

Mid-Columbia.

Switzler Island. Plot of 200 acres. on west side and two or three other burial grounds.

Rock Creek... George Gibson, Tom Joe and Sally Albert, relatives.
Switzler is location of old ferry.

Tommy Thompson: Putsch putsch and Haslow, Oregon side. Fished from shore opposite Standing Island, Chief Island Attem island and Chinook rock.

Isaac McKinley, chief of Warm Springs.

File 309 in Yakima agency. Island Columbia River.
Public domain island.

Headchief of Skein was Skamiah.

Isaac McKinley's mother was from Skein. Her name was Lati at.
Father was Wishham, lived at Spearfish.

Islands between Big Eddy and Celilo Falls, Army Engineers and surveyed April 11, 1944 by E.W. Barnes, chief Pd. Sub office.

Big Lone Pine

Little Lone Pine

Sturgeon Island

Louise

Wyam-Wasco North Long, South Long, Grave, Little Brook

Little Anteen Chief

Old Lady Chinook

Big Anteen

Star Island

Stand Rock Standin g Rock

Point Island

Kiska or Skina

Big Island

Walla Walla pa

Wo Sa Pama

No name

No name 27 islands in all.

Place names:

William Yallup, statement at Dalles, Oregon, April 6, 1944

Under bridge where Channel comes through, at mouth of Channel,

Skina, fish place called Qui wa li lake

Tule pah at the Tunnel, Celilo

Mid Columbia: Islands , fisheries. (Island names)

McNary dam flooded:

Techumtas, Switzler or Hoodoo Island.

Canoe Island

Meredith Island.

Van Skinner or Beavert Island.

Memaloose Island.

Mid Columbia..Fisheries, dams.

Umatilla cemeteries

Greenleaf-Sec 21 7# NR7 EWM

2-Several at or near "allula

3-1 in same valley

4-Memaloose island, above Spearfish.

5-Bradford island.

6-Switzler Island and Juniper island opposite Juniper Cold Springs
Canyon.

Between ~~Walla Walla and Umatilla~~ Umatilla and Wallula

7-Pooshan island.

8-"allowa Lake near Joseph, Oregon.

(Umatilla Cemeteries of record)

Jim Kanine. Mid Columbia. Cemeteries, fisheries.

Two or three miles from "allula, where trail led to Nez Perce country. It was called smoking pot, wherethings were discussed before coming together. It wasmarked by big rock. Three Feathers came there to talk.

ack of "allula three Nez Perce are buried.

Kanine, a Walla Walla. His paternal grandparents are buried there. "Let them lie there," he told Army Engineers, at Pendleton, Tribal council, July 15, 1949

Willia Wocatsie: "I know that when we pass on our motrals turn to earth and as long as we exist by the water, let those of us who may return to the water. It is the Creator's will. ~~HexxxxxxxxWaklxxxWaklxxx@xxxxxxx~~
~~willxxxxxx~~

Charley Johnson: Not speaking for the Umatillas or Cayuses.
Walla Walla. Our group will remain.

Toy Toy. Speaking for Umatillas. Let those who are buried by this water that they loved so well and let them remain and be covered by the water. Most of the Umatillas are buried higher up, out of reach of the water.

Ernest Johnley: Mother buried on Rabbit Island.

Samuel Nash Nash-- a Cayuse-Nez Perce Indian.

Douglas Osborne, Act Field Director, River Basin Survey's

Smithsonian

This was intended to provide a means for unenrolled Celilos who hired an attorney to represent them in a group. It died in committee. Introduced July 13-54, Congress Records page 9875. [One of the complicating factors in this was the settlement had not been completed between the Army Engineers and the Yakimas. Celilos, including many who were enrolled on the Yakima tribe engaged an attorney to represent them, and of the Celilos some 200 were found enrolled on the Yakima or with the Yakimas. It was the idea of double payment that aroused suspicion etc. There appeared to be nothing to prevent Indians from "collecting double."]

