

## LXVII

## Malheur Reservation

Under date of May 17 last I submitted to the Department the question of restoring the remainder of the Malheur Indian Reservation, in the State of Oregon, to the mass of the public domain...

There have been no Indians upon the Malheur Reservation since the outbreak of the Pannack war in June, 1878. All the Indians then belonging to the agency left the reservation, and at the close of said war those who had taken part in hostilities, together with many other Indians who belonged at Malheur, were removed with their women and children to the Yakima agency, in Washington Territory, where they have been permanently settled. Those who did not go to the Yakima are living in the vicinity of Camps McDermott, in Nevada, and Bidwell, in California, near the Oregon line, and the town of Winnemucca, in Nevada, where they procure a livelihood by cultivating the soil or laboring among the whites..

## LXIX

## Moses

In consequence of numerous representations having been made that the northern portion of the Columbia Reservation in Washington Territory contained valuable mines, which had been discovered and worked previous to the issuance of the Executive order of April 19, 1879, setting apart that reserve, the Department, on October 11, 1882, directed Inspector Gardner to investigate the matter, and also the location and requirements of the Indians for whose benefit the reservation was created. As the result of this investigation an Executive order was issued February 23, 1883, restoring to the public domain a strip of country 15 miles in width along the entire northern portion of the reservation.

In April last the commanding general of the Department of the Columbia represented that this action had occasioned much excitement among the followers of Moses and that their disposition was much more hostile than

friendly, and requested authority to send Moses, with an officer and interpreter to Washington in order that such action might be taken as would restore peaceful relations between all concerned.

(LXX) Accordingly Moses and Sar\_sarp-kin of the Columbia Reservation and Tonasket and Lot, of the Colville Reservation, under the charge of Capt. F.D. Baldwin, Fifth United States Infantry, visited Washington in July last and entered into an agreement, the following memorandum of which was signed by then and by the Secretary of the Interior and Commissioner of Indian Affairs on the 7th of July last:

(Near page of small type text of agreement)

LXXI

...The agreement, if ratified by Congress will restore to the public domain some 2,243,040 acres , in addition to the 749,200 acres restored by the Executive order of February 23, 1883, upon terms favorable to the government for the best interests of the Indians themselves..

(P-79) Reports of Agents in Indian Territory

Nez Perces of Joseph's Band.

...The day school under charge of James Reubens, was carried on with its usual success until the end of May , when Mr. Reubens dismissed the scholars closed the school, and by permission of the Department started for Idaho with 29 Nez Perces, ~~and by permission~~ mostly the widows and orphans of those who were killed during the war. The school will be reopened on September 1 under charge of a white teacher and I anticipate good results...

(P-141) Colville Indian Agency Washington Territory, August 15, 1883

Non-treaty Indians. No treaty has ever been made with the Indians belonging to this agency. The reservation west and north of the Columbia River was set aside for them without their being consulted in the matter; consequently the Indians who have always lived upon the east side of the Columbia took but little interest in the reserve, and but a small number

comparatively, have removed to it, each tribe continuing to occupy their former location, which for the different tribes are widely scattered.

...the different tribes as at present located viz: the Colvilles, numbering 670, at a distance from the agency of from 24 to 30 miles, on the east side of the Columbia River, west of the agency; the Lakes, 333, at about the same distance, upon the west side of the Columbia River; the Okanagans, some 330, about 150 of the tribe being across the line in British Columbia, are located upon Kettle River to Soozos Lake, 135 miles distant; the San Poels, 400, on the San Poel River, 100 miles distant; the Methows, 315, living upon the Methow River, are about 100 miles distant; the Spokanes, 685, upper band, living upon the Little Spokane ~~Ex~~ and adjacent prairies 50 miles distant; the Middle Band in the vicinity of Spokane Falls some 60 miles distant; the Lower Band on the addition to the Colville Reserve set aside ~~xx~~ for the Spokane Indians 35 miles distant; the Coeur d'Alenes 425 are on the Coeur d'Alene Reservation in Idaho Territory, 110 miles distant; the Calispels, 400, on the Calispel Bay (P-142) near the Pend d'Oreille River 35 miles distant from the agency; ~~sa~~ some 60 or 75 of the Calispel and Colville Indians live in the immediate vicinity of the agency...

