden of exploration is too much for any one individual to carry,” and proclaimed that it was perhaps the last opportunity for the state of Wyoming to “retain possession of some of its most valuable prehistoric relics.”<sup>86</sup>

Though perhaps working with the best intentions, the dangerously well informed “expert” and his publicity stunt did not immediately aid the proposed WPA project. Instead, the history enthusiast drew unwanted attention to the Dinwoody and the unprotected relics of the region’s many caves. Dan Greenburg, director of the State Planning Board and member of the state committee, wrote to Shoshone Agent Forrest Stone to warn him of the reservation’s impending popularity with tourists. Stone acknowledged the possibility of a WPA project on the Wind River, but neither the state committee, nor Stone, or the WPA, negotiated the site with the Arapaho and Shoshone. Greenburg told Stone, “A person by the name of R.B. David of Casper, Wyoming, who claims to be the discoverer of this cave, which is entirely erroneous, has published a story which is fantastic to say the least, and I am fearful that as a result of such story that hoardes [sic] of people will travel into that region...with an attendant result that undoubtedly we can expect some vandalism.”<sup>87</sup> While destructive in the short term, David’s article did garner enough public support for the project and led to increased security around the Dinwoody caves. In turn, the Wyoming state committee agreed on the Dinwoody for their proposed tourist site and invited WPA personnel out to inspect the area.

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<sup>86</sup> “Cave Yields Important Relics of Prehistoric Americans,” *Casper Daily Tribune*, May 1938, found in NARA I, RG 75, CCF, 1907-1939, Wind River, Entry 121, Decimal 42, Box 3, Folder 35390-38.

<sup>87</sup> Dan Greenburg to Forrest Stone, May 9, 1938, NARA I, RG 75, CCF, 1907-1939, Wind River, Entry 121, Decimal 42, Box 3, Folder 35390-38.

In September of 1938, Vincenzo Petruzzo, a national consultant for the Works Progress Administration, surveyed the vast limestone formations on the western edge of the Wind River. His mission, to determine the efficacy of a WPA sponsored archeological study of the Dinwoody cliffs and caves, only held part of his attention. Wyoming officials, quick to assist the project, implored Petruzzo to assess the tourist potential of the region as well. In turn, his report to acting Commissioner of Indian Affairs, John Collier, indicated that the reservation site held potential beyond that of a make-work project. Speaking to the indigenous history and culture of the region, the consultant described, "Not far from the entrance there are limestone cliffs on which have been carved numerous pictographs which form a spectacular show and which should be of immense interest to the general public." While assessing the totality of the geographic formations, Petruzzo noted that "The Canyon lends itself beautifully to a park monument. It is easily reached from the main highway and if it were properly explored first... [it] could be developed into an educational and scenic archeological monument."<sup>88</sup> Petruzzo admirably played his part for the Wyoming community as well. At a chamber of commerce luncheon and fundraiser in Casper, the consultant noted, "A similar project is now under way in Texas, where more than \$100,000 is being spent for exploration...but the richest untouched field lies in Wyoming."<sup>89</sup> By September of 1938, state officials and University of Wyoming staff ardently supported the creation of the WPA project. Public advocates of Dinwoody excavation, including Robert David, fed into this mentality, arguing that an archeological find the size of Dinwoody would

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<sup>88</sup> Vincenzo Petruzzo to John Collier (CIA), September 26, 1938, NARA I, RG 75, CCF, 1907-1939, Wind River, Entry 121, Decimal 42, Box 3, Folder 35390-38.

<sup>89</sup> "Plans for Archeological Project in State Mapped," NARA-VIII, RG 75, AR, Wind River, Entry 8, GAR 1890-1960, Box 84.

certainly bring people to the center of the state, not to mention the untold amount of tourist revenue and much needed jobs during the Great Depression.

Of all the people consulted on this project, the Arapaho and Shoshone received word of the proposed WPA excavation only after the committee solidified their plans. Though certainly aware of the increased presence of visitors interested in the Dinwoody caves, their Agency Superintendent, Forrest Stone, assured Wind River residents that visitors to Dinwoody maintained the utmost respect for the caves and the cultural artifacts found within them. But the cliffs and caves on the western, or Shoshone side of the reservation, were not an “untapped” archeological site. Rather, the Wind River people admired and preserved the sanctity of the region, as a place of cultural and even spiritual significance. It was not, as Robert David insisted, a place “shunned for centuries by superstitious Indians” or “a great tourist attraction.”<sup>90</sup> Rather, it was a cultural preserve, a place that the Shoshone and Arapaho should have been able to keep for themselves, or at the very least decide when and how they would welcome outsiders to the region.

When the matter finally came before the Joint Business Council that September, councilmembers debated at length, weighing the consequences and benefits of such a program. After considerable debate, and no small amount of criticism from the Arapaho and Shoshone people, the JBC decided to allow the excavation of Dinwoody on three conditions. First, they insisted that the artifacts removed from the site would forever remain the property of the tribal nations, namely the Shoshone. It is clear from the minutes of the Joint Business Council that this issue was of the utmost concern, as

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<sup>90</sup> “Cave Yields Important Relics of Prehistoric Americans,” *Casper Daily Tribune*, May 1938, found in NARA I, RG 75, CCF, 1907-1939, Wind River, Entry 121, Decimal 42, Box 3, Folder 35390-38.

councilmen Robert Harris asked, “I would like to know just what they intend to do. Go in there and preserve those relics and keep them in a natural state, or move them out to some museum?”<sup>91</sup> Since the WPA failed to send a representative to the Wind River for consult – they only sent a letter of request on this issue – Agent Stone assured the council, “No, it is to preserve them and establish a museum on the reservation, if they can. If they are unable to get a museum here to have one near so as they can preserve all material of value. In this way Dinwoodie [sic] will never lose its identity.”<sup>92</sup> Assured by their superintendent on this matter, councilmembers also requested periodic progress reports from WPA archeologists, submitted directly to both councils. Finally, the Arapaho and Shoshone agreed to the excavation project, believing that it would provide much needed employment for people of the reservation.<sup>93</sup> Superintendent Forrest Stone relayed the conditional approval of the JBC to WPA coordinators and excavation began promptly in January 1939.

Initially, Wyoming’s winter weather slowed the excavation. During the first two months of the year, University of Wyoming archeologists and WPA employees worked only in the largest of the caves. Despite these tight confines, they removed an astounding 2000 artifacts in just two months and publically touted the richness of the find. By March, the WPA had established a laboratory in Casper and employed several residents there to catalog artifacts obtained by field workers, so that the relics could be better interpreted and shown to the public in the context in which the Shoshone once

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<sup>91</sup> Minutes of the Joint Business Council, September 27, 1938, NARA I, RG 75, CCF, 1907-1939, Wind River, Entry 121, Decimal 42, Box 3, Folder 35390-38.

<sup>92</sup> Minutes of the Joint Business Council, September 27, 1938, NARA I, RG 75, CCF, 1907-1939, Wind River, Entry 121, Decimal 42, Box 3, Folder 35390-38.

<sup>93</sup> Minutes of the Joint Business Council, September 27, 1938, NARA I, RG 75, CCF, 1907-1939, Wind River, Entry 121, Decimal 42, Box 3, Folder 35390-38.

used the items.<sup>94</sup> Thoroughly appropriating Arapaho and Shoshone artifacts, State of Wyoming personnel rejoiced in the find and plotted the location for their museum in Casper, not on the Wind River.

The new direction of the WPA project did not go unnoticed by the Arapaho and Shoshone. By March, the tribal nations had yet to receive a progress report from the field, yet truckloads of non-Native workers arrived daily on the Wind River, to ship crates full of artifacts off the reservation. The Joint Business Council fiercely protested, as the WPA flagrantly violated all three of the stipulations set in the conditional agreement. As tension escalated on the reservation, the chief administrator of the site eventually halted further excavation to address Arapaho and Shoshone concerns. Finally, on May 31, 1939, members of the Joint Business Council addressed their grievances directly to WPA Administrator, L.G. Flannery. Flannery emphatically stated, “When this study is finished, after these scientists have finished their studies of these specimens, and a proper place can be furnished on the reservation to take proper care of them, they will be brought back and left here as the property of the Indians.” These assurances did little to pacify the livid councilmembers, however. Influential Arapaho leader, Nell Scott, argued, “We haven’t any way of knowing what has been taken out of there. We should have some way of knowing what has been taken out...these are sacred things to the Indians, just as your cemetery is to you. You would not let the Indians come and dig in your cemetery, and take things away.”<sup>95</sup> While angered at the direction

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<sup>94</sup> According to WPA reports, the project successfully employed “needy professional, educational and clerical persons,” to preserve and maintain artifacts of the State’s indigenous population “in order that not only the interesting facts concerning the early inhabitants of the State may be obtained, but also, that relics of the past may be kept in museum centers in the State of Wyoming where they properly belong.” Archaeological Project – W.P.A. Administration Report, December 2, 1939, NARA-VIII, RG 75, AR, Wind River, Entry 8, GAR, 1890-1960, Box 250.

<sup>95</sup> Joint Business Council Minutes, May 31, 1939, LFC, Box 1, Folder 1.

of the WPA project, the Shoshone and Arapaho did not immediately denounce the study in its entirety. Instead, with the encouragement of Agent Stone, the JBC agreed to continue excavation, but only if Flannery could guarantee the employment of Wind River residents. Additionally, the council voted to build a “work center,” to assist with the project. The space would temporarily house the WPA laboratory, but could later be retrofitted into a museum that would “mean something to the community and which will be an educational [facility].”<sup>96</sup> Recognizing the worth of the work and of the educational center for their people, Shoshone and Arapaho councilmembers unilaterally agreed to the new conditions of the WPA project.

State officials and Casper residents, however, rejected the changes outright. The citizens of Casper had raised a substantial amount of money to support the WPA, and as benefactors, they expected both the jobs and the museum that housed the artifacts. The new permit for Wind River excavation effectively shut out Casper altogether, and in response, the town’s citizens quit raising money. State of Wyoming personnel also withdrew their support for the project, petulant at the loss of their tourist mecca. By the end of June, it became clear that even the WPA had no further interest in the project. The final report on the Dinwoody excavation indicated the bitterness of the “failed” project, stating “Because the artifacts obtained from this territory actually belonged to the Indians on Wind River Reservation and could not be used legitimately toward the building of a museum in Casper and other parts of the State, activities were transferred to other sections.”<sup>97</sup> Robert David, the man who supposedly “discovered” the caves and

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<sup>96</sup> Joint Business Council Minutes, May 31, 1939, LFC, Box 1, Folder 1.

<sup>97</sup> In recognizing the contributions of Casper residents, the authors of the report also noted, “Not only does this project give employment to an average of around twenty Casper people, but also, many supplies are bought in the City of Casper. During the coming season field work is contemplated. This would mean

advocated for their excavation, bemoaned this turn of events. “Wyoming would become the tourist mecca of the United States,” he wrote in an editorial to the *Casper Times* in January 1940. “Some time ago we had the Dinwoodie [sic] archaeological expedition to the Dinwoodie [sic] caves in Fremont county and made finds in basket work, pottery, and panels carved into cliffs that authorities say date back 20,000 years. The project was smothered,” he bitterly added, “with jealousies and findings were withheld.”<sup>98</sup>

The Dinwoody controversy illustrates mainstream American appraisals of the value of indigenous culture. Dismissing the sanctity of this cultural site, state officials, regional inhabitants and even the Works Progress Administration, greedily eyed the Shoshone preserve, seeking only monetary gain and regional fame. In this fight, tribal sovereignty overcame capitalist ambition, but in many ways it was a hollow victory. Tragically, the State of Wyoming failed to support the tribal nations in the exploration of their cultural heritage. As a result, Wind River residents experienced the equally damning losses of tourist revenue and jobs to the reservation. In addition, they lost some of the artifacts taken from the cave by scavengers or those permanently placed “on loan” by WPA workers. Of the estimated 4,845 artifacts taken from the caves in 1939, nearly 350 had yet to be returned by 1962, when the tribal nations renewed their efforts to find the lost cultural artifacts.<sup>99</sup> The search continues even today, though the Native American Graves Protection and Repatriation Act, or NAGPRA, allows for a more systematic way of finding these cultural markers and returning them to the Dinwoody caves.

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that sites around Casper would be explored by individuals from Casper. ”Archaeological Project – W.P.A. Administration Report, December 2, 1939, NARA VIII, RG 75, Entry 8, GAR, 1890-1960, Box 250.

<sup>98</sup> “David Scores State’s Failure to Capitalize on Famous Lore,” *Casper Daily Tribune*, January 26, 1940.

<sup>99</sup> “Indians Start Hunt for Lost Artifacts,” *Billings Gazette*, September 22, 1962.

Throughout the first three decades of the twentieth century, Wind River Indians appeared in unexpected places.<sup>100</sup> From Lander, Wyoming to the Crystal Palace in London, Shoshone and Arapaho performers left their reservation communities and entered a non-Native world, one that had seemingly left them behind. While everyday Americans assumed that turn of the century Indians had faded into the western landscape, indigenous people of the early twentieth century engaged with modernity on their own terms, effectively disrupting easily identifiable markers of American superiority and progress. The “secret” histories of Native America, including Indians examining caged animals at the Chicago zoo, browsing clothing racks at Macy’s in New York City, and riding the subway to work in London, complicate the expected narrative of reservation destitution and cultural decline. Instead, indigenous performers across the country revitalized dwindling cultural practices. On the Wind River, they danced, sang, performed and traveled with, or without, the support of their Indian Agents, in a larger effort to reconnect to their cultural heritage. In promoting their cultures through performances near their reservation homes, across the state and in a film shown throughout the country, tribal nations of the Wind River solidified a uniquely ethnic identity, one that embodied the national spirit of the Arapaho and Shoshone people. Ultimately, the declining popularity of Wild West shows, in conjunction with the rise of western tourism, changed the medium through which non-Natives viewed indigenous people. The national images of Wind River Indians remained however, as they later personified, and even humanized, the Arapaho and Shoshone campaign for self-determination, a fight that would extend from the edge of the Wind River to the halls of

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<sup>100</sup> For more information regarding the juxtaposition of the expected and unexpected appearances of Native people at the turn of the twentieth century see Deloria, *Indians in Unexpected Places*.