Bill S 3742 relating to claims of the Mid Columbias was introduced by Mr. Morse, was received, was read twice by its title, referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the Record;

Be it enacted etc. That the Chief of Engineers is authorized for the purposes of the last proviso of the paragraph entitled "Construction General" in the Civil Functions Appropriation Act, 1954, to negotiate with the Mid-Columbia River Indian Right Council or any agent or attorney designated by such council, as the representative of the Indians whose names appear on the roll prepared under section 2 in connection with their claims arising out of the construction, operation or maintenance of The Dalles Dam, Columbia River, Ore. and Wash.

Sect. 2-The Secretary of the Interior is authorized and directed to prepare, at the earliest practicable date, a roll of the individual Indians who--

(a) through domicile at or in the vicinity of the Dalles Dam and through custom and usage, or through membership in a recognized tribe, are found to have an equitable interest in the fishery at Celilo Falls; and

(b) on the date of the enactment of the Civil Functions Appropriations Act 1954, were domiciled at or in the vicinity of the Dalles Dam.

Sec. 3-Any amounts determined to be payable to the Indians whose names appear on the roll prepared under section 2 of this act, in connection with their claims arising out of the construction, operation or maintenance of the Dalles Dam, shall be paid to such Indians individually, or to the guardians of those who may be minors or of unsound mind, except that no such payment shall be made to any Indian who is an enrolled member of a recognized tribe unless he executes a waiver in such form as may be prescribed by the Secretary of the Interior, of all right to or interest in any amounts payable to such tribe or the member thereof in connection with their claims arising out of the construction, operation, or maintenance of the Dalles Dam."

Morse...The Mid-Columbia River Indians had, for some time prior to the enactment of Public Law 153 encountered difficulties with the interested Government agencies in obtaining recognition as an Indian tribe with which a settlement could be effected for the loss of their valuable rights. These Indians retained counsel, participated in committee hearings in Washington, D.C., and upon inclusion in the Senate civil functions appropriation bill of the provision that ultimately appeared in Public Law 153, they assumed that their right to compensation as an Indian tribe was settled beyond question and that the Government would negotiate a final settlement under the authority of Public Law 153. The proviso in question reads as follows:

"provided further, that funds appropriated herein may, at the discretion and under the direction of the Chief of Engineers, be used in payment to the accounts of the Confederated Tribes of the Yakima Reservation; the Confederated Tribes of the Warm Springs Reservation; the Confederated Tribes of the Umatilla Reservation; or other recognized Indian tribes, and those individual Indians not enrolled in

any recognized tribe, but who through domicile at or in the immediate vicinity of the reservoir and through custom and usage are found to have an equitable interest in the fishery, all of whose fishing rights and interests maybe impaired by the government incident to the construction, operation or maintenance of the Dalles Dam, Columbia River, Wash., and Oreg. and must be subordinated thereto by agreement or litigation."

Despite the enactment of the foregoing language, the Department of the Interior has taken the position that "Departmental recognition of the existence of an Indian tribe as such" is "dependant upon ratification by the United States Senate of a treaty or agreement with an Indian tribe or revognition of a tribal entity under Federal statutes." Consequently, the Department of the Interior through its Bureau of Indian Affairs has concluded that it cannot regard the Mid-Columbia River Indians as a recognized ~~tribe~~ Indian tribe for the purpose, among other things, of appropriating contracts between Indian tribe and their attorneys.

The Army engineers have taken the position that they cannot negotiate with counsel for the Mid-Columbia River Indians until counsel qualifies by obtaining approval of the Bureau of Indian Affairs.

...

This is the law being used to relocate the permanent residents at Celilo. Some of these are non-enrolled. Some settlement agreements have already been executed for those not enrolled with Yakima, Warm Springs or Umatilla Reservations. Some at Celilo are still threatening to bring legal action and are working with attorneys who have apparently told them they could obtain three and four times as much as the individual lump sum settlements.

Pub. Law 163 All 69 Stat 361

Rivers and Harbors and Flood Control

The following appropriations shall be expended under the direction of the Secretary of the Army and the supervision of the Chief of the Engineer for authorized civil functions of the Department of the Army pertaining to rivers and harbors, flood control, beach erosion, and related purposes.

