

Since 1916 I have served as adviser and interpreter for all of the old councilmen.

The wisdom of the old councilmen ~~and~~ is never to be forgotten.

Their ~~fear was~~ <sup>feared</sup> that some day the new generation ~~was going to~~ <sup>would</sup> sell the very lands which the old warriors have galantly died for in wars with the territorial volunteers.

Chief Seven Mountains and Saluskin would come to my father's place and repeat the stories ~~about the old days~~ about ~~the~~ the Treaty -making days. They became the legend, ~~repeated in stories and~~ told during the winter ~~months. After wood was brought in and piled near the~~ fire place the old people would collect near the fire and tell the boys and girls a story of the ancient days. That is how we learned about the days that ~~had~~ <sup>have</sup> gone, and how we ~~passed~~ <sup>also passed</sup> them ~~down~~ <sup>from</sup> ~~from~~

~~winter to winter.~~

One of the stories was about

~~There was~~ the time that the chiefs were notified by the Boston Men near Antanum that Chief Kamiakin was to go to "alla Walla ~~Little Rivers~~ Rivers) and discuss matters regarding terms of treaties. They learned that ~~the~~ the Boston Men or Pushtans wanted their land ~~to live on and raise stock.~~

The Black Robe ~~Chimook~~ (Chimook ~~Tax~~ Tat Pas) also told them that there were many pushtans coming and soon they would crowd them out of



their good lands like they had done to ~~Calapoopias~~ to the

Calapoopias. ~~in~~ in Oregon.

Chief Kamiakin held many council ~~meetings~~<sup>s</sup> with all of the chiefs. ~~and~~<sup>and</sup> ~~he~~<sup>advised</sup> would always ~~advise~~<sup>advised</sup> them not to accept any gift from the pushtan. ~~If they did accept gifts~~<sup>(This would mean that</sup> they would accept the ~~pushtans~~<sup>strangers</sup> as their friends.

According to tribal law if ~~any Indian~~<sup>anyone</sup> accepted a gift or a meal, ~~he~~<sup>he</sup> became a friend or brother and could not take arms against his brother. ~~Every chief was reminded of the tribal law. The chief would tell his chiefs it will be easier to drive the stranger off the land if they were not his friends.~~<sup>every chief would tell his people it would</sup>

Early in the spring ~~one year~~ they left for the ~~big~~ council grounds where the treaty was signed ~~one hundred years ago.~~

The chiefs returned. Owhi, ~~and~~<sup>and</sup> Skloom and the head chief of the new nation, Kamiakin, made ~~a report~~<sup>told</sup> to their ~~old people~~<sup>people</sup> of the Valley of the Bears. ~~Their story was repeated by most of the old people who were young at that time and listened to the report.~~

It was ~~agreed by~~<sup>agreed</sup> ~~and~~ all the chiefs that unless the ~~great~~<sup>great</sup> "White Father" came back and brought back the papers ~~and~~<sup>and</sup> ~~and~~<sup>brought</sup> they were made good by the President, and gifts ~~to the~~



~~people~~ they would see that no pushtans looking for yellow stones ~~or~~ 02  
any one was to be allowed to stay on the land ~~x~~ they would be asked to  
leave.

Most of the people ~~were Catholics~~ in the Ahtanum ~~coast~~ country *were*  
*Catholics*  
but the old tribal religion was always followed since time immemorial.

It was called *"Washat"*. *"* Seven drums were *used* ~~and there were~~ *by* seven singers  
and a priest or the leader.

Everything was done in sets of seven to indicate ~~that~~ it was the  
seventh day of the week, the day to worship and sing, to glorify *the*  
Creator.

The ~~Indian~~ religion was strict. All children were instructed to do  
good and *Not* to kill game or go fishing, or cut a green twig or  
tree, except ~~needed~~ when in need. Today the ~~Indian~~ religion  
is almost ~~gone~~ forgotten, lost in the past with the old days, but *it has*  
*been lost*  
not in the hearts of many of the people ~~x~~ *lost*

Since 1934 the Yakima Tribe has been organized with a council of  
fourteen chiefs ~~and today it is known~~ *today* as the Yakima Tribal Council. *They*  
*are mostly men who own their own businesses.*  
Each councilman serves four years. Terms of seven councilmen

expire July 1, 1955 and terms of the other seven will expire in 1957.