Congress throughout the 1930s. Despite their cultural rejuvenation and political collaboration, the fierce debate regarding the Indian Reorganization Act threatened to dismantle the very thing that they fought so hard to iconize.

## Chapter 6 – Shared History

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In January 1913, leaders of the Arapaho and Shoshone business councils met to address reservation affairs and advocate for change. While not an unusual occurrence, they held similar meetings every month, this one was different, as representatives rarely talked so candidly about the past.<sup>1</sup> Councilman Dick Washakie first spoke of the reservation's history, when the Shoshone, led by his father Chief Washakie, agreed to meet with the "Great Father," and set apart a reservation "for Washakie and his tribe, and we have been there, and we have obeyed all the rules and regulations and the requirements... [we] have never been in any trouble, in any way, with the white men since we can remember."<sup>2</sup> But the Shoshone would not be the only tribal nation to inhabit the land reserved for Washakie and his people, the councilman explained. The Arapaho soon arrived at the Shoshone Agency, relocated to the Wind River by the federal government, and established their own communities. In 1913, the two tribal nations now recalled their shared reservation past and planned for a future together. In discussing the placement of the Arapaho onto the Shoshone reservation, a dark reminder of a difficult time for both tribal nations, the councilmen recognized that their unexpected relationship also signaled the beginning of unlikely friendships, political alliances and even opportunities for cultural preservation. Above all else, they remembered a past punctuated by mutual survival, endurance and success, though a path, not of their own design.

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<sup>1</sup> In fact, the minutes from most council meetings indicate a clear avoidance of their past relationship – one often marked by distrust and discrimination – and instead focused upon reservation development and progress.

<sup>2</sup> Minutes of the JBC, January 23, 1913, NARA-VIII, RG 75, AR, Wind River, Entry 8, GAR, 1890-1960, Box 5, Folder 215.

Reflecting upon their thirty five years of cohabitation, Washakie also discussed the future, namely, the financial future of the Shoshone people. “I have made up my mind that we have to call his [the government’s] attention to the fact that my Arapaho friends have been imposing on me for a little too long,” the councilman insisted.<sup>3</sup> Rather than denouncing the Arapahos’ intrusion onto their homeland, he endorsed the creation of a lawsuit, to be filed with the Court of Claims. Washakie argued that despite the personal and political advancements made by the two tribal nations, the federal government took from the Shoshone, both land and resources, and gave their property to the Arapaho in 1878. If the tribal nation could receive compensation for their losses, Shoshone councilmen argued, the settlement would lessen the economic devastation of their community.<sup>4</sup> Sensitive to the nature of their claim, the Shoshone frequently insisted that they bore no grievance to the Arapaho people and swore that the suit reflected only a Shoshone desire for just compensation. In creating their petition, councilmen adamantly denounced Arapaho culpability and even labeled them “prisoners of war [who were] placed on the Shoshone reservation, with the intention of leaving them there for the winter of 1877-1878, until a suitable reservation could be provided.”<sup>5</sup> Additionally, they rooted their claim in social terms. By employing the rhetoric of a bygone era, one that stressed the “traditional,” “hereditary,” or even “ancient” enmity once espoused by both tribal nations, the Shoshone emphasized the

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<sup>3</sup> Dick Washakie, Joint Business Council Minutes, January 23, 1913, NARA-VIII, RG 75, Wind River, GCF, 1890-1960, Shoshone, Entry 8, Box 6.

<sup>4</sup> While the Shoshone, and Arapaho, relied upon the oil that flowed beneath their lands and knew that the venture could be profitable, they lacked the experience and machinery to extract the natural resources. Instead, they relied upon non-Native business who frequently tried to limit reservation profits a constant source of aggravation for both councils.

<sup>5</sup> Shoshone Council to Cato Sells (CIA), February 2, 1914, NARA-VIII, RG 75, AR, Entry 8, GAR, 1890-1960, Box 255.

devastating nature of the broken promises and wrongdoings committed by the federal government and referenced the depth of their past.

Remembering events in this way, Shoshone leaders purposefully used history to reinforce a sense of national pride in their past and hope for their future. In doing so, the tribal nation fostered a powerful connection between their ancestors and contemporary reservation inhabitants. Recalling the bravery and fortitude of former leaders, their commitment to remain on the Wind River, and the difficult path that brought the two tribal nations together, the Shoshone evoked powerful memories that could be shared by their citizens. But so too, did the Arapaho, as they remembered the untenable situation their chiefs faced in the 1870s and the cunning and tenacity they exhibited, which assured the Arapaho's place on the Wind River. By claiming a history tainted by past rivalries over land and resources, members of both tribal nations proudly described a victorious and sometimes violent heritage. In this way, recollections of enmity toward their reservation neighbors, perpetuated at times, by both Shoshone and Arapaho citizens, further strengthened individual bonds of nationalism. At the same time, through remembrances of their mutual survival the Arapaho and Shoshone reinforced their necessary, communal ties. More than any other time on the Wind River, the period from 1913 to 1938, reveals that this shared history clearly influenced, and often dictated, Arapaho and Shoshone decisions.

Interwoven into the rich history of the reservation, government paternalism and duplicity marred Arapaho and Shoshone memories. Damning federal policies, assimilationist rhetoric and corruption punctuate late nineteenth and early twentieth century accounts of the Wind River. The General Allotment Act alone wrought untold

damage to the cultural practices of the reservation's inhabitants and Shoshone Agency lands, not to mention the relationship between the two tribal nations. In accepting allotments, the Arapaho secured claim to a portion of the reservation, a right the Shoshone did not believe that they deserved. As councilman Charles Lehoe explained, the Arapaho not only held title to land that his people claimed through treaty, but "they have sold allotments and they have got the money for it." In seeking redress for Arapaho placement on the Wind River through a Court of Claims lawsuit, the Shoshone argued that they simply wanted compensation for lost land, not to remove the tribal nation's citizens from their homes.<sup>6</sup> By 1913, the Arapaho and Shoshone had accepted their past grievances, acknowledged their differences, as well as the ties that bound them together, and looked forward to a brighter future.

Ultimately, shifting political currents in the mid-twentieth century illustrated the power and utility of this shared past, as both tribal nations addressed sweeping changes to federal Indian policy. Perhaps the most complex, era in Native American history, the twelve year administration of an unlikely political figure, John Collier, and his Indian New Deal policies, challenged long held beliefs about indigenous peoples as he implemented widespread change throughout Indian Country. Before he became Commissioner of Indian Affairs, Collier lobbied, often unsuccessfully, for a number of reforms including a reorganization of the Office of Indian Affairs, the end of allotment,

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<sup>6</sup> During the first two decades of cohabitation, the Shoshone actively sought ways in which to remove the Arapaho, but time and experience slowly changed their outlook. The allotment process made Arapaho removal far more difficult, but so too, did increased interaction between leaders of the two tribal nations. With the formation of the Joint Business Council, and a few notable advancements toward reservation sovereignty, the tension, or "hereditary enmity," between the citizens of the two tribal nations slowly diminished. While national rivalries remained, and might always linger, these early reservation years encouraged cultural tolerance and the creation of a strong political relationship. Additionally, by participating in the Court of Claims process, the Shoshone would receive a final settlement, but would also be forever barred from reclaiming lost lands. See Charles Wilkinson, *Blood Struggle: The Rise of Modern Indian Nations* (New York: W.W. Norton & Company, 2005), 223.

religious freedom for Native peoples and the organization of a judicial body to efficiently deal with Indian claims.<sup>7</sup> By 1932, a perfect storm placed Franklin D. Roosevelt in the White House and the radical Indian policy reformer in the office of the Commissioner of Indian Affairs. Set against this backdrop, two strands of Wind River life, the shared past of both the Arapaho and Shoshone and their difficult history with the federal government, intertwined into a complicated story, replete with dynamic political personalities, radical legislative reform, prolonged lawsuits, voting disputes, cash settlements and, in the end, a brutal attack against indigenous sovereignty.

### **Conceptualizing the Indian New Deal**

While several Indian Agents tested the resolve of Arapaho and Shoshone councilmen, John Collier effectively disrupted the reservation's political system and inadvertently fractured the relationship between the two tribal nations. As a reformer, New Dealer and Commissioner of Indian Affairs, Collier's fairly radical stance regarding American Indians created havoc on reservations across the country. While perhaps well-intentioned, Collier never fully understood the needs of Native people. Instead, he became a catalyst for change, a force that disrupted indigenous homelands as his policies often created turmoil rather than stability and regeneration. From the beginning, Collier's ideas clashed vividly against the political backdrop of the 1920s.<sup>8</sup> In part, life experience fueled this aggressive stance, as Collier began to develop his opinions about federal policy, when he stopped at the Taos Pueblo reservation, en route

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<sup>7</sup> Biographer Kenneth R. Philp later suggested that the "years between 1923 and 1928 were certainly a seedtime for Indian reform." Kenneth R. Philp, *John Collier's Crusade for Indian Reform, 1920-1945*, (Tucson: University of Arizona Press, 1977), 91.

<sup>8</sup> Though indigenous communities, including those on the Wind River, strongly advocated for change, men like John Collier attracted more national attention and often secured audiences that Native people simply could not.

during a family vacation. After witnessing several religious ceremonies and visiting the homes of many Pueblo, he concluded that he had found a “Red Atlantis,” in which the materialism and selfish individualism of modern America did not permeate. In turn, the young observer wished to preserve Native culture and imprint their social organization and cultural experiences onto mainstream American life. Ultimately, Collier wished to free American Indians from, what he saw as, the bonds of governmental oppression and use their model of society to redeem a materialistic and destructive world.<sup>9</sup>

By 1923, John Collier had effectively developed this personal interest into a full scale campaign. Acting as a lobbyist for his newly formed organization, the American Indian Defense Association, Collier implored politicians, Indian rights advocates and the everyday man to improve the plight of American Indians. To advance this platform, he published and distributed a short manifesto titled, “Announcement of Purposes,” which outlined a series of long-term goals aimed at improving reservations and preserving American Indian societies. Collier’s approach included social and religious freedom for all Native peoples, the ability to develop Indian arts and crafts into a reservation based industry, a repeal of the General Allotment Act which fractured reservation land bases and agricultural support to improve the condition of reservation farm lands. Above all else, Collier placed heavy emphasis upon the necessity of cultural preservation in Native American communities. Years later, these essential goals would eventually provide the foundation for a series of reforms during the 1930s, known as the Indian New Deal. Reflecting upon this influential time in his life, Collier asserted in his memoir, “By 1924, the program for what was to become the Indian New Deal had

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<sup>9</sup> Philp, *John Collier’s Crusade for Indian Reform*, 3.

become rather thoroughly formulated.”<sup>10</sup> Indeed, throughout his career, Collier envisioned and supported programs that he believed would allow Indians to be free of the squalor of their reservations and aid in the preservation of their cultures.

Fully committed to this mission, Collier enlisted the help of several influential political players. He spoke with Indian rights advocates, politicians and lawyers, but one of the most essential relationships he cultivated during the 1920s was with Lewis Meriam, the director of the Institute for Government Research. Meriam possessed the authority, and resources, to conduct top level research, assets that Collier desperately wanted to utilize. After several persistent requests from the ambitious advocate, Meriam acquiesced and received permission from Secretary of the Interior Hubert Work to study American Indian reservations. Leading a team of assistants, the researcher conducted an investigation between 1926 and 1928, in which a team of economic advisors, health officials, legal experts and education and agricultural specialists inspected the conditions on Indian reservations across the country. The final report, published in the spring of 1928, revealed the absolute devastation found on many Native homelands. The 847 page assessment, titled *The Problem of Indian Administration*, strongly criticized the Office of Indian Affairs’ inattention to areas of health and education. The commission advocated for major reform and denounced the level of federal commitment to indigenous peoples as “grossly inadequate.”<sup>11</sup>

Indeed, the report served, in many ways, as a wakeup call to a broader political audience. It directly refuted the stereotypical assumption that Native people simply accepted their poverty, or that they were, “happier in their idleness and irresponsibility.”

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<sup>10</sup> John Collier, *From Every Zenith: a memoir; and some essays on life and thought* (Denver: Sage Books, 1963), 216.

<sup>11</sup> Lewis Meriam, *The Problem of Indian Administration* (Baltimore: Johns Hopkins Press, 1928), 3.



In addition, the team found, “too much evidence of real suffering and discontent to subscribe to the belief that the Indians are reasonably satisfied with their condition. The amount of serious illness and poverty is too great to permit any real contentment.”<sup>12</sup> In short, the American Indian needed considerable help and could be ignored no longer. In addition to health and education, the “Meriam Report” noted that Indians refused to cooperate with federal officials or make future commitments until they received acceptable resolutions to their legal claims. Though not the primary focus of the study, the report revealed that the unsettled claims of numerous tribal nations had a negative psychological effect on the ways in which tribal nations ran their political organizations and reservations in general.<sup>13</sup> Despite this adverse accounting of indigenous life, Collier applauded the comprehensive survey. He believed that the Meriam Report “‘blasted apart’ the walls of the dungeon called the Indian affairs system.”<sup>14</sup> More importantly, it cleared a path for substantial change in American Indian policy.

Following the success of the Meriam Report, Collier adjusted his focus. Less than a year later, he requested a second survey from the Institute for Government Research, one regarding the treatment of Native legal cases. The painfully slow legal process of adjudicating indigenous grievances, found in the Court of Claims, troubled not only Collier, but also tribal nations throughout the country. Seeking redress for past crimes, many tribal nations, including the Arapaho and Shoshone, quickly became entangled in yards of red tape as they protested the theft of their lands, undelivered annuities and inadequate treaty compensation. Simply receiving permission to sue the federal government, and obtain a platform upon which their cases could be heard,

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<sup>12</sup> Meriam, *The Problem of Indian Administration*, 6.

<sup>13</sup> Philp, *John Collier's Crusade for Indian Reform*, 89.

<sup>14</sup> Philp, *John Collier's Crusade for Indian Reform*, 90.

required the assistance of expensive legal counsel, determination and many years of persistence.

