

Smohalla

Umatilla Indian agency. Commissioner of Indian affairs, 1872

Sir: I have the honor to submit this my second annual report as agent for the Walla Walla, Cayuse and Umatilla Indians.

Since holding of the council in August, 1871, they appear to be better satisfied and have confidence that the government will protect them in their rights. This has induced some of them to go to work and cultivate the soil....

Shortly after taking charge of the agency, finding that white men were pasturing their stock on the reservation, I immediately notified all the white settlers living in the vicinity of the reserve that this was in violation of the laws of the United States and that any person trespassing after this notice would be prosecuted. Nearly all removed their stock at once. One or two parties still continuing to herd their stock on the Indian lands in spite of the notice given them. I entered complaint in the United States court and obtained judgment against them. This has had the desired effect, and we have had but little trouble since from this source.

Early in the month of August a small party of the Pannock band of Snake Indians who were sent down by their chief of that band paid a visit to these Indians for the purpose of inviting them to come and see them and make arrangements to trade with them. The Snake Indians have until the past few years been considered as hereditary enemies by the Indians here and believing that much good would result from the restoration of peace and harmony between the tribes I gave my consent for them to go. It being impossible for me to leave at the time, I sent my interpreter in charge of our Indians with instructions to keep me advised in case any difficulty should arise.

These Snake Indians procure large amounts of buffalo robes which they are anxious to trade with our Indians for horses and our Indians took

with them a considerable number of their poines for the purpose of making a trade. Our Indiahs have all returned much pleased with their visit and although they did not trade to a great extent, I am satisfied that it has been productive of great good.; and I have received letters from white citizens residing in the Snake country who say that the good advice given by our Indians to the Snakes to remain at peace with the whites will no doubt have great weight with those people.

Renegades..

In December, 1871, I had the honor to report to your predecessor, Hon A.B. Meacham the great difficulties under which we labor in consequence of the large number of renegade Indians who are gathered together on the Columbia river. I should estimate that there are now and have been for some time past, upward of two thousand of these renegades Indians ~~who~~ who belong to different tribes and bands but who are now controlled by an Indian named "Smo-hal-ler" or "Big Talk" or "Four Mountains." He has emissaries constantly traveling from one reservation to another trying to induce the Indians who are residing on them to abandon their homes and join his band. These Indians are under no control whatever by the whites. Superintendents and agents have made efforts at various times to induce them to remove to the different reservations in Eastern Washington and Eastern Oregon and Northern Idaho but without effect. And while they are allowed to remain and defy the power of the government, it is impossible for the several agents on the different reservations to exercise a proper control over their Indians. Complaints are constantly made by the whites of depredations committed by Indians and which they attribute to the ~~Cedewd~~ reservation Indians but which in nearly all cases are committed by these renegades on the Columbia river. This spring a few of our Indians belonging to Lalse's band of the Umatillas left the reservation to join the Indians on the Columbia and it has only been

by the greatest efforts that Homli , the chief of the Walla-Wallas has been restrained from leaving the reservation.

I am informed , unofficially that the government has laid off a reservation on which it is in contemplation to place all the "Indians of this section of country who have no settled homes. I hope such is the case and that they may be removed at an early date. Until this is done many of the Indians on the different reservations seeing that nothing is done by the government, constantly evince a desire to roam about and cannot be induced to settle down on their farms and adopt the habits of civilization, which I am satisfied they would do were these Indians removed.

.....Before closing this report I feel it my duty to refer to what I believe to be an unintentional error in the last annual report of the late superintendent, Hon. A.B. Meacham, in reference to schools on this reservation.

"He says a"At least one-half the Indians on the reservation are very much opposed to the Catholic religion and will not consent to have their children educated in that church."

There is no doubt that a large number of the Indians are still wedded to their old superstitions and are opposed to any religion whatever. There are a few families, certainly not more than six, who many years ago received some religious instruction from the Presbyterian missionaries but all of these send their children regularly to school and they themselves punctually attend ~~at~~ ^{devine} service on Sunday. With these few exceptions all those who profess to have any religion at all are Catholics, having received religious instruction from the priests of that church and many of them are not only professing Christians but by their daily life and actions show that they are not only Christians in name but in practice; and I am happy to say that their numbers are increasing and it is devoutly hoped that all may yet be brought to bear the words of truth. N.A. Cornover, U.S. Indian agent. To T.B. Odeneal, supt. IA Ore.