Most of the councilmen were reelected each time because of their



record of leadership and service to the people. *They wish to look after the welfare of the young and help them find a place in a*  
~~Most of the councilmen have their own businesses~~  
*changed world, and they wish to make the old people happy*

In 1954 the Yakima Nation authorized expenditure of its own funds to give high school graduates scholarship assistances. There are now *new and progressive* twenty three students taking advantage of the opportunity.

*Perhaps I can clear up some misconceptions, just as*

I am asked by many of my white friends; "how much money do you get from the government? You know the government has promised many things to the Yakimas. How ~~much~~ many of these promises are now carried out?

The answer is ~~hard~~ difficult to give, but as for receiving any cash ~~at~~ each month, as many people think is the ~~purpose~~ purpose of an agency office, there is none.

*L* Any Indian who ~~has~~ has an allotment on the grazing area, which is leased to permittees receives the earnings off that land ~~and~~ which ~~is~~ is about six or seven cents an acre and the Yakima tribe adds eight or nine cents. *per acre*

*L* All ~~of~~ the funds are tribal funds. ~~None of it~~ is government money.

The same is true on the farm areas. ~~Whenever a piece of land is leased to~~  
 "whatever the allotment is leased for is all the *Indian* ~~funds the~~  
~~Indian~~ *Indian* is entitled to.

None of the money is ~~paid for out of United States~~ Government ~~to~~ funds.



*Moreover,*  
~~Indians~~ *(We)* pay all of the taxes paid by others, except real estate taxes on trust lands. *and a man go* *Set*

Did you ever see an ~~Indian~~ go into a grocery store and not pay the tax on ~~the~~ the things he purchased?

*[* That the land should be nontaxable is often a vested ~~or property~~ right ~~which~~ which binds the state and federal governments.

Indians feel that they already have paid their land taxes for all time by giving up a very great territory for such a little consideration and that the *treaty* provisions ~~of the law~~ should remain to hold the land in trust as long as the Indian wants it to *remain in trust status* ~~remain in trust status~~.

Enrollment membership.

The United States may assume full authority over Indian tribes and determine membership in ~~and~~ the tribe for the purpose of distributing funds in lands and ~~adjudicating~~ *adjudicating* rights in tribal property ~~as part of its power to administer tribal property~~.

Congress may change the ordinary rule that ~~tribal~~ tribal property may be distributed only to tribal members. *Case* ~~In the exercise of a white man to~~ *is money to a white man* ~~of an~~ an Indian woman, who was a member ~~and~~ at the time of her death,

shall have the same rights and privileges to the property of the tribe as other ~~members~~ <sup>s</sup>. Enrollment alone does not give a vested right in tribal property, and congress may therefore direct a per capita



distribution on the basis of a new tribal roll, even though

~~inconsistent~~

~~inconsistence~~ with prior laws and treaties with the tribes.

Enrolled members without any vested rights, living on or off the reservation, are the same as any citizens of the country. ~~They~~ <sup>And</sup> are entitled to the same privileges.

~~The~~ <sup>with the Yakima as we</sup>  
~~the~~ <sup>Yakima Treaty</sup> ~~at the Indian People Understand It~~

~~When the chiefs signed the Treaty, on June 9, 1855 at Walla Walla Treaty~~

~~grounds~~ they were told that the treaty would stand as long as the White

Mountains stand, the great river flows to the great sea and the sun

<sup>They were told that as long as</sup>  
rises in the east and sets in the west. ~~And~~ the Indians existed or lived

on the Yakima Reservation, the Treaty would stand and the Great White

Father would see to it that no ~~white people~~ <sup>outsiders</sup> would enter the reservation

<sup>the tribes consent</sup>  
without ~~the consent of the Indians.~~

Thirty-two years later, in 1887, the Allotment Act was passed by

Congress without ~~consultation~~ <sup>consulting</sup> ~~members of the Yakima~~

Nation. ~~Allotment agents came on the reservation~~ and forced allotments

on the Indians. Many of the old chiefs refused to take land and found

themselves without land. The government told the Indians if they did

not take up land ~~the land~~ <sup>it</sup> would be opened to public entry. <sup>Some</sup> Indians came

from the west of the mountains to take up land and some used illegal



means to secure land

In 1917 and 1918 forced deeds were issued to allottees and some land was sold to non-~~Indian~~ Indians so the allotment Act served its purpose. It was the first step to break the ~~the~~ Treaty. ~~----- (run in)~~

~~Thirty years after it was signed in good faith.~~

~~The treaty is 100 years old this June 9, 1955.~~

Lee Metcalf, M C Threat to American Indians. Termination in 83rd Congress.

