

Bureau of Indian Affairs, Report for --1886

### III-IV-Commissioner's views on the Peace Policy and its Economy

(entire introduction PPs I through LIII deal with policy, new "trends" in department, negotiations with various tribes etc. and researched into year by year would unfold entire history of developing reservations, policy etc.)

Only portions german have been copied or excerpted. Typical if P LIII--Fisheries on the Columbia River, Washington Territory which could be of general research value, historically in any expanded Yakima publication. (Re)

... the treaty of June 9, 1855 (Stats. 951) the Yakima Nation, in ceding lands in Washington Territory, reserved certain rights and privileges--among them the right of way with free access from their reservation to the nearest public highway, also the right, in common with citizens of the United States to travel upon all public highways, the exclusive right of taking fish in all the streams running through or bordering on their reservation, and also the right of taking fish at all usual and accustomed places, in common with citizens of the territory, and of erecting temporary buildings for curing fish. One of the usual and accustomed places referred to is at or near the Dalles of the Columbia River, known as the Tumwater salmon fisheries. Indeed it was the principal fishery resorted to by the Indians at the date of the treaty, and from it, it is alleged, they have for untold generations obtained almost their entire subsistence. In 1864 and 1866 the lands in the neighborhood, as well as the lands embracing these fisheries were sold to settlers under the pre-emption laws.

In 1882, one Mr. Taylor, who had purchased lands, leased the fisheries to certain whites, and in consequence of this troubles and disputes arose, which it was not difficult to see would end in disaster to the Indians unless some protection was afforded them. To test the right of the Indians to ingress and egress, Mr. Taylor determined to close the only means of approach

by land to the fisheries. It was proposed to purchase the land from Mr. Taylor, but this was declined by the Department for the reason that the Indians already possessed, under their treaty, all the rights they would acquire by purchase.

The whole difficulty as to the rights of the Indians in the fisheries on the Columbia hinges upon the construction to be placed upon the the language of the thire article of the aforesaid treaty. If they have the right to fish there, it would certainly seem that they have retained the right of access thereto by land, that being the only practicable means of way of approach. So great has been the effort of the settlers to deprive these Indians of their rights in these fisheries that the aid of the Department of Justice was invoked in May, 1882, June, 1884 and May 1885 to render needful protection to these Indians in their fishing privilege. The matter is now before the district court for Washington Territory, at Yakima City for adjustment.

The same statement may be made respecting the importance of these fisheries to the confederated tribes of Middle Oregon, known as the Warm Springs Indians. By treaty made November 15, 1865 (14 Stats., 751) they relinquished the right to take fish, etc. which they expressly reserved in their treaty of June 25, 1855 (12 Stats. 964) in language ~~XXXXXXXXXXXX~~ strikingly similar to that of the Yakima treaty of 1855. These Indians have incessantly protested against the ratification or observance of this treaty of 1865, and there is sufficient testimony before this office to satisfy this Department that the Government should not be too exacting in its enforcement. Arrangements have been made by Agent Wheeler by which the Warm Springs Indians have been granted access to the fisheries on the Columbia River, but this privilege is limited to one year.

(PLV)

Arrangements have also been made, through military channels, whereby the Warm Springs Indians may not only return to their fishing grounds upon

upon the Cascades Canal Reservation, which by reason of maltreatment from white men they had abandoned, but may locate their camp one mile below the foot of the canal, where a detail of troops will be furnished during the fishing season for the maintenance of order and discipline. The protection of the United States authorities is thus assured them whenever they may desire to return to said fisheries.

Very respectfully etc.

J.D.C. Atkins, commissioner

To Hon. Secretary of the Interior

(P-231) Colville Indian Agency, Washington Territory, August 12, 1886

...I have the honor to submit this my first annual report of affairs of this agency..

The agency comprises the Colville Reservation, the nearest point of which is 40 miles from the agency, the Coeur d'Alene, 80 miles and the Spokane, 30 miles from the agency; besides which I have some 300 Indians who are living off the reserves and the Calispels now living in the Calispel Valley some 25 miles by trail from the agency. The different tribes of Indians which are under my care are as follows: Colvilles, Upper and Lower Spokanes, Coeur d'Alenes, Lakes, Okanagans, Methows, Nespelims, San Puells, Nez Perces, Moses and Calispels.

