

Land sales became frequent by 1911 and ~~more~~ 290 sales had been made covering most of the patents which had been issued by ~~then~~ ^{that time}

The lands were for the most part ^{valuable} ~~valuable~~ irrigated land and ~~prices~~ brought prices ranging from a few dollars to \$150 an acre, compared with ^a ~~a~~ centennial year value of \$350 ~~an acre~~.

Funds from the sale ^s of Indian land were placed to the individual's account and held in trust by the Department.

During early years ^{was maintained} the Department maintained strict control over funds, especially those ^{for} ~~from sale of~~ lands. ~~However~~ Since 1951, however, individual Indian moneys may be withdrawn upon request of the Individual unless ~~and~~ he is a minor or ^{an incompetent} ~~non-competent~~.

Far from creating a ~~basis for~~ more harmonious relations, the Allotment Act of ~~1907~~ only made the ~~administration~~ administration of Indian matters more difficult. The consequence was disillusionment of its sponsors who had ^{only} the wellbeing of the people in mind. The abuses that it permitted soon ~~became manifest~~ and inspired several Congressional acts to control them.

Before ^{the} ~~was~~ ^{was taken} restraining ~~action~~ however 90,000 acres had been alienated by sale and patents, and 26,953 acres conveyed in public land patents to white ownership in accordance with an act approved by Congress in 1904. ~~Some idea of the degree and character of land alienated can be~~

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counsel for both plaintiff and defendant as well as judge upon the bench.

He did not wait for a case to be brought ~~before~~ before him, but instituted ~~an~~ action through his field representatives ~~to collect~~ evidence, which may be in the form of decrees in the State Courts or affidavits and then rendered the decision on legal and equitable grounds.

~~In~~ In addition the law specified that his decisions would be under ~~such~~ rules and regulations as he might prescribe. It was evident therefore, that the secretary was not bound by the decision toward decrees by any court in inheritance matters affecting Indian trust land, and that interests entirely in his discretion from the evidence submitted as to the determination of Indian heirs.

In all lands granted ~~to Indians~~ under the allotment act the ~~Government~~ government holds the fee until the restricted period is ended. When the final patent is issued the fee of the land is thereby extinguished in the government and the Indian ~~holds~~ or the purchaser acquires a perfect or unburdened title ~~and right of possession.~~

~~Of course~~ ^{red man Indians} Indians could purchase from Indians and still maintain their trust status, conditions or restrictions.

There have been a succession of 24 superintendents or "Indian Agents" assigned to the Yakima Reservation in less than 100 years that the reservation as existed as such. ~~Continued~~ In chronological order:

(overlapping dates due to dual superintendencies)

Below -

Richard Hyatt xxx Lansdale-	1858-61.
Wesley B. Gosnell (temporarily assigned)	1860-61.
Charles Hutchins, special xx agent,	1861.
Ashley A. Bancroft	1861-65.
James H. Wood Wilbur	1864-69, 1870-74.
Lieut. James M. Smith	1869-71.
R.H. Milroy	1882-85.
Timothy A. Byrnes	1885
Charles H. Dickson	1885
Thomas Priestley	1886-89
Wesley (?) Stabler	1890
Jay Lynch	1891-93
L.T. Erwin	1893-97.
Jay Lynch	97-1908.
S.A.M. Young	1909-1912.
Don M. Carr	1912-1924.
E.W. Estep	1924-1930.
H.W. Camp	1930.
C.W. Whitlock	1930-43.
M.A. Johnson	1936-43.
L.D. Shotwell	43-50
Perry Skarra	1850-54.
D.E. LeCrone	1954-55 (current)

The Birth and Growth OF A Reservation - 4.025

The Creation of the Yakima Reservation brought together fourteen tribes and bands, compelling the people to adapt themselves to value systems with which they were unfamiliar and to follow economic pursuits that were alien to their traditions.

Because, would not
Since Kamiakin refused to come upon the reservation, *through fear of retribution* ~~being fearful~~

was of retribution, at the hands of the military, the Yakama, who had looked to him for leadership were ~~virtually~~ cast adrift, *early* *sometimes* their ~~old~~ guidance being entrusted to ~~Indian agents~~ *agents* who were notoriously inefficient in the earliest days.

X The *first* *regular agent* ~~agent~~, Dr. R.H. Lansdale, writing to Superintendent Edward R. Geary in December, 1859, ~~said~~ *revealed* that

~~Quoted~~ "Kamiakin is much needed. I know of no one who is adapted to supply his place." *Yes* *Yet this*

"Proper regulations for the suppression of gambling, drunkenness, licentiousness and thefts cannot be adopted and enforced without an Indian police under command of a head chief."