Shoshone leaders, with the encouragement of their Agent Joe Norris, expressed their desire to seek reparations in 1913. As to the tribal nation's motivation, Shoshone councilman Dick Washakie, explained that they "had waited so long for the government that he had just made up his mind that this is the only way to ever get justice."<sup>15</sup> The Shoshones based their claim upon Article Two of the Treaty of July 3, 1868, which outlined the territory allocated to the Eastern Shoshone and stipulated who could be placed upon that land, should the Shoshone, or the government, chose to do so. In the treaty, the tribal nation surrendered an area of 44,672,000 acres across the states of Colorado, Utah, Idaho and Wyoming, in exchange for a 3,054,182 acre reservation in the Wind River region.<sup>16</sup> The crux of their case was not the relinquishment of land, but rather the 1878 placement of the Arapaho onto the Shoshone Agency. Shoshone councilmember Charles Lehoe insisted, "We are not looking to the Arapahoes for the pay but the Government and we do not want them to feel that we are including them... We feel that we want no more than justice, no more than the right which the Government owes us and you people, the Arapahoes, would do the same if you were in our position."<sup>17</sup> Shoshone councilmembers hired attorney George Tunison to draft their petition and eagerly awaited results. Despite the insistence that the Arapaho were not the target of their suit, temporary uneasiness settled upon the reservation as both tribal

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<sup>15</sup> Dick Washakie, Joint Business Council Minutes, January 23, 1913, NARA-VIII, RG 75, GCF, 1890-1960, Shoshone, Entry 8, Box 6.

<sup>16</sup> The treaty guaranteed the Shoshone right of refusal before the federal government placed another tribal nation on the Shoshone Agency. Fowler, *Arapahoe Politics*, 196.

<sup>17</sup> Charles Lehoe, Joint Business Council minutes, February 20, 1913, NARA-VIII, RG 75, GCF, 1890-1960, Shoshone, Entry 8, Box 6.

nations anxiously followed the case's progress. The excitement of this legal endeavor quickly waned however, as the Shoshone petition entered a gridlocked court docket.<sup>18</sup> Fourteen years passed before the tribal nation finally won the right to submit their suit to the Court of Claims, the only judicial body hearing the complaints of tribal nations against the federal government.<sup>19</sup>

The Arapaho, too, sought recompense for past grievances in a Court of Claims case. Joining various Lakota, Dakota and Cheyenne representatives, the Arapaho petitioned the federal government to address promises made in an 1876 treaty regarding the Black Hills in South Dakota. The tribal nations employed legal counsel as early as 1909, but the process of seeking compensation stumbled over several obstacles. First, the Arapaho frequently negotiated and often met with, leaders from at least nine other tribal nations. Orchestrating such a legal feat required numerous, in person, meetings, a rather large team of lawyers and long distance travel.<sup>20</sup> Additionally, sorting out the issue of "ownership," and providing documentation for use in a court system that placed primacy on corroborated evidence and not indigenous oral traditions, became a never ending process that produced hostility between the plaintiffs.<sup>21</sup> In April 1918, the tribal

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<sup>18</sup> Part of their concern, stemmed from a misguided notion perpetuated by uninformed Arapaho and Shoshone citizens, that the final outcome of the case could also provide for the removal of the Arapaho from the Shoshone Agency. The leaders of both councils actively worked to quash such vicious rumors and assure Arapaho citizens that they could not be removed from their homes. George Tunison and the Shoshone to Cato Sells (CIA) February 2, 1914, NARA-VIII, RG 75, AR, Entry 8, GAR, 1890-1960, Box 255, and George Tunison, et. al to Franklin Lane (Secretary of the Interior), June 26, 1916, NARA I, RG 75, CCF, 1907-1939, Shoshone, Box 13, Folder 72950-059.

<sup>19</sup> The Shoshone claim experience, was quite common for a suit filed in the Court of Claims. The time required to hear just cases against the U.S. Government ultimately delayed the infusion of much needed cash to dwindling reservations, angered indigenous peoples and plagued the Office of Indian Affairs.

<sup>20</sup> The group included representatives from five states, Wyoming, South Dakota, North Dakota, Montana, and Nebraska.

<sup>21</sup> At one point, the Arapaho actually exhumed the body of Chief Friday, an influential leader during the early reservation days to see if he went to his grave with documentation that could aid in their case. "Body of Chief Friday, of Arapahoes, Disinterred in Search for Black Hills Treaty Documents," *Wyoming State Journal*, September 21, 1948.

nations finally filed their petition with the Court of Claims, but delays and legal roadblocks quickly halted their case.<sup>22</sup>

Long frustrated with these and other inadequacies of the American legal system regarding Indian issues, Collier implored Meriam to sponsor the second survey. Hoping to shed light on issues of indigenous jurisprudence, Collier also influenced the structure of the study by insisting that Nathan R. Margold conduct the Institute's research. Margold, an attorney from New York, had worked with Collier on previous projects including the 1925 creation of the Committee on Pueblo Legal Aid, a mission started by Collier's American Indian Defense Association. Meriam once again complied with Collier's request, and in the fall of 1929, Margold began his investigation. For nearly two years, he delved into the decisions and records of Native claims cases, those cases pending review, jurisdictional acts surrounding such claims and jurisprudence on the subject. On June 1, 1931, Nathan Margold testified before the Senate Committee on Indian Affairs about his findings and proposed a bill to create an official claims commission, one that would provide "for the powers, duties and functions thereof."<sup>23</sup> The proposed commission consisted of six members who would "investigate and determine the state of accounts between the United States, on the one hand, and each band, tribe or other communal group of American Indians residing within the territorial limits of the United States on the other hand, and to render a complete and final accounting."<sup>24</sup> The creation of this commission, Margold believed, would alleviate the

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<sup>22</sup> Eventually the Black Hills Claim rolled over into a new court system, the Indian Claims Commission.

<sup>23</sup> Nathan R. Margold, *Survey of Conditions of Indians in United States*, Senate Committee on Indian Affairs, 72<sup>nd</sup> Cong., 1<sup>st</sup> sess., (1931): 13671.

<sup>24</sup> Margold, *Survey of Conditions of Indians in United States*, 13671.

difficulties of the Court of Claims process, in which tribal nations often had little opportunity to present their case or receive just compensation.

Unfortunately the bill proposed by Margold stalled in Congress. Disinterest and financial concerns at the onset of the Great Depression likely killed the potential Indian Claims Commission in 1931. Other commentators, including Vine Deloria, Jr., later suggested that, “the climate for reform had not yet reached the point where the United States wanted to have its past sins recited in a legal forum.”<sup>25</sup> By the 1930s, the situation appeared dire for Indian claims. From 1881 until 1946 (when the federal government finally created the Indian Claims Commission) Native Americans filed 219 petitions with the Court of Claims. Of those cases, the judicial body awarded only 35 monetary settlements of various amounts.<sup>26</sup> This ineffective system, Margold noted, would not continue to pacify the many tribal nations who demanded justice for past wrongs committed by the United States government. After the bill died on the Senate floor Meriam, Margold and Collier waited for an opportune moment to try again.

Temporarily defeated but not discouraged, John Collier continued to outline his plans for redirecting American Indian policy. On December 28, 1931, for example, Collier wrote to Margold:

With respect to shaping and justification of legislative dealing with Indian property and Indian civil rights what we have got to do, among other things, is to shape up the Bureau’s dealing with the following:

- (1) Tribal incorporation or some equivalent arrangement
- (2) Correction of evils in the allotment and heirloom laws, the probate system and the handling of Indian wills and of Indian matters in trust.
- (3) A system of credit for Indians.

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<sup>25</sup> Vine Deloria, Jr. *Behind the Trail of Broken Treaties: An Indian Declaration of Independence* (New York: Delacorte Press, 1974), 220.

<sup>26</sup> Harvey Daniel Rosenthal, *Their Day in Court: A History of the Indian Claims Commission* (New York: Garland Publication, 1990), 24.

#### (4) Indian Claims.<sup>27</sup>

Compatible in their understanding of Indian policy reform, Collier concluded, “any general covering enactment dealing with Indian civil rights would be effective and I feel a haunting suspicion that such a covering enactment may be possible and worthwhile.”<sup>28</sup> This “general enactment,” later known as the Indian New Deal, continued to develop as Meriam, Margold and Collier solidified their strong political alliance.

Nationally, the landslide victory of Franklin D. Roosevelt, in November of 1932, generated nervous anticipation within the Office of Indian Affairs. The appointment of a new Commissioner meant that a decade of Collier’s hard work was at stake. In order to assure the nomination of a favorable candidate, Collier contacted both Lewis Meriam and Nathan Margold. In a series of conversations, they agreed “if Roosevelt favored one of them, the other two men should close ranks to insure his victory. Collier then sent an open letter to several personal friends which asked them to actively support Meriam, Margold, or himself for the commissionership.”<sup>29</sup> The men hoped that their political pandering would guarantee that the next Commissioner favored Collier’s political agenda, should he be overlooked for the commissioner position. Roosevelt recognized the need for Indian policy reform, yet was hesitant to pick from Collier’s cohort. Following the nomination of Harold L. Ickes as the Secretary of the Interior, Roosevelt and Ickes agreed that despite his radical political ambitions and disheveled appearance, John Collier was the man for the job.

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<sup>27</sup> John Collier to Nathan R. Margold, December 28, 1931, John Collier Papers, Collection 1092, Reel 3.

<sup>28</sup> John Collier to Nathan R. Margold, December 28, 1931, John Collier Papers, Collection 1092, Reel 3.

<sup>29</sup> Philp, *John Collier’s Crusade for Indian Reform*, 114.

## **Indian Reorganization Act – Promoters and Problems**

John Collier appeared a most unlikely hero for Native Americans when he entered the office of Commissioner of Indian Affairs in 1933. Disheveled, often disorganized and distracted, Collier caused quite a stir in Washington D.C., but despite, or perhaps because of, these deterrents, biographer Kenneth R. Philp insisted that he was “one of the most colorful of the New Dealers.”<sup>30</sup> Colorful perhaps, but also mistrusted and well discussed in and outside the halls of Congress and on reservations across the country. Many governmental officials feared that the new commissioner was nothing but a dreamer, yet many appreciated his enthusiasm for the cause of American Indian rights. Regarding his appointment to the position of Commissioner of Indian Affairs, the Congressional Record even indicated that many felt he was “a long-legged, somewhat humorless Savonarola, blazing with zeal for the Red Man, haranguing, pleading, denouncing, organizing, writing, speaking for many years as secretary of the American Indian Defense Association...He has fought courageously and uncompromisingly.”<sup>31</sup> With this final assessment about his moral fiber, Congressional Representatives found him an acceptable choice as Commissioner.

Beloved by many and hated by several, Collier implemented sweeping reforms during his twelve years in office. His collection of New Deal era policies, frequently labeled the Indian New Deal, included an Indian branch of the Civilian Conservation Corps, an indigenous fund as part of the Agricultural Adjustment Administration, an “Indian desk” at the Public Works Administration and similar positions with the Civil Works Administration, the Works Progress Administration and the Resettlement

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<sup>30</sup> Philp, *John Collier's Crusade for Indian Reform*, 117.

<sup>31</sup> House Committee on Indian Affairs, *Survey on Condition of Indians in United States*. 73<sup>rd</sup> Cong., 1<sup>st</sup> sess., April 21, 1933, Part 2: 2103.

Administration. In general, these measures can be credited to Collier, as well as his engagement with numerous Native and non-Native political actors. As he later explained, “In the event, the purposes and implementations of the Indian New Deal were supplied by various members of the Indian tribes themselves, and by the experience, knowledge, and sustained thinking of many others, non-Indians. Of these I name but a few...Nathan R. Margold, Felix S. Cohen...And I have to name myself.”<sup>32</sup> The Indian New Deal programs assisted struggling Native Americans during the Depression, but Collier’s pinnacle of reform was the Indian Reorganization Act (IRA).

Throughout the 1920s, measures to detribalize Native American groups dominated federal policy. Agency officials frequently attempted to implement non-Indian forms of governance, including constitutions and by-laws, which met with resistance and animosity on many reservations, including the Wind River. The Arapaho and Shoshone had successfully created a political system that accommodated their unique situation, and loathed OIA attempts to alter their practices. When John Collier became the Commissioner of Indian Affairs, he denounced the brutal history and ruthless measures perpetuated by the OIA, but continued to accentuate the importance of self-government on reservations across the country. In Collier’s opinion, federal policies of the late 19<sup>th</sup> century, including allotment and assimilation, had failed. Instead of reassessing these antiquated methods, which irreparably damaged the relationship between indigenous peoples and the federal government, he advocated for a different direction in Indian policy, one outlined in a new piece of legislation called the Indian Reorganization Act. But the process of redirecting not only the federal strategy regarding Native Americans, but also the racist and debased mentality about indigenous

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<sup>32</sup> Collier, *From Every Zenith*, 217.



peoples, held by many public officials, proved more daunting than Collier initially envisioned.

In 1933, the new Commissioner of Indian Affairs orchestrated a series of meetings to assess the current state of federal policy regarding Native Americans. An inveterate New Dealer, Collier wanted a variety of perspectives from predominant creators of national Indian policy, so that he could better prepare a new course of action. He proposed several measures that would effectively improve the relationship between tribal nations and the federal government, including the need for the complete removal of allotment policies, the implementation of self-government and an end to assimilation.<sup>33</sup> Collier also questioned anthropologists at length, about the historical and cultural impact of past federal policies and sought suggestions from these scholars as to the ways in which he could better serve American Indian populations. Franz Boas and Alfred Kroeber, two of the most influential anthropologists studying Native Americans, ultimately played an important role in the creation of the bill.<sup>34</sup> Additionally, the Commissioner of Indian Affairs contacted Felix Cohen, an attorney working in the Solicitor's Office to the Department of the Interior, to draft the bill.<sup>35</sup>

On February 12, 1934, Senator Burton Wheeler and Representative Edger Howard introduced the Indian Reorganization Act to Congress.<sup>36</sup> Hastily offered and extremely complex, many Congressmen responded unfavorably to the legislation and denounced Collier's decision "to incorporate most of the reform agenda in a single

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<sup>33</sup> Elmer Rusco, *A Fateful Time: The Background and Legislative History of the Indian Reorganization Act*, (Reno and Las Vegas: University of Nevada Press, 2000), 185-186.