~~Twenty years ago~~ A basic revision of Indian law and Administration was the Act of 1934 which restored the bilateral ~~partnership~~ partnership of ~~Indian~~ tribes and the ~~federal~~ government. ~~By this act the Indian were not~~ only granted an ~~equal~~ existence as distinct communities with their own ~~properties~~, culture and religion but they were ~~also~~ promised federal assistance. ~~Under the years of numerous individual treaties were consolidated in this act.~~ Since then ~~the Indians have experienced~~ *they have experienced* and a re-growth of their culture, population, ~~has increased, extension of~~ *has increased* ~~lands and capital assets and increased participation in business~~ and government. *have increased* *It is pointed* *itself* ~~to point out, the Yakima Nation voted themselves out by~~ secret ballot election. Many outside Indians and local white friends advised



<sup>old</sup> the ~~old~~ chiefs that if they accepted the Wheeler-Howard Act ~~that~~ they would <sup>lose</sup> ~~have~~ their culture and they would be driven to the hills. The tribe turned out and voted against the act. <sup>and</sup> ~~The tribe~~ is now suffering the mistake by listening to a bad advise.

In ~~1904~~ the 83rd ~~1904~~ Congress there was a concerted effort to destroy this Indian Reorganization act absolutely by means of more than 100 bills ~~nominaly~~ designed to "free" the Indians. ~~The Treaty of 1855 established the Indian reservations as home for the people as long as they wanted to live there.~~ From about 1870 on, a series of abortive attempts have been made at withdrawal legislation to turn Indian property over to the whites, at the same time destroying the Indian people as a community. Indian-owned lands, forests, minerals, water power and other assets now worth billions of dollars would change hands. ~~Indians are represented by tribal organizations in seventeen states and now number more than 400,000 with 54 million acres of land according to the 1950 census.~~

In Montana, whose First Congressional District, ~~represented~~ 40 per cent of the Indian population live on seven reservations and have interests in dam sites, minerals, timber and farming and grazing lands.

<sup>to the</sup> On Yakima reservation there is irrigation, timber, potential



~~undeveloped natural resources.~~

There are many ~~recommended~~ propositions to bear in mind in any study of the Termination question.

Some authorities advocate immediate removal of federal supervision. Others, among them legislators and Indian authorities, are convinced termination ~~should be~~ <sup>be</sup> should result only with the consent of the ~~Indians~~ <sup>people</sup> and only when the Indians themselves are ready to terminate the supervision of their lives and activities.

Proponents of termination ~~legislation~~ <sup>ending</sup> advocate a ~~termination of~~ federal services and protection ~~on the reservations~~ to "emancipate" the Indian.

This is in line with those who call Indians "second class citizens" because in certain cases our federal government is helping them. ~~because in certain cases our federal government is helping them~~

I object to this terminology and to the reasoning that they become "first class citizens." <sup>this is possible</sup> (only if U.S. break the promises made <sup>by treaty</sup> to them and take away their benefits. ~~at the treaty~~)

~~Ind~~ Indians are no more "second class citizens" because of federal benefits than are veterans, farmers, subsidized airlines and steamship companies, manufacturers behind the tariff wall, or ~~the~~ <sup>the</sup> businessmen with rapid tax writeoffs. The Act of Congress of June 2, 1924 bestowed full citizenship on ever Indian born in the United ~~one~~ States who did not



~~As a result~~ Indians may sue in court and make valid contracts. They may vote in ~~federal, state and local~~ elections <sup>and</sup> ~~and~~ they pay almost ~~federal, state and local~~ taxes.

They hold ~~office in our~~ state and federal ~~government~~ and serve in the armed forces. They can leave their <sup>200</sup>~~200~~ reservations if they like, but they also can ~~en~~ enjoy the right to live as a part of ~~the American~~ <sup>their</sup> Indian culture if they choose to stay with their tribes.