The Coeur d'Alens, living upon the Coeur d'Alene Reservation consist of some 45 Indians...

...The Lower band of Spokanes (Whistleposum's) living upon the Spokane Reserve which is a piece of land some 20 miles long and wide...

The Colvilles, Lakes and Okanagans are living upon the Colville Reserve, and are nearly all engaged in farming...the above three tribes, of which Tonasket is chief, have been somewhat dissatisfied of late with him, owing to his being continually drunk; but upon my last visit to Tonasket, the end of July, he promised to give up drinking whisky and attend to his people.

He complains of the way the Government has treated him regarding the money obtained by my predecessors for cattle grazing upon the Colville Reserve, which was deposited by them in the Treasury; and as Congress has made no provisions for getting the money back again, it ~~is~~ still remains there. This Conasket does not understand, nor can he be made to understand for he says "When I was in Washington they (meaning ex Secretary Teller) told me that I could collect and keep for the benefit of my people all money for grazing cattle upon the reserve;"and he has not only been prevented from collecting it, but has not even seen it.

The Nespelims and San Puells are living upon the Colville Reserve and are self supporting. They claim the country they are living on as their own, and do not recognize the Government at all. They will not accept anything from it ~~and do not~~ and will not be guided by its laws; all they seem to want is to be let alone.

The Calispels are still living in the Calispel Valley, and still refuse to permit whites to settle there. There have been all sorts of rumors as to the killing of white prospectors by the Indians in the Calispel Mountains, but I do not place much truth in the reports. The company of cavalry have been stationed in that country since early spring but have found no need of active service...

Moses and his people, numbering some 200, have during the past year fenced in over 400 acres of land and cultivated fully one-half. They are living on the Nespelim, which is a beautiful valley situated in the southern part of the Colville Reserve. They are industrious, and will in time, if the care and attention are shown them as (P-232) have been by the farmer in charge during the past year, grow to be a prosperous and self supporting tribe.

Of Chief Joseph and his people, Nez Perces, who were placed upon the Colville Reserve in June, 1885, having been removed from the Indian Territory, little of encouragement can be said. Upon my assuming charge here I visited Fort Spokane, where these Indians were located, and found that the military was

subsisting them. The amount of supplies I had on hand for these Indians was not sufficient to issue them one-fourth rations to the end of the fiscal year ending June 30, 1886. After considerable writing and telegraphing to the Department as to the condition of these Indians I received authority to issue half rations and submit estimates later. I was permitted to contract for supplies and to issue to these Indians full rations.

It was about this time that Joseph with 120 of his people, expressed a desire to move to the Nespelim, where Moses was living and to take up farms. To help and encourage them in this I obtained authority to issue them monthly instead of weekly rations, and in the month of December they were moved to Nespelim. But when they got there they found the land they wanted was claimed by other Indians, and instead of taking the advice of the farmer living there to take up other land, they allowed the winter and spring to pass without doing anything except to draw their rations and to gamble with the clothing and blankets ~~xxx~~ I issued to them last fall. At the beginning of last month I visited the Nespelim (this being the first opportunity I had had\* and spent two days in locating Joseph and his people upon land. On the last day, it taking me ~~xxxx~~ till 10 o'clock at night before I got through I selected for them a very fine valley situated about four miles from the Nespelim mills and school house and Joseph expressed much pleasure at the location. They are now busy fencing in the land, and although it will be necessary for the Government to subsidize them during this year I believe and have every hope they will be self supporting after they harvest next summer. They are greatly in need of wagons and cows and I have already submitted an estimate for the purchase of some, which I hope will be allowed them.

The Upper Spokanes of Louis' band are still loafing around the different towns, principally Spokane Falls. They refuse to go upon any reservation, saying they first want the Government to settle with them for the land the whites took from them, and they will, when such settlement is made, go where the Government may see fit to place them and start in farming.