<sup>34</sup> In addition to responding to the initial questionnaire sent to anthropologists around the country, both men maintained a steady correspondence with Collier. Rusco, *A Fateful Time*, 189.

<sup>35</sup> Cohen later became an accomplished legal scholar and author of the essential *Handbook of Federal Indian Law*.

<sup>36</sup> Their names became inextricably linked to the bill as the Indian Reorganization Act is often referred to as the Wheeler Howard Bill.

bill.”<sup>37</sup> The Commissioner emphasized certain key policy points, including the official end of allotment, the right for tribal nations to organize political governments that would manage local affairs, Native representatives in the Office of Indian Affairs, the formation of an Indian Claims Commission and finally the right for Native people to voluntarily accept all or part of the Indian Reorganization Act. Underscoring the necessity of self-government, Collier placed most emphasis upon Section 16 of the bill, which specifically provided the tribal nations with the “right to organize for its common welfare, and may adopt an appropriate constitution and bylaws, which shall become effective when ratified by a majority vote of the adult members of the tribe, or of the adult Indians residing on such reservations.”<sup>38</sup> This proviso, strongly advocated by Collier and his political cohort, meant that tribal nations could “opt-out” if they disapproved of the legislation. For the first time, Native Americans could accept or reject legislation that pertained to their daily lives, instead of accommodating or combatting policies placed upon them by the United States government.

One of the most heated alterations argued before Congress was a plan to exclude Collier’s Indian Claims Commission provision. Senator Theo Werner from South Dakota initially complicated the issue of claims adjudication, by questioning both the government’s responsibility and the statute of limitation as it applied to “crimes” against Native communities. Collier attempted to counter this critique by arguing “What you [Werner] are talking about is another subject that is very big, which is that the Government not only has violated its treaties, but the Government has gone on year

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<sup>37</sup> A plan Collier devised with Nathan Margold in 1931, as the men feared that multiple pieces of legislation would slow the process of policy reform or that certain elements of the platform could be discarded. Rusco, *A Fateful Time*, 208.

<sup>38</sup> “The Indian Reorganization Act” in Vine Deloria, Jr., ed., *The Indian Reorganization Act: Congresses and Bills* (Norman: University of Oklahoma Press, 2002), 22.

after year procrastinating to defend the just claims of Indian tribes.”<sup>39</sup> Collier further explained that his proposed provision is one “designed to bring all of these Indian claims promptly to judgment... so that they can have their day in court and procure their final determination under these contracts.”<sup>40</sup> Sensing defeat on this issue, however, Collier finally acquiesced during the fourth hearing on the Indian Reorganization Act. Instead of including the ICC as part of the debated legislation, Collier conceded, “We shall submit a bill providing for the prompt and complete settlement of these innumerable claims, through a special claims body that would, under the proposal be created by Congress.”<sup>41</sup> Politicians fiercely debated the bill for several months, but eventually passed a vastly altered version of the original draft, and on June 18, 1934, President Franklin Roosevelt signed into law the Indian Reorganization Act.<sup>42</sup>

In its final form, the Indian Reorganization Act implemented several important changes throughout Native lands. The authors of the bill declared that it was, “An act to conserve and develop Indian lands and resources; to extend to Indians the rights to form business and other organizations; to establish a credit system for Indians; to grant certain rights of home rule to Indians; to provide for vocational education for Indians; and for other purposes.”<sup>43</sup> Above all else, the Indian Reorganization Act ended the process of allotment, perhaps one of the most important and far reaching provisions of

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<sup>39</sup> House Committee on Indian Affairs, *Hearings on HR 7902*, 73<sup>rd</sup> Cong., 2<sup>nd</sup> sess., February 23, 1934, Part 2: 72.

<sup>40</sup> House Committee on Indian Affairs, *Hearings on HR 7902*, 73<sup>rd</sup> Cong., 2<sup>nd</sup> sess., February 23, 1934, Part 2: 72.

<sup>41</sup> With legislators pacified and the IRA approved, Collier took the ICC out of the IRA and the following year submitted another Claims Commission proposal. House Committee on Indian Affairs, *Hearings on HR 7902*, 73<sup>rd</sup> Cong., 2<sup>nd</sup> sess., February 27, 1934, Part 4: 134.

<sup>42</sup> Notable policies changes from the first draft to the final one include the rejection of an Indian Claims Commission, a reassessment of the notion of communal land ownership and severe limitations of the power wielded by governments created under Reorganization. The final draft was less than half the length of the original version.

<sup>43</sup> Deloria, *The Indian Reorganization Act*, 20-22.

the bill. In addition, ownership of the remaining, or “surplus,” lands created by allotment reverted back to the tribal nations. Other measures of note included Section 5, which created a mechanism for Native reacquisition of lands lost to allotment, Section 10, which allowed for the appropriation of \$10 million to be loaned to reservation governments for the purpose of economic development and Section 11, which provided for up to \$250,000 annually for payment of tuition and other expenses associated with Native education.<sup>44</sup> In just one year at his post, John Collier successfully implemented many of the sweeping policy changes that he had been working toward for more than a decade, but a far more daunting task lay ahead, as Collier traveled to reservations to try and convince Native Americans to accept reorganization.

### **Indian Reorganization Act on the Wind River**

Reservation superintendents began touting the positive attributes of the Indian Reorganization Act in the spring of 1934. Collier, confident in the bill’s passage, encouraged this premature campaign for two reasons. First, once the IRA passed into law, Congress stipulated that in one year’s time, tribal nations across the country had to decide if they would vote to accept or reject Reorganization. Accordingly, the commissioner had only one year to promote the benefits of the bill to indigenous people. In addition, Collier knew that many tribal nations, jaded by years of corruption, turmoil and deception, would not trust yet another federal policy outright. To assuage many concerns about the new legislation, the commissioner hosted meetings in ten cities across the country, including Rapid City, South Dakota, Fort Defiance, Arizona and Muskogee, Oklahoma, which allowed surrounding tribal nations to visit with Collier and ask questions regarding the intricacies of the IRA. Taking into account the

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<sup>44</sup> Deloria, *The Indian Reorganization Act*, 21.

past history of broken treaties and paternal legislation, many indigenous people at these meetings expressed hesitation at the prospect of yet another shift in federal policy. Though varied in their opinions about the bill, many indigenous leaders voiced similar concerns, including the extent to which the IRA provided economic benefits and to whom, the amount of power wielded by the proposed centralized governments and the sovereignty of Native homelands.<sup>45</sup>

It soon became apparent that these meetings alone would not prompt wholesale approval for the bill. Indeed, as Collier traveled throughout the nation touting his radical approach to policy reform, he met two major roadblocks: time and history. First, the commissioner, already facing a rather restricted timeline, spent very few days in each location. To leaders of tribal nations on the Northern Plains, for example, he explained, “We have four days for this meeting. That will mean morning, afternoon and evening, if necessary. We have a great deal of ground to cover.”<sup>46</sup> In total, that meeting hosted 198 delegates from over forty tribal nations, whose concerns Collier, and the collection of agents he brought with him from the Office of Indian Affairs, simply could not fully address. Native leaders received very little time in which to express their concerns, and many said nothing at all. The Shoshone, led by council member Charles Driskell,

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<sup>45</sup> Past experiences with the federal government certainly influenced feelings about the acceptance or rejection of the IRA. The Diné, for example, who met with Collier at Fort Defiance, Arizona, expressed serious concerns. They adamantly questioned the proposed policies and specific motivation behind the legislation, and also voiced considerable dissatisfaction with Collier and his implementation of a devastating process of livestock reduction on their reservation. Ultimately, the Diné rejected Collier and his Indian New Deal outright. See Iverson, *The Diné* and Rusco, *A Fateful Time*, 300-301.

<sup>46</sup> “Minutes of the Plains Congress, Rapid City Indian School,” in Deloria, ed., *Indian Reorganization Act*, 35.

simply stated, “At this time we are noncommittal but we are going to do our utmost to convey the interpretations of this Bill to our folks back home.”<sup>47</sup>

A long history of abuse from government officials also impeded Collier’s mission, as his Native audiences often resurrected past crimes. When the Arapaho took the floor in South Dakota, Councilman Bruce Groesbeck spoke not of Indian Reorganization, but of historical grievances. “Back in 1904,” Groesbeck explained, “the Government sent a representative from Washington to buy, or have the Tribe of Shoshone and Arapahoe cede, a large portion of what is known as Big Wind River, located in Shoshone Reservation in Wyoming. There were agreements made between the Government and tribes located there and only two of those agreements have been fulfilled.” Instead of encouraging tribal nations to accept additional federal policies, the councilman suggested that John Collier resolve “the other agreements that have not been fulfilled. Look to that.”<sup>48</sup> Other delegates to the Plains Congress troubled Collier with hypothetical scenarios, a veritable mind exercise for the commissioner, as he sought to address the possible ramifications of voting outcomes. Frustrated and ultimately unsuccessful in his campaign, Collier returned to Washington, D.C. and adjusted his strategy.

To gauge indigenous sentiment regarding Reorganization, the commissioner instructed reservation agents to frequently poll the eligible enrolled members of all tribal nations. In Wyoming, federal officials also conducted several meetings with the Arapaho and Shoshone throughout 1934. Reservation leaders raised several concerns

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<sup>47</sup>“Minutes of the Plains Congress, Rapid City Indian School,” in Deloria, ed., *Indian Reorganization Act*, 75.

<sup>48</sup>“Minutes of the Plains Congress, Rapid City Indian School,” in Deloria, ed., *Indian Reorganization Act*, 87.

about the Indian Reorganization Act, chiefly among them, issues of land tenure and ownership. While many politicians applauded the end of allotment, Native people worried that, if they accepted reorganization, they would be putting reservation lands in jeopardy. Collier's misguided notions about the "Red Atlantis," which can be found in the first draft of the Reorganization Act, particularly troubled the Shoshone and Arapaho. This misunderstanding about Reorganization and allotment clearly stems from Collier's unrestricted ambition. By providing tribal nations with the first draft of the bill, one that would be debated and drastically altered before receiving approval, reservation leaders could discuss the provisions but fretted over certain policies that would, in the long run, not affect their communities.

This discussion of land tenure became particularly important to the Arapaho, who believed that land ownership validated their existence on the Wind River. In the late nineteenth century, the tribal nation eagerly accepted allotments as a way to establish their claim to part of the reservation, a move the Shoshone deeply resented. In light of the Shoshones' Court of Claims case, and unfounded rumors that a favorable settlement would effectively remove the Arapaho from the Wind River, issues of land tenure increasingly troubled Arapaho leaders and their constituents. In response, the Arapaho council explained to Collier, "Your plan of Indian Community life whereby we live in villages is unsuited and foreign to the Plains Indians... We wish to remain on our farms and continue to cultivate our lands. We oppose Community ownership of property and lands as unsuited to our tribe. The allotment of lands has not proven as disastrous to us as the commissioner believes."<sup>49</sup> Through perhaps imbued with

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<sup>49</sup> Petition from the Arapaho to John Collier (CIA), February 20, 1934, NARA-VIII, RG 75, AR, Entry 8, GAR 1890-1960, Box 105.

devastating intentions, the General Allotment Act, Arapaho councilmen insisted, provided their people with land titles, and they adamantly believed that the Indian Reorganization Act would remove their claim to individual parcels of land on the Shoshone Agency. In this case, the Arapahos' collective memory regarding allotment as a favorable experience in their campaign to secure a portion of the Wind River, dictated their stance on Reorganization.

Indeed, the state of indigenous land claims became one of the most discussed concerns regarding Reorganization. Many tribal nations, weary of seemingly helpful federal policies, feared that Collier intended to dissolve land titles or rescind individual land ownership on reservations across the country.<sup>50</sup> In response, Dick Washakie, son of the revered Shoshone, Chief Washakie, adamantly denounced the bill in February 1934, "It is true that my father selected this land here as [our] home. The Commissioner has sent a program or a paper here for us to consider, asking us our opinions about recolonizing our people, turning our lands back and our allotments back, making a unit reservation out of it."<sup>51</sup> Thoroughly denouncing plans for a communal reservation, both the Shoshone and the Arapaho believed that acceptance of the Reorganization Act, in its original form, would bring no benefit to their reservation. By April 7, 1934, Wind River leaders adamantly opposed Reorganization, despite its considerable promotion from

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<sup>50</sup> Without the land allotment process, many Wind River residents believed that the elderly, orphaned and ill would not receive care, or that they would not be able to live on allotments given to family members who had since died. This fear was especially prevalent considering the years of work by the Joint Business Council to secure a welfare system for the non-working members of both communities. See Fowler, *Arapahoe Politics*, 173 and Flynn, *Tribal Government*, 45. See also the minutes from the General Tribal Council of the Shoshone and the Arapahoe Indians, February 23, 1934, NARA-VIII, RG 75, AR, Wind River, Entry 8, GAR, 1890-1960, Box 93.

<sup>51</sup> Minutes from the General Tribal Council of the Shoshone and the Arapahoe Indians, February 23, 1934, NARA-VIII, RG 75, AR, Wind River, Entry 8, GAR, 1890-1960, Box 93.



their agent and the commissioner. An unofficial poll by agency officials noted, that the Arapaho voted 115 to 1 against the bill, while the Shoshones rejected it 153 to 5.<sup>52</sup>

The reservation's overwhelming dismissal of the IRA would not last, however. Throughout the rest of the year, John Collier's representatives actively promoted the final version of the bill, passed by Congress and signed into law that June. The arrival of a new Agency Superintendent, Forrest Stone, to the Wind River also heightened reservation interest in the issue, as he pressured council members, spoke openly in favor of the IRA and printed encouraging statements in area newspapers. Calling the Indian Reorganization Act a "practical answer to a very practical problem," Stone worked diligently to promote Collier's plans for federal policy reform.<sup>53</sup> At the same time, Arapaho and Shoshone leaders read the final draft of the bill and reassessed their stance on the subject. In April 1935, a Wind River delegation traveled to Washington, D.C., to address their final concerns directly to the commissioner, before a reservation-wide vote took place. In preparation for their meeting, Arapaho councilman, Robert Friday, submitted his objections to the Office of Indian Affairs, including issues of water rights, land tenure and citizenship. But perhaps the most interesting critique of the bill can be found in his final objection, in which the "Indian Department [compelled] the Arapahos and the Shoshones to vote on the acceptance of the Act as one tribe."<sup>54</sup> At the insistence of Congress, each reservation, not tribal nation, voted to accept or reject the bill. In the event of a favorable vote, the Arapaho and Shoshone could create their own

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<sup>52</sup> Joseph Reagan to John Collier (CIA), April 16, 1934, LFC, Box 10, Folder 1.