Smohalla ..fisheries

Warm Springs agency, Dept. interior Indian commissioner. 1872

Sir; In accordance with instructions I have the honor to submit the following as my fifth annual report of the condition of the Indians under my charge: (AG0090 September 1, 1872.)

The number of Indians belonging to this agency is about as follows:

Wascoes, 154 males, 134 females, 288 total.

Warm Springs 131 males, 158 females, 289 total.

Tininos-Sixteen males, 33 females, 49 total.

Total 391 males, 325 females, grand total 626.

I was unable to make a new census during the year. The last census was taken with great care and believing the details to have been equal to the births during the time, I have therefore adopted it as being much nearer correct than I could hope to approximate in any other way.

Of the number above mentioned about sixty are absent without leave and refuse to return. They belong to a religious sect known as ~~Smohalla~~ Smohollaha and refuse to obey the laws of the white men.

They left this agency while under the charge of my predecessor and I have been unable to induce their return. With the exception of above, the Indians are contented and their advancement during the year toward civilization has been great.

With few exceptions they have abandoned all their former manners and customs. Seventy-seven have made a profession of Christianity manifesting a great interest in the cause of their Redeemer.

...I wish to call your attention to the fact that the Indians have been refused the right to take fish from the Dalles fishery without remunerating the present claimants. I have had to pay Mr. Evans who claims these fisheries, \$60 per annum to

allow the Indians to fish there are all.

The Indians in their treaty reserved the right to take fish at these fisheries, Afterwards they were induced by the then superintendent Huntington to sign a supplemental treaty when they agreed not to leave the reservation without permission but never agreed to give up their right to the fishery.

From long use of fish they have become ^{so} accustomed to them as an article of food ~~and~~ that they seem indispensable to them. It is a ~~shame~~ shame that this right has been taken away from them, and I hope to see it again restored to them forever.

Last fall, under instructions from Superintendent Meacham I had the fishery surveyed sending him a plat thereof; since I have heard no more on the subject, I trust this matter will receive your prompt attention.

The Sonnamarsha country, before spoken of, was surveyed last summer. I have as yet received no plans of the survey and disputes are arising as to the location of claims. I would be pleased to receive the plats and locate the lots before the winter's fencing begins.

John Smith, U.S. Indian agent.

(To) T.B. Odeneal, esq.

Suptrintendent Indian affairs, Salem, Ore.

Menegades. (Smohalla religion)

Report of Commissioner of Indian affairs, 1872.

The Clatsops, Nestucans, Tillamooks and Nehalims with whom no treaty was ever made and who have received but little assistance or attention from the government number in the aggregate about two hundred.

They are now in Tillamook county, some thirty miles from the Grand Ronde agency. By the report of Agent Sinnott it appears that they desire to have lands allotted to them and to be allowed to send their children to school at that agency. I think these benefits and privileges should be extended to them.

In Wallowa valley in the eastern part of the state there are about two hundred Nez Percés, who claim that they were not parties to the treaty made with their people several years ago; that the valley belonged to this tribe at the time of making this treaty; that they have lived there ever since; that this has always been their country and they oppose its settlement by the whites. Having been directed to inquire into the facts in reference to these Indians and ascertain their needs, I will make this matter the subject of a special report.

The Indians mentioned by Agent Conrad Cornoyer in his report as being now on the Columbia river, numbering in his opinion two thousand, are a source of considerable annoyance to the agent at Warm Springs and Umatilla.

They have a new and peculiar religion by the doctrines of which they are taught that a new God is coming to their rescue; that all the Indians who have died heretofore and who shall die hereafter are to be resurrected; that as they then will be very numerous and powerful they will be able to conquer the whites and recover their lands and live as free and unrestrained as their fathers lived

in olden times.

Their model of a man is an Indian; they aspire to be Indians and nothing else. About four hundred of them belong at Umatilla agency, one hundred at Warm Springs and the remainder in the territories of Idaho and Washington. I understand that repeated ineffectual efforts have been made to induce them to return to their reservations. It has not been practicable for me to confer personally with them. It is though by those who know them best that they cannot be made to go upon their reservation without at least being intimidated by the ~~poesent~~ presence of military force.