(P-151)\*-- Yakima Agency, Washington Territory, August 16, 1883

...(First annual report of R. H. Milroy)...I assumed charge of this agency on the 1st day of October last as the successor of Rev. J.W. Wilbur who had been in charge here for about twenty years..(four pages, small type)..

(P152)--the Indians belonging to this agency, by the census of 1880 were 3,400 or over. I think by what I have observed that this number has been somewhat increased by excess of births over the deaths. But the Piutes, who were included in that census have since stampeded and the greater part of them left the agency and gone back to the region of country from whence they were brought by the military in February 1879...

(P 153) Indian Judiciary

When I took charge I found myself overrun daily with trying cases

and settling troubles, civil and criminal from all parts of the reservation.

At a general cou cil convened a few weeks after I took charge I made known to the Indians that they must have tribunals among themselves for the settlement of their troubles; that it was time they commenced throwing off their old Indian ways and taking on those of the whites, into whose great tribe they must soon be merged; that to this end I desired them to cease to have chiefs and instead thereof to have justices of the peace, judges and reservation (in lieu of county) commissioners. I at once districted the reservation into five districts, the policemen in each district to discharge the duties of constable. In March last another general council was co vened, at which arrangements were made for holding elections in April for justices of the peace in said districts, by appointing a polling place in each district, appointing a judge, inspector, and clerk of election in each precinct, and designating the manner of voting by requiring each candidate to adopt a color, and the voters (all male Indians resident on the reservation over 20 years of age) to each use a scrap of colored paper as a ballot of the color adopted by the candidate he desired to vote for. At said last named council I districted the reservation into three districts and appointed a commissioner in each to (P154) form a board to perform such duties as are devolved on county commissioners, At the same time I appointed three judges to constitute a reservation court of original and appellate jurisdiction. As the April election was the first attempt of the kind ever made on the reservation, it was a novelty for the Indians, who took great interest in it and as it was the first, I thought it best not to ~~be too~~ complicated the election with filling more than one office....(rest of page devoted to implementing system, no names listed in report)

P -225)..Columbia Reserve, Executive Mansion, February 23, 1883

It is hereby ordered that the tract of country in Washington Territory lying within the following described boundaries, viz: Commencing at the intersection of (P-225) the forty-fourth degree of longitude west from Wash-

ington, with the boundary line between the United States and British Columbia, thence due south fifteen miles; thence due east to the Okinakane River; thence up said river to the boundary line between the United States and British Columbia; thence west along said boundary line to the place of beginning, being a portion of the country set apart for the use of Chief Moses and his people by Executive orders of April 19, 1879, and March 6, 1880, be and the same is hereby restored to the public domain.

Chester A. Arthur

(Usual pages of statistics, 227-440)

PPs 234-235 . Indian Reservations, Areas and How Established with schedule showing the names of Indian tribes lists Columbia and Colville reservations and the dates of the various executive orders.

Commissioner of Indian Affairs---1884

III

...I am not aware that any report from this office has ever shown just how much the government contributed from the United States Treasury to feed and clothe the 200,000 Indians who are its wards, outside of the five civilized tribes..The public at large finds from the proceedings of Congress and the public press that \$5,000,000 in round numbers have been appropriated to the Indian service, and this gives to each Indian \$25 , which, if true, would not enable any person, either white or Indian, to live very luxuriously, for it is a fraction less than 7 cents a day...then deducting cost of transportation and other legitimate and necessary expenses, it is found..the Indians actually receive only about \$7 per annum per capita or a fraction less than 2 cents a day for each Indian...it takes from the Treasury of the Government \$1,000 a year for each soldier in our Army whose chief business is to see that peace is preserved on our frontier while it takes from the same source for each Indian only \$7...

(Another example of what is lacking in public relations, material in print in an updated publication...even compared with modern times....as necessary....)

(P-XIII) Leasing of Indian lands

Since the date of my last annual report, numerous applications have been received from parties desirous to lease Indian lands, held by ordinary occupancy, by tenancy, or by sufferance, mainly for cattle grazing purposes. To all such answers, based upon Department ruling on the question in the Fenlon case, April 25, 1883, has been returned that no authority of law existed for the making of such leases or agreements by the Indians or by this Department, and that this Department would not approve them...it is very desirable that Congress should put this much vexed question upon a proper basis...

(P-XVIII) Distribution of population table showing agencies, Indians not under control of agents and aggregate of Indian population.

2--for Washington Territory, 6 agencies, ~~xx~~ 10,846 Indians under agency control, 150 Indians not under agency control...again, the "theory of relative population, Yakima, Colville etc.)

