

Indians Taxed and Indians Not Taxed in the United States, 11th Census, 1890. Government Printing Office, 1894.

p. 663.

Every Indian born within the territorial limits of the United States who has voluntarily taken up within said limits his residence separate and apart from any tribe of Indians therein and has adopted the habits of civilized life, is hereby declared to be a citizen of the United States and is entitled to all the rights, privileges and immunities of such citizens, whether said Indian has been or not, by birth or otherwise, a member of any tribe of Indians within the territorial limits of the United States, without in any manner impairing or otherwise affecting the right of any such Indian to tribal or other property.

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The United States adopted the principle originally established by European nations, that the aboriginal tribes were to be regarded as the owners of the territories they respectively occupied.

(United States vs Rogers; 4 How. 567 (1846) Johnson v M'Intosh 8, Wheat, 574-584 (1823); United States vs Kagama, 118 U.S. 381-382 (1886); 3 Kent 378; Washb, R.P. 521.

If the tribal organization of Indian bands is recognized by the national government as existing, that is to say if the government makes treaties with and has its agent among them, paying annuities and dealing otherwise with "headmen" in its behalf, the fact that the primitive habits and customs of the tribe have been largely broken into by intercourse with the whites does not authorize a state government to regard the tribal organization as gone and the Indians as citizens of the state where they are and subject to its laws. (d) (d) The Kansas Indians, 5 Walla, 737-756 (1866) Davis, J.

When members leave their tribe and become merged into the mass of the people they owe complete allegiance to the government of the United States and are subject to its courts.

...In constructing a treaty, if words be used which are susceptible of a more extended meaning than their plain import as connected with the tenor of the treaty, they should be considered as used in the latter sense. How the words were understood by the unlettered people, rather than their critical meaning, should form the rule of construction. (1) (1) Worcester v. Georgia, 6 pet. 582 (1832), McLean, J.

The relations between the United States and the different tribes being those of a superior toward inferiors who are under its care and control, its acts touching them and its promises to them in the execution of its own

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policy and in the furtherance of its own interests are to be interpreted as justice and reason demand in all cases where power is exerted by the strong over those to whom are due its care and protection. The inequality between the parties is to be made good by the superior justice which looks only in the substance of the right, without regard to technical rules framed under a system of municipal jurisprudence formulating the rights and obligations of private persons equally subject to the same laws. A treaty is not to be read as rigidly as a document between private persons governed by a system of technical law, but in the light of that larger reason which constitutes the spirit of the law of nations.

(a)(a) Choctaw Nation v United States 119 U.S. 28(1886)

Matthews, J. On Indian Citizenship See 20 Am. Law Rev. 183-193(1886) cases.

## Expatriation

The right of expatriation is inalienable and extends to individuals of the Indian race. (c) (c) United States ex rel. Standing Bear v. Crook, 5 Dill 453 (1879).

No state laws have any force over Indians in their tribal relations..the civil laws of the state do not extend to any Indian country within a state (United States v Shanks, 15 Minn, 369) nor to Indians maintaining tribal relations (~~United~~ States v Payne 4, Dill, 389.)

Indians Taxed and Indians Not Taxed. Department of the Interior, Census Office. Eleventh Census: 1890, Washington, D.C., Government Printing Office, 1894. 52d Congress, 1st Session, HR Mis. Doc. No. 340, Part 15.

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<sup>4</sup>  
Census of 1850

The United States censuses prior to 1850 did not include Indians, and they were not stated in the total of population. The Indian census of 1850 grew out of an enumeration of the Indians under authority of the following clause in the Indian appropriation act of June 27, 1846:

And it shall be the duty of different agents and subagents to take a census and to obtain such other statistical information of the several tribes of Indians among whom they respectively reside as may be required by the Secretary of War, and in such form as he shall prescribe.

In the Seventh Census of the United States, 1850, page XCIV, appears a table of Indian population, which includes a statement by the Commissioner of Indian Affairs, dated November 10, 1853, of the number of Indians in the United States at that time. The aggregate, according to this statement, was 400,764, but this does not profess to be accurate, for the number of Indians in the states of South Carolina, California and Texas, the territories of Oregon, Washington, Utah, and New Mexico and those belonging to the Blackfeet, Sioux, Kiowa, Comanche, Pawnee, and other tribes, numbering, according to the table, 272,130, are confessedly "estimates." Thus, while Schoolcraft in his statement dated July 1, 1850, reports the California Indians at 32,231, this statement, 3 years later, "estimates," their number at 100,000.

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Indians in the United States in 1853

The following statement was made up on November 10, 1853, at the request of the Superintendent of the Seventh Census, 1850,

by the Commissioner of Indian Affairs. It is valuable as showing the location of the Indian tribes which form a portion of the inhabitants of the territory of the United States, though they are not included in any of the enumerations of 1850, except in a few cases, which can not affect the general correctness of the table. The total number of Indians in 1789 is 76,00; for 1825, 129,366; for 1853, 400,764. The exceedingly large estimate of 100,000 Indians for California swells the number above other estimates.

Indians in the United States in 1853, with the number in 1789, and 1825, showing their location

Name of tribes and location in 1825

p. 17	1789	1825	1853	(east omitted)
Oregon and Washington Indians	----	-----	23,000	
California Indians	----	9099-	100,000	
Utah Indians	----	-----	11,500	

Census of 1860

Civilized Indians in the States and Territories in 1860

	Total	male	female
Nevada	----	----	-----
Utah	89	46	43
Washington	426	195	231

States

Oregon	177	64	113
--------	-----	----	-----

The civilized Indians and the unenumerated Indians, as given in the two tables for 1860, aggregate 339,421.