The estimates of the number of Snake Indians not now on any reservation range from six hundred to twelve hundred. A new reservation was recently selected for them on the headwaters of Malheur River but the selection has not been approved as yet and the Indians are still roaming over the east slope of country which they claim as their own. Their wants have heretofore been fully presented to you and it is not necessary that I should repeat anything contained in my recent report on their condition.

T.B. Odeneal, superintendent Indian affairs in
Oregon.

Smohalla

Fishing rights

Warm Springs Agency, Sept. 1, 1873

Sir:

In compliance with the regulations of the Indian department service I am submitting the following as my annual report for the time intervening between the date of my last report and September, 1873

I have not been able to make a new census during the year but presume that the deaths and births are about the same and the census of the year of last year will therefore apply to this, making in all the number of Indians belonging to this reservation 626.

About thirty-nine of this number are absent without leave. They left the reservation while under the charge of my predecessor. They were induced to do so by the influence of bad men; and also they are believers in a superstition known as the Smohollah.

This religion, if such it may be called, is believed by nearly all the Umatillas, Spokanes, a great number of the Yakimas and many renegades of other reservations.

The religion is like that of the Mormons and ministers and works on the evil passions. The main object is to allow a plurality of wives, immunity from punishment for law-breaking and allowance of all the vices--especially drinking and gambling--are chief virtues in the believers of this religion. Some provision should be made at once for placing all these outlaws on a reservation where they could receive the benefit of strict law rigidly enforced.

;....I have to report that the salmon-fishery at the Dalles on the Columbia has been claimed by white men and that the Indians are forbidden to fish thereat. The Indians reserved the right to fish at that fishery in their treaty of June, 1855. Afterward they made a treaty to visit the fishery on passes from

their agent; but from some cause the treaty, as approved, makes them give up their right. I have investigated this matter and have the evidence of the person who interpreted to the Indians that nothing was said as to their giving up this right and I am therefore fully satisfied that the treaty is a great wrong and that the fishery rightfully belongs to these people and I trust that measures will be at once taken to restore it to them.

For report of day school see report of teacher, herewith transmitted.

I would also call attention to the report of the physician.

John Smith, U.S. Indian agent. To Hon commissioner of Indian Affairs, Wash., D.C.

Colville---Dreamers and Drummers.

Report of Indian commissioner, 1875

..There are eight tribes belonging to the agency, numbering in the aggregate 3,117 souls as near as can be ascertained. Only ~~three of said~~ three of said tribes however resided upon the reservation west of the Columbia, viz, the Okanagans, Sanpoels and Nespeelums, numbering 830 in all.

The Colvilles, 650, are located in the Colville valley and on both sides of the Columbia from Kettle Falls down to the mouth of the Spokane river. The Lakes, 242, are located on both sides of the Columbia river from Kettle Falls north to the British line. The Callispels or Pend d'Oreilles, 395, are located on both sides of the Pend d'Oreille or Clark's fork of the Columbia in the vicinity of Callispel lake.

The Spokanes live on both sides of the Spokane river from its mouth to Idaho and the Methows, 315, are located on the west side of the Columbia river from the mouth of the Okanagan to the Wenatchee river.

"With the exception of the Sanpoels, Nespeelums and Methows, who never visit the agency (and the two former have invariably refused to acknowledge the authority of the government or its agents) There is every reason to be satisfied with the peaceable and friendly disposition of the abovementioned tribes and with the trial they seem to be making to adapt themselves to the pursuits of civilized life.

Prophets...

The Sanpoels and Nespeelums, who may be regarded as one tribe, are wholly under the control of their preachers or prophets, who are called dreamers and are distinct from the drummers who live lower down on the Columbia. They tell their followers that truth is revealed to them (the prophets) directly from heaven and all that is necessary to secure ~~the~~ ^{their} well being in this world and happiness in the next

is to obey them implicitly and that they do almost without an exception.

A distrust of the white man and a disregard of their teaching and laws seems to be the foundation of their faith and no one is permitted to acknowledge a y authority emanating from them.

They are having a bad effect upon the surrounding tribes, offering to the turbulent and disorderly a place of refuge and immunity from punishment. The whites living in their vicinity complaint that they steal their horses and kill their cattle and commit other acts of lawlessness. Unless some steps are taken to bring them to a sense of their duty ~~the~~ serious difficulty may be apprehended. The agent is powerless and they can only be dealt with by the strong arm of the military. I am of the opinion that the speediest and most effectual means of bringing them to terms is to arrest the ringleaders, not over six, and send them to some distant reservation and forbid them to return to their country. It would strike terror among them, as an Indian ~~needs~~ dreads nothing so much as to be forced from his home and friends. The tribe would then be easily controlled. The chief is a well meaning man but has lost his influence and blindly follows the prophet.....John A. Sams, United States Indian agent.

