## AALL Publications Series 65

## Landmark Indian Law Cases Second edition



## Landmark Indian Law Cases

**Second Edition** 

Edited by **Joel West Williams** 

AALL PUBLICATIONS SERIES No. 65

Sponsored by the American Association of Law Libraries



Published by William S. Hein & Co., Inc. Getzville, New York 2022 Publishers' Cataloging-in-Publication Data

Names: Williams, Joel West, editor.

Title: Landmark Indian law cases / edited by Joel West Williams.

Description: Second Edition. | Getzville, New York: William S. Hein & Co., Inc., 2022. | Series: AALL Publication Series No. 65 | Includes alphabetical index and subject index of cases. | Audience: Legal researchers. | "Sponsored by the American Association of Law Libraries."

Identifiers: ISBN: 9780837742595 | LCCN: 2022935812

Subjects: LCSH: Indians of North America--Legal status, laws, etc.--Cases.

Classification: LCC: KIE23 .L36 2022 | DDC: 342.73/0872--dc23

Selection, arrangement, and original material ©2022 William S. Hein & Co., Inc.
All rights reserved.

National Indian Law Library Native American Rights Fund 250 Arapahoe Ave. Boulder, Colorado 80302-5863 (303) 447-8760 https://narf.org/nill/

Printed in the United States of America



This volume is printed on acid-free paper by William S. Hein & Co., Inc.

## TABLE OF CONTENTS

Alphabetical Index of Cases	xi
Subject Index of Cases	xvii
Introduction	xxxiii
Cases	1
1. Johnson v. M'Intosh	3
2. Cherokee Nation v. Georgia	27
3. Worcester v. Georgia	69
4. United States v. McBratney	115
5. Ex parte Crow Dog	119
6. United States v. Kagama	129
7. Talton v. Mayes	135
8. Lone Wolf v. Hitchcock	141
9. United States v. Winans	151
10. Winters v. United States	157
11. Tee-Hit-Ton Indians v. United States	165
12. Williams v. Lee	179
13. Arizona v. California	185
14. Warren Trading Post v. Arizona State Tax Commission	193
15. Menominee Tribe v. United States	199
16. McClanahan v. State Tax Commission of Arizona	209
17. Oneida Indian Nation v. County of Oneida	219
18. Morton v. Mancari	233
19. Colorado River Conservation District v. United States	245
20. Moe v. Salish & Kootenai Tribes	261
21. Bryan v. Itasca County	275
22. Oliphant v. Suquamish Indian Tribe	289
23. United States v. Wheeler	303
24. Santa Clara Pueblo v. Martinez	317
25. Washington v. Washington State Commercial Passenger Fishing Vessel	
Association	339
26. Washington v. Confederated Tribes of Colville Indian Reservation	371
27. White Mountain Apache Tribe v. Bracker	403
28. Montana v. United States	419

29. Merrion v. Jicarilla Apache Tribe	443
30. New Mexico v. Mescalero Apache Tribe	483
31. United States v. Mitchell	497
32. Solem v. Bartlett	517
33. County of Oneida v. Oneida Indian Nation	529
34. Montana v. Blackfeet Tribe of Indians	559
35. National Farmers Union Insurance Companies v. Crow Tribe	569
36. United States v. Dion	579
37. California v. Cabazon Band of Mission Indians	587
38. Lyng v. Northwest Indian Cemetery Protective Association	605
39. Mississippi Band of Choctaw Indians v. Holyfield	625
40. Cotton Petroleum Corporation v. New Mexico	647
41. Employment Division of Oregon v. Smith	677
42. Duro v. Reina	705
43. Blatchford v. Native Village of Noatak	725
44. Seminole Tribe of Florida v. Florida	737
45. Strate v. A-1 Contractors	815
46. Idaho v. Coeur d'Alene Tribe of Idaho	829
47. Alaska v. Native Village of Venetie Tribal Government	861
48. Kiowa Tribe of Oklahoma v. Manufacturing Technologies, Inc.	871
49. Minnesota v. Mille Lacs Band of Chippewa Indians	881
50. Atkinson Trading Company, Inc. v. Shirley	911
51. Nevada v. Hicks	923
52. United States v. Lara	951
53. City of Sherrill v. Oneida Indian Nation of New York	973
54. McGirt v. Oklahoma	991