

EYEWITNESS DRAWING OF THE 1855 COUNCIL GROVE TREATY BY GUSTAVUS SOHON.
NATIONAL ANTHROPOLOGICAL ARCHIVES, SMITHSONIAN INSTITUTION, WASHINGTON, DC.



NORM & MAURINE JACOBSON



Council Grove State Park commemorates “the place of tall trees with no limbs,” where Indian tribes reluctantly gave up most of their homeland 150 years ago. BY DARYL GADBOW

A pileated woodpecker flies up into the gnarled, broken crown of a centuries-old ponderosa pine. Like those of other ancients nearby, the pine’s lower limbs have long rotted and broken off. In the Salish language, this site along the Clark Fork River, 10 miles west of Missoula, is known as *chilmeh*—“the place of tall trees with no limbs.”

The woodpecker moves from tree to tree in search of insects, drumming a staccato beat on the tall trees’ trunks. A century and a half ago, a similar sound emanated from among the old sentry pines at what is today Council Grove State Park. They were the echoes of drums, and they signaled a solemn occasion. Somewhere near the present park, in the summer of 1855, nearly 2,000 members of the Salish, Kootenai, and Pend d’Oreille tribes gathered to meet with Issac I. Stevens, governor of Washington Territory. There, they negotiated a treaty that would forever change the Indians’ lives.

“We had a good way of life before the treaty, where everything was in order,” says Johnny Arlee, a Salish tribal elder and cultural advisor

for the Confederated Salish and Kootenai Tribes’ Health and Human Services

Department. “The treaty took away our homeland and a social system that worked for us.”

Father Adrian Hoecken observed that Indian society firsthand. A Jesuit priest present at the treaty council 150 years ago, Hoecken wrote letters describing the scene

of the historic treaty negotiations.

“Indian warriors from all the tribes of the great Flathead Confederacy rode over the plains and mountains to a powwow with Governor [Stevens]....” The rendezvous, he wrote, “lay along the flats of a wide, swift river swollen from recent summer rains. It was a biannual battleground of Blackfeet and mountain Indians, the passageway through the Rockies called the Gate of Hell....There, under a clear sky and ringed by mountains, with the prim military tents of the whites facing the humbler Indian teepees, the Flatheads [Salish], Kootenais, and Pend d’Oreille fought a stubborn diplomatic battle for their ancestral lands.”

On July 16, 1855, after a week of contentious negotiations, leaders of the three tribes reluctantly signed an agreement with the U.S. government. Called the 1855 Treaty of Hellgate, the agreement altered the course of history in western Montana.

Relinquish a homeland

The treaty set the stage for ending the tribes’ seasonally mobile way of life. For thousands of years, the Indians had moved around the region to sites rich in plants and wildlife important for medicine and food. But by signing the federal document, the tribes relinquished to the U.S. government the bulk of their aboriginal homeland, an area of about 21,000 square miles (most of today’s western Montana). The three tribes, which the treaty combined into what became known as the Confederated Salish and Kootenai Tribes, also agreed to consolidate on a 2,000-square-mile reservation in the Flathead Valley.

Stevens, the U.S. government’s ambitious 37-year-old representative, had clear orders from the nation’s capital to settle the “Indian question” in Washington Territory.

THE TREATY LIVES ON

SOLEMN SITE The events at Council Grove 150 years ago changed the course of Montana history. The treaty signed there has been reproduced in bronze and is set in a memorial display at the state park.

Under Stevens's direction, the route for a railroad to the Pacific Coast, which would open the door to increased white settlement, had been surveyed in 1853 and 1854. It crossed lands long inhabited by several American Indian tribes, which at the time were considered by the U.S. government as independent, sovereign nations.

Stevens was charged with weakening that sovereignty and doing it quickly. In 1854, he concluded a treaty with several tribes in the Pacific Northwest. The following year, he set out to do the same with other tribes in the region, including those in today's northwestern Montana.

Different expectations

According to Robert Bigart, co-editor of *In the Name of the Salish and Kootenai Nation* (a textbook on the Hellgate Treaty used by Flathead Reservation school districts), the tribes that gathered at Council Grove in 1855 had vastly different expectations for the treaty council than Stevens did. The tribes expected to receive assurances that the U.S. government would provide protection from their old enemy, the Blackfoot Tribe, in their common buffalo hunting grounds of eastern Montana.