Nez Perce War--Smohalla...Commissioner of Indian affairs, 1877

The Nez Percés originally inhabited the country in Idaho lying between the Bitter Root and Blue Mountains and extending from the Pelouse River on the North to the Salmon river and valley on the south. By the treaty of June, 1855, signed by 58 chiefs, head men and delegates a portion of this territory on the west and south was ceded to the United States. Chief Lawyer occupying the Kamiah Valley, Big Thunder the Lapwai, Timothy the Alpewai, Joseph the Wallowa and Billy the Salmon River valley.

Upon the discovery of gold in the fall of 1860 the reservation was soon overrun with settlers rushing to the mines and to avoid a conflict between them and the Indians an agreement was entered into, but not confirmed by congress, on the 10th of April, 1861, between Superintendent Geary and Agent Cain on one part and Chief Lawyer, with 47 chiefs, headmen and delegates on the other part, whereby that portion of the reserve lying south north of the Snake and Clearwater Rivers, the South Fork of the Clearwater and the trail from said South Fork by the "Weipo root ground" across the Bitter Root mountains was opened to the whites in common with the Indians for mining purposes.

In defiance of law and despite the protestations of the Indian agent, a town-site was laid off in October, 1861 on the reservation and Lewiston, with a population of 1,200, sprung into existence. To this another grievance was added in the distributing of annuities, articles being supplied in inadequate quantities. In 1862 only 247 blankets were furnished the tribe or one blanket to six Indians and 4,393 yards of calico which was less than two yards to each Indian. Giving a blanket to one Indian works no satisfaction to the other five, who receive none, and two yards of calico to each Indian affords but little help and no advancement; yet this was all that could be distributed owing to the meagre appropriations allowed.

By the spring of 1863 it was very evident that, from the

change of the circumstances and contract with whites a new treaty was required to properly definite, and if possible, curtail the limits of the reserve. Accordingly on the 9th of June, 1863, Calvin H. Hale, Charles Hutchins and S.D. Howe, commissioners on the part of the U.S. and Chief Lawyer, whose opinion Governor Stevens held in higher esteem than that of any other Indian in the territory, with fifty other chiefs and headmen (twenty of whom were parties to the treaty of 1855 on the part of the Nez Perces made a new treaty whereby the reserve was reduced to its present limits, excluding Wallowa, Salmon River and Alpawai valleys.

After the conclusion of these negotiations the Nez Perce tribe divided into two factions, viz, the treaty or peace party and the non-treaty or war party, the latter being led by Joseph, Looking Glass, Big Thunder, White Bird and Eagle from the Light.

Chief Joseph and his band utterly ignoring the treaty of 1863 continued to claim the Wallowa valley where he was tacitly permitted to roam without restraint until the encroachments of white settlers induced the government to take some definite action respecting this band of non-treaty Nez Perces.

A commission, consisting of Hon J.P.C. Shanks, Hon T.W. Bennett and Agent H.W. Reed was appointed March 26, 1873 to investigate and report upon Indian affairs in Idaho; and Supt. T. Odeneal and Agent J.B. Monteith were designated February 7 and 25, 1873, respectively as a special commission to make an investigation and hold a council with Chief Joseph and band and other Indians occupying Wallowa valley in Oregon with a view to their removal, if practicable, to Lapwai, reserve.

The first named commission state the source of the then existing troubles with the Nez Perce Indians to have been the encroachment of

the whites upon their farming lands and upon their fishery and hunting grounds, as well as the actual settlement of four white men within the limits of the reduced reservation in violation of treaty stipulations.