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Indians in the States and Territories Retaining their Tribal Character Not enumerated in the Eighth census, 1860

Oregon	7,000
Washington Territory	31,000
Utah Territory	20,000

Wanapums research

Department of the Interior Census Office

Report on Indians Taxed and Indians Not Taxed in the United States Except Alaska, at the Eleventh Census: 1890; Government Printing Office, 1894. 52d Congress, 1st session : HR Mis. Doc No. 340, Part 15.

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"The Book of the Indians of North America" by Samuel J. Drake has a list of the principal tribes of Indians in the United States with their locations, in 1832, with an estimated population of 293,933. This list of about 200 tribes contains many local names.

Indians in the United States in 1832 (Samuel J. Drake)  
(Only tribes pertinent in west, listed)

Chopunnishes, on the Kooskooskee, 2,000 and on Lewis river below Kooskooskee, to the Columbia, 2,300; in all, in 1806, 73 lodges.

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Eskeleots on the Columbia; 1,000 in 21 lodges or clans

Kimocnims, band of Chopunnish, on Lewis river; 800 in 33 clans.

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Ootlatshoots, tribe of the Tuskepas, on Clarke river, west Rocky Mountains, about 400.

Pelloatpallah, tribe of the Chopunnish, on Kooskooske, about 1,600.

Pishquitpahs, north side Columbia at Muscleshell rapids, about 2,600.

Quathlahpohthles, southwest side Columbia, above the mouth of the Tahwahnahlooks. (no figure given.)

Shahalahs, at the Grand Rapids of the Columbia river, 2,800 in 62 lodges.

Snake Indians or Shoshones; borders Rocky Mountains, about 8,000.

Shoshones, or Snake, driven into the Rocky mountains by the Blackfeet. (no figure given.)



(Indian tribal names)

Report: Indians Taxed and Indians Not Taxed in the United States  
At the Eleventh Census, 1890. 52d Congress 1st Sess. Mis. Doc.  
340, Part 15. Government Printing Office, 1894. p. 28

During the early settlement of the Atlantic coast and the South Pacific coast the Europeans were led to believe by the natives that the interior of the present United States teemed with an aggressive, enterprising and ingenious aboriginal population. Based upon these stories estimates of Indian population were made and names of tribes given which had only imagination for authority. Many early European writers chronicled these legends as facts. Investigation shows that the aboriginal population within the present United States at the beginning of the Columbian period could not have exceeded much over 500,000, that portions of families or stocks of Indians were given as original tribes and that many small bands of the same tribe were given as separate tribes.

Probably no Indian tribe in the lists given bears its own name. The tribes were generally known by names given them by white people. This is one of the most singular facts in history. Indian tribes have within themselves several names, just as individual Indians have frequently half a dozen names; some have signed treaties with several names. Prior to colonial times the lists of names of Indians were kept by the local or colonial authorities.

Just prior to and during the Revolutionary war officers of the army kept them. In 1812-1813 and after publication of the report of Lewis and Clarke's expedition, a list of the tribes (some 86) these explorers had met along the Missouri and Yellowstone and branches of the Columbia and its waters was prepared by them. Other explorers, traders and hunters had made lists also, but they were generally partial and incomplete. The lists were kept in the office of the Commissioner of Indian Affairs, War Department from 1813 to 1849, when the Indians passed under control of the Interior Dept.

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Smokshops, on Columbia river, at mouth of Labiche; 800 in 24 clans.

Sokulks, on Columbia above Lewis river; about 2,400 in 120 lodges.

Soyennoms, on east fork Lewis river; about 400 in 33 villages.

Wahowpums on the north branch of the Columbia; about 700 in 33 lodges.

Wappatoos, 13 tribes of various names, on the Columbia, about 5,500.

Wollawollahs on the Columbia from above Muscleshell rapids, 1,600.

Yeletpos, on a river which falls into Lewis above Kooskooskee, 250.

p. 12 Chinnahpum, at Lewis river northwest of the Columbia, 1,800 in 42 lodges

Chillukittequas, next below the Narrows on the Columbia, 1,400 in 32 lodges.

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Eneshures at the Great Narrows of the Columbia, 1,200 in 41 clans.



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The following table, prepared by Hon. N.G. Taylor, Commissioner of Indian Affairs, in 1867 (see Senate Executive Document No. 4 Special session, 1867), shows the Indian tribes in the United States at that time and their location. Mr. Taylor gave two tables, Tables A and B. Table B, which shows the location of tribes by superintendencies and population, is not republished, but the total Indian population exclusive of citizen Indians, is given as 306,925 for 230 tribes, though by an apparent clerical error printed as 306,475.