"The tribes thought they would talk about arranging peaceful access to the buffalo herds," says Bigart, director of the Salish Kootenai College Press. "But Stevens was there to get the Indians onto a reservation and open up a transportation route to the West."

Stevens grouped the Salish, Kootenai,

Daryl Gadbow is a freelance writer in Missoula.

and Pend d'Oreille together as a single "confederacy," even though the three tribes had significantly different homelands and customs. The Salish homeland was centered in the Bitterroot Valley; the Kootenai lived in today's northwestern Montana; and the Pend d'Oreille's ancestral home was in the Flathead Valley and the country to the west. A small area around Missoula was the only territory shared by all three tribes.

The Indians were surprised when the territorial governor's treaty proposed to place the three tribes on one reservation. Not surprisingly, they disagreed over the location. Alexander, chief of the Upper Pend d'Oreille, and Michelle, chief of the Kootenai, favored the Flathead Valley reservation site. But Salish chief Victor resisted Stevens's plan, insisting that his people be allowed to stay in the Bitterroot Valley. In return for signing the treaty, Chief Victor received assurances from Stevens that the U.S. president would survey the Bitterroot to determine its suitability as a reservation for the Salish. The promised survey, however, was never conducted.

Roughly 275 Salish refused to leave the Bitterroot Valley for several decades after the Hellgate Treaty was signed. They established farms in the area and stayed until forced to move to the Flathead Reservation in 1891.

"Victor never intended to give up the Bitterroot," says Julie Cajune, a tribal member developing an American Indian history curriculum for Salish Kootenai College. "He believed it would be surveyed and there'd be two reservations, with the Salish remaining in the Bitterroot."

Cajune notes that in addition to the

entire concept of treaties being foreign to the Indians, the treaty negotiations were complicated, and the tribes were frustrated by the language barrier.

"There were a lot of problems with translation," says Cajune. "And the Indians at the council didn't know all the ramifications of signing the treaty. They went in thinking it would solve some competition and animosity with other tribes."

Binding agreements

Though the 1855 Hellgate Treaty resulted in a great loss for the Indians, the document has been valuable over the years as recognizing and granting specific rights to the Confederated Salish and Kootenai Tribes. In agreeing to the treaties, the tribes became a "domestic dependent nation" under federal law. Courts have consistently held that Indian treaties are binding agreements entered into by the federal government in return for permanent land cessions by the tribes. In these documents, the federal government recognizes the limited sovereignty still held by American Indian tribes.

Vernon Carroll is FWP's state parks interpretive specialist for Montana's west-central region. He says attorneys for the state and the tribes have in recent years referred to articles in the treaty (in combination with state claims of authority) as the basis for a joint state and tribal agreement to manage nontribal hunting and fishing on the Flathead Reservation. Another example of the treaty's vitality today, Carroll says, is that its provisions for protecting the tribes' fishing rights were cited in the recent federal Environmental Protection Agency decision to remove

COUNCIL GROVE STATE PARK

On Saturday, August 13, 2005, members of the Salish, Kootenai, and Pend d'Oreille tribes gathered at Council Grove State Park to honor their ancestors who signed the 1855 Hellgate Treaty at the same site 150 years before.

Those who wish to read the treaty in its entirety can visit the memorial at the park or go to cskt.org and look under "Government" then "documents." To purchase a copy of *In the Name of the Salish and Kootenai Nation*, send a check for \$16.95 (includes shipping and handling) to: Salish Kootenai College Press, P.O. Box 70, Pablo, MT 59855.



MIXED EMOTIONS Salish tribal elders who spoke at the August 13 event mourned the loss of tribal territory yet were grateful to their ancestors for securing some land in perpetuity.

Milltown Dam on the Clark Fork River.

“The Clark Fork runs through the historic homelands of all three tribes, making it important to tribal members,” he says.

Because of their treaty rights, the tribes also received millions of dollars from the Bonneville Power Administration in mitigation for fish and wildlife habitat lost when Hungry Horse Dam was constructed on the Flathead River in the 1950s.