(P -LII) ~~Txxx~~ (historical) Town of Pendleton, Ore., sale of Umatilla Reservation Lands for town purposes)... "I have been informally advised that the proceeds from the sales will aggregate very much more than the appraised value of \$24,344.95, not including the Goodwin tract...total will probably not less than \$60,000....

Agreement with Chief Moses.-Agreement of July 7, 1883 ratified and confirmed and the sum of \$85,000 appropriated to carry the same into effect...xx

Reports of Agents in Indian Territory (P-89)

Nez Perces of Joseph's Band

...they regard themselves as exiles. The climate does not agree with them..many of them have died, and there is a tinge of melancholy in their bearing and conversation that is truthly pathetic (no statistics given)

John Scott, U.S. Indian Agent

(P152)---Supplementary treaty

I find on record what purports to be a supplementary treaty with the confederated tribes and bands in Middle Oregon and the United States executed November 15, 1865 on the part of the Government by Superintendent of Indian Affairs J.W. Peret Huntington and on the part of the Indians by the headmen as Mark, Kuckup, Billy Chinook and others which is beyond doubt a forgery on the part of the Government insofar as it relates to the Indians ever relinquishing their right to the fisheries on the Columbia River; and as a matter of justice to the Indians as well as to the Government the matter should be made right and satisfactory to the Indians as soon as possible,,,...all the Indians say emphatically that when the treaty was read to them no mention was made as to their giving up the right to fish. All

that was said was that they were to agree not to leave the reservation without government passes, and as an inducement for them to agree to this they were promised 30 head of oxen and 100 blankets, and they agreed

~~xxxxxxx, they were promised~~ 30 The 30 oxen I presume represented the \$3,000 mentioned in this treaty, and the blankets etc. the "500 in all \$3,500. They received the cattle etc. as stipulated, but never knew until a few days ago that the treaty made mention of any definite sum of money. The fact is they were wilfully and wickedly deceived...

(P 175) Yakima report

#### Fisheries

Fish has in time past been the main item of subsistence of the Indians of this region, and in their treaty they were careful to reserve the exclusive right to all fisheries on and adjoining their reservation and the right of free access to all their other accustomed fisheries in common with the whites. The last named right was invaded by a white man on the Columbia River about above the Dalles a few miles, in this territory, who fenced up and excluded the Indians from access to two of their oldest and most important fisheries. After trying in vain by reason to obtain for the Indians free access to said fisheries, I had to resort to law, and applied through the United States attorney for this territory to the judge of the courts for this district for, and obtained a temporary injunction till the next term of court, when it will be tried and the injunction made permanent if the treaty is regarded as the highest law in the land...

R.H. Milroy, Indian Agent

(P-218)

## Columbia and the Colvilles

For the purpose of carrying into effect the agreement entered into at the city of Washington on the seventh day of July, eighteen hundred and eighty three between the Secretary of the Interior and the Commissioner of Indian Affairs and Chief Moses and other Indians of the Columbia and Colville reservations, in Washington territory, which agreement is hereby accepted, ratified and confirmed, including all expenses incident thereto, eighty five thousand dollars or so much thereof as may be required therefor, to be immediately available. Provided that Saroshin and the Indians now residing on said Columbia reservation shall elect within one year from the passage of this act, whether they will remain upon said reservation on the terms thereto stipulated or remove to the Colville reservation; and provided further, that in case said Indians so elect to remain on said ~~Colville~~ Columbia reservation the secretary of the interior shall cause the quantity of land therein stipulated to be allowed them to be selected in as compact form as possible, the same when so selected to be held for the exclusive use and occupation of said Indians, and the remainder of said reservation to be thereupon restored to the public domain, and shall be disposed of to actual settlers under the homestead ~~and~~ laws only, except such portion thereof as may properly be subject to sale under the laws relating to the entry of timber lands and of mineral lands, the entry of which shall be governed by the laws now in force concerning the entry of such lands....

(P 299) Statistics, Population, sources of subsistence

Colvilles---Colville, Lake, O'Kanagan, San Poel, Methow, Spokane

Calispel and Coeur d'Alene, census given separately, total of 3,120

P-300--Moses Band on Columbia reservation (listed at 150, footnote says based on report of 1883.

Other statistics PP 316-16 acres cultivated etc.