<sup>53</sup> Forrest R. Stone to A.F. Duntch, May 8, 1935, NARA-I, RG 75, CCF, 1907-1939, Shoshone, Box 13, Folder 9741-36-066.

<sup>54</sup> Robert Friday and the Arapaho and Shoshone Delegation, April 1935, NARA-I, RG 75, CCF, 1907-1939, Shoshone, Box 13: 9741-36-066.

constitutions and “run their affairs as two tribes rather than as one,” but reservation agents would not divide the votes along national lines.<sup>55</sup>

Of course, this request represented nothing new when it came to reservation affairs. For more than half a century, the Shoshone and Arapaho fought to maintain a sense of individuality as they interacted with the federal government. Naturally, the leaders of both tribal nations wished for their people to be represented in this landmark decision, but shifting opinions about the bill and divisive political players on the reservation also prompted Friday’s request. Chiefly among them, Charles Driskell, a rather vocal Shoshone councilman, had befriended Agent Forrest Stone and subsequently led a charge for the reservation to accept Reorganization. Driskell argued that both tribal nations could benefit from the IRA and that it would not only enhance their political prowess, but also aid in the development of a stronger relationship between the Wind River and the federal government. Most of the Arapaho council members, and even a few Shoshone leaders, did not appreciate this shift in focus. When selecting delegates to send to Washington D.C. that April, all of the Arapaho leaders, and even two Shoshone councilmen, voted against sending the polemical representative.<sup>56</sup>

Yet, by the time the delegation departed for Washington D.C., a number of Shoshone leaders had also reconsidered the utility of the IRA. Driskell’s influence notwithstanding, an excess of Arapaho voters alarmed Shoshone representatives, as did

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<sup>55</sup> Robert Friday and the Arapaho and Shoshone Delegation, April 1935, NARA-I, RG 75, CCF, 1907-1939, Shoshone, Box 13: 9741-36-066.

<sup>56</sup> The Agent believed that Driskell was a necessary member of the delegation because of his “favorable attitude toward the Reorganization Act,” and implored the Commissioner of Indian Affairs to allow Driskell to attend. His pleas went unanswered and the delegation left without Driskell in attendance. Forrest Stone to John Collier, April 23, 1935, NARA-I, RG 75, CCF, 1907-1939, Shoshone, Box 12: 00-35-056.

Arapaho unanimity on the issue. Young Shoshone citizens, seeking wage work and educational opportunities away from the reservation, increasingly participated in an outmigration to metropolitan centers throughout the country, creating an unequal voting balance on the reservation.<sup>57</sup> The 1933 census reported that of the 1,075 enrolled Arapahos, 995 lived on the reservation. On the other hand, only 879 of the 1,245 enrolled Shoshone lived on the Wind River. The shifting demographic of the Shoshone Agency ensured that the Arapaho could gain the upper hand in a voting disagreement. Unable to bolster their numbers or convince their people to return to the reservation to vote, the Shoshones grew increasingly concerned that the Arapaho would outnumber and thus outvote them.<sup>58</sup>

Between April and June 1935, the Shoshone remained divided over the issue. Some, with the help of Agent Stone, continually advocated for acceptance of the IRA and encouraged surrounding non-Native communities to do the same. Stone became quite active in the weeks leading up to the vote. He issued a call to action in regional newspapers, encouraging Wyoming residents, both white and Native, to “urge them [the Arapaho and Shoshone] forward along the lines of self confidence and self government.”<sup>59</sup> The Agent received authorization to use government funds and modes of transportation to collect “old Indians,” and those unable to travel to voting stations, in

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<sup>57</sup> Initially, the OIA declared that absentia votes would not be counted at all. Other issues included voter eligibility as some Shoshones owned no land, while non-Native residents owned land on the reservation, but were not actually citizens of either tribal nation.

<sup>58</sup> One final dynamic that may have contributed to the lack of conformity of the Shoshone was the mixture of “full-blood” and “mixed-blood” councilmen. Loretta Fowler indicates that this diversity often benefited the Shoshone council as “mixed-blood” members often interacted better with the surrounding white communities. This disparate group dynamic also damaged the Shoshone decision making process because, often the “mixed blood” members argued with the older “full blood” members. This atmosphere of conflict and disagreement increased Shoshone hostilities towards the Arapaho members who managed to maintain political unity at the JBC meetings. Fowler, *Arapahoe Politics*, 145.

<sup>59</sup> Forrest Stone to A.F. Duntch, May 8, 1935, NARA-I, RG 75, CCF, 1907-1939, Shoshone, Box 13, Folder 9741-36-066.

a blatant attempt to bolster Shoshone numbers. He also postponed the event, from May 18 to June 15, and met with both councils separately, just days before the vote occurred.<sup>60</sup> For all of this effort, Agent Stone bemoaned, “Prospects for passage of bill does not look favorable tonight...Serious thought both for and against bill very pronounced throughout entire reservation which is most favorable sign observed.”<sup>61</sup> As tension mounted, no one, least of all Stone, knew what Wind River residents might decide.

On June 15, 1935, the Shoshone Agency boasted an astounding turnout, as 80 percent of the eligible citizens cast their votes. Influenced by propaganda and certain political proponents, over three hundred people voted for Reorganization, but a majority of the population, more than four hundred and seventy people, defeated the bill. By some accounts, the Shoshone accepted the IRA by a one vote margin (175 in favor, 174 against), but discrepancies in the final count remained.<sup>62</sup> Immediately after the polls closed, agency officials struggle to determine the exact outcome, as polling stations kept inadequate records. Initially, W.R. Centerwall, an agent from the Office of Indian Affairs reported, “While the results as to the actual count of votes does not look so good on paper, the fact remains that they did not have enough NO votes to reject the bill.”<sup>63</sup> Congratulating themselves on a “great moral victory,” both Superintendent Stone and Agent Centerwall felt their efforts, including postponing the elections in order to sway

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<sup>60</sup> W.R. Centerwall to John Collier (CIA), April 30, 1935, Forrest Stone to John Collier (CIA), June 11, 1935, and Forrest Stone, to John Collier (CIA), June 12, 1935, in NARA-VIII, RG 75, AR, Wind River, Entry 8, GAR, 1890-1960, Box 105.

<sup>61</sup> Forrest Stone, to John Collier (CIA), June 12, 1935, in NARA-VIII, RG 75, AR, Wind River, Entry 8, GAR, 1890-1960, Box 105.

<sup>62</sup> See *Wyoming State Journal*, June 20, 1935 and Forrest Stone to L.C. Hunt, June 15, 1935, NARA-VIII, RG 75, AR, Entry 8, GAR, 1890-1960, Box 105.

<sup>63</sup> W. R. Centerwall to CIA, June 20, 1935, NARA-I, RG75, CCF, 1907-1939, Shoshone, Box 13: 9741-36066.

votes and the propaganda they published in area newspapers, contributed to the outcome.<sup>64</sup> Confident in the votes of acceptance, Stone assured many Shoshone citizens that Reorganization passed, although the final count had yet to be fully tabulated.<sup>65</sup>

These self-administered accolades soon proved premature. On June 22, Agent Stone reported to the Commissioner of Indians Affairs, “It has been difficult for me to make a final report on the results of the voting on the reorganization act.”<sup>66</sup> In part, Stone refused to accept that the bill had been defeated on the Wind River and called for at least one recount. Naturally, the close margin of the contest also produced tension within the political ranks of the reservation. Agent Stone reported, “Never before, according to the employees and older Indians familiar with the affairs of the tribes have the Arapahoes and Shoshone Indians been so stirred up over their affairs.”<sup>67</sup> Most of the hyperbole regarding “age old rivalries” and “hereditary tension,” appeared, to Wind River residents, dramatized for Collier’s benefit, but to be sure, the Shoshone expressed considerable disappointment. Long frustrated by the Arapahos’ presence on their reservation, the Shoshone denounced the tribal nation’s uncooperative behavior. After nearly three decades of collaboration, the Shoshone viewed the Arapahos’ adamant refusal to accept the IRA as an affront to their functioning political system. The temporary degeneration Stone witnessed following the vote on the Wind River, certainly an unintended consequence of the IRA, further illustrates the harmful nature of John Collier’s policies.

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<sup>64</sup> W. R. Centerwall to CIA, June 20, 1935, NARA-I, RG75, CCF, 1907-1939, Shoshone, Box 13: 9741-36-066.

<sup>65</sup> William Aragon to CIA, June 17, 1935, NARA-I, RG75, CCF, 1907-1939, Shoshone, Box 13: 9741-36-066.

<sup>66</sup> Forrest Stone to CIA, June 22, 1935, NARA-I, RG75, CCF, 1907-1939, Shoshone, Box 13: 9741-36-066.

<sup>67</sup> Forrest Stone to CIA, June 22, 1935, NARA-I, RG75, CCF, 1907-1939, Shoshone, Box 13: 9741-36-066.

Additionally, in accordance with the guidelines of the bill, the Office of Indian Affairs could not allow the Shoshone to implement Reorganization, as a majority of voters on the reservation defeated the proposal. Members of the Shoshone community voiced outrage and concern, as they wrote to John Collier with complaints and regret.<sup>68</sup> Instead of seeking another vote on the matter or berating their Arapaho neighbors further, most of the protestors simply suggested that it would be necessary for future legislation to be considered separately, in order to maintain a peaceful balance on the Shoshone Agency. Once again highlighting the problems of a shared reservation, members of the tribal nation insisted that if the Arapaho had not been relocated to the Wind River, they would have been able to accept the IRA.

In light of the Wind River experience, and the often heated debates regarding the acceptance or rejection of the IRA, it is perhaps surprising that many tribal nations voted for Reorganization. Once approved, the IRA directed agency officials to distribute template constitutions, as reservation leaders created, voted and established a centralized governing body. Although the federal government did not endorse a singular model constitution, they did provide, upon request, a standard form which is still in effect today on several reservations. Above all else, the IRA ended the devastating policy of allotment, although decades of damage could not be repaired. While John Collier made important advances towards the incorporation of Native Americans into the creation of government policy, IRA stipulations still revealed paternalistic notions and naiveté towards Native American people.

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<sup>68</sup> Wallace St. Clair to John Collier (CIA), July 22, 1935, NARA-I, RG 75, CCF, 1907-1939, Shoshone, Box 13: 9741-36-066; Daiker to Mr. Woenike, July 19, 1935, NARA-I, RG 75, CCF, 1907-1939, Shoshone, Box 13: 9741-36-066.

On the Wind River, a disheartened Agent Stone demanded that changes be made to the political system on the reservation. Despite the increased tension that enveloped the reservation, Arapaho and Shoshone council members united to reject Stone's proposed changes. The Arapaho believed that a system of written by-laws and a constitution undermined their political authority, while the Shoshone noted their contentment with the current political system, a notion Stone could not comprehend.<sup>69</sup> In reality, several Shoshone councilmembers voted to accept reorganization for the monetary benefits and improved government relationships, decidedly not to encourage the process of political reorganization. In the long run, by rejecting the IRA, Wind River tribal nations maintained a high level of OIA involvement in the governance of their reservation.<sup>70</sup>

### **The Tide Turns**

In total, 181 reservations accepted reorganization, while 77 indigenous groups rejected the proposed legislation. These statistics indicate not only the divisiveness of Collier's reform agenda, but also the varied opinions of the nation's Native and non-Native inhabitants regarding the Commissioner as a politician and an individual. On reservations across the country, Native votes regarding the IRA reflected feelings not just about the proposed legislation, but also past experiences with the Office of Indian Affairs and their personal feelings toward John Collier.<sup>71</sup> In general, Native sentiment regarding Collier and his policies tended to be a bit more favorable than those of his

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<sup>69</sup> Even in the 1980s and 1990s, efforts to pass these artifacts of constitutional government failed to achieve widespread support. Anderson, *Four Hills of Life*, 289.

<sup>70</sup> Flynn, *Tribal Government*, 46.

<sup>71</sup> Regarding individual votes: 129,750 Native people voted to approve the IRA, while 86,365, including over 45,000 Diné voted against the bill. For example, the Diné's wholesale rejection of the IRA indicates their frustration with Collier regarding other matters, namely sheep reduction, as well as their sentiment toward the legislation.

fellow politicians and the American public. At the same time, indigenous people, far from a monolithic ethnic group, held different views of their commissioner. A Shoshone citizen, William Aragon, proudly voted for reorganization and called Collier one of “the finest men [he] ever came into contact with.”<sup>72</sup> On the other hand, Joseph Bruner, an Oklahoma Creek man and leader of the American Indian Federation, became one of Collier’s most rapacious critics.

Bruner viciously attacked Collier’s Indian Reorganization Act, suggesting that it opened reservations to communism and promoted the decline of Christianity.<sup>73</sup> Initially, Collier ignored Bruner, keeping negative comments within his own political circle. But by May 1935, Collier succumbed to his frustration and publically wrote to newspaper editor Arthur Brisbane, lambasting “All of Bruner’s fulminations...about communism, anarchism, atheism, Turkism and Chinaism.” He argued, “The things that the President and Secretary Ickes are trying to do for Indians are plain American things long overdue, and are not influenced by Russia, China, Turkey...etc. etc.”<sup>74</sup> Despite these defensive maneuvers, Bruner continued to mercilessly criticize John Collier’s Indian New Deal and his inability to find an acceptable way to adjudicate indigenous cases. Bruner’s own organization proposed a way to provide assistance for *individual* Native claims and solicited money from everyday Native Americans to pay AIF lobbyists. In turn, the activist planned to convince Congress to allot \$3,000 disbursements to every Indian member of Bruner’s organization, effectively resolving the claims crisis. In response, Collier’s office issued a series of scathing press releases against the American Indian

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<sup>72</sup> William Aragon to CIA, June 17, 1935, NARA-I, RG 75, CCF, 1907-1939, Shoshone, Box 13: 9741-36-066.