Honoring the tribes

In 2003, Montana honored the tribes by agreeing to the Indians’ request to cast the treaty in bronze and place it in a memorial at Council Grove State Park.

“When the tribes installed the memorial, they told us they were proclaiming that this site continues to be important to them,” says Doug Monger, head of FWP’s State Parks Division. “We feel it’s important to provide opportunities for park visitors to learn about the treaty and this location and all it meant to changing the lives of those who came before us.”

According to Lee Bastian, FWP west-central region state parks manager, Council Grove State Park was created in 1978 when FWP acquired 186 acres of Clark Fork River bottomland from the George Duseault family. “We had recognized for years the importance of preserving the site because of its historical significance,” Bastian says.

For years, the park’s only acknowledgment of that history was a small, inconspicuous plaque. That changed in 1999 when Cajune, then coordinator of the Ronan school system’s Indian Education Program, was teaching a class at the park. While talking to students about the native perspective

of the Lewis and Clark Expedition, Cajune noticed the small treaty plaque.

She was shocked, she says, that the old sign incorrectly stated the tribes had given up their hunting and fishing rights in the treaty. (Article 3 of the treaty reserves to the tribes the rights of hunting, fishing, gathering, and grazing on open and unclaimed lands off the Flathead Reservation but within their home territory.) Members of the Salish and Kootenai Tribal Council were equally surprised when Cajune told them about the sign. Tribal elders met with Bastian, and by the following year, plans were under way to create a memorial.

Cajune became the primary organizer of the tribes’ memorial project at the park. She consulted with Salish and Kootenai elders and the tribal culture committees to learn what they wanted on the memorial.

“People immediately wanted the display to tell everything—our story from time imme-

Cajune was shocked that the old sign incorrectly stated the tribes had given up their hunting and fishing rights in the treaty.

morial,” she says. “But that wasn’t realistic. We finally all agreed that the entire text of the treaty definitely needed to be part of the memorial.”

All 12 articles of the treaty, cast in bronze, became the central panel of the three-panel memorial, mounted on a stone foundation.

The other two panels describe the tribes’ history before and after the treaty. One panel shows a map of aboriginal homeland territories without state borders. Drawn by a tribal artist using old maps of aboriginal homelands, the memorial map is intended to dispel a myth about the tribes. In the past, says Cajune, some state and federal officials have referred to the Indians as “nomadic,” loosely defined as “wandering aimlessly,” in order to refute tribal claims of home territories.

“The fact is,” says Cajune, “the Salish, Pend d’Oreille, and Kootenai had seasonal movements, passed from generation to generation, where they lived, hunted, or gathered. It was not random wandering. That’s why the map includes different pictures of the specific plants and animals that drew people to those specific locations.”

Other pictures on the memorial panel tell the tribal legends of creation. “We hope they show the general public that this area was an ancient tribal world,” Cajune says.

The third panel on the memorial explains contemporary Indian issues related to the history of the treaty, such as why the tribes have the right to control the natural resources on their reservation.

Despite the tribe’s satisfaction in setting the record straight, there was little celebrating when the memorial was officially dedicated in October 2003.

“For many of us, the dedication was a solemn occasion,” says Cajune. “It was a very emotional thing for a lot of people. I know it was for me.”

Tribal elder Johnny Arlee spoke a prayer at the dedication and then related the

Bitterroot memories

The Salish consider the Bitterroot Valley, today one of Montana’s fastest-growing areas, as their tribal homeland. Many maintain that Victor, the chief representing the Salish at Council Grove, was misled by the U.S. government into leaving the valley and joining the Kootenai and the Pend d’Oreille tribes on the Flathead Reservation.

Johnny Arlee, a tribal elder, recalls how as a young man he took trips to the valley with his great-grandmother to collect bit-

terroot, the roots of which have been boiled and eaten by Indians for centuries. Arlee’s great-grandmother had been a girl during the time of Chief Charlo (Victor’s son), who had resolutely remained in the Bitterroot Valley with a few hundred Salish until being forced out in 1891. Collecting and eating bitterroot was an important part of her cultural heritage, Arlee says, a link to a time when the Salish lived freely along the river.