I <sup>would</sup>~~would agree~~ oppose "elevating" Indians to "first class citizenship  
and oblivion just as I would oppose such <sup>city</sup>~~elevation~~" for veterans,  
farmers and all other groups whose economic well-being has rightly become  
the concern of our federal government.

~~The following is by~~ Harold E. Fey said it this way:

There had been attempts at termination in recent years but not on the scale of 1953-54. ~~As noted~~ <sup>the</sup> the First Session of ~~the 83rd~~ 83rd

~~Congress H. Con. Res. 108 declaring it to be the policy of Congress~~

that certain ~~named~~ tribes be freed from federal supervision and control,"

was passed. It declares that Congress has decided to "make ~~everybody else~~  
Indians conform to the laws which ~~x~~ ? ever body else and "to end their  
status as wards of the United States..



"This is to be done <sup>as</sup> rapidly as possible" when this process is completed the ~~land~~ Indians will have the privileges, rights and responsibilities as American Citizens"

"Isn't that good?"

"Ask the Indian. He says it means he will have to pay taxes on his land, and that is unjust. ~~Why~~ Why shouldn't he pay taxes on his land?"

He says its tax free status was bought of him when he made concessions of large territories ~~on condition that this land was to be his without conditions.~~ He asks what the holders of tax free municipal bonds would say if the government were suddenly to make them "assume their full responsibilities as citizens." by paying on these bonds.

"He inquires what manufacturers who have built plants useful for national defense after being promised tax concession would say if suddenly Congress were to decide they had to pay taxes on these buildings. He points out that educational institutions, corporations and churches are not taxed; that owners of oil wells do not have to pay taxes on 27 ~~per~~ per cent of their output as a depletion allowance. All these concessions were made for reason, the government receiving full value for the concession. The government has also received full value from the ~~land~~ Indians as expressed in nearly 400 treaties. But H. ~~Con~~ <sup>Concurrent</sup> Res."



108 means that Congress declares it is the policy of the United States to renounce ~~add~~ its end of these bargains without returning to the Indians the valuable considerations they gave for this exemption.

The bills ~~derived from H. Con. Res. 108 do no more than withdraw federal r~~  
~~trust from the Indian properties placed on tax rolls.~~

They also terminate the ~~application of the~~ Indian Reorganization Act of 1934, abolish tribal ~~corporations~~ constitutions and corporations based on the

law, abrogate ~~federal Indian~~ treaties and impose the breakup of tribal ~~properties~~

properties into individual parcels. But the ~~bad~~ <sup>basis</sup> bases of the Indians

apprehension is that these bills threaten his land. ~~one~~ <sup>on the</sup> He remembers

~~what happened as a result of the Indian allotment act of 1887; Indian land~~  
~~holdings shrank from 139 million to 48 million acres.~~ " " "

Indians form a minority group and have no power with Congress, but some place, some where, there are a few ~~good~~ people who do right by them.

~~God bless them. And we are thankful for them.~~

God Bless them o



upon proper notice to the members of the tribe. Every member of the tribe has a right to attend this General Council and participate in it. This right of the individual member includes initiating measures of importance to the tribe as a whole, health, education, finances, election of officers, etc. Each member of the tribe has a right to the free expression of his opinion, and debate on any matter brought before the council is unlimited. Each member of the tribe, man or woman, over 18 years of age is entitled to vote on all measures brought before the Council, and a majority vote determines all the issues. (No more democratic meeting can be found anywhere in these United States. The origin of this General Council is in custom, established over many years. In fact, from time immemorial these general councils were called at regular intervals to decide important issues affecting the tribe as a whole, and were originally presided over by the Chiefs of the several tribes composing the Yakima Nation. For many years the Interior Department has recognized, and does now recognize, the Yakima General Council as the governing body of the Yakima Tribe.

The business committee of the Yakima Tribe is the Yakima Tribal Council, composed of 14 members, representing the 14 original tribes which consolidated under the terms of the Treaty. The members of the <sup>Yakima</sup> Tribal Council are elected at the General Council meeting for a term of 4 years. In 1944 power to transact all tribal business, except such as are expressly reserved, was delegated by the General Council to the Yakima Tribal Council. This council meets regularly the first Tuesday of each month, and transacts all the business operations of the tribe. (Picture of Council to be in this section)

*How was the early time*  
The Yakima Tribe has its own code of laws regulating conduct between its own members within the reservation boundaries; and the <sup>10</sup>ten major crimes are handled by the Department of Justice through the United States Federal Courts.