This was three years after preparations were being made to bring the people upon ~~the reservation~~ *Scattered, leaderless* *the Reserve created by the treaty one hundred years ago.*

When F. Robie was local agent at The Dalles, on August 30, 1856, he wrote *Isaac I. Telling* ~~writing to~~ ~~Good~~ Governor Stevens ~~he told~~ how Captain Frederick Dent, a brother-in-law ~~of~~ ~~of~~ ~~of~~ Ulysses S. Grant, was working on a wagon road from The Dalles to Fort Simcoe and that Major Robert Selden Garnett was "getting on well with his improvements." (The construction of Fort Simcoe. Indians were being removed from Vancouver to the Cascades and to the White Salmon where the first agency in the area was being set up.

There were 900 Indians at White Salmon, around 1,200 ~~at~~ the Cascades and Dalles and ~~1200~~ 1200 in the Simcoe Valley. *the Yakama called it, after a place name on a saddle in the hills north east of the mountains* ~~estimated 3,000 to 3,000 in all.~~

daily *were amounted to*
Their subsistence needs ~~were~~ ~~at~~ 1,500 pounds of flour ~~a day~~

~~233 barrels costing \$550 to \$700 for the month of January alone~~
and one beef ~~a day~~ costing \$90.

James C. Geer, who was living in the Simcoe Valley in August, 1857,
was acting as local agent ~~for the Indians~~ ^{the} people in the Yakima
~~country~~. Bonner & Co. had a license to trade near ~~Fort Simcoe~~
established ^{at} ~~their~~ trading post a mile ~~from the fort~~ ^{away} ~~and~~ ^{Contrary to} the
wishes of Major Garnett who ordered the building pulled down, ~~by the~~
~~soldiers, but~~ ^{The traders} ~~and~~ they were later allowed to ~~return~~ ^{while} locate a quarter
of a mile from the fort where they remained ~~with~~ ^{guarded to} soldiers ~~guarding to~~
see ~~they~~ ^{they} were not patronized by the troops. ~~Simcoe~~,

~~Skloom~~ was then in the Tieton country and came to Simcoe to live
with ~~Geard~~ ^{feeding and clothing} Geer during the winter.

~~The army was responsible for subsistence of those in the Simcoe valley~~
~~Subsistence for the Indians in the Simcoe was regulated specified~~
~~by regulations as (a pound of fresh meat daily or three-fourths of a~~
~~pound of salt pork, three fourths of a quart of corn or bran meal or~~
~~one pound of wheat flour, for each person and four quarts of salt~~
~~for each one hundred persons.~~
And by regulations it amounted to

Local agents ~~and~~ ^{at} the Dalles, ~~Wooded~~ Cascades and "White Salmon
~~cared for the people there. The war had upset their customary routine~~
~~were subsisting the people~~ ^{He} ~~by~~ ^{was} ~~living or being gathered there.~~

~~Even~~ ^{Fort} as early as 1852 Captain Jordan, an army officer at the Dalles
had fenced in land north of the river. ~~That~~ ^{they} same year E.S. Joslyn
located at ~~which is now~~ ^{near Present} ~~and~~ ^{built} Bingen, and established his home, set out
and orchard and cultivated a ~~tract~~ ^{was} of land. It ~~was on~~ ^{was} his property that
the "White Salmon agency was established. ^{became the white salmon agency.}

Joslyn left ~~the country~~ during the war but returned, demanded ~~the~~ ^{the}
property ~~back from the government~~ and lived there till 1874.
~~His demands led the government to look around for another location.~~ ^{Caused}

~~And~~ The same year that the territorial legislature formed
the county named "Clickitat" ^{county} and located the county seat at Rockland
across from The Dalles, 1859, Lansdale was instructed by Nesmith

1958

123,747. acres under
production we set

4,760 chfs

2,848. eggs saved =

3,047 Satbs 3—

135,198 acres — on 1 year —

11,000 double cropped —

or prod —

23: 206.000

Many other Indians followed suit soon after and planted small patches or fields on the tiny streams that wound down from the mountains through the sem-arid lands on the way to the rivers. These operations were after the Indian wars were over and the agency was established at Fort Simcoe. Indian families in the Medicine Valley, White Swan and Toppenish Creek areas are still using some of the old ditches which their grand fathers dug years before. Water flow is scanty and frequently dried up entirely during the summer months. Plans are underway to bring in a new irrigation project ~~toward~~ the White Swan project which will add another 14,000 acres to the irrigated lands in the valley. There is another plan in which there has been talked of for years of diverting the Klickitat river through a tunnel down on to the Yakima valley, whereby another 30,000 or more acres could be brought under cultivation. Surveys are currently being made on Satus Creek to locate a site for the construction of a combination flood control and irrigation dam which will empound enough water to irrigate an addition 10,000 acres on the reservation proper. This will also make it possible for the irrigation of deeded white lands to the east of the reservation with water which is surplus to the needs of the Yakimas. The flood control dam would eliminate all future floods on the Satus Creek area, thus making it possible for the reclamation of any abandoned farms up and down Satus Creek.