One day in the mid-1970s, Arlee and his great-grandmother arrived at a traditional bitterroot gathering site and found it gated,

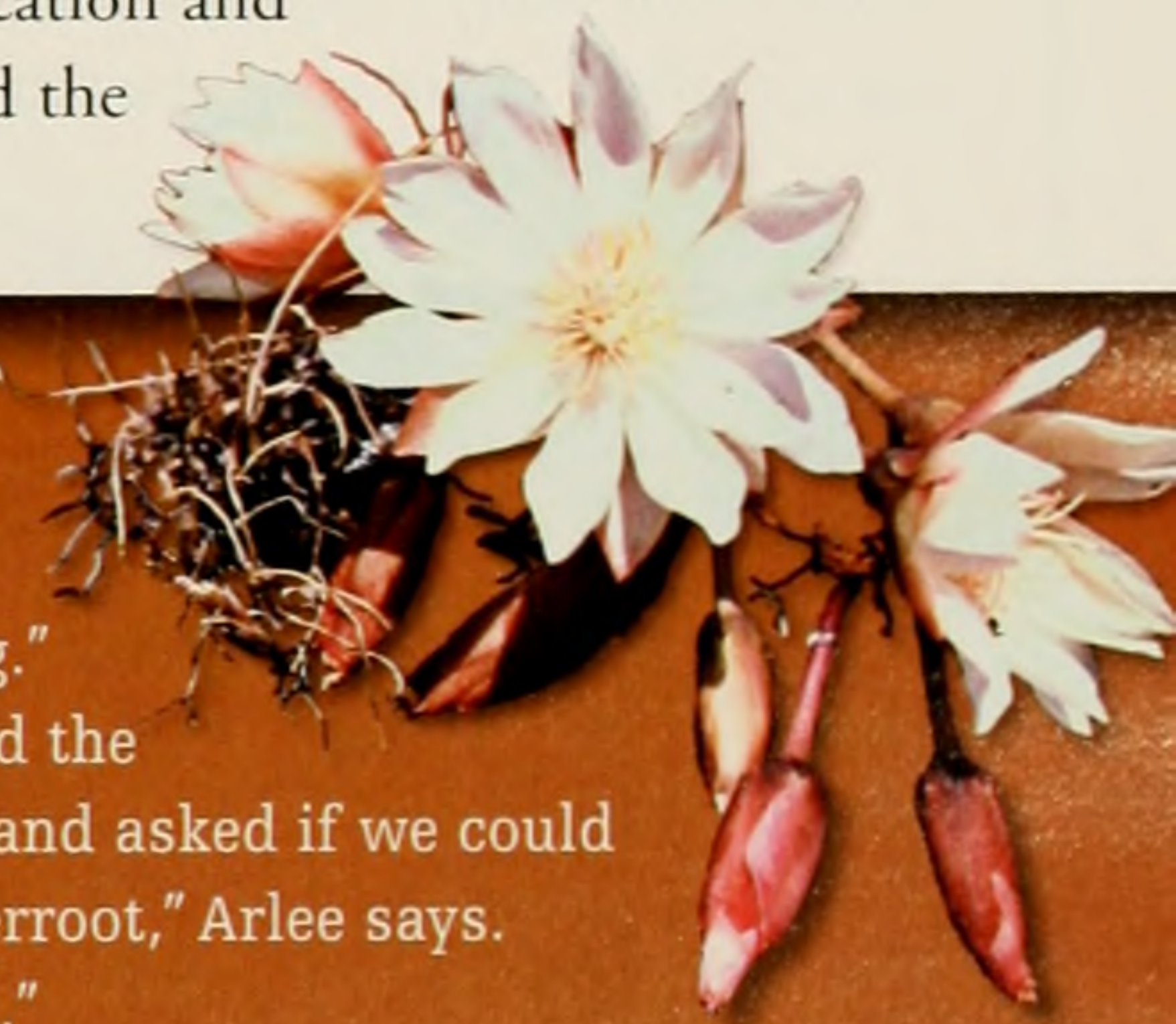
with a sign saying “No Trespassing.”

“We found the landowner and asked if we could gather bitterroot,” Arlee says. “He refused.”

Arlee says he still remembers driving back to the Flathead Reservation with his great-grandmother, then in her 90s.

“She was so sad,” he says. “Sad to lose something that had been so important to her.”

—Tom Dickson



history of the 1855 council. Cajune says she had mixed emotions afterward.