VI- Citizenship....At this time but few of the adult population can speak a word of English...it is to be hoped, and it is confidently believed, that ...among the next generation of Indians the English language will be sufficiently spoken and used to enable them to become acquainted with laws customs and institutions of our country, and to regulate their conduct in obedience to its authority....When this point in their upward progress has been attained they will be a part and parcel of the great brotherhood of American citizens, and the last chapter in the solution of the Indian problem will be written..

XV-allotment of lands in severalty and patents

...(gives information on those issued to Dwanish etc, Indians on the Tulalip, Lummi and Swinomish Reservations... ) COMMENT: effect of this as relates to present day peoples on same "reservations."

XXVIII.. Survey of Indian Reservations

...The appropriation of \$50,000 for the survey of Indian reservations, made at the first session of the Forty-eighty Congress (23 Stat. P.94 ) was practically exhausted at the close of the fiscal year...(Table of surveys made on XXVIII)

...I shall ask Congress for a further appropriation to continue the work so wisely begun.

...Encroachments upon Indian lands are of frequent occurrence, and it is impossible to deal intelligently with trespassers where the exact location of boundaries is unknown or in doubt...

LVII Removal of Nez Perce Indians from Indian Territory to Nez Perce and Colville Reservations

Under the appropriation made available in the act of March 3d last for the removal of the Nez Perce Indians in the Indian Territory to some other location, and in accordance with your authority of May 17 last, one hundred and fifty of said Indians, including men, women and children have been

removed to and located at the Colville Agency in Washington Territory and the remainder, one hundred and eighteen in all, are now located with their friends and ~~xxx~~ relatives at the Nez Perce Agency in Idaho...

The reason for sending these Indians to two separate agencies was partly on account of their own desire in the matter, but principally on account of indictments said to be pending in Idaho against Chief Joseph and some of his immediate followers, for murders committed by them before their removal to the Indian Territory in 1878, and numerous threats that were made that in the event of their return to Idaho, extreme measures would be taken by the citizens to avenge the wrongs...

Dr. W.H. Faulkner, the special agent appointed for the purpose...

..The removal was entirely satisfactory and all parties concerned appear to be contented with their new homes...The total cost to the Government in connection with the removal, including transportation, subsistence, and pay and expenses of the special agent, amounts to \$11,354.61...

I will add that in the spring of 1883 thirty-three Nez Percés, mostly destitute widows and orphans were removed under the supervision of James Reubens from the Indian Territory to the Nez Perce Agency in Idaho..

The authority for this removal was granted with the understanding that it would be no expense to the government but it appears that in the act approved July 1, 1884, Congress made an appropriation of \$1,625 to reimburse Mr. Reubens for expenses incurred in connection with this removal, which amount has been paid in full...

(P 185)

Colville Indian Agency, August 12, 1885 ( thru p 186, rpt. of Sidney D. Waters)

#### "Moses's Agreement

According to the terms of an agreement entered into between the honorable Secretary of the Interior and Chief Moses July 7, 1883, ratified and confirmed by act of Congress July 4, 1884, certain Indians of what is known as "Moses's band" have been furnished with wagons, harness, agricultural implements, and cows by a special agent of the Department. It was an unfortunate

occurrence that the wagons and farming implements were issued to the Indians off the Reservation, the special agent depending on the Indians to cross them to the Colville Reserve across the Columbia, as I believe many of them articles will be sold to whites in the adjacent country and the purposes of the Government thus defeated. For I believe it was the intention of the framers of the agreement to furnish such Indians of Moses' s band who should remove to the Colville Reserve and relinquish all claim upon the Government for land situate elsewhere with the necessary farming implements. I believe that when one of Moses people came on this reserve and expressed a desire to go to work he should be furnished with the necessary tools and implements, and not until then.,.

#### Joseph's Band of Nez Perces

Last June a remnant of Joseph's band was brought from the Indian Territory, numbering 150 , and placed upon this reserve--taken from a country where they had already become acclimated, where they had their well-fenced fields, their bands of cattle, and horses, their children at school, and in fact progressing finely, rationed by the Government as well, and on account of the sickly sentiment expressed in the East towards them re-(186) moved to Idaho and Washington Territories against the wishes of the people of these territories, whose relatives were slain by this band, whose outrages and atrocities will last in the minds of these settlers as long as they have being. It is said that they have been removed back to this country by the government at their own request, and that in a great measure they will be expected to care for themselves on account of lack of sufficient appropriations. What can they do for the next year until they can harvest a crop? Joseph says: "We have nothing. My people cannot and will not starve, and if we are not fed we will go and find it!" Why was not this thought of before they came here? My estimates for food for them were cut down and they were placed on short rations until they appealed to the military, and have since been fed. I earnestly recommend that Congress provide

sufficiently for their wants early in the session.