Name of tribes of bands	superintendency	agency	population
Alseas	Oregon	Alsea	530
Bannacks of Nevada	Nevada	----	1,500
Boise Shoshones (see Shoshones)	Idaho	----	----
Bruneau Shoshones (see Shoshones)	Idaho	---	---
Cayuses with Umatillas	Oregon	Umatilla	759
Chastas	Oregon	Siletz	2,068
Chasta Costas	Oregon	Siletz	----
Chehallis	Washington	Puyallup	2,000
Clackamas	Oregon	Grande Ronde	12,500
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Coeur d'Alenes, Kootenays, etc.	Idaho	-----	2,000
Colvilles, etc.	Washington	Ft. Colville	3,400
Coquilles	Oregon	Siletz	----
Dalles band of Wascos	Oregon	Warm Springs	1,070
Delmashes	Oregon	Siletz	----
Deschutes band of Walla Wallas	Oregon	Warm Springs	----
Dog River band of Wascos	Oregon	Warm Springs	---
Dwamish	Washington	Tulalip	1,900
Euches	Oregon	Siletz	----
Flores Creek	Oregon	Siletz	---
Joshuas	Oregon	Siletz	----

John Day's band of Walla W.	Oregon	Warm Springs	---
Klamath	Oregon	Klamath and Modoc	4,000
Kootenays (see Coeur d'Alene)	Idaho	---	---
Kootenays	Montana	Flathead	287
Lummi	Washington	Tulalip	---
Luckimutes	Oregon	Grand Ronde	----
Mackanooteways	Oregon	Siletz	---
Makahs (3 bands)	Washington	Makah	1,400
Marysville	Oregon	Grande Ronde	---
Modocs	Oregon	Klamath and Modoc	---
Molallas	Oregon	Grande Ronde	---
Molels	Oregon	Grande Ronde	---
Nestuckias	Oregon	Grande Ronde	---
Nez Perces	Idaho	Nez Perces	2,860
Nisquallies, etc.	Washington	Puyallup	---
Noltnanahs (sic)	Oregon	Siletz	
O'Kinakanes	Washington	Fort Colville	---
Pend d'Oreilles	Washington	Fort Colville	----
Pend d'Oreilles	Montana	Flathead	918
Quinaielt	Washington	Quinaielt	600
Quillehute	Washington	Quinaielt	---
Rogue River	Oregon	Siletz	----
Rogue River	Oregon	Grande Ronde	---
Salmon Rivers	Oregon	Grande Ronde	---
Santainas	Oregon	Grande Ronde	---
Scotons	Oregon	Siletz	---
Shoshones (Boise and Bruneau)	Idaho	-----	500
Shoshones (Kammas Prairie)	Idaho	---	2,000
Siletz	Oregon	Siletz	---
Sinselaws	Oregon	Alsea	---
Sixes	Oregon	Siletz	---

S'Kallams	Washington	S'Kokomish <del>SS-KOMISH</del>	1,500
S'Komish with S'Kallams	Washington	S'Kokomish	
Snakes (Yahooskin) (see Klamath	Oregon	Klamath and Modoc	----
Snakes (Wohlpapee, Wahtatkin, I-uke-spiule and Hoolebooly)	Oregon	Klamath and Modoc	--
Spokanes with Colville	Washington	Fort Colville	--
Tennis band with Wascos	Oregon	Warm Springs	--
Tilamucks	Oregon	Grande Ronde	--
Tualatims	Oregon	Grande Ronde	--
Tualalips	Washington	Tulalip	--
Tumwaters	Oregon	Grande Ronde	--
Two-took-e-ways	Oregon	Siletz	--
Tyghs	Oregon	Warm Springs	--
Umatillas	Oregon	Umatilla	----
Umpquas (Grave Creek)	Oregon	Siletz	---
Umpquas (Cow Creek)	Oregon	Grande Ronde	---
Umpquas and Calapooias	Oregon	Uintah Valley	7,100
Walla Walla (3 bands)	Oregon	Warm Springs	--
Walla Walla (3 bands)	Oregon	Umatilla	--
Wascoes	Oregon	Warm Springs	---
Yakimas and others	Washington	Yakima	3,000
Yamhills	Oregon	Grande Ronde	---
estimated sundry bands in Oregon			900

p. 22      Indians in the United States in 1870  
 territories <sup>Out</sup> of Tribal Total Nomadic estimated  
 total Relations  
~~Washington xxx 12,974~~

Washington	14,796	1,319	13,477	-----
Oregon	11,278	318	10,960	4,200

## Census of 1880

Oregon	6 agencies	4,555
Washington Territory	7	14,189

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Sex of the State	Civilized Total	Indian Males	Indian Females	Population with Native	General Nativity, 1880 Foreign born
Idaho	165	83	82	163	2
Oregon	1694	828	866	1,683	11
Washington	4,450	2,000	2,315	4,204	201

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Indian Census of 1890 (shortened)			
	Civilized, off reservations	living on reservations	
Idaho	4,223 159	4,064	
Oregon	4,971 1,258	3,713	
Washington	11,181 3,655	7,526	

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Civilized Indians Off Reservations, Taxed, at Census of 1890, 188, 1870, 1860

	1890	1880	1870	1860
Idaho	159	165	47	--
Oregon	1,258 <sup>4</sup>	1,694	318	177
Washington	3,655	4,405	1,319	426

(Indian Language)

Report: Indians Taxed and Indians Not Taxed, Washington, D.C. 1894  
Many tribes of the same stock speak different languages, there being 64 languages for the 32 existing stocks. Some tribes have the stock or family name. In illustration, the Shoshone Indians at Shoshone agency, Wyoming and at Fort Hall agency, Idaho, are of Shoshonean stock; so to designate a family from a tribe "an" or "ian" is affixed to stock names in the table. A stock or family is presumed to be a tribe or tribes of an ancestral or original language. Frequently a single language is a stock or family. Indian tribal languages which have descended from a common or ancestral tongue are considered of the same stock or family.

