

## **Historical Perspective for 3-4 - Day 2**

In 1926, the United States government passed a special law. It gave small pieces of land on the Northern Cheyenne Indian Reservation to individual members of the tribe. These people are called allottees. The tribe kept control of the minerals underground, like coal or oil, for their own good. The law said those minerals would go to the allottees or their families in 1976.

The law also said that any land or minerals not given out stayed under Congress's control. Congress could manage them for the tribe. In 1968, Congress made a new rule. It took back the mineral rights and gave them to the tribe forever. But this only worked if the allottees did not already own the minerals for sure.

The Northern Cheyenne Tribe went to court against some allottees. The tribe wanted the judge to say the allottees only had a hope of getting the minerals in 1976. They did not own them yet. The tribe said the law split the land on top from the minerals below. Congress could change its mind before 1976 because it still controlled the minerals.

The first court agreed with the tribe. It said the allottees had no sure ownership of the minerals. But a higher court, called the Ninth Circuit, said no. It ruled that the law did not clearly split the land and minerals. The allottees had strong ownership rights that Congress could not take away. The United States Supreme Court then decided to hear the case and settle the argument.