...As my present position is wanted for another, I leave these Indians as soon as my successor shall arrive... the statistical report is herewith appended, as is also the report of the farmer for the Coeur d'Alenes, Maj. James O'Neill....(Statistics included in back of volume)

Yakima Agency (P 196)

boundary.....is bounded on the east and part of the north for ~~5~~ 40 miles by the Yakima River, on the north by Ahtanug Creek, a branch of the Yakama for about 20 miles, and on the balance (P 197) of the north by a treaty-prescribed boundary....

R.H. Milroy, U.S. Indian Agent, (suspended)

"...as I was, by order of the President, of the 28th ultimo suspended from office, and am now only waiting the arrival of my successor to relieve me therefrom, and as I am now in my seventieth year, of course I am now leaving the Indian service forever...I have been in this service almost continuously for thirteen years...

...All legislation by Congress on Indian matters should be with reference to the extinction of the Indian Bureau as speedily as the good of the Indians will permit..."

## Medicine Men.

Department of the Interior, Commissioner's Report, 1885.

Warm Springs Agency, August 28, 1885, Gonzalo Gesner, U.S. Indian agent

No crimes have been committed during the year on the reservation; an Indian named Marf was however murdered a few miles south of the reservation while returning with a trading party from Blake City, Utah. Red Moon, to whose band he belonged immediately reported the matter but it was during a temporary absence from the agency and when I returned and made efforts to have the offender brought to the chiefs and head men nearly all opposed it, on the ground that Marf was a "medicine man" and had on one occasion placed poison in the trail of a very good Indian--Yammen--who died, and later blowed poison into a very good girl who also died, and his demise was a just retribution and they refused to deliver up the murderer who escaped and went to the Southern Utes.

Polygamy and other vices

Department of Interior, Commissioner's report, 1885

Warm Springs Agency, August 28, 1885.

Polygamy is found to be very prevalent among the Warm Springs tribe here. They nearly all believe in it and practiced it without fear or molestation when I came here.

I have succeeded partially in breaking it up in the last year.

While the custom has received a serious check and if properly dealt with will soon disappear among them, the belief in it being right will remain probably for a generation to come.

I would add here that I find among all the people of this reservation no veneration for the marriage relations. Perhaps there is not an old or middle aged man on the reservation but what has had from two to five women during his life. I have required the people since I came here to get a divorce, when they wished one, in a regular way by a trial in the court and when granted a divorce have ~~every~~ always taken a just proportion of the property and given it to the women, either real or personal property.

I find less divorces as a consequence. Men are not so eager to put away their old wives and take younger ones if a ~~divided~~ division of the property must take place before a divorce can be granted.

Gambling is another vice much indulged in by nearly all of the Indians here. Young and old, men and women are given to the vice. But professional gamblers are not very numerous---Alonzo Gesner,  
U.S. Indian agent.

Warm Springs Agency, August 28, 1885.

The medicine man still keeps his hold on the Indians and always will so long as the Indian remains in such an ignorant and superstitious state. There are none here but what believe in him except possibly two or three individuals.

The Indian doctor is doctor as well as priest. Doctoring among the Indians is not confined to men alone but the women are possessed with the power to heal as well as the men. The "Te-man-i-mus" is free to all who can catch it. When one becomes very sick among them, always from one to three doctors are called to attend to the patient--to administer to his temporal as well as his spiritual wants.

The minister may be called to administer a blessing to the dying man and they may go through with the religious service with apparent sincerity and fervency but their superstitious fears prompt them always to indulge in their own religious rites either before or after the ~~occurrence of~~ death; nothing else would satisfy their friends.

The man or woman who possessed the "te-man-i-mus" must be consulted their blessings must be had. It is needless for me to say that as a rule the medicine man as a class like the women here, is extremely conservative; he is opposed to anything that would advance his people; he opposes schools, good morals and the observance of laws.

I would say, however, there are some three or four doctors who are apparently friendly in schools and the progression of their people.

If they are sincere what the motive are that impel them to such a course I have been unable to learn.