Within the territory of the United States the Indian tribes are found to have belonged to 53 stocks. By this is meant that 53 families of language have been discovered and defined up to 1890. The investigation of the problem began years ago, being greatly aided by the research of Albert Gallatin and it was only by the cooperation of linguistic scholars in more recent times that the task was brought to completion. It was largely through the efforts of the Smithsonian Institution, or aided by it, that the various tribes and bands were relegated to their proper connections. The linguistic stocks, although built upon the same typical foundation, are so different in vocabulary and grammar that the ability to speak a language belonging to one of them does not argue an acquaintance with a language belonging to another stock. Within the linguistic families are innumerable languages akin in vocabulary and grammar, but as different in their style as the members of the Aryan group. Some of these stocks, as the Athapaskan, Algonkian, Iroquoian, Muskogean, Siouan, Salishan, Shoshonean and others, covered an enormous territory and embraced a great diversity of languages. Other stocks such as the Timuquanan of Florida, have altogether disappeared, and are only known in the literature that has been

left concerning them; still others of these stocks are at present represented by a single language spoken by a meager remnant of their tribes. The linguistic chart published in the Seventh Annual Report of the Bureau of Ethnology, J.W. Powell, director, and the map of Daniel G. Brinton, both given elsewhere, will enable the scholar to familiarize himself with the approximate location of the stocks as first seen by the white man. The table of stocks corrected by Prof. Otis T. Mason of the Smithsonian Institution is designed on the other hand, to show where the remnants of these aboriginal tribes, who once roamed over the present territory of the United States are now located.

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The Indians in the United States, Ethnographically considered  
Daniel G. Brinton:

p. 44 The North Pacific group.

The narrow valleys of the Pacific slope are traversed by streams rich in fish, whose wooded banks abounded in game. Shut off from one another by lofty ridges, they became the home of isolated tribes, who developed in course of time peculiarities of speech, culture and appearance; hence it is that there is an extraordinary diversity of stocks along that coast, and few of them have any wide extent.

...Nor far south are the Sahaptins, or Nez Perces, who are noteworthy for two traits; one, their language, which is to some extent inflectional with cases like the Latin; and the second, for their commercial abilities. They owned the divide between the head waters of the Missouri and of the Columbia rivers, and from remote times carried the products of the Pacific slope, (shells, beads, pipes etc.) far down the Missouri to barter



for articles from the Mississippi<sup>P</sup> valley.

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Historic "Review of Indians of the United States

Indian history begins with the advent of the white people upon this continent. Much of what has been written about the pre-Columbian period is but a repetition of old fancies, legends and traditions.

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Investigation shows that the Indians prior to the coming of the whites had portioned out the surface of the country fairly well, and that by consent or tacit agreement, separate sections of the country were occupied by tribes of the several stocks.

...Indian nomadic life prevented large families. The various Indian tribes were generally nomadic within the areas claimed by or conceded by them by other tribes. They moved with the seasons following the game or going to corn growing grounds.

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There are not 10 tribes of any of the 200 or more now in the United States but what have been in revolt, and those existing as tribes are now remnants, with a few exceptions, too poor or too few to fight, or they consider it too dangerous. ..The Pacific coast fish eaters and root diggers are now peaceable and are progressive and almost entirely self-supporting.

p. 64 The Indian policy of 1886 -1887

An Indian is a person within the meaning of the laws of the United States. This decision of Judge Dundy of the United States district court for Nebraska, has not been reversed; still by law and the Interior Department, the Indian is considered a ward of the nation and is so treated. Under the Indian policy of 1886-87 all

the Indians were not ,however, subsisted by government. It was the policy of Congress that the Indians should become citizens of the United States upon renouncing their tribal relations...

#### Present Indian Policy

The reservation Indians, 133,417, in number, are located in 20 states and territories and form about 147 tribes or parts of tribes...

The number of allotments to June 1, 1890 was 15,166. The Indians by the allotment law of 1887 received the following areas of land; to each head of a family, male or female, 160 acres; to each single person over 18 years of age 80 acres; to each orphan child under 18 years of age, 180 acres; to each child under 18 years of age, 40 acres and the same to children born prior to the date of allotment (treaty provisions however waive the above) Where the land was only fit for grazing double the quantity was given. Where the area of land in a reservation was not sufficient to allot according to the above allowances, then it was to be allotted pro rata. The patents for allotted lands are held in trust by the United States and are inalienable for 25 years.

Amended ~~and~~ Allotment Law: To cure the defects of the original allotment law the act following was passed by the Fifty-second Congress. It gives the same quantity of land to all located Indians.

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Since 1789, the Indian has had eight distinct policies tried upon him by the United States Government...

Fifth: The organizing of the Indians within a state or territory with under a superintendency. In territories the territorial governor was sometimes the superintendent, but in the states the superintendent was appointed by the President. The agencies and reservations were under an agent who reported directly to

the superintendent, he reporting to the Indian office at Washington. Under such a system there was a fine opportunity for gathering plunder. In 1869 President Grant took up the Indian question. He soon abolished the superintendencies and made the agents directly responsible to the Indian office at Washington. The experiment was tried in 1869-70 ~~under the agent~~ of assigning the several reservations to denominations. The churches selected the agents and President Grant appointed them. It proved unsatisfactory and was abandoned.