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Far from reating a basis for more harmonious relations between the two races, the Allotment act of 1887 only made the Indian administration more difficult. The consequences

of this measure were disillusioning to those of its sponsors who had the wellbeing of the Indian in mind. The abuses that it permitted soon became manifest and inspired several Congressional acts to control them. Before the forces of restraint came into operation over 90,000 acres had been alienated by sale and patents, and 26,953 acres conveyed in public land patents to white owned in accordance with the Act approved by Congress in 1904, (Pub. Acts 558th Congress, 3rd Session.) Some idea of the degree and character of land alienated can be gained by study of the records. The loss of land to the Yakimas has not been too serious but the demand of white farmers has been for the choice locations and the most productive areas on the reservation. The climax came in 1917 at a time that the administration had the authority to declare whole blocks or groups of Indians competent without individual applications and proceeded to bestow fee patents upon them. Many Indians objected and the case was brought before the Supreme Court. The decision was that the Secretary of the Interior had exceeded his authority in waiving the twenty-five year stipulation of the Dawes Act, and that the Indians who had been required to pay property tax as a result of his actions, should be reimbursed. This caused hardship on several counties which were located within Indian country.

In order to combat the heirship status of many lands on the Yakima reservation, the Yakima tribe has introduced a Bill through the Congressman Hal Holmes in Washington which will make it possible for the tribe to purchase fractionated heirship tracts from individual and resell them to other Indians who desire to become land owners. Even though the Indians as a general rule do not like to labor on the land and farm it individually, they have a great deal of pride in individual ownership, therefore, it is the wish of the tribe to purchase as much land as possible which allottess are putting-up for sale with the express purpose of resale to individuals thus maintaining the non-taxable trust status of these lands. The fiscal year 1956 Yakima Tribal Budget approved April 6, 1955, has a provisions for the expenditure of \$150,000 for the acquisition of trust land which are put up for sale.

refused to accept the cattle, however he said "we do not want our refusal to be considered as showing any disrespect to myself or to the Government."

On May 13, 1890, Mr. Webster Stabler became agent at Fort Simcoe and Thomas Priestly retired. It is noted in the annual report made by Mr. Stabler, in September 1890, that the Indians were unanimous in their opposition to the apportionment of their lands, in severalty, due to the enactment of the allotment act. Many Indian farms can be noted at this time; new buildings and other signs of industry were apparent. Many of the ranches would favorably compare to those of the wealthier white people who lived off the reservation.

Election for the District Commissioner this year was made by the vote of the Indian people by ballot which was counted at the agency. There were five Justices of the Peace election in 1890. An Indian by the name of Stick Joe was the Chief Justice. Occasionally some one would enter into gambling or other illegal business on the reservation and it became necessary to run at least two white people off the reservation in 1890. There were a total of 106 Yakima Indian children in school that year, nine being in the Chemawa, Oregon school.

In 1891 Jay Lynch was appointed Agency Superintendent at Fort Simcoe. School enrollment was 126, with an average daily attendance of 103. In addition to the Superintendent of schools, Stokley C. Roberts, there were three other teachers, who were alive to the great importance of faithful work in preparing these young Indian people for American citizenship, and were very anxious for the school to have a record of greater advancement than ever before. The school farm had become run down over a period of years and production was at an extreme low. Under the supervision of Jay Lynch and Mr. Roberts, the farm was again put into successful operation. The children studied in the class room for half a day and then worked in the shops and fields the other half, in order that they might become progressive farmers, like their white neighbors across the Yakima river.

The Agency staff remained very much as it had been, except there was an addition of a field matron, Mrs. Emlie C. Miller, who spent most of her time visiting the Indians in their homes. The field matron found the Indian women very shy, and in many cases they ran into the fields and hid from her; but after she had gained their confidence, she was obliged to furnish them aid in everything from tooth ache to furnishing material for a dress. It was not uncommon for her to preside at a funeral service, conduct prayer meetings, or on occasions, perform a wedding ceremony.