<sup>73</sup> Philp, *John Collier’s Crusade for Indian Reform*, 200.

<sup>74</sup> John Collier to Arthur Brisbane, May 22, 1935, John Collier Papers, Collection 1092, Reel 20.



Federation, Joseph Bruner and his proposed schemes, “The pretense which the Federation offered was that there existed in each Indian as an individual a valid claim against the Government. No such claim exists in fact. Only tribal claims exist... Thus a double deception is attempted – deception of Indians whose dollars are being solicited, and deception of Congress.”<sup>75</sup> Though perhaps radical in his methods, Bruner did bring attention to the one plank of Collier’s reform agenda that had yet to be fulfilled, an Indian Claims Commission.

Not surprisingly, Native people overwhelmingly supported Collier’s efforts to create a more efficient process for adjudicating their claims. When the Commissioner endorsed yet another proposal for the creation of an Indian Claims Commission in May of 1935, the *Indian Truth*, a newspaper published by the Indian Rights Association, applauded Collier, stressing that “Setting up the machinery for settling for all Indians and for all time their claims against the Government is urgently needed.”<sup>76</sup> But Collier often found himself on the defensive, as he promoted the rest of his policy agenda. Burdened by Depression era budgetary concerns, exasperated members of Congress dismissed Collier’s advocacy and allowed his claims commission proposal to stall and expire on the House floor.<sup>77</sup> Beginning in the late 1930s, legislators increasingly

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<sup>75</sup> United States Department of the Interior, Press Release, April 26, 1939, Association on American Indian Affairs, Collection 696, Reel 3.

<sup>76</sup> “Indian Claims, *Indian Truth*, May 1935.

<sup>77</sup> On May 22, 1935, John Collier endorsed a proposal set forth by Secretary of the Interior Harold L. Ickes, labeled H.R. 7837, for the creation of an Indian Claims Commission. Strikingly similar to the two previous attempts, (Margold in 1931 and IRA provision in 1934), H.R. 7837 differed slightly from other attempts. First, H.R. 7837 cut down the number of members and called for a three person committee comprised of a chief commissioner and two associate commissioners. In addition, the duration of the Commission to hear claims was reduced from ten years to a period of five. Finally, H.R. 7837 deleted the proposal for an Indian member on the judicial Commission. John Collier testified before the House Committee on Indian Affairs in support of this bill stating, “Scores, thousands of Indians and even whole tribes wait around decade after decade for a settlement... They do not get the settlement and they feel aggrieved and they have a right to feel aggrieved.” Supporting the claim, Rufus G. Poole, the assistant solicitor of the Department of the Interior and Will Rogers the chairman of the House Committee on

denounced Collier's programs and voiced concerns regarding their supposed "communist influence."<sup>78</sup> Surprisingly, Collier's most powerful opposition did not come from the Native American population, or the halls of Congress, but rather the president himself, Franklin Roosevelt. In 1936, Roosevelt asked Collier if there existed "some better way to do justice than by paying money damages, whether small or vast, in behalf of the many dead to the few who as yet lived on?" Developing upon this thought further, the president continued,

The government's obligation was toward the living Indians and the Indians yet unborn, and simply could not be measured in terms of the wrongs done to Indians long dead. Let the Indians be furnished adequate land bases, adequate economic assistance, and adequate personal and group education; such an assistance, and not just paying out moneys on account of wrongs done to the dead, was the *useful* thing for the government to attend to; and practically viewed it was the way to do justice to the dead as well as to the living Indians.<sup>79</sup>

Despite his admiration for Roosevelt, Collier strongly denounced this position. He asserted in his memoir (not to Roosevelt personally) that for the Indians, "their 'claims' rested deeply in their hearts as the claims for *rights*; furthermore, there could have been no assurance that as the years passed Congress would appropriate the necessary increased funds – necessary if the economic bases of all the tribes were to be made adequate for their present and their future."<sup>80</sup> Collier would not raise the subject with

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Indian Affairs along with Ickes and Collier pushed for its approval. On June 20, 1935 the *Los Angeles Times* reported "The House Indian Committee today approved a bill to establish a new Indian Claims Commission to adjust all complaints by Indians against the government." Out of the House Committee, the bill still had a long way to go, yet in the history of Indian Claims Commission legislation the 1935 proposal finally received considerable attention. Please see, John Collier, House Committee on Indian Affairs, *Indian Claims Commission*, 74<sup>th</sup> Cong., 1<sup>st</sup> sess., May 22, 1935: 6; "Indian Board Plan Approved," *Los Angeles Times*, June 20, 1935; and Rosenthal, *Their Day in Court*, 62.

<sup>78</sup> In 1939, the Senate Committee on Indian Affairs even issued a report criticizing the Indian Reorganization Act.

<sup>79</sup> Collier, *From Every Zenith*, 297. (emphasis original)

<sup>80</sup> Collier, *From Every Zenith*, 298. (emphasis original)

Roosevelt again, however, as the president became occupied with foreign affairs and ultimately ignored the commissioner's political agenda.

Mainstream newspapers also denounced Collier's plan to adjudicate Native claims. Several even vilified the formation of an Indian Claims Commission, as an atmosphere of suspicion punctuated news correspondence regarding Collier's proposal. A *New York Times* article on March 17, 1935, proclaimed "Indians Plan Suits For \$3,135,913,014." The author of the provocative headline suggested that the ability of Native Americans to sue for such a "tremendous" sum and the profound legal power they supposedly wielded could force the government "in some cases to file counter-suits, claiming that it has supplied, in some cases, more than the number of horses, cattle and blankets agreed upon in treaties made with the tribes, sometimes as long as fifty years ago."<sup>81</sup> Ironically, any government claim for extra cattle and blankets would in no way equal the millions of dollars in lost land claims, yet the *New York Times* believed that counter-suits were certainly in order.

### ***Shoshone Tribe of Indians v. The United States***

For those tribal nations whose cases already languished in the Court of Claims system, John Collier's proposals seemed both too little and too late. Disaffected members of the Shoshone tribal nation, led by Charles Driskell, expressed dissatisfaction with both the outcome of the vote for Reorganization and their Court of Claims case to the commissioner. The council insisted, "Since the Act was defeated by the Arapahoe Indians who occupy part of our reservation and for which we Shoshones have not been compensated, we feel that we have been done a great injustice by being deprived of the right to come under the Act. We Shoshone are a proud and progressive

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<sup>81</sup> Indians Plan Suits for \$3,135,913,014," *The New York Times*, March 17, 1935.

people and feel that our progress should not be hampered by the Arapahos who have no right to occupancy.”<sup>82</sup> Clearly connecting past injustices committed by the federal government to their current plight, the Shoshone felt that they deserved, at the very least, their day in court. Pending a final decision from the Court of Claims, certain Shoshone leaders increasingly voiced their dissatisfaction with the Arapaho members of the JBC and at times even denounced the tribal nation as little more than a group of squatters on their land. Despite, or perhaps because of, these complaints, the Shoshone looked with anticipation toward their court case, seeking retribution for the illegal placement of the Arapaho onto their reservation, and even a little poetic justice given the defeat of Reorganization on the Wind River.<sup>83</sup>

In 1927, the Shoshone received congressional approval to file a claim against the United States for treaty violations. This victory, while encouraging, represented just the first step in the long journey toward obtaining compensation for the theft of their land. Attorneys for the government also based their case upon Article Two of the Treaty of the Eastern Shoshoni and Bannock in 1868, which stipulated that “friendly” tribal nations could be placed upon the Wind River. They argued that at the time of the Arapahos’ arrival, federal officials believed that the two tribal nations maintained a sociable relationship and that Shoshone Agents heard no protests to the contrary. The defendant’s attorneys demanded that the Shoshone, and their lawyer, George Tunison, prove otherwise. Tunison responded in a 1933 legal brief, “the evidence shows

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<sup>82</sup> Charles Driskell to CIA, July 19, 1935, NARA-I, RG 75, CCF, 1907-1939, Shoshone, Box 13: 9741-36-066.

<sup>83</sup> This sentiment is especially likely given the trouble that the Arapaho faced in having their claim, filed with the members of nine other tribal nations, heard. Even in this atmosphere of political cooperation, a fair bit of rivalry and competition pervaded even the most civil of discussions between the leaders of both tribal nations.

conclusively that the protests were made, and the defendant's brief shows that the Agents did not report them."<sup>84</sup> He also argued, that "the Government has failed absolutely to prove that the Arapahoes were qualified to share the use and occupation of the Shoshone Agency. Were they friendly Indians as the Treaty requires? They are not so regarded even to this day." Furthermore, Tunison cited the Report of the Twelfth Census, in 1900, which stated "they intermarry but little, as the Shoshoni still retain some of their hereditary enmity for the Arapaho, regarding the settlement of the latter on this reserve in 1878 as an invasion," and even defined "hereditary enmity" as a sentiment in which "the enmity was of such long standing that it was passed on from generation to generation."<sup>85</sup> In the end, both the plaintiff and defendant based their case on the "friendly relationship" between the Arapaho and Shoshone as perceived by the tribal nations in 1878 and gathered evidence to bolster their arguments in the court.<sup>86</sup>

Less than three years after the monumental vote regarding the IRA, the Supreme Court of the United States handed down the ruling on the case of the *United States v. Shoshone Tribe of Indians of Wind River Reservation in Wyoming*. On April 25, 1938, the Court decided, "The fair and reasonable value of a one-half undivided interest of the Shoshone or Wind River Reservation of a total of 2,343,540 acres, which was taken by the United States on March 19, 1878, from the Shoshone Tribe of Indians for the Northern Arapahoe Tribe, was, on March 19, 1878, \$1,581,889.50."<sup>87</sup> While certainly a momentous victory for the Shoshone, this case also set a very important legal precedent,

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<sup>84</sup> "Comments Regarding Defendant's Brief," August 17, 1933, GRHC, Box 10, Folder 9.

<sup>85</sup> "Comments Regarding Defendant's Brief," August 17, 1933, GRHC, Box 10, Folder 9.

<sup>86</sup> In this instance the current state of reservation affairs appeared irrelevant. Unfortunately this narrowly construed assessment of their relationship also precluded any notion of cooperation, or that time and accommodation had effectively suppressed such sentiments, as it was potentially damaging to the Shoshone's case.

<sup>87</sup> *United States v. Shoshone Tribe of Indians of Wind River Reservation in Wyoming*, 304 U.S. 111, \_\_\_, 115 S.Ct. 668, \_\_\_ (1938).

as the Court ruled that the tribal nation deserved compensation not just for surface usage, but also the worth of subsurface minerals on the oil rich reservation. The case, the first of its kind, marked a turning point in indigenous legal rights and became a decision of global significance.

Accordingly, the Court awarded \$4,408,444.23 to the Shoshone tribal nation for the amount of land and minerals taken, plus interest.<sup>88</sup> By the time the government distributed payment, in July of 1939, the Shoshone accrued additional interest in the amount of \$155,080.61. After paying their legal team, the tribal nation received an impressive sum of \$4,191,132.83. The Shoshone council dispersed desperately needed funds to their citizens and held, in trust, nearly half of their settlement for reservation improvement. In creating a fiscal plan for their settlement, the Shoshone council reserved, “\$1,000,000 to purchase land, a payment of \$2,450 (\$100 in cash and \$1,350 [\$500 to each minor] in credit to be applied to the purchase of land, housing, equipment, seed, livestock, or support for the aged and incapacitated, and \$1,000 to the individual account of each Shoshone for purposes approved by the secretary of the interior.)”<sup>89</sup> Shoshone compensation also provided them with considerable financial freedom and flexibility. For example, during World War II, Shoshone leaders purchased a \$500 bond for each of the 1,278 enrolled members of the tribal nation, in an unprecedented show of patriotism and financial strength.

### **The End of an Era**

Unfortunately, national undercurrents in federal Indian policy quickly threatened this newfound fortune. The creation of the Indian Reorganization Act, and the general

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<sup>88</sup> *United States v. Shoshone Tribe of Indians of Wind River Reservation in Wyoming*, 304 U.S. 111, \_\_\_, 115 S.Ct. 668, \_\_\_ (1938).

<sup>89</sup> Fowler, *Arapahoe Politics*, 197.

motivation behind the Indian New Deal, reflected a time in which policy makers realized that assimilation and detribalization efforts ineffectively dealt with the “Indian problem.” By adopting a system in which Native American consultants assisted in the creation of federal policies, and tribal nations voted to accept or reject programs like the IRA, Collier advocated for a step away from the paternalistic notions that many policy makers held of Native Americans, as “wards” of the government. Developments in federal policy in the mid-1940s, however, reflected yet another shift, one that emphasized a much more negative accounting of the long history between the United States government and tribal nations. As many indigenous people assessed the astounding changes promoted by the Office of Indian Affairs under Collier, legislators devised a plan to sever their trust relationship with the federal government.

In the early 1940s, John Collier became increasingly discouraged with the inattention his policies received. In general, pressure of world war distracted legislators and minimized Collier’s political ambitions. Frustrated by his increasing ineffectiveness as Commissioner of Indian Affairs, Collier submitted his letter of resignation to President Roosevelt on January 10, 1945. Distance from office, however, simply allowed Collier the free time to put his ideas into print and further advocate for Native rights from a civilian’s perspective. A prolific writer, Collier published numerous articles regarding the plight of American Indians and their continued need for government assistance.<sup>90</sup> He also attacked the recently organized Truman administration

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<sup>90</sup> In his memoir *From Every Zenith*, John Collier reflected upon his legacy as one of the most notorious Commissioners of Indian Affairs. He boasted, “Our policies had become firmly established statutorily, and rooted in more than 200 tribes. Our legislative program had been accomplished in all respects except one, and remained intact against all pressures from within and outside of Congress.” He added, “The Indian Claims Commission bill, formulated by Nathan R. Margold even before the Indian New Deal had commenced finally, through William Brophy’s efforts, became law in 1946...I had found in Brophy the right man to be my successor.” Collier, *From Every Zenith*, 305.

for their inattention to Native affairs and their startling shift in political strategy.