Sixth. The reservation system ; insisting by treaty and otherwise, beginning extensively in 1868 , that the Indians stop roaming, assigning them reservations of land upon which they moved , and agreeing solemnly in most cases with the Indian, that such reservations should be permanent. Public necessity, constant demand by the settlers, encroachment of the whites, the objection to a large number of wild Indians living as tribes within bodies of white population, caused the government in 1887 to pass the allotment act, forcing the Indians to take lands in severalty , and paying them a compensation for whatever lands remained after each had been allotted, thus destroying their reservation and tribal conditions, the amount to be paid being fixed by the United States.

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...ability to support themselves alone is not proof of advance of Indians toward civilization, because they might support themselves by the chase or hunting and fishing. The best tests of Indian advance toward civilization are their adoption of the white men's dress and habits, their engaging in agriculture or the mechanical arts, and in consenting to the education of their children. Judged by two of these three standards the ~~s000~~ reservation Indians of the United States to June 30, 1890, have made but little progress toward Anglo-Saxon civilization.



Of about 70,000 who wear citizens' dress, 10,000 have adopted the white man's best habits. Only a nominal number of the unallotted 133,417 reservation Indians are put down as agriculturists, and these are included with those who earn their own living on the reservation by hunting, fishing and root digging. Four-fifths of these are of the last three classes.

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..The Indians of Canada are placed upon reservations of land which will maintain them, of course, with a small area for each and they are aided to a start in life. They are now practically self-sustaining. The Canadian Indian knows when he goes on the land that it is to be his; the Indian in the United States, knows, if experience is worth anything, that the chances are largely that it will not be his, and in addition it may be a sand bank. Ninety-per cent of the present Indians on reservations are not agriculturists, but the most of them will work in the fields when paid for it.

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Many agencies should be abolished, some reservations abandoned and tribes consolidated and removed to localities where it is possible to make a living. Congress should at once take this in hand, as proper action in this will save millions of dollars and tend to the bettering of the condition of the Indians. When agencies are ordered abolished the inspectors of the Indian office can take charge and close them up.

The following agencies at different points as shown by the reports of the special agents, should be abolished as useless:

The Six Nations of New York; Eastern Cherokees of North Carolina, Lapwai, Idaho; Pueblo, New Mexico; Round Valley and Hoopa Valley agencies, California; Siletz and Umatilla agencies, Oregon; all agencies in Washington, namely Colville, Neah Bay, Puyallup, Tulalip

and Yakima; Quapaw, Indian territory; Osage, Oklahoma; Sac and Fox, Iowa; all agencies in Minnesota; all agencies in Wisconsin. Some of the agencies were recommended for abolishment by officials 10 or 15 years ago.

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The superintendent of Indian schools in his annual report in 1890, after an extended tour..arrived at the following conclusions in connection with the question of church schools for Indians under government aid:

While the government can not organically promote christianity, it can nevertheless open the way for the churches, remove obstacles and encourage them, irrespective of sects, in their work. This is important because the Indians are thoroughly controlled in all their ideas and customs by their pagan notions. It is surprising to how many very common customs these old beliefs apply and how firmly they hold them. Their pagan beliefs therefore constitute the chief basis of life.

Let the Indian's harmless games, dances and customs alone. He dances because he believes it is his duty. He dances; we pray. Leave the Indian a little personality, a little independence, and teach him a little manhood while you are reconstructing him. The sun, scalp and war dances, all exciting and brutal, have long since been abandoned; the remaining dances are merely for pleasure or duty.

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...Up to 1890 the United States has made 450 treaties and agreements with 157 tribes of those once or now within its borders. The policy of recognizing the Indian tribes as separate nations was begun in 1789 and continued up to 1869. In 1869 President Grant, at the suggestion of General P.H. Sheridan, put an end to treaty making with the Indian nations, which action was confirmed by Congress in 1871, and they became wards of the nation.



Indians Taxed and Indians not Taxed in the United States, 11th Census; 1890 . Government Printing office, 1894.

Condition of Indians--Idaho.

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#### Lemhi Agency

The Indians of Lemhi agency are Shoshones, Bannocks and Sheepaters, but all are now considered as one tribe. They have ranged in eastern Idaho and western Montana since the white man had any knowledge of them. The Lemhi valley has always been their headquarters, and they have been on the Lemhi reservation since its establishment in 1872. The Shoshones and Sheepaters are one tribe. The Bannocks are a separate tribe; but the few on the reservation have married and intermarried with the Shoshones. These Indians are on the increase. The Shoshones, or Snakes are divided into four bands; the Western Shoshones, in northern Nevada, on Duck Valley reservation; the Shoshones on Lemhi reservation known as Tendoy's band; the Shoshones on Fort Hall reservation, Idaho; the Shoshones at Fort Washakie, Wyoming. These are all one-tribe---  
Egbert Nasholds, United States Indian agent.

#### Nez Perce Agency

The Nez Perces , since becoming reservation Indians, have always been on the Lapwai reservation. This tribe has no mixture of other tribes in it. The reservation is a part of their old roaming grounds. The Nez Perces occupied this region at the time the reservation extended as far west as Wallawalla, Wash. over 100 miles west of its present boundary line. The reservation is now in the state of Idaho. There are none but Nez Perce Indians on this reservation.