P-232-33--) Crimes recounted, attributed to more contact with whites and whiskey.

(P-233)..I have entered during the past year in the United States land office at Spokane Falls seven homesteads for non-reservation Indians. The homesteads are situated near Chewalah, about sixty miles from Spokane Falls and comprise very good farm lands..

(P-234) Treaty with the Columbias and Colvilles

According to the terms of an agreement entered into between the Hon. Secretary of the Interior and Chief Moses and Chief Tonasket, July 7, 1883, the surveys on the Columbia Reservation were completed last winter ~~and~~ by Special Agent Charles H. Dickson and the reserve restored to the public domain by Executive order May 1, 1886, after giving to Sar-Sarp-kin and other Indians in accordance with the provisions of said agreement thirty-seven allotments each allotment consisting of from one half to one mile ~~square~~ square.

The mills and school house, erected according to this agreement for Moses and his band at the Nespelem on the Colville Reserve were completed last spring and do credit to the contractors...

...Tonasket's mills, situated on Prairie Creek, owing to the scarcity of water, will not be completed until the 1st of October...The school house now being erected is a very fine building and will accommodate one hundred children; the only difficulty being to find children to fill it...

...Benjamin P. Moore

United States Indian Agent

(P 247)-- Yakima Agency, W.T. November 9, 1886

..This reservation is said to contain more than 800,000 acres. Whether it does or not is a matter of question. There is but one portion of the reservation that is well defined, that portion of the northern and eastern line bounded by the Yakima and Ahtanum Rivers. The other boundaries are in

dispute giving rise to endless trouble to agent and Indians. As the country adjacent to this reservation is rapidly settling up this trouble will constantly increase, and very soon there will be constant clashing of interests between white settlers and Indians engendering bitterness on both sides that could be avoided if the reservation lines were properly and distinctly marked...

(P 247)..Allotments of Lands

It has been but a few years since that the majority of the Indians of the agency were opposed to having any surveys of their lands made and would remove the stakes as one of the surveyors informed me, almost as fast as they were driven. But now it is safe to say that nine-tenths of these Indians would gladly welcome any steps looking to the allotments of their lands in severalty....

Police

The police force is efficient, though small, consisting of 1 captain and eight members. They are active and vigilant in the discharge of their duties. The chief of police ~~is~~ Captain Tom Simpson, has commanded the force for over eight years...

Charles H. Dickson

The Commissioner of Indian Affairs      Special Indian Agent in charge.

(Pps. 361-370 contain Executive orders dealing with Columbia or Moses Reserve..Eight pages deal with allotments to various Moses band people, full legal descriptions, names of Indians involved..(these names could be of value in deep research as to lineage, etc.)

Executive orders deal with Indians without treaties, also could be of value. Colville Reserve

(P 369) Department of the Interior, Office of Indian Affairs,  
Washington D.C. April 8, 1872

Sir I have the honor to invite your attention to the necessity

for setting apart by Executive order of a tract of land hereinafter described as a reservation for the following bands of Indians in Washington Territory, not parties to any treaty viz:

The Methow Indians numbering	316
The Okanagan Indians numbering	340
The San Poel Indians numbering	538
The Lake Indians numbering	230
The Colville Indians numbering	631
The Calispel Indians numbering	420
The Spokane Indians numbering	725
The Coeur d'Alene Indians numbering	700
And scattering bands	300

total

-----4,200

.....

etc.(legal description)

F.A. Walker

Statistical-much. Including PP 381-391

Indian Reservations, Areas and How Established

Including Civilization, Allotments, Census, Vital Statistics etc.

Indexed.



Commissioner of Indian Affairs-- 1887

( iv)...Allotment of Land in Severalty

The general allotment act, the plan of which was first suggested in the annual report of this office for 1878 ,became law on the 8th of February last...the full text of this act ,which will be found on page 274... but also an abstract of its provisions...The President may, in his discretion have any Indian reservation or any part thereof surveyed or resurveyed and the lands of such reservation allotted in severalty to any Indian located thereon.