The other commission held the removal of these roving Nez Perce's to the Lapwai reservation to be impracticable

So long as the Wallowa Valley remained unsettled, Chief Joseph and his followers retained it in quiet possession, under the full sway and influence of Smohalla and other "dreamers" or medicine-men who held that the earth was a part of themselves and that Chief Joseph had a right to roam wherever impulse or inclination led him. As a removal had been declared to be impracticable and his right as a non-treaty Indian to occupy the Wallowa Valley was still mooted, it was deemed to be good policy, in avoidance of a conflict liable to be the result of additional settlement to declare the valley an Indian reservation and thereby check further encroachment of settlers until some decisive action could be taken by Congress to remove the whites from Lapwai reserve and to settle the non-treaty Indians thereon. Accordingly on the 16th of June, 1873 the President declared the Wallowa valley a reservation for the roving band of Nez Perce' Indians so long as they remained peaceable and committed no depredations on the settlers or their improvements. There being a number of settlers within the reservation thus set apart by the President an appraisal of their improvements was made and submitted to the department to be recommended for appropriate legislation. Congress, however, failed to make an appropriation for the payment of the claims of these settlers and Chief Joseph, after a lapse of two years, showed a disposition neither to settle upon the Wallowa reserve nor to respect the rights of property of the whites whom he encountered

in his unrestricted ~~reserved~~ roving. ~~According to the~~ ~~order of~~ ~~the~~ ~~Indian~~ ~~office~~ ~~then~~ ~~recommended~~ ~~revocation~~ ~~of~~ ~~said~~ ~~order~~, which was signed by President Grant June 10, 1875.

Owing to the imminent danger of a conflict between the settlers and roving ~~bands~~ of Indians growing out of the murder by the whites of one of Chief Joseph's band, and of the depredations upon the crops and stock of the whites by the Indians, a commission consisting of D.H. Jerome, Esq. Brig. Gen. O.O. Howard, Maj. H. Clay Wood, A.A.G. and William Stickney, esq and A.C. Barstow esq. of the board of Indian commissioners was appointed in October, 1876 by the Secretary of the Interior, Hon. Z. Chandler, to visit these Indians with a view to secure their permanent settlement upon the reservation and their early entrance upon a ~~civilized~~ civilized life, and to adjust the difficulties then existing between them and the settlers.

The report of the commission, submitted December 1, 1876, which accompanies this report, page 183) recommended, first:

the return of the dreamers or medicine men to the reserve and in case of refusal, their transportation to the Indian territory; secondly, the speedy military occupation of the Walla Walla valley by a force adequate to suppress any outbreak, the agent in the mean time to continue his efforts in persuading them to settle upon the reserve; thirdly, failing to secure a quiet settlement upon the reserve that forcible means be used to place them on it; and fourthly, should depredations upon the property of any overt act of hostility by the Indians be made, the employment of sufficient force to bring them into subjection and to place them on the reservation.

The department acted

upon the recommendations, instructing the agent to hold interviews with these Indians and also requesting the War Department to take military occupation of the valley in the interest of peace and to cooperate with the agent in the effort to place Chief Joseph and his band in permanent homes upon the Lapwai reservation.

General Howard with Agent Monteith took charge of the proposed negotiations. Several interviews were held with Chief Joseph but owing to the pernicious influence of the dreamers--Smohalla especially--no suggestion from the Indian agent seemed to Chief Joseph worthy of consideration; and it becoming evident to Agent Monteith that all negotiations for the peaceful removal of Joseph and his band, with other non-treaty Nez Perce Indians to the Lapwai Indian reservation in Idaho must fail of a satisfactory adjustment, General Howard was placed in full control of all further attempts for their removal.

He held three councils with these Indians, on the 3rd, 4th and 7th of May last, respectively in which Joseph, Looking Glass, White Bird, and three chief leaders of all the non treaty Indians agreed to go upon the reservation with their several bands. In accordance with this agreement, arrangements were made to visit the several localities on the reserve suitable for the settlement. The first visit was made on the 8th of May to the valley of Lapwai for a location for Joseph and his band. The next day Looking Glass and White Bird visited the valley of the Clearwater at the mouth of the Kamiah creek. There, among the Kamiah Indians, Looking Glass proposed to settle upon the spare lands of this valley.

On the 10th of May they proceeded some 16 or 18 miles up the Clearwater where they found a country abounding in wood, water and grass with plenty of arable land. Encouraged by Looking Glass, White Bird settled upon this as his location.

Having accomplished this part of their plans the Indians met on the 15th of May at Ft Lapwai to hold a final council in regard to the removal of their bands to these localities and agreed to remove their stock and settle thereon in thirty days. So confident were General Howard, Inspector Watkins and Agent Monteith of the honesty of purpose of the Indians displayed and their definite selection of homes that they felt justified in telegraphing the successful termination of any danger of an outbreak and the approaching peaceable removal of all non-treaty Indians to suitable homes within the limits of the reservation.