“On one hand, I’m forever grateful that our ancestors were able to save even a small piece of our traditional land,” she says. “But when Johnny talked that day, and the singers sang, I felt a sense of what our ancestors went through when they lost so much of their beloved homeland.”

Today, students on the Flathead Reservation study the history of the 1855 Hellgate Treaty and what it means to residents of the reservation. Cajune says she hopes other teachers in western Montana take their students to Council Grove State Park to learn about the treaty and its historical significance to the state.

Council Grove today

When school groups and others visit the park, they find a place that looks much like it did 150 years ago. As in 1855, the site contains a broad grassland meadow along the Clark Fork River, ringed by weathered ponderosa pines and mature cottonwoods. It’s still an inviting setting for large gatherings.

Bastian says Council Grove is designated as a “primitive” state park, meaning that FWP limits development to preserve its natural characteristics. Besides the memorial, the only facilities are a gravel entrance road, a small parking lot, a half-dozen picnic sites with tables and fire rings, a restroom accessible to people with disabilities, and a few well-defined foot trails.

An island covered with willows, wild roses, cottonwoods, and pines makes up most of the park’s acreage. In summer, visitors can easily reach the island by wading a shallow channel of the Clark Fork.

Part of the mile-long island is managed by the U.S. Forest Service as part of the Lolo National Forest.

In addition to being an important historic site, the park hums with quiet recreational activity.

“Many people go to the park because it’s an open, natural area,” says Bastian. “It also provides good access to the Clark Fork River. From Missoula, you can be there in 25 minutes and enjoy the wonderful scenery.

Unfortunately, that history is so bitter-sweet that some tribal members still find it difficult to visit the state park.

The whole park is such a neat spot. People who go there can really unwind.”

Those who visit the state park in spring are likely to see other visitors glued to their binoculars, studying the variety of birds attracted to Council Grove’s riparian habitat. In summer, expect to see people splashing in the Clark Fork River, picnicking on sandbars, fishing, strolling in the shade of the cottonwoods, and riding horses.

In the fall, bowhunters are allowed into the park for a few weeks to stalk the river bottom’s prolific white-tailed deer. Waterfowlers set up decoys and blinds in the park’s backwaters and sloughs.

Rapidly encroaching residential development on nearby land and the gradual loss

of the ponderosa pines to age are the main threats to the park.

“Housing developments around the park are a major concern,” Bastian says. “For a long time, Council Grove has been surrounded by open agricultural fields, which help create the feeling that it is actually bigger than it is. That changes when houses start popping up.”

As for the pines, Bastian says they are an essential element of the park’s history and cultural significance.

“Unfortunately, we’ve lost some of those big old ponderosa pines to windstorms over the years, and there’s not a lot of regeneration,” he says.

Missoula groups such as the YMCA, Boy Scouts, and local schools use Council Grove for nature and recreation programs. FWP and other agencies frequently schedule interpretive natural history and cultural activities at the park. Cajune says the Salish and Kootenai tribes plan to use Council Grove to make interpretive presentations on the history of the Hellgate Treaty.

Members of the Confederated Salish and Kootenai Tribes say it’s important to have a sanctioned site where they can tell others about their history. Unfortunately, that history is so bittersweet that some tribal members find it difficult to visit the state park.

“Some people have told me they can’t go to the memorial,” says Cajune. “It would just be too sad for them, too overwhelming. So yes, it’s good that this site has been preserved as a state park. And yes, we have a deep love and attachment to the land that was saved for us. But to many members of the tribe, this is also hallowed ground, the site of a great loss.” 🐾

IF YOU GO

Open: Year-round.

Directions: The park is 10 miles west of Missoula. Take I-90 to the Reserve Street Exit, and then head 2 miles south on Reserve Street. Turn right on Mullan Road, and then go 10 miles west.

Facilities: This is a primitive park. Other than

the memorial display, it contains only drinking water, a vault toilet, and a few fire rings and picnic tables.

Activities: Historical learning, fishing, picnicking, swimming, bicycling, bird watching, hunting (in season).

For more information: Call the FWP regional parks office at Missoula (406-542-5500) or go on-line to fwp.mt.gov.



Visitors read the historic treaty at the park's memorial display.