Joseph's band of Nespilems, which is now located on a reservation,



the Coeur d'Alene, under charge of Colville agency, Washington, is credited in part as being of the Indians of this reservation. This band is composed of Nez Perce Indians. They were deported to Indian territory at the close of the Nez Perce war in 1877, and located at Ponca agency, and were returned to Idaho and removed to Colville agency in June, 1885--Warren D. Robbins, United States Indian agent.

#### Indians in Idaho in 1890

Joseph's Band--Early in the summer of 1877 troubles arose in regard to the occupancy of the Wallowa valley by white settlers, it having been withdrawn in 1875 as a reservation under treaty of 1873, because of the failure of the Indians to permanently occupy it. An Indian belonging to a band of nontreaty Indians under Chief Joseph was killed by some settlers; then the Indians insisted upon the removal of the settlers and the restitution of the

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valley to them. Upon the refusal of the government to do this, and after further efforts to compell all the nontreaty Indians to come into the reservation at Lapwai, an outbreak occurred, under the leadership of Joseph, which resulted in a number of pitched battles, with great loss. He was compelled to retreat, the forces under General Howard pursuing him eastwardly across the headwaters of the Snake river and through the Yellowstone national park, where the pursuit was taken up by the forces under General Terry, resulting finally in the capture of Joseph and his band.

On the morning of September 30, 1877, Chief Joseph and his Nez Perces were met and surrounded by Colonel Nelson A. Miles and his command in the valley of Snake creek, northern Montana. On the 4th of October, 1877, they surrendered. The length of this raid, the march of the troops and the tact displayed by

Joseph form one of the most extraordinary chapters in the history of Indian outbreaks. Eighty-seven warriors, 184 squaws and 147 children surrendered. They were sent under guard to Fort Abraham Lincoln, North Dakota, thence to Fort Leavenworth, and afterward located in the Indian territory and finally at the Ponca agency, Oakland. In 1885 they returned to Idaho. They were located at Colville agency, where they now reside in peace, and in 1890 numbered 148.

Little, if any, change has taken place in the Indian tribes living within Idaho except the gathering of them upon reservations.

Coeur d'Alene reservation is under the charge of the Colville Agency, Washington.

The country now called Idaho at its discovery by Europeans, contained but few Indians except those in the north, the Shahaptin Nez Perces; in the south were a few Shoshones, Bannocks, Snakes and Utes, all of Shoshonean stock.

#### Fort Hall Agency

Report of Special agent H.M. Austin on the Indians of Fort Hall Reservation...

#### Fort Hall Reservation

Origin of the Shoshones--the tradion among the We-he-nite-to(knife people) now known as the Shoshones or Snakes(Togoi) is that they originally came from the far east.

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Prior to the advent of the white people the Shoshones lived principally upon fish, roots, seeds and berries. They fish were mostly salmon, taken with spears from the waters of the Salmon river, and its tributaries and the Snake river below Salmon falls. Their roots gathered consisted of camas and yamps (pah-se-go and



ot-se-go). The camas, which is the larger and more plentiful, has a sickening sweet taste and a blackish appearance inside and out. It is liked by the Indians and will fatten hogs, making very fine flavored meats...

At Fort Bridger, Utah, on July 3, 1868, there was a treaty entered into between the United State and the Shoshone (eastern band) and Bannock tribes, in which they were promised a reservation which was to embrace a reasonable portion of the Port Neuf valley and Kansas prairie, but the facts are that the Indians understood that they were to have the Port Neuf country and Camas prairie. There is not and never has been any place in this section known as Kansas prairie. It is quite evident that those representing the government at this treaty were not familiar with the geographical lay of the country, and supposed that the two sections mentioned were adjacent when in fact they are separated by more than 100 miles. Be this as it may, this little misunderstanding or blunder was a bone of contention on the part of the Indians who visited Camas prairie about the 1st of June each year, remaining there for a month or more, during which time the squaws gathered and dried a supply of roots for winter use, while the men gambled, raced horses and traded with the Umatillas, Nez Perces, Piutes, Sheepheaters, and other tribes and bands of Indians that were wont to meet there each season for the same purpose.

As the country became more thickly ~~populated~~ settled by white people the prairie proved not only an excellent field for stock ~~and~~ grazing, but also a fine place for hogs, which would thrive and fatten on the roots that from time immemorial had formed a good part of the Indian's winter food. Bad blood sprang up between the stock and hog men and the Indians, which

calminated, in the summer of 1878, in the massacre of the white settlers, the Indians regarding them as intruders. The question of ownership then received an arbitrary settlement by the government in favor of the white people. The soil is now the home of thousands of farmers. The Camas stick has been superceded by the self-binder. This appears to the Indians as a great injustice.... The Fort Hall reservation embraces 864,270 (a) acres of land; one tenth is wild hay land, two tenths rocky mountainous land, upon which grows considerable scrubby pine as well as cedar. The land-designated farming land requires irrigation and nothing can grow without it except wild hay on the low bottomland along Snake river.

As the land is close to an extensive mining region, crops of all kinds bring a better price than they do in the middle or eastern states.

Gold dust is known to exist in paying quantities on the southwest portion of the reservation along the banks of Snake river. It is known as Snake river, "fine dust." Much of the mining ground close to the reservation line has been worked with rockers using copper plates and quicksilver, the miners making from \$2 to \$10 per day.

This is good stock country, and cattle killed for the Indians from the range are nearly as fat as stall fed cattle. The greatest revenue of these Indians is from the sale of hay. They have this season, with their own teams and machines, put up at least 2,500 tons, which is being sold to stock men at \$5 per ton in the stack. ...p. 237

About one-fourth of the Indians on this reservation are prosperous...