One day however, prior to the expiration of the time fixed for their removal (namely June 14, 1877) open hostilities by these Indians began by the murder of 21 white men and women on White Bird Creek near Mount Idaho in revenge for the murder of one of their tribe. The few troops under the command of General Howard were ordered out at once and on the 17th of June Captain Perry made the first attack in a canon of Hangman's Creek near Spokane, 75 miles east of Lewiston, losing thirty-four men. On the fourth of July, the attack was renewed by Colonels Perry and Whipple at Kamiah near Cottonwood on Salmon River with a loss of 13 men. The next battle was under the immediate command of General Howard which occurred on the 12th of July on the South Fork of the Clearwater near the Mouth of Cottonwood creek, the government sustaining a loss of 11 killed and 26 wounded. On the 19th of July the Indians were reported as having fled on the Lolo trail to the buffalo country east of the Bitter Root Mountains having crossed the Clearwater 20 miles below at Kamiah.

.... This failing him, the General and General Miles renewing the attack the next day, he was compelled to end the long and severe struggle on the 5th of October, by an unconditional surrender of all

forces.

There is , however, an insuperable difficulty in the way owing to the fact that at the beginning of the outbreak of the Nez Perce war, two ~~000~~ 21 whites in the immediate vicinity of Joseph's home were murdered in cold blood by the Indians and six white women outraged. Because of these crimes, there would be no peace or safety for Joseph and his Indians in their old reservation, or in its vicinity as the friends and relatives of the victims would wage an unrelenting war upon the offenders. But for these foul crimes these Indians would be sent back to the reservation in Idaho. Now, however, they will have to be sent to the ~~reservation~~ Indian territory..

...Upon the capture of Joseph and his Indians the first question that arises is "What shall be done with them.?" Humanity prompts us to send them back and place them on the Nez Perce reservation as Joseph and his followers have shown themselves to be brave men and skillful soldiers, who with one exception have observed the rules of civilized warfare and have not mutilated their dead enemies..

cause of trouble with the non-treaty Indians including Joseph and his followers:

The dreamers among other pernicious doctrines teach that the earth being created by God complete should not be disturbed by man and that any cultivation of the soil or other improvements to interfere with its natural productions, any voluntary submission to the control of the government, any improvement in the way of schools, churches etc. are crimes from which they shrink. This fanaticism is kept alive by the superstitions of these "dreamers" who industriously teach that if they continue steadfast in their present belief a leader will be raised up in the East who will restore all the dead Indians to life, who will unite with them in expelling the whites from their country, when they will again enter upon and repossess the lands of their ancestors.

Influenced by this belief Joseph and his band firmly declined to enter into any negotiations or make any arrangement that looked to a final settlement of the question pending between him and the government.

...we therefore recommend:

First: That the leaders and teachers of what is known as the "dreamer" belief be required to return to the agencies where they belong forthwith and in case of refusal that they be removed from further contact with the roaming Indians by immediate transportation to the Indian territory.

There is at least one such "dreamer" with Joseph's band to whom reference has been previously made in this report.

...~~Conclusion~~

Second--With this pregnant cause of trouble thus removed so long as Joseph and his band remain in the Im-na-ha valley and visit the Wallowa valley for hunting, fishing and grazing for only a short time

Dreamers..Nez Perce

Commissioner of Indian Affairs, 1877

Report of Civil and Military Commission to Nez Perce Indians
Washington Territory and the Northwest....Portland, Ore. Dec 1, 1876.

..An appointment was secured for a council to be convened in the church at Lapwai near the agency on Monday, November 13, 1876 at 12 a.m. nearly a week after the arrival of the commissioners.

..October 28 the commission left by steamer for Portland(from San Francisco) arriving there November 1 where the commission was organized by choice of Mr. Jerome as chairman and Mr. Stickney as secretary. Joined by Colonel Wood(Copy) the commission left Portland November 3 and proceeded by steamboat, railroad and stage to Lapwai, Nez Perce, Indian agency 370 miles from Portland, reaching there Tuesday night, November 7. (Brevt Col. Clay Wood.)