The Indians built very small, scantily furnished, houses and in the summer months spent most of their time out of doors to get away from the heat. It was not at all uncommon to find two or more families living together in one house; often the relationship of the families was not easily determined, for the Indians were reluctant to disclose the facts.

the betterment of the Indians, who had been placed in his charge. They made progress in education and agriculture during the time he was in office. Grazing privileges were granted to a few of the stockmen with several thousand dollars annully thus derived for the benefit of the Indians. A saw mill was built nine miles from the agency, on the old military road leading to The Dalles. Indians would haul their logs to mill and saw them into lumber, and many of them built dwellings, where they lived very much in contrast to the old tepees which had dotted the valley for years. Wagons, plows, harrows and harness were bought, and given to the Indians who desired to cultivate the soil. Soon there were grain fields and gardens scattered about the reservation. An earthquake shook the Yakima valley in 1874 leaving scars on the mountain, south of Yakima river, at the mouth of Satus Creek. Rock and earth were shaken from the mountain side for almost a mile.

Early in 1866 a stage road, completed with relay stations, was opened through the reservation, near the present route to Goldendale over Satus Pass. In 1878, it is reported that there were 3500 head of ID cattle on the Indian reservation, as well as some 16,000 head of horses. Most of the lumber produced at the mill was used for fencing the cultivated areas to keep out the stock, which were beginning to create a serious over-grazing problem on parts of the reservation. The severe winter of 1880 and 1881 gave the stockmen a serious setback both on and outside the reservation. It is reported that 80 to 90% of the stock froze or starved to death. The winter was a repetition of the 1861 and 1862 winter, just nineteen years before.

Father Wilbur had built up a nice attendance at the Indian school; the children were eagerly learning the ways of the white man and how to read and write. About 1882 Father Wilbur was removed from office and Gen. R.H. Milroy, was put in charge. His first move was to sell most of the ID cattle herd built up through increase and purchase. It was a move that derived no benefit whatsoever for the Indians and was considered ill advised by their friends. In addition to the loss of the cattle much of the confidence, which Father Wilbur had gained through his work with the Indian people, was lost in the short period of time that R.H. Milroy was in charge.

Timothy A. Byrnes took over as Superintendent September 21, 1885, followed by Charles H. Dickson, April 17, 1886. Thomas Priestly, December 6, 1886. In his report of February 28, 1887 the following employees are shown:

Agent; physician; clerk; farmer; two herders; carpenter; miller; blacksmith; shoe maker; interpreter; eight police; four teachers; matron; two seamstress; cook; laundress; disciplinarian; twelve irregular; nine transportation of supplies -- Total cost two months -- \$3023.

Cattle and horses roamed about the reservation, which was held in common for the Yakima tribe, very much at will. Many of the individual owners had their own marks or brands by this time. Herders employed by the agency made a concerted effort to try and keep the livestock problems down, however, it was reported that in this period very much trouble was had from trespassers outside the reservation who tried to herd their cattle and horses onto the reservation.

commodious depot buildings at each, and one telegraph station, one of these named Toppenish. This railroad has, is and will do much to stimulate industry in the Indians by giving them a ready market and good price for everything they can raise, and enabling them to see and communicate with the outside world. These matters indicate as much progress as could be expected."

That same annual report shows great improvement in our Indian police system. The police officers are referred to as entirely trustworthy and reliable in every emergency tried. It was also noted that the Indian courts of law were very successful in dealing justice to offenders. The rude form of Government used by the Indian Chiefs, which had been the custom in the past, had now been changed and each Indian policeman had a district in which he performed the duties of constable, for the Justice of the Peace of the district. The reservation court of three judges, with original jurisdiction in higher criminal and civil cases operated very much for the purpose of taking appeals for the Justice Court. The reservation was divided into three districts and a Commissioner appointed for each to form a sort of reservation board. These District Commissioners held jurisdiction over their particular area, very much like a County Commissioner. When road repairs were needed, they ordered out the able bodied men in the district, opening roads and constructing bridges where necessary. The cost of this operation was paid from fines and taxes, the latter being imposed on male Indians from twenty to fifty years of age, very much like a polltax. It seems that wife-beating, by Indian males, up to this time had been quite a problem. A new law was instituted by Gen. Milroy making it necessary that any Indian caught beating his wife would be punished at the whipping post.