The Indians of this agency had placed to their credit last July



\$6,000, which was the second installment of money under the treaty entered into with the United States in 1880 (ratified in 1888) by which they relinquished their right to some 350,000 acres of the southern portion of their reservation. This treaty gives them \$6,000 a year for 20 years. They also made a treaty in 1887 granting for the Pocatello town site some 3 sections of land.

#### Lemhi Agency

...The Indians of this reservation are the same, with the same history, customs and habits, as are to be found at Fort Hall among the Shoshones and Bannocks. They have intermarried and associated together so long that they are virtually one tribe.

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The reservation is located in Lemhi county, Idaho, about the middle of the Lemhi valley, which is 10 miles wide. ...The Lemhi agency is located about 1 mile from the south line of the reservation, midway from the ends. It is beautifully situated on Hayden creek, a tributary of the Lemhi river.

#### Nez Perce agency

Report of Special Agent Henry Heth on the Indians of Lapwai reservation, Nez Perce Agency, Idaho county, Idaho, October, 1890.

Name of Indian tribe occupying reservation: (a) Nez Perce.

The unallotted area of this reservation is 746,651 acres or 1,167 square miles. The outboundaries have been surveyed and some land subdivided.

It was established by treaty of June 9, 1863, 14 U.S. Stats. p. 647. Indian population, 1890, 1,715.

#### Lapwai Reservation.

The Nez Perce agency is located at the mouth of Lapwai creek

where it empties into the Clearwater, 10 miles from Lyonton. Further on the Clearwater empties into Snake river.

The census of these Indians shows a population of 1,715.

Most of the Nez Perces belong to the Presbyterian Church, and, owing measurably to the efforts of two pious missionaries, they have made considerable progress in religion. There are said to be about 100 Catholics among the Nez Perces. There are 4 churches on this reservation, 3 Presbyterian and 1 Catholic, and the Indians are very attentive to their church duties. These Indians are self-sustaining; still, issues of agricultural implements and wagons to a limited number are annually made by the government. They subsist by farming and raising cattle.

! (The statements giving tribes, areas and laws for agencies are from the Report of the Commissioner of Indian affairs, 1890 (pages 434-445.) The population is the result of the census.

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Their lands are now being allotted to them. The reservation contains 746,651 acres. The number of acres under cultivation is estimated to be 6,000; under fence, estimated 10,000. The fences are indifferently constructed. Some of the Nez Perces are good farmers, and several own large herds of cattle and horses. The intruding whites hold as many cattle on this reservation as the Indians and possibly a larger number. The grass is all eaten off by the cattle of the whites by winter, the Indians losing much of their stock by starvation. The only remedy for this state of affairs is to station a detachment of United States cavalry on the reservation in the early spring, drive off the cattle of the whites and should they permit them to return or bring them back, impound the cattle and make the offenders pay a fine.



The present value of the government buildings is estimated at \$24,000, which includes the estimated value of 2 mills, one a steam gristmill and the other a grist mill and saw mill; also a school and boarding house, which probably cost \$10,000. Two-thirds of the Nez Perces live in houses and one-third in tepees. Their houses are generally indifferent and not clean. About two-thirds dress as whites and the rest partly like the whites. The morals of the christian Nez Perces are tolerably good, of the pagan Nez Perce band.

A court of Indian judges settles their disputes and punishes offenses. In common with all Indians, they are much addicted to gambling and there is more or less drunkenness among them.

There are six white employes at this agency, at a cost of \$5,680 and 8 Indian employes, at \$1,980, making a total cost to the government of \$7,660 per annum for salaries and compensation.

This does not include the cost of maintaining the Indian industrial and training school, a bonded school, located four miles from the agency.

Nez Perce School at Fort Lapwai—This school is located at old Fort Oooodd Lapwai, which was abandoned by the military and turned over to the Indian department for school purposes. It is a government industrial and training school. In its management it is separated entirely from the agency. The average attendance during the fiscal year ended June 30, 1890, was 99; males 56, females 43. There are 10 buildings with a capacity for 150 children. Six hundred and forty acres of the old military reservation are now a part of the school grounds. There are 87 acres under cultivation. The school is well supplied with vegetables from the school garden, cultivated by the boys under the direction of the industrial teacher. The usual diet of the

children is beef and vegetables. There were 3 deaths among the pupils during the past year. The locality is considered very healthy, and the small death rate would indicate it. This school, October 18, ~~1889~~ 1890, had only 35 pupils. The Indians were still in the mountains hunting and collecting berries and roots. When the snow falls they are driven to their homes and then the children are sent to school. Carpenter, blacksmith and shoemaker shops are to be built. The boys will be taught these trades and farm work. The girls are now taught sewing, washing, cooking, and general housework, in addition to a fairly good English education.

p. 240 (facing)

Full page picture of Tomasket, Nez Perce Chief. 1889.,  
C.M. Bell, photographer, Washington D.C.

Indians Taxed and Indians Not Taxed in the United States, 11th Census, 1890. Government Printing Office, 1894.

Condition of Indians-Oregon

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Umatilla Agency

The Umatilla reservation was established by the government in the year 1860, and the following tribes have been here ever since:

The Cayuses, who are natives, lived on the banks of the Umatilla river on this reservation.