....the reply to all such suggestions, seriously made and oft repeated both by Joseph and his brother was to the effect that the "Creative Power" when he made the earth made no marks, no lines of division or separation upon it, and that it should be allowed to remain as then made. The earth was his mother. He was made of the earth and grew up on its bosom. The earth, as his mother and nurse was sacred to his affections, too sacred to be valued by or sold for silver and gold. He could not consent to sever his affection from the land that bore him. He was content to live upon such fruits as the Creative Power placed within and upon it and unwilling to barter these and his free habits away for the new modes of life proposed by us. Moreover the earth carried chieftianship, which the interpreter explained to mean law, authority or control and therefore to part with the earth would be to part with himself. He did not desire Wallowa Valley as a reservation, for that would subject him and his band to the will of and dependence on another, and to laws not of their own making. ...

each year, we recommend a speedy military occupancy of the valley by an adequate force to prevent a recurrence of past difficulties between the whites and the Indians. Meanwhile the agent of the Nez Perces should continue his efforts to settle these Indians in severalty upon the lands of the reservation ~~and~~ that are still vacant.

Third*-Unless they should conclude to settle quietly as above indicated, within a reasonable time in the judgment of the department they should then be placed by force upon the Nez Perce reservation and in satisfaction of any possible rights of occupancy which they may have, the same aid and allotments of land granted to the treaty, Nez Perces should be extended to them on the reservation.

Fourth: If these Indians overrun land belonging to the whites and commit depredations upon their property, disturb the peace by threats or otherwise or commit any other overt act of hostility, we recommend the employment of sufficient force to bring them into subjection and to place them upon the Nez Perce reservation.

The Indian agent at Lapwai should be fully instructed to carry into execution these suggestions, relying at all times upon the department commander for aid when necessary.

Fifth*-We recommend the adoption of a similar policy toward the other non-treaty Indians of the Yakima, Umatilla and Nez Perce agencies including other Indians who have wandered from their reservation and for this purpose the agents having the care of these reservations should be directed to take similar action to that recommended for the Nez Perce agent.

Non compliance by the government with its treaty obligations

During an interview held with the agent and treaty Indians for the purpose of ascertaining whether there were sufficient unoccupied tillable lands for Joseph's band on the reservation and for the further purpose of securing their cooperation to aid us in inducing

Joseph to come upon the reservation, facts were brought to our attention of a failure on the part of the government to fulfill its treaty stipulations with these Indians. The commission therefore deem it their duty to call the attention of the government to this subject:

First, Article 2 of the treaty of June 9, 1863 provides that no white man excepting such as may be employed by the Indian department shall be permitted to reside upon the reservation without permission of the tribe and the superintendent and agent.

By reference to page 3 of our proceedings at Lapwai hereto appended will be found the statement of Mr. J.B. Monteith, the United States Indian agent to the effect that W.G. Langford asserts a claim of 640 acres, covering that at present occupied by the agency. L

Finney claims and occupies as much more.

Colwell claims and occupies about seventy-five acres.

D.B. Randall claims 50 acres.

It is clearly the duty of the government to adjust and quiet these claims and remove the parties from the reservation. Each day's delay to fulfill this treaty stipulation adds to the distrust of the Indians in the good faith of the government.

By reference to page 8 of proceedings hereto appended it will appear the commission adopted a resolution recommending the agent to revoke the license given Randall by James O'Neil a former agent for the location of a stage-station on the reservation and to take possession of the land. This recommendation was deemed proper, inasmuch as the station has been abandoned for more than a year, there being no further use of it and the lands were wanted for the use of the Indians.

...The failure of the government to comply with this important provision of the treaty causes much uneasiness among the Indians who are

little inclined to spend their labor and means in improving ground held by the uncertain tenure of the pleasure of an agent. (Fourth it is provided that certificates (or deeds) for such tracts shall be issued to individual Indians...) (referring to above.)

Fourth Article 7 of the treaty provides for a payment of \$4,665 in gold coin to them for services and horses furnished the Oregon ~~mounted~~ ~~volunteers~~ ~~mounted~~ ~~volunteers~~ in March, 1856.

It is asserted by the Indians that this provision of the treaty has hitherto been disregarded by the government.....

Consolidation of the agencies.

The commission is instructed to "take into consideration the subject of reducing by consolidation the number of reservations in the territories visited and, if such a course shall be deemed advisable to make recommendations as to the location of the consolidated agencies and the methods to be pursued to secure such consolidation.

...All the Indians in Oregon and the territories of Washington and Idaho could be well accommodated with sufficient arable land, suitable in soil and climate for comfortable homes upon the Nez Perce and Yakima reservation alone. Here they would also find ample pasture lands for all their herds, supplies of pine, fure and other lumber suitable for building fencing and fuel, ~~and~~ streams filled with fish and mountains teeming with game.