...(P-XXXI)...The next duty to engage the commission was the required negotiations with the Upper and Middle bands of Spokane and Pend d'Oreille Indians in Washington and Idaho Territories for their removal to the Colville, Jocko or Coeur d'Alene reservations, and for the cession of their lands to the United States--lands claimed to have been taken from them in times past without their consent and without compensation, and also with the Coeur d'Alene Indians for the cession of certain lands claimed by them outside the limits of their present reservation.. (more details not copied)...

Census (P-XXXVII)-Section 9 of the act of July 4,1884, making appropriations for the expenses of the Indian service, requires that each agent submit a yearly census of the Indians at his agency or upon the reservation under his charge..Agents have ,therefore,been duly instructed as to the requirement of the law and the necessity of complying therewith. The returns, as far as received at this writing for the fiscal year ending June 30,1887, show at some agencies a very slight increase in population, but at the great majority the tendency is the other way, and though not rapid the decrease is steady, showing that the deaths exceed the births by a slight majority..

Fisheries (P-LXXXII)...Referring to the remarks in my last annual report upon the above subject, I would state that a special agent of this office, G.W. Gordon esq. has been sent to the Dalles of the Columbia with

a view to making a thorough study of the situation, and if possible devising some plan whereby the Indians may be secured in the permanent use of some portion of their fisheries. ~~They have~~ that they have suffered a great injustice in being deprived of a share in the food supply which nature has so abundantly provided there, and upon which they have depended from time immemorial, no one can truthfully deny, and it is to be hoped that some measures may be adopted whereby their former privileges at the fisheries may be restored to them perpetually...

(P-LXXXIII)...In a very recent report to the War Department, General John Gibbon, commanding the military Department of the Columbia, called attention to the oft-repeated, and I may say very generally credited story, of fraud in the treaty of 1865 whereby the Warm Springs Indians were, it is claimed, cheated out of their fishing privileges at the Dalles...

General Gibbon thinks that under the circumstances, Congress might be asked to appropriate a yearly sum for a term of years to be expended in the purchase of cured salmon for issue to these Indians.

By a recent letter from W.H. White, esq. United States attorney for Washington Territory, to Agent Priestly, of the Yakama agency, it is learned that in January last, in the case of The United States vs Taylor, (12 Stat. 951) before it for construction (sic) Taylor had taken a homestead on the banks of the river and erected a fence, which obstructed the approaches to the fishery, and prevented the Indians from enjoying the right to take fish at one of their usual and accustomed places. The court held that the obstruction was unlawful, and, although Taylor had a patent for his land, ordered the removal of the fence. Under this decision the right of the Yakamas in these fisheries can no longer be denied or disputed.

Very respectfully, your obedient servant

J.D.C. Atkins, commissioner

The Secretary of the Interior

(P-205)..I have the honor to submit my first annual report...On the 4th of May last I assumed charge of this agency, relieving Benjamin P. Moore my predecessor...

(P-205, detailed report of condition of the tribes...) continues through P 206-207- San Puell and Nespilum Indian-The San Puell and Nespilum Indians to the number of 90 males and as many females(I was not able to get the number of children , and I believe it is the first time that Skolaskan's people ~~have~~ were ever counted and it took the most of three days to get this wily savage to consent to their being counted) claim all the land west of the Columbia river; are poor but proud refusing to take anything from the Government. ...

..They are under control of Chief Skolaskan, who poses before his people as a prophet and governs them according to his dreams and revelations.. Previous to last July there was a very bitter feeling existing between these people and the tribes under Chief Moses of the Columbias, and Chief Joseph of the Nez Perces.-Skolaskan's people refusing to let the Nez Perces locate on the land given them by the government, claiming it as theirs and that the Government had no right to give their land to murderers and horse thieves. , that they had always been friendly with the whites ; that a drop of white man's blood never stained their hands...that they had stood with their arms in their hands and defied Moses to make some white settlers who had fled to them to escape his fury, and before sending such people on his land Washington should have asked him. I persuaded him to accompany me to Nespilum He was accompanied by several of his followers. At Whitestown there were 15 or 20 who when asked whom they recognized as chief said Skolaskan. The same performance was gone through at San Puell, where about 40 acknowledged Skolaskan as their chief....