The Umatilla tribe, who occupied a section below the reservation to the mouth of the Umatilla river and up and down the Columbia river, on either bank, for about 20 or 30 miles in Oregon.

The Walla Wallas, who originally were inhabitants of the banks of the Columbia river for about 80 miles above the mouth of Lewis river, and upon said river, and the Walla Walla for about 20 miles east, and on the west along the Yakima river for about 30 miles in what is now the state of Washington.

The tribes and bands named are situated much as they were when first visited by white people and Lewis and Clarke, and retain their habits and customs. As in former days, each band lived distinct from the other, but are gradually overcoming some customs. They do not intermarry among the 3 tribes--John W. Horsford, United States Indian agent.



Indians Taxed and Indians Not Taxed in the United States, 11th Census, 1890, Government Printing Office, 1894.  
Condition of Indians-Oregon.

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Warm Springs Agency

The Warm Springs Indians came from near The Dalles, Oregon, in 1858-1859; the Wascos from The Dalles or near it, in 1858-59; the Teninos, from near The Dalles in 1858-59; the John Days, about 30 years ago, from or near John Days river, 40 miles east of The Dalles.

The Piutes (~~Pah-Utes~~) were formerly located on the Malheur reservation, Oregon, but after the Bannock war of 1878-1879 they were taken to Fort Vancouver or the Simcoe agency, Yakima reservation, most part to the latter place; those from Vancouver came here in the fall of 1879; those from Yakima came here mostly in 1884-1885.

The section of country embraced by the Warm Springs reservation, and southeast of it toward Harney Lake and the Malheur country, and even beyond, was once claimed by the people to whom the Piutes (or Snakes) belong. After the Bannock war the Malheur reservation was abandoned and the Piutes were scattered.

The Warm Springs, Wasco, Tenino and John Day tribes have resided along the Columbia river below, at, or above The Dalles, from time immemorial. They were parties to the treaty of June 25 (copy) 1855, and were named "The Confederated Tribes and Bands in Middle Oregon."

In the early days of this reservation there were several bands of what are now called Warm Springs Indians, as "The Tyghs," The Deschutes," taking their names from the locality in which they then lived.

The Tenino tribe took its name from a fishing point on the

Columbia river some miles above The Dalles, called "Tenino."

Among the Wasco tribe are some that were called "Dog Rivers," a stream above the cascades of the Columbia and running into river. It was called by the white people "Dog River," and from whence some of these Indians came to this reservation--James C. Luckey, United States Indian Agent.

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#### Umatilla Reservation

The Umatilla reservation is situated in the northeastern part of Oregon, in the county of the same name, and contains 268,800 acres. A large portion of this area is fine wheat land, yielding an average of 35 bushels to the acre. The balance is good grazing and timber land. The eastern boundary of the reserve follows the middle of the channel of Wild Horse creek and the Union Pacific branch railroad line from Pendleton, Oregon, to Spokane Falls, Washington, traversing the reservation along this creek for a distance of 20 miles. In this distance 2 towns have sprung up just off the reservation, one known as Adams and the other as Athena or Centerville. The former has a population of about 400 and the latter about 1,000. These towns are about 18 or 20 miles distant from the agency, and are favorite resorts for those Indians who drink rum. The land along Wild Horse creek in the vicinity of these towns is occupied by mixed bloods and whites who claim rights on the reservation by reason of their Indian blood, their adoption or their marriage to women of Indian blood. This matter of the adoption of mixed bloods has been a constant source of dissatisfaction to the Indians of the other tribes. Adoption carries with it the right to take land in severalty on the reservation, and as the persons adopted are generally married to white men or are mixed bloods who have always lived among the whites and who, prior to taking up their residence

on the reservation, were citizens, they have selected the choicest land and when the time comes for allotment the Indians, who have hereditary rights, will be compelled to take inferior land.

...Shortly after treaties were made with the Indians of eastern Oregon and Washington an Indian named Smohalla, who with a few followers had refused to go on any reservation and who was living on the Columbia river near where Celilo now stands, began to preach a new doctrine. Smohalla had listened to the teachings of the priests and missionaries and had gained considerable knowledge of the beliefs of different denominations. From the knowledge thus gained he formulated the doctrine which he preached for many years. He taught the Indians to refrain from eating the food of the whites, to avoid their mode of dress, and to abjure all their habits and customs. He preached against schools and churches and advocated plurality of wives, that the number of their people might increase and speedily accomplish the extermination of the whites. Smohalla would go into ~~trances~~ trances, claiming to visit heaven, and predicted the resurrection of dead warriors, who would lead them to victory against the whites. He predicted the utter extermination of the whites and the restoration of all the country to the Indians. This religion of Smohalla has

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still a firm hold on several of the tribes of the northwest. The Indians of the Walla Walla tribes on the Umatilla and Warm Springs reservations are believers and the chiefs of the tribes are high priests. Services are held regularly once a week, generally on the Sabbath, and are always attended with religious dances. Smohalla is still alive, but is now an old and decrepit man.

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Columbia River Indians-Scattered along the Columbia river between the Cascade Locks and Celilo are a number of Indians



who have never been on any reservation. They live in huts along the river and subsist almost wholly on salmon. As a rule they are dirty and lazy. Some of them are neat in appearance and industrious, but they are the exception. Nearly all are believers in Smohalla. They own nothing. The government has provided them with an agent, who decides disputes among them and looks after their welfare.