..Owing to the difference in religion it will probably conduce to harmon and success to consolidate ~~as~~ so as to keep the Roman Catholics and Protestants separate as is now the case and considering the differences of character caused by the difference of occupation of the Indians on and near Puget Sound from those in the interior it will probably be best to reduce these to two reservations, one Roman Catholic and one Protestant, thus keeping the ~~the~~ Sound Indians

where they can pursue their present mode of living, viz working for lumbermen and fishing. The Indians of a few reservations on and near the mainland for example, Puyallup, Chehalis, S'Kokomish etc. might be taken to the Yakima and become farmers and stock raisers.

Recapitulation

The following summary of recommendations is submitted:

First: That the leaders and teachers known as "dreamers" belonging to non-treaty and roaming Indians (there being at least one with Joseph's band) be required to go upon their own reservations. In case of refusal that they be removed to the Indian territory.

...Seventh: That the fourteen agencies within the limits of the department of the Columbia be reduced to five selling the abandoned reservations for the benefit of the Indians removed and permitting heads of families if they choose to remain and settle in severalty.

Eighth: That the necessary steps be taken to invest agents with judicial authority similar to that now exercised on the Yakima reservation.

That the tribal relations be speedily dissolved, the practice of paying chiefs discontinued and all Indians be held amenable like the whites to civil law.

Our instructions further require suggestions with a view of securing certainty, uniformity and promptitude in the execution of United States law both for whites and Indians. In that part of the country who are brought in contact with each other."

(On the Yakima reservation the agent has been appointed by the district court a judicial officer i.e. a United States Commissioner. He declares that this arrangement with his added authority as agent enables him to meet all possible cases of violation of law and secures the certainty, uniformity and promptitude of execution of

the laws.

....D.H. Jerome

O.O. Howard

William Stickney

A.C. Barstow.

T^o Hon J.Q. Smith, commissioner of Indian affairs, Washington, D.C.

Commissioner of Indian affairs 1877.

Malheur agency, Oregon, August 14, 1877...pp 172.

Special Agent W.M. Turner arrived on the 4th instant and reports as follows (PP 174)

Sir: I have the honor to report to you that immediately upon notice of my appointment as special Indian agent I proceeded to this place via Goose Lake and Warner Valleys. I chose this route in order to learn the locality of the various straggling bands belonging to the Malheur agency and to ascertain the temper of the settlers in regard to Indians roaming off their reservation.

I found three lodges of Snakes twelve miles east of Goose Lake who were not communicative. I ascertained that O-cho-ho with about 15 men was in the neighborhood of Camp Bidwell and learned from a reliable source that this chief says he will die rather than go to Yainax:" and I am informed by O.C. Applegate, a former subagent at Yainax that there is some doubt about that being his proper reservation. I think he can be brought here without great difficulty.

I met a very intelligent man belonging to Chief Winnemucca's band who informed me that about thirty of said band, men, women and children were at Stein's Mountain and the remainder at Three Forks on the Owyhee River in Idaho.

My informant expressed the belief that Winnemucca would not, himself, come to Malheur, assigning as a reason that he was unwilling to work and was in danger of starvation on a reservation, and relying upon the hope that he would be allowed to locate in Duck Valley independent of government control.

(This is the part information is wanted about if enlarged on)....
....I have had an interview with a band from Priest Rapids on the Columbia, who professed friendship but demanded the right to choose

their own locations as whites do, and as their band had caused much alarm and annoyance in John Day Valley, I look forward to early trouble between them and the settlers, unless they are removed to a reservation by force.

Chief Egan, with most of his people, is on his way here, and I think his cooperation may be secured to bring in a troublesome band of Wiesers, now in the Payette valley. I find the settlers alarmed and universally demanding the removal of straggling Indians to their reservations, and I am now ready to offer my services with a view to this end.

I am , very respectfully, Wm. M. Turner.

Special Agent.

Office Siletz Indian Agency, Toledo, Benton county, Oregon,
August 20, 1877.

..Some opposition to the progress of Christianity among them has been manifested by a few of the "dreamers" or spiritualists, though their opposition has only been shown in words, and has produced no serious effect on the professing Christians.

..William Bagley, U.S.

Indian agent.