Being citizens of the United States and of the State of Washington members of the Yakima Tribe can be sued by a white man in the State Courts, or a member of the tribe may resort to the State Courts to sue a white citizen.

For many years the only rolls of members of the Yakima Tribe were the old allotment rolls made in the 1890's and early 1900's, and the need of an up to date roll of Yakima Indians was imminent. Sometime before the year 1945 the Yakima General Council had directed certain of its members to investigate the possibility of securing an enrollment of the membership of the tribe, and the proper method for doing so. The Committee appointed for this purpose reported its findings to the Yakima General Council on February 20, 1945, By an overwhelming majority the General Council voted to seek legislation from Congress authorizing enrollment of the members of the Yakima Tribe, rather than to make an enrollment under existing regulations of the Interior Department. At this Council a resolution was adopted to include members not only living on the Yakima Reservation proper, but also those who had secured public domain allotments within the ~~Reservation property~~ but also ~~those who had secured~~ area ceded to the United States under the Treaty of June 9, 1855.



committee of the General Council to assist the Yakima Tribal Council in preparing a draft in accordance with the specific directions of the General Council. At this Council a motion was approved establishing the minimum degree of blood requisite for enrollment at 1/4 or more of the blood of the 14 tribes which constitute the Yakima Nation.

The draft of the proposed legislation, prepared in accordance with the wishes of the General Council, was embodied in H. R. 6165, 79th Congress, 2d Session, introduced by Congressman Hal Holmes of the State of Washington

Thus the Bill, enacted into law by Congress, and approved August 9, 1946, represented the will of the great majority of the membership of the Yakima Tribe.

The past 10 years has brought about a gradual change in the policy of the Indian Bureau for the Yakimas and other Indian tribes in the United States. Restrictions relating to handling of affairs directly affecting the Indians have been relaxed leaving many of the major decisions up to the Tribe. Simultaneously the Bureau has been transferring services to the State and County. This includes education, welfare, agriculture-Extension, part of the Roads program and cooperative assistance from highway patrol, county sheriffs staff, juvenile authorities. Health activities will be transferred to the Federal Bureau of Public Health July 1, 1955.

Federal appropriations have gradually diminished during the same period of time. Federal supported activities now include Administration, Roads, Soil and Moisture forestry, Conservation, grazing, dentist's office/and part of Law and Order. An Examiner of Inheritance was furnished from the Solicitors Office January 1, 1955 to remain on the staff until the back-log of unsettled estates are current. To maintain services formerly furnished the public by the Bureau, the Yakima Tribe has taken over the financing of land, leasing and Individual Indian money, financed by a fee collection system, and credit, financed by interest collected. They are also assisting in the forestry, fire control, law and order and road construction and maintenance.

The policy of the Congress of the United States and the Department of the Interior is gradually forcing Indians to assume more responsibility in handling their own affairs. Duties of the Tribal Council are rapidly increasing. They are planning future programs for the benefit of the Tribe as a whole without regard for any personal desires. Steps are taken to benefit the landless, school age, delinquents, orphans and unfortunates. Cooperation with Bureau officials is very good although a small minority groupe composed chiefly of those who have little Yakima blood persist in trying to divide the tribe and discredit the activities of the Bureau



The allotment act passed February 8, 1887 causing a great deal of concern among the Indian people. They were reluctant to accept allotments with the belief that the Government would turn them lose, however, a majority of the tribal members finally agreed to accept their allotments, resulting in 305 being issued in 1891, however, there were many Indian people who did not accept their allotments, some of which are still alive today. The allotment act was amended in February 28, 1891 and again on June 25, 1910. The trust period under the allotment act was fixed at 25 years with power in the President to extend the period. From 1887 to 1895 very few allotments to the Indians were made, but in 1902, a small number of cases calling for the determination of heirs were presented to the Indian Office. It was assumed that State Courts had jurisdiction, but some probate courts of the States did not assume this jurisdiction and, therefore, no determinations were made. On May 8, 1906, an act was passed giving authority to determine heirs of Indians for the first time on the Secretary of the Interior. This created a peculiar situation as the Secretary of the Interior was counsel for both plaintiff and defendant as well as judge upon the bench. He did not wait for a case to be brought before him, but instituted the necessary action through his field representatives to collect the evidence, which may be in the form of decrees in the State Courts, or affidavits and then rendered the decision on legal and equitable grounds. In addition the law specified that his decisions would be under such rules and regulations as he might prescribe. It is evident, therefore, that the Secretary is not bound by the decision toward decrees of any court in inheritance matters affecting Indian trust land, and that it rests entirely in his discretion from the evidence submitted as to the determination of Indian heirs.