Turning away from Indian New Deal policies and rhetoric, the Office of Indian Affairs in the late 1940s instigated a campaign that would enable the United States government to “get out of the Indian business.”

Within this charged political atmosphere, hyper-patriotic rhetoric justified the creation of devastating Indian policies that would haunt indigenous people for decades. Leading the charge, Senators Elmer Thomas of Oklahoma and Joseph O’Mahoney of Wyoming explored possible ways to end Native “dependency” and dissolve the government’s relationship with the tribal nations.<sup>91</sup> This policy platform, known as termination, developed with the assistance of William Brophy, John Collier’s successor. Brophy, a friend and political ally of Collier’s, did not support tribal dissolution per se, but rather, encouraged Native people to rely upon their own resources and use government funding to improve reservation education and health, so that they could, one day, rid themselves of governmental dependency. In Brophy’s estimation, the only way that American Indians could operate without government intervention, would be through a large monetary infusion. This one time payment would enable indigenous

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Still deeply bitter over the rejection of the Indian Claims Commission, Collier also published an article titled, “The Unfinished Tasks of the Indian Service,” in which he lamented the incomplete program he wished to enact. The number one unfinished task, indeed the subject matter of four fifths of the article, was that of an Indian Claims Commission. Collier wrote, “Such a system has been proposed year after year. The idea is simple. A quasi-judicial agency would be created by Congress...The need for effective settlement of tribal claims has to do with the historical record and the honor of the United States, but it has to do also with the frame of mind of Indians.” Clearly frustrated not only with his personal failure, but the inability to provide legal justice for Indian claims he continued saddened that “Indians wait on the coming of the golden tide. Their individual and collective preoccupations are centered upon the hoped for wealth, which attains the obsessiveness of a collective hallucination.” John Collier, “The Unfinished Tasks of the Indian Service,” John Collier Papers, Collection 1092, Reel 32, 3.

<sup>91</sup> In addition, the relocation of American Indians to urban centers during World War II, created a storm of rhetoric surrounding the probable assimilation of Native peoples. Legislators argued that the urban relocatees, in addition to the many Native soldiers returning from the European and Pacific fronts would, in all likelihood, choose modern city life over backwards, desolate reservation conditions.



leaders to improve reservation conditions and, in turn, allow for the termination of their trust relationship with the federal government.

In 1945, legislation proposing an Indian Claims Commission once again landed on the House floor, but attracted new supporters and a different tone. When speaking before the House Committee on Indian Affairs, Commissioner Brophy embraced patriotic rhetoric instead of pleading, as Collier had in the past, for a system in which tribal nations would receive “their day in court.” Advocating for the newly revised Indian Claims Commission legislation, Brophy stated, “It is only fitting that at the end of World War II the devotion and patriotism of our Indian citizens be recognized by abolishing the last serious discrimination with which they are burdened in their dealings with the Federal Government.”<sup>92</sup> The bill itself appeared a mirror image of Collier’s 1937 proposal and included a three man committee with the hope that one member could be an American Indian, a ten year period to adjudicate claims and the repeated assertion that all decisions would be final. This last point, included in each of Collier’s proposals, took on new meaning in 1945, however.

The Indian Claims Commission legislation passed with shocking efficiency and little debate. Felix Cohen and Harold Ickes supported the bill as a lasting tribute to Collier’s Indian New Deal, while Henry Jackson, chair of the House Committee on Indian Affairs supported the measure because, “once Congress settled claims, thousands of Indians would abandon their tribal heritage, leave impoverished reservations, and enjoy the substance instead of the shadow of citizenship.”<sup>93</sup> Even opponents of previous

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<sup>92</sup> House of Representatives, *Creating an Indian Claims Commission*, 79<sup>th</sup> Cong., 1<sup>st</sup> sess., December 20, 1945: 2.

<sup>93</sup> Kenneth R. Philp, *Termination Revisited: American Indians on the Trail to Self-Determination* (Lincoln: University of Nebraska Press, 2002), 25.

claims legislation joined the Indian Claims Commission movement and expressed confidence in the belief that a monetary settlement would lead tribal nations on a path towards assimilation, and even termination. On August 13, 1946, President Harry Truman signed the Indian Claims Commission Act with great fanfare and insisted in a brief statement that the bill would create a new era for Indian citizens. With the ability to receive a just settlement, Truman encouraged Native Americans to find “community in the nation instead of the tribe and to fully share in the prosperity of America’s postwar capitalist market economy.”<sup>94</sup> In essence, Truman argued that with this final settlement, Native Americans could assimilate into mainstream society and willingly accept termination, thereby embracing their status as individual American citizens, rather than members of their tribal nations.

On the Wind River, reservation inhabitants acknowledged that events of the mid-twentieth century, including this shift in federal policy and the adjudication of the Shoshone’s Court of Claims case, signaled the end of an era. Following the resolution of Shoshone grievances, addressed in their Court of Claims case, both tribal nations effectively moved beyond discussions of Arapaho intrusion and abandoned the last vestiges of enmity.<sup>95</sup> With regard to the court’s ruling, Shoshone Edward Wadda explains that, to some, the decision was bittersweet, “The Shoshone tribe, they did seek financial, I don’t know what you would call it, monetary damages, or whatever for having the Arapaho tribe there which they did receive... [but] once that happened then both tribes were given that fifty percent undivided interest,” in reservation lands.<sup>96</sup> To

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<sup>94</sup> Philp, *Termination Revisited*, 29.

<sup>95</sup> Some people claim that the old animosity remains on the reservation, even today, though this rhetoric more likely hints at family rivalries than reservation wide cultural clashes.

<sup>96</sup> Edward Wadda, interview with author, University of Wyoming, March 3, 2008.

the Shoshone, shared, undivided interest in the reservation meant the legal relinquishment of half of their reservation to, and the formal recognition of, the Arapaho on the Wind River. To make the transition official, the Shoshone and Arapaho agreed to change the formal title of the Shoshone Agency to that of the Wind River Indian Reservation in a symbolic gesture of unification.<sup>97</sup> Given the changing political climate of the mid-20<sup>th</sup> century, their unity would prove essential as federal officials evaluated the status of reservations across the country and prepared select tribal nations for termination.<sup>98</sup>

In 1954, Congress asked Commissioner Brophy to indicate on a list of federally recognized tribal nations those sufficiently organized and capable of self-sustainment. The list eventually appeared in House Report Number 2680 before Congress, including item number 174, which simply stated, “Wind River: Yes.” On the Wind River reservation, this news came as no surprise. Since 1947, Joint Business Council delegates had successfully withstood pressure from several congressmen, including their own Senator, Joseph O’Mahoney, to terminate their trust relationship in return for increased per capita payments. Additionally, on July 10, 1953, a report to the Subcommittee on Indian Affairs described the “recent forward progress of the Indians of the [Wind River] Reservation.” The statement noted that “statistics were compiled by the Bureau of Indian Affairs regarding the Wind River Indians in 1947 which indicated that in 1930 these Indians were approximately 63 percent acculturated to white standards,” implying, of course, that in the intervening seventeen years, the Arapaho

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<sup>97</sup> Fowler, *Arapahoe Politics*, 197.

<sup>98</sup> Please see, House Report Number 2680, 83<sup>rd</sup> Congress, second session, 1954, Report to the Subcommittee on Indian Affairs, 83<sup>rd</sup> Congress, 1<sup>st</sup> session, July 10, 1953, and Fowler, *Arapahoe Politics*, 210.

and Shoshone did nothing but continue to acculturate. By 1957, federal officials argued, Wind River Indians should “be ready for complete removal of Indian Bureau jurisdiction.” To strengthen the case for terminating the Arapaho and Shoshone, William H. Gilbert of History and General Research pointed to oil revenues and the “concurrence of opinion” demonstrated by the Joint Business Council, whose “experience of handling their own individual money had been, on the whole, quite beneficial... They had, in fact demonstrated sufficient competency in business matters to justify the assumption that Indian Bureau control is rapidly becoming less and less necessary.” Ironically, the same business councils that had been denounced by Indian Agents for nearly fifty years as backward and disorganized institutions that promoted tribalism, refused to adopt constitutions under the IRA and humored the “kicks” of old men, now became the vehicle for modernity and self-sustainment according to termination advocates.<sup>99</sup>

The report did not go unanswered, however. Delegates Nell Scott (Arapaho) and Robert Harris (Shoshone) tirelessly worked to avoid termination. Nell Scott remembered, “Bob and I cried on everybody’s shoulder... [We told them] we haven’t got no education. We got a lot of old people that isn’t education. Why don’t you let it go for a while. So they did.” Despite her remembrances of self-effacement, Nell Scott was a shrewd and articulate business councilwoman who, with the aid of Robert Harris, successfully campaigned for reprieve. Their pleas alone, however, probably did not defeat Wind River termination. Strong protests created delays, for sure, but a very lengthy Indian Claims Commission case from the Arapaho inevitably slowed the

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<sup>99</sup> Just as the IRA ended allotment, the Indian Self-Determination and Education Assistance Act ended termination.

termination process. By the early 1960s, the political tide began to turn against termination and in favor of self-determination, ultimately saving the Arapaho and Shoshone. While these factors certainly contributed to the Wind River reservation's fate, the persistence of political alliances between Arapaho and Shoshone delegates cannot be denied.

History, perhaps more than any other national element discussed in this study, reinforced Arapaho and Shoshone bonds of nationalism. As one scholar simply described the importance of a shared past, history "tells you who you are and why you must survive as a people."<sup>100</sup> But more than that, Arapaho and Shoshone recollections of the past formed a tangible link between a proud cultural heritage of endurance and survival and contemporary decisions that led them on a path to the future, one littered with federal roadblocks, destructive policies and discrimination. As the Arapaho and Shoshone endorsed Court of Claims cases, evaluated federal legislation, including the Indian Reorganization Act, and mounted a defense against termination, the history of their tribal nations influenced and often guided their way. At the same time, memories of a shared reservation past, including Arapaho placement, gradual accommodation and eventually partnership, solidified a powerful political alliance on the Wind River, one capable of withstanding even the most rigorous attacks against their sovereignty. While many scholars have ignored, or even denounced, the difficult and often contentious relationship between the Arapaho and Shoshone, a study of the mid-twentieth century reveals that it was exactly this history, and the ability of reservation leaders and citizens to rise above, but not forget, their past, that ensured their mutual survival and future success.

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<sup>100</sup> Thomas, "Language and Culture," 71.

## Conclusion

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In the spring of 2008, Northern Arapaho Wayne C'Hair, reflected upon the status of Wind River Indians in the twenty-first century. Despite the many travails of reservation life, the language instructor insisted, "We're still a people. We've still got culture. We've still got history."<sup>1</sup> Indeed, the very survival of their language, which he now teaches to students at the University of Wyoming, seemed to him a fitting tribute to the fortitude and endurance of the two Wind River tribal nations. From 1851 to 1938, the Northern Arapaho and Eastern Shoshone witnessed non-Native encroachment onto their ancestral homelands, negotiated with government officials for a reservation in central Wyoming, combatted starvation and assimilationist programs designed to eradicate their languages and cultures, created business councils to better manage reservation affairs, reconstituted their ethnic identities through the promotion of cultural performances, and addressed sweeping changes in federal Indian policy. For nearly a century, they endured hardship and celebrated triumph together, as two distinct tribal nations joined by chance and federal inaction. A survey of Wind River history during this era illustrates both the cultural distinctiveness, and common elements, of Arapaho and Shoshone indigenous nationalism.

For centuries, the Arapaho and Shoshone claimed territory on the Northern Plains. These spaces, both secular and sacred, rooted the citizenry of both tribal nations to their established homelands. During the nineteenth century, competition on the Northern Plains created territorial disputes, as they faced constant invasion from other indigenous groups, as well as non-Native outsiders. To mediate violence in the region,

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<sup>1</sup> Wayne C'Hair, interview by author, Riverton, Wyoming, February 28, 2008.

federal officials began negotiating with tribal nations in 1851, to designate the territorial boundaries claimed by indigenous peoples and the lands open for Anglo-American settlement. This process initiated lasting contact between tribal nations and the federal government, as additional treaties repeatedly redrew border lines in the American West. By 1868, the Eastern Shoshone had secured a reservation in the Wind River Valley of central Wyoming, while the Northern Arapaho, out of favor with federal officials, wandered the Plains. A decade later, the Arapaho, left with few viable options, implored the Commissioner of Indian Affairs to allow them a temporary stay on the Wind River, until a more permanent reservation could be established. Delighted in the simplicity of such a plan, Office of Indian Affairs personnel agreed and secured Shoshone permission for their stay. Ultimately, governmental inactivity produced a most improbable outcome, Arapaho and Shoshone cohabitation of the Wind River.

Once situated on their reservation, citizens of both tribal nations experienced hardship. Immediately, they faced starvation as the number buffalo dwindled on the Northern Plains. In response, agency personnel encouraged members of both tribal nations to farm, believing that agricultural pursuits would reduce the effects of insufficient seasonal hunting and poor ration distribution. Additionally, farming, along with education and Christianity, comprised a three pronged approach, taken by federal agents and religious missionaries, to disintegrate the bonds of nationalism and assimilate indigenous people into mainstream American life. In 1887, land tenure became a fourth component of the assimilationist campaign, with the passage of the General Allotment Act. Though in practice, land allotment tore apart extended families and devastated Native homelands, on the Wind River the process of allotment also

allowed citizens of the Northern Arapaho tribal nation access to a portion of the reservation. Previously considered squatters on Shoshone land, the Arapaho claimed half of the Wind River through the process of allotment. The move infuriated the Shoshone, who tolerated the Arapahos' existence, with the hope that their "guests" would one day be relocated to their own reservation. Only land cession negotiations in 1891, inadvertently mediated the dispute, as federal agents acknowledged the sovereignty of both tribal nations during land cession negotiations.