The twenty-nine regular employees and twenty-one irregular employees can be compared to the hundred or more on the agency staff in 1955. There was only one clerk on the staff which would indicate a very minimum of reporting and record keeping. The number of Indians belonging to this reservation, as shown by the census of 1880, was estimated at 3400. Of this number 1727 permanent residents were engaged in agricultural pursuits to a great extent. When seasons were favorable they raised agricultural products for their food; when seasons were bad they turned to salmon fishing, which for some two or three years had been partially denied them by whites occupying most of the best fishing grounds and causing the Indians to wait until they finished. This had been a matter of serious consideration to the agent. The Indians were thus deprived of clearly defined rights of taking fish at usual and accustomed fishing places in common with citizens of the territory.

A large majority of the Indians were practically civilized and were rapidly adopting the manners and customs of their white neighbors. They had learned to steal a little, to lie a little, and some of them even turned to drink, however, drunkenness on the reservation was almost unknown. They seemed to ape the virtues, as well as the vices of the whiteman, in about equal proportions. Morals were still at a low ebb, particularly concerning their marriage relations, some improvement over the past was probably due to the vigorous action of the police system.

During the year 1888, 1717 head of cattle were supplied to the Indians as a means of making them self sustaining. These cattle were issued to the head of each family, which lived on the reserve, with the exception of a small band of Indians living on the Yakima

of the 7th Infantry who had departed to join the Northwestern Boundary Commission as an escort. With the departure of Company G the little military post settled down in peacefulness and quiet under the guard of one officer and fifteen men, who were in charge of the property until further orders. Final evacuation of the Post took place eleven days later.

In 1860 R.H. Lansdale was the first Superintendent appointed by the President of the United States. The first summer, he succeeded in bringing 147 Klickitat Indians from Lewis river valley to the reservation. Records are incomplete as to the success or methods of his tenure at Fort Simcoe. The following report can be found in the file:

"Superintendent of Indian Affairs, Washington D.C 1861 reports serious charges have been brought against Agent R.H. Lansdale, now in charge of Fort Simcoe Agency, during the month of November and December last year which induced Edward R. Geary, Superintendent of Indian Affairs for Washington Territory, to suspend that officer from the exercise of his office until an investigation could be made regarding said charges, and ordered C. M. Walker, Inspector of Indian Affairs in the territory to proceed to Fort Simcoe and relieve Mr. Lansdale, which he did, arriving at Simcoe on January 3, 1861."

The report further stated that Mr. Lansdale acted strangely, refusing to recognize the authority of the Superintendent or turn over the property, books, or belongings of the agency. The Inspector took possession forceably. On investigation of the affairs, the agency was found to be in bad shape and Lansdale was relieved. The Inspector remained in charge until A.A. Bancroft was appointed by President Lincoln several months later.

Bancroft was a brother of George Bancroft, a historian, a United States Minister to Prussia in 1867, and father of Hubert Bancroft whose histories of the Pacific Northwest states have seldom been equalled, yet he also proved a failure at Fort Simcoe and was, insofar as opportunities offered, one of the rankest Indian Agents in the west. Leaders of the different tribes or bands of Indians belonging to the Simcoe reservation were very disturbed in regard to their Agent. They reported on numerous occasions that annuities, which by treaty with the Government they were to receive at Simcoe, were growing less and less, and by the second year of Bancroft's administration, had become so small that they were not worth making the trip for. In fact, many of the Indians refused to go after their goods believing that the Great White Father in Washington must be angry with them, and meant to do them harm, or he would not have sent a man such as Bancroft to look after them.

Starting in November 1860, Rev. James H. Wilbur was Superintendent of Schools at Fort Simcoe with an average enrollment of twenty-eight. It is reported that the Indians held Father Wilbur in great respect and confided in him in regard to their feelings for Mr. Bancroft. It seems that Father Wilbur on occasions tried to reason with Mr. Bancroft, and get him to understand the Indians. This finally resulted in the removal of Father Wilbur as Superintendent of Schools by C.N. Hale, the newly appointed Commissioner of Indian Affairs. Whereupon, Father Wilbur gathered all the data he could find in regard

that the women were very good cooks and that they kept their clothing surprisingly clean. Milk, butter and cheese were rarely used in the homes, as it was almost impossible to have enough pasture close at hand to keep a milk cow. The Yakimas still follow their old traditional habits of going to the mountains in the spring, for edible roots, in the summer for berries; to the columbia river for salmon; to the hop fields in September, and sometimes to the mountains again for hunting in the fall.

The allotment Act was finally passed this year--305 allotments were granted to individual Indians.