The Nez Perces ..This tribe, 132 in number, men, women and children, except 16 under the immediate charge of Chief Joseph, and are near the Nespilum River , in the immediate vicinity of the Government mill. The remaining 16 are under the charge of Chief Yellow Bull and are located near the agency

buildings, immediately across the Spokane River from Fort Spokane...

The Moses Indians, comprising the tribes of the Columbias and Methows are under Chief Moses...

Colvilles, Lakes and Okanagans...live on the Colville reservation and with the exception of a few farming implements have not received encouragement from the government...

Tonasket has been acting badly (whiskey again)...

Upper Spokanes, under Chiefs Louis and Gerry are not on the reservation but spend the most of their time loafing around the city of Spokane Falls...

...Rickard D. Gwyder

U.S. Indian Agent

Yakima Indian Agency (P221)--

The number of Indian (P.220) Living belonging to this reservation, as shown by the census of 1880 was 3,400 or more; of this number 1,727 are permanent residents, and are engaged in agricultural pursuits to a greater or less extent...(p 221)

Our chief source of food supply has been salmon fishing, which for some two or three years past has been in part denied them by white men occupying most of the best fishing grounds, and causing the Indians to take a back seat when visiting them. This has been a matter of serious consideration, and much complaint by the Indians, who are thus deprived of a clearly defined "right of taking fish at all usual and accustomed places in common with citizens of the territory," etc. While at these places they are off their reservation and unprotected, and their appeals to the local officers for assistance are, as I am informed, unheeded. This matter, I have reported to the United States district attorney, with request that such measures be adopted as will secure them rights as indicated by the treaty...

(hunting)  
(P-222)---the task of taking the census at this time of year,  
when the most of the Indians are off the reservation gathering berries  
roots, hunting and fishing, is attended)P-223) with many drawbacks  
and the figures I submit are not entirely correct..A large number of the  
Indians object to giving their names or those of their children or neigh-  
bors. Neither can I obtain an accurate count of the number of births or deaths  
and the figures given in statistics (sent herewith) only comprise those  
actually living on the reserve and do not include all that belong  
thereto:

Males above eighteen years of age 549

Females above fourteen years of age 623

Children between ages of six and sixteen 328

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1,500

the total population is 1,741, the difference between these figures  
and the 1,500 is accounted for by the reason of the children under six  
years of age and males between sixteen and eighteen not counted in this  
enumeration.

(P-223) List of school teachers and salaries (historical)

...Thomas Priestley

U.S. Indian Agent

Many pps of statistics in map, also, as in common with many of the  
reports, large folded in mapshowing Indian Reservations.



## Religion

Our Indians practice the religion of their fathers with a strictness that admits of no innovations. I believe they are the most religious and devout people I have ever known and their services seem to have a sacredness about them that the white man little comprehends and can much less relate. I have diligently sought to learn something definite about their scheme of religion but they guard their faith and practice so carefully that it is almost impossible to get reliable information. However, through the friendly assistance of an educated Indian who understands their language, I hope to be able in the near future to give something specific and reliable on this subject.

Although there has been a mission at the agency for 15 years not a single Indian has adopted the Christian faith.....

Horace M. Rebok, U.S. Indian agent  
Report of Sac and Fox Agency, Toledo, Iowa, August 30, 1897 from  
report of Indian commissioner for 1887, pp 166-148.

Commissioner of Indian Affairs---Report for 1888 (fifty-seventh annual Rpt  
XXXiii (P -)--Indian Census

Section 9 of the Indian appropriations act of 1884 is as follows:

Sec.9-That hereafter each Indian agent be required, in his annual report, to submit a census of the Indians of his agency, or upon the reservation under his charge, the number of males above eighteen years of age, the number of females above fourteen years of age, the number of school children between the ages of six and sixteen years, the number of school houses at his agency, the number of schools in operation, and the attendance at each, and the names of teachers employed and salaries paid such teachers...