The permanent establishment of the Arapaho on the Wind River and the death of influential chieftain leadership at the turn of the twentieth century necessitated a shift in political authority on the reservation. Slowly, both tribal nations adopted business councils to address larger, reservation-wide concerns. A land cession council in 1898, demonstrated the utility of such organizations, however, tension between Arapaho and Shoshone council members, and dissention within the councils themselves, indicated the difficulties associated with this shift in leadership practices. In 1904, federal agents returned to the Wind River to discuss the relinquishment of over half the tribal nations' land base, a true test of reservation political authority. While Arapaho leaders denounced the land cession, and left the meeting in protest, the Shoshone remained and negotiated the sale of over half of the Wind River. By 1906, the larger ramifications of their actions became apparent, as non-Native settlers rushed onto former reservation lands. In response, Arapaho and Shoshone citizens forcibly protested the land cession while a mob of vigilantes overran the reservation until the death of Shoshone councilman, George Terry, ultimately stemmed the violence.



In 1907, the councils eventually regained control over their greatly diminished reservation. They did so, in large part, through the creation of a Joint Business Council comprised of Arapaho and Shoshone leaders, which became the governing body authorized to handle matters of reservation land and finance. Employing a new dialogue on the Wind River, the Arapaho and Shoshone learned to speak the language of politics, as they delved into the complicated legalese of land leasing for natural resource extraction, established social welfare programs to assist the orphaned and elderly members of their citizenry, and requested and utilized federal funds for the maintenance of reservation boarding schools. United in a common dialect, Arapaho and Shoshone councilmen made a few notable advancements toward reservation sovereignty, and in the process the tension, or “hereditary enmity,” between the two tribal nations slowly diminished. Though Office of Indian Affairs personnel frequently attempted to thwart Arapaho and Shoshone political advancement, by the 1920s the tribal nations had achieved a fair measure of self-determination on the Wind River.

Despite notable political advancements, both tribal nations recognized the effects of assimilationist programs which vilified indigenous dancing and traditional lifeways. At the turn of the twentieth century, both tribal nations supported attempts to revitalize long forgotten ceremonies and encouraged performance opportunities beyond the reservation. Over time, the Shoshone and Arapaho effectively reconstituted their ethnic identities, and drew citizens of their tribal nations together under the banner of nationalism through these cultural performances. As in the past, the Arapaho and Shoshone turned to religious missionaries on the reservation for support. Reverend John Roberts, at the Government Boarding School, and Headmaster Royal Balcom at St.

Michael's Mission School, encouraged Arapaho and Shoshone cultural performance. While the Shoshone conducted their cultural revitalization efforts on the Wind River, performing for surrounding non-Native audiences, the Arapaho, with the help of show promoter Edward Farlow, traveled to events beyond the reservation's borders. Furthermore, in 1923, Tim McCoy, working as an agent for the Famous Players-Lasky Corporation, facilitated Arapaho involvement in the creation of a major motion picture, *The Covered Wagon*. While previous performances solidified their national image, Arapaho involvement in a "prologue" to the show performed in Hollywood, London and Paris, became the ultimate representation of Arapaho ethnic identity. In the 1930s, the declining popularity of Wild West shows, and the rise of western tourism, reversed the relationship between cultural performers and their non-Native audiences. As tourists visited the reservation, seeking cultural relics not Native performances, both tribal nations struggled to mediate the national image they projected.

During the 1930s, the Arapaho and Shoshone addressed changes to their reservation as well as shifting federal policies from the Office of Indian Affairs. As a new Commissioner, John Collier, implemented sweeping reforms both tribal nations relied upon history to reinforce a sense of national pride in their past and evaluate how proposed changes could affect their future. Assessing the pinnacle of Collier's reform movement, the Indian Reorganization Act, the Arapaho and Shoshone considered both the costs and benefits of such a program. Guided by their past experiences with government officials, including numerous damaging federal policies, members of both tribal nations ultimately voted against Reorganization. In conjunction with the adjudication of the Shoshone's Court of Claims case, events of the 1930s represent the

culmination of a long and difficult era on the reservation. In the end, history and the ability of reservation leaders and citizens to rise above, but not forget their past, ensured their mutual survival and future success. United in defense of their land and sovereignty, the tribal nations looked toward, and planned for, their reservation's future.

In total, the six elements discussed in this study represent the individual facets of any tribal nation. In the case of the Wind River, territory, citizenship, political authority, language, cultural practices and a shared sense of the past connected members of the Arapaho and Shoshone tribal nations together and provided them with a sense of identity and belonging. While certainly unique in some ways, the composition of both Wind River tribal nations also mirrors other indigenous groups across the country. Though different in their iterations, numerous Native American groups demonstrate the characteristics of tribal nations as they collectively claimed territory, gave political authority to respected leaders, spoke unique languages, participated in distinct cultural practices and recalled a past of shared experiences. In the end, my definition of a tribal nation, based on defining features rather than rigid criteria, provides a foundation of commonality that can be applied to almost any indigenous group. By studying Native Americans in this way, scholars can create a more nuanced history of one tribal nation or of a multi-national reservation, as I have done. This definition also provides six clear lines of analysis for the creation of a comparative study of two tribal nations from the same region, different areas of the country, or of indigenous peoples around the world. Furthermore, by utilizing the rhetoric of nationalism, scholars can redefine Native organizations of days past and help empower modern tribal nations in their ongoing campaign for self-determination.

Additionally, this model proposes a cyclical organizational structure for the study of tribal nations. Rather than creating linear studies, in which scholars place indigenous people on an evolutionary hierarchy where they become stranded on the way to the final stage of advancement, the tribal nation model employs a “life cycle” approach in which tribal nations are born, grow, die and become reborn through the process of ethnogenesis. Taking this notion one step further, this study also assesses four forces of change, or the ways in which internal demand and contact with other tribal nations, the federal government and non-Native outsiders encouraged growth, or generated crises, during the life of a tribal nation. Ultimately this study allows for the reassessment of Native groups within the larger federal system, affirms their sovereign status as “nations within,” and allows scholars to look more closely at the often understudied relationships that formed between indigenous peoples of different tribal nations. It is my hope that other scholars will employ this model to reassess antiquated “tribal histories,” which fail to demonstrate the complexity of the indigenous past, create new studies that sideline the federal government, when possible, to highlight the pervasive interaction between various tribal nations and engage in the ongoing discussion of nationalism occurring within the field.

### **Future of the Wind River**

Addressing the future of the Wind River, in 2008, Northern Arapaho Felicia Antelope looked beyond their shared reservation. “I am hoping that one of these days there will be a ‘Sho-Arap’ band, tribal group,” she explains. “So that is what I’m hoping for. I think that we can make better progress instead of fighting over which economic

direction we should take, or my culture is better than yours.”<sup>2</sup> Recognizing that this transition will take three or four more generations to complete, Felicia believes that more intermarriage between Arapaho and Shoshone people will ultimately spark a melding of cultures, in which the two tribal nations become one. The process, to which she refers, is that of ethnogenesis, a notion deeply rooted in the academic literature. Historian John Moore explains the inevitability of rebirth, in the life cycle of tribal nations, as people fragment “into diverse groups that ultimately become other nations, with different languages, religions, and political structures. But only the nation dies; the people and their culture do not. They become part of other societies and other cultures.”<sup>3</sup>

Anthropologist William Sturtevant first described this final stage in the life cycle of the tribal nation, but utilized different terms, during an academic conference in 1964.<sup>4</sup> In his article “Creek into Seminole,” Sturtevant described the creation of a new tribal nation from the remnants of other indigenous groups. Situating the process of national rebirth in the context of a popular academic movement known as an “Indian Renaissance,” Sturtevant documented indigenous cultural resurgence, adaptation and development.<sup>5</sup> But, by taking the notion of an Indigenous Renaissance one step further, Sturtevant introduced a new concept he called “ethnogenesis,” and defined the process

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<sup>2</sup> Felicia Antelope, interview by author, Laramie, Wyoming, February 21, 2008.

<sup>3</sup> Moore, *The Cheyenne Nation*, 14.

<sup>4</sup> William Sturtevant, “Creek into Seminole,” in *North American Indians in Historical Perspective*, eds. Eleanore Burke Leacock and Nancy Oestreich Lurie (New York: Random House, 1971), 92.

<sup>5</sup> See Anthony F.C. Wallace, *The Death and Rebirth of the Seneca* (New York: Vintage Books, 1969); William Gerald McLoughlin, *Cherokee Renaissance in the New Republic* (Princeton: Princeton University Press, 1986); Patricia Albers and William James, “On the Dialectics of Ethnicity: To Be or Not To Be Santee,” *Journal of Ethnic Studies* 14, no. 1 (1986): 1-27; Eugene E. Roosens, *Creating Ethnicity: The Process of Ethnogenesis* (Newbury Park, California: Sage Publications, 1989); Patricia Galloway, *Choctaw Genesis, 1500-1700* (Lincoln: University of Nebraska Press, 1995); Bella Bychkova Jordan and Terry G. Jordan-Bychkov, “Ethnogenesis and Cultural Geography,” *Journal of Cultural Geography* 21, no. 1 (2003): 3-17.

as, “the establishment of group distinctness.” Despite the simplicity of his definition, Sturtevant portrayed ethnogenesis through the formation of a specific Seminole tribal nation, comprised of Native Americans from the surrounding communities, many of them originating from the Creek. In 1964, it seemed, to many historians and anthropologists, that a very particular set of circumstances must be present before ethnogenesis could take place. From its inception nearly fifty years ago, the concept of ethnogenesis has been adopted, rejected, misused, redefined and reaffirmed. Even today, some scholars argue that ethnogenesis implies declension, and is predicated on the dissolution of a tribal nation before a new and potentially radically different ethnic identity can emerge.<sup>6</sup> On the other hand, as Felicia Antelope indicates, ethnogenesis could also provide the vehicle through which the Arapaho and Shoshone, of the Wind River Indian Reservation, could transcend cultural ties thereby strengthening the bonds of community. Only time will tell when, and if, the tribal nations of the Wind River ever experience such a phenomenon.<sup>7</sup>

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<sup>6</sup> In addition to this negative understanding of ethnogenesis, misappropriation of the term appears to prohibit some scholars from considering its applications at all, yet many others promote ethnogenesis and continue to suggest its usage in historical writing.

<sup>7</sup> Though a concept most often utilized by scholars of the colonial era, the musings of Felicia Antelope suggest that a twenty-first century ethnogenesis is possible. This process is also not new to the Northern Plains; see Gary Clayton Anderson, *The Indian Southwest 1500-1830: Ethnogenesis and Reinvention*, (Norman: University of Oklahoma Press, 1999), 8. In his book, *Ghost Dances and Identity: Prophetic Religion and American Indian Ethnogenesis in the Nineteenth Century*, Smoak describes the formation of a new ethnic identity the “Newe” created from members of both the Shoshone and Bannock tribal nations. Coming together in a process of ethnogenesis following their arrival on the Fort Hall reservation, the Newe emerged to cope with oppressive reservation conditions, governmental pressures of assimilation and general hardship of reservation life. Smoak suggests that the popularity of the Ghost Dance movement on the Northern Plains, and at Fort Hall in particular, reflected more than a powerful religious movement. Instead, the author sees the Ghost Dance, “as one vehicle for the expression of ethnic and racial identities among American Indian peoples.” Smoak’s work also suggests that through the process of ethnogenesis, it is possible for Native people to be part of two separate tribal nations. In this case the Shoshone or Bannock and the Newe. This process seems more applicable for Wind River inhabitants than that of total ethnogenesis. Gregory E. Smoak, *Ghost Dances and Identity: Prophetic Religion and American Indian Ethnogenesis in the Nineteenth Century*, (Berkeley: University of California Press, 2005), 202.

Certainly, adaption and change will continue on the Wind River Indian Reservation, as both tribal nations move forward in the twenty-first century. When discussing the immediate future of their reservation with me, members of the Arapaho and Shoshone tribal nations spoke of ending discrimination and encouraging the development of natural resources on their lands. Amanda LeClair, a Shoshone student at the University of Wyoming, insisted that her people needed to combat common misperceptions about Indianness. “I think a lot of people still think that Native Americans, like the race, is dying out,” she explains. “And I think that we are going to have to fight against that. And just like we still have to fight against the whole like, noble savage thing. Like the romanticism thing.”<sup>8</sup> Additionally, Felicia Antelope noted the discrimination that she feels each time she travels through the border towns of Riverton and Lander, insisting that they compete to see “which town is more prejudice than the other.”<sup>9</sup>

In tandem with these regional objectives, both tribal nations continue to assess their role in the United States and in the global marketplace. Arapaho Gary Collins, a former business councilman and intermediary between the JBC and the state legislature in Wyoming, explains the pivotal role that natural resource extraction will play in the future of both tribal nations. “There’s a global demand for energy and Wyoming has a lot of energy,” Collins insisted. “So the marketplace in the world [will ultimately determine] what we do here with our energy, including the tribes’, coal, methane, natural gas, oil, wind, water, and we have all those things.”<sup>10</sup> As the tribal nations look forward to future prosperity through natural resource extraction, they also remained

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<sup>8</sup> Amanda LeClair, interview by author, University of Wyoming, February 22, 2008.

<sup>9</sup> Felicia Antelope, interview by author, Laramie, Wyoming, February 21, 2008.

<sup>10</sup> Gary Collins, interview by author, Laramie, Wyoming, February 25, 2008.

united through the national elements that bind them together. They share and maintain territory, support an active citizenry, utilize the political authority of reservation business councils, encourage the revitalization of their indigenous languages and the language of politics, proudly support their cultural heritage, and remember a vibrant past. Just as Wayne C'Hair insisted, the Arapaho and Shoshone tribal nations will live on, in one form or another, because "We're still a people. We've still got culture. We've still got history."<sup>11</sup>

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<sup>11</sup> Wayne C'Hair, interview by author, Riverton, Wyoming, February 28, 2008.



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