The Yakima Nation has a thorough democratic form of government in its Tribal Government

The Government of the Yakima Tribe is composed of a General Council, consisting of a permanent Chairman, Vice Chairman, and Secretary, who are elected by a majority of the people of the Reservation at the regularly called meetings of the General Council. The General Council meets pursuant to 30 days' notice at least twice a year, and oftener upon proper notice to the members of the tribe. Every member of the tribe has a right to attend this General Council and participate in it. This right of the individual member includes initiating measures of importance to the tribe as a whole, health, education, finances, election of officers, etc. Each member of the tribe has a right to the free expression of his opinion, and debate on any matter brought before the council is unlimited. Each member of the tribe, man or woman, over 18 years of age is entitled to vote on all measures brought before the Council, and a majority vote determines all the issues. (No more democratic meeting can be found anywhere in these United States. The origin of this General Council is in custom, established over many years. In fact, from time immemorial these general councils were called at regular intervals to decide important issues affecting the tribe as a whole, and were originally presided over by the Chiefs of the several tribes composing the Yakima Nation. For many years the Interior Department has recognized, and does now recognize, the Yakima General Council as the governing body of the Yakima Tribe.

The business committee of the Yakima Tribe is the Yakima Tribal Council, composed of 14 members, representing the 14 original tribes which consolidated under the terms of the Treaty. The members of the ^{Yakima} Tribal Council are elected at the General Council meeting for a term of 4 years. In 1944 power to transact all tribal business, except such as are expressly reserved, was delegated by the General Council to the Yakima Tribal Council. This council meets regularly the first Tuesday of each month, and transacts all the business operations of the tribe. (Picture of Council to be in this section)

*How was
the
Charley
Peltus*

The Yakima Tribe has its own code of laws regulating conduct between its own members within the reservation boundaries; and the ¹⁰ten major crimes are handled by the Department of Justice through the United States Federal Courts.

Being citizens of the United States and of the State of Washington members of the Yakima Tribe can be sued by a white man in the State Courts, or a member of the tribe may resort to the State Courts to sue a white citizen.

For many years the only rolls of members of the Yakima Tribe were the old allotment rolls made in the 1890's and early 1900's, and the need of an up to date roll of Yakima Indians was imminent. Sometime before the year 1945 the Yakima General Council had directed certain of its members to investigate the possibility of securing an enrollment of the membership of the tribe, and the proper method for doing so. The Committee appointed for this purpose reported its findings to the Yakima General Council on February 20, 1945, By an overwhelming majority the General Council voted to seek legislation from Congress authorizing enrollment of the members of the Yakima Tribe, rather than to make an enrollment under existing regulations of the Interior Department. At this Council a resolution was adopted to include members not only living on the Yakima Reservation proper, but also those who had secured public domain allotments within the ~~Reservation property but also~~ ~~those who had secured~~ area ceded to the United States under the Treaty of June 9, 1855.

On February 21, 1945 the General Council approved a motion directing the Tribal Council to draft the desired legislation. The Yakima Tribal Council prepared several drafts and submitted them to a Yakima General Council held on March 6, 1946. The General Council rejected the drafts submitted and, after considerable debate, selected a committee of the General Council to assist the Yakima Tribal Council in preparing a draft in accordance with the specific directions of the General Council. At this Council a motion was approved establishing the minimum degree of blood requisite for enrollment at 1/4 or more of the blood of the 14 tribes which constitute the Yakima Nation.

The draft of the proposed legislation, prepared in accordance with the wishes of the General Council, was embodied in H. R. 6165, 79th Congress, 2d Session, introduced by Congressman Hal Holmes of the State of Washington

Thus the Bill, enacted into law by Congress, and approved August 9, 1946, represented the will of the great majority of the membership of the Yakima Tribe.

The past 10 years has brought about a gradual change in the policy of the Indian Bureau for the Yakimas and other Indian tribes in the United States. Restrictions relating to handling of affairs directly affecting the Indians have been relaxed leaving many of the major decisions up to the Tribe. Simultaneously the Bureau has been transferring services to the State and County. This includes education, welfare, agriculture-Extension, part of the Roads program and cooperative assistance from highway patrol, county sheriffs staff, juvenile authorities. Health activities will be transferred to the Federal Bureau of Public Health July 1, 1955.

Federal appropriations have gradually diminished during the same period of time. Federal supported activities now include Administration, Roads, Soil and Moisture forestry, Conservation, grazing, dentist's office/and part of Law and Order. An Examiner of Inheritance was furnished from the Solicitors Office January 1, 1955 to remain on the staff until the back-log of unsettled estates are current. To maintain services formerly furnished the public by the Bureau, the Yakima Tribe has taken over the financing of land, leasing and Individual Indian money, financed by a fee collection system, and credit, financed by interest collected. They are also assisting in the forestry, fire control, law and order and road construction and maintenance.