In all lands granted to Indians under the allotment act the Government holds the Fee until the restricted period is ended. When the final patent is issued the fee of the land is thereby extinguished in the Government and the Indian is holds or the purchaser acquires a perfect an unburdened title and right of possession. Of course, Indians could purchase from Indians and still maintain their trust status, conditions or restrictions.

By 1905 there were 2484 allotments on the Yakima reservation. Practically all of the land which was considered for irrigation were allotted and now allotments were being made on dry sage brush lands. It is not known when and how water can ever be obtained for irrigating them. There were 379 leases covering 28,559 acres made that year to other than Indian operators. Improved lands on the reservation leased from two to five dollars per acre; unimproved lands lease for terms of five years were from fifty cents to a dollar per acre.

It was apparent that the trend of the public thinking, even in these early years, was toward private ownership for the Indians. By the end of 1911, 3160 allotments had been made. In 1914 the allotment rolls were closed--4506 individuals having been granted a total of 440,000 acres of land. Indians born since that date were without original assignments of land and if they own any at all it must be inherited. Even before that time the good land was scarce, those who entered a claim subsequent to 1908 being able to receive marginal plots or grazing land or timber areas in the mountains. Those who accepted the whiteman's ideals, mostly half-breeds, and a number of women who had married whitemen, capitalized upon the new plan of individual ownership. A provision which allowed the Indians to make requests for patents in fee to the lands became effective at this time. This placed them upon the same footing as white people, their lands were subject to taxation, and they were free to dispose of them as they saw fit.

The full blood Yakimas did not feel that the breeds (sorry, here the record is not understandable, I will put in what I have and possibly it will bring to your mind the text) hma it was felt that these aliens and half-breed traitors intentions to sell to the whites.



In 1915 the position of the agency at Fort Simcoe was felt to be too remote from the main current Indian affairs and the center of the population to the east which boundaried the Yakima river. In 1922 the Fort Simcoe Indian Agency offices were moved to Toppenish to a building which is now the Toppenish City Library.

By 1906 Congress had begun to make appropriations, which finally totalled two million dollars for the development of comprehensive irrigation system known as the Wapato Project. It was later enlarged to include the Satus I, II, and III projects. Water was taken from the Yakima river at a dam build in 1817 just south of Union Gap. In 1954, 123,748 acres of land was farmed within the Wapato-Satus projects. The value of the crops raised upon this land amounted to \$206,947, or ~~xxx~~ an average of \$166.48 per acre. There were fifty different kind of crops raised in the valley. Per acre value ranged from \$21 on the lowest value hay crops to as high as \$1342 on apple production. The next highest value crop was sweet cherries with a per acre value of \$1193 ~~following~~ followed by hops \$770; apricots \$559; pears \$546; Potatoes \$443; plumes and prunes \$402; onions \$381; Asparagus \$358; berries \$346.

The Ahtanum creek irrigation project on the northern boundary of the reservation had 4760 acres in cultivation in 1954 and the Toppenish-Simcoe unit in the western part of the valley had a total of 2848 acres, making a grand total of 131,355 acres which were under irrigation projects on the Yakima Indian reservation. In addition there is undeveloped land within the Satus III project amounting to around 3,000 acres which will be brought in in the next few years. The last unit directly south and west of the town of Mabton has been found to be the most productive area on the Yakima reservation. Average per acre value of crops produced in 1954 was \$179, almost \$13 more than the average for the whole project. Even before any orchards have come into production, early days of irrigation and farming by the Yakima Indians can be traced back to Kamiakin who had farmed on the Ahtanum creek in 1847, eight years before the treaty was signed and 40 years before the allotment act.