General Investigations [in margin: 46 Stat 918 33 USC 426 , 455, 569a, 607a; 48 USC 1399, Hurricane survey, Ante p. 112]

For expenses necessary for the collection and study of basic information pertaining to river and harbor, flood control, shore protection, and related projects, and when authorized by law, preliminary examinations, surveys and studies (including cooperative beach erosion studies as authorized in Public Law Numbered 520, Seventy-first Congress, approved July 3, 1920 as amended, and supplemented), of projects prior to ~~authorized~~ authorization for construction, to remain available and expended \$5,940,000, of which \$1,000,000 shall be available for the study authorized by P.L. 71 (Eighty Fourth Congress: provided, That of said total sum \$180,000 shall be used for a comprehensive investigation of the entire Alabama Coosa River and a report of said survey.

Construction General [In margin: 66 Stat. 1242, The Dalles Dam, Columbia River, payment to Indians.]

For the prosecution of river and flood control, shore protection and related projects authorized by law; detailes studies, and plans and specifications, of projects (including those for development with participation or under consideration for participation by States, local governments, or private groups) authorized or made eligible for selection by law (but such studies shall not constitute a commitment of the Government to construction): and not to exceed \$900,000 for transfer to the Secretary of the Interior for conservation of fish and wildlife as authorized by law; to remain available until expended; \$401,173,000, of which \$25,000 shall be available for the project at Playa del Rey and Harbor, Venice, California, , authorized by the River and Harbor Act of 1954, and \$68,000 shall be available for The Upper Iowa River Project; Provided, That funds appropriated herein may at the discretion and under the direction of the Chief of Engineers be used in payment to the accounts of the Confederated Tribes of the Yakima Reservation; the Confederated Tribes of the Warm Springs Reservation; the Confederated Tribes of the Umatilla Reservation; or other recognized Indian tribes, and those individual Indians not enrolled in any recognized tribe, but who through domicile or ~~at~~ in the immediate vicinity of the reservoir and through custom and usage are found to have an equitable interest in the fishery, all of whose fishing rights and interests will be impaired by the Government incident to the construction operation, or maintenance of The Dalles Dam, Columbia River, Washington and Oregon, and must be subordinated hereto by agreement or litigation; Provided further That not to exceed \$210,000 of funds appropriated herein may be transferred to the Secretary of the Interior for relocation of those permanent resident Indian families in The Dalles project who were domiciled within the project area on May 17, 1950, and to acquire such lands as may be necessary therefor on the condition that the Secretary of the Interior transfer to the control of the Secretary

of the Army for use in connection with the Dalles Dam project, Oregon, ~~xxx~~ an irregular shaped parcel of land containing in the aggregate approximately five and five tenths acres located in lot 1 of section 17 and in lots 1 and 2 of ~~xxx~~ section 20, township, 2 north, range, 15 east, Willamette meridian, Oregon, being a portion of the land previously transferred to the Secretary of the Interior of the Army pursuant to the Act approved February 9, 1929 (45 Stat. 1158). Title to the lands acquired by the Secretary of the Interior for the above stated purpose shall be taken in the name of the United States in trust for the individual Indian for whose benefit it is acquired; any such trust may be terminated by the Secretary of the Interior by conveyance of a fee simple title to the Indian or his heirs or devisees without application therefor when in the judgment of the Secretary of the Interior the Indian or his heirs or devisees are capable of managing their own affairs. In carrying out such relocation, the Secretary of the Interior may enter into a contract or contract with any state or political subdivision thereof: Provided further that not to exceed \$4,500,000 of the funds provided herein shall be available for the construction of small authorized projects selected by the Secretary of the Army (Lewis and Clark Irrigation District, Buford Trenton Irrigation District, Port of Astoria)....

Public Law 163, 84th Congress Chapter 370, 1st Session HR1766 (faded)

Approved July 15, 1955. Public Works appropriation (date faded) 1956.