Commission Atkins said. I am of the opinion that Congress when framing this law, could not have fully comprehended the magnitude of the extra labor imposed on the agent and the employees of many agencies...from this statement it will be observed that no correct Indian census can be taken unless provision shall be made by which the agents will be enabled to employ extra force to do the work..the census returns of the last fiscal year show an increase in population of nearly 1 1/10th per cent.

PP-iii-Ivi- Timber and Other Depredations of Indian Lands contains citations and acts which MIGHT apply or be useful in Tract D matter. Various citations and cases given.

John Oberly, commissioner

Colville Indian Agency, August 31, 1888

(P-222)...The San Puell and Nespilum Indians...Parnaby is chief of the Upper San Puells. His country extends from Rogers Bar on the Columbia to Kettle Falls. His people number 100 males and 90 females. His people are very poor and are willing to be helped. In that they differ from the San Puells and Sko-las-kin. They also differ in religion, being Catholics.

..The Okanagan Indians, under Chief Tonasket, occupy the country (30 by 70 miles) between Osooyas Lake and the Columbia River.

They number 59 adult males, ~~66x7x~~ 65 females, 77 children... Their belief is mostly Catholic...

The Lake and Colville tribes occupy the country around the town of Colville and extending to and on the reservation along the banks of the Columbia. They number 157 males, 171 females. Their belief is Catholic... The old chief, Kinkinokin is very anxious to get them started in civilized pursuits... Whisky has been the greatest curse to this as to the majority of the northwestern tribes of Indians, and dates back to the old Hudson Bay Company which traded with these people until the ceding of the country to the United States...

Moses band of Columbias occupy the country (with Joseph's band of Nez Perces) on the Nespilum River. They number 47 men , 50 women, 42 children.... Moses (chief) holds the reins of government over this tribe, and with the exception of his strong affection for whisky makes a good chief.///

...(P-223)--Joseph's Nez Perces occupy the land in the vicinity of the Nespilum Mills... the chief, Joseph, has the idea that the Government is bound to support him in idleness...

The Coeur d'Alenes occupy the reserve allotted to them known as the Coeur d'Alene Reserve...

.. The Indian court on this agency is confi ed to the Lower Spokanes; the judges are Whistlepoosum (Lot), Sam and Skos-jock-in (Cornelius) who is also captain of police....

Yakama Indian Agency (P 230-235)--

Fisheries--Several Indians complain to me that they have been over to the Tumwater fishery to take fish in their old fishing places, but were prevented from so doing by one O.D. Taylor, who fenced up the road to the old Colwash trail, leading to said fishery, claiming that he purchased the land from the government and had such a right. The matter involving the Indians' right to this fishery was tried in court at North Yakima and the decree of said court does not ~~embrace~~ appear to embrace all the conditions indicated by

treaty--that they can not commence fishing until June 1. They say:

"God made the water; God made the fish, Indians had the country, gave it up with exception of right to fish; now white man can fish in May and fill his belly and mouth full of fish, while Indians can only look on and wait until June before can get any." This matter has been in the hands of General George W. Gordon, special U.S. Indian agent, and I doubt not but what all treaty rights will be given the Indians through his efforts and unceasing careful work in their behalf...

#### Government

In order to execute laws for the government of these Indians I have in a measure adopted the plan of my predecessors. The reservation is divided into five districts, and a justice of the peace is elected by the Indians in each district. These officers are elected in the same manner and delegated the same powers as are the justices of the county with instruction to conduct their cases, so far as practicable, in accordance with the codes of this territory..

(Considerable about Indian doctors and beliefs...two murders of doctors that year, names given)

Capt. Thomas Priestley, U.S. Indian Agent

(Indian Legislation) (P-340) -Chap 818,25 Stats.,302-An act in relation to marriage between white men and Indian women. (This act bestows citizenship automatically upon Indian women married to citizen white men)

Statistics: (PPs-349-467 with index and map of reservations)