The policy of the Congress of the United States and the Department of the Interior is gradually forcing Indians to assume more responsibility in handling their own affairs. Duties of the Tribal Council are rapidly increasing. They are planning future programs for the benefit of the Tribe as a whole without regard for any personal desires. Steps are taken to benefit the landless, school age, delinquents, orphans and unfortunates. Cooperation with Bureau officials is very good although a small minority group composed chiefly of those who have little Yakima blood persist in trying to divide the tribe and discredit the activities of the Bureau

Many other Indians followed suit soon after and planted small patches or fields on the tiny streams that wound down from the mountains through the sem-arid lands on the way to the rivers. These operations were after the Indian wars were over and the agency was established at Fort Simcoe. Indian families in the Medicine Valley, White Swan and Toppenish Creek areas are still using some of the old ditches which their grand fathers dug years before. Water flow is scanty and frequently dried up entirely during the summer months. Plans are underway to bring in a new irrigation project ~~toward~~ the White Swan project which will add another 14,000 acres to the irrigated lands in the valley. There is another plan in which there has been talked of for years of diverting the Klickitat river through a tunnel down on to the Yakima valley, whereby another 30,000 or more acres could be brought under cultivation. Surveys are currently being made on Satus Creek to locate a site for the construction of a combination flood control and irrigation dam which will empound enough water to irrigate an addition 10,000 acres on the reservation proper. This will also make it possible for the irrigation of deeded white lands to the east of the reservation with water which is surplus to the needs of the Yakimas. The flood control dam would eliminate all future floods on the Satus Creek area, thus making it possible for the reclamation of any abandoned farms up and down Satus Creek.

Land sales became frequent by 1911 and it is reported that 290 sales had been made covering most of the patents which had been issued up to that date. It is noted that the land~~x~~ sold were for the most part valuable irrigated land. Prices received ranged from a few dollars to \$150 per acre. Compared to the per value in 1955 of \$350.00. Values received from the sale of Indian land was placed in the Indian's account and held in trust by the Department. During the early years the Department kept strict control over Indian's funds, especially proceeds of sale of lands. However, since June 1951 the ~~XX~~ individual Indian Moneys can be withdrawn upon the request of the Indian, unless he is a minor or non composmentis.

Far from reating a basis for more harmonious relations between the two races, the Allotment act of 1887 only made the Indian administration more difficult. The consequences

of this measure were disillusioning to those of its sponsors who had the wellbeing of the Indian in mind. The abuses that it permitted soon became manifest and inspired several Congressional acts to control them. Before the forces of restraint came into operation over 90,000 acres had been alienated by sale and patents, and 26,953 acres conveyed in public land patents to white owned in accordance with the Act approved by Congress in 1904, (Pub. Acts 558th Congress, 3rd Session.) Some idea of the degree and character of land alienated can be gained by study of the records. The loss of land to the Yakimas has not been too serious but the demand of white farmers has been for the choice locations and the most productive areas on the reservation. The climax came in 1917 at a time that the administration had the authority to declare whole blocks or groups of Indians competent without individual applications and proceeded to bestow fee patents upon them. Many Indians objected and the case was brought before the Supreme Court. The decision was that the Secretary of the Interior had exceeded his authority in waiving the twenty-five year stipulation of the Dawes Act, and that the Indians who had been required to pay property tax as a result of his actions, should be reimbursed. This caused hardship on several counties which were located within Indian country.

In order to combat the heirship status of many lands on the Yakima reservation, the Yakima tribe has introduced a Bill through the Congressman Hal Holmes in Washington which will make it possible for the tribe to purchase fractionated heirship tracts from individuals and resell them to other Indians who desire to become land owners. Even though the Indians as a general rule do not like to labor on the land and farm it individually, they have a great deal of pride in individual ownership, therefore, it is the wish of the tribe to purchase as much land as possible which allottess are putting-up for sale with the express purpose of resale to individuals thus maintaining the non-taxable trust status of these lands. The fiscal year 1956 Yakima Tribal Budget approved April 6, 1955, has a provisions for the expenditure of \$150,000 for the acquisition of trust land which are put up for sale.

The allotment act passed February 8, 1887 causing a great deal of concern among the Indian people. They were reluctant to accept allotments with the belief that the Government would turn them lose, however, a majority of the tribal members finally agreed to accept their allotments, resulting in 305 being issued in 1891, however, there were many Indian people who did not accept their allotments, some of which are still alive today. The allotment act was amended in February 28, 1891 and again on June 25, 1910. The trust period under the allotment act was fixed at 25 years with power in the President to extend the period. From 1887 to 1895 very few allotments to the Indians were made, but in 1902, a small number of cases calling for the determination of heirs were presented to the Indian Office. It was assumed that State Courts had jurisdiction, but some probate courts of the States did not assume this jurisdiction and, therefore, no determinations were made. On May 8, 1906, an act was passed giving authority to determine heirs of Indians for the first time on the Secretary of the Interior. This created a peculiar situation as the Secretary of the Interior was counsel for both plaintiff and defendant as well as judge upon the bench. He did not wait for a case to be brought before him, but instituted the necessary action through his field representatives to collect the evidence, which may be in the form of decrees in the State Courts, or affidavits and then rendered the decision on legal and equitable grounds. In addition the law specified that his decisions would be under such rules and regulations as he might prescribe. It is evident, therefore, that the Secretary is not bound by the decision toward decrees of any court in inheritance matters affecting Indian trust land, and that it rests entirely in his discretion from the evidence submitted as to the determination of Indian heirs.

In all lands granted to Indians under the allotment act the Government holds the Fee until the restricted period is ended. When the final patent is issued the fee of the land is thereby extinguished in the Government and the Indian is holds or the purchaser acquires a perfect an unburdened title and right of possession. Of course, Indians could purchase from Indians and still maintain their trust status, conditions or restrictions.

By 1905 there were 2484 allotments on the Yakima reservation. Practically all of the land which was considered for irrigation were allotted and now allotments were being made on dry sage brush lands. It is not known when and how water can ever be obtained for irrigating them. There were 379 leases covering 28,559 acres made that year to other than Indian operators. Improved lands on the reservation leased from two to five dollars per acre; unimproved lands lease for terms of five years were from fifty cents to a dollar per acre.

It was apparent that the trend of the public thinking, even in these early years, was toward private ownership for the Indians. By the end of 1911, 3160 allotments had been made. In 1914 the allotment rolls were closed--4506 individuals having been granted a total of 440,000 acres of land. Indians born since that date were without original assignments of land and if they own any at all it must be inherited. Even before that time the good land was scarce, those who entered a claim subsequent to 1908 being able to receive marginal plots or grazing land or timber areas in the mountains. Those who accepted the whiteman's ideals, mostly half-breeds, and a number of women who had married whitemen, capitalized upon the new plan of individual ownership. A provision which allowed the Indians to make requests for patents in fee to the lands became effective at this time. This placed them upon the same footing as white people, their lands were subject to taxation, and they were free to dispose of them as they saw fit.

The full blood Yakimas did not feel that the breeds (sorry, here the record is not understandable, I will put in what I have and possibly it will bring to your mind the text) hma it was felt that these aliens and half-breeds traitors intentions to sell to the whites.

In 1915 the position of the agency at Fort Simcoe was felt to be too remote from the main current Indian affairs and the center of the population to the east which bordered the Yakima river. In 1922 the Fort Simcoe Indian Agency offices were moved to Toppenish to a building which is now the Toppenish City Library.

By 1906 Congress had begun to make appropriations, which finally totalled two million dollars for the development of comprehensive irrigation system known as the Wapato Project. It was later enlarged to include the Satus I, II, and III projects. Water was taken from the Yakima river at a dam build in 1817 just south of Union Gap. In 1954, 123,748 acres of land was farmed within the Wapato-Satus projects. The value of the crops raised upon this land amounted to \$206,947, or ~~xxx~~ an average of \$166.48 per acre. There were fifty different kinds of crops raised in the valley. Per acre value ranged from \$21 on the lowest value hay crops to as high as \$1342 on apple production. The next highest value crop was sweet cherries with a per acre value of \$1193 ~~following~~ followed by hops \$770; apricots \$559; pears \$546; Potatoes \$443; plumes and prunes \$402; onions \$381; Asparagus \$358; berries \$346.

The Ahtanum creek irrigation project on the northern boundary of the reservation had 4760 acres in cultivation in 1954 and the Toppenish-Simcoe unit in the western part of the valley had a total of 2848 acres, making a grand total of 131,355 acres which were under irrigation projects on the Yakima Indian reservation. In addition there is undeveloped land within the Satus III project amounting to around 3,000 acres which will be brought in in the next few years. The last unit directly south and west of the town of Mabton has been found to be the most productive area on the Yakima reservation. Average per acre value of crops produced in 1954 was \$179, almost \$13 more than the average for the whole project. Even before any orchards have come into production, early days of irrigation and farming by the Yakima Indians can be traced back to Kamiakin who had farmed on the Ahtanum creek in 1847, eight years before the treaty was signed and 40 years before the allotment act.